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## II. STATE AND LOCAL POLICIES

### A. Introduction

This year, the Policies section explores the impact of racial and identity profiling on public safety by looking at the issue through several different lenses:

*First*, this section discusses how racial and identity profiling affects public safety by reducing police legitimacy and public trust in law enforcement, and creating broader social costs. In part, this section on pre-textual stops as a main driver of racial and identity profiling and their erosion of public safety (Section C). This Report continues the discussion initiated in past reports that provides updates reflecting the most recent RIPA data, but also a comparison of the data to specific jurisdictional changes limiting or stopping the use of pretextual stops to assess whether the changes impacted racial and identity disparities in policing. In sum, this section will discuss the current research demonstrating that as racial and identity profiling increases, public safety decreases.

*Second*, this section looks at how police practices that concentrate law enforcement presence in marginalized communities—a practice known as “oversaturation”—negatively impact those communities in a disproportionate manner, leading to decreases in public trust and community engagement and public safety (Section D). This practice includes two parts: one is the oversaturation and the second is the absence of a multidisciplinary approach to public safety. It is both the overuse of certain policing practices and the underutilization of nonpunitive interventions. The report also looks at the use of alternative enforcement technologies as tools of oversaturation policing. The research presented in this area demonstrates that such policies and practices do not increase public safety when analyzed using these metrics and can actually detract from public safety.

*Third*, this section looks at how ending police practices that lead to racial and identity profiling can increase public safety, particularly for marginalized communities (section E). In this section, we also show how the 2024 RIPA stop data reflect trends seen in the above research, and how those trends are likely to continue without changes in law enforcement’s approach to public safety.

*Fourth*, this section includes recommendations for policy changes, incorporating the latest research and stop data, that are designed to improve public safety through the reduction of racial and identity profiling.

### B. Background and Trajectory of Racial and Identity Profiling

*[To frame and provide context for the 2026 Policies Section, this background section will offer a brief overview of the history and trajectory of racial and identity profiling in policing. This will ground the 2026 policy recommendations and RIPA data within the broader historical context. This section will also define important terms and concepts that will be referenced throughout the Policies' section, ensuring clarity and consistency in the analysis.]*

"In the American context, race and class have always been central to the role that law enforcement agencies and the law enforcement officer play in our society." (Brown, Robert. “Policing in American History.” Du Bois Review: Social Science Research on Race, vol. 17, no.

1, 2020, pp. 1-20 <[roundtable-oct2018-Policing-in-American-History-by-Robert-Brown-1.pdf](#)> [as of Apr. 17, 2025].)

- This article examines the historical evolution of policing in America with a focus on race. Specifically, it argues that racial bias has deep roots in American policing, and reforms in policing and American society have not eliminated the detrimental experiences of Black people who encounter the police. Historical information and contemporary empirical research indicate that, even when legal and other factors are equal, Black people continue to experience the coercive and lethal aspects of policing relative to their non-Black counterparts.

“Once enslavement ended, white Americans created a new legal and social system to continue to socially control and exploit approximately four million African Americans.” “Southern states passed the Black codes and vagrancy laws to criminalize, socially control, and maintain formerly enslaved African Americans in a lower social caste and as a source of exploited, free labor.” (Task Force to Study and Develop Reparation Proposals for African Americans. *An Unjust Legal System*. California Department of Justice <<https://oag.ca.gov/system/files/media/ch11-ca-reparations.pdf>> [as of April 20, 2025].)

“Over the past half century, the American criminal justice system has undergone tremendous expansion.” (Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science. Review. <<https://veslaweaver.com/wp-content/uploads/2011/10/weaverlerman2010.pdf>> [as of May 5, 2025].)

“We hand out harsh sentences for all types of offenses.” (Cooper and Lugalía-Hollon. *Chicago’s Million Dollar Blocks*. <[Chicago's Million Dollar Blocks](#)> [as of April 23, 2025].)

“By the mid-1990s, the new economic interests-including private prison companies, prison guards’ unions, and the suppliers of everything from bonds for new prison construction to Taser stun guns-were playing an important role in maintaining and sustaining the incarceration increase.” (Committee on Causes and Consequences of High Rates of Incarceration, *Consequences for Communities in The Growth of Incarceration in the United States* (2014) p. 284-2XX. <<https://nap.nationalacademies.org/read/18613/chapter/6#121>> [as of May 9, 2025].)

“Hotspot policing is a popular law enforcement strategy that goes back decades.” (Bates, Josiah. *Police Are Turning to an Old Tactic to Fight the Surge in Violence. But it Needs a Rethink* (2022) <<https://time.com/6227552/hotspot-policing-crime-effectiveness/>> [as of Apr. 17, 2025].)

- This article discusses how police departments are increasingly reverting to hot spot policing to address surges in gun violence. This approach focuses on intensifying police presence in “high-crime” areas and has roots in the broken windows policing model. Proponents argue that hot spot policing can effectively reduce crime. Critics caution that it may lead to over-policing in marginalized communities and exacerbate existing tensions between LEOs and the community. The article concludes by emphasizing a need

for a reevaluation of these tactics to ensure that policing does not perpetuate a cycle of distrust/inequality.

"The Atlas of Surveillance is a database and map that will help you understand the magnitude of surveillance at a national level, as well as what kind of technology is used locally where you live." (Electronic Frontier Foundation (2020). *Three Interactive Tools for Understanding Police Surveillance*. <<https://www.eff.org/deeplinks/2020/09/three-interactive-tools-understanding-police-surveillance>> [as of April 20, 2025].)

The Traffic Stops Statistics Act of 1997 constituted the first attempt by any legislative body to address racial profiling. Harris, D. (2020). *Racial Profiling: Past, present, and future?* 34 Criminal Justice 10. <<http://ssrn.com/abstract=3543744>> [ss of March 17, 2025].

Task Force to Study and Develop Reparation Proposals for African Americans. Policies Addressing the *Unjust Legal System*. California Department of Justice. <<https://oag.ca.gov/system/files/media/ch28-ca-reparations.pdf>> [as of April 21, 2025].

## **1. Reducing racial and identity profiling improves public safety [broad general research]**

*[This section will summarize research finding that reducing racial and identity profiling creates safer communities.]*

Our safety net in the United States is so weak, but we have the largest penal system in the world. Committee on Causes and Consequences of High Rates of Incarceration. (2014). *The Underlying Causes of Rising Incarceration: Crime, politics, and social change* in *The Growth of Incarceration in the United States*. p. 122-1XX.

<<https://nap.nationalacademies.org/read/18613/chapter/6#121>> [as of May 9, 2025].

"Many of us-particularly white people-have been taught to equate policing with public safety and can't imagine alternatives to a punitive law enforcement model. But our criminal legal system was built to reinforce deep structural racism in our society." (American Friends Service Committee. *Community Safety Beyond Policing* <[afsc.org/community-safety-beyond-policing](https://afsc.org/community-safety-beyond-policing)> (as of April 21, 2025).)

The extent to which police attention is focused on marginalized populations independent of crime is well established. "This facet of the 'distribution' of policing is most commonly identified in relation to race and ethnicity." (Kyprianides and Bradford (2024). *Intersections between Policing and Mental Health at the Neighborhood Level: Evidence from England*. International J. of Police Science & Management.

<[https://scholar.google.com/scholar\\_url?url=https://journals.sagepub.com/doi/pdf/10.1177/14613557241293004&hl=en&sa=T&oi=ucasa&ct=ufr&ei=1NobaO6JAoeK6rQPwPLHwAk&scisig=AAZF9b\\_hD0shm-2gz2768R7UDI6r](https://scholar.google.com/scholar_url?url=https://journals.sagepub.com/doi/pdf/10.1177/14613557241293004&hl=en&sa=T&oi=ucasa&ct=ufr&ei=1NobaO6JAoeK6rQPwPLHwAk&scisig=AAZF9b_hD0shm-2gz2768R7UDI6r)> [as of May 7, 2025].)

The Opportunity Agenda, *Narrative Shift and the Campaign to End Racial Profiling* in Shifting the Narrative: Six case studies (2022) <<https://opportunityagenda.org/wp-content/uploads/2021/11/ShiftingTheNarrative-FullReport.pdf>> [as of March 17, 2025].

“But the ‘war on drugs,’ declared by President Reagan in 1982, introduced a new tool to impede the free movement of motorists of color.” In 1986, in the midst of the crack cocaine ‘epidemic,’ which was depicted as a Black, inner-city problem, the Drug Enforcement Agency launched ‘Operation Pipeline.’ This drug interdiction program ultimately trained 27,000 law enforcement officers in 48 states to use pretext stops (e.g., going slightly over the speed limit or failing to signal) in order to search for drugs.” The training encouraged the police to use racist profiles of supposed drug couriers to pull over motorists. “[C]onsequently, civil rights organizations saw an uptick of complaints of unfair treatment on the nation’s highways.”

