STATE AND LOCAL POLICIES

I.   INTRODUCTION

This year marks the tenth anniversary of the Racial and Identity Profiling Act (RIPA). Despite a decade of analysis and recommendations by the RIPA Board, data reported by law enforcement continues to reflect disparities in their treatment of different communities. Analysis of the disparities that continue to remain significant has led the Board to conclude that these disparities are the result of racial and identity profiling, and that profiling continues to be a significant problem in our state.

This year, the Board examines the relationship of racial or identity profiling by law enforcement to public safety, finding ultimately that reducing or eliminating racial and identity profiling contributes to public safety. This chapter begins by highlighting a selection of factors that contribute to public safety (Section II.A) before assessing the impact that racial and identity profiling has on public safety (Section II.B). This chapter then provides an analysis of two common police practices with roots in racial and identity profiling: pretextual stops and oversaturation policing. Section III discusses the growing number of studies acknowledging the impacts of pretextual stops on public safety providing a data-driven analysis of successful policy changes at state and local levels in California and other states, while Section IV discusses the origin and impact of oversaturation policing on communities of color, as well as the use of "alternative enforcement technologies" and their relation to racial profiling and oversaturation policing practices. Finally, this chapter analyzes the 2024 RIPA data to evaluate the extent to which police officer interactions are influenced by the perceived demographics of the individuals they encounter (Section V).

II.   RACIAL AND IDENTITY PROFILING IS A PUBLIC SAFETY ISSUE

This year's report demonstrates how reductions in racial and identity profiling create safer communities for all. Recognizing that "profiling" and "safety" are broad terms with a range of connotations, the Board aims to contextualize these terms by defining public safety holistically. The Board then considers impacts of racial and identity profiling on public safety, demonstrating that biased policing hurts public safety in a multitude of ways.

Data show that in recent decades, spending on law enforcement and the criminal legal system generally continues to increase, as does the interaction of residents of select neighborhoods with law enforcement.[1] In contrast, other institutions, designed to address systemic disparities have not experienced commensurate increases in funding.[2] This disparity reflects the general understanding of "public safety" in the United States, in which achieving public safety is equated to heavy policing and punitive law enforcement models. This section analyzes the concrete economic and public health consequences of racial and identity profiling and evaluate the societal costs of these impermissible policing practices.

---

[1] Committee on Causes and Consequences of High Rates of Incarceration, et al., *The Growth of Incarceration in the United States* (2014) p. 126 <https://nap.nationalacademies.org/read/18613/chapter/6#121> [as of XX, 2025]; Weaver and Lerman, *Political Consequences of the Carceral State* (2010) Am. Pol. Science Rev. 1.

[2] Committee on Causes and Consequences of High Rates of Incarceration, et al., *The Growth of Incarceration in the United States* (2014) p. 126 <https://nap.nationalacademies.org/read/18613/chapter/6#121> [as of XX, 2025].

A. Defining Public Safety

Research shows that marginalized groups define public safety based on their unequal access to life opportunities as well as harmful experiences with law enforcement including racial and identity profiling, surveillance, and violence.[3] For Black, Brown, LGB+, and other marginalized communities, public safety includes the freedom to exist without fear of violence, both privately and publicly sanctioned violence, or structural neglect.[4]

> *Public safety is the collective experience of being safeguarded or protected from threats to one's life or wellbeing.*
>
> *RIPA Board*

To be sure, individuals in these communities advocate for the presence of law enforcement to protect them from crime, particularly in underserved areas where murder clearance rates are low despite high police presence.[5] However, for many in these communities, safety is defined not by the presence of law enforcement but by its absence.[6]

The literature suggests that this tension is at the heart of public safety in America and reveals a pressing need for systemic change as well as a reconceptualization of public safety.[7] Researchers

---

[3] Brandon Hasbrouck, *Reimagining Public Safety*, 117 NW. U. L. REV. p. 685 (2022) <https://tinyurl.com/2t5tbknb> [as of XX, 2025] ("Simply ending carceral violence would be an inadequate solution because it would not redress private violence, and the public would still support violent responses when private violence rears its head in the community. In the absence of criminal tribunals, our culture of racist and retributive violence would likely lead to calls to jail Black and other marginalized people who exercised their rights in response to violence against them"); see also Gilman & Green, *The Surveillance Gap: The Harms of Extreme Privacy and Data Marginalization*, 42 N.Y.U. Review of Law and Social Change p. 253 (2018) <https://tinyurl.com/3nvs587b> [as of XX, 2025] citing Torin Monahan, Regulating Belonging: Surveillance, Inequality, and the Cultural Production of Abjections, 10 J. CULT. ECON. pp. 191, 192 (2017) (the surveillance gap can also serve as a social control mechanism, when it comes to oppressed populations, "surveillance plays an important role in policing bodies and maintaining boundaries between inside and outside, self and other." In other words, careful watching plays a social sorting function).

[4] Lofstrom et al., Racial Disparities in Law Enforcement Stops ("Law Enforcement Stops") (Oct. 2021) Public Policy Inst. of Cal. (PPIC) p. 27 <https://tinyurl.com/yk6zdxxz> [as of XX, 2025]; Seguino et al., Reducing pretext stops can lower racial disparities in Vermont Policing (Feb. 2022) Vt. Digger <https://tinyurl.com/2439dvuy> [as of XX, 2025] (Frequent involuntary interactions with police are harmful for communities, especially when stops are seen as intrusive or unfair, and can cause post-traumatic stress as well as lead to fears of being arrested. Ultimately, these stops can be dehumanizing, as they send the message to the stopped individuals – particularly people of color – that they are at risk of being stopped pretextually at any time without repercussion, even if the stop is racially motivated).

[5] Clear, T. R., Frost, N. A., & Carr, D. A. (2019). *American Corrections*. Cengage Learning.

[6] Sandy Hudson, Building a World without Police, 69 UCLA L. REV. 1665, 1670 (Sept. 2023) <https://www.uclalawreview.org/building-a-world-without-police/> [as of XX, 2025] ("For example, consider the horrific police killing of 16-year-old child, Ma'Khia Bryant. Ma'Khia Bryant's sister called the police for support in fear for Ma'Khia's safety and her own safety during an argument with two adults …. The project of creating safe, secure societies demands that we spend our time proactively developing the conditions of safety and institutions of security rather than punishing those who fail to uphold their responsibility in the social contract").

[7] Catalyst California, *Racial Bias in Policing: An In-Depth Analysis of Stopping Practices by the Long Beach Police Department*, (2023) <https://tinyurl.com/35ydx29z> [as of XX, 2025] ("The goal is to meaningfully engage the community in finding alternatives to traditional policing approaches. By shifting the focus towards investing in upstream services and fostering thriving communities, we collectively aspire to create a safer and more equitable future for all residents of Long Beach").

and practitioners recognize that public safety must be reimagined in collaboration with those most affected by racial and identity profiling from law enforcement.[8] Researchers, practitioners, and advocates generally recognize that by including the voices of those historically excluded from safety discourse, systems may reduce racial and identity profiling while, at the same time, increasing public safety for all community members.

Given these considerations, the Board defines public safety for purposes of this Report as, "The collective experience of being safeguarded or protected from threats to one's life or wellbeing." There are many ways communities, including both governmental and non-governmental actors, try to achieve public safety. The Board, given its statutory mandate to eliminate racial and identity profiling by law enforcement, focuses on the role that government plays in contributing to public safety, and how the elimination or racial and identity profiling can improve public safety for all Californians.

B.   The Impact of Racial and Identity Profiling on Public Safety

Racial and identity profiling by law enforcement impacts both individuals subjected to it as well as the surrounding community. Racial and identity profiling can have profound public health consequences, reduce public trust in law enforcement, and decrease civic engagement, ultimately eroding public safety.

1.   Consequences of Racial and Identity Profiling on Public Trust, Communication, Seeking Assistance, and Investigation Support

Research shows that negative encounters with law enforcement — both direct and vicarious — fuel mistrust,[9] a mistrust shaped by by a history of discriminatory policing, use of excessive force, and lack of accountability.[10] For example, in one study, researchers studying law

---

[8] John Jay College Research Advisory Group on Preventing and Reducing Community Violence, New York, NY: Research and Evaluation Center, John Jay College of Crim. Just., City Univ. of NY (2020) <https://tinyurl.com/2xtpwpb6> [as of XX, 2025] ("If deterrence were entirely sufficient to prevent violence and ensure public safety, the United States would undoubtedly enjoy one of the lowest rates of community violence in the world"), citing Platt, *Beyond these walls: Rethinking crime and punishment in the United States*, St. Martin's Press (2018) (noting that "[e]ffective violence prevention . . . involves strategies beyond deterrence. It requires investments in communities and organizations other than police and the justice system. Non-policing approaches to violence prevention can produce significant benefits without the attendant harms of policing and punishment. Funding organizations should invest in a broad range of research to build a strong evidence base for communities seeking effective approaches to reduce violence").

[9] Johnson, L., et al. (2022). *The group-based law enforcement mistrust scale: psychometric properties of an adapted scale and implications for public health and harm reduction research*. Harm Reduction J. pp. 1, 10. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9166459/pdf/12954_2022_Article_635.pdf> [as of April 24, 2025]; Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 2.

[10] Hegney, M., The "Stop Snitching" Phenomenon: Violence, Justice, & Policy Implications. Voices: On Difference, Grad. Social Work Dept, West Chester Univ. (Tennille edit, 2015) p. 7 <https://www.wcupa.edu/education-socialWork/gradSocialWork/documents/VoicesVolume3Issue1.pdf#page=6> [as of XX, 2025]. At the core of the "stop snitching" standpoint is an enduring issue in impoverished, black neighborhoods – police mistrust. and See Natapoff, A. (2009). Snitching: Criminal informants and the erosion of American Justice. New York: New York University Press. p. 126 Within this broader context of inequality,

enforcement mistrust found that mistrust was higher among Black respondents than among other racial groups.[11] More than half of respondents indicated mistrust for the following items:

- "People of your racial group are treated the same as people of other groups by law enforcement officers."
- "Law enforcement officers sometimes hide information from people who belong to your racial group."
- "People of your racial group should be suspicious of the criminal justice system."
- "People of your racial group receive the same protection from law enforcement officers as people from other groups."
- Law enforcement officers have the best interests of people of your racial group in mind."[12]

Mistrust in law enforcement can impair communication with law enforcement, and can lead to reluctance to seek help or cooperate in investigations. These impacts come not only from direct encounters but also from the exposures someone may experience from living in a neighborhood where street stops are common. For example, for youth of color residing in urban areas, elevated risks of vicarious police contact can intensify feelings of fear, anger, and cynicism toward law enforcement.[13] Knowing more individuals who were stopped by law enforcement is associated with increased avoidance and stress, and has been linked to decreased perceptions of police legitimacy.[14] "Inconsistency in aggressive low-level policing across community groups undermines police legitimacy, which erodes cooperation with law enforcement."[15] When trust between law enforcement and the communities they serve is broken, restoring that trust requires a fundamental shift — not merely in policy, but in practice and culture.[16]

---

community members are averse to relying on a system that is understood as apathetic to or antagonistic towards the needs of the black community.

[11] Johnson, L., et al. (2022). *The group-based law enforcement mistrust scale: psychometric properties of an adapted scale and implications for public health and harm reduction research*. Harm Reduction J. p. 1 <https://tinyurl.com/yc8zay9z> [as of XX, 2025].

[12] Johnson, L., et al. (2022). *The group-based law enforcement mistrust scale: psychometric properties of an adapted scale and implications for public health and harm reduction research*. Harm Reduction J. pp. 6-7 <https://tinyurl.com/yc8zay9z> [as of XX, 2025].

[13] Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 1.

[14] Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 1.

[15] Sullivan and O'Keefe. (2017). *Evidence that curtailing proactive policing can reduce major crime*. Nature Human Behavior. <10.1038/s41562-017-0211-5> [as of XX, 2025].

