

**CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)**  
<https://oag.ca.gov/ab953/board>

**POLICIES SUBCOMMITTEE MEETING MINUTES**

**March 19, 2026, 1:03 p.m. – 2:32 p.m.**

**Board Members Present:** Co-Chair John Dobard, Co-Chair Andrea Guerrero, Members Souley Diallo, Wade Forde, Lily Khadjavi, Rich Randolph, Angela Sierra

**Board Members Absent:** Members Chad Bianco, Ameena Qazi

**1. CALL TO ORDER BY SUBCOMMITTEE CO-CHAIRS**

Member Sierra called the meeting to order. She welcomed members of the Board, Department of Justice staff, and members of the public. She noted that the session was the first policy subcommittee meeting of the year and explained that this would be the opportunity to do some brainstorming about what the subcommittee will be doing in the year.

**2. WELCOME AND INTRODUCTIONS**

Board members present introduced themselves.

**3. APPROVAL OF SEPTEMBER 24, 2025 MEETING MINUTES**

The subcommittee reviewed the Draft Minutes from the September 24, 2025 meeting. Member Forde moved to approve the minutes as drafted. Co-Chair Dobard presented a friendly amendment to the motion. He noted that in the first full paragraph on the third page of the Draft Minutes, a correction was needed to the two instances of the phrase “a large a higher ratio.” He noted that an “H” should be added to the word “what” on page five. He noted that on the same page, the phrase “to for the Report” should be corrected to read “for the Report.” Co-Chair Dobard noted that on page ten of the Draft Minutes, in the phrase “discussed in that section law relate to”, the word “law” should be deleted. He noted that in the same page, the interjection “um” should be deleted from the sentence that begins “Officers are not required to report...” and the interjection “uh” should be deleted from the sentence that begins “Co-Chair Dobard expressed...”. Member Forde accepted the amendment to his motion and Member Khadjavi seconded the motion. California Department of Justice (DOJ) Deputy Attorney General (DAG) Alexander Simpson proceeded with the roll call vote:

- **AYE:** Co-Chair Dobard, Co-Chair Guerrero, Members Diallo, Forde, Khadjavi, Sierra.
- **NAY:** None
- **ABSTAIN:** None

**4. UPDATES BY THE DEPARTMENT OF JUSTICE**

DAGs Kenneth Sugarman and Jeanelly Orozco Alcalá gave a presentation about four potential topics for the Subcommittee to consider for the Policies section of the 2027 Board Report. DAG Sugarman stated that these ideas are in addition to any ideas Subcommittee members may be considering. He stated that, in summary, the potential ideas were:

- further exploration of law enforcement technologies, focusing on automatic license plate reader systems;
- the use of certain technologies to potentially reduce racial profiling and disparities;
- the state of the law regarding the use of race in law enforcement decisions;
- and potential racial disparities in how lacking English language fluency affects individuals in terms of what actions officers take against them during stops.

DAG Sugarman stated that the first topic idea is further exploration of law enforcement technologies, in particular automatic license plate reader systems (ALPR systems). He stated that, as described in the 2026 Board report, ALPR systems use cameras and computer software to scan the license plates of vehicles driving by them, logging information about the vehicle, such as the time and date of the scan, the vehicle's GPS coordinates, and pictures of the car. He stated that in the 2026 Report, the Board expressed concern that ALPR systems can be deployed to target communities of color.

DAG Sugarman stated that the Board may be interested in exploring this issue further, looking into new developments or additional matters relating to ALPR systems and could also review material developments relating to other technologies. He stated that ALPR systems continue to expand in terms of capabilities and applications. He stated that depending on the product or features an agency uses to refer to a given system as an ALPR system may be misleading because license plate reading is only one of the technology's capabilities. DAG Sugarman stated that he was sharing a link to a Market Survey Report published by the U.S. Department of Homeland Security in June 2025 ([Automated License Plate Readers Market Survey Report](#)) which describes that “ALPR systems now can read much more than license plates. ALPR software can detect dents on cars, search for specific bumper stickers, process specialty tags, and recognize rideshare logos.” He stated that Artificial Intelligence (AI) features are additionally being integrated with ALPR systems, providing the capability to search for vehicles based on free form descriptions. He stated that relatedly, law enforcement agencies may be expanding the ways in which they use information from ALPR systems and their adjacent technologies.

Regarding the connection between ALPR technology and racial profiling in California, DAG Sugarman stated that if a California law enforcement agency focuses ALPR cameras disproportionately on communities of color, that will likely result in a disparate impact on those communities, placing them disproportionately on the receiving end of police actions taken based on information derived from the cameras. He stated that these can include actions by federal immigration enforcement agencies, to the extent that California agencies' ALPR data may be leaking out to them or their partners. He stated that federal immigration enforcement agencies have admitted to engaging in racial profiling in Los Angeles County, at least as the RIPA defines racial profiling, and federal immigration agencies are widely believed to be engaging in racial profiling elsewhere as well.