The racially discriminatory use of traffic stops is a real, measurable phenomenon. By 2004, “twenty-nine of the forty-nine state police agencies with patrol duties would require the collection of race and ethnicity data.” In instances when these data were analyzed, “few meaningful steps were taken to address the racial disparities that were found.”

“Intensified street-level enforcement of the drug laws in low-income communities of color filled the jails and prisons with Black and brown people, further reifying the myth of Black criminality.” “Racial profiling and the myth of black criminality were, and are, inextricably intertwined.”

*[This section will also discuss the persistence of racial and identity profiling and core motivations despite changing tactics, technologies and framings of law enforcement activity.]*

Currently, the deployment of alternative enforcement technologies is promised as a means to reduce racial disparities in stops and the harms that flow from stops by reducing stop frequency. The Board is therefore examining the role of racial and identity profiling in the deployment of alternative enforcement technologies and seeks to identify the role these technologies may have in reducing or contributing to racial and identity profiling.

## 2. How Do We Identify the Impact of Racial and Identity Profiling on Public Safety

[Content in development.]

[Area for Board discussion: How should “public safety” be defined?]

Racial and identity profiling creates distrust and anger in communities, which impairs communication with law enforcement and creates an unwillingness to seek assistance or assist in investigations.

## 3. Racial and identity profiling creates social costs through withdrawal from civic engagement.

There are numerous social costs of policing for communities who serve as the focus of police contact. Negative public safety outcomes include disruption of informal community problem-solving, reduced trust in the government and engagement with law enforcement and the community at large. “These effects stem not only from violent interactions with the police, but also from indirect exposure to routine policing activities; for instance, living in a neighborhood where police stop many people on the street.” Stagoff-Belfort, et al. *The Social Costs of Policing* (Nov. 2022) Vera Inst. <[the-social-costs-of-policing.pdf](#)> [as of Mar. 28, 2025].

“Negative encounters with law enforcement-direct and vicarious-fuel mistrust.” “[L]aw enforcement mistrust may have broad implications.” Johnson, L., et al. (2022). (*The group-based law enforcement mistrust scale: psychometric properties of an adapted scale and implications for public health and harm reduction research*. Harm Reduction J. <[https://pmc.ncbi.nlm.nih.gov/articles/PMC9166459/pdf/12954\\_2022\\_Article\\_635.pdf](https://pmc.ncbi.nlm.nih.gov/articles/PMC9166459/pdf/12954_2022_Article_635.pdf)> [as of April 24, 2025].)

“[P]unitive encounters with the state foster mistrust of political institutions and a weakened attachment to the political process.” The “carceral state” is the spatially concentrated, surveillance and punishment-oriented system of governance. (Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science. Review. <<https://veslaweaver.com/wp-content/uploads/2011/10/weaverlerman2010.pdf>> [as of May 5, 2025].)

Black men and women, Native American men and women, and Latino men face higher lifetime risk of being killed by police than do their white peers. Risk is highest for Black men. (Edwards, et al. (2019). *Risk of Being Killed by Police Use of Force in the United States by Age, Race-Ethnicity, and Sex*. Proc. Natl. Acad. Sci. USA 116(34). <<https://www.pnas.org/doi/epdf/10.1073/pnas.1821204116>> [As of May 5, 2025].)

“[P]ersistent police exposure (defined as a high number of lifetime police stops)” “Men reporting a high number of lifetime police stops have three times greater odds of current PTSD symptoms compared with men who did not report high lifetime police stops.” (Hirschtick, et al. (2019). *Persistent and Aggressive Interactions with the Police: Potential mental health implications*.

Epidemiology and Psychiatric Sciences <<https://pmc.ncbi.nlm.nih.gov/articles/30714560/>> [as of May 7, 2025].)

Committee on Causes and Consequences of High Rates of Incarceration. (2014). *Consequences for Communities in The Growth of Incarceration in the United States*. p. 284-2XX. <<https://nap.nationalacademies.org/read/18613/chapter/6#121>> [as of May 9, 2025].

Adolescents' personal experiences with police contact were racially disparate and patterned by class. These findings—particularly the robust disparities in critical stop intrusion—suggest that police encounters with non-White adolescents are qualitatively different, substantially more aggressive than those with White adolescents, and potentially traumatic. (Geller. (2021). *Youth-Police Contact: Burdens and inequities in an adverse childhood experience, 2014-2017*. Am. J. Public Health.

<<https://pmc.ncbi.nlm.nih.gov/articles/PMC8493138/pdf/AJPH.2021.306259.pdf>> [as of May 5, 2025].)

“Adolescents and young adults in specific neighborhoods of urban areas are likely to experience assertive contemporary police practices.” Recent police contact is associated with increased levels of anxiety symptoms and both quantity and intensity of recent stop experience are significantly associated with increased PTSD symptoms. (Geller, et al. (2017). *Police Contact and Mental Health*. Colombia Public Law Research Paper No. 14-571

<[https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=3079&context=faculty\\_scholarship](https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=3079&context=faculty_scholarship)> [as of May 7, 2025].)

Stops among youth were racially disparate and those who experienced police stops without an arrest were less optimistic in general and with respect to college graduation. The findings are the same for youth who experienced vicarious police contact. The research discusses the role of the social worker as an advocate for structural changes to how our country promotes public safety, including encouraging policymakers to consider the long-term negative implications that aggressive policing has on youth. (Gottlieb, et al. (2024). *Does the State Impact Hope? The impact of direct and vicarious police contact on the optimism of youth in large cities*. Child Adolesc. Social Work J. 41(2). <<https://pmc.ncbi.nlm.nih.gov/articles/PMC11114084/pdf/nihms-1822205.pdf>> [as of May 5, 2025].)

Youth in the United Kingdom who had experienced police stops by 14 years of age reported higher rates of self-harm and higher likelihood of attempted suicide at age 17. “These patterns were largely consistent across examined features of police stops and generally did not vary by sociodemographic factors.” “Police initiated encounters are associated with youth self-harm and attempted suicide.” (Jackson, et al. (2021). *Adolescent Police Stops, Self-Harm, and Attempted Suicide: Findings from the UK millennium cohort study, 2012-2019*. Am. J. Public Health.)

“[Y]outh stopped by police more frequently were more likely to report heightened emotional distress and post-traumatic stress symptoms.” The most common form of officer intrusiveness among youth stopped by police was searching, followed by frisking. (Jackson, et al. (2019). *Police Stops among At-Risk Youth: Repercussions for mental health*. J. of Adolescent Health. <



<https://www.jahonline.org/action/showPdf?pii=S1054-139X%2819%2930334-9>> [as of May 5, 2025].)

“Youth of color residing in urban areas face elevated risks of vicarious police contact which can intensify feelings of fear, anger, and cynicism toward law enforcement.” “[K]nowing more individuals stopped by police was associated with increased avoidance and stress while being linked to decreased perceptions of police legitimacy-findings particularly salient for those with four or more known persons stopped by police.” (Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths’ Stress and Attitudes About the Police*. Child and Adolescent Social Work J.)

“We all deserve to live in communities where we feel safe.” Violence that police inflict upon Black and Brown communities is often overlooked in crime statistics that police officials use to argue that we should rely on police to redress community harms. These disparities in statistics and data stem from systemic obstacles to equal opportunity and equal justice. The report provides a list of programs and organizations that look beyond policing to promote true safety in these communities. It aims to assist advocates seeking alternatives to policing. (The Opportunity Agenda. (2020). *Beyond Policing*. <[https://opportunityagenda.org/messaging\\_reports/beyond-policing/](https://opportunityagenda.org/messaging_reports/beyond-policing/)> [as of April 23, 2025].)

“As a result of the NEAR Act, the Metropolitan Police Department published a Stop and Frisk data report that showed 79 out of every 100 traffic stops are for non-criminal matters and that 3 out of 4 stops are resolved within 15 minutes.” Testimony provided before a Policing roundtable recommended alternatives to policing, including a discussion of the significant harms to D.C.’s marginalized communities caused by the over-reliance on policing in their communities and a recognition to find ways to reduce police contact with the community and make investments supporting the communities most impacted by over-policing. (Ubiera, J. (2020). *Testimony of Jennifer Ubiera to Policing Roundtable*. <[https://www.google.com/url?client=internal-element-cse&cx=008355105946167973810:21jp5\\_vk6si&q=https://www.law.georgetown.edu/wp-content/uploads/2020/12/Alternatives-to-Policing-testimony-2020.12.17-revised.docx.pdf&sa=U&ved=2ahUKEwjSw6il1OmMAxUtC0QIHdpJNWAQFnoECAUQAg&usg=AOvVaw1nfYApiGSKC0RjHuKSE4RJ](https://www.google.com/url?client=internal-element-cse&cx=008355105946167973810:21jp5_vk6si&q=https://www.law.georgetown.edu/wp-content/uploads/2020/12/Alternatives-to-Policing-testimony-2020.12.17-revised.docx.pdf&sa=U&ved=2ahUKEwjSw6il1OmMAxUtC0QIHdpJNWAQFnoECAUQAg&usg=AOvVaw1nfYApiGSKC0RjHuKSE4RJ)> [as of April 21, 2025].)

