

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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POLICIES SUBCOMMITTEE MEETING MINUTES

February 26, 2025, 1:00 p.m. – 3:00 p.m.

Subcommittee Members Present: Co-Chairs Andrea Guerrero and John Dobard, and Members Angela Sierra, Aameena Qazi, and Souley Diallo

Subcommittee Members Absent: Members Lily Khadjavi, Manju Kulkarni, Rich Randolph, and Chad Bianco

1. CALL TO ORDER BY SUBCOMMITTEE CO-CHAIRS

Co-Chair Dobard called the meeting to order.

2. WELCOME AND INTRODUCTIONS

Each Policies Subcommittee member (herein Subcommittee) introduced themselves.

3. APPROVAL OF SEPTEMBER 12, 2024 MEETING MINUTES

Co-Chair Guerrero motioned to adopt the meeting minutes and Member Sierra seconded. California Department of Justice (DOJ) Deputy Attorney General (DAG) Alexander Simpson facilitated the vote:

- **AYE:** Co-Chairs Guerrero and Dobard, and Members Sierra, Qazi, and Diallo
- **NAY:** none
- **ABSTAIN:** none

With five Ayes the meeting minutes were approved.

4. UPDATES BY THE DEPARTMENT OF JUSTICE

DAG Simpson announced that the RIPA 2025 Report was published on January 1, 2025, and the CARE Community Briefing was presented on January 21, 2025.

Senior Legal Analyst (SLA) Anthony Jackson identified several areas for the Subcommittee to consider in drafting this year's RIPA Report, including: (1) Previous topics of interest identified by the Subcommittee; (2) proposed topics that arose from the Accountability and Complaints subcommittee that would be a better fit for the Policies subcommittee; (3) topics identified as the Vision for Future Reports in prior Board Reports; and (4) new data elements included in the 2024 dataset. SLA Jackson stated that, to steward the Board's resources, the Subcommittee should identify one or two limited topics so that they can do a deep dive into them.

(1) Topics Previously Identified by the Subcommittee

The first topic discussed by the Subcommittee last year was increasing public safety in Black and brown communities. The Subcommittee wanted to consider the environmental and community factors that lead to the negative interactions between Black and brown individuals and police, and, further, look at factors and investments that may reduce negative interactions in Black and brown communities.

The Subcommittee also previously discussed the possibility of looking further at pretext stops and/or initiating work regarding hotspot policing.

(2) Topics from the Accountability & Complaints Subcommittee Meeting

SLA Jackson stated that some suggestions related to hotspot policing came out of the recent Accountability and Complaints subcommittee meeting. The Accountability and Complaints subcommittee proposed that the Policies subcommittee consider looking into the use of alternative enforcement technologies as an element of oversaturation policing. In recent years, alternative enforcement technologies have been proposed to reduce face-to-face interactions with law enforcement and potentially as a means to reduce profiling and other harms from negative law enforcement encounters. When these technologies are deployed disproportionately in racialized communities, they may contribute to oversaturation policing. The Accountability and Complaints subcommittee suggested that the Policies subcommittee look at the this contemporary evolution of racial profiling

The Accountability and Complaints subcommittee also proposed that the Policies subcommittee look at non-safety stops or pretext stops—specifically the outcomes of those stops, including outcomes that may lead to harm or fatalities. For example, the Policies subcommittee could look at bystander fatalities that may result from pretext stops.

Another suggestion was to look at public funding for traffic safety and how those public investments contribute to racially disparate outcomes.

(3) Topics Identified as the Vision for Future Reports in Prior Board Reports

SLA Jackson noted that the DOJ has gone the Board's Reports from 2018 through 2025 to identify recommendations for further follow up. The Board previously expressed interest in conducting a longitudinal data analysis. Another potential topic could be to analyzing the stop data of law enforcement agencies that adopted policies aimed at eliminating or reducing pretext stops. Another recommendation from prior Board reports is to develop recommendations related to law enforcement interactions with individuals with disabilities, including youth experiencing mental health crises.

(4) New Data Elements included in the 2024 Dataset

There are also two new data elements as of January 1, 2024 that Subcommittee can analyze—stops of persons perceived to be unhoused and stops to perform welfare checks.

Lastly, SLA Jackson recommended that the Subcommittee discuss and select a theme for the 2026 Report.

Member Qazi asked if topics from past reports are listed elsewhere other than going through each report. SLA Jackson said this was not available and offered to read through the topics extracted from the prior reports.

Member Dobard asked if the suggestion to go deep into one or two topics applied to the headings or subheadings in the PowerPoint presentation.

DAG Simpson stated that the recommendation is to identify what topics are most interesting to the Subcommittee.

5. BOARD DISCUSSION OF PLANS FOR THE 2026 REPORT

Co-Chair Guerrero stated that the Subcommittee could employ a case analysis of policing hotspots. The Subcommittee could try to identify regional concentrations of bias in the stop data. In consent searches, for example, they could focus on where law enforcement are engaging in consent-only searches. Having that understanding would help stakeholders.

Member Sierra asked if an exploration of hotspots could be coupled with the themes of areas of policies of systematic issues. Are there policies that are contributing to that? Are there consequences to proactive policing? In the prior RIPA Report, the Board asked law enforcement agencies to look deeper into their proactive policies. The Subcommittee could continue to do this as well, as this could be a fertile source of inquiry to eliminate systemic racial profiling and enhance public safety.

Co-Chair Dobard asked whether Member Sierra was suggesting the Subcommittee analyze environmental and context factors that contribute to negative police interactions, with hotspot policing as a sub-area of focus. Member Sierra stated that it could be consent searches, pretext stops, and other areas as well, but doing this analysis in regions where the disparities are larger.

