CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD

TECHNOLOGY SUBCOMMITTEE MEETING MINUTES

Friday, August 19, 2016

Teleconference Locations: California Department of Justice Offices

Los Angeles	**Oakland**	**San Diego**
300 S. Spring Street	1515 Clay Street	600 West Broadway St.
5th Floor Conference Room	20th Floor, Suite 2000	Suite 1800
Los Angeles, CA 90013	Oakland, CA 94612	San Diego, CA 92101

Sacramento
1300 "I" Street
Conference Rm. 1540
Sacramento, CA 95814

Other Teleconference Locations:
Compton USD, Education Service Center
501 South Santa Fe Ave. Conference Rm. #132
Compton, CA 90221

Subcommittee Members Present: Micah Ali, Professor Jennifer Eberhardt, Andrea Guerrero, Chief Edward Medrano

Subcommittee Members Absent: Douglas Oden

California Department of Justice Staff Present: Nancy A. Beninati, Shannon Hovis, Rebekah Fretz, Glenn Coffman, Jerry Szymanski, Joe Dominic, Jenny Reich, Charles Hwu, Joe Appelbaum

1. **Call to Order and Introductions**

    The first meeting of the Technology Subcommittee was called to order at 11:08 a.m. by Nancy Beninati of the California Department of Justice (DOJ). The meeting was held by teleconference and a quorum of subcommittee members was present.

2. **Selection of Subcommittee Chair**

    MOTION: Member Medrano made a motion to elect Member Micah Ali as Subcommittee Chair.

    VOTE: The motion was passed with Member Guerrero and Member Medrano voting "Yes", no "No" votes, and no abstentions. Member Eberhardt was not present for the vote.

3. Data Collection

Chair Ali asked the subcommittee members for their comments and questions regarding the methods for collecting stop data. Ms. Beninati from the DOJ informed members that any questions they have could be directed to CJIS staff who were present at the meeting.

Member Medrano commented that law enforcement is concerned about integrating any data collection system with the existing CAD and RMS systems currently used by law enforcement agencies. While stops that result in a citation or arrest are recorded in these systems, simple stops that result in a warning will not be entered. He also commented that, for new data that is not currently being entered into these systems, access to mobile devices is important. Mr. Dominic from CJIS commented that they have already been holding outreach meetings with law enforcement agencies to determine the best way to integrate the DOJ system with current systems used by law enforcement agencies.

Member Medrano also commented that data collected at stops is collected at the scene or during the incident and is submitted when the stop is over. On the other hand, arrest information may be collected later, such as when the person is being processed. Therefore, collection and transmission gaps may differ by incident. The information is transmitted through an RMS synchronization system as it is entered, and reports are made.

Joe Dominic from CJIS explained that the data collection system they are considering will have 3 methods to report data: (1) officers can log into a web application to enter the information (this method will also be mobile aware); (2) agencies that already collect the data can push batch data to another party to be entered it into the system; and (3) machine-to-machine communication.

A member of the public from the Sacramento Sheriff's Department commented that in Sacramento, there is no mechanism for tracking stop data. Currently, the officers use the RMS system to write reports. The RMS system is legacy and cannot be upgraded, so the department would have to develop a new system in-house, which will be a large investment and also requires that the data elements be finalized.

Mr. Dominic stated that agencies may have to use the DOJ system initially. CJIS has been hearing from law enforcement that they want more mobility and technological access. While they are waiting for the regulations to be formally published, CJIS is sharing the proposed data elements and data values with law enforcement agencies and talking with them about how to build functionality into their current systems so they do not have to wait until the last minute to make their systems compatible with the reporting requirements.

Chief Medrano commented that a duplicate data entry process is a big concern for officers. Mr. Dominic replied that CJIS understood the burden that dual entry would have on law enforcement, and that ultimately, their goal is to not have a duplicate process and to make data collection and submission as seamless as possible.

Member Guerrero commented that a concern had been raised in the Additional Data Elements Subcommittee regarding maintaining the anonymity of individual police officers during the data collection process. She asked whether, given the interest in a single collection system, it was possible to provide anonymity for the data being transmitted to the DOJ. Mr. Dominic replied that the system will have a lot of data security, so this will not be a problem and any information deemed to be sensitive can be redacted.

Member Guerrero also asked whether the system can be set up to have pre-loaded officer characteristics for each unique number identifier so that officers will not have to input this information every time they make a stop. Mr. Dominic answered that anything is possible from a technical perspective.

John Bren from the Sacramento Sherriff's Department stated that there would be no way to determine an officer's years of service because the agencies do not track years the officer may have served at another agency. Member Guerrero asked whether they could use an identifier to automatically input something like the officer's gender. Member Medrano commented that if they decide to collect data on the characteristics of the officer, this information would only have to be entered into the system one time for the DOJ would have information on the officer. Gary Park from the Livermore Police Department commented that the idea is that an officer would log in, the system would know that person's information, and the information would be recorded knowing who put it in.