[16] Roberts, *Rebuilding Trust in a Divided Community: An Integrated Approach*, 24 PEPP. DISP. RESOL. L.J. 461 (2024) <https://tinyurl.com/4suzaaw5> [as of XX, 2025]

citing Charles Fombrun & Mark Nevis, The Advice Business: Essential Tools and Models For Management Consulting (2003) The stakeholder model is a conceptual framework that prioritizes identifying and involving all parties interested that are either involved with or affected by a particular decision, project, or policy. This framework ensures a community's diverse perspectives and needs are considered, leading to more equitable and effective solutions. For example, based on the stakeholder model, intervention outcomes derived from the sectors model might include public-private partnerships to support local entrepreneurship, offering incentives for businesses that provide job opportunities to the homeless or economically disadvantaged, thereby addressing both economic and social challenges concurrently. Roberts, p. 466.

Higher levels of distrust among criminalized individuals may result in "decreased willingness to engage with public institutions more broadly."[17] For example, research suggests that police violence against marginalized racial groups "may lead to lower civic engagement and cooperation with law enforcement in those communities, exacerbating issues of public safety and community well-being."[18] Even routine encounters with law enforcement may "constitute significant learning experiences with respect to government and one's relationship with it."[19] For example, being stopped by law enforcement in a public space may "suggest public discounting of worth."[20]

"[I]nvoluntary police interventions incentivize strategic retreat from engagement with the state."[21] "This is because people tend to engage the state only when they have a basic trust that it will not dominate them, humiliate them, or physically assault them."[22] For example, researchers found that residents in highly policed areas respond to oppression in the criminal legal system "through temporary, strategic withdrawal from formal political institutions while simultaneously advocating for deep community engagement, consciousness, and power-building."[23]

Residents who report lower civic engagement report feeling that their communities are less safe.[24]

2.   The Public Health Impacts of Racial and Identity Profiling

 Communities of color experience a disproportionate burden of routine "[a]ggressive policing tactics, such as stop-and-frisk and excessive use of force."Disproportionate exposure to physically invasive law enforcement surveillance tactics, including frisking, can undermine the

---

[17] Ben-Menachem, Torrats-Espinosa. (2024). *Police Violence Reduces Trust in the Police among Black Residents*. Public Library of Science ONE. 19(9), p. 1. <https://doi.org/10.1371/journal. pone.0308487> [as of Sept. 8, 2025].
[18] Ben-Menachem, Torrats-Espinosa. (2024). *Police Violence Reduces Trust in the Police among Black Residents*. Public Library of Science ONE. 19(9), p. 1. <https://doi.org/10.1371/journal. pone.0308487> [as of Sept. 8, 2025].
[19] Ben-Menachem, Torrats-Espinosa. (2024). *Police Violence Reduces Trust in the Police among Black Residents*. Public Library of Science ONE. 19(9), p. 1. <https://doi.org/10.1371/journal. pone.0308487> [as of Sept. 8, 2025].
[20] Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpeuch (eds.), Comparing the Democratic Governance of Police Intelligence: New Models of Participation and Expertise in the United States and Europe., Columbia Public Law Research Paper No. 14-514, Yale Law & Economics Research Paper No. 547, p. 8 <SSRN: https://ssrn.com/abstract=2795175> [as of Sept. 9, 2025].
[21] Weaver, et al. (2020). *Withdrawing and Drawing In: Political discourse in policed communities*. J. of Race, Ethnicity, and Politics, 5, p. 606 <https://tinyurl.com/3nfwtmsj> [as of XX, 2025].
[22] Weaver, et al. (2020). *Withdrawing and Drawing In: Political discourse in policed communities*. J. of Race, Ethnicity, and Politics, 5, p. 606 <https://tinyurl.com/3nfwtmsj> [as of XX, 2025].
[23] Weaver, et al. (2020). *Withdrawing and Drawing In: Political discourse in policed communities*. J. of Race, Ethnicity, and Politics, 5, pp. 606-607 <https://tinyurl.com/3nfwtmsj> [as of XX, 2025].
[24] Collins and Guidry. (2018). *What Effect Does Inequality Have on Residents' Sense of Safety? Exploring the mediating processes of social capital and civic engagement*. J. of Urban Affairs, 40:7.

health of residents.[25] [26] [27] Research links persistent and aggressive policing tactics, such as frequent police stops or police-perpetrated violence, to symptoms of depression, anxiety and post-traumatic stress disorder (PTSD), psychological distress and suicide attempts.[28]

[29] A high number of lifetime law enforcement stops, persistent law enforcement exposure, is strongly associated with current PTSD symptoms among men.[30] Men who experience persistent law enforcement exposure are three times more likely to experience PTSD symptoms compared with men who did not experience persistent law enforcement exposure.[31]

Researchers have found that the public health of adolescents and young adults are particularly affected by police contact, as discussed more fully in last year's report.[32] Adolescents in specific urban neighborhoods "are likely to experience assertive contemporary police practices."[33] "[A]dolescents exposed to vicarious police contact experience significantly higher levels of depressive symptoms, with these mental health impacts being particularly pronounced among Black adolescents and girls."[34] This is significant for youth, as even "[t]he stress of knowing someone stopped by police can evoke and exacerbate a shared sense of anxiety and unease among a wider circle of people beyond the individual."[35] "Once stopped, Black (60%) and Hispanic (62%) youth are three times as likely as White (21%) youth to experience acts of police aggression, contributing to adverse health outcomes and exacerbating health disparities."[36] For youth and young adults, recent encounters with law enforcement are linked to increased anxiety

[25] Sewell. (2017). *The Illness Associations of Police Violence: Differential relationships by ethnoracial composition*. Sociological Forum. p. 2. <https://tinyurl.com/yx9yew9r> [as of XX, 2025].

[26] Hirschtick, et al. (2019). *Persistent and Aggressive Interactions with the Police: Potential mental health implications*. Epidemiology and Psychiatric Sciences p. 2 <https://tinyurl.com/559sxnz5> [as of XX, 2025]; see also Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 2.

[27] Johnson, L., et al. (2022). *The group-based law enforcement mistrust scale: psychometric properties of an adapted scale and implications for public health and harm reduction research*. Harm Reduction J. p. 2. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9166459/pdf/12954_2022_Article_635.pdf> [as of April 24, 2025].

[28] Hirschtick, et al. (2019). *Persistent and Aggressive Interactions with the Police: Potential mental health implications*. Epidemiology and Psychiatric Sciences p. 2 <https://tinyurl.com/559sxnz5> [as of XX, 2025].

[29] Hirschtick, et al. (2019). *Persistent and Aggressive Interactions with the Police: Potential mental health implications*. Epidemiology and Psychiatric Sciences p. 1 <https://tinyurl.com/559sxnz5> [as of XX, 2025].

[30] Hirschtick, et al. (2019). *Persistent and Aggressive Interactions with the Police: Potential mental health implications*. Epidemiology and Psychiatric Sciences p. 4 <https://tinyurl.com/559sxnz5> [as of XX, 2025].

[31] Hirschtick, et al. (2019). *Persistent and Aggressive Interactions with the Police: Potential mental health implications*. Epidemiology and Psychiatric Sciences p. 1 <https://tinyurl.com/559sxnz5> [as of XX, 2025].

[32] See Racial and Identity Profiling Advisory Board, Annual Report (2025) p. 69 <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2025.pdf> [as of XX, 2025.]

[33] Geller, et al. (2017). *Police Contact and Mental Health*. Colombia Public Law Research Paper No. 14-571 <https://tinyurl.com/546rc7rm> [as of XX, 2025].

[34] Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 2.

[35] Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 2.

[36] Muentner, et al. (2024). *Patterns of Vicarious Police Contact and Youths' Stress and Attitudes About the Police*. Child and Adolescent Social Work J. p. 2.

and both the quantity and intensity of recent stop experience are associated with increased PTSD symptoms.[37]

C. The Economic Costs of Racial and Identity Profiling

Research shows there are financial costs associated with racial and identity profiling, focusing on law enforcement budgets, the costs of settlements and judgments against law enforcement agencies, the expenses of surveillance technology as a tool for oversaturation policing in historically marginalized communities, and the impact of increased police interactions on the individual and the community at large.

1. The Economic Impacts of Police Interactions on Individuals and Communities ag

Funding is a finite resource. The allocation of every taxpayer dollar is a direct reflection of what is valued and what can be neglected or sacrificed. While spending decisions will always involve trade-offs, resources should be directed where they can generate the greatest net benefit for all Californians.

As funding has increased, a larger portion of that funding had been on policing and incarcerating Black and brown individuals in these communities.[38] Black and Hispanic/Latine(x) Californians are incarcerated at much higher rates and are overrepresented in prisons.[39] For the individuals and communities impacted, the economic costs associated with contact with the criminal legal system extend beyond the immediate costs of law enforcement, prosecution, and imprisonment.

Repeated interactions with law enforcement or living in communities with intense police presence and surveillance can impose a wide range of lasting economic burdens. In the United States, by age 35, approximately 64 percent of unemployed men have been arrested at least one time for a nontraffic offense as an adult.[40] Research shows that individuals with stigmatizing characteristics such as a criminal record may encounter significant barriers to employment, even if they otherwise possess desirable traits or the required experience for the job.[41]

The economic impact of an arrest extends beyond the individual who experiences the arrest and impacts family members and the community. This becomes even more pronounced when someone loses their job as a result of an arrest.[42] Families and social networks that depend on shared resources to sustain household expenses may find themselves under the strain of covering

---

[37] Geller, et al. (2017). *Police Contact and Mental Health*. Colombia Public Law Research Paper No. 14-571 <https://tinyurl.com/546rc7rm> [as of XX, 2025].

[38] Graves and Hoene, "California Spending on Law Enforcement, the Legal System & Incarceration," (June 23, 2020) California Budget & Policy Center <https://tinyurl.com/3pudk5vk> [as of XX, 2025].

[39] Graves and Hoene, "California Spending on Law Enforcement, the Legal System & Incarceration," (June 23, 2020) California Budget & Policy Center <https://tinyurl.com/3pudk5vk> [as of XX, 2025].

[40] Bushway, et al., "Barred from Employment: More than Half of Unemployed Men in Their 30s Had a Criminal History of Arrest," Science Advances 8, no. 7 (Feb. 18, 2022), 1–10 <https://tinyurl.com/yp867ape> [as of XX, 2025]; Bushway and Wenger, "Op-Ed: Why Unemployed Men with Criminal Records Could Be Key to Solving the U.S. Labor Shortage," Los Angeles Times, (Feb. 22, 2022).

[41] Pager, et al., "Sequencing Disadvantage: Barriers to Employment Facing Young Black and White Men with Criminal Records." Ann Am Acad Pol Soc Sci. (May 2009).

[42] Stagoff-Belfot, et al., "The Social Costs of Policing," The Vera Institute of Justice (Nov. 2022) <https://tinyurl.com/39jan4az> [as of XX, 2025].

bail, legal representation, fines and court fees, and other related expenses while still managing everyday necessities like food, childcare, healthcare, utilities, and housing.[43] This can overwhelm household finances, and the effects can contribute to the broader economic destabilization of communities.[44]

One 2022 study found that individuals who had been arrested between the ages of 21 and 23 were 13 percent more likely to receive public assistance and 16 percent more likely to be unemployed in their later years (between the ages of 29 and 31) than their counterparts who had never been arrested.[45] This same study also outlined the resulting impacts of being arrested as an adolescent, and how those impacts were felt throughout that individual's life: "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 of unemployment and more likely to be dependent on public assistance benefits later in life."[46] As noted in prior reports, the individual consequences of being arrested, or coming into contact with the criminal legal system, ripple outward, shaping the economic landscape of the communities that are disproportionally policed.[47]

These downstream economic impacts can be profound. Communities with a high degree of visible law enforcement presence may be perceived as unstable or high-risk by entrepreneurs or businesses which can make attracting investments and economic growth challenging. Moreover, excessive patrolling and racialized policing practices "can lead to arresting community members who could have been patrons."[48] An arrest record or conviction can create barriers to earning capacity, which can also decrease potential revenue for local businesses.[49] Research has shown that "although policing and entrepreneurship are not often talked about together. . . police presence can have a reciprocal relationship with local entrepreneurs."[50] In sum, discriminatory policing disproportionally impacts the economies of historically marginalized communities by disrupting businesses, potentially discouraging entrepreneurship, and creating barriers to economic mobility.

Police officer mental health and well-being should also be taken into consideration when balancing economic costs. Fatigue from working long hours and overtime can negatively impact officers' mental health and exacerbate implicit racial bias.[51] A 2018 study from Washington State

---

[43] Stagoff-Belfot, et al., "The Social Costs of Policing," The Vera Institute of Justice (Nov. 2022) <https://tinyurl.com/39jan4az> [as of XX, 2025].

