CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD

TECHNOLOGY SUBCOMMITTEE MEETING MINUTES

Tuesday, September 27, 2016

Teleconference Locations: California Department of Justice Offices

<u>Los Angeles</u>	<u>Oakland</u>	<u>San Diego</u>
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

<u>Sacramento</u>
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: Subcommittee Chair Micah Ali, Professor Jennifer Eberhardt, Chief Edward Medrano

Subcommittee Members Absent: Andrea Guerrero, Douglas Oden

California Department of Justice Staff Present: Nancy Beninati, Shannon Hovis, Rebekah Fretz, Kathy Radez, Glenn Coffman, Joe Appelbaum, Joe Dominic, Jenny Reich

1. **Call to Order and Introductions**

   The meeting was called to order at 10:07 a.m. by Subcommittee Chair Micah Ali. The meeting was held by teleconference and a quorum of subcommittee members was present. After the call to order, the subcommittee members, California DOJ staff, and members of the public present at each location introduced themselves.

2. **Approval of Minutes**

   Motion: Member Medrano moved to approve the minutes of the August 19, 2016 subcommittee meeting. Chair Ali seconded the motion.

   Votes: The motion was passed with Members Ali, Medrano, and Eberhardt noting "Yes", no "No" votes, and no abstentions.

3. **Further Discussion from Prior Meeting**

a. DOJ Update Regarding Law Enforcement Outreach Efforts

Jenny Reich/CJIS reported that CJIS has met with the 10 largest law enforcement agencies (LEAs) in California—those who will be subject to the first reporting deadline—and learned that while many agencies are already collecting much of the data that will be covered by RIPA, others are not collecting any data at all. She further reported that several agencies have technology systems that are years away from being updated and technologically sound enough to collect this data and send it to DOJ.

Member Medrano reported there is concern from agencies that want the ability to validate the data before it is submitted to DOJ in order to avoid officer abuses or under-reporting. Joe Dominic/CJIS confirmed that the system is being designed to provide LEAs with an opportunity to vet or review the data before it is accessible to DOJ.

Member Medrano also reported that agencies are concerned that skipped data fields may cause problems, and asked whether the data input would guide officers to respond only to the relevant data elements. Dominic/CJIS confirmed that data integrity is very important and that there will be validations built into the system to ensure that the information entered into the data fields is clean.

Reich/CJIS noted several additional LEA concerns, including the feasibility of getting the system in place in such a short timeframe; funding issues; a lack of mobile devices and cell service, particularly in rural areas; officers spending too much time entering information for additional fields; and officer union and training issues. Dominic/CJIS explained that the DOJ is working on options to address connectivity issues by, for example, creating an app that would collect and store data until there was a connection to allow upload.

Member Medreno agreed that funding is a legitimate concern for LEAs, and noted that it is important to report the costs back to the Legislature—including both officer time and technology costs—and also to streamline everything as much as possible for officers and LEAs. Reich /CJIS also confirmed that CJIS is exploring available grants for LEAs.

Public Comment:

Brian Peelle/Orange County Sherriff's Department asked what the answer choices would look like from an IT standpoint and, in particular, whether they would be in the form of dropdown menu, checkboxes, or free form. Member Medrano explained that the Board has tried to keep as much of the data input as possible in dropdown/checkbox form, but there may be a few open fields. Peele also asked whether the form would be standardized across the state, and whether certain questions lead to others versus a uniform list every time. Dominic/CJIS confirmed that reporting to the DOJ will be uniform across the state, and that the officers' responses will be work-flow and scenario-based.

b. Additional Law Enforcement Agency Feedback

Member Medrano commented that a question has come up about whether local agencies will be able to voluntarily add data elements to the officer input screen. Dominic/CJIS explained that the DOJ is creating an open-source, scalable system that will allow agencies to use the same

system to collect any additional local information they would like while submitting only the subset of the data required by AB 953 and the DOJ regulations to the DOJ.

4. Additional Recommendations to the RIPA Board Regarding Technical Implementation

Member Eberhardt asked whether members of the subcommittee would be able to see what a data form will look like before it is released, observing it would be helpful to get a sense of what they will look like and be able to visualize the issues. Member Medrano asked whether it would be possible to hold a joint-committee meeting to allow both the Technology and Additional Data Elements Subcommittees to review the work-flow of the system. Nancy Beninati explained that this would only be permissible under open meeting rules if the group comprised less than half of the full RIPA Board membership. Chair Ali suggested an alternative might be to form an executive subcommittee, while Dominic/CJIS observed that the FBI working group has a process in place to circulate issue papers for comment among the subcommittees before they go to the board.

Member Medrano commented that we would first need to know what questions will be asked, including a final list of required and added data elements, before we can validate the workflow. A representative from the Sacramento County Sherriff's Department concurred. Member Medrano suggested that these technology issues may need to wait until the Attorney General has made a final decision on the data elements after receiving the RIPA Board's proposals, and suggested that another Technology Subcommittee meeting may be necessary to review the workflow after the data elements are finalized.

Member Eberhardt asked whether this back-and-forth could be resolved before the October RIPA Board meeting and commented that both the presentation of the data input and the time to complete the form will be important decision inputs from the RIPA Board. Ms. Beninati explained that a back-and-forth process would likely violate serial meeting rules, but suggested that the minutes from each meeting can be circulated to all RIPA Board members to help everyone understand the issues that the other subcommittees are dealing with. The meeting minutes will also be available online.

5. Adjournment

The meeting was adjourned at 10:51 a.m.