From:	Richard Hylton
To:	<u>AB953</u>
Cc:	PIU; Catherine Ysrael; RHVILLA@sandiego.gov; Shannon Hovis; Mara W. Elliott
Subject:	Re: Correspondence to the Department of Justice
Date:	Monday, July 31, 2017 9:15:00 AM

Your communication of last Friday, contains this most intriguing final passage

Please feel free to distribute broadly, and to contact me with any questions.

Sincerely, Shannon

Shannon K. Hovis, MPP, MST Civil Rights Enforcement Section California Department of Justice 1515 Clay Street, Suite 2000 Oakland, CA 94612

510-879-1976 shannon.hovis@doj.ca.gov

I have always held myself to be a rather special individual; one deserving of special things, but draw the line when others take it upon themselves to treat me specially. For example, the special way Blacks and Browns are treated by the police. In this context, I mean the contents of the main thread, of this communication, that appears to admonish me for communications directed to people. For example, I direct you to your selection of my words which words you threw back at me, in quotes, as here:' *In that correspondence you state generally that you "need information and asking for it is the best way to get it."*

May I respectfully offer you a form of penance; a from of atonement; a path to absolution? I offer it anyway :that you not burden or insult the the attendees at the Oakland hearing by inflicting upon them the prattle of the idiot from POST and that you not "entertain" them with the Emmy-award winning tripe that the local attendees were forced to endure.

Finally; I do note that you do read my post-admonition communications. That you do so sometimes weeks after they are sent is in keeping with DOJ performance in this entire matter. Please ensure that they make their way to the RIPA board Members, some of whom seem rather interested in San Diego matters.

You may hear from me later today; I may even stoop to using the telephone.

Sent with Mailtrack

On Thu, Jun 15, 2017 at 12:43 PM, AB953 < AB953@doj.ca.gov > wrote:

Dear Mr. Hylton:

Thank you for your recent email correspondence and telephone calls to the Office of the

[232] Richard Hylton 7.31.17_Redacted.pdf

Attorney General expressing concern about the City of San Diego's Police Chief and the Department of Justice's AB 953 Regulations. In that correspondence you state generally that you "need information and asking for it is the best way to get it."

We request that if you wish to submit a Public Records Act request to our Office regarding specific information, please contact our Public Records Ombudsperson at <u>PublicRecords@doj.ca.gov</u> The purpose of the Public Records Act (Act) is to provide access to government records so that members of the public can monitor the performance of government agencies. In recognition of individual rights of privacy and the need of government agencies to maintain the confidentiality of certain records, the Act provides several exemptions that permit government agencies to withhold specified information involving, for example, personnel, investigations, and litigation.

General correspondence and inquiries may be sent to our Public Inquiry Unit at <u>PIU@doj.ca.gov</u>.

If you have public comment you would like to submit regarding the AB 953 regulations, that can be submitted during any open public comment period on the regulations to this email address, <u>AB953@doj.ca.gov</u>

Please discontinue telephoning and sending e-mails to individual staff members, and instead please utilize the <u>PublicRecords@doj.ca.gov</u> or <u>PIU@doj.ca.gov</u> e-mail boxes as appropriate. This will ensure that your correspondence is appropriately reviewed and handled.

Thank you again for writing.

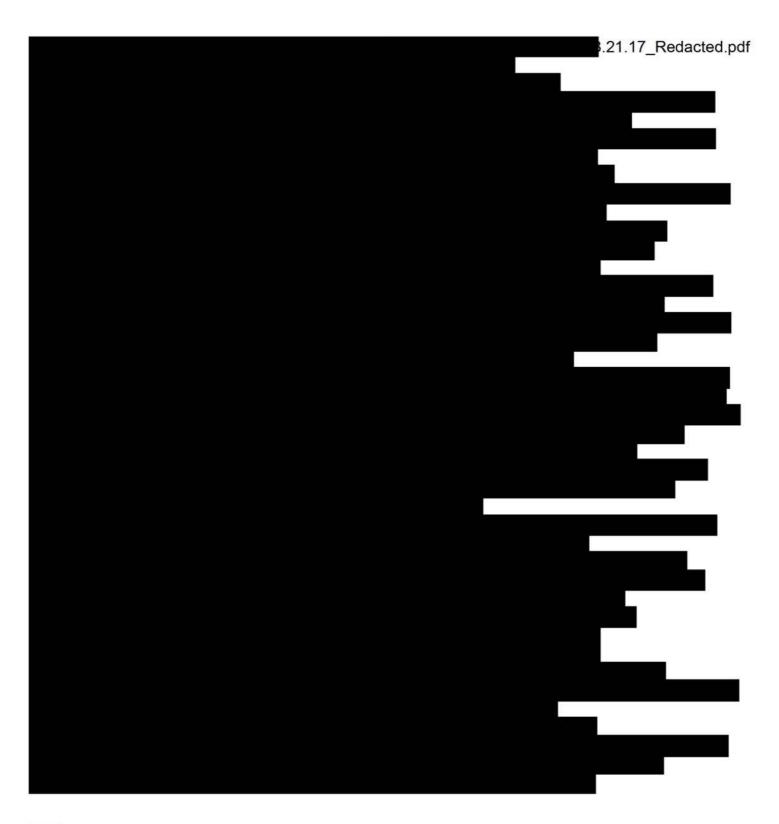
The AB 953 Team.

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From:	Richard Hylton <	
Sent:	Monday, August 21, 2017 5:04 PM	
To:	AB953	
Cc:	Catherine Ysrael; Shannon Hovis; Mara W. Elliott	
Subject:	Fwd: Annual updates to Vehicle Stop Reports	

A fair number of people seemed to have an interest in this subject, at the San Diego Meeting. I suppose that the RIPA board would too, so I ask that the below be given to them, the board.

Forwarded message	
From: Richard Hylton >	
Date: Mon, Aug 21, 2017 at 10:47 AM	
Subject: Annual updates to Vehicle Stop Reports	
To:	





Councilman Chris Cate clarified his motion attached to and urging the adoption of SDSU's biasedpolicing report, by stating in response to the City Attorney: "I have included within the motion to <u>have</u> <u>annual updates</u>, on stop card data to come to our committee, and we are going to receive <u>the</u> <u>reports"</u>.

I accepted that plain language, and beginning in July 2017, in CPRA <u>17-1514</u> and CPRA <u>17-1925</u> I sought an update as to when such reports would be forthcoming, and, if commissioned, when they were commissioned. The public records that are CPRA <u>17-1514</u> and CPRA <u>17-1925</u> have far too much information to be condensed here, other than to say some city employees, including some in the Councilman's office, are unpersuaded by the plain meaning of words.

My concern was heightened by community-member Jerry Navarro's comment, at the RIPA meeting(July 12, 2017) -taken up by a panel- member. Both Navarro and the panel-member expressed dismay at the alleged refusal of Chief Zimmerman to produce future reports. It was said that Zimmerman has pledged that the SDPD would not produce future reports, now that reports will be produced by CA-DOJ, under RIPA, or words to that effect.

On August 17, 2017 @around 2 p.m, I had the good fortune of hearing from Alan Young, who may be Councilman Cate's Chief of Staff. Chief Young has indicated that there shall be no new commissioned studies, a la SDSU's Analysis. He went on to say that <u>the subject of annual updated</u> *reports* would be brought to the PSLN and any <u>annual updates</u> would be completed by the SDPD. However, such reports would not be prepared until the anniversary of the presentation of SDSU's study, at the earliest. I compute that to be either:

- 1. November of this year; the anniversary of the SDSU presentation to the PSLN or;
- 2. February of next year; ; the anniversary of the SDSU presentation to the full council.

I am uncertain why there is this compulsion to adhere to these strict dates, since by the time that either date rolls around, 2016 data will almost be one year old or older, and data for 2017 will be almost available or 2 months old.

Annual updates of Stop Reports, demanded by Councilman Cate, using what seems to be plain language, shall not see the light of day anytime soon.

The tussle to establish that the SDPD is subject to civilian control, i.e. subject to directives of the city council will be interesting to watch. I hope that the city council will not have until November 2017 to address the issues.

Richard Hylton



Sent with Mailtrack





August 22, 2017

Richard Hylton



Summer Stephan District Attorney Hall of Justice 330 W. Broadway San Diego, CA 92101 619-531-4040 FAX: 619-237-1351

Certified #7015 0640 0001 3090 5148

District Attorney Stephan;

On August 16, 2017, I wrote to you concerning violations of California Criminal Code by those who are duty-bound to uphold the law. That communication is embedded in this communication, and begins at page 3. As expected, I did not hear from you or anyone in your office.

Today, I called your office in an attempt to determine the status of my complaint. Everyone was clucless. I felt at home. No one could find the fax that was sent to your published fax number; the one that is within this communication and appears on your web-site



In fact, I was asked where I obtained the fax number that I used, for it was not familiar to the person who fielded my call. Discussing the email that was sent to the Public Information e-mail address was an equal waste of time. So here I am again. As you can see I have stooped to using certified mail, and have absorbed the cost despite my knowledge that what I have undertaken is impossible. But, this Anglican believes in St. Jude.

Are you certain that it is impossible to complain about crooks in the San Diego Police Department? Since I brought this matter to the DA's attention before, long before, you have less than a week remaining to deal with this; much less.

Sincerely

Richard Hylton



piu@doj.ca.gov catherine.ysrael@doj.ca.gov

August 16, 2017

Hall of Justice 330 W. Broadway San Diego, CA 92101 <u>619-531-4040</u> FAX: <u>619-237-1351</u>

Dear District Attorney;

2005 California Penal Code Sections 132-141 provides:

Every person who upon any trial, proceeding, inquiry, or investigation whatever, authorized or permitted by law, offers in evidence, as genuine or true, any book, paper, document, record, or other instrument in writing, knowing the same to have been forged or fraudulently altered or ante-dated, is guilty of felony.

(d) The Attorney General or the district attorney of the county in which an alleged violation of subdivision (c) occurs may institute a civil proceeding.

The City of San Diego authorized an inquiry and investigation of police-bias, using data that was fraudulently altered by persons unknown. But it is believed that the alterations ware made by persons who, likely, are employees or officials of the City Of San Diego and was done at the direction or with the acquiescence of other city employees or officials. All evidence is that the **fraudulently alteration** began in or around the third quarter of 2014, accelerated into 2015, has abated somewhat, but continues to date. The below represents data that was made null; (and nothing else, for the SDSU report shows many other methods in which data was falsified) meaning records that have vestiges of having been entered, but subsequently were removed.

A manufacture and a local second

But for the **fraudulently altered** records, the findings of the **inquiry**, or **investigation** would have been direr. Indeed, it is believed that findings called "threshold" findings, by the SDSU analysts, would not have been so, for the reason that the altered records disproportionately affected Black and Hispanics; Hispanics especially. Accordingly, it is also believed that the San Diego City Council would not only have accepted the investigations findings but would have adopted its recommendations.

I daresay that the **fraudulent alteration** was ordered by or acquiesced to by members of the San Diego City Council, given their sudden and unannounced decision to add data for 2015 having received prior notice, on multiple occasions that the 2015 data was being fraudulently altered.

I have identified just under a third of the 34264 records that generated the above graph. Your level of evenhandedness and interest will be confirmed if you ask for that data.

Whether any of this implicates 18 U.S. Code § 1519 - Destruction, alteration, or falsification of records in Federal investigations- is unknown to me, for the Feds though aware of all this seem to have chosen to ignore it. Things are expected to be worse in the reign of General Jefferson Beauregard.

Given current events, the timing of this communication is perfect. You need not reply to it. Not acting, timely, on it would be a mistake.

I have included a Deputy Attorney General whose ambit allegedly includes these things to this distribution. I shall send a fax too.

Richard Hylton



piu@doj.ca.gov catherine.ysrael@doj.ca.gov

Kathleen Radez

From:	
Sent:	
To:	
Subject:	

Richard Hylton Tuesday, August 22, 2017 9:35 PM Catherine Ysrael; Shannon Hovis; Mara W. Elliott Criminals in San Diego City Hall; on the SDPD or other divers places

August 22, 2017

Richard Hylton



Summer Stephan

District Attorney

Hall of Justice

330 W. Broadway

San Diego, CA 92101

619-531-4040

FAX: 619-237-1351

Certified #7015 0640 0001 3090 5148

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find the fax that was sent to your published fax number; the one that is within this communication and appears on your w		×	
find the fax that was sent to your published fax number; the one that is within this communication and appears on your v	veb-site		

	🖙 Aug 16 (6 days ago) 👘	+
HELLOFAX asiest way to sign and taxes online		
Success! Your fax has been sent. Your fax has been sent to <u>+16192371351</u> . You can see your fax anytime by clicking View		
on HelloFax.		
Like going paperless? Try our other product, HelloSign.		

In fact, I was asked where I obtained the fax number that I used, for it was not familiar to the person who fielded my call. Discussing the email that was sent to the Public Information e-mail address was an equal waste of time.

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piu@doj.ca.gov

catherine.ysrael@doj.ca.gov

August 16, 2017

Hall of Justice

330 W. Broadway

San Diego, CA 92101

619-531-4040

FAX: 619-237-1351

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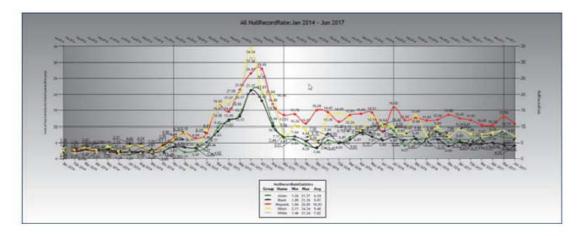
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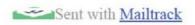
Richard Hylton

piu@doj.ca.gov

catherine.ysrael@doj.ca.gov







From:	Richard Hylton
To:	Shannon Hovis; Catherine Ysrael; AB953
Subject:	Blocked by policy
Date:	Thursday, August 24, 2017 10:31:18 AM
Attachments:	image.png

My mail to the AB953 mailbox was undelivered. It was Denied by policy. That is quite some policy.

Please elaborate on this policy, the one that blocks communications with a government entity.

Mail Delivery Subsystem	<maller-daemon@googiemail< th=""><th>com></th></maller-daemon@googiemail<>	com>
to me 🐨		

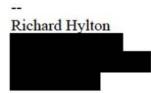
Message blocked Your message to ab953@doj.ca.gov has been blocked. See tochnical dotails below for more information.

The response was.

550 Denied by policy

Final-Recipient: rlc822, <u>ab953(2)doj ca gov</u> Action: failed Status: 5.0.0 Remota-MTA dns; <u>imail doj ca gov</u>, (167.10.5.245, the server for the domain <u>doj ca gov</u>.) Diagnestic Code: smtp; 550 Denied by policy Last-Altempt-Date: Thu, 24 Aug 2017 10:20:53-0700 (PDT)

Forwarded mossage Form Richard Hytton < Formation Control (Control (Contro) (Contro)



Sent with Mailtrack



Virus-free. www.avast.com

From:	Richard Hylton <
Sent:	Saturday, August 26, 2017 1:19 PM
To:	Shannon Hovis
Cc:	AB953; Catherine Ysrael
Subject:	Upcoming Racial & Identity Profiling Advisory Board Subcommittee Meetings.
	Exclusion of Colleagues and Stakeholders, in San Diego

The September subcommittee meetings seem to have been affected by the July 12, 2017, San Diego experience.

I fervently pray and hope that the other than sheepish reception extended to the POST presentation --the awardwinning farce of what the comedians present as a typical stop-- and the contempt heaped upon the deescalation comments of the presenter, had noting to do with the POST Training and Recruitment Subcommittee's proceedings not being available for auditing or other public participation from Colleagues and Stakeholders, in San Diego.

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD https://oag.ca.gov/ab953/board

POST TRAINING & RECRUITMENT SUBCOMMITTEE MEETING NOTICE AND AGENDA

Thursday, September 14, 2017, 11:00 a.m. - 1:00 p.m.

