

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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

CALLS FOR SERVICE SUBCOMMITTEE MEETING MINUTES

August 23, 2022 2:00 p.m. - 4:00 p.m.

Subcommittee Members Present: Co-Chair Bill Ayub, Co-Chair Manju Kulkarni, Member Abdul Pridgen, Member Steven Raphael, and Member Tamani Taylor.

Subcommittee Members Absent:

1. Introductions

Co-Chair Ayub called the meeting to order at 2:00 p.m. Each Policies Subcommittee member (herein subcommittee) introduced themselves. Deputy Attorney General (DAG) Allison Elgart closed the agenda item by transitioning to the next agenda item.

2. Approval of June 21, 2022 Subcommittee Meeting Minutes

Co-Chair Kulkarni facilitated the agenda item and opened the floor for a motion on the June 21, 2022 meeting minutes. Member Raphael made a motion to approve the minutes as is which was seconded by Member Ayub. Member Kulkarni acknowledged Member Tamani Taylor's appearance. Members Kulkarni, Ayub, Raphael, Pridgen, and Taylor voted Aye. With all five Ayes, zero Nays, and zero Abstentions, the motion to approve the meeting minutes as is were passed.

3. Overview by Department of Justice and Update Regarding Dispatch & Crisis Intervention Models

DAG Jennifer Soliman presented on behalf of the DOJ team supporting the RIPA board on updates regarding dispatcher training and the subcommittee's calls for service chapter of the upcoming RIPA report.

DAG Soliman started her presentation by discussing updated information relevant to dispatcher training. She reported to the subcommittee that a study which gathered subject matter experts to review various aspects of a 911 dispatcher's tasks and objectives in 2020-2022 discovered variabilities in the tasks performed by dispatchers across the state. Namely that dispatchers will perform certain tasks more or less frequently and in varied complexity tentative to their associated agency's size and local & jurisdictional resources. Further, she relayed that the findings of the study will play a large impact in future job analyses of this profession and will be used as a basis in updating the dispatcher training course. Before moving to discuss the subcommittee's draft chapter, she opened the floor for any associated questions by the subcommittee.

Co-Chair Kulkarni thanked DAG Soliman for her report and asked to confirm the dates for subject matter experts to participate in the review of the aforementioned work. DAG Soliman provided clarification that POST provided a link to gather SMEs and that multiple dates would be offered based on topic area.

DAG Soliman then presented on the draft calls for service chapter provided to the subcommittee last week. She noted that the chapter will be split into two sections:

1. The dispatcher's role and calls for service; and
2. An update on Crisis Intervention models reported in last year's report

Dispatcher's Role and Calls for Service

DAG Soliman began this portion of her presentation noting that the draft chapter recognizes that dispatchers are the first point of contact for callers and the apprehensions they may have to choose a response other than a law enforcement one. In an effort to reduce apprehension, the chapter will recommend updated training to include mental health and bias by proxy. The chapter will also discuss the updated 911 system called next-gen 911 which will provide more information to dispatchers to help them make better informed decisions leading appropriate responses. Third, the chapter will also discuss the development and update of the 988 telephone number and its complementary function to the 911 number as an outlet to respond to those in crisis which has been officially live as of July 2022. Finally, the chapter will cover the new telephone number and its database component which can connect individuals seeking mental health and substance abuse programs.

Crisis Intervention Models

DAG Soliman continued to the second section of the draft chapter noting that it would cover Crisis Intervention models and funding opportunities for jurisdictions who may want to create a crisis intervention team or model. She noted that the bulk of this section would provide available information on programmatic updates, outcomes, and funding for four of the programs referenced in the 2021 RIPA report:

- San Francisco's Crisis Response Team;
- Denver Star Program;
- Sacramento and Oakland's Mental Health First Program; and
- Los Angeles Community Alternatives to 911

In concluding her presentation, DAG Soliman invited the subcommittee to share their thoughts, questions, and amendments if needed. With the floor open for subcommittee discussion, Member Raphael inquired further on how calls are triaged and the interplay between three telephone systems discussed (i.e., would the relationship be beneficial or detrimental). Additionally, he asked whether the 988 telephone number could be used to call for assistance by the person experiencing the crisis or by a concerned third-party person who perceives a potential situation needing assistance which can be viewed as beneficial; although the concerned caller may not be qualified to determine an appropriate response, their approximation to the situation coupled with the 988 telephone system could lead to better outcome. Member Raphael also inquired whether the State should seek to conduct a public information campaign to inform citizens of the telephone number and its uses while highlighting that eyewitness assessment of the situation can help triage the calls.

