

CALIFORNIA RACIAL AND IDENTITY PROFILING BOARD
STATE & LOCAL POLICIES AND ACCOUNTABILITY
SUBCOMMITTEE: MEETING MINUTES

Thursday, September 14, 2017, 1:00 PM.

Teleconference Locations: California Department of Justice Offices

Sacramento

1300 "I" Street
Sacramento, CA 95814

Los Angeles

300 S. Spring Street
1st Floor Reception
Los Angeles, CA 90013

Oakland

1515 Clay Street
20th Floor, Suite 2000
Oakland, CA 94612

Other Teleconference Locations:

Kings County Sheriff's Office
1444 W. Lacey Blvd.
Administration Building
Hanford, CA 93230

Compton USD, Education
Service Center
501 South Santa Fe Ave.
Conference Rm. #132
Compton, CA 90221

Alliance San Diego
4443 30th Street, 1st Floor
San Diego, CA 92112

Subcommittee Members Present: Micah Ali, Oscar Bobrow, Andrea Guerrero, David Robinson, Tim Silard, Warren Stanley.

Subcommittee Members Absent: Alex Johnson.

California Department of Justice Staff Present: Randie Chance, Kelsey Geiser, Shannon Hovis, Kevin Walker

1. Call to Order

The first meeting of the State & Local Policies and Accountability Subcommittee was called to order at 1:07 p.m. by Shannon Hovis from the California Department of Justice (DOJ). The meeting was held by teleconference with a quorum of members present.

2. Update from Department of Justice

Ms. Hovis provided the subcommittee with a review of the board's purview and the tasks mandated to the board by AB953 including the publication of an annual report. Ms. Hovis then laid out the general agenda for the call.

Ms. Hovis emphasized that while the DOJ staff is supporting the board, ultimately the report is board directed and the board members dictate what is and is not included in the final report. Ms. Hovis also emphasized that the RIPA board's first report can lay out what the board will accomplish in future reports and set the stage for what those reports will look like down the line.

3. Selection of Subcommittee Co-Chairs

Ms. Hovis provided an overview of the selection process stating that each subcommittee on the board will select two person teams serving as co-chairs to work together, work with Department of Justice Staff, and report their work back to the larger subcommittee and to the public. Ms. Hovis clarified that no member of the board can serve as a co-chair on more than one subcommittee, meaning there will be ten total board members serving as a co-chair. Ms. Hovis clarified that Member Robinson has already been selected as a co-chair for the Citizen Complaints subcommittee and Member Ali has already been selected as a co-chair for the POST Training and Recruitment subcommittee and therefore neither can serve as co-chair for this subcommittee.

MOTION: Member Guererro nominated herself as a co-chair. Member Stanley seconded that. Member Robinson nominated Member Stanley as a co-chair. Member Stanley accepted but clarified that he is acting commissioner so could be replaced. Member Bobrow made a motion for a vote. Member Stanley seconded the motion.

VOTE: Member Guererro and Member Stanley were selected as Subcommittee Co-Chairs with all members in attendance voting “Yes”, no “No” votes, and no abstentions. Member Silard and Member Johnson were not present for the vote.

4. Discussion of UC Berkeley work

Ms. Hovis introduced Mr. Broadus and Ms. Charbonneau of the Center for Policing Equity at the University of California, Berkeley to review the work they have been doing.

Mr. Broadus and Ms. Charbonneau are working with U.C. Berkeley Professor Jack Glaser, who is a principle investigator on the National Justice Database (NJD) led by the Center for Policing Equity (CPE). Mr. Broadus explained that the main goal of the NJD is to collect standardized data on stops, arrests, complaints, uses of force, surveys, attitudes of officers, and environment of the department from a number of departments around the country to measure department components and procedures. NJD also is working on a detailed review of the policies at each of the participating departments with the goal of developing a framework for researchers and the general public to navigate through and understand how specific policy language may be correlated with performance data process. The process entails converting qualitative information into quantitative data by scoring the policy language that can be measured against stops, disparities, and the race of the people who are stopped. Mr. Broadus clarified that the team at CPE is still working on their capacity to rate this policy language. Another goal of the NJD is to complete a deep dive into the documents themselves through the 5 core objectives described in the overview document distributed to the subcommittee members and the public prior to the meeting. Mr. Broadus detailed some of the characteristics that they use in scoring policy language such as clarity and prescriptiveness of language and how often priorities show up throughout multiple policy documents.

Mr. Broadus commented that the limitations he and his team have faced are determining what is happening on the ground at the department versus what is in the policy language, how much can be gained just by looking at the text of the documents, and what does quality look like in the policies for which there is no real evidence-base that can serve as a guide.

Mr. Broadus suggested that the board assess the aspect of their work that looks at what quality policies look like.

