

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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POLICY SUBCOMMITTEE MEETING MINUTES

September 24, 2025, 2:00 p.m. – 3:57 p.m.

Subcommittee Members Present: Subcommittee Co-Chair John Dobard and Members Ameena Qazi, Rich Randolph, Souley Diallo, Manjusha Kulkarni, and Wade Forde.

Subcommittee Members Absent: Co-Chair Andrea Guerrero and Members Chad Bianco, Lily Khadjavi, and Angela Sierra.

1. CALL TO ORDER BY CO-CHAIR JOHN DOBARD

Co-Chair Member John Dobard called the meeting to order. He welcomed members of the board, Department of Justice staff, and members of the public. He noted that the session was the third policy subcommittee meeting of the year and explained that the purpose was to review new analyses conducted using RIPA stop data and to discuss updates to the policy section of the forthcoming RIPA report.

2. WELCOME AND INTRODUCTIONS

Board members present introduced themselves.

3. APPROVAL OF MAY 22, 2025 MEETING MINUTES

The subcommittee reviewed the minutes from the May 22 meeting. Member Forde moved to approve the minutes and Member Qazi seconded the motion. California Department of Justice (DOJ) Deputy Attorney General (DAG) Yasmin Manners proceeded with the roll call vote:

- **AYE:** Members Dobard, Guerrero, Kulkarni, Qazi
- **NAY:** (None)
- **ABSTAIN:** Members Diallo, Forde, Randolph

With four “ayes” and three abstentions, the May 22, 2025, meeting minutes were approved.

4. UPDATES BY THE DEPARTMENT OF JUSTICE

Research Data Specialist Dr. Eric van Holm gave a presentation about the stop data reported in 2024 under the Racial and Identity Profiling Act (RIPA). The presentation focused on three main areas: disparities in stops and actions across law enforcement agencies, the impact of changes to pretextual stop policies in Los Angeles and San Francisco, and patterns related to searches and consent searches. Dr. van Holm explained that the analysis was conducted in response to questions from the RIPA Board and that the policy section of the upcoming report includes significantly more detail than could be covered in the presentation.

Disparities in Stops and Actions Across Law Enforcement Agencies

Researchers aggregated stop data at the agency level to evaluate how agency characteristics and regional demographics influence policing outcomes. Dr. van Holm explained that DOJ looked at seven different outcomes, broken down into two categories. The first three outcomes were differences across perceived race: (1) differences in the share of stops for perceived White individuals, (2) perceived Black individuals, and (3) perceived Hispanic individuals compared to their respective populations within the county for which the agency was responsible. Dr. van Holm explained that, for example one would expect that there would be more stops of individuals perceived as White in counties with a larger population of White individuals. By anchoring this to the county population for those groups, the Board can see where those disparities grow or shrink and indicate how agency and regional characteristics affect those disparities. Dr. van Holm then discussed the last four outcomes or occurrences within stops: (4) the percentage of stops in an arrest for each agency, (5) the percentage of stops with at least one action, (6) the percentage of stops with consent only search, and (7) the percentage of stops with limited force used. In the interest of time, Dr. van Holm presented on the first three outcomes, relating to differences across perceived race, but explained that the section contained analyses on all seven outcomes.

As to differences in the share of stops for perceived White individuals, Dr. van Holm explained that there were county-level agencies collectively stopping individuals perceived as White at a rate that exceeds their county population, and also where they are stopped at a lower rate than their county population would predict. The highest rates where this occurred were in Lassen and Alpine County in Northern California; in those counties, individuals perceived as White were stopped at roughly 10% more than their county population. And at the other end, Marin and Inyo counties had a lower share of stops of individuals perceived as White than their county population would predict.

As to differences in the share of stops for perceived Black individuals, Dr. van Holm explained that counties in the Bay Area in particular collectively—Alameda, Contra Costa Solano, and extending out to Sacramento—had stop rates for individuals perceived as Black that exceeded their county populations. Lassen county was the only county where agencies collectively stopped individuals perceived as Black at a lower rate than their county population.

As to differences in the share of stops for perceived Hispanic/Latine(x) individuals, agencies stopped perceived Hispanic/Latine(x) individuals at the highest rate in Santa Clara county, while Lassen and Colusa counties in the far north of California had the lowest rate of individuals perceived as Hispanic/Latine(x) compared to their county population.