Member Diallo stated that it is timely to explore tactics of proactive policing, hotspot policing, saturation patrols, and their relationship to racial and identity profiling, to the extent that there may be calls to increase police presence or address under-policed areas in the current environment. To the extent that law enforcement agencies respond to community inquiries or otherwise, looking for strategies to be more responsive, it would be timely to explore the practices they employ and how these are impacted by racial and identity profiling.

Co-Chair Guerrero asked if DOJ Research Services could look at data reported by Los Angeles Police Department (LAPD) and San Francisco Police Department (SFPD) and determine if there is enough data to analyze the impact of the pretext policies they have adopted.

Furthermore, Co-Chair Guerrero asked to analyze the outcome of individual stops to better understand what happens in a given stop, the trajectory of the stop, and of those stopped, who is handcuffed or subjected to force. Co-Chair Guerrero stated that it would be helpful to understand the progression of outcomes. It does not need to be relative to the population, as there is dispute in the Board as to what the denominator is.

Member Qazi expressed interest looking at stop disparities based on people's perceived English proficiency. She is working on a case where they have noticed that individuals with lower

English proficiency were stopped more, handcuffed more, and subjected to more uses of force. Member Qazi stated that this issue is timely, given ICE enforcement and law enforcement's role in federal enforcement. There is fear about how policing is impacting immigrant communities.

Co-Chair Dobard asked if Co-Chair Guerrero's request for the DOJ to look at LAPD and SFPD for longitudinal analysis should be incorporated into the Board's annual stop data analysis. Co-Chair Guerrero stated that the Board issues annual reports and there is nothing that stops the Board from issuing an interim report. Co-Chair Guerrero stated she does not know if an analysis of LAPD and SFPD warrants placement in the Board's annual report, however it would be nice to keep tabs on this issue. It could be folded into hotspot policing and reference that those are two areas that have adopted policies. When looking at consent searches, Los Angeles County and San Bernadino County are hotspots. As a general topic, the Board has not previously attempted to identify where the profiling hotspots are. They have not done a county-by-county breakdown of where the disparate outcomes are happening.

Co-Chair Dobard asked DOJ for their feedback.

DAG Simpson responded that the change in policies for LAPD and SFPD occurred three years ago, and the data for this year is 2024 data, so it is not clear whether there is enough data for meaningful conclusions about the information. That being said, DOJ can look into this and answer whether this is a viable analysis at the next Subcommittee meeting.

Co-Chair Dobard asked Co-Chair Guerrero for feedback on her second proposal.

Co-Chair Guerrero stated that she is interested in a heat map of disparities for stops, use of force, and results of stops which would help the Board to understand the conditions of policing in those areas.

Co-Chair Guerrero stated that the Stop Data subcommittee is analyzing the data for the state, and the Policies subcommittee could zoom in where they see counties that are demonstrating intensities of bias. She stated that the Policies subcommittee could focus on counties because consent-based searches were not just one law enforcement agency. For example, in Los Angeles, there are many law enforcement agencies. Consent-based searches were concentrated in one part of the county. Stakeholders need to understand how the policies and landscape of the area contribute to the stark difference from the rest of the state.

Co-Chair Dobard recapped that the general theme for this year's Board Report is environmental and community factors that lead to negative interactions between community members and law enforcement. That could include looking at hotspot policing—more specifically, the ways in which policing may be biased in geographical regions. It could also include exploring disparities based on language.

Co-Chair Dobard asked if any Subcommittee members wanted to suggest additional themes.

Member Sierra stated that it is a broad topic, so it is more than enough. They should drill down and be as specific as possible. Moving along, they should address sub-themes.

Member Qazi stated that a potential hurdle is that law enforcement decides on where to focus resources. The community affords a lot of discretion to law enforcement agencies. What are the factors a law enforcement agency should and should not consider in deploying resources and how can the bases for those decisions be made more transparent? How do we pierce that veil?

Co-Chair Dobard invited public comment.

6. PUBLIC COMMENT

Richard Hylton of San Diego stated that written and public comments regarding LAPD and SFPD have been ignored. He stated that the data for LAPD is available. They use pretext stops in a way where only Black and Hispanic people are subject to the negative consequences of it. Mr. Hylton stated that the hottest spot in California is in Siskiyou County and what happens to Asians there. He stated that the Board is spinning their wheels discussing location if the Board refuses to provide location data to people like him, who need it to do data analysis. Mr. Hylton stated that he does not make a distinction between the RIPA Board and CJIS. Lastly, he stated that he believes the CARE community briefing presentation was a violation of everything he could think of and it should have not been held.

7. DISCUSSION OF NEXT STEPS

Co-Chair Dobard stated that the Subcommittee needs to continue to have a conversation regarding other variations of the themes for this year's Report and asked that DOJ staff look into a longitudinal study of SFPD and LAPD to report back to the Subcommittee.

DAG Simpson stated that the DOJ would examine the feasibility of: (1) conducting of longitudinal analysis of SFPD and LAPD policy changes; (2) conducting a regional analysis of pretext stops, including a heatmap; and (3) analyzing data related to language disparities.

Co-Chair Dobard stated that he would like to hear from the DOJ about the prospect of the longitudinal study as a part of an interim report instead of the Annual Report.

8. ADJOURN

Co-Chair Guerrero motioned to adjourn the meeting; Member Diallo seconded. The Subcommittee gave a verbal agreement with the motion.

Co-Chair Dobard adjourned the meeting.