

CALIFORNIA RACIAL AND IDENTITY PROFILING BOARD

STOP DATA SUBCOMMITTEE: MEETING MINUTES

Wednesday, November 1, 2017, 3:00 PM.

Teleconference Locations: California Department of Justice Offices

Los Angeles

300 S. Spring Street
1st Floor Reception
Los Angeles, CA 90013

Oakland

1515 Clay Street
20th Floor, Suite 2000
Oakland, CA 94612

Other Teleconference Locations:

City of Gardena Council Chambers

1700 W. 162nd Street
Gardena, CA 90247

Alliance San Diego

4443 30th Street, 1st Floor
San Diego, CA 92112

Subcommittee Members Present: Oscar Bobrow, Doug Oden, Chief Edward Medrano

Subcommittee Members Absent: Reverend Ben McBride, Alex Johnson

California Department of Justice Staff Present: Catherine Z. Ysrael, Deputy Attorney General, Civil Rights Enforcement Section (CRES); Shannon K. Hovis, CRES; Kelsey Geiser, CRES; Randie Chance, Program Manager, Bureau of Criminal Identification and Investigation Services, CJIS; Kevin Walker, CJIS.

1. Call to Order

The second meeting of the Stop Data Subcommittee was called to order at 3:05 p.m. by Shannon Hovis from the California Department of Justice (DOJ). The meeting was held by teleconference with a quorum of members present.

2. Update from Department of Justice

Ms. Hovis provided the subcommittee with a review of what DOJ staff and the subcommittee board chairs have worked on since the September 27, 2017 RIPA Board meeting. Ms. Hovis then laid out the general agenda for the meeting.

Ms. Hovis introduced an independent expert consultant to the board, Rebecca Hetey.

3. Review and Explanation of Drafted Outline of Introduction

Ms. Hovis provided an overview of the draft outline of the introduction that was distributed to the subcommittee members and the public. Ms. Hovis clarified that the outline is meant for

discussion and the subcommittee members should provide feedback on content, flow, and direction.

Co-Chair Oden asked how the video will be incorporated into the report and if the report will be available in hard copy.

Ms. Hovis responded that the report will be posted online and the video will be imbedded and readers will be provided with a direct link to the video.

Ms. Chance commented that the report will be online and printable but it is possible to have some copies printed and available at the various DOJ offices.

Co-Chair Oden commented that the introduction's discussion around why the committee was formed should reflect some of the language in the statute and the legislative history behind it.

Co-Chair Medrano agreed that that is a good starting point in terms of why we are here, but outside of the legislative purpose, he emphasized the conditions surrounding the need for the legislation and relative to the work of the board, including a discussion of the high level of collaboration among the diverse membership of the board, must be included. Co-Chair Medrano suggested that the introduction include diverse backgrounds of the board members as an example of the kind of collaboration we will need to engage with moving forward.

Member Bobrow suggested that the introduction state that the RIPA board is acting pursuant to the legislation and taking steps to eliminate racial and identity profiling in California by collecting the information from law enforcement agencies regarding stops and documenting whether or not the data reflects patterns of racial and identity profiling that we can address.

Co-Chair Medrano suggested that the introduction include an explanation that the process includes recommendations on advancing officer training and policies that will have a long-term effect on policing and increasing community trust. Co-Chair Medrano suggested focusing on law enforcement support of the intent of the legislation and what is being done to work constructively to advance towards full implementation.

Member Bobrow commented that the section on the vision for future reports should include ongoing yearly documentation of stop data throughout the state that any citizen can access to compare to other law enforcement agencies throughout the state. This will improve ongoing law enforcement and community interaction and help eradicate racial and identity profiling.

Ms. Hovis commented that the vision can include what the board hopes to accomplish even beyond the reports with regard to law enforcement and community relations.

Member Bobrow mentioned that there are significant areas of disparities in regard to cultural awareness that currently exist in law enforcement agencies throughout the state and part of the reporting will be to make training more consistent throughout the state in how they deal with racial and identity differences in the citizens that they come in contact with.

Co-Chair Medrano suggested that Member McBride take lead on the section regarding the history of law enforcement-community relations among diverse groups.

Member Bobrow commented that the board should talk about the use of force incidents that have occurred and inspired the public outcry that led to this legislation.

Co-Chair Medrano commented that the historical section needs to include a broader national overview as well as a history at the state and local level that includes the progress that has been made and the challenges we still face. Co-Chair Medrano suggested including specific incidents or realistic examples to drive the point home.

Ms. Hovis mentioned that the night before the inaugural meeting of this board, the Dallas shooting that left five officers dead occurred; the day before that was the shooting of Philando Castille, and just before that was the shooting of Alton Sterling. The creation of this board was very timely.