Dr. van Holm explained that DOJ then looked at each agency to understand how agency characteristics and regional characteristics impacted the difference between the county population of a given race and their share of stops of that same racial group with a regression analysis. This analysis looks at one variable at a time and compares agencies that are similar to each other, such as agencies that have the same regional characteristics, in the same types of county, and have the same sizes of department, but are a different agency type (police

department or sheriff's department). DOJ also looked at differences in outcomes when agencies were different sizes, as well as differences in regional characteristics, county population sizes, median income, and whether the agency was in a metropolitan or micropolitan area.

Dr. van Holm then described the outcomes found in the data. The data show that sheriff's departments tend to stop a slightly higher percentage of perceived White individuals than police departments do, and agencies within K-12 schools also stop a lower share of perceived White individuals than their county population would predict compared to sheriff's departments. Police departments tend to stop a higher ratio of perceived Black individuals than the county population would predict compared to sheriff's departments, and agencies within K-12 schools and colleges, tend to stop a higher share of perceived Black individuals than the county population would predict. The data also show that larger departments, regardless of agency type, tend to stop a larger share of perceived Black individuals than their county population would predict. Looking at county median income, counties with a higher median income tend to see a greater share of perceived Black individuals stopped than other counties, although Dr. van Holm stressed that there was less confidence in that statistical result. As to individuals perceived as Hispanic/Latine(x), police departments tend to stop a higher ratio of perceived Hispanic/Latine(x) individuals than the county population would predict compared to sheriff's departments; in agencies within colleges, the relationship is the opposite—agencies within colleges tend to stop a smaller share of perceived Hispanic/Latine(x) individuals than would be predicted by their county population. In metropolitan statistical areas, agencies in a metropolitan statistical area tend to stop a smaller share of perceived Hispanic/Latine(x) individuals than the county population would predict. Dr. van Holm again explained that this is only the first three sets of the seven analyses performed by DOJ.

The Impact of Pretextual Stop Policies

The Department of Justice presented analysis examining the effects of policies intended to reduce pretextual traffic stops. In Los Angeles, a policy implemented in 2022 limited stops for minor equipment violations or other infractions unless those violations presented a public safety concern.

Data showed a notable reduction in non-moving violation stops following the policy change. Moving violations, such as speeding or reckless driving, did not show the same decline. The reduction appeared to begin before the policy formally took effect, suggesting that officer behavior may have begun changing while the policy was under discussion.

San Francisco also implemented a policy limiting stops for nine specific violations in 2024, such as an expired registration, a rear brake light, an unclear license plate, or no lighting on the license plate. These stops make up a small portion of the 27,000 stops that SFPD had in 2024. Dr. van Holm noted that, because the policy is recent, additional data will be required to determine whether the policy change results in sustained changes in stop patterns.

Patterns Related to Searches and Consent Searches

Researchers examined different forms of consent used during searches, including verbal consent, written consent, and implied consent. Verbal consent was far and away the most common type of consent observed in the data, although there were differences in the types of consent across perceived genders. Implied consent was used in a larger percentage of stops of perceived non-binary or transgender individuals than it was for those that were perceived as being cisgender. Written consent was used in 1.5% of the stops for perceived transgender men and boys, although the percentage of perceived transgender women and non-binary persons were lower than those for perceived as being cisgender.

Dr. van Holm also explained the analysis of disparities in searches and discovery rates, which measure how often searches result in the discovery of contraband or evidence. DOJ analyzed this area broken down into four categories: (1) other non-discretionary basis, (2) other discretionary basis, (3) consent only basis, and (4) consent and basis for search. For the non-discretionary and the other discretionary bases, the denominator is a searched person where consent is not the basis for the search. And for consent only, the person was searched, and consent was the only basis. For consent and basis for search, the person was searched, and consent was given, and another basis was used for search. Dr. van Holm explained that individuals with perceived limited or no English frequency had a very high discovery rate for other and non-discretionary basis searches—almost double that for those who are perceived English fluent. This stands out considering the relative differences in other types of searches, consent only and consent and basis for search. The difference in discovery rate is only 0.3 percent. Dr. van Holm noted that these differences are relatively muted except in the case of other non-discretionary basis. Further, those with perceived limited or no English are more likely to have other and non-discretionary bases for a search, such as a search incident to arrest, a search warrant, or a vehicle inventory search. These are specific sorts of searches that are non-discretionary. In contrast, those that are perceived as being fluent in English are more likely to have non-consenting searches occur on a discretionary basis. For those searches which occur with consent, there are relatively muted differences between these two perceived groups.