### **C. A case study in policy changes to pretext stops**

Though many studies and public comment have focused on disparities in enforcement and who is stopped or searched by the police, a growing number of jurisdictions are acknowledging the negative impact on public safety and, in response, have limited or stopped the ability of law enforcement to use traffic stops as a pre-text to suspicion-less investigations. This section of the Report will analyze the success of those jurisdictions that have limited or ended pre-text stops to improve public safety, reduce racial profiling, and use those instances of success to develop recommendations to further improve policing and public safety in California.

## **1. Ending Pre-Textual Stops Will Improve Public Safety and Reduce Racial and Identity Profiling**

The overwhelming reason given for police stops in California is traffic stops. (82.1% in 2024 RIPA report, pg. 7, 86.8% in 2023 RIPA report, pg 39.) If 86% of valuable police resources are spent on enforcement of mostly non-safety related traffic tickets, a deep and thoughtful analysis into effectiveness and impacts of those stops is imperative. The vast majority of police contacts should: (1) improve public safety, and (2) be performed fairly and consistently. The data however, has consistently shown neither goal is met.

### **a. Ending Pre-textual Stops Will Reduce the Disparate Impact of Racial and Identity Policing**

Regardless of the location, year or source, data has consistently shown that the greatest driver of racial and identity profiling occurs when law enforcement exercises the most discretion - in pre-textual stops.

The United States Supreme Court defines a pretext stop as a law enforcement stop for a traffic violation or minor infraction, intending to use the stop to investigate a hunch regarding a different crime that by itself would not amount to reasonable suspicion or probable cause. (*Whren v. United States*, (1996) 517 U.S. 806); 2024 RIPA Report, pg. 52.)

Review of 100 million traffic stops in the United States found “police stops and search decisions suffer from persistent racial bias and point to the value of policy interventions to mitigate these disparities.” A striking finding in the study was the reduction in racially-biased policing when Black and Hispanic drivers were stopped at significantly reduced numbers at night, when officers could not identify the driver’s face or ethnicity. (Pierson, Emma, et al. *A large-scale analysis of racial disparities in police stops across the United States*. (May 2020) Nat. Hum Behav 4, pp. 736-745 <<https://www.nature.com/articles/s41562-020-0858-1>> [as of Mar. 26, 2025].) If searches of marginalized racial groups are less often successful than searches of whites, it suggests that officers are applying a double standard, searching marginalized groups on the basis of less evidence.

Data within in California paints a similar picture. In 2019 the Public Policy Institute of California analyzed the 3.9 million stops in 2019 and found that Black drivers were significantly overrepresented in police stops in comparison to their percentage of the population in the state, and by roughly twice the rate of White drivers. The main reason cited by law enforcement for stops of Black drivers was for traffic violations. Black people were also stopped for traffic violations at a much higher rate than any other racial group. (Lofstrom, Magnus et al. *Racial Disparities in Law Enforcement Stops* (Oct. 2021) Public Policy Inst. of Cal. (PPIC) < Racial Disparities in Law Enforcement Stops - Public Policy Institute of California> [as of May 1, 2025].)

Assessment and analysis of pre-textual stops and their ineffectiveness in reducing crime and its resultant reliance on racial and identity profiling have been examined for decades across the country, including recently in several RIPA reports. (See 2022, 2023 and 2024 RIPA Reports.) Most recently, the data in the 2025 RIPA report showed continued racial disparities in police

stops in California, with Black individuals being stopped 126% more than their share of the population and Hispanic/Latinx individuals being stopped 44% higher than their share of the population. (RIPA Report pg 24.) The 2024 Report showed similar racial disparities in police stops, where racial disparities for Black individuals rose to 132% more than their share of the population.

*[Analysis of 2024 RIPA data forthcoming]*

**b. Ending pre-textual stops will improve public safety**

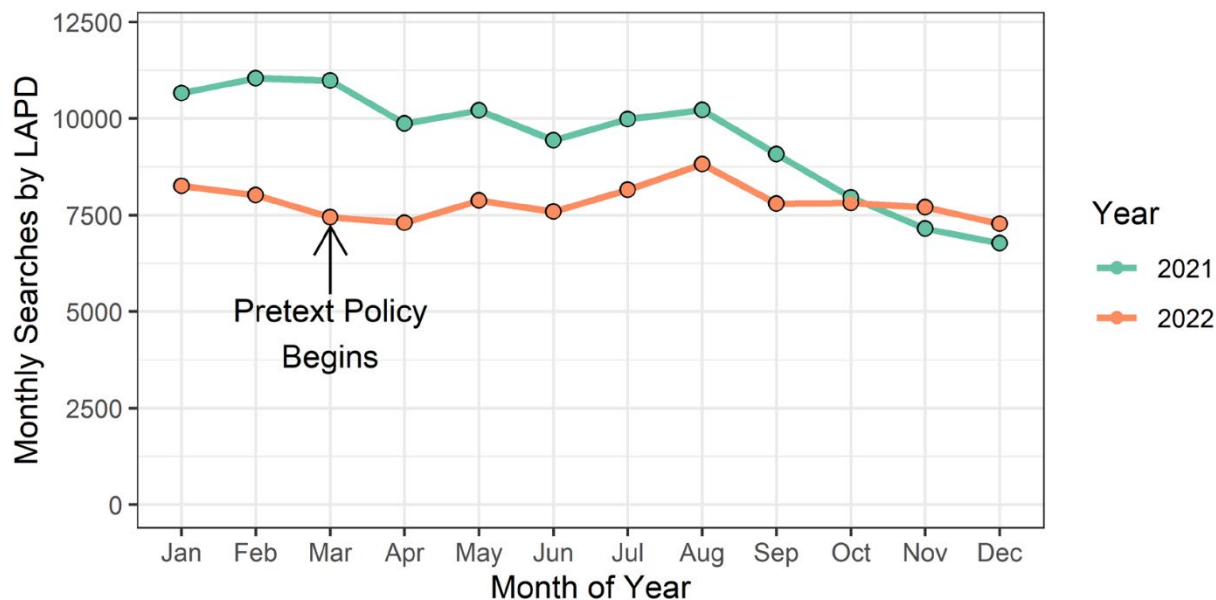
Data collection and analysis show that pre-textual stops decrease public safety in several important aspects, including the impact on community engagement in marginalized communities and wasting public resources. (RIPA reports, 2023, \_\_\_\_.) While section \_\_ above addresses the community-based impacts of racial profiling, this section will assess the policing impact of excess traffic stops and their resultant ineffectiveness in increasing public safety, as opposed to stops based on safety violations or active criminal activity.

**i. Pre-textual stops and their subsequent searches result in fewer findings of contraband.**

The ACLU of Southern California found extremely low success rates for discovering weapons in traffic searches. “Deputies recover firearms in less than one-fifth of 1% of traffic stops and recover other weapons at a similarly low rate. This means that less than one half of 1% of all traffic stops result in deputies uncovering any weapons of any kind.” (Catalyst California and ACLU of Southern California. Reimagining Community Safety in California: Los Angeles County, (Oct. 2022) pg. 16. <lasd\_ripa\_report\_final.pdf>) [as of Mar. 25, 2025].)

Since the RIPA’s Board’s call to end pre-textual stops to improve public safety in 2023, additional data and research further supports the call. An analysis of traffic stop searches in the 2023 RIPA report found that the rate of contraband discovery during traffic stops during consent-only searches was lowest among individuals perceived to be Black (6.8%), Pacific Islander (9.1%), Hispanic/Latine(x) (10.3%). The discovery rate of contraband during traffic stops with consent-only searches was highest amongst individuals perceived to be White (19.1%), Multiracial (18.4%), Native American (15.0%), Asian (14.3%), and Middle Eastern/South Asian (12.2%). The 2023 Report added further historical perspective, confirming consistent data findings from 2019, 2020 and 2021 RIPA data that when pursuing consent searches among Black drivers, law enforcement is least likely to find contraband in the group that is statistically targeted for searches the most. (2023 RIPA Report, p. 71-73.)

Specifically with respect to Los Angeles County, the 2024 RIPA report found: “[T]he LAPD discovered contraband during a higher percentage of RIPA reported stops with searches after the pretext policy was in place from March through December 2022 (37.9% discovery rate) compared to the same time period in 2021, before the pretext policy was in place (36.0% discovery rate).” (2024 RIPA Report, pg. 57.)



- LAPD discovered contraband during a higher percentage of RIPA-reported stops with searches after the pretext policy was in place (37.9% discovery rate) compared to the same time period in 2021, before the pretext policy was in place (36.0% discovery rate). (2024 RIPA Report, pg. 12.)