Teleconference Locations: California Department of Justice Offices:

Sacramento 1300 "I" Street Sacramento, CA 95814 Oakland 1515 Clay Street 20th Floor, Ste. 2000 Oakland, CA 94612

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

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

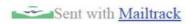
- 1. INTRODUCTIONS (3 min.)
- 2. UPDATE FROM DEPARTMENT OF JUSTICE (7 min.)
- 3. SELECTION OF SUBCOMMITTEE CO-CHAIRS (5 min.)
- 4. DISCUSSION OF PROPOSED REPORT CONTENT (1.5 hours)
- 5. PUBLIC COMMENT (10 min.)
- 6. APPROVAL OF NEXT STEPS (5 min.)
- 7. ADJOURN

With chagrin, I do note that there are at least two sites for participation in Los Angeles county.

I will wait until Monday, noon before distributing this to other Colleagues and Stakeholders.

Carry on.





From:	Richard Hylton <
Sent:	Monday, August 28, 2017 1:17 PM
To:	Shannon Hovis
Cc:	Catherine Ysrael; AB953
Subject:	My objection to being excluded from Upcoming Racial & Identity Profiling Advisory
	Board Subcommittee Meetings
Attachments:	ShannonHovisNoPOSTforYou.m4a

On Friday, I wrote to you, and others, concerning my objection to POST Training & recruitment Subcommittee meting not being available in San Diego.

I called you just now, seeking an explanation, but could not restrain myself from inserting a barb; an appropriate one, I daresay. Your system was in auto-answer mode. My call went immediately to voice-mail.

The message is on you voice-mail system and attached here, as ShannonHovisNoPOSTForYou.

Please listen to it and relent. Revise, rearrange and reschedule the committee meetings, because those of us in San Diego have pressing need to participate in everything. We are called the Mississippi of the West for a reason.



From: Sent: To: Cc: Subject: Richard Hylton Tuesday, August 29, 2017 10:20 AM Shannon Hovis; Catherine Ysrael; Shirley Webber AB953; Mara W. Elliott Exclusion of San Diego Colleagues and Stakeholders from POST portion of Upcoming Racial & Identity Profiling Advisory Board Subcommittee Meetings.

Something like the below was sent to a mailing list that contains about 100, or so, people. Quite surprisingly, most of them read what I write. I hope that you do the same, and more. I hope that you act on it. To make sure that you get it, I will fax it too.

The September 6, 14, 2017 subcommittee meetings will be held in some place(s.) They may be attended, by teleconference, from remote locations. For POST-matters, San Diego is not one of them. As shown, below there **two teleconference** locations in Los Angeles county

You may recall the award-winning POST presentation from July 12, 2017, and the POST presenter's answer to the question concerning de-escalation —I can forget neither. It was not the first time that we were exposed to such POST-inspired tripe.

In view of the above, doubtless, you must maintain an ongoing interest in how police officers are trained. And, to the extent that the attitudes and ignorance that produced the July 12, 2017, POST performance continue to be the standard for training, we shall remain in dire straits. Being excluded from monitoring or participating in the POST TRAINING & RECRUITMENT SUBCOMMITTEE meeting is inimical to protecting such interests. The below is a screen-shot of the CA-DOJ announcement.

CALIFORNIA RACIAL AND IDENTITY PROFILING AI 239 Righard Hylton 8.29.17 (1)_Redacted.pdf https://oag.ca.gov/ab953/board

POST TRAINING & RECRUITMENT SUBCOMMITTEE MEETING NOTICE AND AGENDA

Thursday, September 14, 2017, 11:00 a.m. - 1:00 p.m.

Teleconference Locations: California Department of Justice Offices:

Sacramento	Oakland	Los A
1300 "I" Street	1515 Clay Street	300 S.
Sacramento, CA 95814	20th Floor, Ste. 2000	1st Flo
	Oakland, CA 94612	Los Ai

Compton USD, Education Service Center 1444 W. Lacey Blvd, Administration Building 501 South Santa Fe Ave. Conference Rm, #132 Compton, CA 90221

ngeles Spring Street or Reception ngeles, CA 90013

- 1 **INTRODUCTIONS (3 min.)**
- 2. UPDATE FROM DEPARTMENT OF JUSTICE (7 min.)
- 3. SELECTION OF SUBCOMMITTEE CO-CHAIRS (5 min.)
- 4. DISCUSSION OF PROPOSED REPORT CONTENT (1.5 hours)
- 5. PUBLIC COMMENT (10 min.)
- 6 APPROVAL OF NEXT STEPS (5 min.)
- 7. ADJOURN

Other Teleconference Locations: Kings County Sheriff's Office

Hanford, CA. 93230

Last Friday, I wrote to Shannon Hovis and Catherine Israel, with expressions of my displeasure that were accompanied by a hope and prayer that the push-back and disgust that met the aforementioned presentation did not factor in the decision to exclude the local community from participation in POST matters. I sought a response by yesterday, noon. There has been no such undertaking.

Hovis' letter encourages communications with her, and contains express and implied promises to accommodate participation; though not that which would be required here. I encourage you to write to her. Write to all of them and to every member of the RIPA Board. If they, the DOJ, can have teleconference facilities, for the other subcommittee meetings, at 600 W.Broadway and at Alliance San Diego, why not include that for POST too?





From:	Richa
Sent:	Tuese
To:	AB95
Cc:	Chris
Subject:	Re: B

ichard Hylton uesday, August 29, 2017 1:33 PM B953; Alliance San Diego; ACLU of San Diego & Imperial Counties hristopher R. Wilson; Norma Chavez-Peterson e: Blocked by policy

Thank you for your response. I am somewhat confident, and therefore have no fear of being deemed presumptuous, in my belief that the fine folk at **Alliance San Diego** or even those at the **ACLU of San Diego and Imperial Counties** would move heaven and earth to accommodate any need such as that which I have identified. And, even in my ignorance I would vouch for their facilities. To that end, I have included them in this distribution, of my response, with the hope that they may communicate with you directly.

Sent with Mailtrack

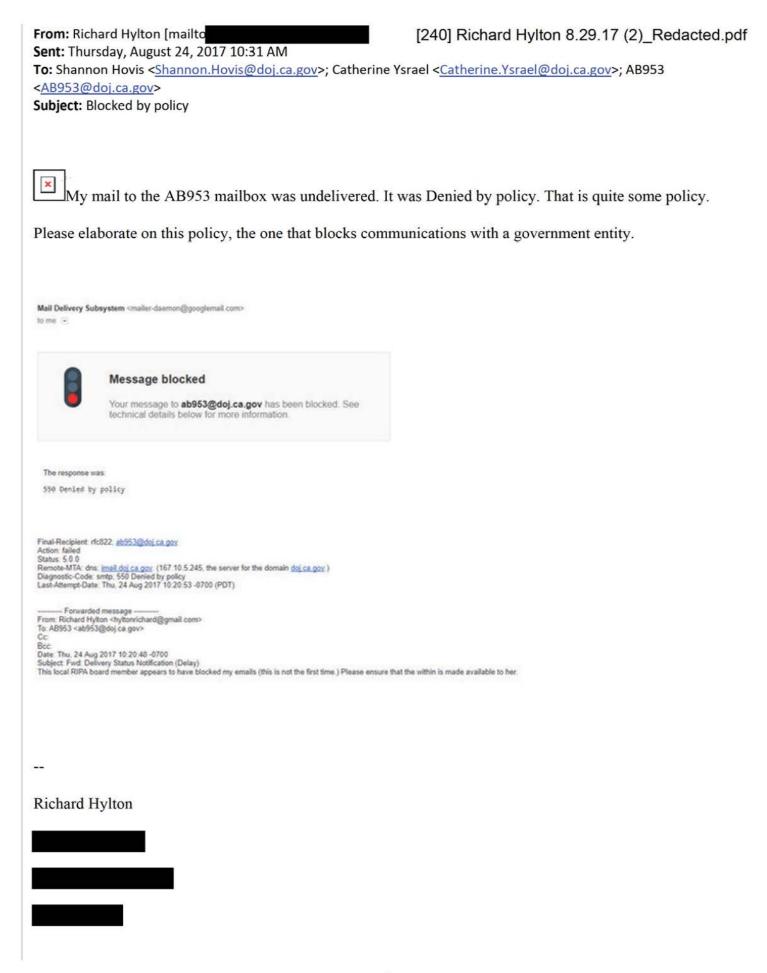
On Tue, Aug 29, 2017 at 1:21 PM, AB953 < AB953@doj.ca.gov > wrote:

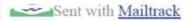
Dear Mr. Hylton,

We are not certain why you received the below email, because we are indeed getting your email in our AB953 mailbox. In addition, we wanted to respond to your inquiry about the locations of the sub-committee meetings. Pursuant to the Bagley Keene Act, we are holding teleconference subcommittee meetings in locations where an actual board member will be present. Please see Government Code section 11123(b)(F). While the Act permits us to have additional locations available to the public even if a board member is not present, we have not done so at the present time. We will however, take that into consideration in the future for other subcommittee meetings. Please let us know if you have any suggestions for the San Diego area, but such locations must be accessible to those with disabilities and open to all members of the public.

Thank you for your correspondence and interest in AB 953 and the RIPA Board.

The AB 953 Team





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From:	Richard Hylton <
Sent:	Thursday, August 31, 2017 7:42 AM
To:	AB953
Cc:	Shelly Zimmerman; RHVILLA@sandiego.gov
Subject:	Lesson for POST on deescalationwhat not to do in a situation that requires de- escalation "We only kill black people."

When the POST spokesman was asked about de-escalation training the fine fellow said something to the effect if a motorist is told to do something and does not do it, one thing may lead to another. Georgia cops seem to receive similar training.

"He was attempting to de-escalate a situation involving an uncooperative passenger."

Since we San Diegans are not permitted to participate in the POST TRAINING SUBCOMMITTEE meetings and other goings on, scheduled for September 14, 2017, please <u>include this article</u> <u>Officer</u> <u>at DUI stop tells nervous driver 'we only kill black people'</u> as my public comment to the POSY subcommittee.



From:	Catherine Ysrael
Sent:	Thursday, August 31, 2017 12:21 PM
To:	AB953
Subject:	FW: Lesson for POST on deescalationwhat not to do in a situation that requires de- escalation "We only kill black people."

-----Original Message-----

From: Richard Hylton [mailto:

Sent: Thursday, August 31, 2017 9:02 AM

To: Shannon Hovis <Shannon.Hovis@doj.ca.gov>; Catherine Ysrael <Catherine.Ysrael@doj.ca.gov> Cc: citizens review board reform <sdcrbreform@gmail.com>; dtpillars@gmail.com; ACLU of San Diego & Imperial Counties <info@aclusandiego.org>; Alliance San Diego <info@alliancesd.org>

Subject: Fwd: Lesson for POST on deescalation...what not to do in a situation that requires de-escalation "We only kill black people."

<https://mailtrack.io/trace/mail/4116e36a82fef234fdc7b314dd6df8fee89f9d53.png?u=1376317> This member of the public wishes that the below thread @Date: Thu, Aug 31, 2017 at 7:41 AM, be his comment to the POST Training & (other things) subcommittee meeting, in which San Diegans, for no good reason, are not being allowed to participate. The meeting is scheduled for September 14, 2017.

As shown, this was sent to the AB953 mailbox, but my experience shows that it is not regularly attended, So, please ensure that the POST Subcommittee takes heed of the below. POST personnel need this lesson on what not to do in training the local gendarmerie; gendarmerie now that cops may, once again, have grenade-launchers, tanks and things.

----- Forwarded message ------

From: Richard Hylton

Date: Thu, Aug 31, 2017 at 7:41 AM

Subject: Lesson for POST on deescalation...what not to do in a situation that requires de-escalation "We only kill black people."

To: AB953 <ab953@doj.ca.gov <mailto:ab953@doj.ca.gov> >

Cc: Shelly Zimmerman <sdpdpolicechief@pd.sandiego.gov <mailto:sdpdpolicechief@pd.sandiego.gov> , RHVILLA@sandiego.gov <mailto:RHVILLA@sandiego.gov>

When the POST spokesman was asked about de-escalation training, the fine fellow said something to the effect if a motorist is told to do something and does not do it, one thing may lead to another. Georgia cops seem to receive similar training.

"He was attempting to de-escalate a situation involving an uncooperative passenger."

Since we San Diegans are not permitted to participate in the POST TRAINING SUBCOMMITTEE meetings and other goings on, scheduled for September 14, 2017, please include this article http://nypost.com/2017/08/31/officer-at-dui-stop-tells-nervous-driver-we-only-kill-black-people/ Officer at DUI stop tells nervous driver 'we only kill black people' http://nypost.com/2017/08/31/officer-at-dui-stop-tells-nervous-driver-we-only-kill-black-people/ as my public comment to the POST subcommittee.

Richard Hylton

<https://mailtrack.io/> Sent with Mailtrack <https://mailtrack.io/install?source=signature&lang=en&referral=hyltonrichard@gmail.com&idSignature=22>

--

Richard Hylton 13166 Jane Court San Diego, CA 92129 858-484-6330

https://mailtrack.io/> Sent with Mailtrackhttps://mailtrack.io/https://mailtrack.io/

From: Sent: To: Subject: Richard Hylton Thursday, August 31, 2017 2:25 PM AB953 Stop Data Subcommittee September 6, 2017, 3:00 p.m. – 5:00 p.m.

Shannon K. Hovis, MPP, MST Civil Rights Enforcement Section California Department of Justice 1515 Clay Street, Suite 2000 Oakland, CA 94612

Re:Logical Vehicle Stop Data

Stop Data Subcommittee

September 6, 2017, 3:00 p.m. - 5:00 p.m.

When we conversed, for the first and only time, you mentioned that the CA-DOJ would create algorithms that would not guarantee the validity of data but would attempt to ensure that it is logical. I present to you some illogical data that comes from Oakland (if I am not mistaken, a professor on the RIPA board has some familiarity with Oakland data and may be conversant with this issue.)

As a general rule, a person is seized when, in view of all of the circumstances, a reasonable person would have believed that he or she was not "free to leave." U.S. v. Mendenhall, 446 U.S. 544, 554 (1980). They hold that such contacts are like an officer saying hello. The following is a selection of Oakland Data for 2015. Logic dictates that **Consensual Encounters** for **Vehicle Encounters** are illogical or contradictions in terms; it is a foolhardy motorist, especially a Black one, who "feels free to leave" when signaled to pull over. There are 363 such encounters in Oakland's data.