Dr. van Holm then concluded his presentation and opened the floor up for questions from the Subcommittee.

Co-Chair Guerrero noted some items in Dr. van Holm's presentation that she would appreciate some clarity for the final report, specifically: a better title for the graph that showed the percent of stops versus the percent of population; making sure that there is a preface to the use of regression analysis about why it is used, what it is for, and what it tells us; and including descriptors of all data elements, like consent searches, other discretionary searches, and other non-discretionary searches.

Member Randolph had a number of questions for Dr. van Holm. Regarding the agency-level analysis and agencies within K-12 schools, member Randolph asked whether DOJ was including all K-12 police departments? Dr. van Holm confirmed that was the case. Member Randolph also asked whether DOJ could break down agencies within colleges between junior colleges, two-year universities and California state colleges. Member Randolph also asked for clarification regarding agencies labeled as "other agency type," which he understood to mean agencies such

as LAX, Housing Authority, and transportation police. Member Randolph also asked for clarification as to what a “unique officer” meant. Dr. van Holm explained that this refers to the number of unique officer ids reporting data, which DOJ uses as a measure of the size of each department and the number of officers they have working. Member Randolph recommended further clarification on this data for the public to also digest this information. Finally, member Randolph asked for further clarification on how DOJ determines what data is to be analyzed for the report. Dr. van Holm explained that the data analysis is intended to be responsive to the Board’s requests, and these requests dictate the analyses and sections.

Co-chair Dobard had a question regarding one of the slides on pretext stops shown by Dr. van Holm, asking whether the chart shown in the slide was the final slide, or whether additional analysis was going to be conducted. Dr. van Holm explained that this would not be the final chart, but it would show the same trends as the chart displayed.

Member Qazi asked about one of the charts shown relating to implied consent, and whether Dr. van Holm could further explain where she could find the definition of implied consent as used in the analysis. Dr. van Holm explained that it comes out of the definitions in the RIPA data, and refers to something like nodding, where the officer is receiving not a verbal “yes” or “no,” but is receiving implied consent that they understand means to continue the stop or continue the search. Board member Qazi also expressed that she appreciated the maps of regional disparities at the beginning of Dr. van Holm’s presentation.

Review of Draft Policy Chapter

DAGs Jeanelly Orozco Alcala and Shannon Kitten also presented the working draft of the Policies section of the upcoming RIPA report. Before going through the draft, DAG Orozco Alcala encouraged Board members to consider possible policy recommendations that the subcommittee may wish to include at the end of the section.

The draft includes the following sections: first, the introduction, which notes that, despite a decade of analysis and recommendations by the RIPA board, the data reported still continues to reflect disparities in the treatment of different communities. The introduction also gives the road map for the rest of the chapter. Next, the Policies section examines the link between racial and identity profiling by law enforcement and public safety, concluding that reducing or eliminating this type of profiling ultimately improves public safety. The chapter then provides an analysis of two common policing practices: pretextual stops, and oversaturation policing. The section on pretextual stops discusses a number of studies acknowledging the impacts of pretextual stops on public safety. The section on oversaturation policing discusses the origins and impacts of the practice, and also includes a section on alternative enforcement technologies and their connection to racial and identity profiling. The draft of the chapter then transitions into an analysis of the 2024 RIPA data, which had also been discussed by Dr. van Holm, and concludes with any policy recommendations that the Board may wish to include.

Going into greater detail, section (II)(A) describes what is meant by public safety, which includes the collective experience of being safeguarded or protected from threats to one’s well-being. Co-chair Guerrero asked if this definition for public safety was being drawn from

somewhere, or if that was being proposed as a definition. DAG Orozco Alcala explained that the direct quote comes from the previous Subcommittee meeting in May. Co-chair Dobard confirmed that DOJ had asked for guidance on a definition, and the Subcommittee provided that definition at the May meeting.

