

# CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

<https://oag.ca.gov/ab953>

## MEETING MINUTES

**June 24, 2024, 10:00 a.m. – 3:00 p.m.**

**Board Members Present:** Co-Chair Sierra, Member LaWanda Hawkins, Member Ameena Qazi, Member Brian Kennedy, Member Lily Khadjavi, Member Chauncey Smith, Member Sean Thuilliez, Member John Dobard, Member Darren Greene, Member DJ Criner, Co-Chair Andrea Guerrero, Member Rich Randolph, Member William Armaline, Member Cha Vang

**Board Members Absent:** Member Chad Bianco, Member Ronnie Villeda

### **1. Call to Order by Board Co-Chairs**

Co-Chair Sierra called the meeting to order at 10:06 am.

### **2. Welcome and Introductions**

Co-Chair Sierra welcomed everyone and introduced the Youth Summit as a presentation of three panels for the meeting. Every RIPA Board Member (herein Board) introduced themselves.

### **3. Welcome New Board Members**

Co-Chair Sierra introduced the new Board members:

- Ameena Qazi is Co-Executive Director of Peace and Justice Law Center and an appointee of Rob Bonta.
- Chauncey Smith is an Associate Director at Catalyst California and appointee of Rob Bonta.
- Captain Darren Greene is as a 24-year veteran of CHP and a designee of the Commissioner of the California Highway Patrol

Each new board member thanked them Co-Chair Sierra for the introduction and expressed honor and excitement to work on the board.

### **4. Approval of March 22, 2024, Full Board Meeting Minutes**

Member Khadjavi noted a mistake in the draft meeting minutes that for the POST subcommittee, Member Kulkarni and Member Khadjavi were noted as Co-Chairs.

A motion to approve the meeting minutes with Member Khadjavi's corrections was moved by Member Criner and seconded by Member Kennedy/Kulkarni. Deputy Attorney General (DAG) Kendal Micklethwaite of the California Department of Justice (DOJ) proceeded with the roll call vote:

- **AYE:** Member Criner, Member Dobard, Member Greene, Co-Chair Guerrero, Member Kennedy, Member Khadjavi, Member Kulkarni, Member Randolph, Co-Chair Sierra, Member Thuilliez

- **NAY:**
- **ABSTAIN:** Member Qazi, Member Hawkins

With 10 members voting Aye and two members abstaining the meeting minutes were approved as amended.

## **5. Subcommittee Reports**

Each subcommittee reported to the Board on their most recent updates.

### Stop Data Analysis Subcommittee

Member Khadjavi reported on behalf of the Stop Data Analysis subcommittee meeting. The meeting materials for the Stop Data subcommittee meeting were shared ahead of time and available for the public. Themes emerged in youth that mirrored the general public:

- Black youth are more likely to be stopped
- Pedestrians and passengers are most likely to be handcuffed, but less likely to be issued citations
- Youth are more likely to involve field interviews
- Youth with disabilities are more likely to have actions taken than others.

There was a discussion of how to report Stop Data to make it as accessible as possible. The DOJ presented methodologies to divide California into regions and one that stood out to the subcommittee was to follow the California Department of Transportation's twelve districts.

Member Khadjavi stated that state-wide aggregated tallies don't show what's happening regionally, which makes it difficult to access data for individual law enforcement agencies. They also expressed their wish to make the data accessible so it's not buried in tables and text. Likewise, Member Khadjavi desired the statewide data dashboard, which was previously provided by the DOJ, to be reinstated.

Member Khadjavi reported support to continue to do data analysis, especially where there is a direct connection to recommendations made, such as pretext stops, consent searches, and field interview cards. Member Khadjavi concluded her report and opened it to the floor for comments.

Member Randolph stated Member Khadjavi forgot to bring up diversion programs. He stated that in the collection of data, citations are mistakenly being taken as an attest which result in incorrect data.

Co-Chair Sierra added she believed the continued data analysis was important and that it would be good to look at geography and sizes of these areas. She asked further questions to understand Member Randolph's comment; she asked if he meant that the current data couldn't be broken up into citations involving handcuffs vs. not involving handcuffs.

Member Randolph stated that in his communication with fellow law enforcement chiefs, encounters documented as an arrest may not be an arrest. When a school resource officer makes contact with a student regarding a citation, that constitutes as an arrest in law enforcement terms.

Some agencies entered that as an arrest; this has been processed in RIPA protocols and represented in the report. Furthermore, many law enforcement agencies offer diversion programs that helps the family and student, which requires a citation.

Co-Chair Sierra asked if the DOJ would have RIPA data to understand diversion programs.

DAG Micklethwaite stated that the data tracks the moment of stop to the end of contact; steps after that are not captured in the RIPA data.

### Policies Subcommittee

Member Dobard reported on behalf of the Policies subcommittee meeting. The majority of the time was spent reviewing the Policies draft section of the report. The DOJ provided an overview of the four different sections, which was supported by subcommittee meetings.

Suggestions made by the subcommittee were to include more categories on the grid to policies related to youth in Section E. The categories included:

- Use of force
- Youth interviews / field interview cards
- CalGang
- Youth diversion

### POST Subcommittee

Member Kulkarni reported on behalf of the POST subcommittee meeting. In their last meeting they reviewed the POST draft section of the report. Subcommittee members provided their feedback and guidance. They also discussed the development of guidelines and the POST curriculum workshop that was held at the Museum of Tolerance. The subcommittee is following regulation 1205 and legislative updates.