SELECT Count(*) As [Count] ,[EncounterType] ,[StopCause] ,[SearchDetailDescription] ,[Search],[Race] FROM [CaseTracker].[dbo].[OAKFinal]

WHERE [EncounterType] = 'VEHICLE' AND StopCause = 'CONSENSUAL ENCOUNTER'

GROUP by [EncounterType], [StopCause], [SearchD {243D Richard Hyltone & 31.] [R(3)e Redacted.pdf

Count	EncounterType	StopCause	SearchDetailDescription	Search	Race
		Consensual			Afr
7	Vehicle	Encounter	Citation	No	American
		Consensual			
2	Vehicle	Encounter	Citation	No	Other
		Consensual			
1	Vehicle	Encounter	Citation	No	White
		Consensual			Afr
11	Vehicle	Encounter	Citation	Yes	American
12		Consensual			200
3	Vehicle	Encounter	Citation	Yes	Hispanic
		Consensual	<u></u>		
2	Vehicle	Encounter	Citation	Yes	White
		Consensual			Afr
28	Vehicle	Encounter	Felony Arrest	Yes	American
•	** 1 . 1	Consensual	T 1		
2	Vehicle	Encounter	Felony Arrest	Yes	Asian
2	37.1.1	Consensual		37	
3	Vehicle	Encounter	Felony Arrest	Yes	Hispanic
1	Wabiala	Consensual	Falance Amont	Var	Other
1	Vehicle	Encounter Consensual	Felony Arrest	Yes	Other
1	Vehicle	Encounter	Falanz Amast	Yes	White
1	venicie	Consensual	Felony Arrest	Tes	Afr
91	Vehicle	Encounter	FI Deport	No	American
91	venicie	Consensual	FI Report	NO	American
2	Vehicle	Encounter	FI Report	No	Asian
2	venicie	Consensual	Пкерон	140	Asian
27	Vehicle	Encounter	FI Report	No	Hispanic
21	veniere	Consensual	Trapon	110	Inspanie
3	Vehicle	Encounter	FI Report	No	Other
-	· chiere	Consensual	mapon	1,0	omer
22	Vehicle	Encounter	FI Report	No	White
		Consensual	1		Afr
86	Vehicle	Encounter	FI Report	Yes	American
		Consensual	1		
2	Vehicle	Encounter	FI Report	Yes	Asian
		Consensual			
11	Vehicle	Encounter	FI Report	Yes	Hispanic
		Consensual			
2	Vehicle	Encounter	FI Report	Yes	White
		Consensual			Afr
2	Vehicle	Encounter	Misdemeanor Arrest	No	American
		Consensual			Afr
16	Vehicle	Encounter	Misdemeanor Arrest	Yes	American
		Consensual			
4	Vehicle	Encounter	Misdemeanor Arrest	Yes	Hispanic

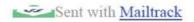
			Consensual	[243] Richar	d Hylton	8.31.17 (3)_Redacted.pdf
	1	Vehicle	Encounter	Misdemeanor Arrest	Yes	Other
			Consensual	Report Taken-No		Afr
	1	Vehicle	Encounter	Action	No	American
			Consensual	Report Taken-No		Afr
	2	Vehicle	Encounter	Action	Yes	American
			Consensual	Report Taken-No		
	8	Vehicle	Encounter	Action	Yes	Hispanic
			Consensual			Afr
	6	Vehicle	Encounter	Warning	No	American
			Consensual			
	2	Vehicle	Encounter	Warning	No	Hispanic
			Consensual			Afr
]	0	Vehicle	Encounter	Warning	Yes	American
			Consensual			
	1	Vehicle	Encounter	Warning	Yes	Asian
			Consensual			
	2	Vehicle	Encounter	Warning	Yes	Hispanic
			Consensual			
	1	Vehicle	Encounter	Warning	Yes	White
36	53	Total				

Please have this appear as a public comment to the Stop Data Subcommittee at it September 6, 2017 meeting.

I repeat my caution on the inadvisability of not using/capturing actual age (DOB) when that data is readily available on Driver's Licenses or other forms of identification. Not doing so plays into the hands of data manipulators and "engineers"; both of which we have in great abundance here in our little Mississippi of The West.

I shall not attend for I cannot guarantee my good behaviour.





From:	Richard Hylton <
Sent:	Tuesday, September 05, 2017 2:57 PM
To:	AB953
Subject:	Vehicle Stop Data, Oakland biased-policing, Implicit Bias and other phyco-babble

The item linked or attached is my take or measurement of disparities for the City of Oakland, in 2015.

I suppose that the sub-committee on Stop Data, that is scheduled to meet tomorrow, may learn something from the attached; the tricks of obfuscators. If not that, Professor Eberhardt, who seems to enjoy great favour, may appreciate my comments; especially those concerning the cover that Oakland's relationship with Stanford does **not** provide.

Oakland CA Biased-Policing 2015.pdf





2015 City of Oakland, CA Stop Data, 2015

"Whether 'tis nobler in the mind to suffer The slings and arrows of outrageous fortune, Or to take arms against a sea of troubles, And, by opposing, end them? "-Hamlet, Act 3, Scene 1, Wm. Shakespeare

Richard Granville Buchanan Hylton

Armed with a VAIO Laptop, SQL Server 2014, Visual Studio 2017, PowerBI and Excel

At September 1, 2017

"Implicit bias is a diagnosis arrived at by privileged people who neither know of, nor care about the pain or experience of the victims of bias; bias that is always almost **explicitly** expressed or executed. Ask its victims."

STOP DATA ANALYSIS

How the Oakland PD stops, arrests, searches, field Interviews citizens and more

City of Oakland, CA2449 Rotterd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Table of Contents

Summary of Findings5
The Data7
Figure A8
Stop Card Data Collection
Figure B8
Self-Inflicted Wounds
Tables, Templates and Things9
RIPA Requirements Are More Powerful Than Mantra9
Data Presentation
FINDINGS
The Racial and Identity Profiling Act of 2015, signed by the Governor on October 3, 2015 defines:
(e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.
FINDINGS: DISPARITY INDEX
FINDINGS: CITATION RATE
FINDINGS: ARREST RATE
FINDINGS: SEARCH RATE
GRANULAR SEARCHES AND SEIZURES
FINDINGS: PROPERTY SEIZED RATE
FINDINGS: VEHICLE SEARCH RATE
FINDINGS: DRIVER SEARCH RATE
FINDINGS: PASSENGER SEARCH RATE
FINDINGS: CONSENT SEARCH RATE
Findings: Non-Consent Search rate
Findings: Search Incident To Arrest rate17
Findings: Inventory Search Rate

City of Oakland, CA2449 Right and Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

FINDINGS: ODOR-OF-CONTRABAND SEARCH RATE
FINDINGS: FIELD INTERVIEW RATE
FINDINGS: VERBAL WARNING RATE
FINDINGS: WRITTEN WARNING RATE
FINDINGS: HIT RATE
FINDINGS: OTHER SEARCH RATE
FINDINGS: NULL RECORD RATE
Conclusion
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Key Findings
Large numbers of Null records
Field interviews:
Hit Rate:24
Citations:
Written warnings
Citation records
Appendix 1
Table A
Issuance of citations and disparity comparison
Bar Charts of Table A values
Line Charts of Table A values
Appendix 2
Consensual vehicle encounters (how is this done?)
GOAppendix 3
Appendix 3
Appendix 4
Appendix 5

City of Oakland, CA2449 Right and Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Appendix 6	39
Data Structure	
Data Structure Summary	41
Email to Oakland	43

Summary of Findings

- OPD officers stopped, searched, arrested, field interviewed, and cited more Blacks, by proportion, than Whites. These findings remain constant, and so significant, over a span of years; findings that conforms to, and is confirmed by, commonly held community opinions (a form of data.)
- The trend in adverse consequences for post-stop encounters shows worsening, particularly for Blacks and Hispanics.
- 3. It is impossible to gauge the effect of nulled or purged from stop records by group.
- 4. Blacks receive a disproportionate share of citations; almost 2 times as many, by population, as Whites.
- 5. The extraordinarily low citation rate for Blacks (12% lower than the next closest group) is the result of an extraordinarily disproportionately high number of stops.
- The stop disproportion for Blacks, by far, outstrips that all other groups.
 - Some 52.12% of OPD stops were of Blacks, who make up 27.30% of Oakland's population. When compared to the inverse disproportion enjoyed by Whites, Black stop disproportion is 493% greater.
 - Asians are 17.20% of the population but compose only 7.91% of stops; an inverse disparity to population, and to Whites.
 - Whites are 25.90% of the population but compose just 13.29% of stops; an inverse disparity.
 - Hispanics are 25.40% of the population but compose 23.18% of stops; a slight inverse disparity.

TO: Office of Chief of Police ATTN: Chief Sean Whent FROM: Assistant Chief Paul J. Figueroa

> DATE: 12 May 16 The study of data related to implicit bias continues to emerge. There is no question that local and national research must expand and analyze disproportionate contact with certain groups, such as African Americans and Hispanics report

- When OPD officers offered forbearance after a stop, Hispanics received less forbearance than that extended to Whites. Blacks also received less forbearance than Whites. Asians receive more.
- 8. Many stops continue to appear to be motivated by a "Hit"-driven desire to determine the parole or probationary status of individuals who were predominantly Black or Hispanic. However, there is no data to show how OPD is able to say how such persons —those subject to 4th Waiver searches— may be identified. The disparities shown by these data are strongly suggestive that race is the basis of "identification."
- 9. In police-initiated interactions, Black and Hispanic Oakland residents felt more disrespected and misunderstood than did White and Asian residents.
- 10. Oakland's data is instructive. It instructs that consensual encounters may be initiated by traffic stops of vehicles. See Appendix 2

City of Oakland, C42449 Rotter Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

- Except for a relative few values, recent evaluations of post-stop outcomes show that Asians enjoy a
 favoured status with the OPD. Many disparities are inverse (based on values less than), to those of
 Whites.
- 12. All disparities between Blacks and Whites are massively statistically significant.
- The City of Oakland erects essentially insurmountable obstacles to deny or impede public access to stop data.

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This exercise was undertaken as part of an ongoing series of exercises; which exercises began in or about 2014, and are performed on an, at least, quarterly basis for San Diego.

The Data

This examination of Oakland's data is based on vehicle stop records for 12 months (Jan 1, 2015 through December 31, 2015), but from time to time, for illustrative purposes, references will be made to, and values will be included from, other periods and sources. These sources are the examination of Oakland data by <u>Stanford University</u> —*Data for Change*—, and <u>Oakland's own evaluation</u>, using data that allegedly is identical to that used here.

Despite requesting this data, and that for the year 2016, over 4 months ago, the City of Oakland has employed various illegal delaying tactics and claims; request too broad; need to assemble massive amounts of data; citation data not available; data not compiled, and the claim that while it has and is committed to providing similar data to <u>Stanford University</u>, it is not obliged to do the same to this member of the public; a holding in plain error. The data used here was obtained from an alternate reliable source.

C	Success	11 Tot 11 Suc	
eta	ils:		
	Action	Status	Message
0	Initializing Data Flow Task	Success	
0	Initializing Connections	Success	
0	Setting SQL Command	Success	
0	Setting Source Connection	Success	
0	Setting Destination Connection	Success	
0	Validating	Success	
0	Prepare for Execute	Success	
0	Pre-execute	Success	
0	Executing	Success	
(Copying to [dbo].[FinalOakland]	Success	45122 rows transferred
0	Post-execute	Success	

Of the 45122 records transferred/imported 7159 were null, and were discarded.

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"If you torture the data long enough, it will confess to anything." -Ronald Coase, economist

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	Count	EncounterType	StopCause	SearchDetailDescription	Search	TypeOfSearch	Race
1	7159	NULL	NULL	NULL	NULL	NULL	NULL
2	2	Bicycle	Consensual Encounter	FI Report	No	No	Afr American
3	1	Bicycle	Consensual Encounter	FI Report	No	No	Asian
4	1	Bicycle	Consensual Encounter	FI Report	Yes	Consent	Afr American
5	1	Bicycle	Consensual Encounter	FI Report	Yes	Consent	White
6	1	Bicycle	Consensual Encounter	FI Report	Yes	Weapons	Afr American
7	2	Bicycle	Consensual Encounter	Warning	No	No	Afr American
•	2	n- 1	01110	~.	8.1		AZ A -

Stop Card Data Collection

The remaining (44122-7159) 37,963 Stop records were summarized and analyzed, as shown, in what follows. This is the same number of records that were analyzed by Oakland's Assistant Police Chief, Paul Figuroa, on May 12, 2016.

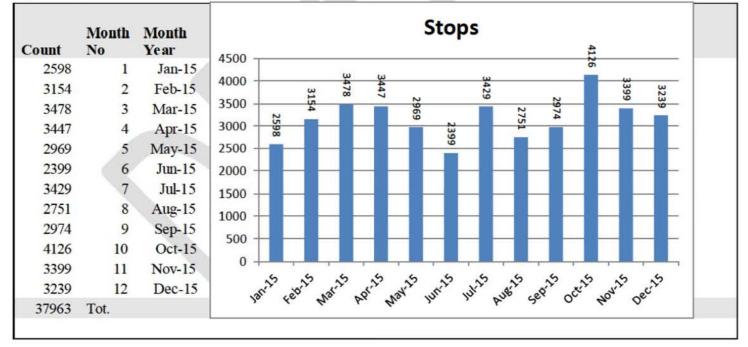


Figure B

Self-Inflicted Wounds

The particulars are evident in Figures A & B; a chart of total record collections for the 12 months. There is no discernible trend in data-collections. Defects in the data are significant. For example, the above, Figure A, shows that over 18% of all records are all emptiness. Since facts and data from Oakland are closely held secrets,

City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

in spite of the Public Records Act, it is impossible to determine why such a large proportion of records are empty.

In view of the foregoing and due to the fact that Oakland's data collection software has the appearance of sophistication, I have speculated and stand by that speculation that the null records are self-inflicted wounds; inflicted to conceal the unpalatable.

The nulls must be viewed in the single context that a well-written data-capture application is incapable of producing null records. There is no reason to assume that Oakland's system is not well-written, so we are left with one other explanation for empty records: Self inflicted wounds.

The data submission requirements of RIPA (Gov. Code, § 12525.5), requires LEAs to report whether the stop resulted in no action or a **warning**, citation, property seizure, or arrest.) A null record —an unnatural occurrence—contains nothing that tells anyone anything about any resulting post-stop action. They say nothing about **warnings**, citations, property seizures, or arrests. But they, null records, do allow pin-heads to write and speak about the absence or insignificance of disparities, for they, the nulls, water down disparities.

How they, the "nulled-out" or purged records, affect the various groups is impossible to determine.

Absent data or explanation, I hold that the null records were purged to produce a desirable result.

In Data for Change, the Stanford Analysts informed us of the following facts:

- 1. Although the OPD collects copious amounts of data,
- 2. An incident number (the letters LOP followed by 12 digits)
- Officers enter the date and time of the stop. Time is recorded in military time (e.g., 0015 for 12:15 AM; 1458 for 2:58 PM)

So while we know the above, only ten fields are made available to the public. See Appendix 2. Accordingly since time, a critical element, is not available, nothing can be done to validate time-related data. Likewise, nothing is made available to validate the incident, accordingly citation information and field Interview information may not be validated. There is no way to track individual officer actions, since the unique officer identifier is not available.

Tables, Templates and Things

Table A is based on a template that I have always used to examine or summarize and to chart Vehicle Stop records. It was composed from around the top 20 post-stop actions found in Stop Data databases; it was data driven. And while the rankings of action items change from time to time, the top 20 items seem constant.

The bar charts and line charts are nothing but graphic representations or visualizations of the data in Table A.

RIPA Requirements Are More Powerful Than Mantra

Some analysts, perhaps most, focus on stops. Some analyse Vehicle Stop data, but never tell us of results on raw stops, arrests searches etc. This writer sees that approach as a scoundrel's subterfuge. He also believes that stops, while important, are not nearly as significant or indicative of bias as what happens after the stop, since the pool of eligible people has already been defined and necessarily consists of those who have already been stopped by

City of Oakland, C42449 Rotter Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

police. As a result, we can figure out if officers differ in their tendency to search, and arrest Blacks (relative to Whites or Asians) or to favour¹ any group.

The argument is, nowadays, made that individuals are not responsible for bias. It is "implicit." <u>Data for Change</u> claims that: "Even in the absence of biased or racist individuals, institutions themselves can be biased by having policies and structures in place that harm some people and favor others, even in unintended and unanticipated ways." I reject that as nonsense for everyone knows that biased and racist individuals abound, and they are protected by, and flourish in, biased institutions. How did the institutions get to be biased, in the first place? Moreover; RIPA does not provide excuses that depend on the source of the biased behaviour —consciousness or unconsciousness, in other words, SEC. 3. Section 13012 of the Penal Code does not provide for an unconscious or "implicit bias" behaviour defense.

RIPA gives equal weight to the decision to stop and what happens afterward². For while hypotheses may be concocted to explain away disparities in stops, it would take massive creativity to explain away disparities in how people are treated, post-stop³.

I tend to, and wished to, focus specifically on the difference between Blacks and Whites but the data drove me elsewhere, for there are certain post-stop actions where Hispanics fare worse than even Blacks⁴, and others where the favouring of Asians is quite outstanding.

Data Presentation

Stop and post-stop actions are generally expressed as a ratio to all stops (Hit Rate excepted⁵.) For comparisons, the experience of White persons is assigned the computed base value, 1 (one), i.e. the rate divided by itself⁶. All graphs where the rate for Whites is shown as one (1) is a graph of comparison to Whites.