Section (II)(B) examines the impacts of racial and identity profiling on public safety, highlighting that racial and identity profiling have serious public health consequences, can undermine trust in law enforcement, and can reduce civic engagement, all of which can ultimately weaken public safety. DAG Orozco Alcala noted that research in this section shows that negative encounters with law enforcement can fuel distrust in law enforcement, can impair communication with police, and can lead to a general reluctance to seek um help or cooperate in police investigations. Higher levels of distrust may also result in decreased willingness to engage with public institutions, including things like serving on a jury or voting. Research in this area has also shown that residents who reported lower civic engagement unfortunately also reported feeling that their communities are less safe. Member Randolph asked DAG Orozco Alcala whether there were cites or quotes from source materials for these statements. DAG Orozco Alcala answered that these citations could be found in the working draft.

DAG Orozco Alcala then explained how the section would transition into a discussion on the public health impacts of racial and identity profiling. The research in this area shows that experiencing persistent police practices, such as police stops at a higher rate or instances of use of force, is also linked to symptoms of depression, anxiety, PTSD, distress, and suicide attempts. DAG Orozco Alcala noted that this is a broad overview, and that citations could be found in the working draft that support these assertions. This section also highlights work that the Board has done in the past by noting that researchers have found that the public health of adolescents and young adults in particular is affected by negative police encounters, which was discussed more fully in last year's RIPA report.

In section (II)(C), the chapter looks at the economic costs of racial and identity profiling. This section examines the financial costs of police interactions and contacts with the criminal legal system on individuals and communities. Some research in this area has shown that individuals with stigmatized characteristics such as a criminal record may encounter significant barriers to employment even if they otherwise have desirable traits or the experience necessary for the job. One study found that an arrest in adolescence increased the likelihood of being arrested later in young adulthood, and in turn, young adults with an arrest history were at greater risk for unemployment and more likely to be dependent on public assistance later on in life. This section also explores the steady rise in law enforcement budgets, and notes that, although police departments sometimes pay settlements and judgments stemming from impermissible practices such as profiling, these settlements themselves rarely lead to reform.

Next, DAG Kitten presented on section (III), which discusses whether the elimination of pretextual stops improve improves public safety. This section is broken down into two parts: first, general research and data on pretextual stops; and second, expanding on prior board discussions of specific jurisdictions that have made efforts to reduce or eliminate pretextual stops, and what the numbers what the data show from those specific jurisdictions.

In section (III)(A)(1), the chapter looks at the specific statistics within the data subset of consent searches, particularly traffic stops. This portion of the chapter looks at data between traffic stop consent searches of moving and non-moving violations, and whether there is a disparate impact, not only with the individuals who are asked to be searched, but with discovery rates. In section (III)(A)(2), the chapter looks at direct and indirect deadly police interactions, both in terms of the risk to the officer and the risk to the motorist or individual pulled over, specifically when it comes to shootings. This section had been raised by member Smith in a previous subcommittee meeting, who had wanted to look into the impacts and the disparities in high-speed chases. DAG Kitten explained that this section looks at high-speed chases and the limited data from CHP reporting that goes out to the legislature every year. The section also looks at the RIPA data, including data on evading stops, to see if there are racial disparities as to the individual driver and whether there are disparate impacts in the community where these high-speed chases occur. DAG Kitten noted that high-speed chases may start in one location and can go into numerous different areas.

DAG Kitten also discussed section (III)(B), relating to the specific jurisdictions that have made changes to their pretextual stop policies. DAG Kitten noted that the Board also discussed this in prior meetings, particularly the jurisdiction of Fayetteville, North Carolina, which was the first large-scale reduction in pretextual stop policies. Specific data analyses have been conducted into the effect of Fayetteville's policies, including whether or not there were impacts, what the impacts were, and how the policies implicated not just traffic statistics but community engagement. DAG Kitten noted that co-chair Guerrero has had interest in us explaining that a little bit more in the report. DAG Kitten also noted that Virginia's statewide limitation on pretextual stops, which was discussed in the 2023 RIPA report, is also analyzed as it is the first state to put a limitation on pretextual stops. We now have additional data that we can discuss, and Virginia's policy has been looked at by a specific agency that is addressed in further detail in section (III)(B)(2) of the report. DAG Kitten explained that there are also several jurisdictions in California that have made limitations in their pretextual stop policies, such as Berkeley and San Francisco, although DAG Kitten noted that these jurisdictions have more limited data.