On June 13, 2024, Member Villeda and Member Kulkarni attended the POST commission meeting in Sacramento, CA.

POST posted their responses to the 2024 Report recommendations. The subcommittee will review POST's responses to the 2024 regulations and continue to work on guidelines with POST.

Member Villeda and Member Kulkarni are looking forward to attend next POST curriculum workshop on October 8 and 9.

### Complaints Subcommittee

Member Criner reported on behalf of the Complaints subcommittee meeting. In their last meeting they reviewed the Complaints draft section of the report.

The draft section included a review of AB2923, which modifies the language of the advisory warning of filing false complaints. The subcommittee acknowledged the attempts of the legislature to address some of the issues around civilian complaints.

The subcommittee agreed it would be premature to make a comment on the bill because the future of the bill was unclear.

The subcommittee wanted to affirm its prior recommendations in prior reports to examine whether the SB2 process to track complaints could be adopted for all civilian complaints.

The draft will continue to address root cause analysis.

The subcommittee wanted the report to specifically tie SB2 to the purpose of RIPA to eliminate racial and identity profiling.

The subcommittee had questions regarding the timeframe for data around decertifications and the frequency of decertifications.

The subcommittee emphasized that the report should highlight that reporting is retroactive for first year.

The subcommittee inquired whether the report could show which law enforcement agencies have allegations included in the data chart and current draft of the report.

Lastly, the subcommittee wanted to invite members from POST to provide an overview of SB2 and discuss how SB2 works on the ground. Member Criner concluded his report.

Member Hawkins emphasized the need for clarification of SB2.

## **6. Break**

The Board adjourned for a break.

## **7. Youth Summit Panel No. 1: Criminalizing Youth Behavior**

Aisha Martin-Walton introduced the purpose of the Youth Summit. Youth in California have a significant number of interactions with law enforcement. According to the 2022 RIPA data, 815,367 stops were of youth under age 25. The DOJ 2022 Juvenile Justice Report shows that there were 26,000 arrests of youth under 18 in 2022. This year's report analyzing data from 2023 and the second full year of reporting will show 823,773 stops of persons under age 25 or an increase of 8,413. Sometimes these interactions turn deadly. The Washington Post Police Shootings database (the database can be found at <https://www.washingtonpost.com/graphics/investigations/police-shootings-database/>) shows that between 2015 and 2024, 23 youth under the age of 18 were killed in California. The presentation is to hear from knowledgeable panelists about these issue and possible solutions for them.

### Introduction by Lisa Thureau

Lisa Thureau, Executive Director at Strategies for Youth, gave an introduction to the Youth Summit. Thureau stated that adolescence is a time about brain change.

Youth perceive information in their amygdala, which is a primitive part of the brain. They misread cues and are unable to acknowledge punishments. They assume and infer messages not given and sense feelings in an immense way. Therefore, they escalate normal interactions

intensely through excitement, fear, or giddiness. In short, they have difficulty of regulating their emotions.

The frontal lobes are also growing during adolescence. Adults can help youth organize their thoughts, but without these skills they can become angry, incompetent, and lash out. Sometimes thinking about consequences is too difficult.

The power of peer influence also affect youth. American culture, such as social media, fuels this. Dysregulated youth think together, move in groups, dare each other, and consequences are dared and explored. This is the age where self-image is more important than self-interest.

### Jasmine Dellafosse

Jasmine Dellafosse, Director of Organizing and Community Engagement at End Poverty in California (EPIC) and member of Stockton Education Equity Coalition, presented.

She is a member of the community and previously experienced over-policing in south Stockton.

Status offenses are still current; examples include addressing truancy and violations. Stockton was over-citing youth for truancy and curfew violations; black and brown students were three times more likely to be cited for truancy than their white peers.

She asks: what are we doing? What could we be doing better?

Many citations across Stockton were ticket trafficking, which disproportionately affected black and brown residents. They created a red flag system to curb

They also talked about surveillance. At Sky Zone, a place in Stockton where she takes her nieces, the whole parking lot is fielded with law enforcement. Over-policing becomes too normalized and young people are arrested for just going to have fun.

Hotspot policing led to over-policing in low income and minority communities. This created an atmosphere of mistrust and fear in young people. Meanwhile, community based organizations are working at forefront to build community alternatives to law enforcement.

Youth have been penalized for getting haircuts that are perceived as gang-affiliated, even if there's no affiliation. She also works in juvenile halls and has seen low level incidences that should've been diverted.

In short, investments should be done in hiring more staff to work in the community and divest from school police funds. She recommends to not suspend students not meeting grade level or literacy and requiring districts to have oversight committees for policies and procedures that impact black and brown students.

They asked law enforcement agencies to mandate that police to never use physical force on children in schools. They also asked schools to ensure police adhere to California Welfare Institution 2526, in which children are given access to legal counsel and that there's an advocate that lets them understand what is going on.

She also wanted to emphasize collecting data as there's a lack of collection and transparency. Both school district law enforcement agencies and county law enforcement agencies should collect data by age, race, and disability status to understand nuances with young people.

### Dieudonné Brou

Dieudonné Brou, Youth Advocacy and Program Coordinator at Urban Peace Movement, presented. He talked about being drawn to this work as a former foster youth and formerly incarcerated. He perceives little has changed between the late-80s and present day.

He talks about pepper spray and the historical institution of punishing and dehumanizing young people in the United States. The most vulnerable people are young people.