DAG Sugarman stated that the second topic idea is the use of technology to potentially reduce racial profiling. He stated that the first part of this topic is technology-assisted body-worn camera footage analysis. He stated that body-worn camera footage is a source of information for training, accountability, and mitigation related to racial profiling, but researchers in this area have noted that most body-worn camera footage is never reviewed. DAG Sugarman stated that what's relatively new is that AI and other technologies can increasingly be used to transcribe,

review, and analyze camera footage. He stated that for example, researchers have used AI and other technologies to identify correlations between factors present during police encounters and the outcomes of those encounters. He stated that a study of one vendor's product reportedly showed that AI-assisted camera footage review led to a reduction in the incidence of substandard professionalism and an increase in the incidence of highly professional behavior. DAG Sugarman stated that another study found that officers in the study group consistently spoke with less respect toward Black versus white community members. He stated that another study used footage of traffic stops to examine how officers communicate with drivers and whether racial disparities in their communications erode institutional trust in the police along racial lines. He stated that at least one company is now offering technology to law enforcement agencies that they can reportedly use to transcribe body worn camera audio and to detect and notify police leadership of potential issues. DAG Sugarman stated that the system can be programmed to detect instances of certain types of statements or conduct and to notify police leadership of any such instances. He stated that these technologies can be used to identify potential instances of racial profiling, trends or patterns of apparent racial bias, and other conduct that leads to racial disparities in police actions. He stated that a review of camera footage can potentially be used to help reduce racial disparities in the rates at which actions are taken by officers during stops.

DAG Sugarman stated that the second part of the topic of using technology to potentially reduce racial profiling relates to data collection analytics products for law enforcement agencies. He stated that at least one vendor of RIPA data reporting technology has recently begun offering technology that reportedly allows agencies to see statistics as the data is collected. He stated that the Los Angeles County Sheriff's Office is using technology to maintain a real-time RIPA data dashboard on its website, where users can see statistics based on different criteria, including station and city. DAG Sugarman stated that agencies that use technologies such as these are in a better position to identify racial disparities that may be indicative of racial profiling and to assess what might be causing the disparities and how they might be addressed. He stated that they are likewise in a better position to assess what they are doing that might be helping to reduce racial disparities. He stated that in other words, using available and emerging technologies should make it significantly easier for law enforcement agencies to actually do something with their RIPA data.

DAG Orozco Alcalá stated that she would present the remaining two topics identified for the Subcommittee to consider. She stated that the first topic is the use of race in law enforcement decisions, with a focus on "Kavanaugh stops". She stated that, she would provide information about the broad context about Kavanaugh stops. She stated that the Supreme Court's decision in a case known as Noem vs. Vasquez Perdomo lifted a California district court's injunction against racial profiling and immigration stops. DAG Orozco Alcalá stated that the term "Kavanaugh stops" emerged from Associate Justice Brett Kavanaugh's characterization of these stops as relatively brief encounters. She stated that generally, the term Kavanaugh stop is now used to refer to immigration enforcement stops that are based on a combination of four factors. She stated that the factors are an individual's perceived race or ethnicity, the language the individual speaks, meaning whether they speak Spanish or English with a heavy accent, the type of job that the individual appears to work, and the location where the individual is encountered, such as a car wash, a day labor pickup site, or a bus stop. DAG Orozco Alcalá stated that currently, immigration enforcement agents can stop an individual for immigration enforcement inquiries based on a combination of these factors. She stated that while the Board can't control the actions

of federal immigration agents, the Racial and Identity Profiling Act prohibits state and local law enforcement officers from considering race or ethnicity to any degree in deciding whether to make a stop and what actions to take during that stop. She stated that this means in California, State and local law enforcement officers cannot engage in these types of Kavanaugh stops.

DAG Orozco Alcalá stated that, as was discussed during last year's October Board meeting, where the topic was immigration enforcement, California's Constitution and laws such as California SB54 provide additional protections to Californians from these types of actions. She stated that this year, if the Board chooses to explore this topic further, the Board may be interested in discussing the differences between the actions taken by federal immigration agents and state and local law enforcement officers. She stated that a potential policy recommendation that could stem from this could be a recommendation that all law enforcement agencies covered by RIPA have policies prohibiting racial or identity profiling that include the Racial and Identity Profiling Act's definition of racial and identity profiling and that all law enforcement officers be trained on that definition.