Co-chair Guerrero noted a number of items for this portion of the report. First, it would help to have additional data visualizations for consent searches as a percentage of overall searches, rather than as consent searches over stops, as the scale of the searches is problematic. Because of this, the Board would want to understand how reliant law enforcement officers are on consent as a basis for the search. Co-chair Guerrero noted that this would be helpful to policy makers and the general public. Co-chair Guerrero also expressed that she was glad to see information on vehicle chases, and it would be important to just uh inform and remind the public about the relevant laws relating to vehicle pursuits. Vehicle pursuits are a form of use of force, and there are laws in place about those pursuits. Co-chair Guerrero expressed that she thought it would be important to provide that context provide. With regard to the pretext policy in Los Angeles, Co-chair Guerrero stated that it would be helpful to recognize, either in the data or in the text, that we were coming out of COVID in March 2022, so data that is from a few months before or even two years before is going to be colored by that landscape. Finally, Co-chair Guerrero noted that, with regard to consent searches, the Board has in previous reports talked about the CHP policy as

an example of a consent policy that leads to very low consent only searches. Further, it would be worth uplifting the policy of the Oakland Police Department from 2004. In Oakland, only 1 percent of their searches are consent only based, as opposed to say 54 percent or higher for other agencies in the state. All of these policies are now online. Co-chair Guerrero agreed with DAG Kitten that at least some of the discussion on consent searches will be discussed in section (V), relating to the 2024 stop data. Co-chair Guerrero noted that she wanted to make sure that across all the places where consent data is being represented in the different sections of the report, that we are using a denominator that is searches, because that is more relevant to understanding the impact of consent only searches which are discretionary for the public.

Member Randolph asked the Board to consider that, when comparing other states, our level of training in the state of California surpasses that of Virginia and North Carolina, and cautioned the Board to consider this, so that it could maintain credibility with members of the assembly who actually get this report. Member Randolph explained that law enforcement officers in Virginia and North Carolina get only 20 weeks of training, while officers in California get 26 weeks of training; further, officers in California actually do target racial profiling in their training. Member Randolph also asked whether DOJ could look into the crime increases, or where the crime index is for those states after they had passed these particular laws. Member Randolph stated he is seeing significant increases in both Virginia and North Carolina.

Finally, Member Randolph asked where he could find the source for the statements that, although the costs of surveillance policing are increasing, such increases have not led to a reduction in racial identity profiling or an increase in public safety. DAG Kitten stated that she did not know if she could answer that specific question, as she was just handling the discussion on pretextual stops, but as to the question on crime rates, the specific rate of crashes and crime for Fayetteville from 2013 to 2016 was addressed in a study that is cited in the report. In that study, researchers saw a reduction not only in crime during that period, but also vehicular crashes and serious injury in those crashes. Member Randolph noted that, as someone who has been in vehicle pursuits, he is not going to know the ethnicity of the driver 9 times out of 10, especially at night. Member Randolph expressed that he speaks for the peace officers in this state. He also noted that, if the Board is going to start tracking data like that, the state pursuit form for CHP has data on the driver's ethnicity. Member Randolph recommended that the Board cross-reference that data as well, because that form is completed at the termination of a pursuit. DAG Kitten noted that this cross-reference is discussed in that section of the report, and the CHP data is referenced. Although the data is collected through CHP, when it comes to the racial and identity makeup of the drivers, as well as time of day and lighting conditions, that information is not included in the yearly reports to the legislature.