When results are presented in tables, experiences that are greater than that of Whites are highlit red (disproportion.) Those that are less appear are green; again disproportionate but not necessarily of the sort that can or should be ignored; as is the case with Citations and, for Oakland, Written Warnings. Written warnings are actions of forbearance, and their values show bias where the group's values are inverted/lower. This means that this form of officer forbearance or lenience is less often extended to groups having low rates. The corollary is that groups with high Written Warning rates are "favoured." Citations are an odd duck. For example, a low citation rate may be an indication of too many improper stops; as is the case with Blacks in Oakland.

¹ As is evidently the case with Asians, as shown by these data.

² And, would-be, clever people can concoct theories or methodologies to explain away stop disparities. Not so with respect to how people are treated after they come face-to-face with the police. The best that can be offered is the prattle about "implicit bias". I daresay that implicit bias is always explicitly expressed.

³ Section 13519.4 (e)...The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

⁴ Vicente Fox echoes in my head. Years ago, that amazing man in saying "Mexicans will do work that not even Blacks will do" offended fools.

⁵ Hit rates (many a policeman's measure of effective police work) are based on contraband found to searches conducted.

⁶ You calculate the percent variance by subtracting the benchmark number from the new number and then dividing that result by the benchmark number. In this example, the calculation looks like this: (150-120)/120 = 25%. $(V1-V2/(V1+V2)/2) \times 100$

City of Oakland, C42449 Rote and Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

FINDINGS

The Racial and Identity Profiling Act of 2015, signed by the Governor on October 3, 2015 defines:

(e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

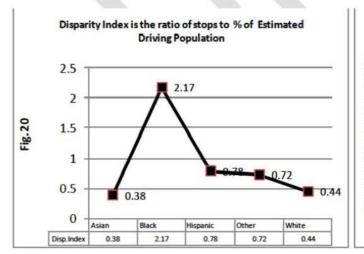
All of the named activities are included in this report. This data analyst holds that there are primary and secondary activities. The former are Stops, Citations, Searches, Arnests, Field Interviews, 4th Waiver Searches, and (Written) Warnings. This selection is in keeping with observations of other analyses, combined with knowledge of how the OPD operates. For example the OPD uses stops to question vehicle occupants so as to determine if they may be subjected to 4th Waiver Searches. The end product is often a Warning.

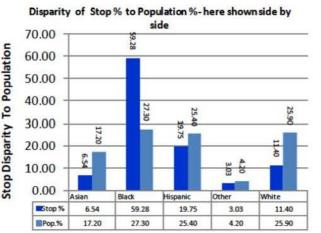
The below group is a visualization of the primary items. It shows that which is discussed, in detail, later on.

FINDINGS: DISPARITY INDEX

The beginning is the best place to start. Disparity Index is the ratio of stops to population presence. The Black population is 27.30%, but they are 59.276% of people stopped. Hispanics are 25. 40%, but they compose 19.751% of persons stopped. Whites are 25.90% but only 11.403% of persons stopped. Asians 17.20% but are a paltry 6.543% of people stopped. All groups except for Blacks are stopped below their presence in the population; some lower than others.

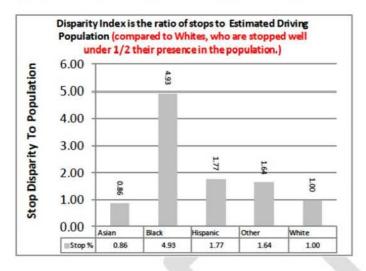
In **Baltimore**: BPD also stops African American drivers at disproportionate rates. African Americans accounted for 82 percent of all BPD vehide stops, compared to only 60 percent of the driving age population in the Gity





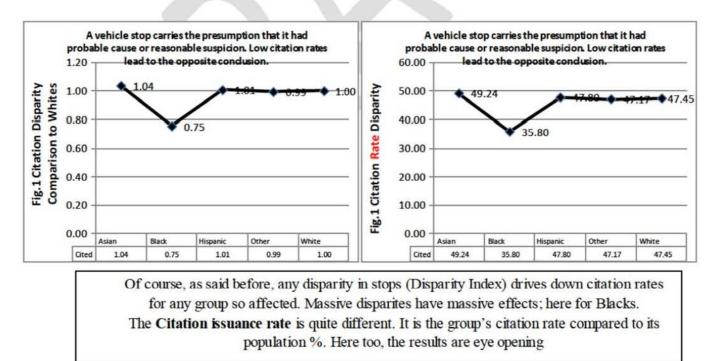
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To put these numbers in perspective, the USDOJ sought and obtained consent decrees from Baltimore MD, and Ferguson MO⁷, when the disparity was around a mere 70%; a fraction of the 217% that we have here.



FINDINGS: CITATION RATE

As found in earlier reports, the disparity in treatment between Blacks and Whites continues to extend to the decision to issue a citation. This is reflected in the computed citation rate⁸ and in the rate at which citations are issued,⁹ as compared to population of each group. The lower computed citation rate is, at least in part, mostly due to inflated or constitutionally infirm stops. The massive disparity is produced by the denominator, the raw count of stops, which number is applied against citation records. The citation rate for Blacks, a full 12 points lower than the nearest group, is a conspicuous outlier; a foreshadower of evil things.

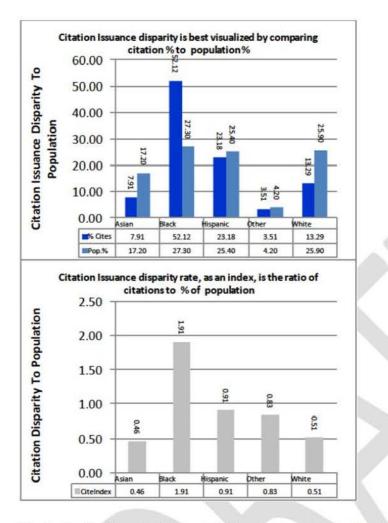


⁷ It also noted that, according to the state's own attomey general, black drivers in Missouri were 75 percent more likely last year to be stopped and searched than white drivers. (The same report says black drivers are less likely to be found with contraband — but more likely to be arrested — than white drivers.)
⁸ Citations div. group stops.

charons uv. group stops.

⁹ Citations % div. population %.

City of Oakland, C42449 Rateriard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015



Blacks, by far, have the highest citation issuance rates; almost twice that of their presence in the population (1.91, the citation rate of 35.80% is therefore a paradox, unless explained.) While 27.30% of the population, they receive over 52.12% of all citations. At the

In Ferguson: African Americans are more than twice as likely as white drivers to be searched during vehicle stops even after controlling for non-race based variables such as the reason the vehicle stop was initiated, but are found in possession of contraband 26% less often than white drivers, suggesting officers are impermissibly considering race as a factor when determining whether to search. African Americans are more likely to be cited and arrested following a stop regardless of why the stop was initiated and are more likely to receive multiple citations during a single incident.

In Baltimore: BPD also stops African American drivers at disproportionate rates. African Americans accounted for 82 percent of all BPD vehicle stops, compared to only 60 percent of the

driving age population in the Gty

BPD disproportionately searches African Americans during stops. BPD searched African Americans more frequently during pedestrian and vehicle stops, even though searches of African Americans were less likely to discover contraband. Indeed, BPD officers found contraband twice as often when searching white individuals compared to African Americans during vehicle stops and 50

opposite pole lies Asians. They are even more favoured¹⁰ than Whites. The citation-issuance disparities to Whites, the societal majority-group, are as demonstrated by this mini-table:

RaceCategory	Asian	Black	Hispanic	Other	White	Totals
Census	17.20	27.30	25.40	4.20	25.90	100
Cited	1223	8057	3584	542	2054	15460
% of Citations	791	52.12	23.18	3.51	13.29	100.00
To Population	0.46	1.91	0.91	0.83	0.51	
Comparison	0.90	3.72	1.78	1.63	1.00	

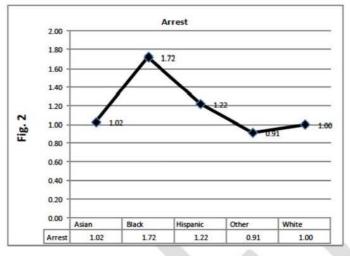
In **Oakland** Asians receive 10% fewer citations than Whites, and thus are considered favoured. Blacks on the other hand receive 3.72 times as many citations, a disparity that must be construed as an unacceptable level of bias.

FINDINGS: ARREST RATE

¹⁰ "Even in the absence of biased or racist individuals, institutions themselves can be biased by having policies and structures in place that harm some people and favor others, even in unintended and unanticipated ways."-<u>Data for Change, page 29</u>.

City of Oakland, C42449 Rothard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

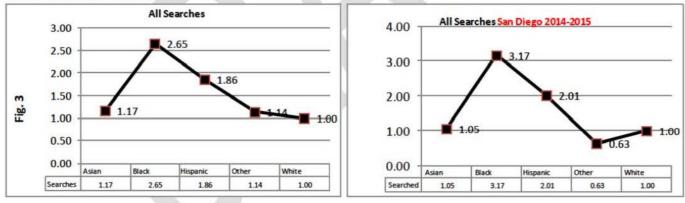
The disparity in treatment between Black and Whites continues to extend to either arrest rates. Blacks are arrested 72% more than Whites. Hispanics are arrested at lower rates than Blacks, but are still 22% higher than for Whites. And, in a somewhat surprising reversal of fortunes, arrest rates for Asians are actually higher than for Whites; a "threshold" difference.



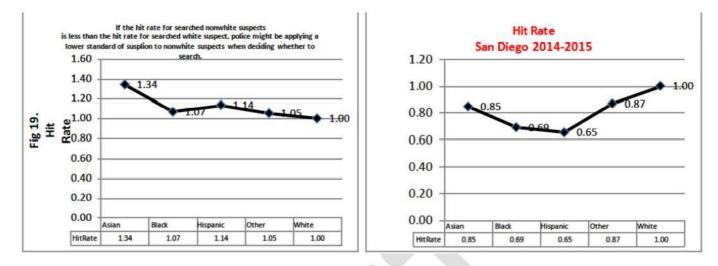
FINDINGS: SEARCH RATE

All Searches do not rollup into the overall search count.

Blacks are searched at 265% the rate that Whites are searched but it yields a Hit Rate (Contraband found per search conducted) that is not appreciably higher; a mere .07%. This result is indicative of wasted resources coupled with an immeasurable degree of moral turpitude. No explanation for this disparity has been offered; none is possible; none is desired, but shall be demanded.



City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015



Reasonable persons would conclude that the 165% greater policing-search effort, expended upon Blacks, is not worth the .07% greater return in hits.

GRANULAR SEARCHES AND SEIZURES

All Searches do not rollup into the overall search count.

Since these data contain no information, at a granular level, for certain types of searches, e.g. Driver, Passenger, I cannot do so here, but granularity does not provide relief from relentless oppression.

FINDINGS: PROPERTY SEIZED RATE

There is no data on the seizure of property other than for Inventory Searches.

FINDINGS: VEHICLE SEARCH RATE

There is no data on the seizure of property other than for Inventory Searches.

FINDINGS: DRIVER SEARCH RATE

There is no specific data on searches that tells us who is searched.

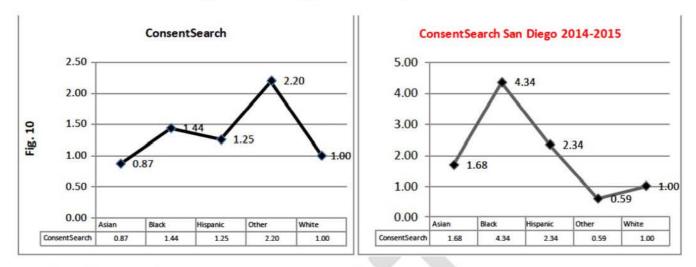
FINDINGS: PASSENGER SEARCH RATE

There is no data on the seizure of passenger searches.

FINDINGS: CONSENT SEARCH RATE

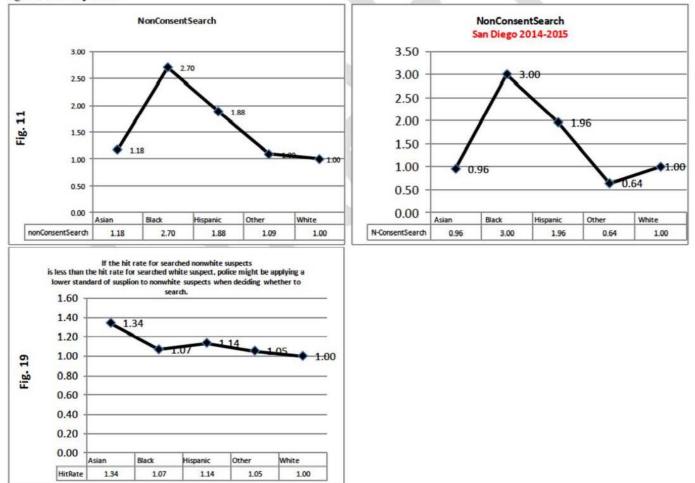
If a discretionary-search disparity of 44% larger than that of the base group (Whites) is a threshold matter, the word "threshold" is in need of redefinition. The Hispanic value of 1.25 is well over all thresholds, too. On the other hand, the value .87 is a clear preference. But, this is an educational matter, for it seems that most people do not know that they may refuse such requests. Fear of physical abuse, that may attend such refusal, may also be a factor.

City of Oakland, C42449 Rotter Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015



FINDINGS: NON-CONSENT SEARCH RATE

These search decisions include discretionary searches, and they fall where they usually do; i.e. most heavily on the Blacks. And the efficacy of the exercise is measured, is measurable, in the hit rates that they produce. Here they are again; side-by side.

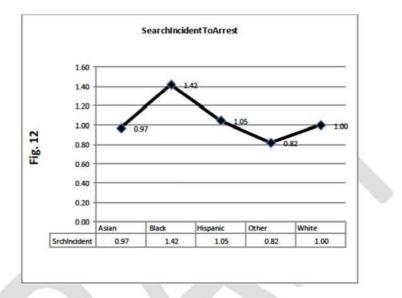


City of Oakland, C42449 Rotter Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

But take heart, for Oakland has legions for company in producing similar results. The wasted, misguided and oppressive efforts of Baltimore, Ferguson, San Diego and the Stop-and-Frisk capital, New York, produced similar results.

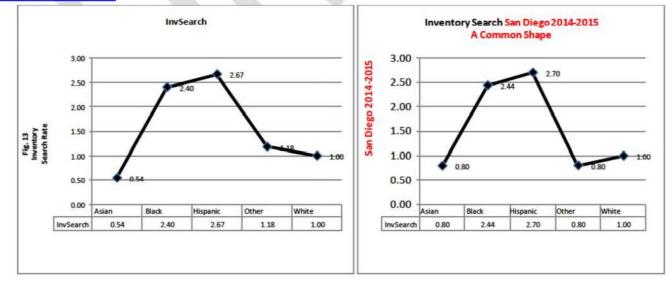
FINDINGS: SEARCH INCIDENT TO ARREST RATE

I am sure that the disparities in this category, relative to arrests, make sense to some. They do not to me since every arrestee must be searched. In other jurisdictions and in an earlier evaluation of Oakland data there was virtually no difference, for this category, between groups/races.



FINDINGS: INVENTORY SEARCH RATE

It is commonly known that the coffers of the cities are fattened by each towed vehicle; fattened to the tune of about \$100.00. This comes disproportionately at the expense of those least-able to afford it; those at the bottom of the socio-economic ladder. Some call it a poverty penalty, with a bit of exploitation of those who may have <u>immigration</u> documentation fears¹¹.



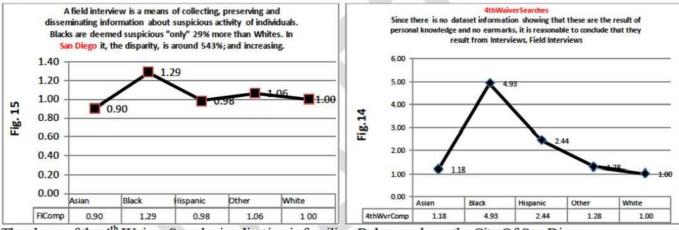
¹¹ https://www.youtube.com/watch?v=LTGsNt3gAj8&t=2s @ around 11:00

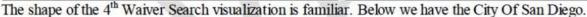
City of Oakland, C42449 Rotter Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

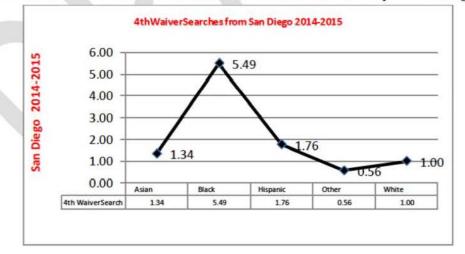
It is reasonable to say that Oakland, like many California cities, continues to use towing as a revenue generator, and that money-grubbing abusive conduct impinges on Hispanics and Blacks more heavily than other groups.