DAG Soliman answered Member Raphael noting conversations with legislators and implementers of the 988 telephone system informed that the 988 telephone system will be able to transfer calls the 911 telephone system and vice versa. She also confirmed that both those experiencing the crisis and those observing individuals in crisis can contact the 988 telephone number. DAG Soliman also reminded the subcommittee that the section will be updated as more information develops.

Co-Chair Ayub also relayed that his conversations with the State seemed to suggest that the full infrastructure of the 988 telephone number should be completed around 2025 and that the subcommittee can expect this topic to be an ongoing one.

Member Pridgen commented noting the program's promise and that many jurisdiction are pushing towards these mental health first programs. However, he highlighted a potential concern in that funding may not be available to all agencies seeking to implement such a program. He suggested to prioritize funding these programs to agencies who have used their own local resources (e.g., their own general fund) first. DAG Soliman appreciated Member Pridgen's comments and notes further research will be conducted regarding his concerns on funding.

Co-Chair Kulkarni, inquired on the potential of the 911 telephone system to also transfer calls to other entities outside of those discussed (i.e., the 988 telephone number program). Additionally, upon review of the RIPA report, Co-Chair Kulkarni noted that calls for service are affect certain community groups more than others (e.g., African American and transgendered communities) and inquired whether recommendations should be made to POST regarding training of dispatchers to help address bias. DAG Elgart answered Co-Chair Kulkarni's question by stating that the subcommittee can make recommendations to POST if they are interested by voting to move any recommendation to the full RIPA board to discuss and vote.

4. Discussion of Proposed Calls for Service Chapter in 2023 Board Report

Regarding Chapter Recommendations

Member Pridgen provided a recommendation that POST training frequency should be more frequent to allow for people to have more opportunities to interpret the information and positively address their potential bias. DAG Elgart explained that the dispatcher classification are not required to get bias related trainings which the RIPA board has made a recommendation for before. Co-Chair Kulkarni also discussed whether findings from the State Auditor's Report and Hoover Commission Report could be included as they relate to the aforementioned training and had academic researchers perform the appraisals.

Upon review of the State Auditor's Report recommendations enumerated in its executive summary several comments were made. Member Pridgen was not confident in the report's recommendation on oral interviews for applicants to assess for bias; he noted that it may lead applicants to answer in ways that would get them hired rather than speak as to their actual biases. Rather than rely on oral interviews to solely gauge an applicant's character, he recommended utilizing supplementary tools to best assist a person's character. Co-Chair Kulkarni suggested that the recommendation to diversify personnel be included in their section.

As to the potential motion of approving recommendations for submission, the subcommittee agreed to allow more time to review materials discussed (e.g., their subcommittee chapter, State Auditor report referenced, etc.). DAG Elgart provided that any approved recommendations to be considered by the full RIPA board may need to be settled before the upcoming November 2022 full board meeting. She also recommended that the public be able to provide comment prior to the subcommittee's vote to approve discussed recommendations. Additionally, she noted that all recommendations any subcommittee makes would be voted on by the full board. In an event recommendations were to mirror each other, the recommendation would be incorporated in multiple chapters.

DAG Elgart noted that the following relevant recommendations were made in the prior report:

1. The Calls for Service Subcommittee recommended that POST add bias training to the dispatcher curriculum; and
 - a. The Calls for Service Subcommittee also circulated the recommendation to the State legislature
2. The POST Subcommittee made several substantive recommendations regarding POST training

She further clarified that the first recommendation did not mandate the training be added; only that it were to be added. As to the second recommendation, she provided that the POST subcommittee's recommendations did not particularly comment as to the frequency on which these trainings should occur. Member Raphael, stated that while the subcommittee may not necessarily know the optimal training frequency that should occur, that they could nonetheless recommend that an increase in frequency may be beneficial in their report.