Ms. Beninati reminded the members and the public that the protocol for subcommittee meetings was for members to discuss the issues first and then open up the discussion for public comment. Member Eberhardt joined the meeting at 11:34 a.m., and Member Medrano gave her a brief summary of the issues that had been discussed regarding data collection.

4. Data Transmittal

Member Ali then turned the discussion to the issue of how officers will transmit data to their agencies' record managing systems, and how the agencies will transmit this data to CJIS. Member Medrano stated that he would like to hear recommendations from CJIS and what options CJIS plans on providing for electronic file transfer. He stated that he would also like to know how information gets to CJIS once it is collected, and how security will be provided.

Mr. Dominic explained that the three methods explained earlier can be used for transmission, and that CJIS plans on leveraging the infrastructure already in place. With respect to security and confidentiality, there is a secure private network called CLETS that is set up for criminal justice use, and law enforcement can access all services through this system. CJIS plans to use the current infrastructure and ensure security. Law enforcement agencies can export data and send it to CJIS, which will make sure the data is good before accepting it into the system. If law enforcement prefer to transmit data through the internet or other methods, that can be discussed.

5. Submission Methods

Member Ali opened the discussion on data submission methods by asking whether there are any vendors with similar systems in the United States. He suggested that research should be conducted into these vendors. Mr. Dominic replied that there are vendors using similar systems.

Member Eberhardt commented that there were questions from the Additional Data Elements Subcommittee regarding whether the race and ethnicity data element could be set up so that multiple boxes could be checked off and whether pull-down menus and open narrative fields can be implemented into the form. Mr. Dominic replied that all of this was feasible and just hinges on the data requirements.

Member Ali asked for specific names of vendors who are using similar systems. Mr. Dominic replied that they have not met with all law enforcement agencies, but some agencies such as the LAPD, Oakland Police Department, the California Highway Patrol and others, are collecting some level of stop data and have been using these types of systems. Microsoft, Adobe, and Open Source are operating data collection systems that law enforcement agencies are currently using. Mr. Dominic explained that there are many available systems, and they will want to use the systems that are most applicable and consistent with current data collection. Once data is stored in these systems, various analytics can be run on it, which is already occurring in some agencies. Mr. Dominic also explained that the DOJ will prescribe standards for submitting that data to ensure consistency. He also stated that CJIS is looking into open source software to reduce costs for law enforcement agencies.

Member Eberhardt also asked if there are cons to having a narrative field in the form. She stated that in Oakland, the pros in having a narrative filed at the end was that it allowed officers to give justifications for stops to determine if the stop was constitutional. She also asked if there were any technical concerns regarding having a narrative field. Member Medrano replied that the biggest concern is the time and effort narrative fields will take, especially with a very brief stop where there is no paperwork, and that there is an interest in limiting the form to areas that would add strategic value to the data.

Ms. Hovis commented that the members may want to consider what functionality they want the form to have, such as prepopulating form fields.

6. Submission Intervals

Chair Ali then asked for members' comments or questions regarding the frequency of data submission to CJIS. Member Medrano stated that the frequency of data submission would depend on the submission system that is used by the law enforcement agency, but most agencies currently use monthly submissions.

Mr. Dominic commented that if agencies use a web-based app, submissions would be instantaneous. Otherwise, they could schedule the output of data for whatever date they choose. Smaller chunks of data are preferable if there is high volume.

7. Mobile Device Needs

Chair Ali then asked for comments or questions from members regarding the potential use of mobile devices to collect data at the scene of the stop. Member Medrano stated that mobile device access is absolutely critical for law enforcement. Officers enter information directly and on the spot, particularly during a brief stop. Chair Ali asked if there are currently any examples in California of best practices for using mobile devices.

Member Eberhardt asked how long the forms would take to complete on a mobile device and whether time of completion should be considered. Member Medrano replied that officers generally use mobile devices that have an app loaded on the device and just check corresponding boxes, which takes 3-5 minutes. Member Eberhardt explained that in Oakland, it took 30-40 minutes to fill out the stop data form due to the narrative field. She asked whether there is a concern that filling out the forms would be slower if the typing was done on a mobile device. Member Medrano replied that it should take 5 minutes at a maximum if there are no narrative fields. Member Eberhardt suggested that it may be good to ask vendors how long it takes to fill out the forms.

Ms. Beninati asked if the mobile devices used by officers have dictation capabilities. Member Medrano replied that mobile devices are generally used for parking citations and moving violations, but they do not have dictation capabilities, as fields are limited to dropdown menus and checkboxes. He stated that, for comparison, a field interview card takes about 5 minutes to complete.