FINDINGS: 4TH WAIVER SEARCH RATE

In most analyses of searches, 4th Waiver Searches are but a footnote; i.e. generally excluded from in-depth analysis, for the search is not truly discretionary but often considered rehabilitative. It cannot be so here, for while the SDPD targets and stops Blacks and Hispanics solely to determine their parole or probation status so that a search may be conducted; good-policing they call it, these similar but lower numbers must have a different cause. At other times it is said that these searches are justified or justifiable because Blacks and Hispanics are more likely to be on probation or parole¹². That argument fails too because, under RIPA, the stop must have reasonable suspicion or probable cause. In the absence of persuasive logic, it is reasonable to conclude that reasonable suspicion or probable cause is race. Especially since nothing in the dataset suggests that the reason of the stop was personal knowledge¹³. Moreover, targeting parolees and probationers for 4th waiver searches is common police practice.







Other than to comment that the disparities are truly spectacular for Blacks and merely outrageous for Hispanics, there is nothing else to say.

¹² Targeting, higher arrest rates, higher prosecution rates, higher incarceration rates and longer incarceration terms tend to produce that effect or result.

¹³ Assistant Chief Figuroa asserts that <u>2% of stops result from personal knowledge</u>, but that assertion has no support in stop data. See Appendix 3 and <u>http://www2.oaklandnet.com/oakca1/groups/police/documents/webcontent/oak049861.pdf</u>, page 3.

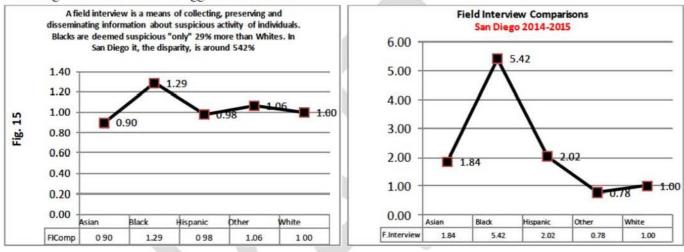
FINDINGS: ODOR-OF-CONTRABAND SEARCH RATE

There is no data for searches triggered by the odor of contraband.

FINDINGS: FIELD INTERVIEW RATE

All Reports were coded as Field Interview Reports.

A field interview is conducted of a person who is suspected of criminal behaviour or someone who may have information regarding criminal behaviour. Blacks are viewed as criminals or viewed as person who have knowledge of crimes at a rate that is almost 29% times higher than all others. Since there is no evidence, no electronic data, that any of these stop-actions are based on personal knowledge the basis for being pulled over or otherwise stopped is something else. The evidence suggests skin-colour.



FINDINGS: VERBAL WARNING RATE

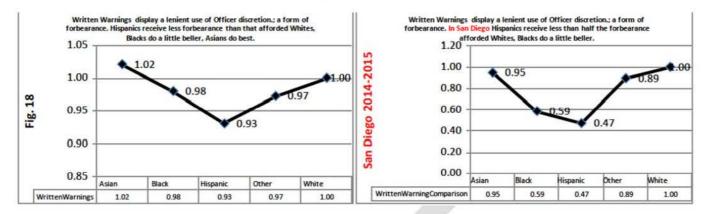
Since a verbal (more properly "oral¹⁴") warning could technically be a written warning, in the absence of disambiguating data, all "Warnings" were processed as "written" warnings.

FINDINGS: WRITTEN WARNING RATE

The evaluation of this value must be in the inverse; lower is worse. This graph demonstrates that Whites get more documented warnings. It is fact that Hispanics and Blacks get more tickets.

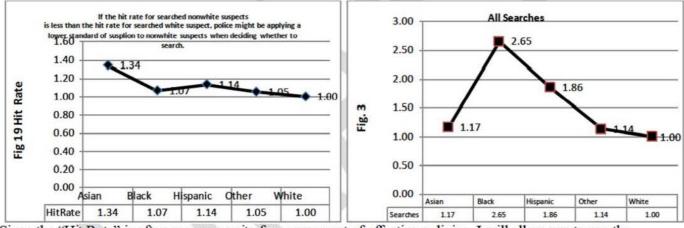
¹⁴ Verbal vs oral: Verbal applies to things that are put into words, whether written or spoken, while oral pertains to the mouth, including things that are spoken.

City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015



FINDINGS: HIT RATE

In most jurisdictions, all groups do not usually have nearly as much contraband as Whites; Oakland differs and for that is an outlier. Some would learn from that or they could have learned from Robin Williams, who noted that possession and use of drugs (contraband) is indicative of having too much money. In San Diego, the groups at the top of the socio-economic scale have, for three years, possessed the most contraband when searched. It does appear that SDPD's habits are hard to break for they do not allow results to get in the way of bad policing; biased-policing.



Since the "Hit Rate" is often seen as a unit of measurement of effective policing, I will allow you to use the preceding two pairs of charts to gauge OPD effectiveness¹⁵.

FINDINGS: OTHER SEARCH RATE

There is no data for "Other" searches.

FINDINGS: NULL RECORD RATE

¹⁵ Police are searching Blacks more often but find more illegal stuff on White drivers.

City of Oakland, C42449 Rote and Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

There is no data that explains why so many records (7159 of 45123), 18.85% of the total, are null.

Conclusion

At the beginning of this screed, I stated that comparisons would be made to other places. Oakland operates under a federal monitor, but San Diego, a city with arguably worse disparities, does not. Why is that?

At the time of release of the Stanford study of Oakland data, a press-release containing the following text was released:

"Racial disparities are real, as this research shows," Eberhardt said. "Differences exist in how police officers treated African Americans compared to those of other ethnic groups."The researchers point out that racial disparities are not defined as **overt racism**¹⁶ – **in fact, they found no such acts by Oakland police officers while conducting the study. It is not so much an individual as an institutional problem or pattern, <u>they note</u>.¹⁷ In spite of the foregoing the analysts were able to write: "Especially in the case of race, bias is often not explicit. Rather, much of racial bias tends to be <u>implicit</u>, or a bias that people are not even aware that they have." This is a peculiar and perverse approach to atonement; one reeking of "the devil made me do it**." I suppose everyone, cops included, deserves a right to avoid the "personal responsibility" advocated by the city officials in Ferguson. The use of the cop-out, ¹⁸ the babble-speak, "implicit bias" is telling.

Co-investigators involved in the study were c, a postdoctoral psychology research associate; Benoît Monin, a psychology professor; and Amrita Maitreyi, a psychology researcher, all of Stanford.

"Hetey said racial disparities are not overt, intentional biases, but are best described as something people are generally unaware of or almost knee-jerk reactions to which people have been conditioned as a result of social norms, group pressure, culture, and systemic and policy influences." In other words, **the system made me do it**.

The Stanford analysts went on to say:"Thus, to the extent that a given officer's true motivations and attitudes are unknowable, we argue that posing the question of whether or not particular officers are "biased" is not the most fruitful way to begin an investigation of how race may influence police stops. Indeed, this question of individual-level bias can be counterproductive and something of a nonstarter." And so the analysts failed to find any racists. They should have searched more, argued less, or kept their arguments to themselves.

I suppose the abused Black and Hispanics should feel better upon learning of all the above. I daresay that they won't; I sense that they just want it, the behaviour, to stop. Blacks and Hispanics are indifferent as to whether the cause of their pain or abuse is caused by conscious or unconscious motives or beliefs. **Racis m is behaviour, undergirded by belief** and no attempt at redefinition of the term, whether by Professor Eberhardt or the clowns, at POST, will succeed.

"Words are but the vague shadows of the volumes we mean. Little audible links, they are, chaining together great inaudible feelings and purposes." – Theodore Dreiser In Ferguson: City officials have frequently asserted that the harsh and disparate results of Ferguson's law enforcement system do not indicate problems with police or court practices, but instead reflect a pervasive lack of "personal responsibility" among "certain segments" of the community. Our investigation has found that the practices about which area residents have complained are in fact unconstitutional and unduly harsh. But the City's personalresponsibility refrain is telling:

¹⁶ A reexamination of the definition of the word "racism" would serve all well. Try the OED. The source of the belief or behavior matters not one whit.

¹⁷ Since there is no evidence to prove this assertion – confessions of racists are hard to come-by- it is assumed that this conclusion comes from the same dataset that produced the assertion that 2% of stops were based on officer's personal knowledge; i.e. non-existent data.
¹⁸ Intentional.

City of Oakland, C424491RRaterd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015



People who practice racism are racists. It is a perverse form of bias, however motivated, as would deny the oppressed what little protection is afforded them by the richly deserved opprobrium that would attached to their oppressors, by the proper use of words. And under California Law, cops who racially profile are criminals.

What impresses me most about the <u>Stanford Study</u> is what it does not say -if it did I failed to notice. It did not address the inverse disparities enjoyed by Asians. And, it did not mention the lack of forbearance afforded Blacks and Hispanics. Perhaps it was because the researchers, despite the presence of a Black amongst them, were afflicted by that virulent expression; that bias of the implicit kind. I say so despite the express statement that "the OPD is falling short of its value of equal treatment under the law."

The Racial and Identity Profiling Act of

2015, signed by the Governor on October 3, 2015 defines:(e) "Racial or identity profiling," for purposes of this section, is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Key Findings

Several courts have considered the constitutional ramifications of a racially-biased stop as an "unreasonable search and seizure", under the Fourth Amendment and, more recently, as a denial of the Fourteenth Amendment's equal protection guarantee. A variety of federal and state statutes provide potential relief to individuals who claim that their rights are violated by race-based law enforcement practices and policies. It is only by using, to its fullest extent, California's statutes that relief will be found and we should not look to the CA-DOJ for assistance, for they too are a Law Enforcement Agency (LEA.)

This evidence of bias and stereotyping, together with evidence that Oakland has at long-last recognized, but failed to correct the consistent racial disparities caused by its police practices, demonstrates that the discriminatory effects of Oakland's conduct are driven at least in part by discriminatory intent in violation of the Fourteenth Amendment.

EXECUTIVE SUMMARY The Stanford Reports on Improving Police-Community Relations in Oakland, California June 20, 2016

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Key Findings (Stanford)

 OPD officers stopped, searched, handcuffed, and arrested more African Americans than Whites, a finding that remained significant even after we controlled for neighborhood crime rates and demographics; officer race, gender, and experience; and other factors that shape police actions.
 Some 60% of OPD stops were of African Americans, who make up 28% of

 Some 60% of OPD stops were of African Americans, who make up 28% of Oakland's population.

 Of OPD officers making at least one stop during the 13-month period of study:

- Only 20% stopped a White person, while 96% stopped an African American person;
 - Only 26% handcuffed a White person, while 72% handcuffed an African American person
- (excluding arrests);
- Only 23% conducted a discretionary search of a White person, while 65% conducted a
- discretionary search of an African American person.

When OPD officers could identify the person's race before a slop, they were much more likely

to stop an African American, as compared to when officers could not identify the person's race.

With African Americans, OPD officers used more severe legal language (e.g., mentioned

probation, parale, and arrest) and offered fewer explanations for the stop than with Whites.

In police-initiated interactions, African American and Hispanic Oakland
residents felt more disrespected and misunderstood than did White and Asian

Oakland residents.

Select Recommendations (Stanford)

Although the OPD collects copious amounts of data, few measures track the OPD's relationship

with the community. In Strategies for Change, we thus recommend several actions that the OPD

and other law enforcement agencies can take to measure what matters most. • More broadly, we observe that many law enforcement agencies do not fully embrace data because they view it as evidence that could be used against them rather than as feedback about what is or is notworking, and why. In Strategies for Change, we recommend more than a dozen

actions that the OPD and other law enforcement agencies can take to better leverage data.

Large numbers of Null records mars data collections. Almost 19% of all collected records have no stop outcome, they have nothing. Each such record would be rejected under RIPA. I need not supply an answer why

City of Oakland, CA2440 Rightard Hylton 9.5.17 (1) Redacted.pdf January 1, 2015 through, and including, December 31, 2015

this is so, but find acceptable one, a universally acceptable answer; one that came from San Diego. It is one provided by the SDPOA, 16 years ago. These data are "potentially incriminating paperwork¹⁹."

Field interviews: Best-practices for good policing requires that if you observe that you are stopping members of any group in disproportionate numbers on the claimed basis of "suspicious activity", you should reexamine your procedures. The disparity in Oakland, while severe, pales in comparison to, say, San Diego, where the use of Field Interviews is clearly oppressive.

Hit Rate: If the hit rate for searched nonwhite suspects is less than the hit rate for searched white suspect, police might be applying a lower standard of suspicion to nonwhite suspects when deciding whether to search. Doubtless this lack of rewarding results, for all the energy expended, is the result of ignorance; ignorance born of the perception that minorities are more likely to carry contraband²⁰. The perception that Blacks, Hispanics, Asians, and other minorities are more likely to carry drugs than their White counterparts intensifies the complexities of police discretion in stops and searches. The escalating pressure from the war on drugs has led some police officers to target people of color whom police believe to be disproportionally involved in drug use and trafficking. Although some members of the police community, including those from POST who train or set the standard for training of the police, suggest that race-based searches are justified because more minority drivers are found with contraband, the empirical evidence amassed to date, generally discredits that holding; it certainly does not support the effort that so clearly is extended.

Citations: The lower computed citation rates for Blacks and Latinos, in part, are the result of both groups "enjoying" higher stop rates; Blacks massively higher (393%); Hispanics substantially higher (77%).) The inflated denominator, of stops, drives down the computed citation rates. Examining citations issued to each group and comparing those rates to population paints a completely different and opposite picture to the "lowered" citation rates. They are similarly off-the-scale as are stop rates.

Since Oakland declined to provide Citation records, it could not be determined if either of the aforementioned computed citation rates are a fair representation of citations-issued or if the data-entry rates are within reasonable values.

Written warnings are documented instances where an officer's discretion is used following a stop. It documents forbearance. Instead of an expensive ticket, the driver gets a warning. Regrettably, the occupants of the lower rungs of the socio-economic ladder get the fewest of these (Latinos get less than half as many.) I now call it the poverty penalty.

Citation records from the judicial database have not been made available, despite importunate requests under California law. Accordingly, it is reasonable to surmise: to assume that their properties, which properties have the power to impeach the Vehicle Stop data, argue against their publication.