*[Updated chart with 2023 and 2024 RIPA data forthcoming]*

**ii. Pre-textual stops take away valuable law enforcement resources better spent addressing safety related stops or serious criminal offenses.**

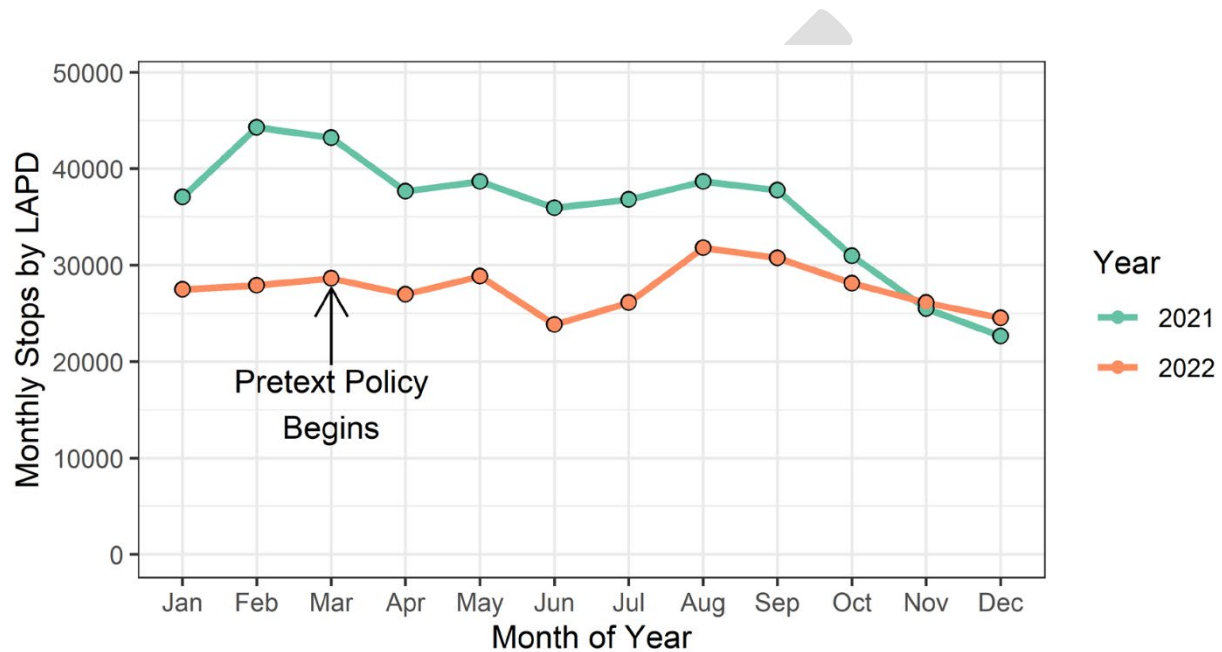
A national study conducted by The Journal of Trauma and Acute Care Surgeons sought to answer “whether police actions designed to improve public safety are associated with injury prevention.” To do so, the study analyzed traffic stops and motor vehicle crash deaths from 2004 to 2016 and found no reduction in deaths in vehicle crashes in relation to the number or frequency of traffic stops. The report concluded the best method of improving public safety in relation to vehicle crash deaths was not more officers on the road conducting stops, but rather “motor vehicle modifications, community-based safety initiatives, improved access to health care, or prioritizing trauma system.” (Sarode AL, et al. “Traffic stops do not prevent traffic deaths” (Jul 2021) 1;91(1):141-147 <Traffic stops do not prevent traffic deaths - PubMed>.)

“Out of all the time deputies spend stopping members of the public, nearly 89% is spent on deputy-initiated interactions and only 11.2% of their time is spent on stops arising from calls for service. Most of the time LASD deputies engage the public, they are policing traffic—not intervening to stop violent crime. 80% of all deputy stops concern traffic violations.”

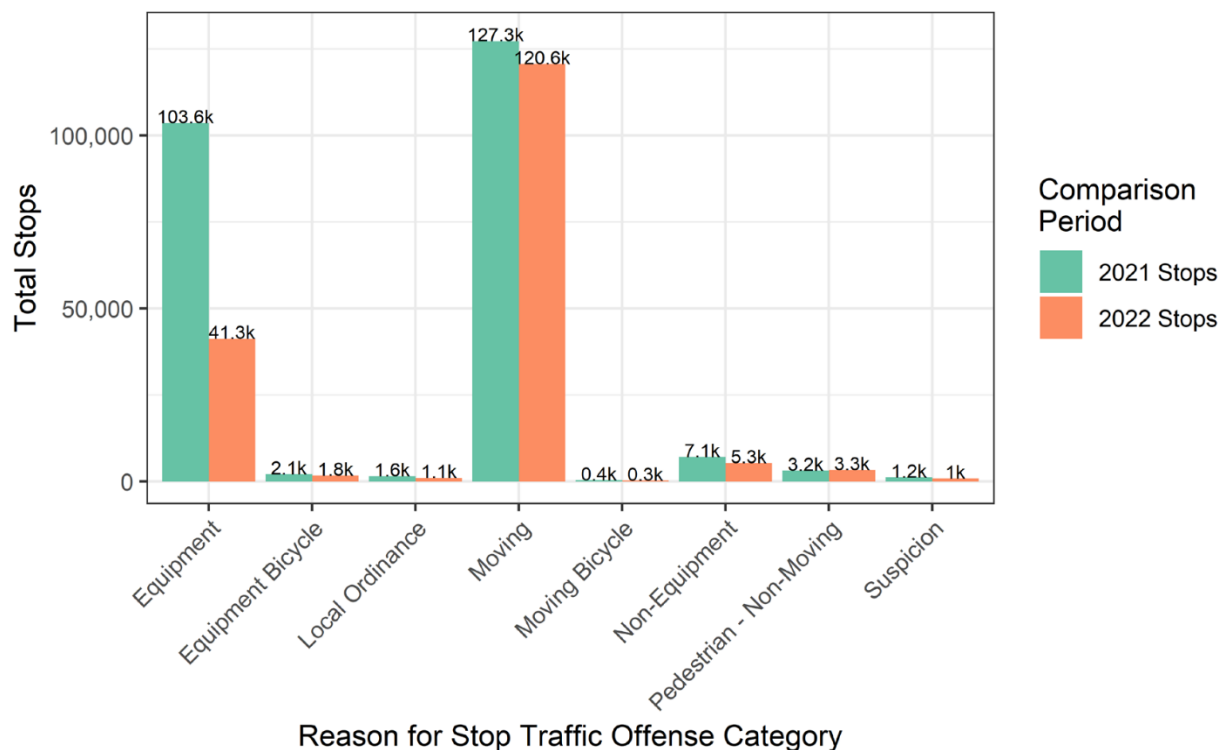
“Of the total 188,380 reported stops that LASD deputies made in 2019, only 4,344 or approximately 2% of stops—were for suspicion of a crime that is classified as a felony.”

(Catalyst California and ACLU of Southern California. *Reimagining Community Safety in California: Los Angeles County*, (Oct. 2022) <[lasd ripa report final.pdf](#)> ) [as of Mar. 27, 2025].)

Once Los Angeles limited the scope of stops, the corresponding decline in the number of total stops declined 21% in 2022 between the months of March and December compared to the comparable period in 2021.



Once Los Angeles limited the scope of stops, the corresponding decline in the number of inefficient traffic stops like equipment related stops substantially decreased, with 60% fewer stops in 2022 than the year previous.



### c. Successes of Data-Driven Policy Responses

As noted in the 2023 RIPA report, since jurisdictions have begun to accept the racially disparate impact of pre-textual stops and its reduction in public safety, police agencies, municipalities, and even states have taken measures to limit the use of these policing tactics. The 2023 Report noted the Board's interest in pursuing a data-driven analysis of the reduction in racial profiling and increase in public safety when pre-textual stops are limited by policy changes. The 2026 RIPA Report seeks to further this data analysis, as more data is now available to assess policy limitations on racially disparate police practices. The following policy changes will be analyzed for their reductions in racially disparate stops and the impacts on public safety.

While many jurisdictions have limited or ended pre-text stops based on local or national data or trends in policing, some jurisdictions have taken action after very specific, detailed, and comprehensive analysis of their current police practices with an eye towards reform.

#### 1. Early Steps Taken: 2013 Fayetteville, North Carolina

Early into his appointment as police chief in Fayetteville, North Carolina, newly instilled Chief of Police, Chief Medlock sought to reduce high crash rates and improve community concerns of racial profiling. Before making any policy changes, Chief Medlock sought out a review of his department by the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) and Collaborative Reform Initiative for Technical Assistance. He learned that residents' concerns of racial profiling in traffic stops were, in fact, grounded in empirical evidence. As a result, he imposed restrictions on pre-textual stops and prioritized safety related stops by his officers. He also mandated the use of GPS data on all traffic stops to further assess the results of his policy directives.

## **2. Virginia's state-wide limitation on pre-textual stops**

In 2020, Virginia was the first jurisdiction to enact a state-wide limitation for pretext stops by creating a new traffic enforcement system. (H 5058, Va. Acts of Assembly (2020 Special Sess.)) The policy established what is known as a primary and secondary traffic enforcement system, where an officer can only stop someone for a primary public safety violation and not solely for defined secondary violation, such as expired registration.