Their youth leadership development allows young people to develop their leadership skills and put it into practice. They are empowered to use their voice and go to community supervisor meetings. Data shows young people are not committing the same rate of crime as 30 or 40 years ago, but the narrative of "wild, dangerous children" keeps being pushed. He emphasizes looking at the historical impact of communities instead of pushing a harmful narrative.

He is inspired by youth's resiliency in historically marginalized communities. Neighborhoods with high crime rates were affected by Jim Crow and redlining – policies made by adults' decades ago that affect youth today. Neighborhoods that are under-resourced and over-policed do not exist in a vacuum.

He talks about "Defund the Police" – a slogan espoused in the pandemic. However, the police were not defunded in Oakland. In fact, the Oakland police experienced a pay increase in 2023. He talked about putting resources in community development where youth can grow up in a safe and welcoming environment.

The Urban Peace Movement recently held their third year hosting a festival called Town of Tuesday. It was organized by youth; families and community members were able to come together without a heavy police presence. It was peaceful without many incidents.

He emphasized the need for young people to be proactive policies that affect them, instead of letting them be dictated by adults.

### Analisa Ruiz

Analisa Ruiz, Policy Director at Young Women's Freedom Center, presented. There are racial and gender disparities in incarcerating girls. Their research projects include research around criminalization in young people, inequities faced by young parents, and experiences of formerly incarcerated.

Girls and gendered expansive youth encounter the legal system as a result of trauma and discrimination. Once in the system, they continue to experience the same underlying needs which make it difficult for them to disentangle themselves from the system and access the support they need for healing and long-term wellbeing.

California's juvenile legal system has significant racial disparities. Black, indigenous, and Latinx girls are over-represented compared to their white counterparts, making criminalization an inequity. At every major system point, Latinx young people are the largest proportion of girls and at most system points represent the most of young people.

A 2019 data project found that while Latinx girls made up only 30% of youth in Santa Clara County, they made up nearly 80% of those incarcerated and 70% of those had gang affiliation in their files.

Gender non-conforming youth are targeted, harassed, and humiliated by law enforcement agencies because they are believed to have gang affiliation or the neighborhoods they're born into or have to move into because of poverty. This makes it dangerous to walk to school/work or take public transportation.

The most recent data from the Juvenile Court and Probation Statistical System database of the Criminal Justice Statistics Center shows that the average age girls and gender-expansive youth receive their first probation referral is just under fifteen-years-old and some as young as five. Housing is the most challenging obstacle faced by youth in California. Without stable housing, adults are at risk of losing their children and having no =where to stay at night. Several interviewees described fleeing abusive foster homes.

There is also a cycle of going in and out of school starting in detention.

There are girls surviving in the underground street economy. CSEC (commercially sexually exploitation of children) girls are often brought in by law enforcement and are kept incarcerated for their own safety. They are dependent on illegal substances but are not given resources on how to withdraw their addiction. There's a need of healing spaces so they can be taken out of survival mode.

She urges people to challenge their own biases and see youth as sacred and thought partners.

### Board Comment

Co-Chair Sierra thanked the panelists for their time and presentation.

Co-Chair Guerrero thanked the panelists for their time and presentation. She asked the panelists for the resources (reports and web links) they mentioned within their presentation to be sent to the Board. The RIPA Youth Summit Presentation can be found at <https://oag.ca.gov/system/files/media/ripa-youth-summit-presentation-06242024.pdf>.

Member Randolph thanked the panelists for their time and presentation. He asked questions regarding Stockton, CA. He acknowledged that there is work to be done, but law enforcement has worked tirelessly to counter the school-to-prison pipeline. He commented that Jasmine Dellafosse should've talked more about being part of the Community Advisory Board. He said Stockton has over 30,000 students but only 22 arrests last year, all of which were violent.

Member Randolph said that in his experience as a law enforcement officer on school campuses, they no longer write citations for the things they previously used to write citations for.

He asked Dieudonné Brou about his thoughts regarding human trafficking.

Brou stated Urban Peace Movement doesn't work on human trafficking. However, if they hear anything, they are mandated reporters and would think of other organizations that could serve their community better.

Member Smith thanked the panelists for their time and presentation. He asked the panelists:

- i. What their thoughts were to the role of police in schools. He stated Los Angeles was shifting perspective of policing of adolescents in school.
- ii. Their thoughts of searches in regard to use. He is particularly thinking of the fact youth are underage and adults are not, and how that age difference impacts interactions.
- iii. He asked Dellafosse to expand about how youth are categorized as gang members and how that particularly plays out in Stockton, CA.

Brou commented that the less presence of police in schools would require a different approach. He stated that leadership needs to find alternatives and credible messengers. Law enforcement should be the last option instead of the first option. The interaction with law enforcement sets up the course in which they find themselves in vulnerable situations. If law enforcement is involved, there needs to be a trusted member to be involved in the interaction. When those interactions happen, they don't result in the interactions they want. Locking people up hasn't made communities safer.

Member Criner asked about the need of resource officers in school that can address the needs that kids have due to the violence in schools.

Dellafosse said that they talk about this often. They talked about a school shooting in Stockton where there were already law enforcement agencies were on campus. It is not the assumption that law enforcement agencies are keeping campuses safe, but asking the questions of why they need to carry in the first place. They use the approach of asking bigger questions and needs.

Member Thuilliez asked Lisa Thureau of whether the adolescent mind changes in a two-parent or single-parent home.