[44] Stagoff-Belfot, et al., "The Social Costs of Policing," The Vera Institute of Justice (Nov. 2022) <https://tinyurl.com/39jan4az> [as of XX, 2025].

[45] Stagoff-Belfot, et al., "The Social Costs of Policing," The Vera Institute of Justice (Nov. 2022) <https://tinyurl.com/39jan4az> [as of XX, 2025].

[46] Stagoff-Belfot, et al., "The Social Costs of Policing," The Vera Institute of Justice (Nov. 2022) <https://tinyurl.com/39jan4az> [as of XX, 2025].

[47] See Racial and Identity Profiling Advisory Board, Annual Report (2025) p. 69 <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2025.pdf> [as of XX, 2025.]

[48] McMillian & Bediako, *Policing in America: The Impact on the Entrepreneur* (Apr. 19, 2022) Forward Cities <https://tinyurl.com/5ejp6p23> [as of XX, 2025].

[49] McMillian & Bediako, *Policing in America: The Impact on the Entrepreneur* (Apr. 19, 2022) Forward Cities <https://tinyurl.com/5ejp6p23> [as of XX, 2025].

[50] McMillian & Bediako, *Policing in America: The Impact on the Entrepreneur* (Apr. 19, 2022) Forward Cities <https://tinyurl.com/5ejp6p23> [as of XX, 2025].

[51] See James, *The Stability of Implicit Racial Bias in Police Officers* (2018) 21 Police Q. 30, 30, 43.

University found that officers who slept less "demonstrated stronger association between Black Americans and weapons."[52] Additionally, overtime pay is perhaps the largest motivator for police officers to make high numbers of discretionary arrests in overpoliced communities, resulting in significantly higher numbers of Black and brown low-income residents entering the criminal justice system.[53] Policing strategies that invest in officer well-being and preparedness, alleviate officer fatigue, and appropriately regulate overtime work may benefit both officers and the diverse communities they serve.

In sum, as a sizable public expenditure, policing imposes a substantial economic cost on state and local budgets. As discussed more fully below, racialized and biased policing practices — including oversaturation, and the use of surveillance policing technologies that entrench racial bias — harm individuals and families and further weaken the economic and social fabric of historically marginalized communities. Careful consideration should be given to trade-offs between increasing funding for policing and investing in social safety nets that are proven to enhance public safety. Likewise, the economic costs of surveillance technologies must be weighed against economic considerations that may be less easily quantified, including downstream destabilizing economic effects on individuals, families, and communities following increased discretionary arrests for low-level offenses, and against non-economic factors, including public health and wellbeing, privacy rights, and the demand for transparency in policing.

2. Law Enforcement Budgets Have Increased, But Those Increases Are Not Correlated to an Increase in Public Safety

Every year, municipal, state, and federal governments allocate a large portion of their budgets to funding law enforcement agencies. Funding decisions do not just determine how resources are allocated. Instead, a law enforcement agency's determination of how funding is expended ultimately affects the ability of the agency to effectively respond to community needs, and the goals the agency prioritizes in its everyday work. Indeed, funding decisions affect every aspect of the work of a law enforcement agency, from the training and equipment provided to police officers to the types of policing strategies ultimately deployed within a community.

Police department funding in major cities has generally increased from year to year.[54] However, increases in funding have not significantly correlated to a reduction in crime.[55] In California, law enforcement agencies are funded mostly through a combination of sources. Per the California State Controller's Office, in the 2022-23 fiscal year, cities spent $15.19 billion on police expenditures, making up the highest category of spending at 14.26% of total expenditures in the state.[56] In that same time period, California counties spent $7.78 billion on police

[52] James, *The Stability of Implicit Racial Bias in Police Officers* (2018) 21 Police Q. 30, 30, 43.

[53] Moskos, *The Better Part of Valor: Court-Overtime Pay as the Main Determinant for Discretionary Police Arrests* (2008) Law Enforcement Executive Forum, pp. 77, 86, 91-92 <https://tinyurl.com/542fer5n> [as of September 08, 2025].

[54] Bouie, *Biden Says 'Fund the Police.' Well, They Aren't Exactly Hurting for Cash* (Mar. 4, 2022) <https://tinyurl.com/yck6sf35> [as of XX, 2025].

[55] Bouie, *Biden Says 'Fund the Police.' Well, They Aren't Exactly Hurting for Cash* (Mar. 4, 2022) <https://tinyurl.com/yck6sf35> [as of XX, 2025].

[56] California State Controller's Office, *Cities by the Numbers* (Oct. 30, 2024) <https://cities.bythenumbers.sco.ca.gov/#!/year/2023/operating/0/entity_name> [as of June 20, 2025].

protection.[57] During the 2023-24 fiscal year, the California state budget allocated $3 billion to the California Highway Patrol (CHP).[58] In addition to state and local funding, police departments also receive funding from federal grant programs and nonprofit police foundations. Police foundations supplement police department budgets through private donations. In California, police departments can also retain proceeds from state and federal asset forfeiture,[59] a process where law enforcement seizes property that is considered connected to criminal activity.

3. Law Enforcement Agencies Often Pay Settlements and Judgments as a Result of Impermissible Policing Practices, Including Racial and Identity Profiling, but Settlements Rarely Lead to Reform

In addition to receiving a substantial share of municipal and state resources and funding, law enforcement agencies also give rise to notable public costs through settlements and judgments from actions brought against them. Every year, police departments across California are the subject of numerous lawsuits arising from misconduct allegations, including excessive force, false arrest, and civil rights violations. News headlines occasionally highlight multimillion-dollar settlements in the most extreme cases of police misconduct, however, those cases reveal only a fraction of the financial impact.[60] Numerous other lawsuits result in smaller payouts for claimants whose experiences do not receive media coverage.[61] In large cities, these payouts can easily exceed tens of millions of dollars each year.[62] For example, the City of Chicago paid approximately $500 million to families and victims of police misconduct between 2004 and 2014.[63] In 2019 alone, New York City paid $175.9 million to victims and families in police-related lawsuits.[64]

Often, law enforcement agencies do not shoulder the financial burden of these settlements.[65] However, even if law enforcement agencies pay such settlements and judgments out of their own

---

[57] California State Controller's Office, *Counties by the Numbers* (Oct. 30, 2024) <https://tinyurl.com/5whdkyxj> [as of XX, 2025].

[58] Legislative Analyst's Office, *The 2023-24 California Spending Plan* (Oct. 16, 2023) Transportation <https://lao.ca.gov/Publications/Report/4804> [as of June 20, 2025].

[59] Legislative Analyst's Office, *Overview of State Asset Forfeiture in California* (July 12, 2024) p. 8 <https://tinyurl.com/nhc5y947> [as of XX, 2025].

[60] Policing Project, *It's Time to Follow the Money on Police Misconduct* (Oct. 18, 2023) <https://tinyurl.com/2z336ztv> [as of XX, 2025].

[61] Policing Project, *It's Time to Follow the Money on Police Misconduct* (Oct. 18, 2023) <https://tinyurl.com/2z336ztv> [as of XX, 2025].

[62] See NAACP, *Criminal Justice Fact Sheet*, <https://naacp.org/resources/criminal-justice-fact-sheet> [as of Sept. 4, 2025].

[63] NAACP, *Criminal Justice Fact Sheet*, <https://naacp.org/resources/criminal-justice-fact-sheet> [as of Sept. 4, 2025].

[64] NAACP, *Criminal Justice Fact Sheet*, <https://naacp.org/resources/criminal-justice-fact-sheet> [as of Sept. 4, 2025].

[65] Cities and counties rely on a variety of methods to cover the costs of settlements and judgments arising from police misconduct. Liability insurance is often used by smaller jurisdictions while larger jurisdictions are "typically self-insured meaning settlements and judgements are paid from the department's budgets or through the local government's central litigation fund."[65] Some police departments allocate millions from their own budgets to cover settlements and judgments; however, depending on how a specific municipality structures its budgets, the financial burden on the law enforcement agencies is greatly reduced or even eliminated.[65]

DRAFT REPORT – PENDING EDITING AND REVIEW

This draft is a product of various subcommittees of the Racial and Identity Profiling Advisory Board. It has been provided merely for the Racial and Identity Profiling Advisory Board's consideration and its content does not necessarily reflect the views of any individual RIPA Board member, the full RIPA Board, or the California Department of Justice.

pocket, such settlements rarely lead to reform. , Research has shown that even when a law enforcement agency covers the costs of settlements and judgments from its own budget, it "is neither necessary nor sufficient to impose a financial burden on that department."[66] If law enforcement agencies remain shielded from the financial consequences of officer misconduct, they may have little incentive to address the types of policing strategies that compromise the safety and well-being of the communities they serve. Accordingly, municipalities should consider financial policies that encourage accountability from law enforcement agencies as a means of addressing police misconduct and advancing community safety.

III.   ELIMINATING PRETEXTUAL STOPS IMPROVES PUBLIC SAFETY

Pretextual stops occur when an officer stops someone for a lawful traffic violation or minor infraction with the intent to use the stop to investigate a hunch regarding a different crime that by itself would not amount to reasonable suspicion or probable cause.[67] Because law enforcement can legally initiate vehicle stops on the guise of traffic infractions wholly unrelated to the officer's true intent, it is difficult to ascertain the exact number of traffic stops initiated for pretextual investigations. Officers need not tie the basis of their stop to the actions taken after the stop, and until just last year, officers in California were not even required to inform motorists or pedestrians of the reason for the stop.[68] Though officers must now document and disclose the reason for the stop, officers may still use a traffic stop as a pretext for their true intentions and are not required to disclose any investigative intent.

However difficult it is to affix a number to law enforcement's intent when conducting traffic stops, data can provide quantitative answers to the most pressing questions arising from the use of pretextual stops: (1) are there benefits to enacting policies to limit or eliminate pretextual stops; and (2) what have been the results in those jurisdictions that have enacted such policies?

This year, the Board continues its discussion of how, and to what extent, pretextual stops contribute to racial and identity profiling in California and undermine public safety, defined as the collective experience of being safeguarded or protected from threats to one's life or wellbeing.[69] This Report examines the 2024 RIPA stop data for disparities in policing, then continues the Board's assessment of the growing number of jurisdictions that have restricted or eliminated pretextual stops and how those changes have improved public safety.[70]

---

[66] Schwartz, *How Governments Pay: Lawsuits, Budgets, and Police Reform* (2016) 63 UCLA L. Rev. 1144.

[67] Racial and Identity Profiling Board, Annual Report (2023), pg. 61 at <https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf> [as of XX, 2025]; see also Asirvatham and Frakes, Are Constitutional Rights Enough? An Empirical Assessment of Racial Bias in Police Stops (Aug. 2020) Duke L. School Pub. L. & Legal Theory Series No. 2020-56, p. 5 <http://dx.doi.org/10.2139/ssrn.3673574> [as of XX, 2025].

[68] See AB2773, adding section 2806.5 to the Vehicle Code, requiring under section (a) A peace officer making a traffic or pedestrian stop, before engaging in questioning related to a criminal investigation or traffic violation, shall state the reason for the stop. The officer shall document the reason for the stop on any citation or police report resulting from the stop.

[69] Prior analysis of racial disparities in pretextual stops can be found primarily in the 2023 and 2024 RIPA Reports. See 2023 RIPA Report pp. 61-107, discussing

[70] Racial and Identity Profiling Advisory Board, Annual Report (2022), pg. 144 <https://oag.ca.gov/system/files/media/ripa-board-report-2022.pdf> [as of September 08, 2025]; Racial and Identity Profiling Board, Annual Report (2023), pg. 107 at <https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf> [as of September 08, 2025].