DAG Orozco Alcalá stated that the last topic that identified for the Subcommittee to consider is disparities in post-stop actions related to English fluency. She stated that in the 2026 Board Report, the Board analyzed data for stops of individuals perceived as having limited or no English fluency and this year the policy section could build off that analysis by looking at what the data shows with respect to perceived language proficiency and perceived race. She stated that specifically, the policy section could look at stops of individuals officers perceived to have limited or no English fluency and examine whether there are differences across perceived race in the actions taken by officers during stops, the outcomes of stops, and the duration of stops. DAG Orozco Alcalá stated that the Board can include analysis of stop data from prior years to identify any differences. She stated that these are topics for the Subcommittee to consider and there may be other topics that you choose to explore.

Co-Chair Dobard thanked DOJ staff for the presentation and asked Subcommittee members if they had any questions. There were no questions.

## **5. BREAK**

## **6. SUBCOMMITTEE DISCUSSION OF PLANS FOR THE 2027 REPORT**

Co-Chair Guerrero invited Subcommittee members to discuss what to focus on. She stated that DOJ staff provided recommendations about what the Subcommittee could focus on, which included law enforcement technology, specifically automated license plate reader systems, the use of technology to engage with the RIPA data to help law enforcement and stakeholders reduce disparities, addressing the issue of racial profiling in law enforcement decisions that are occurring specifically with federal immigration enforcement, and disparities stops of individuals officers perceived as having limited or no English fluency. She invited Board members to discuss whether those any of those topics resonate and where there are additional or different things that you would like to see us focus on this year.

Member Forde stated he believed number one is most interesting in terms of the experience that is happening, at least in his community of San Bernardino. He stated that he is on the Gang and Drugs Task Force. He stated his organization had a presentation not long ago from one of the

officers from the Police Department about the implementation of license plate readers and one of the pitches that was made—and this is a part of the why that is so interesting to him—was that any faith-based organization can also get the benefits of the license plate reader technology with a \$60.00 purchase of what they referred to as “the box”. He stated that for example, if his church has cameras, the box would essentially get connected to his church. Member Forde stated that this box would then allow the Police Department to use the cameras that are on his particular property to also expand the reach of the license plate readers. Member Forde stated that, while he thought it was interesting, the Subcommittee did not fully know the limits and capability of the license plate readers, and that he did not believe that the only value of this technology was to read license plates.

Member Forde stated he was aware of a pilot program of license plate readers being used in a four to six-block radius the central downtown San Bernardino area to see how it provides valuable data while simultaneously now making it available to the many churches in San Bernardino. He stated that many churches have jumped on the bandwagon of cameras for their own personal safety, and now the program is being expanded, with access for the Police Department with the purchase of a \$60.00 box, without real clarity about the actual limitations or the capabilities of this technology. Member Forde stated that this is a high stakes issue for him, because the community is just beginning to integrate AI. Member Forde stated that if these things are being rolled out, he is interested in the trajectory and the potential future of this kind of technology as it pertains to profiling.

Co-Chair Dobard stated he wanted to add an idea for the Subcommittee to consider. Co-Chair Dobard serves on the Board’s Stop Data Analysis Subcommittee, and when that Subcommittee met earlier this week, there was a robust discussion about doing a longitudinal analysis of the RIPA data. He stated that the 2027 Report will be the tenth report issued by the Board. Co-Chair Dobard stated that because of this, the Stop Data Analysis Subcommittee discussed this being a good opportunity to look back and try to get a sense of the trends being seen. He stated that the 2027 Report could serve as a one-stop-shop in terms of understanding trends over the previous ten reports. He stated that there was a lot of interest from that Subcommittee in having that type of analysis of the data. Co-Chair Dobard stated that the Subcommittee also talked about complementing that with a review by the Policies Subcommittee of the policy recommendations the Board has made, what recommendations have been adopted, and what the Board can say about the results at the state or local level. Co-Chair Dobard stated he wanted to propose this not as a replacement for any of these ideas, but as an additional topic that the Subcommittee should be discussing.

Co-Chair Guerrero stated that agencies were grouped into “waves” to begin reporting stop data. She stated that it may be prudent to think about a longitudinal analysis of the group of agencies that were the first to report stop data. She stated she believed that was eight agencies.

Member Sierra related that she thought all these ideas were interesting, and they all seem related to the use of technology to reduce profiling. She noted that there was so much emergent technology right now and it sounds promising that some large departments are incorporating new technology to be able to evaluate the data. Member Sierra opined that the Board has done so much work in outlining the problems and disparities in the data, but that she was not sure that the Board has done enough especially for mid-sized and small departments to figure out what can

the Board do with this data it is collecting. She stated that maybe the Board can learn from some of the larger departments who are more proactive about using their data, looking for trends within their agency. She stated that to the extent there are some new AI tools that would be helpful, she thought it would be fabulous because the State is doing so much to collect this data, and the Subcommittee wants to make sure it is being put to good use. Member Sierra stated that in the past the Board talked about issues where within a certain agency, there may be certain units where some of the disparities are greater. She stated he would love to see us giving law enforcement agencies tools to be able to be a look at their own agencies and help reduce profiling, to take that next step of what can be done as pragmatic approaches to reduce the disparities that the Board is seeing, in addition to our policy recommendations and recommendations for legislative changes.