¹⁹ The officer legibly writes his/her name, ID #, command/shift, and beat where the violation occurred on the face of the citation; DP 7.01 — 8/15/14. ²⁰ USDOJ; A Resource Guide on <u>Racial Profiling Data Collection Systems, page 10</u>

City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

"Though much is taken, much abides; and though We are not now that strength which in old days Moved earth and heaven; that which we are, we are; One equal temper of heroic hearts, Made weak by time and fate, butstrong in will **To strive, to seek, to find, and not to yield**." —Tennyson

Appendix 1

Table A

RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
StopRe cords	2484	22503	7498	1149	4329	37963	
StopRe cords %	6.54	59.28	19.75	3.03	11.40		
Cited	1223	8057	3584	542	2054	15460	
Cited ToS tops	49.24	35.80	47.80	47.17	47.45		
CitedComparison	1.04	0.75	1.01	0.99	1.00		Fig.1
Arrested	182	2773	655	75	310	3995	
Arrests ToS tops	7.33	12.32	8.74	6.53	7.16		
ArrestsComparison	1.02	1.72	1 2 2	0.91	1.00		Fig.2
Searche d	406	8371	1953	183	607	11520	
Searched ToS tops	16.35	37.20	26.05	15.93	14.02		
Searche dComparison	1.17	2.65	1.86	1.14	1.00		Fig.3
ConsentO btaine d	12	179	52	14	24	281	
ConsentToStops	0.48	0.80	0.69	1.22	0.55		
ConsentComparison	0.87	1.44	1 2 5	2.20	1.00		Fig.4
Contraban dFound	212	3477	863	75	236	4863	
Contraband ToS tops	8.54	15.45	11.51	6.53	5.45		
ContrabandComparison	1.57	2.83	211	1.20	1.00		Fig.5
ConsentSearch	12	179	52	14	24	281	
ConsentSearch ToStops	0.48	0.80	0.69	1.22	0.55		
ConsentSearchComparison	0.87	1.44	125	2.20	1.00		Fig.10
NonConsentSearch	394	8192	1901	169	583	11239	
NonConsentSearch ToS tops	15.86	36.40	25.35	14.71	13.47		
NonConsentSearchComparison	1.18	2.70	1.88	1.09	1.00		Fig.11
Search Incident To Arrest	141	1872	461	55	254	2783	
Search Incident To Stops	5.68	8 3 2	615	4.79	5.87		
Search IncidentComparison	0.97	1.42	1.05	0.82	1.00		Fig.12
InventorySearch	5	200	74	5	16	300	
InventorySearch ToStops	0.20	0.89	0 99	0.44	0.37		
InventorySearchComparison	0.54	2.40	2.67	1.18	1.00		Fig.13
4th Waiver Search	82	3101	512	41	121	3857	
4thWaiverSearch ToS tops	3.30	13.78	6.83	3.57	2.80		
4thWaiverSearchComparison	1.18	493	2.44	1.28	1.00		Fig.14
FieldInterview	532	6916	1754	291	1031	10524	
FieldInterview ToS tops	21.42	30.73	23.39	25.33	23.82		
FieldInterviewComparison	0.90	1 29	0 98	1.06	1.00		Fig.15
WrittenWarning	547	4757	1505	241	934	7984	
WrittenWarning ToStops	22.02	21.14	20.07	20.98	21.58		
WrittenWarningComparison	1.02	0 98	0 9 3	097	1.00		Fig.18
Searched	406	8,371	1,953	183	607	11520	

City of Oakland, C424491RRaterd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

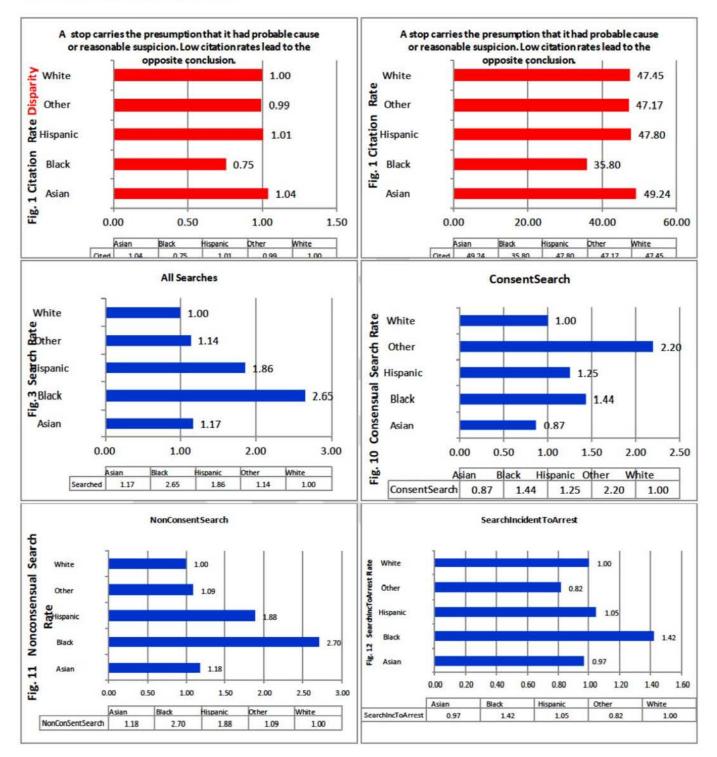
RaceCategory	Asian	Black	Hispanic	Other	White	Totals	
Contraban dFound	212	3,477	863	75	236	4863	
HitRate	52.22	41.54	44.19	40.98	38.88		
HitRateComparison	1.34	1.07	1 1 4	1.05	1.00		Fig.19
StopRe cords %	6.543	59.276	19.751	3.027	11.403		
Census	17.20	27.30	25.40	420	25.90	100	
DisparityIndex	0.38	217	0.78	0.72	0.44		
DisparityIndexComparison	0.86	493	1.77	1.64	1.00		Fig.20

Issuance of citations and disparity comparison.

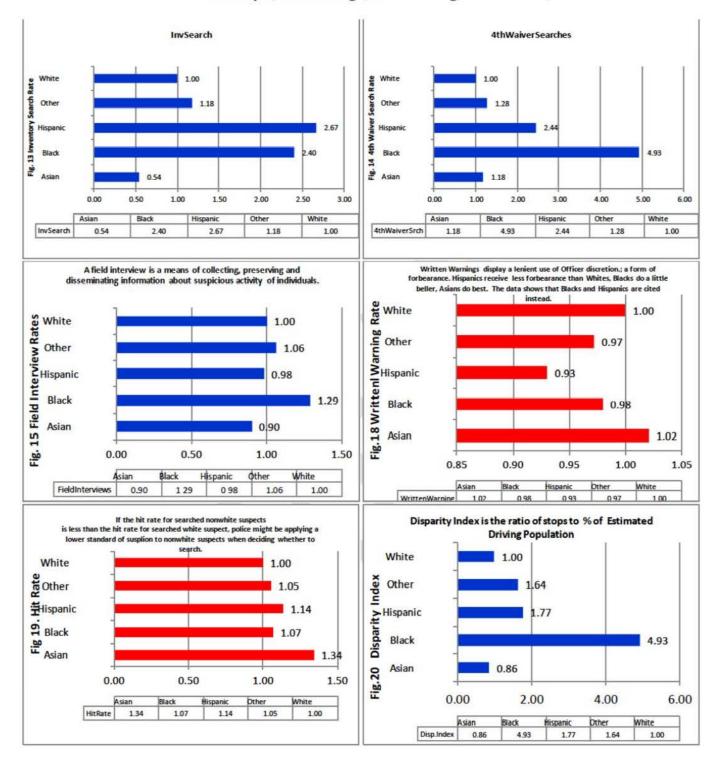
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%Cited	7.91	52.12	23.18	3.51	13.29	100.00
ТоРор	0.46	191	0.91	0.83	0 51	
Comparison	0.90	3.72	1.78	1.63	1.00	

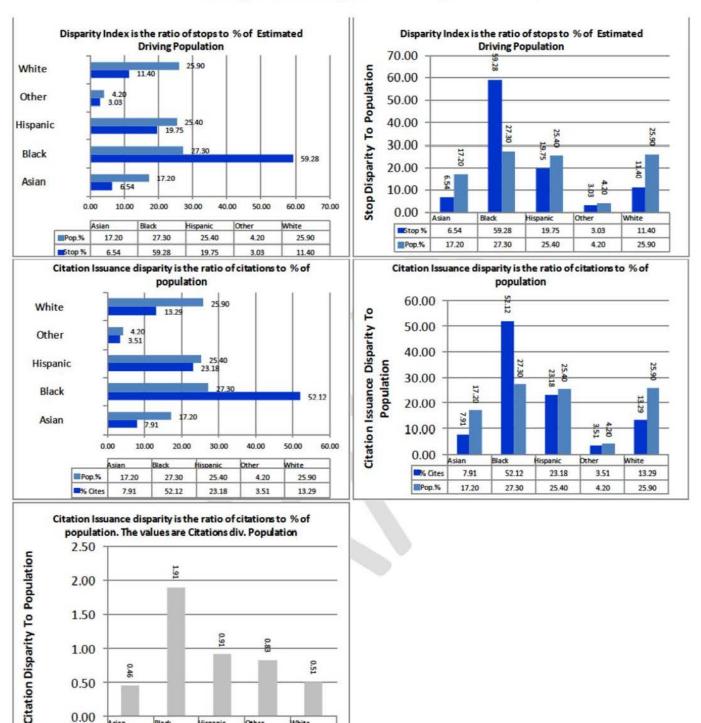
City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Bar Charts of Table A values



City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015





1.50

1.00

0.50

0.00

CiteIndex

0,46

0.46

Black

1.91

Asian

0.91

Hispanic

0.91

Other

0.83

0.51

0.51

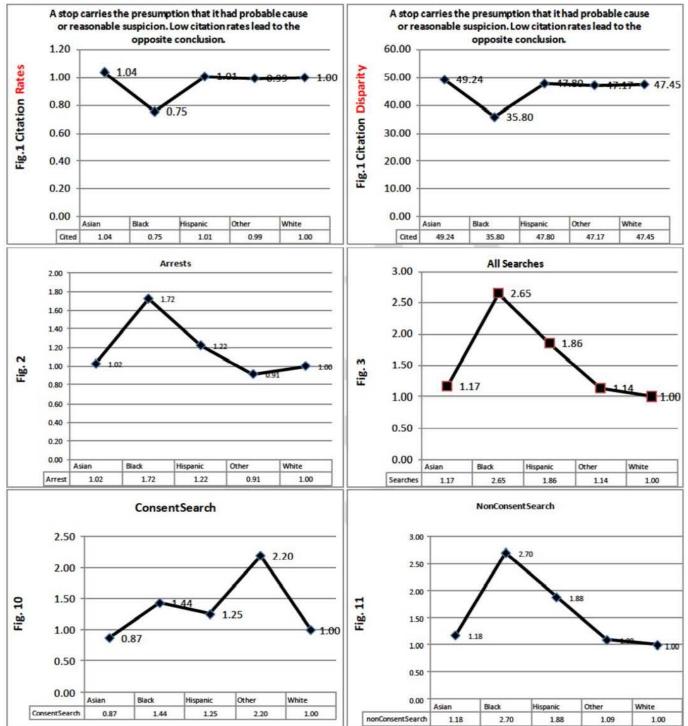
White

City of Oakland, C42449 Rotterrd Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

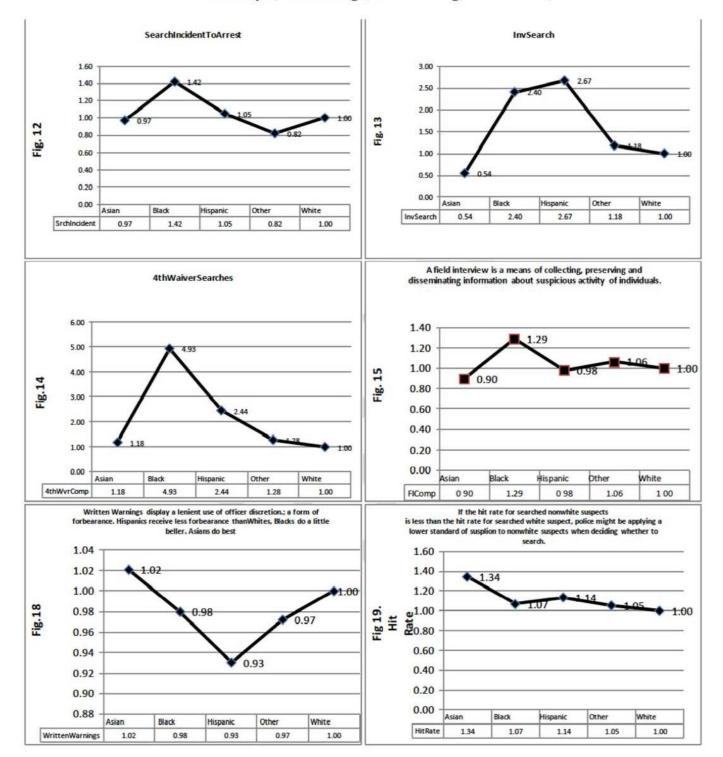
30

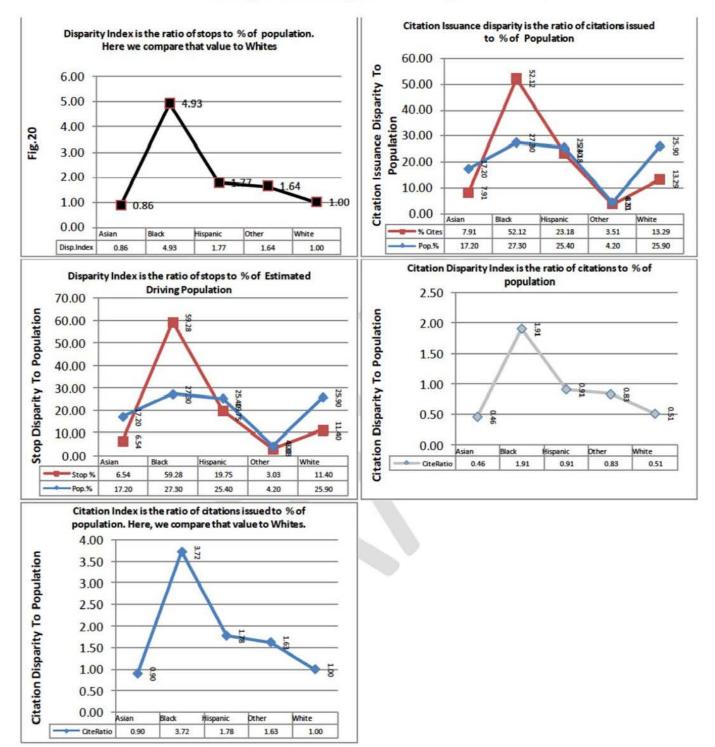
City of Oakland, C42449 Rote and Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Line Charts of Table A values



City of Oakland, C42449 Rotter d Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015





City of Oakland, CA2449 Rothard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Appendix 2

Consensual vehicle encounters (how is this done?)