A. Research and Data Show Pretextual Stops Do Not Improve Public Safety

In its 2023 Report, the Board began its call to re-direct valuable law enforcement efforts away from pretextual policing that disparately results in racial profiling and does little to discovery or prevent crime. In support, the Board called attention to a report analyzing 2019 RIPA data by the Public Policy Institute of California, showing 80,000 hours of law enforcement time in one year were spent on 211,086 traffic stops that did not result in any enforcement of any kind, including warnings, or contraband found. Since the Board's call, California has seen some isolated reductions in policing through pretextual traffic enforcement, however, much of the state continues to be heavily policed through traffic stops.[71] In most counties in California, prioritizing traffic enforcement persists, despite data analysis consistently showing the high cost of traffic enforcement is not justified by any corresponding reduction in crime.[72] Traffic stops comprised 83.7 percent of all stops in the 2025 reporting period,[73] 82.1 percent of stops in the 2024 reporting period,[74] and 86.8 percent of stops in the 2023 reporting period.[75]

In Los Angeles, a 2019 review by Catalyst California of the Los Angeles Sheriff's Department's time allocation based on RIPA data found that in 2015, 88.8 percent of deputy time was spent on stops initiated by deputies.[76] Officers made 84.3 percent of those stops for traffic violations; in contrast, only 11.2 percent of all time was spent on responding to calls for assistance, and only

---

[71] See 2023 RIPA Report pg. 64 citing Catalyst Cal. and ACLU of Southern Cal. < https://catalyst-ca.cdn.prismic.io/catalyst-ca/756c4775-6bc1-448b-8447-e609133951ed_CATALYST+CA+%26+ACLU+-+REIMAGINING+COMMUNITY+SAFETY+2022.pdf > [as of Sep. 15, 2025].

[72] See 2023 RIPA Report pp. 64-66, citing Shjarback et al., *De-policing and crime in the wake of Ferguson: Racialized changes in the quantity and quality of policing among Missouri police departments* (May 2017) 50 J. Crim. Justice 42 < https://www.sciencedirect.com/science/article/abs/pii/S0047235217301289 > [as of Sept. 15, 2025]; Lofstrom et al., *Racial Disparities in Law Enforcement Stops* (*"Law Enforcement Stops"*) (Oct. 2021) Public Policy Inst. of Cal. (PPIC) < https://www.ppic.org/publication/racial-disparities-in-law-enforcement-stops/> [as of Sept. 15, 2025] ; see also Charles-Wood et al., *An Analysis of the Metropolitan Nashville Police Department's Traffic Stop Practices* (Nov. 2018) Stanford Computational Policy Lab <https://tinyurl.com/37sbamye> [as of May 25, 2025]. A 2018 study in Nashville, TN found pretextual stops both inefficient and applied in a racially disparate manner. Further, the study found that these stops had no discernible effect on serious crime rates and only infrequently resulted in the recovery of contraband or a custodial arrest. The report concluded, instead, that the best method of improving public safety in relation to vehicle crash deaths was not more officers on the road conducting stops, but rather "motor vehicle modifications, community-based safety initiatives, improved access to health care, or prioritizing trauma system."

[73] Racial and Identity Profiling Board 2025 Annual Report Appendix, pg. 2 <https://oag.ca.gov/system/files/media/ripa-appendix-2025.pdf> [as of Jun. 27, 2025].

[74] Racial and Identity Profiling Board 2024 Annual Report Appendix, pg. 4 <https://oag.ca.gov/system/files/media/ripa-appendix-2024.pdf> [as of Jun. 27, 2025].

[75] Racial and Identity Profiling Board 2023 Annual Report Appendix, pg. 5 <https://oag.ca.gov/system/files/media/ripa-appendix-2023.pdf>

[76] Catalyst California and ACLU of Southern California, *Reimagining Community Safety in California: From Deadly and Expensive Sheriffs to Equity and Care-Centered Wellbeing* (Oct. 2022) p. 14 <https://tinyurl.com/2tbwfh5h> [as of XX, 2025]; Sarode et al., *Traffic stops do not prevent traffic deaths* (July 2021) 91 J. Trauma Acute Care Surg. 141 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8900371/> [as of Nov. 29, 2022];

9.6 percent of stops were based on reasonable suspicion of criminal activity.[77] These results led Catalyst California to conclude the use of pretextual traffic stops cost Los Angeles approximately $776 million dollars a year for traffic enforcement.[78] The report urged that traffic enforcement costs be reallocated to improving community care and infrastructure.[79] As is discussed in previous reports, and in detail below, Los Angeles has heeded calls to improve its policing and has taken action to limit pretextual stops.

> $776 million dollars of Los Angeles County's budget in 2019 was spent on Los Angeles Sheriff Department traffic enforcement.
>
> —Catalyst California and ACLU of Southern California, *Reimagining Community Safety in California: Los Angeles County* (Oct. 2022)

1. Data Continues to Show That Ending Pretextual Stops Will Reduce Unsuccessful and Racially Disparate Consent Searches

> [L]ess than one half of 1% of all traffic stops result in deputies uncovering any weapons of any kind [in Los Angeles County].
>
> — Catalyst California and ACLU of Southern California, *Reimagining Community Safety in California: Los Angeles County*

Pretextual stops are often effectuated to search the vehicle and persons in the vehicle, with wide discretion afforded to law enforcement to initiate the contact, considering the vast number of possible traffic infractions at their disposal to justify the stop.[80] By their nature, pretextual stops based on traffic infractions do not provide probable cause to search the vehicle. For instance, in a stop relating to a broken taillight, there is no reason an officer would need to search the driver or their vehicle to determine whether the taillight is in fact broken. Any search of the driver or their vehicle must therefore be based on probable cause, unrelated to the reason the driver was initially stopped. If there is no probable cause, the officer must receive consent from the driver to search.

RIPA data shows officers ask drivers perceived to be Black and Hispanic/Latine(x) for consent to search more frequently than drivers perceived to be White, yet the discovery rate of weapons or other contraband continues to be minimal.[81]

---

[77] Catalyst California and ACLU of Southern California, *Reimagining Community Safety in California: Los Angeles County* (Oct. 2022) pp. 10-11 <https://tinyurl.com/uxwbxw3n> [as of June 10, 2025].

[78] Catalyst California and ACLU of Southern California, *Reimagining Community Safety in California: Los Angeles County* (Oct. 2022) pp. 29-30 <https://tinyurl.com/uxwbxw3n> [as of June 10, 2025].

[79] Catalyst California and ACLU of Southern California, *Reimagining Community Safety in California: Los Angeles County* (Oct. 2022) pp. 29-30 <https://tinyurl.com/uxwbxw3n> [as of June 10, 2025].

[80] See *Whren v. United States* (1996) 517 U.S. 806; see also Racial and Identity Profiling Board 2023 Annual Report, pp 67-68. at <https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf> [as of Aug. 14, 2025].

[81] Racial and Identity Profiling Advisory Board, Annual Report (2023) pp 71-73 <https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf> [as of September 08, 2025] (noting that individuals perceived as Black were 4 times as likely, individuals perceived as Hispanic/Latine(x) were 2.4 times as likely, and individuals perceived as Multiracial were 2.2 times as likely to be asked for consent to search during a traffic stop than White individuals, and that officers requested to perform a search of nearly twice as many individuals perceived as Black than White 2.2 times more individuals perceived as White than individuals perceived as Black). These figures are consistent with prior reports. See Racial and Identity Profiling Advisory Board, Annual Report (2024) p. X <https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf> [as of September 08, 2025;

[chart from research services pending of data sets 2.3.1 and 2.3.2 of traffic stops– below is an example from 2023 report, pg 71]
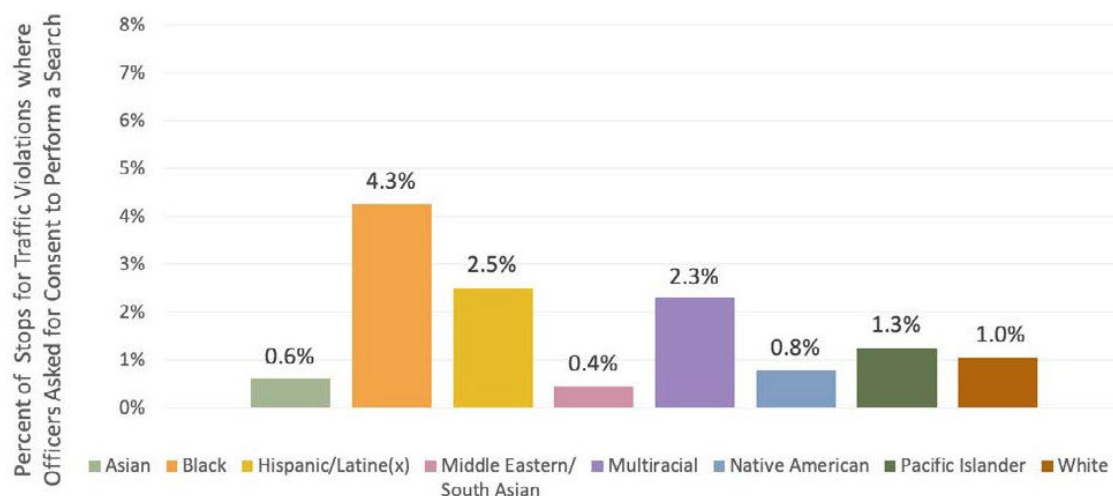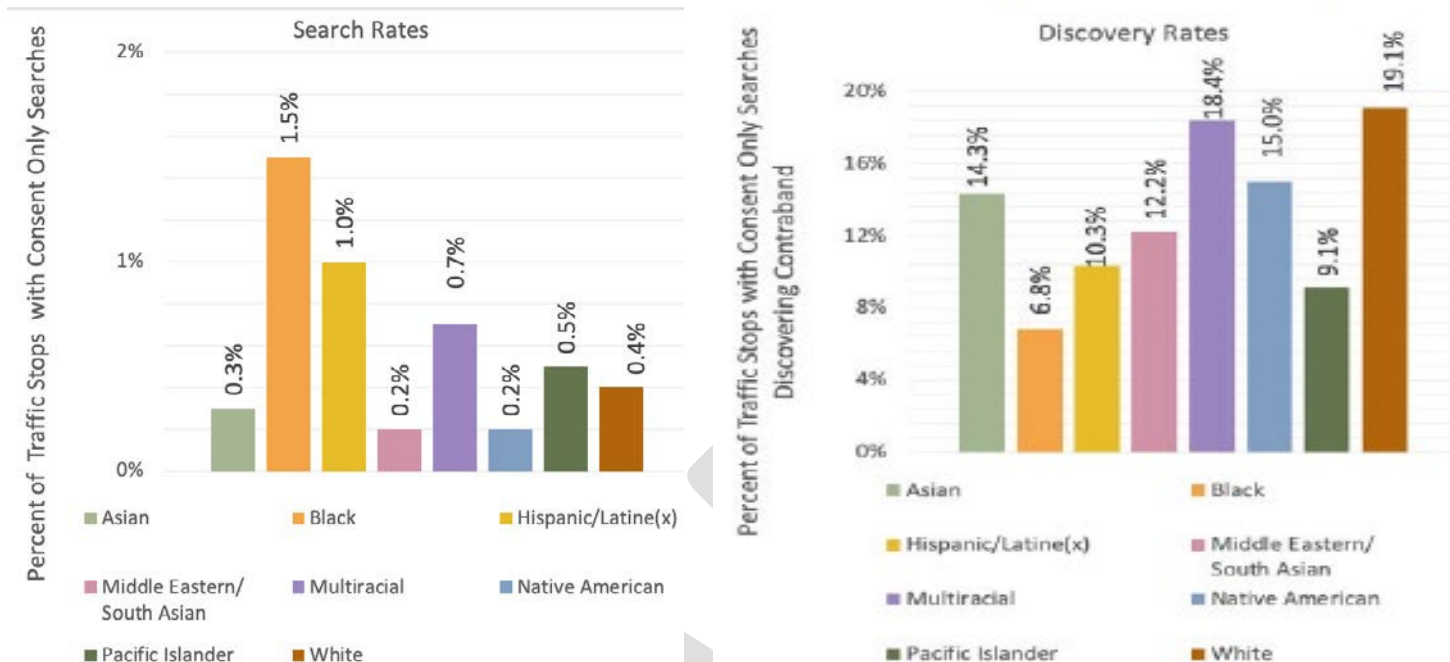

Consistent with prior years, the 2024 RIPA stop data show that officers asked for consent to search individuals perceived to be Black and Hispanic/Latine(x) more frequently in traffic stops (4.7% and 4.25%, respectively), compared to any other racial or ethnic group. In contrast, officers asked for consent to search individuals perceived to be White, Asian, and Middle Eastern/South Asian at much lower rates (3.1%, 1.46%, and 1.02%, respectively).