Member Sierra stated it may be important to look at what the Board has done in the past. She stated that the Board has many years of recommendations, but that the Board could go a little farther, especially because of AI tools that might be available. Co-Chair Guerrero agreed. She stated that at the end of last year, the Board talked a lot about the importance of making the data that the Board is reviewing actionable to law enforcement and to stakeholders. Co-Chair Guerrero stated that AI is the great unknown right now, but to the extent that law enforcement and stakeholders are using it to make decisions about how they're operating, that would be helpful.

Co-Chair Guerrero stated that, in the Stop Data Analysis Subcommittee, the Board learned that the DOJ RIPA data dashboard will be coming online in mid-2026, and that the Subcommittee requested a presentation on what that would look like. Co-Chair Guerrero stated that she did not know whether the dashboard itself will have some tools that could help law enforcement digest and analyze the data in addition to helping the public understand the data. Co-Chair Guerrero stated that, while she was wary of this new technology and what it means for the world ahead, she thought it was important for the Board to explore and understand.

Co-Chair Dobard acknowledged the Board's clear interest in tech. He noted that tech could be a theme, and asked whether there was a way to combine both of these ideas, to further explore how tech is being used and the implications of that, but also discussing how tech that could be useful. Co-Chair Dobard explained that he believed that could address what Member Sierra had mentioned regarding pragmatic approaches to addressing disparities.

Co-Chair Dobard also asked Member Sierra to talk more about the Board's past recommendations in this space. Member Sierra explained that she was not sure whether the Board did make those recommendations, but that the Subcommittee should look back at prior recommendations and what has already been suggested. Her recollection was that many of the prior recommendations have more been about policy, training, or legislation, rather than recommendations regarding pragmatic tools that a department could use. Member Sierra suggested looking back to see if there are some things that the Subcommittee could build on. Co-Chair Dobard expressed that he appreciated the comments, and was asking because he could see a connection between the prior discussion, having the Board take a look back at its prior work, doing some longitudinal analysis, and identifying particular policy themes. In that way, the Board could look at what has been recommended and what has been adopted, and assess what has not yet been looked at with regards to recommendations. The look back/look forward could

provide the general framework, with policy themes and an assessment of technology, could be assessed by the Board within that framework. Co-Chair Guerrero expressed that she also appreciated the theme as an organizing principle.

Co-Chair Guerrero then pivoted the conversation from the recommendations on law enforcement technology and the use of that technology to analyze and digest data, to the third recommendation, relating to racial profiling and law enforcement decisions, specifically federal immigration law enforcement decisions and how those decisions impact California citizens. Co-Chair Guerrero expressed that she believed this was an important recommendation, and that the Board should explore where the risks are for Kavanaugh stops in the limited circumstances where California law enforcement and federal law enforcement are engaging together in operations, specifically in joint task force forces. Co-Chair Guerrero explained that joint task forces are detailed through the TRUTH Act, and she believed it would be helpful for the Board to look at RIPA data to understand how data collection and stop data is in play during joint task forces.

Co-Chair Guerrero expressed that she would like to know whether the RIPA data show incidents of “pass offs,” where California law enforcement agencies pass individuals off to the Department of Homeland Security. Co-Chair Guerrero explained that this is permissible in certain circumstances, but that there are gaps or disparities in RIPA data and what is being reported out through the TRUTH Act forums. Co-Chair Guerrero opined that she believed this data is reported to DOJ, but it might also be to the legislature. Co-Chair Guerrero explained that she would like the Board to look at joint task forces with regard to the issue of racial profiling to better understand about how state and local law enforcement agencies were entwined with federal law enforcement, and how those create some risks when Kavanaugh stops are occurring.

Member Randolph stated that he wanted to outline what the Subcommittee was talking about with regards to state and local law enforcement cooperation with federal law enforcement agencies. Member Randolph explained that SB 54, the Values Act, already restricts cooperation with federal law enforcement agencies. Co-Chair Guerrero noted that there was an exception for joint task forces. Member Randolph responded that he agreed there was an exception, and that the DOJ, who is hosting the Subcommittee meeting, has got all the joint task forces. Member Randolph explained that law enforcement agencies have to submit a report to the DOJ regarding their cooperation with federal law enforcement agencies. Member Randolph asked DOJ to come forward with the report of those joint task forces, instead of the Board writing about the issue and getting more information before the Board starts formalizing this information into a report on how many joint task forces there are between state and local law enforcement agencies and federal law enforcement agencies.