8. Data Retention

Member Ali asked for comments and questions from the members regarding the retention of stop data collected pursuant to AB 953. Member Medrano asked what the DOJ's retention policy for data is. He stated that under California law, there are certain time periods for data retention based on the offense type, and some law enforcement agencies have their own policies. Because this data will be collected by both the law enforcement agencies and the DOJ, there would be two retention periods, unless the regulations required that they be consistent. Mr. Dominic replied that, on the criminal justice side, CJIS keeps data indefinitely, and audit logs are kept for 3 years.

9. Next Steps

Member Medrano stated that it would be ideal if the subcommittee could see the system once there is a beta. Member Eberhardt suggested that the DOJ could reach out to other agencies that are collecting data now to see what data are collecting and how long it takes to collect. Ms. Hovis replied that the DOJ has already reached out to many law enforcement agencies about technology, but it would be helpful to receive suggestions of other law enforcement agencies— likely smaller agencies—that the DOJ should be contacting.

Member Eberhardt suggested that the subcommittee should think about data access, and if there should be different levels of access for certain people, particularly related to the

identifying information of officers. She stated that it makes sense to hold off on making recommendations to the Board until there is a follow-up on DOJ staff recommendations to the subcommittee.

Member Guerrero suggested that the subcommittee should share the findings of the meeting to the Board, rather than a recommendation, particularly that the technology is feasible and just depends on the data fields. Member Ali informed the members that he would work with DOJ staff regarding scheduling another subcommittee meeting.

10. Public Comment

Chief Deputy Patricia Knudson from the Riverside County Sheriff's Department commented that, with respect to data transmittal, if a web-based system is not used, it would require additional entries by officers after they leave the field. Mr. Dominic replied that there will be no additional steps under the system; it will be a one-time entry and submission. Ms. Knudson also stated that Riverside would be interested in using the DOJ system so they do not have to create their own. She is not in favor of a predictive typing function which could lead to autocorrect mistakes, but mobile devices are absolutely necessary. She also noted that the CAL ID network uses a thumbprint device, and officers' information populates automatically when their names are run if the information is already in the systems. In Riverside, they have also created an internal software system for tracking service calls to mentally ill clients, which includes a checkbox form that takes officers maybe 30 seconds to fill out. In regard to data retention, she commented that all agencies have their own data retention policies, and keeping data indefinitely would be very costly to law enforcement agencies in terms of storage. If someone wants information outside of the retention period, they could be referred to the DOJ.

John Bren from the Sacramento County Sheriff's Department asked whether law enforcement agencies would have the option of going back and changing entered data if an error had been made. Mr. Dominic replied that this is a sensitive issue because they do not want to lose sight of what AB 953 is intended to capture. To go back and change something becomes a question of data integrity and correcting mistakes takes away from the "perceived" aspect of the data collection. CJIs will have data validation to ensure the integrity of the data as it comes in, and there will be checks and balances for the system itself, but the system was not designed for error resolution.   John Bren further commented that there is a concern about re-submitting data if there was a clerical mistake, rather than changing specific data values. Mr. Dominic replied that the system has many checks and there will be an option to manually re-enter the information. However, there is an issue of data integrity. He suggested that the subcommittee should consider when data corrections should be made.

A Commander from the Suisan City Police Department commented that all law enforcement agencies would agree on the value of a mobile device, but some rural areas may be outside the coverage area. Regarding vendors, it is important to talk to law enforcement agencies currently using these systems. A small agency could potentially be used as a pilot program to test drive a solution and provide feedback to the DOJ. He also urged the subcommittee to consider the burden on officers, because they do not want it to be easier for an officer to write a citation than a warning where they would have to fill out a narrative field.

Greg Park from the Livermore Police Department encouraged the subcommittee to consider flexibility in transmitting data. A web-based system should be made available, but there are times when officers are outside of CLETS jurisdiction. He also highly recommended using single sign-on technology so that officers can easily gain access to multiple systems.

Jo Michael from Equality California commented that because some of this data collection is going to be very novel, some of the numbers may be statistically smaller than what has been collected in the past, especially for data concerning sexual orientation and gender. He asked what is going to happen to this data when it is reported to the DOJ.

Peter Bibring from the ACLU of California commented that the discussion during the meeting indicates that there does not appear to be any technological limitations for robust data collection and analysis. Efficiency should be considered, and the use of a predictive typing function may help with this. There are models for data collection around the country, and some address the use of narrative fields, which are crucial to understanding the reason for the stop or search and can be collected without being overly onerous.

John Bren from the Sacramento County Sheriff's Department suggested that it would be helpful for the subcommittee to communicate with the Additional Data Elements Subcommittee about the time it will take to collect the various data elements, as this would be something for that subcommittee to consider in deciding whether certain additional data elements are worth adding.

11. Adjournment

The meeting was adjourned at 12:40 p.m.