Member Forde asked for further clarification as to why DOJ selected the particular jurisdictions of Fayetteville and Virginia, as there are many different variables between East Coast and California. DAG Kitten explained that Fayetteville was the first jurisdiction to implement such a policy, and both Fayetteville and Virginia had data requirements during that period. So, while there are significantly different variables in terms of the location and training, both jurisdictions used data in meaningful ways. Both jurisdictions used data to discover where the issues were and

create their policy. Further, Fayetteville had data tracking while the policies were in use, and there were subsequent studies that were conducted by researchers to independently analyze the impact of the policies. Virginia was included because it was a statewide limitation, which was what the Board called for in the 2023 RIPA report. Because it was a statewide policy, the question was whether the Board can learn from the implementation of this policy, both positive or negative.

DAG Kitten then moved on to section (IV), relating to the deployment of alternative enforcement technologies and oversaturation policing. This section of the report looks at the Board's definition of public safety, how particular marginalized communities react to oversaturation policing, and some of the forms of oversaturation policing and the overall impact that it has on community well-being. Section (IV)(B) then discusses specific alternative enforcement technologies. The specific areas of alternative enforcement technologies are: facial recognition technology, gunshot detection, and predictive policing. Also discussed is ALPR data, otherwise known as automated license plate reader data, and how the use of that data intersects with federal requests for that information, either in federal prosecutions or for immigration purposes. DAG Kitten explained that this section also discusses the cost of some of the surveillance policing and considering that cost in terms of a cost/benefit analysis of whether there is a reduction in racial and identity profiling, or whether it demonstrates specific reductions of crime.

Member Randolph reiterated his question about where he could find the source for the statements that, although the costs of surveillance policing are increasing, such increases have not led to a reduction in racial identity profiling or an increase in public safety. DAGs Kitten and Orozco Alcala explained that they did not have those specific answers, but that the statements are sourced in the report. DAG Orozco Alcala noted that, for example, on page 46 the report discusses how TASER offered the city of San Diego a 5-year body camera contract for \$267,000, but—due to the initial investment cost, and costs associated with storage and data maintenance—the total cost was \$3.6 million. DAG Orozco Alcala noted that this portion of the draft was still taking shape. Member Randolph noted that he was aware that expenditures have went up. As a police chief, he could say it has gone up statewide, because he does hear about it from all the other chiefs. Member Randolph expressed that a lot of the increase is attributed to basically maintaining our databases, uploading and feeding data to the Department of Justice, and to maintaining RIPA data.

Member Randolph also expressed concern at the statement that racial profiling is still not declining. Member Randolph stated he could not believe this statement based on the fact that RIPA has still been here, and there are changes going on the state. Member Randolph expressed concern that it makes it look the Board was not doing its job, which he knows is not the case. DAG Kitten responded that these concerns are discussed at length in the pretextual stop section. You can see that, within the Los Angeles changes to their pretextual stop policy, the agency did see some reductions in racial profiling. In short, the data show reductions, but in order to get more reductions, more things need to be done.

DAG Kitten then discussed section (VI), relating to policy recommendations by the Board. There are three potential policy recommendations, as discussed in previous subcommittee meetings, and DAG Kitten invited the Board's feedback and discussion on and how it wanted to craft the recommendations for this year's report.

Finally, DAG Kitten described how some of the organization of the section would be changed. The section would start with the analyses of the 2024 data, then move into oversaturation policing and talk about general oversaturation policing, and then talk about pretextual stops. This would narrow down the subject matter. Finally, the section would generally discuss racial and identity profiling as a public safety issue.

5. BOARD DISCUSSION OF THE 2026 REPORT DRAFT

Co-chair Dobard noted that, as it relates to the statement that increases in funding have not significantly correlated to a reduction in crime, one citation for that assertion is a New York Times article. Co-chair Dobard strongly encouraged DOJ to look for more reliable research that can be cited to substantiate that claim.

Member Forde asked what the next steps were in the development of the report. Co-chair Guerrero explained that the next meeting of the Board would be a final review of the report after incorporating the comments and input to create the next iteration of the draft.

Member Qazi noted that there were some areas of the draft that could contain more citations. As an example, member Qazi noted the section discussing how, when discussing research into the effects of lawsuits and civil suits in in different states, DOJ should also provide some California examples to shore up this finding, and asked whether there was a way to show longitudinal growth or deficits in California. In addition, member Qazi noted that the draft is equating pretextual stops as a shorthand when discussing low-level traffic offenses or non-safety related traffic stops. The policies discussed in that section relate to low-level traffic offenses or non-safety related traffic stops, and not specifically to pre-textual stops. As discussed in the report, it is hard to tell what exactly is a pre-textual stop. Officers are not required to report on their intent behind a stop. Member Qazi expressed that we need to be a little bit more specific and say there has been like a decrease in non-safety related traffic stops instead of saying pretextual stops. Co-chair Dobard echoed member Qazi's request for more specific California data.