Co-Chair Guerrero noted that she appreciated the discussion, and that her organization does a lot of work around this issue. Co-Chair Guerrero explained that she is also aware that joint task forces are reported. However, she expressed that the Board does not have a good handle on the interplay of bad federal practices with those joint task forces when those joint task forces involve California law enforcement officers, and that is worth an assessment by the Board. Co-Chair Guerrero explained that it is not just the transfers, which is something that is reported, but it is also the racial profiling stops, or what they call Kavanaugh stops. Co-Chair Guerrero stated that she thinks that this is an area that hasn't been explored very well. And if DOJ wants to weigh in

and say that it has already assessed that issue, then the Board does need to look at that issue, but explained that this is a bit of a gray area that has emerged over the last year with federal immigration agencies asserting that they have the right to profile individuals.

Member Randolph responded that he would like to take this discussion out of a gray area, and make it black and white. Member Randolph expressed that, since DOJ was in the Subcommittee meeting, and has that documentation of law enforcement agencies that have joint task forces with federal government agencies, DOJ could simply bring that forward to the next Subcommittee meeting. Member Randolph stated he did not know whether he was out of line to ask for that as a member of the Subcommittee.

Co-Chair Guerrero clarified that she was not seeking just a list of task forces, although that was a starting point. Instead, she believed it would be helpful for the Board to have an analysis of interplay between California law enforcement and federal law enforcement with regards to racial profiling stops that California law prohibits. Co-Chair Guerrero noted that federal law enforcement agencies are actively asserting they can engage in racial profiling.

Member Randolph responded that, on behalf of California law enforcement agencies, he wanted to know where the Board would get that information. Member Randolph stated it sounded to him like Co-Chair Guerrero was saying that state and local law enforcement agencies were cooperating with federal law enforcement agencies and violating the law, but that it was not documented. Instead of this discussion going into the RIPA report, which will go to the state assembly or legislators, who are going to question how far the Board was going with RIPA, Member Randolph wanted to know if DOJ would provide information to the Subcommittee. Member Randolph explained that he fills out a form all the time, and all chiefs and sheriffs in this state fill out the same form, to explain whether their agency cooperates with federal task forces. Member Randolph explained that the information requested in the form includes when the task force took place, what did the task force do, and whether there was a transfer. Member Randolph asked whether the Board could get that information, and whether DOJ could provide it to the Subcommittee, before the Board starts putting more resources into this portion of the report.

Member Sierra explained that one thing that came to her mind regarding joint task forces was that what the Board could look at what happens once they are formed with respect to Kavanagh stops. Member Sierra stated that maybe one first step is to look at some typical policies that govern these task force joint task forces, and whether they operate as a contract between the federal law enforcement agencies and the state or local law enforcement agencies. The Subcommittee could look at whether these questions were addressed in the policy or the agreement that governs the task forces. The Subcommittee could also look at what happens when federal agencies assert that they can engage in racial profiling, which would not be permitted for a state or local law enforcement officer to be involved in, and what happens when they are combined.

Co-Chair Guerrero noted that joint task forces are relatively unregulated, and are an exposed area for Californians who might be subjected to things they would not otherwise be by California law enforcement. Co-Chair Guerrero opined that it was in the interest of Californians to have an analysis of what the exposures are, what the risks are, as a matter of policy. Co-Chair Guerrero

stated that it might be worth further exploration before the Subcommittee put it on the list of topics for the Subcommittee to consider, but noted that there are a lot of laws in place in California, and joint task forces have been carved out.

Member Sierra stated that it might be helpful for the Board to lay some groundwork, explore the topic, and look at some larger departments to provide a couple of examples of joint task forces. In this way, the Subcommittee could explain that, while not every task force has to approach the issue in the same way, it could show how some agencies do so, and give some examples. Member Sierra explained that she believed this is an area for additional exploration, and that the Subcommittee was not making recommendations with respect to this issue at this meeting.

Co-Chair Guerrero stated that she wanted to also assess whether there was anything new or different that Board members are interested in, whether the Board was okay with the topics already discussed, and whether there was anything that Board members would not want to see in the section. Co-Chair Guerrero explained this would be important for DOJ to know as it works on the draft.

Member Khadjavi explained that she wanted to circle back to Member Forde's comment about private sources of license plate reader data that could be potentially routed to law enforcement. Member Khadjavi thanked Member Forde for describing the process of how churches and other organizations could be approached to connect their cameras to police agencies. Member Khadjavi explained that it was not just law enforcement agencies putting up their own cameras, and she wanted to emphasize the concern about leaks, looking not just at the technology but on the impact of leaking such data to federal agencies, especially federal immigration agencies. Member Khadjavi expressed that she appreciated the themes of technology and looking at possible change due to policy, and conducting a longitudinal analysis. Member Khadjavi stated she believed there was an opportunity to really focus on issues that tie to immigration and actions that federal agencies have been taking. Member Khadjavi stated she did not want that to get lost in the mix, as it ties to everything else that was being raised earlier, especially the discussion about joint task forces.