Thureau responded that it does not change regardless of the number of parents or geography. The number of adults in the young person's life to help them is critical, but it doesn't matter their position to the youth. The panelists demonstrate how youth workers act like surrogate parents and co-regulators of young people's feelings. She reiterated it doesn't matter of the number or gender of the parents. "Wealth" for a young person is the number of safety nets they have. Behavior is a function of perceived options. If there are no other options, with no adults reaching out, they will do things they need to survive.

Member Thuilliez said that strong guardians and parental contact before encounters with law enforcement is best for a child.

Thureau agreed but also said that not having poverty is also good.



Member Thuilliez said that wealth is not indicative of how much time parents spend with their child. Thureau agreed. Member Thuilliez stated that law enforcement is not supposed to be replacement parents. They are not designed to be first contacts, but it has been thrust on them to be strong parental guidance. Law enforcement don't have the option to refuse to see someone. He asked that if crime in Oakland was down by 30% while law enforcement was funded at a 300% increase, if it was it an over-reaction by the governor to send hundreds of California Highway Patrol to Oakland.

Brou said that there was a convergence of things happening. There was not only the governor sending in hundreds of people but also workers on the ground, such as the Department of Violence and Women's Freedom Center. Urban Peace Center was holding town halls. He brings this up because Alameda County sends \$1,000,000 locking up a young person per year, of which he thinks could be diverted elsewhere. He said that people in rags to riches stories are not reflective of the community.

Member Khadjavi wanted to circle back to Member Smith's question about searches and gang identification of youth. She thanked Dellafosse for putting resources in the meeting chat. The resource that Dellafosse put in the chat can be found at [https://www.aclunc.org/sites/default/files/no\\_police\\_in\\_schools\\_-\\_report\\_-\\_aclu\\_-\\_082421.pdf](https://www.aclunc.org/sites/default/files/no_police_in_schools_-_report_-_aclu_-_082421.pdf).

Dellafosse said that one of the biggest things she saw around gang affiliation is how it's exacerbated on young people. There are conversations about how the state prioritizes gang databases. It is detrimental to young people about how gang databases are used and its consequences legally. The education system documents students as affiliated gang members and the criminal system legally documents young people as gang members. Once the court puts enough together, they make recommendations to charge young people. They then need to register, which stays with them beyond their youth years. Even after they serve and turn 18, it will stay with them as part of the database. Haircuts, in particular, are the biggest things they've seen in courtrooms. Young people with ducktails or sports attire are marked as gang members.

Thureau said that in the last forty years, social safety nets have dissolved and do not exist in other places. They encourage law enforcement agencies to make partnerships with community based organizations of which they can refer to, since not every call deserves answering. They can refer parents to these organizations, if a parent is calling for something regarding, for example, a misbehaving child or a child that refuses to do the dishes.

## **8. Lunch**

The Board adjourned for lunch at 12:18. The Board re-established quorum at 12:45.

## **9. Youth Summit Panel No. 2: Investing Upstream**

Aisha Martin-Walton introduced the second panel: Investing Upstream.

### Olivia Shields

Olivia Shields, Justice Transformation Policy Coordinator at Urban Peace Institute, presented. She stated the purpose of her work was to reimagine the way they support youth and address

harm. She provided an agenda available on the presentation, which can be found on Page 6 at <https://oag.ca.gov/system/files/media/ripa-youth-summit-presentation-06242024.pdf>.

Youth Justice Reimagined (YJR) started in 2017 and in 2019 the Division of Youth Diversion and Development (YDD) was launched. The components of YJR are available on the YJR Report, which Shields encouraged participants to review. The YJR Report can be found at <https://dyd.lacounty.gov/wp-content/uploads/2023/04/Youth-Justice-Reimagined-Report-2020-1.pdf>.

None of the transformation work would've been possible without the youth leading the way; they are integral to the genesis of the work.

The primary issues are:

- Detention
- Law enforcement budget
- Lack of coordination

For decades, LA County Probation has demonstrated how deeply entrenched the culture of harm and violence and mistreatment of youth is in its practices. In the past three years, there is failure upon failure that youth have been the brunt of. LA County Probation have been in and out of compliance of the Board of State community's bare minimum standards. Six months a year since 2021, youth have experienced infrequent safety checks, sporadic programming, sexual abuse, gladiator style fights, and drugs brought into the facilities. 96% of youth in LA facilities are Black or brown. The average length of stay pre-judication is nine months. She believes LA County Probation cannot be responsible for caring for youth. She believes divesting from the budget is crucial. LA County's Juvenile Probation budget is too large and could be diverted to other causes.

All across LA County, 100% of Juvenile Justice Crime Prevention funds were delayed by a year from data requirements probation was requesting. De-coordination and relationship building is necessary to shrink the system.

Her takeaway is that diversion works. 95% of youth enrolled in diversion stay out of the legal system. Diversion data becomes more nuanced and needs to be offered to everyone. Access to diversion is much less for Black youth and so is enrollment. There needs to be communication for diversion. Despite this decrease, Black youth complete or have higher diversion completion rates than white youth.

On the graph (available on Page 10 at <https://oag.ca.gov/system/files/media/ripa-youth-summit-presentation-06242024.pdf>), diversion is most impactful for youth with serious offenses. It's very important that young people with the most serious offenses go through diversion and tailor their experience with net-widening. It's more than contracts and financial investments, but investments in where people live.

Youth empowerment is to support teams. They put young people at the center. Her team is preventative outside of the system and it's about the cultural shifts and relationship building.