Ms. Charbonneau directed the subcommittee to page three of the distributed document to emphasize a graphic look at the approach and explained that a major part of their process involved talking with liaisons at the departments who are familiar with the department policy landscape and the policy development process.

Co-chair Guerrero asked how the framework measures accountability and oversight of the implementation of these policies.

Mr. Broadus noted that they have found this aspect can be challenging to measure, particularly given there is often little text to work with. To help account for this difficulty, the team has engaged in more interviews and developing relationships with liaisons in the departments to gain a better sense of how policies are being implemented.

Ms Charbonneau added that the project also looked at external oversight and accountability through analysis of civilian review boards and consent decrees.

Ms. Hovis asked if they look at promotions within an agency and ways agencies gauge internal success.

Mr. Broadus commented that the project has treated performance of assessment tools as policy documents and they assess qualitative supervisory review. Ms. Charbonneau mentioned that their treatment and analysis of early warning systems has been similar.

Ms. Hovis suggested that the subcommittee could explore trying to define what a quality racial profiling policy may look like and then lay out a framework for what the subcommittee anticipates doing in future reports, such as a more comprehensive policy review similar to what the CPE has done.

Member Robinson mentioned that the citizen complaint subcommittee was identifying a subset of agencies to survey and request information from and suggested that this committee use the same subset of agencies to request policy information from with the ultimate goal of developing an example policy.

Co-chair Stanley agreed that this would be the best approach given the short timeline and the board's capacity to analyze the information it receives in that time.

Co-chair Guerrero agreed that a survey would be helpful in understanding a baseline and suggested that the report not only lay out what policies agencies have but also provide a checklist for best practices for creating policies and measuring the success of the policies. Co-chair Guerrero noted that the possibility of doing a community survey of hotspots was discussed in the last full RIPA board meeting.

Member Bobrow agreed with the framework set forth by the Center for Policing Equity and suggested that the subcommittee adopt this framework going forward.

Ms. Hovis mentioned how labor and time intensive the approach taken by CPE is and that because it is an evolving approach. However, the framework may be used as a starting point for the future direction of the subcommittee.

Mr. Broadus suggested that the committee use a narrower version of the framework that is more oriented toward specific definitions around what constitutes a quality policy.

Co-chair Stanley asked if there were any consistencies between reviewed policies. Mr. Broadus said there are some key themes or standard policies they sometimes see. For example, some agencies use model policies from the International Association of Chiefs of Police.

Member Bobrow asked if the RIPA board had already requested this information from every department about whether or not there are policies in place about bias in policing or improving community relations.

Ms. Hovis responded policies have not yet been requested from agencies but could be requested if the subcommittee agrees on the information they want to collect and who they want to collect it from.

Member Silard commented that overtime the subcommittee would also want to know about hiring and training polices as well. Member Silard suggested that the co-chairs work with DOJ to determine the details of the survey.

Co-chair Stanley suggested asking about early warning systems and supervisory review of complaints and agreed that the information should likely be asked of a subset of law enforcement agencies given the timeline.

Member Silard suggested that this data collection be coupled with the data stop collection process.

5. Public Comment

Diana Tate Vermeire of the ACLU highlighted the importance of discussion around the culture of policing and urged the board to include this in their review of the policies.

Michele Wittig of the Santa Monica Coalition for Police Reform urged the committee to recommend civilian oversight and inclusion in the creation of policies. Ms. Wittig also commented that the board should focus on police accountability.

Karen Glover of Cal State San Marcos echoed the call for community input and urged the board to consider profiling practices not as peripheral but rather reflective of what is going on in the larger culture index on the “health” of the police department. Ms. Glover suggested the use of a score card and commented that the board should focus on accountability and implementing policy to eliminate profiling.

6. Continuation of Subcommittee Discussion

Ms. Hovis reiterated that for the current RIPA report, the subcommittee could request racial and identity profiling policies and practices from the same subset of agencies as the citizen complaint subcommittee.

Co-chair Guerrero emphasized the need for baseline information on 1) if the agencies have relevant policies 2) how are they implemented (potentially in the form of the policing manuals) 3) what are the mechanisms for assessing whether the policies are adhered to and are effective.

7. Approval of Next Steps

MOTION: Chair Guerrero moved that the committee co-chairs work with the DOJ staff to identify the set of agencies the board will reach out to and formulate the questions that will be asked including 1) existing policies 2) how policies are implemented and 3) the mechanisms used to ensure adherence to and effective implementation of the policies.

VOTE: The plan was approved with all members in attendance voting “Yes”, no “No” votes, and no abstentions. Member Johnson was not present for the vote.

9. Adjournment

The meeting was adjourned at approximately 2:44 p.m.