Member Randolph noted that he wanted to make sure that the Subcommittee was crossing all of its T's before it started laying down the line. Member Randolph stated that he knows that SB 54, the California Values Act, restricts state and local law enforcement agencies from using resources to investigate, interrogate, and detain individuals on immigration purposes, which would include being involved with federal law enforcement agencies. Member Randolph explained that chiefs of police complete joint task force reporting on anything that they do throughout the state to DOJ, and asked if that information could be provided to this Board before moving forward on drafting the report on the topic. Member Randolph stated that he loves how the Subcommittee talks about the data and working on the data, but that the Board got the data from thousands of officers throughout the state that are pulling individuals over and entering information, whether they are in a station, in a car, or elsewhere. Member Randolph explained that this processing of data takes officers away from the streets. Member Randolph stated that officers will continue to do this, because it is the law and officers want to work with RIPA, but talking on the chief side, there is a lot of time being invested RIPA reporting, and that should be taken into consideration. Member Randolph stated that RIPA data is collected by good officers working hard doing their job and putting the data in some type of computer.

Co-Chair Guerrero responded that she believed there was a disconnect between what she was saying on this and what Member Randolph had heard. Co-Chair Guerrero explained that this was less about the data and more about the policy, or lack thereof. Co-Chair Guerrero stated that she is in conversation with a chief here locally who has a lot of concerns about officers participating in joint task forces and being governed by different sets of rules, and that the chief has to remind his officers about not picking up bad habits from federal law enforcement agencies. Co-Chair Guerrero explained that, because there may be gaps in policies that govern joint task forces, and those potential gaps create exposure and liability, because the California legislature has exempted joint task forces in their laws. Co-Chair Guerrero stated that the Board has not taken a hard look as a state at what is or is not governing those joint task forces, and whether it create some exposure for law enforcement officers. Co-Chair Guerrero opined that she believed this is worthy of DOJ doing a little exploring to provide some understanding for the Board as part of the analysis of racial profiling, law enforcement decision-making, and the discussion of Kavanagh stops. Co-Chair Guerrero suggested just adding this as a layer of exploration for DOJ to think about from the perspective of potential gaps in the governance of joint task forces, and that this conversation could also be had with law enforcement chiefs to understand what concerns they may or may not have.

Member Randolph expressed that he was glad the Subcommittee was having this conversation, but that he did want the Subcommittee to know that, while he was glad Co-Chair Guerrero was having a conversation with one chief who was having issues with joint task forces, he did not want lines to get crossed with officers. Member Randolph explained that we want everyone to do what they need to do, but Co-Chair Guerrero's conversation was with one chief, and there are over 500 law enforcement agencies in the state. Member Randolph stated that one chief's complaints should be looked at by the Subcommittee as a lightning rod. It may look like it's all across the board, and it should not be conveyed like that.

Co-Chair Guerrero responded that she and her organization works on this issue, and is aware that joint task forces are a relatively unregulated set of bodies across the state. Co-Chair Guerrero expressed that she thinks they are deserving of a harder look.

Member Forde stated that there are several topics that are all meaningful, and one question is how many of these could the Subcommittee tackle effectively. Member Forde expressed that he just started last year, and many of the topics are good, but in terms of time and resources, maybe capacities, he was not sure how many the Subcommittee would be able to tackle. Member Forde added that, as a sub-point to the points made by Co-Chair Dobard, if this is the 10th year that RIPA has been in effect, he would be curious as to how the trajectory has shifted one way or another outside analyzing what the Board has done, and would be curious to see what the outcomes have been, not just of the policies but as to how racial profiling has changed, good or bad, based on the work that RIPA has done.

Co-Chair Dobard responded that, as to the second point, the data analysis would address the question posed by Member Forde in terms of outcomes, and that the data analysis is intended to show the outcomes of the recommendations over the years. The Policy section would explain what has been recommended, what has been adopted, and whether there is a connection between those things and the data. As to Member Forde's first question, relating to how many topics the Subcommittee would be able to tackle, Co-Chair Dobard stated he also had that question. He