Member Bobrow recalled Attorney General Harris' comments and interviews at that meeting, and suggested the video include a clip of her comments.

4. Public Comment

Kayln Dean with PICO California asked the board members to consider expanding the historical look beyond the State of California to capture experiences of people who have migrated to the state. Ms. Dean commented that she believed that ensuring the content is comprehensive is more important than keeping the length of the report down. Ms. Dean encouraged the board to include as many community stories as possible.

Katie Mathews from Disability Rights California asked if the public will be able to read drafts of the report.

Ms. Hovis responded that once a draft is sent to the board it becomes part of the public domain.

5. Review and Explanation of Drafted Stop Data Subcommittee Section Outline

Ms. Hovis provided an overview of the draft outline of the stop data section that was distributed to the subcommittee members and the public. Ms. Hovis clarified that the outline is meant for discussion and the subcommittee members should provide feedback on content, flow, and direction.

Member Bobrow suggested that the report say that the regulations specify that the agencies must submit information electronically without providing the details on the specifics about the three ways to submit this data.

Co-Chair Medrano suggested the creation of the creation of a one-page summary or mock-up of the data points that law enforcement agents are required to collect.

Co-Chair Oden asked if whether the stop was gang related was included in the data collected.

Ms. Hovis clarified that the regulations require an officer indicate their type of assignment when making the stop and gang units are one of the types of assignment options. She mentioned that the regulations had already been submitted to the Office of Administrative Law for approval.

Ms. Hetey commented that this section of the report aims to go beyond the statute and encourage law enforcement agencies to use the data to improve police practices. Among the suggestions: do not silo data; build comprehensive databases that are easy to download and use. Another best practice is to automate data analysis at agencies and hire data managers or partner with outside researchers to work with the data where possible. Ms. Hetey emphasized that the point of this section is to go beyond thinking about this as a compliance exercise and embrace it as a data-driven approach that can impact community relations.

Co-Chair Medrano asked if the audience is strictly law enforcement organizations.

Ms. Hetey said that the audience is the public as well.

Co-Chair Medrano suggested that the section provide a brief overview of the current conditions relevant to data collection or systems that agencies currently have. Co-Chair Medrano commented that suggesting hiring data managers, there may be push back from the smaller agencies and the more remote agencies. Co-Chair Medrano suggested that this section can cut a balance and be sensitive to the reality that some of these suggestions are out of the reach for some agencies, while encouraging agencies that want to go beyond the bare minimum. Co-Chair Medrano suggested that the board could make some recommendations for when resources are not available or suggest smaller agencies adopt an approach that is more regional.

Ms. Chance commented that this section will tie in the services available through the DOJ to help with collecting, storing, and reporting data.

Ms. Hetey agreed that the section should not be about shaming but rather about empowerment and what can be possible in the future.

Ms. Hetey commented that the plan for this section is also to include information on the different methodologies for analyzing this data and the pros and cons of those approaches written in a jargon-free manner.

Ms. Chance stated that CJIS is currently looking at how to collect some of the demographic and contextual information to include.

Ms. Chance outlined the two broad approaches to how to look at data including looking at pre-stop disparities and looking at post-stop disparities. This section will be an overview of

what the DOJ plans to do over the next year to lay the groundwork before receiving stop data.

6. Public Comment

Jo Michael with Equality California noted that this is an opportunity to describe the intersections of the data and what that may mean for people of LGBTQ and people of color prior to the collection of data.

Kristen Powell with the Center for Policing Equity commented that this section should include what data is currently collected in terms of stops for comparison purposes.

Peter Bibring with the ACLU of Southern California encouraged the board to set forth some best practices, especially the idea of having local agencies hire analysts. Mr. Bibring encouraged the board to consider how stop data analysis may be done comparatively across departments to test for the effect of different approaches on bias and disparities.

7. Discussion of Deadlines and Approval of Next Steps

Ms. Hovis provided an overview of the draft deadlines and encouraged subcommittee members to submit comments on the outline to the DOJ.

The subcommittee agreed with including an interview with Board Co-Chairs Medrano and McBride in the overview video if appropriate.

MOTION: Co-Chair Medrano made a motion to consider doing a video with Board Co-Chairs. Member Oden seconded the motion

APPROVAL: All subcommittee members in attendance voted “yes,” no “no” votes, and no abstentions. Members McBride and Johnson were not present for the vote.

MOTION: Member Bobrow made a motion to accept the draft outline with the additions and edits mentioned in the meeting. Member Oden seconded the motion.

APPROVAL: All subcommittee members in attendance voted “yes,” no “no” votes, and no abstentions. Members McBride and Johnson were not present for the vote.

8. Adjournment

The meeting was adjourned at approximately 4:32 p.m.