Racial and Identity Profiling Advisory Board, Annual Report (2022) <https://oag.ca.gov/system/files/media/ripa-board-report-2022.pdf> [as of September 08, 2025]; Racial and Identity Profiling Advisory Board, Annual Report (2021) p. X <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2021.pdf> [as of September 08, 2025]; Racial and Identity Profiling Advisory Board, Annual Report (2020) p. X <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf> [as of September 08, 2025]; see also Racial and Identity Profiling Board 2023 Annual Report, pg. 72, "*Here, the data show a continued trend from the 2019, 2020, and now 2021 data that during stops where officers perform consent only searches, officers are least likely to find contraband in the possession of those perceived as Black.*"

[Sample chart taken from 2023 RIPA Report, new chart pending]

In consent-only searches,[82] searches of individuals perceived to be Black led to the discovery of contraband at the lowest rate of all racial or ethnic group, with only 16.59 percent of searches yielding discovered contraband; in contrast, individuals perceived to be White yielded discovered contraband at the second-highest rate, 24.16 percent. These findings are consistent with the findings in prior reports.[83]

Consistent with data in prior years, the 2024 RIPA stop data shows that officers asked for consent to search a continued trend of individuals and drivers perceived to be Black and individuals perceived to be Hispanic/Latine(x) representing the highest racial identity group targeted for consent only searches more frequently in traffic stops (4.257% and 4.25%, respectively), compared to any other racial or ethnic group. I; in contrast, officers asked for consent to search of individuals drivers perceived to be White, Asian, and Middle Eastern/South Asian at much lower rates (3.1%, 1.46%, and 1.02%, respectively). Nevertheless, in consent-only

---

[82] A "consent only" search as defined in the 2023 RIPA Report as "searches in which the only basis provided by the officer is "consent given." Racial and Identity Profiling Board 2023 Annual Report, pg. 15 < https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > [as of Mar. 6, 2025].

[83] The 2023 RIPA Report found the rate of contraband discovery during traffic stop consent searches was *lowest* among individuals perceived to be Black (6.8%), Pacific Islander (9.1%), or Hispanic/Latine(x) (10.3%), Racial and Identity Profiling Board 2023 Annual Report, pp 71-73 < https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > [as of Mar. 6, 2025].

searches,[84] searches of individuals perceived to be Black continue to be the least likely group to lead led to contraband the discovery of contraband in consent only searches at the lowest rate of all ethnicities racial or ethnic group, with only a 16.59% percent success rate of searches yielding discovered contraband; in contrast, individuals perceived to be White yielded discovered contraband at the second-highest rate, 24.16 percent. The 2024 Report's findings, with respect to individuals perceived to be Black, are consistent with the findings in the 2019, 2020, 2021 and 2023 prior reports.[85] Latine(x) individuals make up the second most targeted racial group for consent searches at 4.25% with the fourth most likely identity group to have contraband discovered from the search. "Since these requests yield results at a low rate, they are unlikely to contribute to public safety—all while eroding the trust of the Black and Brown communities that they disproportionately target."

In contrast, when law enforcement bases a search on articulable facts to warrant the search, their success rates climb and disparate treatment declines. For instance, 35.46 percent of searches of individuals perceived to be Black yielded discovery of contraband when the search was based on consent *and* there was a factual justification for the search.[86] This trend applies to the general population as well, since consent-plus basis searches result in discoveries at nearly double the rate of consent-only searches (36.88% vs. 20.3%), regardless of identity group.[87]

Accordingly, the 2024 RIPA data shows, consistent with prior reports, a higher likelihood a search will yield discovery of contraband if the search is based on more than just consent. If more law enforcement searches are based on observable facts to justify the search, the resulting searches will be more successful in finding contraband and illegal activity, which in turn will improve public safety. In contrast, searches occurring during pretextual stops are consent-only searches, as there is no reason why the stop requires a search. Because these searches are based only on consent, there is a lower likelihood that search will yield discovery of contraband. If law enforcement conducts more searches during pretextual stops, those resulting searches will be less successful in finding contraband and illegal activity, which will have at most a negligible effect on public safety. Further, because officers ask individuals perceived to be of color for consent to search at a disproportionately higher rate than individuals perceived to be White, and as these consent-only searches are conducted against individuals perceived to be of color yield discovery of contraband less frequently than consent only searches against individuals perceived to be White, these pretextual stop searches will lead to less reduction in crime, and further racial and identity profiling, continuing to negatively impact communities' feelings of wellbeing.

---

[84] A "consent only" search as defined in the 2023 RIPA Report as "searches in which the only basis provided by the officer is "consent given." Racial and Identity Profiling Board 2023 Annual Report, pg. 15 < https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > [as of Mar. 6, 2025].

[85] The 2023 RIPA Report found the rate of contraband discovery during traffic stop consent searches was *lowest* among individuals perceived to be Black (6.8%), Pacific Islander (9.1%), or Hispanic/Latine(x) (10.3%), Racial and Identity Profiling Board 2023 Annual Report, pp 71-73 < https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > [as of Mar. 6, 2025].

[86] The 2023 RIPA Report highlighted a 26.5 percent discovery rate when of searches of individuals perceived to be Black were obtained based on consent plus a factual justification for the search, versus 9.1 percent of consent only searches of the same population. Racial and Identity Profiling Board 2023 Annual Report Appendix, A.18, pg.36. <>

[87] In the 2023 Report, consent-plus basis searches result in discoveries at nearly double the rate of consent-only searches (27.5% vs. 14.5%), regardless of identity group. Racial and Identity Profiling Board 2023 Annual Report Appendix, A.18, pg.36. < >

2. Ending Pretextual Stops Will Reduce the Racially Disparate Number of Direct and Indirect Deadly Police Interactions

Direct Deadly Interactions

Pretextual stops are often by their very nature stops where law enforcement acts under a heightened sense of danger, as officers are initiating the contact primarily because they sense the driver is engaged in dangerous criminal behavior.[88] This sense of danger has led to preventable unarmed civilian deaths in stops for common traffic infractions.[89]

Numerous studies show that law enforcement trainings and police culture create a heightened "presumption of peril" in traffic stops, despite data analysis showing a very small statistical likelihood of harm to law enforcement conducting the stops.[90] In 2019, a review of 10 years of traffic stops by 200 law enforcement agencies in Florida found little statistical risk of serious harm to officers, quantifying it as a 1 in 6.5 million chance of being killed during a stop for a traffic infraction and a 1 in 3.6 million chance of being killed during a vehicle stop.[91]

In contrast, the risk of serious bodily harm or death to drivers and passengers in traffic stops are much higher. From 2015 to 2024, *The Washington Post*, *Mapping Police Violence,* and *Fatal Encounters* collected data of 10,429 civilians who have been shot and killed by on duty police officers.[92] *The New York Times* analyzed Mapping Police Violence data from 2016 to 2021 to identify and further research a sub-set of 400 instances of police killings resulting from traffic stops where the civilians "were not wielding a gun or knife" and "were not under pursuit for a violent crime."[93] In those 400 cases, the investigation found that the police officer's perception of harm created a tense and overstated sense of risk, resulting in officers acting upon those perceived threats with physical violence and shootings of civilians. In 12 percent of civilian deaths reviewed, officers fired on motorists believing the driver had or was reaching for a weapon.[94] The investigation suggested many officer threats were a result of officers standing in front of fleeing vehicles, reaching inside windows, or acting aggressively in response to

---

[88] Kirkpatrick et. al, *Why Many Police Traffic Stops Turn Deadly*, New York Times (Oct. 2021) <https://tinyurl.com/49957swk> [as of September 08, 2025] (noting that "Police think 'vehicle stops are dangerous' and Black people are dangerous' and the combination is volatile" . . . "The problem is especially acute at so-called pretextual stops, he argued, where officers seek out minor violations . . . to search a car they consider suspicious.")

[89] Kirkpatrick et. al, *Why Many Police Traffic Stops Turn Deadly*, New York Times (Oct. 2021) <https://tinyurl.com/49957swk> [as of September 08, 2025].

[90] See Levenson, Michael, *Pulled Over: What to Know About Deadly Police Traffic Stops*, New York Times (Oct. 2021) <https://tinyurl.com/33ktkjy7> [as of September 08, 2025], ("'All you've heard are horror stories about what could happen . . . It is very difficult to train that out of someone'"); Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <https://tinyurl.com/49957swk> [as of June 10, 2025]; see also Woods, *Policing, Danger Narratives, And Routine Traffic Stops*, 117 Mich. Law Rev. 635, 676 (2019) <https://tinyurl.com/2dm3rc6t> [as of September 08, 2025].

[91] Woods, *Policing, Danger Narratives, And Routine Traffic Stops*, 117 Mich. Law Rev. 635, 676 (2019) <https://tinyurl.com/2dm3rc6t> [as of September 08, 2025].

[92] Fatal Force Database, The Washington Post < https://www.washingtonpost.com/graphics/investigations/police-shootings-database/ > [as of September 08, 2025]

[93] Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <https://tinyurl.com/49957swk> [as of June 10, 2025].

[94] Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <https://tinyurl.com/49957swk> [as of June 10, 2025].

disrespect or disobedience.[95] Three-quarters of deaths were caused by officers shooting motorists attempting to flee. As noted in a subsequent article related to the investigation, "police culture and court precedents significantly overstated the danger to officers, encouraging aggression in the name of self-defense and impunity from prosecutors and juries."[96]

Racial disparities are prevalent in instances where individuals were killed by police. A review of national data from 2013 to 2023 found that Black individuals were 2.7 times more likely, and Hispanic/Latine(x) individuals 1.6 times more likely to be killed by police than White individuals.[97] Though Black individuals were only 12 percent of the population in 2024, they made up more than 25 percent of the population to be killed by police.[98] That same study showed that Black individuals in California are 3.6 times more likely to be killed by police than White individuals, higher than the national average.[99]

<u>Indirect Deadly Interactions: High-Speed Chases</u>

High-speed vehicle pursuits carry a significant risk of severe injury and death for officers, passengers, drivers, and bystanders, and as a result, risk the wellbeing of anyone in the community when their mere presence in the vicinity of a high-speed chase puts their life at risk.[100] Although a high-speed chase may conjure up images of law enforcement officers risking life and limb to capture hardened, career criminals fleeing the scene of a deadly crime, researchers since the 1980s have found that, in reality, most high-speed pursuits stem from traffic violations, not serious felony offenses.[101] Because of the reality that high-speed pursuits are highly dangerous and often begin as low-level traffic offenses, researchers recommend implementing limitations on pursuit policies, particularly when the pursuits escalate from traffic stops.[102]

Policing experts suggest that, given how often officers stop individuals for minor infractions, limiting pretextual stops could help reduce chases and the resulting deaths and injuries.[103] In

---

[95] Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <https://tinyurl.com/49957swk> [as of June 10, 2025].

[96] Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <https://tinyurl.com/49957swk> [as of June 10, 2025].

[97] See Police Scorecard < https://policescorecard.org/ > [as of June 30, 2025] (The Police Scorecard project is composed of data scientists Allie Monck, Olivia Orta, Ritesh Ramchandani, Peter Schmalfeldt, Ariel Matos, Kirby Phares, Emily Biondo, and Mary Hammond, as well as Research advisors Bocar Ba, Assistant Professor of Economics, UC Irvine and Jeffrey Fagan, Professor of Law, Columbia University.

[98] Police Scorecard < https://policescorecard.org/ > [as of June 30, 2025] (The Police Scorecard project is composed of data scientists Allie Monck, Olivia Orta, Ritesh Ramchandani, Peter Schmalfeldt, Ariel Matos, Kirby Phares, Emily Biondo, and Mary Hammond, as well as Research advisors Bocar Ba, Assistant Professor of Economics, UC Irvine and Jeffrey Fagan, Professor of Law, Columbia University.

[99] See Police Scorecard – California at < https://policescorecard.org/ca > (as of Aug. 14, 2025).

[100] Alpert, Geoffrey P., and Anderson, Patrick R., *The Most Deadly Force: Police Pursuits* (1986) 3 Justice Q. 1, at p. 10.

[101] Alpert, Geoffrey P., and Anderson, Patrick R., *The Most Deadly Force: Police Pursuits* (1986) 3 Justice Q. 1, at p. 10.

[102] Alpert, Geoffrey P., and Dunham, R. G., *Policing Hot Pursuits: The Discovery of Aleatory Elements* (1989) 80 J. Crim. L. & Criminology, at pp. 521-539.