## Gina Warren

Gina Warren, co-founder and Executive Director of Neighborhood Wellness, presented. She presented a video which is available on Page 15 at <https://oag.ca.gov/system/files/media/ripa-youth-summit-presentation-06242024.pdf> or at [https://www.youtube.com/watch?v=\\_CflgZuJ36A](https://www.youtube.com/watch?v=_CflgZuJ36A).

She created the video to provide context to the data; she wanted people to see the youth beyond numbers. There are generational differences that create those disparities.

Four components that are necessary:

- Mental health
- Education
- Socioeconomic stability
- Collaborative partnerships

Mental health is the number one request from the youth. They created an impact program called “PACERS Take Space” at Grant High School that creates community health and mental health. It discusses shootings, mental health, substance abuse, and others. The majority of folks in the community center are formerly incarcerated, gang affiliated, and have substance use disorder, but they come together to have raw conversations about life. It releases rage, pent-up anger, and go on pathways for healing.

They created an emergency healing circle when there were shootings. Youth struggled to articulate and process, so they created that space to allow themselves to express themselves to intervene and talk about the pathways that aren’t violent and result in substance abuse.

They educate. They garden, which is therapeutic, have mental health forums, and have conversations about fentanyl crises. Every time they have conversations it’s about endemic situations, from gun violence to syphilis. They learn about adverse situations, impact, and ways to disrupt the cycle.

They also participate in the Asthma Management Academy (AsMA), a program of California Breathing within the California Department of Public Health’s Environmental Health Investigations Branch. They are involved in relationship building with their local police department, so the police department can learn about them and the community.

Dr. Warren introduced her staff. They are peer support specialists, mentors, and neighborhood navigators that stop and reverse opioid overdoses. Without their healing circles, there would’ve been a gang retaliation in Sacramento after a shooting.

She emphasized conversations to learn and understand youth. They want to talk about trauma. However, those with resources are able to hide their trauma and those that don’t, can’t.

## Nancy Juarez

Nancy Juarez, Policy and Communications Analyst at Center on Juvenile and Criminal Justice (CJ CJ), presented. She expressed her gratefulness to present and her fellow panelists for great presentations.

Juarez emphasized data as a tool to visualize experiences. She talked about how young people are not committing as many crimes anymore, but resources are still being funneled into law enforcement. She gave the example of Humboldt County who only have six children incarcerated but more money being funneled into their agencies.

The data says they're not the problem, but the stories paint children in a bad light. She talks about the resources that are not available to the community.

When investing in a carceral system instead of community solutions, it gives young people negative implications of their self-worth, of which they internalize. Their path forward is towards healing after that encounter.

CJ CJ works directly with young people and their answer is to not criminalize, but instead bring them into the community and wrap around them.

She reflected the idea that law enforcement has to show up for a call, when they shouldn't. Juarez talked about other people who want to be the first people to show up for a call. Formerly incarcerated adults are motivated to help young people who they see themselves reflected in. If law enforcement and probation officers are tired and overworked, then what does that say about those who are incarcerated?

Juarez emphasized the need for third spaces, and the car is a third space. However, if the car is scrutinized by law enforcement, that third space gets taken away. Offices like WeWork are available as third spaces for others, but not for marginalized youth.

She also addressed that the trajectory of a young person is not about a single-person household, but the community of the neighborhood. If it takes a village to raise a child, then is the village well-resourced and loved?

She said that the answer is in investing in community wellness because it takes a village to raise a child.

### Board Comment

Co-Chair Sierra thanked the panelists for their presentation.

Member Thuilliez asked Shields about the \$45 billion spending for LA County; was she referencing their total budget? Shields confirmed. Member Thuilliez thanked Shields for her clarification.

Member Dobard thanked the panelists for their presentation. He asked Shields about which diversion or prevention programs that are most successful.

Shields answered that community based organizations that have been doing work for decades, that have deep rooted connections with communities and law enforcement, are the best diversion programs.

In terms of prevention programs, she talks about the program her organization is involved with, Youth Justice Reimagined. Although they don't have the data yet, she believes this is better than other methods. She talked about Youth Development Networks that are being launched in five regions right now, in which they can have an additional request for consultants to invest in the work. Youth empowerment and support teams, such as people who work as Community Violence Preventionists that address root causes of the lack of safety, are also crucial in prevention.

Dr. Warren added that Neighborhood Wellness has two programs diversions. She makes a medical analogy: doctors always get history when making a diagnoses before treatment, but we don't do that with the formerly incarcerated. You can't treat and throw programs at kids without diagnosing them. Kids rely on adults to be critical thinkers and without talking to kids, you cannot understand their history.

Member Randolph thanked the panelists for their presentation. He especially thanked Dr. Warren for her work in Sacramento.

Dr. Warren thanked Member Randolph and emphasized that the work is about solutions. The best way to serve the youth is to get it done. She talked about operating from integrity and helping the families.

Co-Chair Sierra asked Shields about how Black youth are not offered as much diversion as Black or Brown youth. She asked where the weak link was in the process and what practical solutions exist.

Shields answered that Black youth are not offered diversion at the point of arrest. So there needs to be a law enforcement buy in so that diversion is offered to young people regardless of race. Even more importantly, Black youth are not enrolling into diversion at the same rate as White youth. She emphasized the need for communication and outreach. Her experience is that there is a lack of understanding of what diversion is, and families go with the path on which they do know.