Member Taylor inquired whether there would be any monitoring component to the recommendations to ensure implementation. DAG Soliman stated that the question could be posed to POST when they make an appearance to RIPA meetings. DAG Elgart noted that the recommendation could nonetheless be made. Co-Chair Kulkarni supported Member Taylor's sentiment as she acknowledged that POST trainings can be outdated and may be vulnerable to incorrect information; having some monitoring to ensure quality control would be beneficial.

In regards to the applicant process, Co-Chair Kulkarni asked Co-Chair Ayub and Member Pridgen for their insight on how an applicant's social media is evaluated as it relates to biases, citing that the State Auditor's Report mentioned this practice being implemented. Member Pridgen stated that the practice is standard practice in the field

that they will ask the applicant to provide their associated social media accounts for review and should anything troubling be found that they would be eliminated from the process. Member Pridgen also informed that there is a standing policy that prohibits posting material that could be detrimental to the department once they are hired. Co-Chair Ayub echoed Member Pridgen's comments and provided that legislative impact have also compelled this process to be incorporated state-wide. To complement their answers, DAG Elgart also mentioned the implementation of AB 846 which created additional regulations specific to background checks on applicants which

included a social media component with the caveat that AB 846 was applicable only to law enforcement officers and not dispatchers.

Discussion on Proposed 2023 Calls for Service Chapter

When the subcommittee moved discussion on the proposed chapter, DAG Soliman raised the section on the 211 telephone number for discussion. DAG Soliman stated that the 211 telephone number section was embedded in the chapter's discussion on how to reduce dispatcher anxiety in order to encourage them to provide a non-law enforcement response when warranted. However, dispatchers rarely interact with the referenced telephone number which could effect the section's flow. Although it does provide an additional resource that should be covered by the chapter, DAG Soliman invited the subcommittee to consider if it can be placed elsewhere. Co-Chair Ayub, commented that the referenced section was written well about this publically available resource which encapsulated what was discussed last year.

Member Raphael stated that he preferred to keep the referenced text as is; it would inform the reader of the many additional resources they could use. Further he noted that it may be apt to keep the 211 discussion along with discussions on the 911 and 988 telephone numbers as it can help the public associate the three numbers together. Co-Chair Kulkarni agreed with Co-Chair Ayub and Member Raphael's statements on the discussed section and recommended that the subcommittee have an opportunity to speak with a 211 telephone number associate or manager who can help establish the interaction between the three numbers discussed. She went further to demonstrate the 211 telephone number's capabilities citing its effectiveness in a number of applications.

In closing the portion of the discussion, Co-Chair Kulkarni enumerated the recommendations the subcommittee discussed:

1. To mandate POST to create dispatcher training for bias on a quarterly basis with annual monitoring for quality assurance;
2. To require POST to develop an assessment for oral interviews for dispatcher candidates for bias;
3. To require POST to develop outreach strategies for hiring of a dispatcher to reflect the diversity of the community; and
4. To require POST to develop social media policies and practices to determine bias in the hiring and retention process.

5. Public Comment

Co-Chair Kulkarni opened public comment stating that members of the public are invited to provide comment for up to three minutes and that, per the Bagley-Keene Act, the subcommittee nor the DOJ would be required to provide a response. Members of the public are also invited to submit written comments to ab953@doj.ca.gov.

As the members of the public had no comment at this time, Co-Chair Kulkarni moved to the next agenda item.