[103] Neilson, Susie & Gollan, Jennifer, "Thrown from His Moped by a Car Fleeing Police: One Man's Death Reflects a Shocking Disparity." (2024) San Francisco Chronicle <https://www.sfchronicle.com/projects/2024/police-pursuits-race-deaths/> [as of Mar. 28, 2025].

DRAFT REPORT – PENDING EDITING AND REVIEW
This draft is a product of various subcommittees of the Racial and Identity Profiling Advisory Board. It has been provided merely for the Racial and Identity Profiling Advisory Board's consideration and its content does not necessarily reflect the views of any individual RIPA Board member, the full RIPA Board, or the California Department of Justice.

2023, the United States Department of Justice (USDOJ) and the Police Executive Research Forum reviewed pursuit policies from 48 law enforcement agencies in 27 states, including California.[104] The USDOJ report concluded, in the case of a high-speed chase, there is a much higher chance that the suspect is fleeing because of a minor offense than a serious crime.[105] The USDOJ report resulted in 65 separate recommendations to further protect public safety from deadly high-speed chases.[106] Many recommendations focused on reducing the situations where law enforcement officers believe a high speed chase is necessary or warranted.[107]

Long before RIPA, California law mandated all law enforcement agencies report motor vehicle pursuit data to the California Highway Patrol, who then submits a yearly report to the Legislature.[108] The form lists 30 data points required, including the time, length, time of day, speeds, collisions, and injuries involved in the pursuit. Though the form requires law enforcement to "indicate the ethnicity that most clearly resembles the driver,"[109] this data point does not appear to be analyzed or reported to the Legislature in its yearly Police Pursuits Report.

The most recent publicly released Police Pursuits Report analyzed the 11,985 police pursuits in California in 2022. In that year, 19 percent of police pursuits resulted in a crash; of those crashes, 63 percent resulted in some property damage, 35 percent resulted in injury crashes, and 1.4 percent of pursuits resulted in fatal crashes, which took 34 lives. 2021 data revealed an even higher number of police pursuits, with 12,513 pursuits reported and a 20 percent crash rate.[110] The injury and damage rates were also higher in 2021, with 63 percent of crashes resulting in property damage, 35 percent of crashes leading to injures, and 1.7 percent of crashes or 52 people dying as a result of the pursuit.[111]

The 2023 report lists the top five reasons the stop was initiated, with traffic infractions as the highest and three of the top five reasons stops resulting in pursuits were initiated. Specifically,

---

[104] Police Executive Research Forum and Office of Community Oriented Policing Services, U.S. Department of Justice, *Vehicle Pursuits: A Guide for Law Enforcement Executives on Managing Associated Risks* (2023) p. 23 <https://tinyurl.com/546rh885> [as of September 11, 2025].

[105] Police Executive Research Forum and Office of Community Oriented Policing Services, U.S. Department of Justice, *Vehicle Pursuits: A Guide for Law Enforcement Executives on Managing Associated Risks* (2023) p. 16 <https://tinyurl.com/546rh885> [as of September 11, 2025].

[106] Police Executive Research Forum and Office of Community Oriented Policing Services, U.S. Department of Justice, *Vehicle Pursuits: A Guide for Law Enforcement Executives on Managing Associated Risks* (2023) p. 16 <https://tinyurl.com/546rh885> [as of September 11, 2025].

[107] Police Executive Research Forum and Office of Community Oriented Policing Services, U.S. Department of Justice, *Vehicle Pursuits: A Guide for Law Enforcement Executives on Managing Associated Risks* (2023) p. 16 <https://tinyurl.com/546rh885> [as of September 11, 2025].

[108] Veh. Code, § 14602.1. See also State of California, Department of California Highway Patrol, *Allied Agency Pursuit Report* <https://tinyurl.com/573vwv6n> [as of XX, 2025]. Yearly reports to https://tinyurl.com/573vwv6n [as of XX, 2025]. Yearly reports to the Legislature can be accessed on the California Highway Patrol's website. See California Highway Patrol, Office of Special Representative <> [as of September 11, 2025].

[109] State of California, Department of California Highway Patrol, *Allied Agency Pursuit Report* <https://tinyurl.com/573vwv6n> [as of September 11, 2025].

[110] Cal. Highway Patrol, Report to the Legislature: Senate Bill 719, Police Pursuits (June 2023) <https://tinyurl.com/mpuhk42v> [as of September 11, 2025].

[111] Cal. Highway Patrol, Report to the Legislature: Senate Bill 719, Police Pursuits (June 2023) <https://tinyurl.com/mpuhk42v> [as of September 11, 2025].

speeding is the top stop reason listed, taking up 18 percent of stops, possession of a stolen vehicle at 14.8 percent, license plate/registration at 10 percent, failure to stop at a stop sign 6.3 percent and reckless driving at 5.2 percent.[112]

In 2024, San Diego County compiled its pursuit data from 2019-2024 in a report to the San Diego Police Commission.[113] Of the 1,044 pursuits during the reported period, 60.7 percent of pursuits began with stops based on traffic infractions, 10.7 percent for misdemeanor offenses, and 24 percent for felonies.[114] In the 219 collision pursuits, 75.3 percent involved some form of injury.[115] The City reported 38.4 percent of pursuits involved Hispanic drivers, 22.6 percent involved Black drivers, 16.3 percent involved white drivers, and 4.8 percent involved Asian drivers.[116]

A Los Angeles County report of police pursuits by the Los Angeles Police Department (LAPD) from 2018-2023 found significant harm to the community from police pursuits, with 25 percent of pursuits resulting in a death or injury.[117] These statistics are consistent with a report in 2015 by the Los Angeles Times, which found LAPD pursuits injured bystanders at more than twice the rate of other police chases in California.[118] Numbers rose even higher from March 31, 2023 to February 9, 2025, with a total of 1,910 pursuits in this short time frame.[119] 2024 saw significant increases in pursuits, with 1,116 pursuits, 353 crashes, and 227 injuries in the county in just one year.[120] The report also noted a concern of a 36% increase in injuries from pursuits to bystanders from 2023 to 2024.[121] During the 2023-2025 reporting period, the three highest reasons for pursuits were possession of a stolen vehicle at 45 percent, driving under the influence at 15 percent and reckless driving at 6 percent.[122]

For the first time, the RIPA Board has sought to identify how racial and identity profiling impacts law enforcement actions in what types of stops that involve evading charges, whether racial disparities are present in pursuit and or evading stop types, and whether racial disparities are present in use of force determinations based on this stop category. Though not all evading

---

[112] Cal. Highway Patrol, Report to the Legislature: Senate Bill 719, Police Pursuits (June 2023) <https://tinyurl.com/mpuhk42v> [as of September 11, 2025].

[113] San Diego Commission on Police Practices, S.D.P.D. Pursuits 2019-2024 Totals (2024) <https://www.sandiego.gov/sites/default/files/2024-08/sdpd-pursuits-data-analysis.pdf> [as of September 11, 2025.]

[114] San Diego Commission on Police Practices, S.D.P.D. Pursuits 2019-2024 Totals (2024) pp. 6-11 <https://www.sandiego.gov/sites/default/files/2024-08/sdpd-pursuits-data-analysis.pdf> [as of September 11, 2025]

[115] San Diego Commission on Police Practices, S.D.P.D. Pursuits 2019-2024 Totals (2024) pg. 12 <https://www.sandiego.gov/sites/default/files/2024-08/sdpd-pursuits-data-analysis.pdf> [as of September 11, 2025]

[116] San Diego Commission on Police Practices, S.D.P.D. Pursuits 2019-2024 Totals (2024) pg. 5 <https://www.sandiego.gov/sites/default/files/2024-08/sdpd-pursuits-data-analysis.pdf> [as of September 11, 2025]

[117] Board of Police Commissioners, Vehicle Pursuit Analysis 2019-2022 (2023) <at https://www.lapdpolicecom.lacity.org/042523/BPC_23-082.pdf > (as of Aug. 2025)

[118] 2015 Queally article – still needs to be pulled.

[119] Los Angeles Transit Services Bureau, Vehicle Pursuit Analysis for the Board of Police commissioners (2025) at < https://www.lapdpolicecom.lacity.org/032525/BPC_25-077.pdf >

[120] Los Angeles Transit Services Bureau, Vehicle Pursuit Analysis for the Board of Police commissioners (2025) pg. 3 at < https://www.lapdpolicecom.lacity.org/032525/BPC_25-077.pdf >

[121] Los Angeles Transit Services Bureau, Vehicle Pursuit Analysis for the Board of Police commissioners (2025) pg. 7 at < https://www.lapdpolicecom.lacity.org/032525/BPC_25-077.pdf >

[122] Los Angeles Transit Services Bureau, Vehicle Pursuit Analysis for the Board of Police commissioners (2025) pg. 7 at < https://www.lapdpolicecom.lacity.org/032525/BPC_25-077.pdf >

incidents necessarily lead to high-speed chases, high-speed chases are necessarily a form of evading an officer — and the most dangerous form of evading. 2024 RIPA data shows California law enforcement agencies were involved in 5,641 total stops where evading law enforcement was at least one of the interactions noted by officers. Of those 5,641 stops, nearly 74 percent involved stops involving traffic violations, while 18 percent of stops were based on reasonable suspicion, and only approximately 5 percent of stops were based on probable cause.[123]

Just over 30 percent of these interactions involved officers aiming their firearms at individuals stopped in this category. Individuals perceived as Black who evaded law enforcement were the most likely to have firearms drawn against them (35.14%), higher than the average across all identity groups (30.7%).

The RIPA Board has sought to understand what types of stops often ultimately result in or include charges for evading law enforcement to assess racial disparities, efficacy of crime prevention in the stops balanced with the risks of high-speed chases in California. The Board recognizes this is the beginning of the discussion of police pursuits and, accordingly, recommends further analysis of pursuit data is needed to assess how many pursuits were initiated from traffic infractions, what is the racial and identity make up of stops that lead to law enforcement pursuits, as well as whether bystander injuries and deaths disparately impact communities of color. Continued assessment and analysis should drive future discussions regarding improving the safety and efficacy of pursuits policies. Correlation analysis of whether further reductions in pretextual stops corresponds to reductions in dangerous high-speed pursuits should also be considered.

B. Jurisdictions That Have Reduced or Eliminated Pretextual Stops Have Demonstrated Reductions in Racial and Identity Profiling and Improved Public Safety

As a result of overwhelming data reflecting racial disparities in traffic stops and the ineffectiveness of traffic stops in preventing crime and improving public safety, the Board has previously recommended ending the wide-spread and costly use of pretextual stops in California.[124] The 2022 California Committee on Revision of the Penal Code also recommended a prohibition on traffic infraction related stops, weighing their limited public safety benefit against the potential of a prohibition to "help to alleviate racial disparities, improve perceptions

---

[123] 2024 RIPA data

[124] See Racial and Identity Profiling Board 2023 Annual Report, p. 89 < https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > [as of Mar. 6, 2025]. In that report, the Board made four specific recommendations related to the elimination of traffic stops: (1) Limiting enforcement of traffic laws and minor offenses that pose a low risk to public safety and show significant disparities in the rate of enforcement; (2) Limiting armed law enforcement responses only to stops if there is a concern for public safety; (3) Prohibiting certain searches, such as consent searches or supervision searches, during traffic stops and instead requiring probable cause for any search; and (4) Eliminating all pretextual stops and subsequent searches and ensuring that a stop or search is based on reasonable suspicion or probable cause, respectively. See also 2024 RIPA Board Annual Report, pg.68 (citing continued advocacy of 2023 Recommendations).

of the fairness of our criminal legal system, and encourage the development of more effective policing strategies."[125]

The concept of policing without pretextual traffic stops has gained traction from police departments, sheriff departments, district attorney's offices , cities, and states.[126] These agencies and jurisdictions have acknowledged the negative impact of pretextual stops on public safety, and, in response, have limited or eliminated the ability of law enforcement to use traffic stops as a pretext for suspicion-less investigations.[127] The success of those jurisdictions in limiting and ending pretextual stops to improve public safety and reduce racial profiling provides further support for the Board's recommendations as a means of achieving similar results on a state-wide scale.[128]

State and Local Policies Limiting Non-Safety Related Traffic Stops[129]

Policy Type	Jurisdictions	Policy Summary
Legislation – State	California, Connecticut, Illinois, Maryland, New Jersey, New York, Ohio, Oregon, Vermont, Virginia	State legislatures passed laws limiting or prohibiting non-safety related traffic stops. California Vehicle Code section 5204 allows a one month grace period on registration expiration, and Government Code section 12525.5 requires officers to state the reason for the stop before engaging in questioning related to a traffic violation or criminal investigation. Oregon Senate Bill No. 1510 permits an officer to issue a citation for a lighting violation only if the officer has already stopped the driver for a separate traffic violation or other offense.
Legislation – City	Ann Arbor, MI Berkeley, CA East Lansing, MI Philadelphia, PA	City councils passed local ordinances targeting non-safety stops. Ann Arbor (2023) and East Lansing (2024) passed measures to deprioritize stops for secondary traffic violations.