SELECT Count(*) As [Count] ,[EncounterType] ,[StopCause] ,[SearchDetailDescription] ,[Search],[Race] FROM [CaseTracker].[dbo].[OAKFinal] WHERE [EncounterType] = 'VEHICLE' AND StopCause = 'CONSENSUAL ENCOUNTER' GROUP by [EncounterType] ,[StopCause] ,[SearchDetailDescription] ,[Search],[Race]

Count	En coun ter Type	StopCause	Search Detail Description	Search	Race
7	Vehicle	Consensual Encounter	Citation	No	Afr American
2	Vehicle	Consensual Encounter	Citation	No	Other
1	Vehicle	Consensual Encounter	Citation	No	White
11	Vehicle	Consensual Encounter	Citation	Yes	Afr American
3	Vehicle	Consensual Encounter	Citation	Yes	Hispanic
2	Vehicle	Consensual Encounter	Citation	Yes	White
28	Vehicle	Consensual Encounter	Felony Arrest	Yes	Afr American
2	Vehicle	Consensual Encounter	Felony Arrest	Yes	Asian
3	Vehicle	Consensual Encounter	Felony Arrest	Yes	Hispanic
1	Vehicle	Consensual Encounter	Felony Arrest	Yes	Other
1	Vehicle	Consensual Encounter	Felony Arrest	Yes	White
91	Vehicle	Consensual Encounter	FI Report	No	Afr American
2	Vehicle	Consensual Encounter	FI Report	No	Asian
27	Vehicle	Consensual Encounter	FI Report	No	Hispanic
3	Vehicle	Consensual Encounter	FI Report	No	Other
22	Vehicle	Consensual Encounter	FI Report	No	White
86	Vehicle	Consensual Encounter	FI Report	Yes	Afr American
2	Vehicle	Consensual Encounter	FI Report	Yes	Asian
11	Vehicle	Consensual Encounter	FI Report	Yes	Hispanic
2	Vehicle	Consensual Encounter	FI Report	Yes	White
2	Vehicle	Consensual Encounter	Misdemeanor Arrest	No	Afr American
16	Vehicle	Consensual Encounter	Misdemeanor Arrest	Yes	Afr American
4	Vehicle	Consensual Encounter	Misdemeanor Arrest	Yes	Hispanic
1	Vehicle	Consensual Encounter	Misdemeanor Arrest	Yes	Other
1	Vehicle	Consensual Encounter	Report Taken-No Action	No	Afr American
2	Vehicle	Consensual Encounter	Report Taken-No Action	Yes	Afr American
8	Vehicle	Consensual Encounter	Report Taken-No Action	Yes	Hispanic
6	Vehicle	Consensual Encounter	Warning	No	Afr American
2	Vehicle	Consensual Encounter	Warning	No	Hispanic

City of Oakland, C42449 Rothard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Count	En coun ter Type	StopCause	Search Detail Description	Search	Race
10	Vehicle	Consensual Encounter	Warning	Yes	Afr American
1	Vehicle	Consensual Encounter	Warning	Yes	Asian
2	Vehicle	Consensual Encounter	Warning	Yes	Hispanic
1	Vehicle	Consensual Encounter	Warning	Yes	White
363	Total				

/* ==Scripting Parameters==

```
Source Server Version : SQL Server 2014 (12.0.4522)
    Source Database Engine Edition : Microsoft SQL Server Enterprise Edition
    Source Database Engine Type : Standalone SQL Server
    Target Server Version : SQL Server 2014
    Target Database Engine Edition : Microsoft SQL Server Enterprise Edition
    Target Database Engine Type : Standalone SQL Server
*/
USE [CaseTracker]
GO
/****** Object: Table [dbo].[OAKFinal]
                                           Script Date: 9/4/2017 9:39:10 PM ******/
SET ANSI_NULLS ON
GO
SET QUOTED_IDENTIFIER ON
GO
CREATE TABLE [dbo]. [OAKFinal](
       [StopDate] [datetime] NULL,
       [Beat] [nvarchar](255) NULL,
       [EncounterType] [nvarchar](255) NULL,
       [ReasonForEncounter] [nvarchar](255) NULL,
       [ResultOfEncounter] [nvarchar](255) NULL,
       [Search] [nvarchar](255) NULL,
       [TypeOfSearch] [nvarchar](255) NULL,
       [ResultOfSearch] [nvarchar](255) NULL,
       [Race] [nvarchar](255) NULL,
       [Sex] [nvarchar](255) NULL
) ON [PRIMARY]
```

G0

City of Oakland, C424491RRateriard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Appendix 3

Sample of first 7 records in Oakland dataset

Contact Date	Beat	Encounter Type	Reason For Encounter	Result Of Encounter	Search	TypeOfSearch	Result Of Search	Race	Sex
1/1/2015	31X	Vehicle	Traffic Violation	FI Report	No	No	No	Afr American	Female
1/1/2015	31Y	Vehicle	Traffic Violation	FI Report	No	No	No	Afr American	Female
1/1/2015	31Y	Vehicle	Traffic Violation	FI Report	No	No	No	Hispanic	Male
1/1/2015	31Y	Vehicle	Traffic Violation	Citation	No	No	No	Hispanic	Male
1/1/2015	31X	Vehicle	Traffic Violation	Citation	Yes	P/C	None	Hispanic	Male
1/1/2015	15X	Vehicle	Probable Cause	Misdemeanor Arrest	Yes	Incident to Arrest	None	Afr American	Male
1/1/2015	15X	Vehicle	Probable Cause	FI Report	No	No	No	White	Female

SELECT COUNT(*) AS [Number]

```
,[EncounterType]
,[ReasonForEnCounter] as [StopCause]
FROM [CaseTracker].[dbo].[OAKFinal]
GROUP BY
[EncounterType]
,[StopCause]
ORDER BY
[EncounterType],[StopCause]
```

The, highlit, bold, and bald assertion by Assistant Chief Figuroa is unsupported by these data, as shown, at right.

Stop Reasons by Race

Traffic violations were the legal basis for 79 percent of stops, followed by probable cause at 12 percent and reasonable suspicion at 5 percent (See Table 3). Stops of people who officers knew were on parole or probation accounted for 2 percent of all stops. Consensual encounters—a category that covers consensual encounters that turn into detentions—

Number	EncounterType	StopCause
7159	NULL	NULL
8	Bicycle	Consensual Encounter
99	Bicycle	Probable Cause
6	Bicycle	Probation/Parole
22	Bicycle	Reasonable Suspicion
629	Bicycle	Traffic Violation
71	Other	Consensual Encounter
260	Other	Probable Cause
79	Other	Probation/Parole
51	Other	Reasonable Suspicion
42	Other	Traffic Violation
505	Pedestrian	Consensual Encounter
2651	Pedestrian	Probable Cause
393	Pedestrian	Probation/Parole
1095	Pedestrian	Reasonable Suspicion
513	Pedestrian	Traffic Violation
363	Vehicle	Consensual Encounter
1579	Vehicle	Probable Cause
218	Vehicle	Probation/Parole
674	Vehicle	Reasonable Suspicion
28705	Vehicle	Traffic Violation
45122		
37963	Total	

Point of Contact Amber C Fuller Helpers Seina K Jones O mistory

> Received: May 22, 2017 at 9.52 AM yourname@email.com Follow 9

Appendix 4

	Obfuscation!		
Re	quest #21218 (3 Add a Note		
thro As	ase provide all disclosable data on traffic stops that occurred in the City of Oakland in the Per ough December 31, 2016. Please include record descriptions for that data. a separate and distinct item, please provide records from your database of citations (the judic above period, together with record descriptions for that data.		
Ø	You cannot be serious. We spoke about this request on August 11, 2017 at about 3PM. I followed up by writing to you, as follows.hts. Jones: Please use this link to see what Stanford University Produced and is the basis for my request for data for 2015-2015 https://stanford.app.box.com/wData-for-Change. After 4 months, you come to this ridiculous realization? - Requester	4 days ago	
	v Sar at v		
Res	ponse Good morning, please state exactly what type of stop data you are seeking, your request its too broad Selina K Jones	4 days ag	
	Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)) Selina K Jones	3 weeks ag	
8	Pursuant to 6253(c)(1). The dept has a need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request. (2) _more		
8	Pursuant to 6255(c)(1): The dept has a need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request. (2)more	9 weeks ag	
1	For the judicial record, please submit a PRR to the Alameda County Court Selina K Jones	12 weeks ag	
1	Our agency is in the process of reviewing your requested records to determine what information can be released in accordance with the California Public Records Act. All records must be reviewed and in some cases redactions may be necessary. Due to the Departments limited statting resources and the numerous public records requests received, our agency needs additional time to respond to your request. All records that are not exempt will be provided within 30 days. Please contact the undersigned if you need the records soner or can identify a shorter list of records (for voluminous requests) that can be provided to you. We will do our best to work with you. We appreciate your patience.	13 weeks ag	

- Selina K Jones

City of Oakland, C42449 Rotter Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

Appendix 5

Figure 1.1. General info	rmation section of	stop data form
--------------------------	--------------------	----------------

Field Interview: Op	en - Smith, Thomas						二 点		
-		Heading Narrative S	itop Data Officer Super	visor Review					
Headin		Stop Data Requires	E						
Subjec	at 🔀	No	<u>.</u>						
Vehici	e 🔀	Reason No Stop Data							
Other Per	sons X	Dispatched							
Utilit F R		RD Number	Incident Number	Citation No.	Location	Type			
		13-123456	LOP123456789101	1234567					
		Contact Date/Time	N						
		Date	Time						
		01/01/2013	0000						
		Address/Location							
			455 7TH ST						
			Street or Permaner	-t. Lauridenaria	8FO	Beat			
		# At Location	PAB		1	- 03Y	•		
Ready For	Approval	Apartment	City	State		Zip			
And	Delete		Oakland	· Californ	nia	• 94607			
Open/Close	Verify								
Import	Export								
Exit	Help (F1)								

Figure 1.2. Section of stop data form containing information about encounter type and initial reason for encounter

Field Interview: Op	en - SD-								
Headin		Heading Narrativ	Heading Narrative Stop Data Officer Supervisor Review						
Heading		Stop Catagory		Special Anni	Special Assignment		acial Assignment Type		
Subjec	t 📃 🗖	Self-Initiated	٠	No		•			
Vehick	• 1	Able to determi		alethnicity pri	or to the stop		Encounter Type		
Other Pers	ions	Yes				٠	Pedestrian		
		Initial Reason for Encounter				Duration of Encounter			
		Reasonable Su	Reasonable Suspicion •			10-19			
		Result of Encou	Result of Encounter				it of Search		
		 Warning 					earms		
		 Citation Felony Arrest 	Citation			Other Weapons Other Evidence			
		= Misdemeanor		1			cotics		
			Report Taken-No Action				None		
		Firearms & Narcolics S150 Hold							
		a rad mont							
Ready For Approval									
bbA	Delate								
Open/Close	Verify								
Import.	Export								
- Andrew State									

Appendix 6

```
Data Structure
/*
      ==Scripting Parameters==
    Source Server Version : SQL Server 2014 (12.0.4522)
    Source Database Engine Edition : Microsoft SQL Server Enterprise Edition
    Source Database Engine Type : Standalone SQL Server
    Target Server Version : SQL Server 2014
    Target Database Engine Edition : Microsoft SQL Server Enterprise Edition
    Target Database Engine Type : Standalone SQL Server
*/
USE [CaseTracker]
GO
/****** Object: Table [dbo].StopDataOakland
                                                   Script Date: 8/31/2017 9:16:03 PM ******/
SET ANSI NULLS ON
GO
SET QUOTED IDENTIFIER ON
GO
CREATE TABLE [dbo].StopDataOakland(
       [VehicleStopID] [int] IDENTITY(10000,1) NOT NULL,
       [StopDate] [datetime] NULL,
       [StopTime] [datetime] NULL,
       [EncounterType] [nvarchar](255) NULL,
       [ResultOfSearch] [nvarchar](255) NULL,
       [StopCause] [nvarchar](255) NULL,
       [Race] [char](10) NULL,
       [Sex] [char](10) NULL,
       [Age] [int] NULL,
       [ServArea] [int] NULL,
[CensusEDP] [float] NULL,
       [StopYear] [int] NULL,
       [ServAreaname] [nvarchar](35) NULL,
       [Month] [int] NULL,
       [MonthYear] [char](10) NULL,
       [Search] [nvarchar](35) NULL,
       [ActionTaken] [int] NULL
       [SearchType] [nvarchar](35) NULL,
       [SearchBasis] [int] NULL,
       [OldRace] [char](1) NULL,
       [SearchDetaiID] [int] NULL,
       [SearchDetailType] [nvarchar](35) NULL,
       [SearchDetailDescription] [nvarchar](35) NULL,
       [cSearchBasis] [char](35) NULL,
       [cSearchType] [char](35) NULL,
       [ResidentType] [bit] NOT NULL CONSTRAINT [df_[ResidentType] DEFAULT 1,
       [Searched] [int] NOT NULL CONSTRAINT [df_Searched] DEFAULT 0,
       [Arrested] [bit] NOT NULL CONSTRAINT [df_Arrested] DEFAULT 0,
       [ConsentObtained] [bit] NOT NULL CONSTRAINT [df_ConsentObtained] DEFAULT 0,
[ContrabandFound] [bit] NOT NULL CONSTRAINT [df_ContrabandFound] DEFAULT 0,
       [PropertySeized] [bit] NOT NULL CONSTRAINT [df_PropertySeized] DEFAULT 0,
       [SDResident] [bit] NOT NULL CONSTRAINT [df_SDResident] DEFAULT 0,
       [VehicleSearch] [bit] NOT NULL CONSTRAINT [df_VehicleSearch] DEFAULT 0,
```

City of Oakland, CA2441 Riothard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

[DriverSearch] [bit] NOT NULL CONSTRAINT [df_DriverSearch] DEFAULT 0, [PassengerSearch] [bit] NOT NULL CONSTRAINT [df_[PassengerSearch] DEFAULT 0, [ConsentSearch] [bit] NOT NULL CONSTRAINT [df_ConsentSearch] DEFAULT 0, [SearchIncidentToArrest] [bit] NOT NULL CONSTRAINT [df SearchIncidentToArrest] DEFAULT 0, [InventorySearch] [bit] NOT NULL CONSTRAINT [df InventorySearch] DEFAULT 0, [4th Waiver Search] [bit] NOT NULL CONSTRAINT [df_4th Waiver Search] DEFAULT 0, [FieldInterviewed] [bit] NOT NULL CONSTRAINT [df_FieldInterviewed] DEFAULT 0, [NonConsentSearch] [bit] NOT NULL CONSTRAINT [df_NonConsentSearch] DEFAULT 0, [VerbalWarning] [bit] NOT NULL CONSTRAINT [df_VerbalWarning] DEFAULT 0, [WrittenWarning] [bit] NOT NULL CONSTRAINT [df_WrittenWarning] DEFAULT 0, [OdorOfContrabandSearch] [bit] NOT NULL CONSTRAINT [df_OdorOfContrabandSearch] DEFAULT 0, [OtherSearch] [bit] NOT NULL CONSTRAINT [df_[OtherSearch] DEFAULT 0, [Cited] [bit] NOT NULL CONSTRAINT [df Cited] DEFAULT 0, [ForceUsed] [bit] NOT NULL CONSTRAINT [df_ForceUsed] DEFAULT 0, [isDiscretionaryStop] [bit] NOT NULL CONSTRAINT [df_isDiscretionaryStop] DEFAULT 0, [CustomerID] [nchar](5) NULL, [SearchDetaiDescriptionString] [nchar](150) NULL, [OfficerID] [int] NULL, [RaceCategory] [char](20) NULL, [DayNight] [char](10) NULL, [Sunrise] [datetime] NULL, [Sunset] [datetime] NULL, [CivilTwilightStart] [datetime] NULL, [CivilTwilightEnd] [datetime] NULL, [CitationNumber] [int] NULL,) ON [PRIMARY]

GO

City of Oakland, C42449 Rothard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

```
Data Structure Summary
/*
   ==Scripting Parameters==
    Source Server Version : SQL Server 2014 (12.0.4522)
    Source Database Engine Edition : Microsoft SQL Server Enterprise Edition
    Source Database Engine Type : Standalone SQL Server
    Target Server Version : SQL Server 2014
    Target Database Engine Edition : Microsoft SQL Server Enterprise Edition
    Target Database Engine Type : Standalone SQL Server
*/
USE [CaseTracker]
GO
/****** Object: Table [dbo].[StopActionSummaryOAK]
                                                        Script Date: 9/4/2017 4:50:03 PM ******/
SET ANSI_NULLS ON
GO
SET QUOTED IDENTIFIER ON
GO
CREATE TABLE [dbo]. [StopActionSummary](
       [RaceCategory] [nchar](20) NOT NULL,
       [StopRecords] [int] NULL,
       [StopRecords%] [decimal](7, 3) NULL DEFAULT 0,
       [Cited] [int] NULL,
       [Cited%] [decimal](7, 3) NULL DEFAULT 0,
       [CitedToStops] [decimal](7, 3) NULL DEFAULT 0,
       [Arrested] [int] NULL,
       [Arrested%] [decimal](7, 3) NULL DEFAULT 0.
       [ArrestsToStops] [decimal](7, 3) NULL DEFAULT 0,
       [Searched] [int] NULL,
[Searched%] [decimal](7, 3) NULL DEFAULT 0,
       [SearchedToStops] [decimal](7, 3) NULL DEFAULT 0,
       [ConsentObtained] [int] NULL,
       [ConsentSearchPercent] [decimal](7, 3) NULL DEFAULT 0,
       [ConsentObtained%] [decimal](7, 3) NULL DEFAULT 0,
       [ConsentToStops] [decimal](7, 3) NULL,
       [ContrabandFound] [int] NULL,
       [ContrabandFound%] [decimal] (7, 3) NULL DEFAULT 0,
       [ContrabandToStops] [decimal](7, 3) NULL DEFAULT 0,
       [PropertySeized] [int] NULL,
       [PropertySeized%] [decimal](7, 3) NULL DEFAULT 0,
       [PropertySeizedToStops] [decimal](7, 3) NULL DEFAULT 0,
       [VehicleSearch] [int] NULL,
       [VehicleSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [VehicleSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [DriverSearch] [int] NULL,
       [DriverSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [DriverSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [PassengerSearch] [int] NULL,
       [PassengerSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [PassengerSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [ConsentSearch] [int] NULL,
       [ConsentSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [ConsentSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [NonConsentSearch] [int] NULL,
```