Member Diallo noted that, in the draft, the Board dives into consent issues which have specific recommendations driven by the data. As it relates to oversaturation policing, however, this raises some interesting questions, but these recommendations are not as narrowly tailored towards disparities. Oversaturation deals with a number of different policing issues, and expressed that the Board should be careful in terms of how specific the policy recommendations would be um in that in that area, as contrasted to the more narrowly tailored database policy recommendations in the sphere of pretextual stops and consent searches.

Co-chair Dobard expressed that, as to the question of structure, he liked the idea of starting with the analysis, and then going into the other policy related issues, but did not know whether the

pre-textual policy piece should follow the oversaturation piece. Co-chair Guerrero echoed the comments of Co-chair Dobard.

As to the recommendations, Co-chair Guerrero asked for the recommendations to the state legislature be modified to also include local policy makers and local governments as well as the legislature, because there is a lot of movement at the local level. Member Qazi also asked for the recommendation on oversaturation to be rephrased because, as written, the recommendation states that the Board does not want marginalized communities to be saturated or the police to be saturated in those oversaturated in those communities. Co-chair Guerrero also asked the recommendation regarding oversaturation to be modified so that it is also directed to the governor to allocate resources.

Member Qazi also asked the Subcommittee to consider stronger language relating to oversaturation, that it be prohibited and not just limited. Member Diallo expressed that, because the recommendation encompasses a broad range of different law enforcement techniques, and is such a broad category, he would prefer language to talk about studying these technologies to determine whether they exacerbate existing bias or are deployed in oversaturation, and to consider limitation and/or prohibition instead of presuming these concerns at the onset. Co-chair Guerrero agreed with these changes, as did Member Randolph. Member Qazi noted that she thought the report did a good job of outlining the pros and cons of these technologies and how they have led or exacerbated issues of racial profiling. Co-chair Guerrero noted that the Board needs to have a better understanding of what we're prepared to do based on the report as written, and whether the report offers enough about these evolving technologies to make recommendations, or whether it needs further study. Member Diallo expressed that some of the technologies discussed are different from each other, and have different assessments depending upon who you talk to and are preliminary in terms of their data, and that he did not want the Board to lump them all together. For example, there are different perspectives on predictive policing technology—what it means, and what the impact of it is, depending upon its use. These differences call for the Board to be very circumspect in terms of specific recommendations that get ahead of the data. Co-chair Guerrero agreed.

6. PUBLIC COMMENT

Michelle Wittig stated that California law enforcement agencies have endorsed AB 284. It would amend AB953 to ensure that data analyses are rigorous, fair, and useful for improving police practices. For example, AB 284 proposes that analyses distinguish discretionary from nondiscretionary stops. It defines nondiscretionary stops as calls for service whereby officers have no choice but to respond. Unfortunately, AB 284 proposes eliminating data collection of nondiscretionary stops. Ms. Wittig disagrees. Instead, Ms. Wittig is in support of revising this draft outline to incorporate separate analyses of discretionary versus non-discretionary stops. The current draft appears not to include such analyses. However, Mr. von Holm's presentation uses the terms discretionary versus non-discretionary, but it was not clear whether this is defined as specified by AB 284. Fortunately, DOJ staff in this meeting suggested that a revised draft outline would be used to rewrite the relevant section of the draft. Ms. Wittig supports revising that section to report analyses separately by discretionary versus non-discretionary stops.

7. DISCUSSION OF NEXT STEPS

Department of Justice staff will revise the draft policy section based on feedback provided during the meeting. The revised draft will be presented to the full RIPA board for further review. Board members were encouraged to submit additional written comments to DOJ staff before the next meeting.

8. ADJOURN

With no further questions or comments, the meeting concluded. The subcommittee adjourned after completing its discussion of the research findings and draft policy report.