Member Qazi followed up regarding diversion. From her understanding, diversion rates are about people after entering the system, however there exists a disparity between Black and brown people being falsely charged/overcharged when entering the system in the first place. If diversion is offered, is that reinforcing those false arrests instead of allowing them to fight their charges to be exonerated?

Shields answered that detention is an important issue and highlighted that 96% of youth held pre-judication in LA County are Black and brown. There's a tendency to funnel Black and brown youth into this system but diversion is a great resource and tool. For curbing overcharging of Black and brown youth, youth empowerment and support teams are solutions to support students suspended or expelled. LA County is also implementing having a representative of the DA's

office present when youth are brought into the detention facility so charges can be reviewed before incarceration and determine whether incarceration is necessary. The purpose of detention is so that a youth will come back to court and not be re-arrested, but it doesn't mean they need to be imprisoned. Shields stated LA County relies on detention more than necessary.

Juarez stressed the need for relationship building. There is a lack of data and she hopes that with more data they can paint a better picture. However, in the chain of command - such as a traffic incident, getting sent to probation, or being in front of a judge – relationships matter. Especially for judges, if judges have access to a menu of options, and are familiar with and have a relationship with diversion, they will more likely choose diversion.

Dr. Warren talked about a program Neighborhood Wellness provides called “Educate the Educator: Bridging Decision Makers to Neighborhood Knowledge.” She focused the need for prevention in the early stages. The pre-school suspension rate for Black boys is disproportionate, illustrating that it doesn't begin when they're getting in trouble. Trauma doesn't just begin with suffering but at those who provide service. How you see somebody determines how you treat them, so you have to see kids differently if we're going to treat them differently

Member Cha Vang joined the meeting.

## **10. Break**

The Board adjourned for a break at 1:50pm. The Board re-established quorum at 1:56pm.

## **11. Youth Summit Panel No. 3: Minimizing Community Harm**

Aisha Martin-Walton introduced the third panel: Minimizing Community Harm.

### Linnea Nelson and Helen Ho

Linnea Nelson, Senior Staff Attorney at ACLU Northern California, and Helen Ho, Student Leader of Youth Liberty Squad and Rising Junior at Norwalk High School in Norwalk, CA, presented.

They agree with the 2024 RIPA Board Report that funds should be divested from police officers in school to community resources. Their suggestions build on previous RIPA Board recommendations.

Their first recommendation is to bar third party software vendors who have contracts with local educational agencies from granting themselves the authority to notify law enforcement, or granting law enforcement access to student data, if they believe students are threatening harm, including self-harm, or allegedly committing a legal violation.

They gave two examples:

1. Gaggle is a third-party software vendor which school districts installed on their devices. Gaggle makes determinations of harm – of which they are not qualified to do - and notify law enforcement. There is at least one instance in which Gaggle detected violence from a video game and police was sent.

2. The Laser app classifies mental health practices and relies on behavioral surveillance, which is a proxy for racial profiling. The app reinforces a culture of doxing, which is a form of cyberbullying.

Their second recommendation was that prior to any student having a law enforcement encounter, a guardian be given an opportunity to be present for the encounter (except in cases of alleged child abuse).

Nelson gave the example of a Black sixth grade girl with developmental disabilities that was having a rough day. Administrators claimed she had a mental health crisis and had her transferred to a psychiatric hospital. The mom only knew about this until a nurse at the mental hospital called her.

Another recent intake the ACLU received was when a Black middle schooler enrolled in special day classes was left alone in a school office. He wandered into the nurses' office and wandered out. When the administrators came back, they demanded he empty his pockets but he claimed he didn't have anything. Eventually the police got involved and handcuffed him, and discovered he didn't have anything. His mom wasn't notified until he went home and she noticed he had marks from the handcuffs.

Ho added that her campus has deployed school polices because there have been fights labeled as conflicts. The police will detain students; her friend was arrested as a bystander and was interrogated. He decided not to tell anyone because he felt a pressure to keep silent, but he eventually disclosed to his parents. The school was not transparent about the situation when the parents questioned them.

### Lisa Thurau

Lisa Thurau, Executive Director at Strategies for Youth (SFY), presented. SFY's mission is to go upstream:

- Work with gatekeepers to reduce arrests, escalation of incidents, use of force,
- Equip LEOs and LEAs to use developmentally appropriate practices,
- Educate youth.

Teens are immature, reactive, and uninformed.

SFY's overarching theory is that law enforcement should use and be trained on developmentally appropriate, trauma informed, and equitable policing for youth. Right now, however, officers are often ill-equipped to work with youth. Most law enforcement agencies don't have policies to distinguish youth from adults and most law enforcement academics don't have trainings for youth. In California, even law enforcement trainings for youth are on different laws for youth and not their mindset.

If there are no policies and training, law enforcement officers rely on pre-existing biases and beliefs, which have serious impacts that explain the ongoing disparity on impact for youth. Without training or experience, there are encounters that escalate, unreasonable stops and

searches, unnecessary arrests, excessive use of force, coerced or false confessions, and lasting negative impacts for youth, their families, and their communities.

Officers need training and officers also want training to guard their community. They need to understand and appreciate the perspectives of the communities they serve. Different communities treat officers differently.

Their training focuses on brain development, trauma focus, and mental health issues.

### Walt Allen

Walt Allen, Police Academy Director at Rio Hondo College, presented.