City of Oakland, C42449 Rothard Hylton 9.5.17 (1)_Redacted.pdf January 1, 2015 through, and including, December 31, 2015

```
[NonConsentSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [NonConsentSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [SearchIncidentToArrest] [int] NULL,
       [SearchIncidentToArrest%] [decimal](7, 3) NULL DEFAULT 0,
       [SearchIncidentToStops] [decimal](7, 3) NULL DEFAULT 0,
       [InventorySearch] [int] NULL,
       [InventorySearch%] [decimal](7, 3) NULL DEFAULT 0,
       [InventorySearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [4th Waiver Search] [int] NULL,
       [4th Waiver Search%] [decimal](7, 3) NULL DEFAULT 0,
       [4thWaiverSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [FieldInterview] [int] NULL,
       [FieldInterview%] [decimal](7, 3) NULL DEFAULT 0,
       [FieldInterviewToStops] [decimal](7, 3) NULL DEFAULT 0,
       [OdorOfContrabandSearch] [int] NULL,
       [OdorOfContrabandSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [OdorOfContrabandSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [OtherSearch] [int] NULL,
       [OtherSearch%] [decimal](7, 3) NULL DEFAULT 0,
       [OtherSearchToStops] [decimal](7, 3) NULL DEFAULT 0,
       [NullRecords] [int] NULL,
       [NullRecord%] [decimal](7, 3) NULL DEFAULT 0,
       [NullRecordsToStops] [decimal](7, 3) NULL DEFAULT 0,
       [Census] [decimal](7, 3) NULL,
       [CustomerID] [nchar](5) NULL,
       [ServAreaName] [char](20) NULL,
       [StopYear] [int] NULL,
       [DayNight] [char](5) NULL,
       [VerbalWarning] [int] NULL,
       [VerbalWarning%] [decimal](7, 3) NULL DEFAULT 0,
       [VerbalWarningToStops] [decimal](7, 3) NULL DEFAULT 0,
       [WrittenWarning] [int] NULL,
       [WrittenWarning%] [decimal](7, 3) NULL DEFAULT 0,
       [WrittenWarningToStops] [decimal](7, 3) NULL DEFAULT 0,
       [SearchedArrested] [int] NULL,
       [SearchedArrested%] [decimal](7, 3) NULL DEFAULT 0,
       [YearStartYearEnd] [nchar](30) NULL
) ON [PRIMARY]
```

GO

Email to Oakland

My message in response to your call of August 29, 2017, is on your voicemail.

- My voicemail questions the legality of Oakland having given stop data to Stanford, but claiming it is "unable" to give like data to me. I direct you to the provisions of the Public Records act.
- 2. My voicemail questions the claim that my request is too broad, despite the stated fact that it seeks the same stop data that was provided to Stanford. Was Stanford's request too broad too? I ask the foregoing question while mindful of the Stanford observation that "the OPD is falling short of its value of equal treatment under the law." Do not fall short Ms. Jones.
- 3. My voicemail asks what data is present in your database of Vehicle Stop Information; a question that was a part of my initial request. Since you have not told me what information you have, I cannot tell you what parts of it I want. I direct you to your obligations under the Public Records Act. Access to Public records is like visiting a restaurant; I need the menu. To put it another way, you are required to tell me what data exists, so that I can "narrow" my request to match your restaurant's customary fare.

I direct you to the attached draft. The information on appendices 5 and 6 (pages 38-40) show the sort of information that I am interested in (although I now fear that this information will renew the 30 day sessions of "needing to examine large volumes of data" etc; to which I have been compelled to become accustomed, but object to.)

Since, after four months of complete frustration, I was unable to be comprehensive or thorough, I have made do with such data as I have. I have sent that to those who are charged with implementing AB953. I do intend to become comprehensive and thorough and demand your assistance; the law gives me the right to.

Thank you.

AB953

From: Sent: To: Subject: Shannon Hovis Tuesday, September 05, 2017 3:42 PM AB953 FW: Vehicle Stop Data, Oakland biased-policing, Implicit Bias and other phyco-babble

From: Richard Hylton [mailto

Sent: Tuesday, September 05, 2017 3:00 PM

To: Shannon Hovis <Shannon.Hovis@doj.ca.gov>

Subject: Fwd: Vehicle Stop Data, Oakland biased-policing, Implicit Bias and other phyco-babble

----- Forwarded message ------

From: **Richard Hylton** Date: Tue, Sep 5, 2017 at 2:57 PM Subject: Vehicle Stop Data, Oakland biased-policing, Implicit Bias and other phyco-babble To: AB953 <<u>ab953@doj.ca.gov</u>>

The <u>item linked or attached</u> is my take or measurement of disparities for the City of Oakland, in 2015.

I suppose that the sub-committee on Stop Data, that is scheduled to meet tomorrow, may learn something from the attached; the tricks of obfuscators. If not that, Professor Eberhardt, who seems to enjoy great favour, may appreciate my comments; especially those concerning the cover that Oakland's relationship with Stanford does **not** provide.

Oakland CA Biased-Policing 2015.pdf

Richard Hylton

[245] Richard Hylton 9.5.17 (2)_Redacted.pdf

Sent with Mailtrack

Richard Hylton



Sent with Mailtrack

AB953

From:	Richard Hylton
Sent:	Wednesday, September 06, 2017 10:12 AM
To:	Shelly Zimmerman; Mayor Kevin Faulconer
Cc:	AB953; Catherine Ysrael; Shannon Hovis
Subject:	Fwd: CA-DOJ chose not to include us in POST Training sub-committee matters for no good reason. POST, a State body, trains police officers that there is no racism in racial profiling

FYI ----- Forwarded message -----

From: Richard Hylton

Date: Wed, Sep 6, 2017 at 9:59 AM

Subject: Fwd: CA-DOJ chose not to include us in POST Training sub-committee matters for no good reason. POST, a State body, trains police officers that there is no racism in racial profiling To: <u>RHVILLA@sandiego.gov</u>

Of course, the idiots had a very good reason. They, CA-DOJ and POST, resented the pointed and critical remarks of Paul (Khalid) Alexander and a splendid woman -whose name I do not know- from July, 12, 2017. So, they retaliated with **No Meeting for you San Diego**.

Mr. Villa;Could you use your influence to secure facilities so that locals can join the teleconference? The question assumes that the checkmated State employees, will allow it.

----- Forwarded message ------

From: Richard Hylton <hvltonrichard@gmail.com>

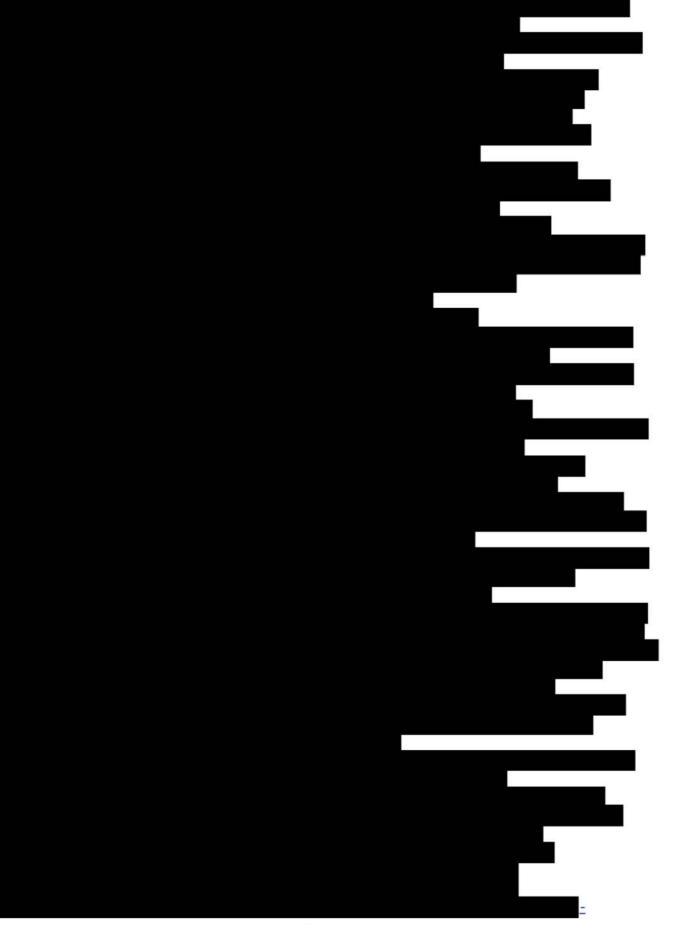
Date: Wed, Sep 6, 2017 at 9:07 AM

Subject: CA-DOJ chose not to include us in POST Training sub-committee matters for no good reason. POST, a State body, trains police officers that there is no racism in racial profiling

To:



"mark.s.leo@gmail.com" <mark.s.leo@gmail.com>, "Rose@1246]Richard &Rylton 9.6.47((1))Redacted.pdf



Just over a week ago, I asked that you communicate with the CA-DOJ concerning the fact that locals will not be able to participate in the POST Training Subcommittee meeting scheduled for September 14, 2017. I notified the CA-DOJ that I would be doing so. Within a few days, I received the embedded message. The CA-DOJ used my concern over a blocked email (they blocked mine) as the vehicle for communicating about the POST training subcommittee matter:

Dear Mr. Hylton,

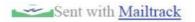
We are not certain why you received the below email, because we are indeed getting your email in our AB953 mailbox. In addition, we wanted to respond to your inquiry about the locations of the sub-committee meetings. Pursuant to the Bagley Keene Act, we are holding teleconference subcommittee meetings in locations where an actual board member will be present. Please see Government Code section 11123(b)(F). While the Act permits us to have additional locations available to the public even if a board member is not present, we have not done so at the present time. We will however, take that into consideration in the future for other subcommittee meetings. Please let us know if you have any suggestions for the San Diego area, but such locations must be accessible to those with disabilities and open to all members of the public.

Thank you for your correspondence and interest in AB 953 and the RIPA Board.

The AB 953 Team

I will allow you to access assess whether or not the above comment and the reason it floats is plausible; not to mention acceptable. If there was or is a desire to allow us to participate, doubtless arrangements could have be made for teleconference facilities here in San Diego -there is still time present for that.

I hope that you will agree that the California Department of Justice has far more knowledge and influence in the procurement of appropriate facilities than this single person, whose assistance they disingenuously claim to seek. They could and should begin with their own local offices. Richard Hylton

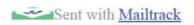




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Richard Hylton







I received an electronic receipt

The item that is second, in the enumeration, is from an ill-advised KPBS broadcast (SDSU holds KPBS' broadcast license) that was intended to persuade viewers that issues of racial profiling were the result of our "perception", meaning misperception <u>San Diego Police Give Inside Look At Training To</u> <u>Deter Racial Profiling</u> Paul Alexander is the same Professor Paul Khalid Alexander who took such strong exception, at your July 12, 2017, meeting here Professor Alexander advised us all about the sweeps that ensnared "people committing crimes" In the above linked item, Sgt Bautista offered a variation of the same practice

RIPA requires that:

(g) Every peace officer in this state shall participate in expanded training as prescribed and certified by the Commission on Peace Officers Standards and Training.

I will not tolerate peace officers being trained with either of the former two items, and you should not either Doubtless you should be concerned about the third to take care of that yourselves

Richard Hylton



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AB953

From: Sent: To: Subject: Richard Hylton Thursday, September 07, 2017 10:51 AM AB953; RHVILLA@sandiego.gov Fwd: Record Request 21218

<u>The Stanford University study of Oakland's stop data</u> has received wide praise; though not from me for I disapprove of Black people pulling punches or making excuses where racism is concerned, and I think the Professor did that with her use of the insipid "implicit bias." I am troubled by the data that was used. My gut tells me that it may not have been all that there was or may not have been representative. The last paragraph of my communication to the City of Oakland should be sufficient. It is embedded here, in italics.

Let me be frank (working now from memory) I am disturbed by what I have seen. Professor Eberhardt's study is of data collected for around 13 months in <u>2013-2014 (28,119 stops between April 1, 2013 and April 30, 2014; pg.9)</u> Yet, It has almost 10,000 fewer records than the 37,963 records in the report done by former <u>Assistant Chief Figueroa</u> for the 12 months of 2015. And, the indication that the data set that I imported contained 7,159 null records is not reassuring.

Methinks that the City of Oakland may be afflicted with that which ails the City of San Diego; an allergy to truthful disclosure of all things, including data.

------ Forwarded message ------From: Richard Hylton < Date: Thu, Sep 7, 2017 at 10:27 AM Subject: Re: Record Request 21218 To: sjones@oaklandnet.com

I called you again today, September 7, 2017, at 9:09 AM. As was the case two days ago (but not yesterday) the number that you have provided seems not to be at a person's desk but is an answering device. It is possible that I just have bad luck since you are never there and like two days ago, my call went directly to voicemail. With the foregoing comments, I mean to communicate that no person has ever picked up the phone on your end.

My Business applies to the years 2015 and 2016

I seek the data elements that Oakland has for stops[1], of all types; i.e. Pedestrian, Bicycle Motor vehicle. I need to know what they those data elements[2] are; what they are called. For example I have learned, from other sources that there is, at least:

- 1. An incident number (the letters LOP followed by 12 digits.)
- 2. An RD number exists.

3. I learned that officers enter the date and time of the stop. Tif248] Richard Hyltoint 9.7 title Regla Old pdf 12:15 AM; 1458 for 2:58 PM)

- 4. I learned that a Citation number exists, if a citation was issued.
- 5. I see that a street address/location exists.
- 6. I also know that Oakland has captured the following data elements:

7. StopDate ,Beat ,EncounterType,ReasonForEncounter,ResultOfEncounter,Search,TypeOfSearch,ResultOfSe arch,Race,Sex.

8. I have concluded that the concealed tabs on the Stop Card Data screens imply that there is more data. I want to know what those concealed data items are.

Figure 1.1. General information section of stop data form

X	Heading Narrative Si Stop Dela Required	top Data Officer Super	visor Review	v				
	Stop Data Required							
	Contraction of the second seco							
	No	-						
X	Reason No Stop Da	ta:						
ons X	Dispatched							
	RD Number	Incident Number			Location	Туре		
	13-123456	LOP123456789101	1234567					
	Contact Date/Time							
	Date	Time						
	01/01/2013	a 0000						
	Address/Location							
	Street Address							
		455 7TH S	r					
			Street or Permanent Landmark				Beut	_
	# At Location	PAB			1		03Y	
Approval	Apartment.	Cny		State		Zie		
Delete	1	Oakland		California		- 946	07	
Verify								
Export								
Help (F1)								
	Approval Deleto Verify	Approval Deleto Verify Export	Approval Deleto Verify Export	Approval	Approval Approval Street Address Verify Export	Approval Approval Street Address State Verify Export California	Approval Approval City State California City Verify Export	Approval Deleto Verify Export

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Please write me with information. Call me with questions.

1 2. Computer Information. When a person seeks a record in an 248 trich and the gent stated pdf request, make the information available in any electronic format in which it holds the information.

[2] This is functionally **the index** of records of which the <u>Attorney General</u> speaks with this directive: To the extent reasonable, **agencies are generally required to assist members of the public** in making focused and effective requests for identifiable records.12 One legislatively-approved method of providing assistance is to make available an index of the agency's records.13 A request for records may be made orally or in writing.14 When an oral request is received, the agency may wish to consider confirming the request in writing in order to eliminate any confusion regarding the request.

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On Wed, Sep 6, 2017 at 3:46 PM, Richard Hylton <<u>hyltonrichard@gmail.com</u>> wrote: I called you today at 3:36 PM RNA. I did not leave a message. I wanted to discuss what stop data values; i.e. fields are available.

The purpose of this communication is to get you to call me back, for the above purpose and for documentation.

Please call me.

Richard Hylton



--Richard Hylton

Richard Hylton

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