Virginia's policy identifies six secondary traffic violations which, alone, cannot result in a police stop, including driving "(i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle." (H 5058, Va. Acts of Assembly (2020 Special Sess.))

## **3. San Francisco**

In response to several high-profile incidents of racial bias in its police force, the mayor of San Francisco and its former police chief requested analysis by the U.S. Department of Justice to assess community concerns regarding racial disparities in its policing. The result was a 68-page report which addressed five objectives, made 94 findings and 272 recommendations. The data lead to similar findings made in RIPA reports since data collection began--racial disparities were found in stops, searches, and uses of force across the board. In light of these findings, U.S. DOJ recommended robust data collection and analysis, community-focused engagement and feedback on policing, and changing policies that lead to disparate impacts in policing.

SFPD followed the recommendation for a data-driven approach by further engaging in data analysts to determine how the city could reduce racial disparities in police contacts. The 2023 report analyzed 60,000 stops in San Francisco and further confirmed Black and Latinx drivers were disproportionately stopped by law enforcement, specifically finding pre-text stops "drive much of the racial disparity in traffic enforcement." Specifically, the report found disparities highest in Black drivers who are stopped for license plate related stops which have nothing to do with safety on the roads. Here, the disparity is highest, with Black drivers accounting for 46% of stops for license plate infractions, despite being only 5% of the population in San Francisco. The report recommended changing all non-moving traffic violations to mail citation responses, removing non-safety violations from law enforcement purview, reducing fines and fees and completely eliminating minor violations that have no impact on road safety. (Denney, Jacob, *Putting an End to Biased Traffic Stops in San Francisco* (Feb. 2023) Spur <Putting an End to Biased Traffic Stops in San Francisco | SPUR> [as of May 1, 2025].)

In response to the studies above, the city of San Francisco passed Policy No. 9.07.04(a) in 2023 to de-prioritize stops for nine categories of low-level offenses, such as license plate illumination, display of registration tags, break lights, and rear-view mirror obstruction. The purpose listed in the restriction cited the fact that "Pretext stops are disproportionately carried out against people

of color and return negligible public safety benefits.” The change in policy also acknowledged the “fiscal, human and societal costs” to the community of prior pre-textual stops.

#### **4. Additional policy changes in California limiting pre-textual stops.**

##### Berkeley

In 2022, the Berkeley Police Department limited its officers’ focus on traffic stops to stops focusing on violations that are empirically shown to contribute to severe or fatal crashes. Specifically, these stops focused on safety violations such as speeding, failure to yield to pedestrians or other vehicles, red light or stop sign violations, or drivers showing signs of impairment. Conversely, officers were instructed to minimize or deemphasize other forms of traffic related stops that did not have statistically significant correlations to crashes and fatalities.

##### West Hollywood

In 2022, West Hollywood introduced Resolution No. 22-5516, which declared certain low-level document and equipment defects--such as registration, lighting, license plate issues and view obstruction stops--to be considered low priority. As such, law enforcement was directed to focus resources away from these low-level stops.

##### Los Angeles

In 2022, the Los Angeles Board of Police Commissioners enacted a law enforcement directive, Policy No. 240.06, which limited all traffic stops unless there is a public safety concern.

#### **5. Data reflection on policy changes to pre-textual stops**

As changes have taken place to limit pre-textual stops from as early as 2013, data is available to assess the successes of such limitations. The analysis has provided empirical evidence to support further limitation of pre-textual stops.

##### Fayetteville, NC

A study conducted by researchers at the University of North Carolina compared the data from stops and vehicle accidents from 2002 to 2016 of Fayetteville and 8 other North Carolina police agencies to further examine the effects of Medlock’s policy directives on crashes and racial profiling. The study found Chief Medlock’s restrictions on pre-textual stops and focus on safety related stops to be a success. The increase in safety related stops decreased the percentage of motor vehicle deaths, while the decrease in non-safety stops also reduced racially disparate stops. The ultimate conclusion of the report found, “re-prioritization of traffic stop types by law enforcement agencies may have positive public health consequences both for motor vehicle injury and racial disparity outcomes while having little impact on non-traffic crime.” (Fliss, et al. “Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities” (Jan. 2020) *Inj Epidemiol.* 7(1):3. <[Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities - PMC](#)> [as of Mar. 27, 2025].)



A recent Vera Institute report assessed the change in national perceptions of the effectiveness of pre-textual stops and the growing interest in limiting the use of pre-textual stops and how the changes in policy have shown positive impacts on public safety. (Vera Institute, *Police Are Stopping Fewer Drivers – And It’s Increasing Safety*. (Jan. 11, 2024) <Police Are Stopping Fewer Drivers — and It’s Increasing Safety | Vera Institute> [as of Mar. 25, 2025] .)

In its 2024 Report, the RIPA Board discussed Virginia and Los Angeles' approaches to limit pre-textual stops. As several years have passed since these policies were implemented, a current look at stop data can provide a meaningful assessment of the impact of recent limitation on pre-text stops. (2024 RIPA report).

### Virginia

Similar to California, Virginia officers began reporting their stop data in July of 2020. The new state law became effective in March of 2021, which provides several months of data before and after the new law took effect. (Report on Analysis of Traffic Stop Data Collected under Virginia’s Community Policing Act – July 2024.) [*Analysis of conclusions and findings forthcoming*]

### Los Angeles

Though the changes to Los Angeles’ pretextual stops policy did show *some* reduction in disparate police contact, the city found more change was needed. To evaluate the effectiveness of the policy, the Los Angeles City Council created a “Alternatives to Traffic Enforcement and Community Task Force” which analyzed how the changes to pre-textual stops have resulted in changes to the city of Los Angeles.

In 2023, the Task Force presented their report with three key findings, 1) though stops are reduced, traffic stops remain concentrated to three neighborhoods, 2) disparate stops and elevated police responses to racial minorities continue to be reflected in the data, 3) though the nature moving violations have increased, the drivers targeted for moving violations continues to disparately impact racial minorities – particularly black drivers. The Task force suggested a number of steps for the city to take to continue its goals of public safety and reducing racial and identity policing. The Report suggested 1) increasing investments in infrastructure, 2) further limitation law enforcements use of pre-textual stops, 3) alternatives to fines and fees, 4) identify obstacles that “limit officer accountability and reduce the ability of the Chief of Police to discipline officers for misconduct (e.g., excessive use of force, racial profiling, and other violations); and identify strategies to overcome these obstacles, 5) create non-law enforcement response to “unarmed civilians, who are focused exclusively on road safety, to enforce safety-related traffic violations (e.g., speeding). Create care-based teams responsible for responding to traffic- related calls for service.” (LA DOT report: Traffic Enforcement Alternatives Project Report (Nov. 2023).)

## **6. Additional changes to pre-textual stops**

**Philadelphia:** This was the first major city in country to pass “Driving Equity Act,”

which only allows police to stop for “primary violations” which are generally considered safety related violations such as DUI stops, speeding, etc. “Secondary violations” like expired registration or superficial damage to the car cannot be a basis of a stop. (*Bill Nos. 210635 & 210636 (2021) (amending Phila. Code, Tit. 12 (1958)*) (Vera Institute, *Police Are Stopping Fewer Drivers – And It’s Increasing Safety*. (Jan. 11, 2024) < [Police Are Stopping Fewer Drivers — and It’s Increasing Safety | Vera Institute](#)> [as of Mar. 25, 2025].)

- **Minneapolis** : The city announced police and prosecutors not prosecuting expired license if sole suspension was for fines/fees (8/13/2021) (Belware, Kim, *Minneapolis police to curb minor traffic stops, long cited by critics as racial profiling*. (Aug. 2021) Washington Post, < [Minneapolis to end police stops for certain minor traffic violations, citing racial disparities - The Washington Post](#)> [as of Mar. 24, 2025].)

**Ingham county MI**: Prosecutors announced a new policy of not issuing charges from non-safety traffic stops. (Berg, Kara. *Ingham County prosecutor: Office won't issue charges from non-safety-related traffic stops* (Jul 2021) Lansing State Journal, <[Ingham County prosecutor changes traffic stop policy to reduce disparity](#)> [as of Mar. 24, 2025]; <https://www.lansingstatejournal.com/story/news/2021/07/27/ingham-county-prosecutor-changes-traffic-stop-policy-reduce-disparity/5383398001/>.)

**Chittendon County, VT** – Prosecutors announced a new policy of not issuing charges where evidence was collected during such non–public safety stops. (Amato, Dom. *Prosecutor takes aim at Chittenden County traffic stops*. (Jan. 2022) WCAX 3 <[Prosecutor takes aim at Chittenden County traffic stops](#)> [as of Mar. 24, 2025].)