explained that there is a question as to whether the idea of a longitudinal analysis works as the organizing principle for the chapter, and the Subcommittee would need to look at policy themes discussed. Co-Chair Dobard stated he believed four ideas had been presented, and that he would lump two of those into one particular topic, technology. Co-Chair Dobard asked DOJ to come back to the Subcommittee with other potential themes to look at, and that he would want to know if it would be possible to use this longitudinal analysis as the organizing principle as the chapter, and whether looking at the recommended policies and what has been adopted by state or local law enforcement agencies would be possible to accomplish. Co-Chair Dobard explained that he would like to see the universe of options that this Subcommittee has to choose from, so that it could then want to focus its attention on. Co-Chair Dobard acknowledged that there may be 15 themes, but the Subcommittee couldn't focus on all 15 themes. Co-Chair Dobard stated that, to answer Member Forde's first question, he would need DOJ to come back to the Subcommittee with some options, including some of the things that the Subcommittee talked about today. Co-Chair Dobard stated that, of the four ideas, he had only heard interest from the Subcommittee in the first three ideas. He did not know if the Subcommittee wanted to additionally direct DOJ not to further pursue the fourth idea. He expressed that the Subcommittee should provide that guidance, but more generally, Co-Chair Dobard stated he would like DOJ to come back with some options for themes that could flesh out a longitudinal analysis.

DAG Simpson thanked the Subcommittee for providing additional context to Co-Chair Dobard's comments and Member Forde's question, and for raising the issue of capacity. DAG Simpson explained that, at the beginning of the year, this is an initial meeting to decide and get some guidance from the subcommittee about what areas to research what the subcommittee is interested in pursuing. DAG Simpson explained that it is not necessarily that DOJ would be able to address all of the topics raised after conducting research and after getting a sense of what topic areas have enough information. DAG Simpson stated that DOJ may not be able to come to the Subcommittee with all of these topics as fruitful areas for discussion for the report. DAG Simpson stated that one additional caveat is that Board's first report was actually in 2018, although the Board did begin before that. As regards to the proposed longitudinal analysis, or looking into particular research or particular recommendations that were adopted or not adopted by law enforcement agencies over the years, DAG Simpson explained that it may be that DOJ comes to the Subcommittee and to the Board later on to explain that DOJ was not able to find information that was particularly relevant to the Subcommittee's question, or that it may also be a larger topic than DOJ could commit to for the Report, particularly if the Board selects a different overall theme for the report as a whole in its April Board meeting.

Co-Chair Guerrero thanked DAG Simpson for his comments, and noted that DOJ had shared with the Subcommittee previously that there is seven years of RIPA data for the first for the largest eight agencies. Co-Chair Guerrero wondered whether that was enough data to prioritize a longitudinal study.

Member Diallo expressed that he loved the longitudinal study as an organizational concept, but with the first three items that the Subcommittee was considering, he wondered whether there was enough to draft a report. Member Diallo noted that the threshold question for a longitudinal analysis may be difficult to meet, because it seems like technology is a very emerging area. As to the issue of Kavanaugh stops, Member Diallo opined that this is a very emerging area, especially in the context of the current environment of federal law enforcement and the intersection, so in

terms of analysis, Member Diallo stated the question may be whether there are data sets that need to be investigated to be able to address these areas in the first place. Member Diallo expressed that he would be curious to even know that. Addressing Member Randolph's concerns, Member Diallo stated he thought RIPA could be forward-looking in terms of seeing some of these issues coming up, and that maybe aren't reflected in the data in terms of giving guidance to agencies to avoid the situations the Board is not looking at longitudinally, or a problem that the Board anticipates coming up. Member Diallo noted that California agencies have policies in place, and part of the issue is how the Board gives guidance to law enforcement to comply with current policies in place that are being compounded by some of these issues, including on something like technology. Member Diallo expressed that people have differing definitions of what law enforcement shouldn't be doing as far as racial profiling that may be overlooked, and could be unintentionally overlooked in terms of how these technologies are being deployed. Member Diallo acknowledged Member Forde's comments as a really insightful observation in terms of the using private resources to deploy something like license plate readers, for example, and how that could be an unintentional discriminatory use of what would seem to be a facially neutral type of technology. Member Diallo explained that he was curious to the extent that the Subcommittee would be able to address some of the anticipated issues only by looking backwards, and looking forwards, and what the Subcommittee would need to be able to recommend policies, and that could be a starting point in terms of analysis the DOJ has going forward.

Co-Chair Dobard expressed that he appreciated Member Diallo's point around looking forward, and that he thought the Subcommittee can do both on the longitudinal analysis. Co-Chair Dobard stated the Subcommittee would need to hear from DOJ about what that would look like, both in terms of Stop Data and Policies, and what would actually lead to a fruitful discussion. Co-Chair Dobard expressed that these are going to be some of the important issues looking ahead, and that can be a section that focuses on some policy-related themes that do not correspond to data that provide for any kind of longitudinal analysis. Co-Chair Dobard stated he thought the Subcommittee can do both and, and that he was open to that and framing it up in that way, as this is the 10th report issued by the Board, both looking back and looking forward. Co-Chair Dobard explained that it could even be an organizing principle about past, present, and forward, where the Subcommittee does a limited longitudinal analysis on how policies have impacted profiling. Looking backwards, the Subcommittee could look at the present, and the current potential threats around racial profiling and law enforcement decisions, layering in the issue of immigration as a live threat. The Subcommittee could then look forward at technology and its potential benefits, as well as harms in the form of enhancing racial profiling. Co-Chair Dobard explained that, looking forward, the Policies Subcommittee could identify emerging research best practices and risks as questions for the Subcommittee to think about, because the world is shifting pretty quickly.