6. Discussion of Next Steps

First Recommendation

Co-Chair Kulkarni opened the agenda item by opening the floor to any motions to approve pre-discussed recommendations made today for the full board to consider. Upon consideration of their first recommendation that recommended dispatcher training for bias, the subcommittee discussed on amending the language to best encapsulate their intentions. Supervisory Deputy Attorney General (SDAG) Nancy Beninati suggested language that would shift the recommendation to recommend increased training frequency which Members Pridgen and Raphael agreed with. Co-Chair Ayub recommended that the first recommendation to be bifurcated into a recommendation to have bias training for dispatchers and another recommendation to encourage increased frequency in trainings.

DAG Soliman collated their first recommendation to the following: The RIPA Board would like to recommend bias training for that at a minimum must be completed annually, but should be repeated, sustained, and reinforced as research supports and that there should be annual review and updates of the training for quality assurance purposes.

Motion

Member Pridgen made the motion that the first recommendation be that the RIPA Board would like to recommend bias training for that at a minimum must be completed annually but should be repeated, sustained, and reinforced as research supports and that there should be annual review and updates of the training for quality assurance purposes. It was seconded by Member Raphael.

Ayes: Co-Chair Kulkarni, Co-Chair Ayub, Member Taylor, Member Pridgen, and Member Raphael

Nays: None

Abstentions: None

The motion passes and the first recommendation will be incorporated.

Second Recommendation

Member Taylor requested that the recommendation be changed to reflect assessment of the oral interview itself to which Member Pridgen also aligned with. Member Pridgen also recommended that the language be changed.

DAG Soliman collated their amendments to the following: The RIPA Board recommends to POST to develop an assessment tool outside of an oral interview that would be used to determine bias during hiring of a dispatcher.

Motion

Member Raphael made the motion that the second recommendation be that the RIPA Board recommends to POST to develop an assessment tool outside of an oral interview that would be used to determine bias during hiring of a dispatcher. Member Pridgen seconded the motion.

Ayes: Co-Chair Kulkarni, Co-Chair Ayub, Member Taylor, Member Pridgen, and Member Raphael

Nays: None

Abstentions: None

The motion passes and the second recommendation will be incorporated.

Third Recommendation

Member Taylor suggested that the word “reflective” be changed to “representative.”

Motion

Member Pridgen made the motion that the third recommendation be that the RIPA Board recommend to require POST to develop outreach strategies for hiring of a dispatcher that represents the diversity of the community. Co-Chair Kulkarni seconded the motion.

Ayes: Co-Chair Kulkarni, Co-Chair Ayub, Member Taylor, Member Pridgen, and Member Raphael

Nays: None

Abstentions: None

The motion passes and the third recommendation will be incorporated.

Fourth Recommendation

Co-Chair Kulkarni inquired whether the recommendation was for POST to develop policies, practices and protocols when investigating social media or if it was for POST to instruct implementation of practices generally. Co-Chair Ayub, noted that POST would not necessarily develop new protocols and practices but that the already established practice be extended to dispatch hiring and retention processes as well. Member Pridgen agreed to Co-Chair Ayub’s response. Co-Chair Kulkarni then stated she would like to amend the recommendation to require POST to offer guidance regarding social media inquiries or investigations in the hiring of dispatchers by local law enforcement agencies.

Motion

Co-Chair Ayub made the motion that the third recommendation be that the RIPA Board recommend to require POST to offer guidance regarding social media inquiries or investigations in the hiring of dispatchers by local law enforcement agencies. Member Pridgen seconded the motion.

Ayes: Co-Chair Kulkarni, Co-Chair Ayub, Member Taylor, Member Pridgen, and Member Raphael

Nays: None

Abstentions: None

The motion passes and the fourth recommendation will be incorporated.

7. Adjourn

Prior to adjourning the meeting, SDAG Beninati introduced Associate Governmental Program Analyst (AGPA) Jeremy Payne. AGPA Payne came from the non-profit sector where he served as the associate program director for Equality California which worked to advance civil rights and well-being of the LGBTQ+ community. AGPA Payne provided a welcome and noted his interest to assist the RIPA Board. Prior to closing, SDAG Beninati thanked the subcommittee for their recommendations.

Co-Chair Kulkarni adjourned the meeting noting that that she will see everyone in the next meeting and thanked the DOJ for their support.