- NY Legislature –
- NJ Legislature - A3603, 220th Leg. (N.J. 2022)
- Maine - 8 LD 1479, 130th Leg. (Maine 2021)
- Oregon Legislature - SB 1510 (Ore. 2022)
- CA (jaywalking bill) 6 AB 2147 (Cali. 2022).
- Pittsburg - Ordinance No. 2021-2174 (2021) (amending Pitt. Code of Ordinances § 503.17)
- Seattle police department - <https://spdblotter.seattle.gov/2022/01/14/spd-updates-traffic-stop-guidelines/>

<https://empirejustice.org/wp-content/uploads/2023/01/Stop-the-Stops-Preliminary-Report-Final-Final.pdf>

## DA policies

- SF DA: policy prohibiting prosecutors from charging people with the possession of contraband stemming solely from pretext stops. (Policy Directive: Declination of

Contraband Charges Based on Pretextual Stops, San Fran. Dist. Attorney's Office (2020), <https://sfdistrictattorney.org/wp-content/uploads/2020/11/Declination-of-Contraband-Charges-Based-on-Pretextual-Stops.pdf>.)

**d. Limiting High-Risk Stops (High Speed Chases) Improves Public Safety**

Perhaps the most high-risk of all vehicle-related police contacts is high-speed chases. A growing number of jurisdictions have begun to question the use of high-speed chases and their disparate impact on minority communities. Reports have also found many high-speed chases originate from pre-textual police contact. As such, limiting pre-textual stops that often begin from racially disparate practices will also then reduce dangerous high-risk stops such as high-speed chases.

A report in the San Francisco Chronicle found black people died at four times the rate of white people in police chases during 2017 to 2022. An additionally troubling factor identified was that many fatal police chases often arise from routine traffic stops, including non-safety related pre-textual traffic stops. (<https://www.sfchronicle.com/projects/2024/police-pursuits-race-deaths/> [as of Mar. 28, 2025].)

A 2023 report by the United States Department of Justice and the Police Executive Research Forum assessed 48 law enforcement agencies' policies and data from police-involved crashes and collisions, and issued 65 separate recommendations for law enforcements agencies to further protect public safety from deadly high-speed chases. Many recommendations focused on reducing the situations where high-speed chases were considered necessary or warranted. (Police Executive Research Forum. *Vehicle Pursuits: A Guide for Law Enforcement Executives on Managing Associated Risks*. (2023) Office of Community Oriented Policing Services. <Vehicle Pursuits: A Guide for Law Enforcement Executives on Managing the Associated Risks> [as of Mar. 28, 2025].)

Recently, the state of Washington has identified the safety risks that police chases create and, as a result, has implemented legislation limiting police pursuits unless certain exigent circumstances support engaging in a chase. (RCW 10.116.060: Vehicular pursuit. [Washington law] <RCW 10.116.060: Vehicular pursuit>.)

An op-ed written by a former Sheriff's Deputy at the King County Sheriff's Department in The Seattle Times spoke out in favor of the changes and need for the restrictions to continue. (Urquhart, John. *Police-chase law is saving lives — it would be a mistake to roll it back*. (Aug. 2022) Seattle Times. <Police-chase law is saving lives — it would be a mistake to roll it back | The Seattle Times> [as of Mar. 25, 2025].)

**D. Oversaturation Policing: A Policing Strategy Largely Deployed in Communities of Color**

The oversaturation/concentration of policing in historically marginalized communities reinforces systemic inequalities in justice, safety, and community well-being.

The practice of community policing has deputized white and wealthy community members to surveil their neighbors. (American Friends Service Committee. *Community Safety Beyond Policing*. <[afsc.org/community-safety-beyond-policing](https://afsc.org/community-safety-beyond-policing)> (as of April 21, 2025).)

Law enforcement's use of the "officially guided practice" of investigatory stops "prompts officers to act on implicit stereotypes of who looks suspicious" (p. xv). "The people who are subjected to these investigatory stops regard them as deeply unfair and an affront to their equal rights. Ultimately, police stops pursuant to these official practices construct and reconstruct the meaning of rights, citizenship, and race" (p. xvi). (Epp, et al. (2014) *Pulled Over: How Police Stops Define Race and Citizenship*.)

- See Chapter 1—how police stops make people of color feel violated and it impinges on their civil rights and feeling of being treated with equality (e.g., to travel freely without arbitrary surveillance and inquiry)
- See Chapter 6 – how community members view the legitimacy of such stops and evaluate those interactions

In one study, a total of 102 crime hot spots were randomly assigned to receive community-infused problem-oriented policing CPOP or standard patrol. No main effects for the CPOP intervention on property and violent crimes in either site. In site B, the violent crime count in low treatment hot spots was 200% higher than controls post-intervention but this is likely because officers paid less attention to treatment locations with lower levels of crime. Results suggest that CPOP was not effective in the unusual context of the COVID-19 pandemic and post-George Floyd killing. Given the challenges of implementing CPOP during this unique time, caution is needed in interpreting these findings.

"However, while the original Goldstein's definition of POP (problem-oriented policing) includes an emphasis on community involvement (Goldstein, 1979), POP efforts in practice often fall short of their ideal, with limited community involvement and agency support, and rely heavily on enforcement tactics (Cooley et al., 2018; Cordner & Biebel, 2005; Eck, 2006; Groff et al., 2015; Ratcliffe et al., 2015; Sherman et al., 1989; Weisburd & Braga, 2006)." (Taylor, B. G., et al. *The Effects of Community-Infused Problem-Oriented Policing in Crime Hot Spots Based On Police Data: A Randomized Controlled Trial*. J. Exp. Criminology, Vol. 20 pp. 317-345 (Nov. 5, 2022). <<https://doi.org/10.1007/s11292-022-09541-x>> [as of Mar. 27, 2025].)

"[S]ocial workers often serve as a conduit between law enforcement agencies and communities. Such partnership models should be carefully considered, however, as argued by Ellis (1981), who highlighted social workers' potential to assume a complicit position in the fight against police brutality." (Jackson, et al. (2021). *Police Violence and Associations with Public Perceptions of the Police*. J. of the Society for Social Work and Research 12(2). <<https://www.journals.uchicago.edu/doi/pdf/10.1086/711683?download=true>> [as of May 5, 2025].)

“Carceral contact is not randomly distributed, but is both spatially and racially concentrated.”  
“[I]ncarceration and police surveillance are largely concentrated in certain cities, particular communities within those cities, and even specific neighborhoods.” (Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science. Review.  
<<https://veslaweaver.com/wp-content/uploads/2011/10/weaverlerman2010.pdf>> [as of May 5, 2025].)

Hardeman, et al. (2021). *Association of Residence in High Police-Contact Neighborhoods with Preterm Birth among Black and White Individuals in Minneapolis*. J. of the American Medical Association Network Open. < [hardeman\\_2021\\_oj\\_210876\\_1638368725.62144.pdf](https://www.jama.com/doi/10.1001/jama.2021.210876)> [as of May 5, 2025].

One report analyzing RIPA stop data for almost 4 million stops by California’s 15 largest law enforcement agencies in 2019, examines the extent to which people of color experience searches, enforcement, intrusiveness, and use of force differently from white people. (Lofstrom, Magnus, et al. *Racial Disparities in Law Enforcement Stops* (October 2021) *Public Policy Institute of California* <<https://www.ppic.org/publication/racial-disparities-in-law-enforcement-stops/>> [As of April 16, 2025].)

Another report reveals evidence of over-policing of Los Angeles communities of color, as well as an uptick in community-initiated calls to police. The report used data from 2011 to 2018 found people of color across all LA County neighborhoods were stopped at higher rates by the police than other groups. Black Angelenos were stopped and arrested three times as often as white and Latino Angelenos. But the results also show evidence of those same communities’ increasing reliance on police, including a steady increase in 911 calls by community members to law enforcement agencies over the seven-year period. (Miller, Jenesse, *Study: L.A. communities of color rely on police yet are stopped and arrested at higher rates* (Oct. 7, 2020) <<https://priceschool.usc.edu/research/centers/usc-sol-price-center-for-social-innovation/>>.)

A different report analyzes arrests and booking data from 3 police departments in Northeast LA County (Glendale, Pasadena, and South Pasadena) and shows large disparities in arrests by race, with Latin@ and Black arrest rates much higher than those for White and Asian. (Harris, J and Rodnyansky, S. *An Analysis of Suburban Policing Activity in Glendale, Pasadena, and South Pasadena* (Feb. 2024) <<https://tinyurl.com/3zsxpbx5>>.)

## **1. Deployment of Alternative Enforcement Technologies in Oversaturation Policing**

*[This subtopic will be shortened as these technologies will be discussed only in regard to their use in oversaturation policing and their promotion as an alternative to officer-effectuated stops and potential solution to reducing racial and identity profiling.]*

ACLU Maryland. (2021). Federal Appeals Court Rules Baltimore Aerial Surveillance Program Is Unconstitutional. <<https://www.aclu-md.org/en/press-releases/federal-appeals-court-rules-baltimore-aerial-surveillance-program-unconstitutional>> [as of March 28, 2025].