He talked about his experience of being the Director of the California Youth Authority under Former Governor Schwarzenegger. When he was sworn in, he inherited the largest lawsuit in the history of the California Department of Corrections. This started his journey of understanding the juvenile system in California and what was not happening at the state level. The average age in the California Youth Authority's incarcerated wards was 17, and most had no more than a fourth grade education. Most had serious mental health and abuse experiences and many were heavy substance abusers. Most committed ten or more criminal offenses before being incarcerated.

They developed a series of remedial plans where the bottom line was that some youth didn't even belong in the California Youth Authority. There was a decision by the State Legislature and Governor's office to send the youth offenders to the Juvenile Justice Division where they made an effort to send youth back to their counties where it was perceived they could receive better services in rehabilitation. He warned that if these offenders were sent back to the county, they need to have their services provided. However, county rehabilitation offices do not have funding for the rehabilitative services/programming youth need. All these services are needed and wrap around services are the only way to provide them.

He also talked about his experience being a city councilman and mayor for Covina, CA for the last 25 years. At the local level, he talked about not having a cookie cutter approach. Although there are school resource officers in the high schools, they have good relationships with the administrators and a community panel focusing on diversion. Their objective is to keep their youth out of the juvenile correction system. Pomona, CA is a similar city that have gotten rid of their police in high schools but want to bring them back.

As a Police Academy Director at Rio Hondo College, they already have a youth expert that passes their knowledge to the academy. They are moving into the direction of incorporating youth into their already expansive diversity trainings.

### Vote for Public Comment

Co-Chair Sierra thanked the panelists for their presentation. She proposed that in the interest of time, the Board move up the agenda item of Public Comment before the Board Comment for Panel Three.



A motion to move Public Comment before Board Comment for Panel Three was moved by Member Khadjavi and seconded by Member Kulkarni. DAG Micklethwaite proceeded with the roll call vote:

- **AYE:** Member Dobard, Member Greene, Co-Chair Guerrero, Member Hawkins, Member Kennedy, Member Khadjavi, Member Kulkarni, Member Qazi, Member Randolph, Co-Chair Sierra, Member Smith, Member Thuilliez, Member Vang
- **NAY:**
- **ABSTAIN:**

With 13 members voting Aye Public Comment was moved up before Board Comment for Panel Three.

## **12. Public Comment**

Co-Chair Guerrero opened the floor for public comment.

Richard Hylton from San Diego expressed dissatisfaction about the RIPA Board’s lack of discussion regarding disparities in youth and solutions to address it. He states that the quality of data provided is inaccurate and impedes the mission of the Board.

Jessica Ellis, Executive Director of Centinela Youth Services, stated their work has reduced school-based arrests by 95 percent. She thanked the Board for acknowledging police should be a last contact for youth. She states the 2025 Report could benefit from addressing the systemic factors that push law enforcement is used in the first place. She uses the phrase “if the only tool you have is a hammer you tend to see everything as a nail.” Such examples are:

- I. Funding streams in which funding for school police outstrips funding for school counselors.
- II. The California Department of Education requires all schools to submit a school site safety plan. The various legislation that guide this document focus only on policies, issuing policies, and consequences for policy violations. It assumes school resource officers as a given in its wording. It doesn’t include best practices that keep harm from occurring.
- III. Group homes claim their insurance companies require them to call police for property damage or youth leaving without permission. Two group homes account 1,000 calls in a year for a police department they work with.

Karen Glover, Associate Professor of Sociology, Criminology, and Justice Studies at California State University, San Marcos, states that she is starting to do work with the California Racial Justice Act and that RIPA data is starting to appear in that work. She thanked the Board for allowing the panelists to present.

Seeing as there were no additional public comments, Co-Chair Guerrero returned back to the Youth Summit Panel Three and opened the Board for comment.

## **13. Youth Summit Panel No. 3: Minimizing Community Harm**

## Board Comment

Member Khadjavi made a note that once the slideshow for the Youth Summit Panel was made available, she'd be curious to see the other recommendations from the ACLU that Linnea Nelson and Helen Ho were not able to present due to time constraints. The RIPA Youth Summit Panel presentation can be located at <https://oag.ca.gov/system/files/media/ripa-youth-summit-presentation-06242024.pdf>.

Member Randolph thanked the panelists for their presentation. He stated that he has handled over 200 gag orders. He commented that Gaggle is structured through their school district, and schools can choose to not notify their law enforcement. Students use all systems to communicate, of which phrases can alert. It is the administrator that makes the determination to notify law enforcement. There are times where Gaggle provides valid sources of information and is beneficial.

Furthermore, Member Randolph thanked Thureau for her presentation. However, he corrected her that in California a school resource officer has to complete trainings. A majority of school districts will run their police candidates through a panel that vets them for fit within the community. There is an extensive set of punishments for crimes against juveniles in California.

Thureau responded that she was discussing patrol officers.

Member Smith asked Nelson for her response to Member Randolph's comments about Gaggle.

Nelson restated her recommendation to not granting that discretion to Gaggle or third party software vendors and not having the law enforcement response be automatic.

Member Smith asked about the second recommendation with a guardian being present during an encounter with law enforcement. He asked about searches; with his work, youth feel that being touched by an adult, even in a search, can feel inappropriate.

Nelson clarified that searches would be included in that list.

Member Smith asked that although Nelson's recommendations were specifically for schools, Jessica Ellis, Executive Director of Centinela Youth Services, in public comment stated that youth are affected by law enforcement outside of schools. Based on that, he asked about the implication of recommendations applied in other contexts.