---

[125] Technical traffic citations which would no longer warrant police contact were, "vehicle or equipment registration, positioning or number of license plates, lighting equipment, window tints or obstructions and bicycle equipment and operation." Committee on Revision of the Penal Code, 2022 Annual Report, pg. 33. <https://clrc.ca.gov/CRPC/Pub/Reports/CRPC_AR2022.pdf > [as of June 26, 2025].
https://clrc.ca.gov/CRPC/Pub/Reports/CRPC_AR2022.pdf > [as of June 26, 2025].
https://clrc.ca.gov/CRPC/Pub/Reports/CRPC_AR2022.pdf > [as of June 26, 2025].
https://clrc.ca.gov/CRPC/Pub/Reports/CRPC_AR2022.pdf > [as of June 26, 2025].

[126] XX, 2025]; See chart, infra. https://legiscan.com/CA/text/AB256/id/2841765> [as of XX, 2025]; Assemb. Bill No. 2773 (2021-22 Reg. Sess.). <> [as of July 2, 2025]; Or. Senate Bill No. 1510 (81st Leg. Assemb., Reg. Sess. 2022). <> [as of XX, 2025]; Va. House Bill No. 5058, Spec. Sess. I. (2020). <> [as of June 26, 2025]; Va. Senate Bill No. 5029, Spec. Sess. I. (2020). <> [as of XX, 2025]; Ill. House Bill No. 2389, 103rd Gen. Assemb. (2023). <> [as of June 26, 2025]; N.Y. Assemb. Bill No. A7599 (2023-24 Reg. Sess.). <> [as of XX, 2025]; NJ Rev Stat § 39:3-76.2n & 76.2f (2024); <> [as of June 26, 2025]; Md. Transp. Code § 13-411(c) (2024). <> [as of June 26, 2025]; <> [as of June 26, 2025]; Oh. Rev. Code § 4511.043 (2024). <> [as of June 26, 2025]; Conn. Public Act No. 25-19 (2025). <> [as of XX, 2025]; 23 Vt. Stat. Ann. § 615(b) (2024). <> [as of XX, 2025].

[127] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of June 26, 2025].

[128] Vera Institute, *Police Are Stopping Fewer Drivers – And It's Increasing Safety*. (Jan. 11, 2024) < https://www.vera.org/news/police-are-stopping-fewer-drivers-and-its-increasing-safety> [as of Mar. 25, 2025]

[129] Data compiled from Vera Institute of Justice, Redefining Public Safety Initiative: Sensible Traffic Ordinances for Public Safety (June 2025) <https://tinyurl.com/5n7nu66c> [as of June 26, 2025].

Law enforcement directive	Carrboro, NC Chapel Hill, NC Denver, CO Lansing, MI Los Angeles, CA Mecklenburg County, NC Minneapolis, MN San Francisco, CA Seattle, WA	Police and sheriffs' departments issued internal directives to deprioritize or prohibit non-safety related stops. The LAPD's 2022 directive restricts stops for minor infractions unless there is reasonable suspicion regarding a serious crime, while a police officer of Minneapolis Police Department may not initiate a traffic stop solely based on nonmoving, secondary violations, unless there is an articulable risk to public safety.
Legislative resolution	Chapel Hill, NC Shaker Heights, OH West Hollywood, CA Ypsilanti, MI	City councils adopted resolutions to guide enforcement away from low-level traffic violations. West Hollywood declared that vehicle registration, license plates, and lighting were minor, low-level traffic offenses and of low priority for enforcement by the Los Angeles Sheriff's Department.
Prosecutor directive	Chittenden County, VT Ingham County, MI Ramsey County, MN Washtenaw County, MI	County prosecutors issued policies declining to prosecute cases stemming from non-safety stops. Washtenaw County Prosecutor's Office states that the office will no longer prosecute contraband cases that arise from pretext stops, while Ramsey County Attorney's Office will decline to prosecute cases when the charge is solely the product of a non-safety related traffic stop.
Executive or executive agency order	Philadelphia, PA	Mayoral executive order on driving equality policy directed Philadelphia Police Department to only conduct vehicle stops in circumstances where the violations create a risk of danger.
Presidential executive order	President Biden issued the "Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety" (May 25, 2022).[130]	President Biden called on police across the country to end "discriminatory pretextual stops."

In the 2023 RIPA report, the Board noted numerous police agencies, municipalities, and even states that have begun to craft legislation aimed at limiting pretextual stops to reduce their racially disparate impact and ineffectiveness in promoting public safety.[131] This year, the Board seeks to further this policy discussion by assessing current stop data with pretextual stop reforms discussed below.

1. Early Steps Taken: 2013 Fayetteville, North Carolina

Early into his appointment as police chief in Fayetteville, North Carolina, newly installed Chief of Police Harold Medlock sought to reduce high crash rates and assuage community concerns

---

[130] Exec. Order No. 14074, *Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety* (2022). <https://tinyurl.com/yu662ndf> [as of XX, 2025] This executive order was rescinded by the Trump Administration. Exec. Order 14148, *Initial Rescissions Of Harmful Executive Orders And Actions* (2025) <https://tinyurl.com/4jb6mcpb> [as of XX, 2025].

[131] Racial and Identity Profiling Board 2023 Annual Report < https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > [as of Mar. 6, 2025].

regarding racial profiling.[132] Following the resignation of the prior police chief due in part to data showing 75 percent of all civilians stopped by law enforcement were Black,[133] Fayetteville sought a review of the Police Department by the US Department of Justice Office of Community Oriented Policing Services' and Collaborative Reform Initiative for Technical Assistance.[134] The study provided empirical evidence supporting residents' reports of racial profiling in pretextual traffic stops.[135] The local chair of the NAACP, the Pastor's Coalition, and the Fayetteville Cumberland County Ministerial Council all expressed concerns of Black residents in the community being singled out by law enforcement for "driving while black."[136]

a. The Policy

In response to statistical connections between pretextual stops and racial profiling and to community concerns of lived experiences of racial profiling, in 2013, Fayetteville imposed restrictions on stops for traffic-related infractions and focused officers instead on safety-related stops such as impaired and reckless driving.[137] Officers were also mandated to use GPS data on all traffic stops to further assess the implications of the new policy directives.[138]

b. The Results

Researchers have described the successes of the changes as instrumental in increasing public safety, reducing racial and identity profiling, and mending community relations.[139]

A study conducted by researchers at the University of North Carolina compared the data from stops and all vehicle accidents from 2002 to 2016 of Fayetteville and eight other North Carolina police agencies and

> "Everything good that could happen, did happen."
>
> —Chief Harold Medlock, as quoted in Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022)

highlighted key successes of Fayetteville's restrictive pretextual stop policies in their reduction of vehicular accidents and racial profiling.[140] The ultimate conclusion of the report found that "re-prioritization of traffic stop types by law enforcement agencies may have positive public

---

[132] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of XX, 2025].

[133] Barnes, Greg, *Medlock at Peace with Decision to Step Down as Chief,* (2016) The Fayetteville Observer <https://www.fayobserver.com/story/news/crime/2016/08/27/medlock-at-peace-with-decision/22395851007/> [as of June 30, 2025].

[134] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of XX, 2025].

[135] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of Sept. 16, 2025].

[136] Pitts, *Fayetteville Police Chief Who Drew National Attention for Reform is Still at it,* The Fayetteville Observer (Feb. 2021) <https://tinyurl.com/33hemw6r> [as of Sept. 16, 2025].

[137] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of Sept. 16, 2025].

[138] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of Sept. 16, 2025].

[139] Need cite

[140] Fliss, et al. "Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities" (Jan. 2020) 7 Inj Epidemiol. 3. <https://tinyurl.com/2uhwu6bz> [as of June 16, 2025].

health consequences both for motor vehicle injury and racial disparity outcomes while having little impact on non-traffic crime."[141]

Chief Medlock described the results of the policy change as "crime went down, fatalities went down, crashes went down, uses of force went down, injuries to officers and the public went down. There was a general feeling that things were safer and there was a better relationship. The anecdotal things I am sharing … are really backed up by the data."[142] Law enforcement officers subject to the policy change in Fayetteville echoed these observations of positive community engagement and trust. The assistant chief described the improvement to community relations as "night and day," resulting in an increased willingness of community members to assist in other areas of law enforcement and include law enforcement in community events, stating, "everybody now wanted to be associated with the Fayetteville Police Department."[143]

c.   Current Practices

Fayetteville can serve as both a lesson in positive data-driven changes—and more recently, a cautionary tale of what happens when those data driven changes are abandoned.[144] Chief Medlock retired in December of 2016, and subsequent police chiefs ushered in new priorities and policies, largely reversing Medlock's policies with regards to pretextual stops.

In 2023, Fayetteville's crime statistics showed a 53 percent increase in traffic stops, with law enforcement stopping and searching Black drivers at twice the rate of White drivers in the city.[145] The new statistics drew comparisons from pre-2013 reforms, when disparate stop-and-search rates created the impetus for Chief Medlock's policies that proved successful from 2013-2016 under his leadership.[146] Fayetteville North Carolina's racial disparity rate in pretextual stops is now even higher than in 2012 when reforms ushered in a new era.[147]

In 2024, the city council was briefed on the successes of the prior policies by the Vera Institute of Justice, a program involved in the original reforms instituted by Chief Medlock. Hamilton Brooks of Vera informed council members that prior reform policies restricting pretextual traffic stops decreased crashes with serious injuries by 23 percent and decreased traffic fatalities by 28 percent, while also decreasing racial disparities in stops by 21 percent.[148] The group advised the

---

[141] Fliss, et al. "Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities" (Jan. 2020) 7 Inj Epidemiol. 3. <https://tinyurl.com/2uhwu6bz> [as of May 30, 2025].

[142] Pitts, *Fayetteville Police Chief Who Drew National Attention for Reform is Still at it,* The Fayetteville Observer (Feb. 2021) <https://tinyurl.com/33hemw6r> [as of Sept. 16, 2025].

[143] Raim, Sam, *Police are Stopping Fewer Drivers – and It's Increasing Safety* (Jan. 2024) Vanguard Newsgroup. < https://davisvanguard.org/2024/01/guest-commentary-police-are-stopping-fewer-drivers-and-its-increasing-safety/> [as of June 30, 2025].

[144] Riley, Rachel, *National groups say Fayetteville is stopping more Black drivers than it was a decade ago,* (Nov. 2024) The Fayetteville Observer <https://tinyurl.com/4nedtaxd> [as of Sept. 16, 2025].

[145] Weisblat, Evey, *Council Votes Against Motion for Committee to Address Traffic Stop Racial Disparities,* (Mar. 2024) City View, < https://www.cityviewnc.com/stories/council-votes-against-having-committee-review-traffic-stop-disparity-solutions/> [as of June 30, 2025].

[146] Riley, Rachel, *National groups say Fayetteville is stopping more Black drivers than it was a decade ago,* (Nov. 2024) The Fayetteville Observer <https://tinyurl.com/4nedtaxd> [as of Sept. 16, 2025].

[147] Riley, Rachel, *National groups say Fayetteville is stopping more Black drivers than it was a decade ago,* (Nov. 2024) The Fayetteville Observer <https://tinyurl.com/4nedtaxd> [as of Sept. 16, 2025].