ADS Police Surveillance Project. (2021). <<https://www.aaronswartzday.org/psp/>> (as of April 20, 2025).

American Friends Service Committee. (2024). Equipped for War: Data map. <<https://public.tableau.com/app/profile/afscresearch/viz/shared/G6GNCDS5F>> [As of March 28, 2024].

Berlatsky, N. (2024). How Chicago Organizers Managed to Rid the City of Shotspotter. Prism. <<https://prismreports.org/2024/12/02/how-chicago-organizers-rid-the-city-of-shotspotter/#:~:text=The%20effort%20to%20remove%20ShotSpotter,commit%20to%20canceling%20the%20contract>> [as of March 25, 2025].

Budington, B. (2024). Creators of this Police Location Tracking Tool Aren't Vetting Buyers. Here's How to Protect Yourself. Electronic Frontier Foundation. <<https://www EFF.org/deeplinks/2024/11/creators-police-location-tracking-tool-arent-vetting-buyers-heres-how-protect>> [as of March 25, 2025].

California State Auditor. (2020). *Automated License Plate Readers: To better protect individuals' privacy, law enforcement must increase its safeguards for the data it collects*. <https://information.auditor.ca.gov/pdfs/reports/2019-118.pdf> [as of March 3, 2025].

An Automated License Plate Reader (ALPR) system collects and stores license plate images of vehicles passing in its view and corresponding data and enables law enforcement to track a vehicle's movements over time. The ALPR system is both a real-time tool and an archive of historical images. Although law enforcement agencies collect ALPR images in public view and there is no reasonable expectation of privacy regarding a license plate, the use and retention of those images raises privacy concerns.

The software that extracts the license plate number from the image stores it with the date, time, and location of the scan. After the ALPR system identifies a license plate number in an image, it compares the number to stored lists of license plate numbers from vehicles of interest, called hot lists, then issues alerts if the plate number matches an entry on the hot list. An ALPR system stores the plate number and image in a database even if the plate number does not match one on a hotlist. Local law enforcement agencies create their own hot lists and also obtain hotlists from state and federal agencies. For example, the California Department of Justice provides hot lists to

local agencies that include license plate numbers associated with missing persons, gang members, and suspected terrorists.

Law enforcement agencies can share ALPR data with other public agencies. The Auditor's statewide survey showed that among agencies that operate ALPR systems, roughly 84 percent share their images. Accessing ALPR images shared from other jurisdictions enables agencies to search a broader area. Even if an agency does not operate ALPR cameras itself, it can, through sharing agreements, access ALPR images that other agencies collect.

The majority of California law enforcement agencies collect and use images captured by automated license plate readers. As of 2019, the State Auditor found that 230 police and sheriff agencies in California used ALPR systems and an additional 36 agencies had plans to begin using one.

Although case law on electronic data that enable tracking of individuals' movements over an extended period of time is still evolving, the court has recognized that privacy implications exist for such data, which can include ALPR images.

California Senate Bill 34 (2015) (SB 34) established requirements that agencies must include in their ALPR usage and privacy policies, describing authorized purposes for using the ALPR system and collecting the data, who may use it, the purpose of, process for, and restrictions on the sale, sharing, or transfer of ALPR data, how the agency will protect and monitor the system, and how long the agency will keep the data. The State Auditor reviewed four law enforcement agencies' use of ALPR systems and found that none of the agencies had an ALPR policy that contains all of the required information, thereby contributing to the agencies' failure to implement programs that reflect the privacy principle in SB 34. SB 34 does not specify retention periods for ALPR data, although another state law limits the California Highway Patrol's retention of ALPR images to no more than 60 days unless those images are being used for felony investigations or as evidence.

In 2018 the California Department of Justice issued guidance to state and local law enforcement agencies regarding limitations to the information law enforcement agencies can share for immigration enforcement purposes. This guidance can serve as best practices for how agencies can lawfully share ALPR images. The guidance encourages law enforcement agencies that maintain databases to inquire about the purpose for which the other law enforcement agency intends to use the information contained in the database. The guidance states that if a law enforcement agency intends to use the information for immigration enforcement purposes, agencies should require, as a condition of accessing the database, an agreement that stipulates that access will be made only in cases involving individuals with criminal histories or for information regarding the immigration or citizenship status of an individual. Beyond providing this guidance and hotlists to law enforcement agencies, the Department of Justice the Department of Justice does not play any other role in ALPR programs.

The State Auditor recommended that the Legislature direct the California Department of Justice to develop and Automated License Plate Reader policy template that law enforcement agencies can use as a model.



The State Auditor recommended that the Legislature amend state law to specify a maximum retention period for Automated License Plate Reader images. City of Chula Vista. (2025). Drone Program. < <https://www.chulavistaca.gov/departments/police-department/programs/uas-drone-program>> [As of March 25, 2025].

Corona Police Department and Lexipol. (2024). Policy 378: Public Safety Video Surveillance System. p. 282 < <https://www.coronaca.gov/home/showpublisheddocument/23540/638688173081470000>> [As of March 25, 2025].

Dulaney, C. (2022). San Diego County Police Share License Plate Data Across the US. KPBS. < <https://www.kpbs.org/news/local/2022/01/06/san-diego-county-police-share-license-plate-data-across-us>> [As of March 28, 2025].

Electronic Frontier Foundation. (2020). Atlas of Surveillance: Southwestern Border communities. < <https://www.eff.org/pages/atlas-de-vigilancia-comunidades-fronterizas-del-suroeste>>

Electronic Frontier Foundation. (2023). Street Level Surveillance: About. < <https://sls.eff.org/>> [As of March 28, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Automated license plate readers. < <https://sls.eff.org/technologies/automated-license-plate-readers-alprs>> [As of March 24, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Biometric Surveillance. < <https://sls.eff.org/technologies/biometric-surveillance>> [As of March 24, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Body-Worn Cameras. < <https://sls.eff.org/technologies/body-worn-cameras>> [As of March 24, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Cell-Site Simulators/IMSI Catchers. < <https://sls.eff.org/technologies/cell-site-simulators-imsi-catchers>> [As of March 24, 2025].



Electronic Frontier Foundation. (2023). Street Level Surveillance: Community Surveillance Apps. < <https://sls.eff.org/technologies/community-surveillance-apps>> [As of March 25, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Drones and Robots. < <https://sls.eff.org/technologies/drones-and-robots>> [As of March 25, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Electronic Monitoring. < <https://sls.eff.org/technologies/electronic-monitoring>> [As of March 27, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Face Recognition. < <https://sls.eff.org/technologies/face-recognition>> [As of March 27, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Forensic Extraction Tools. < <https://sls.eff.org/technologies/forensic-extraction-tools>> [As of March 28, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Gunshot Detection. < <https://sls.eff.org/technologies/gunshot-detection>> [As of March 28, 2025].

Electronic Frontier Foundation. (2023). Street Level Surveillance: Police Access to IoT Devices.

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Electronic Frontier Foundation. (2023). Street Level Surveillance: Predictive Policing. < <https://sls.eff.org/technologies/predictive-policing>> [As of March 28, 2025].

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Electronic Frontier Foundation. *Who Has Your Face?* < <https://whohasyourface.org/> > (as of April 20, 2025).

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Automated License Plate Readers) <<https://atlasofsurveillance.org/search?location=California&technologies%5Bautomated-license-plate-readers%5D=on&sort=>> [As of February 28, 2025].

The Electronic Frontier Foundation and Reynolds School of Journalism's Atlas of Surveillance project has identified 310 California law enforcement agencies using automated license plate readers.

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Camera Registry) < <https://atlasofsurveillance.org/search?location=California&technologies%5Bcamera-registry%5D=on&sort=> > [As of March 17, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Cell-site Simulator) <<https://atlasofsurveillance.org/search?location=California&technologies%5Bcell-site-simulator%5D=on&sort=>> [As of March 19, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Drones) <<https://atlasofsurveillance.org/search?location=California&technologies%5Bdrones%5D=on&sort=>> [As of March 24, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Face Recognition) <<https://atlasofsurveillance.org/search?location=California&technologies%5Bface-recognition%5D=on&sort=>> [As of March 24, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Fusion Center)

<<https://atlasofsurveillance.org/search?location=California&technologies%5Bfusion-center%5D=on&sort=>> [As of March 24, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Gunshot Detection)

<<https://atlasofsurveillance.org/search?location=California&technologies%5Bpredictive-policing%5D=on&sort=>> [As of March 24, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Predictive Policing)

<<https://atlasofsurveillance.org/search?location=California&technologies%5Bgunshot-detection%5D=on&sort=>> [As of March 24, 2025].

Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Real-Time Crime Center)

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## 2. 2024 RIPA Data showing disparities in Particular Perceived Demographics, including Perceived English Proficiency

[Analysis of 2024 RIPA data forthcoming]

## POLICY RECOMMENDATIONS

### 3. Status Quo Bias

Ten years into the work directed by the Racial and Identity Profiling Act, the Board reflects on its mission and the need to address inadvertent effects of presenting evidence about persistent racial disparities. One common assumption is that if people only knew more about race and racial inequality, such as the empirical findings we just highlighted, they would immediately be more concerned and eager to combat it. Psychologists know, however, that there are also motivational and identity-based processes at play that can fuel resistance to change. After all, inequality, by definition, advantages some groups, while disadvantaging others. Thus, rather than being met with openness and curiosity by advantaged group members, being asked to confront inequality and the prospect of change tends to elicit threat and defensiveness. In response to threat, people tend to double down on the status quo.

Social psychologists have demonstrated that inviting those who are privileged by an existing inequity to consider avenues for policy reform is something that must be done carefully, or else can be counterproductive. Without the buy-in of individuals, institutional change efforts can be stymied. Additionally, individual resisters can mobilize to use institutional levers to block change.

Backlash and resistance are part of the process of change. (Hamedani, et al. (2024). *We Built This Culture (so We Can Change It): Seven principles for intentional culture change*. American Psychologist 79(3). <<https://psycnet.apa.org/fulltext/2024-26498-001.pdf>> [as of May 6, 2025].)

Remaining willfully ignorant to structural racism in society helps protect the ego, but more perniciously it also enables continued inequality. (Rucker and Richeson. (2021). *Toward an Understanding of Structural Racism: Implications for criminal justice*. Science 374(6565).)

Those who are privileged by the status quo are motivated to dig their heels in and justify and maintain it. (Sidanius and Pratto. (1999). *Social Dominance*. Cambridge University Press. <[https://www.researchgate.net/profile/D-Worley/publication/360669756\\_Sidanius\\_and\\_Pratto\\_Social\\_Dominance\\_1999/links/62847984a5268672baf92726/Sidanius-and-Pratto-Social-Dominance-1999.pdf?\\_tp=eyJjb250ZXh0Ijp7ImZpcnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uIn19](https://www.researchgate.net/profile/D-Worley/publication/360669756_Sidanius_and_Pratto_Social_Dominance_1999/links/62847984a5268672baf92726/Sidanius-and-Pratto-Social-Dominance-1999.pdf?_tp=eyJjb250ZXh0Ijp7ImZpcnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uIn19)> [as of May 6, 2025].)

Rather than serving as an opening for White people to reexamine an unequal system, presenting statistics about disparities in the criminal legal system—in the absence of context or highlighting



the role of institutions in creating those disparities—may instead trigger fear and stereotypic associations linking Black people with crime. (Eberhardt, et al. (2004). *Seeing Black: Race, crime, and visual processing*. J. of Personality and Social Psychology 87(6).)

Researchers exposed White study participants to real and amplified disparities in the racial composition of prisons. When White participants were led to believe racial disparities in the prison population were more extreme, they became more supportive, not less, of the types of punitive criminal legal policies, specifically stop and frisk in New York City and the three strikes law in California, that produced those disparities in the first place, thus perpetuating a vicious cycle. This effect was driven by concern about crime. (Hetey and Eberhardt. (2014). *Racial Disparities in Incarceration Increase Acceptance of Punitive Policies*. Psychological Science 25(10). <<https://journals.sagepub.com/doi/epub/10.1177/0956797614540307>> [as of May 5, 2025].)

Students in predominantly White high schools tend to be taught about race in ways that gloss over structural and systemic racism; White people prefer these alternate versions of history which blinds them to racism and dampens their support for antiracist policy. (Salter and Adams. (2016). *On the Intentionality of Cultural Products: Representations of Black history as psychological affordances*. Front. in Psychol. 7. <<https://www.frontiersin.org/journals/psychology/articles/10.3389/fpsyg.2016.01166/pdf>> [as of May 7, 2025].)

To address status quo bias, in which disparities within a system are met with justifications and rationalizations about those disparities, researchers propose offering context, challenging associations, and highlighting institutions. (Hetey and Eberhardt. (2018). *The Numbers Don't Speak for Themselves: Racial disparities and the persistence of inequality in the criminal justice system*. Current Directions in Psychological Science 27(3). <<https://journals.sagepub.com/doi/epub/10.1177/0963721418763931>> [as of May 5, 2025].)

Change is possible and we must keep emphasizing how “business as usual” is not the only viable option. (Hetey, et al. (2024). “*When The Cruiser Lights Come On*”: Using the science of bias and culture to combat racial disparities in policing. Social Psychological Answers to Real-World Questions. <[daedalus\\_wi24\\_10\\_hetey\\_hamedani\\_markus\\_eberhardt.pdf](#)> [as of May 6, 2025].)

#### **4. Potential Board Recommendations**

##### **[Areas for the Board's consideration]**

The State of California should expand the policy restrictions in place in San Francisco, West Hollywood and Los Angeles and adopt a state-wide limitation on pre-textual stops similar to the State of Virginia.

“Amend the Penal Code to clarify and confirm decriminalization of transit and other public disorder offenses.” Task Force to Study and Develop Reparation Proposals for African



Americans. Policies Addressing the *Unjust Legal System*. California Department of Justice.  
<<https://oag.ca.gov/system/files/media/ch28-ca-reparations.pdf>> [as of April 21, 2025].

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## 5. Proposed Definitions

*[Terms will be updated throughout the drafting process]*

**Racial or Identity Profiling:** For purposes of this section, “racial or identity profiling” 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.

**Pre-Textual Stop:** A pretext stop occurs when an officer stops someone for a lawful traffic violation or minor infraction, intending to use the stop to investigate a hunch regarding a different crime that by itself would not amount to reasonable suspicion or probable cause. (2024 RIPA Report, pg. 52; *Whren v. United States*, (1996) 517 U.S. 806.)

**Field Interviews** are contacts during which an LASD deputy may ask questions or try to gain information about possible criminal activity, while making it clear that a person is free to leave and is not obligated to answer the officer’s questions.

**Investigatory Stop or Investigatory Detention** mean involuntary restraint of an individual not in a vehicle for investigatory purposes by an officer who has reasonable suspicion, based on specific and articulable facts, that the detained individual has been, is, or is about to be engaged in the commission of a crime. An investigatory stop or detention occurs when an individual reasonably believes that they are not free to leave based on the circumstances and the conduct of the officer(s), regardless of intent of the officer(s).

**Vehicle Stop** means any instance where a deputy directs an individual operating a motor vehicle of any type to stop and the driver is detained for any length of time.

### 11 C.C.R. § 999.224

(7) “**Detention**,” unless otherwise provided in these regulations, means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that they are not free to leave or otherwise disregard the officer.

(10) “**Matched suspect description**” means the stopped person's physical appearance matches the description of the physical appearance of person suspected of having committed a crime.

(11) “**Matched description of suspect's vehicle** or vehicle observed at the scene of a crime” means the stopped person's vehicle matches the description of the suspect's vehicle or a vehicle observed at the scene of a crime.

(12) **“Personally identifying information,”** “personally identifiable information,” and “personal identifying information,” as referenced in these regulations have the same meaning as “personal identifying information” as set forth in Penal Code section 530.55, subdivision (b), and includes an officer's badge number.

(16) **“Reasonable suspicion”** requires that there is a set of specific facts that would lead a reasonable person to believe that the stopped person is committing a crime, recently committed a crime, or is about to commit a crime. Reasonable suspicion cannot be based solely on a hunch or instinct. “Reasonable Suspicion” requires a lesser standard of proof than “Probable cause to arrest or search.”

(19) **“Search,”** unless otherwise provided, means a search of a person's body or property in the person's possession or under their control, and includes a pat-down search of a person's outer clothing as well as a consensual search, as defined in these regulations.

(20) **“Stop”** for purposes of these regulations means (1) any detention, as defined in these regulations, by a peace officer of a person; or (2) any peace officer interaction with a person in which the officer conducts a search, as defined in these regulations.

(23) **“Unique Identifying Information”** means personally identifying information, the release of which, either alone or in combination with other data reported, is reasonably likely to reveal the identity of the individual officer who collected the stop data information. It does not include the minimum information that is specified in Government Code section 12525.5, subdivision (b).

(24) **“Vehicle”** means motor vehicles as defined in Vehicle Code section 670; motorcycles, mopeds, and motorized scooters as defined in Vehicle Code sections 400, 406, and 407.5, respectively; and any motorized vehicles, including boats.

(25) **“Welfare or wellness check or community caretaking function”** relates to an officer's non-crime related duties that are not performed for the purpose of investigating a crime. A welfare or wellness check or the officer's community caretaking function cannot serve as a basis for initiating a detention or search.

(A) Example: An officer responds to a call for service from a caller who requested someone check on a neighbor whom the caller had not seen in several days and whose newspapers had piled up outside their residence.

(B) Example: An officer observes a person lying down on the street and not breathing. The officer interacts with the person to see if they need medical attention.

(C) Example: An officer arrives at the scene of an automobile collision to render aid.