Co-Chair Guerrero asked whether something like a past, present, and future framework would make sense to capture a longitudinal analysis in the past, looking at racial profiling, the risks right now vis-a-vis immigration, and then looking forward at ALPR and other tech issues, and how to how to harness them in ways that are beneficial and not prejudicial.

Member Sierra expressed that she believed that framework would work really well, and would bring in all of the ideas, because they are related. Member Sierra acknowledged that the Board

has all this data. Member Sierra noted that Member Randolph was stating that officers are spending time inputting this information, and this framework really does acknowledge that this information is available because of everyone's efforts, and that the Board should make good use of the data. Member Sierra stated that, looking to the past, the present, and the future could ensure that the Board makes some real practical uses for agencies given that they are inputting all this information. Member Sierra urged the Subcommittee to make the most of this data in addition just to analyzing trends, and look to what can be done especially in terms of emerging technologies to help agencies and ultimately reduce disparities in profiling.

DAG Sugarman noted that, with respect to one facet of what the Subcommittee had been talking about, there is an alternative way of going about this discussion. One way would be to figure out what agencies have taken up any of the Board's recommendations, either because the Board made them, or because they were forced to by some legal action, and then see what happened. Alternatively, assuming there is bandwidth, the Board could look back at the data for a selected number of agencies—for example, the Wave 1 agencies—and see if any of them have shown marked reductions over time in racial disparities across a few key metrics, like stops requests. DAG Sugarman noted that cooperation from law enforcement agencies would be necessary, but if the Board finds any reductions, it could assess what had caused the reductions.

Co-Chair Guerrero agreed, stating that it would be less of a needle in a haystack, and more running an analysis to see where the changes occurred, and then trying to understand the “why,” because then that could help inform best practices or policy decisions or changes later.

Co-Chair Guerrero then moved to public comment.

## **7. PUBLIC COMMENT**

The Jamaican expressed that he wanted to speak about AI. That seems to be a bit of a mystery, but it is not. It relies on what we know, what we did, what others did to do what it does, and it is not mysterious at all. The Jamaican explained that the question that was asked to which this response is totally appropriate. The more data we have, the more accurate we get. The Jamaican stated that the idea that we can use AI to do a lot of reporting has been pooh-pooed, and that is a mistake. If we want our reporting to be accurate, including reporting on RIPA-collected data, we would all be well advised to use AI to help us do it. The Jamaican explained that AI will not make any mistakes if it gets it right and is not interfered with. It will leave nothing out. And the matter of data integrity that The Jamaican has written about for years will be set aside, but only if it is verified, it is audited, it is left alone, it is not interfered with. The Jamaican explained that he is an advocate for using AI: he has seen it at work, it has written his code, and does his code better than he can. The Jamaican urged the Subcommittee to look at AI as a positive thing. With respect to much of the discussion that he had heard about longitudinal analysis, The Jamaican has come to the conclusion that it means data trends over time, and explained that he will proceed with the belief that that is what it is and will write comments to the Board as he usually does. The Jamaican invited the board to use the data that it has, the auxiliary tables, to get a sense of what the trends are. The Jamaican assured the Subcommittee that it would not like those trends.

## **8. DISCUSSION OF NEXT STEPS**

Co-Chair Dobard explained that he captured two next steps, and asked fellow Board members whether they heard any more or want to revise: the first is for DOJ to provide information and initial analysis on joint task force data for the Subcommittee to further consider incorporation into the upcoming report. The second is that DOJ would provide the Subcommittee with information on policy themes that could make for good discussion within a past, present, and future frame for the report. Co-Chair Dobard stated that he heard the Subcommittee would want to ID the data, ID what changes have happened, and then interrogate that, try to understand why, and then that would lead the Subcommittee to policies to potentially explore.

DAG Sugarman stated that he wanted to confirm as to the four topic ideas presented, the Subcommittee was interested was only interested in the first three. Co-Chair Dobard explained that was implied, but the Subcommittee did not state that explicitly.

Co-Chair Guerrero explained that the Subcommittee was concerned about capacity, and would love DOJ to also give some consideration, but expressed she believed the Subcommittee has its hands full.

DAG Simpson thanked the Subcommittee for the insightful discussion, and the Subcommittee's interest in all of these topics.

## **9. ADJOURN**

The Board adjourned at 2:32 p.m.