Nelson stated a majority of her work was in educational contexts, but they would support their recommendations be applied outside of school.

Co-Chair Sierra asked Nelson two questions regarding her recommendation that guardians be present in youth law enforcement encounters: (1) if any school districts adopted policies similar to the recommendation and (2) if there are any other exceptions (besides child abuse) where a guardian would not be present with law enforcement.

Nelson said Black Organizing Project persuaded Oakland Unified School District to adopt a similar recommendation limiting police presence in schools nearly a decade ago. For more information, Black Organizing Project would be the place to ask about that.

Nelson said that there are true emergencies with imminent physical risk at the school where law enforcement need to act sooner, but a vast majority of cases are not that case. She said she put a link in the chat for a model harm reduction policy that explains the recommendation in depth, of which is available at

<https://www.aclunc.org/sites/default/files/2021.11.10%20Final%20CA%20ACLU%20Harm%20Reduction%20BP%20Law%20Enforcement%20Contact%20with%20Students.pdf>.

Member Thuilliez thanked Ho for being part of the panel. He understood that her belief was that before a police encounter with a youth, the guardians should be notified. He asked Ho, hypothetically, what she would do if there was a large male student blocking entry to the classroom in the morning.

Ho responded that the presentation was geared towards interrogations with police officers, and that she wouldn't know how to respond. She reiterated that issues need to be addressed to parents first.

Member Thuilliez said that most people don't know how to respond to the problems police are faced with. It is easy to make solutions in theory but not in practice. In the example, if the guidance counselor can't move the student, they call the police. The role of the police is to solve problems. Once detained, he agrees, and even the law agrees; California Penal Code 625.6 already states they can't interrogate a youth without their guardian or attorney present. Therefore, the problem has already been solved by the Legislature. He urges solutions to be brought about for the police.

Ho stated that in the situation she would call the nearest staff member, but she doesn't think calling the police for minor incidents is the best solution. She believes police should only intervene in prominent issues – such as a weapon or big conflicts. She has seen conflicts as a high schooler but hasn't seen police de-escalate such conflicts.

Member Thuilliez said that as some point, the police would intervene if the conflict escalates. The question is what authority the police should intervene if it's non-violent. Youth have a right to a quality of life. There are times where a guardian would not be willing to leave work or be present, so it is the role of the police to intervene. There needs to be more investment into family homes for youth.

Member Hawkins offered her support to Ho to make everyone feel comfortable on campus. She said it was sad that parents depend on law enforcement to raise their youth.

Co-Chair Guerrero asked if the Board was still able to continue despite running out of time. DAG Micklethwaite responded that they can continue as long as they maintain quorum.

Member Kennedy said that violence is increasing in the communities, and that funds could be divested federally. He said that a variety of resources are needed on campuses, including school resource officers and social workers.

Allen offered all RIPA Board members to come down to Rio Hondo College Police Academy to observe their training. He also supports more funding for local communities.

Member Qazi asked whether the school districts that adopted trauma-informed approaches also retain school resource officers.

Dr. Warren stated Neighborhood Wellness did professional development for faculty about adverse childhood challenges for youth. A lot of staff also bring their own struggles, and they fall out of their own professional space when triggered. Staff have to be critical thinkers and apply appropriate knowledge when there is constant education regarding those challenges.

Nelson added that Oakland Unified School District ensured a variety of resources in the classrooms and disbanded their school district police department.

Member Vang thanked the panelists for their presentation and Ho for speaking from the perspective of a youth.

Ho thanked Member Vang and the Board for giving her a platform to speak about the issues affecting her community. She also emphasized she is one voice and a variety of experiences exist.

#### **14. Board Discussion of 2025 Report and Reflection on Summit**

Co-Chair Guerrero moved to the 2025 Draft Report.

Member Qazi asked if there could be disaggregated data for the calls for service data. Co-Chair Guerrero said the suggestion has been noted and DOJ will follow up with the request.

Member Randolph expressed excitement for new Board members. He said in speaking with law enforcement agencies across the state, they are excited to collaborate with RIPA and that RIPA should emphasize their understanding and appreciation for peace officers. He asked Co-Chair Guerrero whether the RIPA Board was willing to participate in a ride-along to witness a RIPA entry.

Co-Chair Guerrero suggested Member Randolph get concrete about his suggestion. She asked if he would be willing to work with DOJ staff. Member Randolph confirmed.

Member Thuilliez echoed Member Randolph's request. Similarly, he has taken the time to sit down with the ACLU and various stakeholders, even if they don't agree on certain topics. Being able to recognize that each side are good people is paramount. He said that they should do a ride-along in the evening hours, so they could see that it's nearly impossible to perceive gender, race, sexuality, and disability status during night shifts.

Co-Chair Guerrero said Member Randolph will work with the DOJ staff.

#### **15. Public Comment**

Public comment was moved up as an agenda item.

#### **16. Closing Remarks**

Closing remarks were skipped by the Board.

## **17. Adjourn**

Quorum was lost at 3:15 pm. DAG Micklethwaite thanked the Board for their time and stated the Youth Summit Presentation would be shared after the meeting; it can be found at <https://oag.ca.gov/system/files/media/ripa-youth-summit-presentation-06242024.pdf>.

Furthermore, she stated that the DOJ would be polling for the next two full board meetings and emphasized filling them out promptly as they are crucial to establish quorum.

Co-Chair Guerrero thanked the Board and ended the meeting at 3:17 pm.