[148] Riley, Rachel, *National groups say Fayetteville is stopping more Black drivers than it was a decade ago,* (Nov. 2024) The Fayetteville Observer <https://tinyurl.com/4nedtaxd> [as of Sept. 16, 2025].

council that "data suggests that Fayetteville could be effective in stopping dangerous driving and decreasing fatalities and injuries if it focuses on dangerous driving instead of low-level traffic violations where there are racial disparities."[149] Whether Fayetteville is currently willing to make similar changes that proved successful under Chief Medlock's tenure remains to be seen.

2. Virginia's State-Wide Limitation on Pretextual Stops

a. The Policy

As noted in the 2023 RIPA Report, Virginia became the first state to enact a state-wide limitation on pretext stops.[150] The Virginia policy created a two-tier traffic enforcement system, limiting officer discretion and only allowing stops for specified offenses considered to impact public safety. The bill also prohibits the introduction of any evidence discovered or obtained due to an impermissible stop at any trial, hearing, or other legal proceeding.[151] Virginia's data reporting requirements for law enforcement agencies require critical data points to assess racial disparities, including perceived "race, ethnicity, age, and gender" of the person subject to police contact.[152]

b. The Results

Though data gathered in 2023 showed continued disparities in stops for individuals perceived to be Black and Hispanic/Latine(x), with individuals perceived to be Black facing the most statistically significant disparities, initial analysis showed searches "plummeted" as a result of the limitation on pretextual stops and additional limitations on searches based on the scent of marijuana and other infractions.[153]

More recently, the Julian organization published a report in the fall of 2024 analyzing stop data by individual counties in the state for racially disparate treatment from July of 2020 to September of 2023.[154] The study found arrest and search rates continue to show disparities in Virginia, with Black individuals more than 350% more likely to face arrest and 500% more likely to be searched than White individuals.[155] While stressing a continuing need to reduce high disparities in policing particularly with regard to Black drivers, the Report found a decline in three racially disparate areas of policing from 2020 to 2023: "person searches," vehicle searches,

---

[149] Riley, Rachel, *National groups say Fayetteville is stopping more Black drivers than it was a decade ago,* (Nov. 2024) The Fayetteville Observer <https://tinyurl.com/4nedtaxd> [as of Sept. 16, 2025].

[150] See Racial and Identity Profiling Board 2023 Annual Report, pg.100 <https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf > citing H 5058, Va. Acts of Assembly (2020 Special Sess.) <https://static1.squarespace.com/static/58afc5861b631bb7fa6729f6/t/609325f4e3157f0a949d8c45/1620256244752/legp604.exe-14.pdf > [as of Nov. 29, 2021]

[151] H 5058, Va. Acts of Assembly (2020 Special Sess.).

[152] HB 1250, Virginia Traffic Stop Data Collection, Section 52-30.2 Collection of Data <https://law.lis.virginia.gov/vacode/title52/chapter6.1/section52-30.2/ > [as of June 30, 2025].

[153] Paviour, Black Drivers in Virginia Still More Likely to Be Stopped as Searches Drop, NPR (Aug. 3, 2023) < https://www.vpm.org/news/2023-08-03/black-hispanic-drivers-traffic-stops-policing-virginia-dcjs> [as of June 30, 2025]

[154] Miere and De Silva, *Disparate Impact: A Statistical Analysis of Virginia Police Stop Outcomes*, Julian, Sept. 2024 < https://tinyurl.com/595dsaxd> [as of June 16, 2025].

[155] Miere and De Silva, *Disparate Impact: A Statistical Analysis of Virginia Police Stop Outcomes*, Julian, Sept. 2024, p. 5 <https://tinyurl.com/595dsaxd> [as of June 16, 2025].

and traffic violation outcomes.[156] The results of this study indicate that racial disparities in "person searches" during police stops have declined since the implementation of the law.[157] The report acknowledged improvements in racial disparities, but recommended a number of additional policy changes for consideration, including 1) improved data collection, 2) increased reliance on the data by defense attorneys during litigation, 3) pattern-and-practice investigations conducted by the Attorney General of Virginia, 4) legislative reform, and 5) continued research in disparate impacts of policing.[158]

3. Los Angeles

Amid growing community dissatisfaction with policing and calls for the disbandment of the Metro Task Force, the Los Angeles Police Commission requested the Los Angeles Inspector General to conduct a review of law enforcement stops conducted by the Los Angeles Police Department in 2019.[159] The Inspector General's comparison of LAPD's 2019 RIPA stop data submission against a sample of video recordings from officers' bodycam footage showed significant racial disparities in stops, with individuals perceived to be Black overrepresented and White or Asian individuals "significantly underrepresented" in stops, even when taking into consideration the racial makeup of the communities where the police contact occurred.

Video review of the stops also showed that officers did not document 23 percent of stops and searches seen on video reviews for mandated RIPA reporting, leading the Inspector General to consider LAPD's stop-and-search data to be significantly underreported.[160]

Even with limited reporting, the report found the searches reviewed proved to be "of limited effectiveness in identifying evidence of illegal firearms or other serious crimes."[161] Specialized units like the Metro Task Force, gang units, and other crime suppression teams were the greatest drivers of racially disparate policing. The highest racial disparities in stop types were related to non-safety stops, such as "equipment or regulatory violations."[162] The report recommended the LAPD reduce disparities by ending pretextual and discretionary stops based on traffic-related infractions and minor equipment or regulatory violations, which more heavily impact low-

---

[156] Miere and De Silva, *Disparate Impact: A Statistical Analysis of Virginia Police Stop Outcomes*, Julian, Sept. 2024, p. 5 <https://tinyurl.com/595dsaxd> [as of June 16, 2025].

[157] Miere and De Silva, *Disparate Impact: A Statistical Analysis of Virginia Police Stop Outcomes*, Julian, Sept. 2024, p. 31 <https://tinyurl.com/595dsaxd> [as of June 16, 2025].

[158] Miere and De Silva, *Disparate Impact: A Statistical Analysis of Virginia Police Stop Outcomes*, Julian (Sept. 2024), p. 6 <https://tinyurl.com/595dsaxd> [as of June 16, 2025].

[159] Jany, et al. *Minor Police Encounters Plummet After LAPD Puts Limits on Stopping Drivers and Pedestrians*, (Nov. 2022) LA Times < https://www.latimes.com/california/story/2022-11-14/minor-traffic-stops-plummet-in-months-after-lapd-policy-change > [as of May 29, 2025].

[160] Office of the Inspector General, *Los Angeles Police Commission Review of Stops Conducted by the Los Angeles Police Department in 2019*, (Oct. 27, 2020), p. ? <https://tinyurl.com/mbvbv4uv> [as of May 30, 2025].

[161] Office of the Inspector General, *Los Angeles Police Commission Review of Stops Conducted by the Los Angeles Police Department in 2019*, (Oct. 27, 2020), p. 8 <https://tinyurl.com/mbvbv4uv> [as of May 30, 2025].

[162] Cite here.

income communities.[163] Instead, the report urged the department to focus its resources on activities "directly related to increasing public safety."[164]

a. The Policy

In 2022, the Los Angeles Board of Police Commissioners enacted a law enforcement directive, Policy No. 240.06, which limited all traffic stops absent a public safety concern.[165] If conducting a pretextual stop, officers must first record the specific public safety or other concern on their body-worn camera before making contact.[166] The policy defines a pretextual stop where officers use reasonable suspicion or probable cause of a minor traffic or code violation as a pretext to investigate another, more serious crime that is unrelated to that violation.[167] The policy and need for change drew support from Police Chief Michael Moore, who told the New York Times, "we want to fish with a hook, not a net."[168]

b. The Results of Los Angeles's Policy

As the LAPD policy took effect in March of 2022, RIPA analysis has focused on data with a time range of March to December for each year's stop data to account for variables such as crime trends, tourism, holidays, weather, or other unknown factors..[169]

Monthly Stop Totals

Once Los Angeles limited the scope of stops, the number of total stops declined correspondingly by 21 percent between the months of March and December, 2022, compared to the same period in 2021. There were 14.56 percent fewer stops in 2023 between the months of March and December (297,277 stops) than during the comparison period in 2021. There were 16.34 percent fewer stops in 2024 between the months of March and December (291,094 stops) than during to the comparison period in 2021. Though stops increased in 2024 compared to the previous year, stops in 2024 remain lower under the pretextual stop ban than before the ban was issued.

---

[163] Office of the Inspector General, *Los Angeles Police Commission Review of Stops Conducted by the Los Angeles Police Department in 2019*, (Oct. 27, 2020), p. ? <https://tinyurl.com/mbvbv4uv> [as of May 30, 2025].

[164] Office of the Inspector General, *Los Angeles Police Commission Review of Stops Conducted by the Los Angeles Police Department in 2019*, (Oct. 27, 2020), p. 9-10 <https://tinyurl.com/mbvbv4uv> [as of May 30, 2025].

[165] Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <https://tinyurl.com/3zxnwfcn> [as of XX, 2025].

[166] Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <https://tinyurl.com/3zxnwfcn> [as of XX, 2025].

[167] Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <https://tinyurl.com/3zxnwfcn> [as of XX, 2025].

[168] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of XX, 2025].

[169] Police practices may vary by time of year due to crime trends, tourism, holidays, weather, or other unknown factors. In particular, the COVID-19 pandemic-related shutdowns were widespread in 2020, making that year of RIPA data unique in many aspects. For these reasons, we summarized differences in stop totals and characteristics between the months of March and December in 2021 (before the pretext policy) and March and December in 2022, March and December in 2023, and March and December in 2024 (after the pretext policy). We refer to March through December 2021 as the "comparison period."
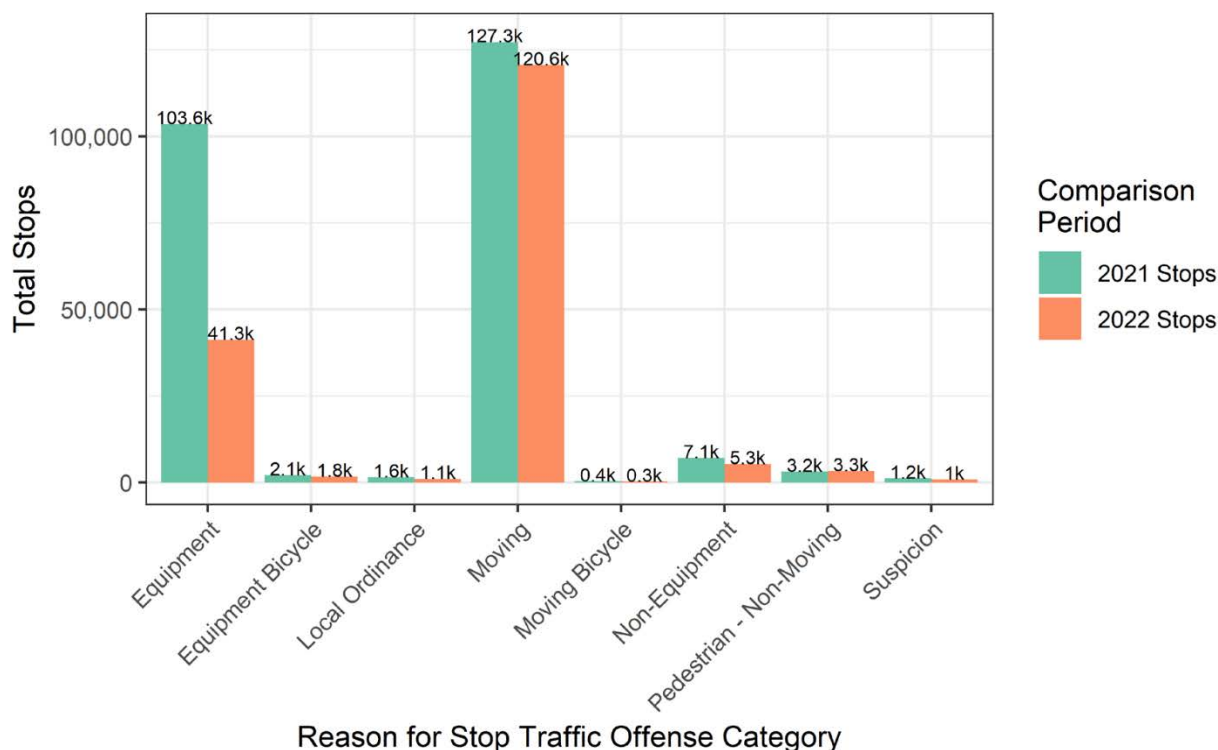
[new chart pending from research services]
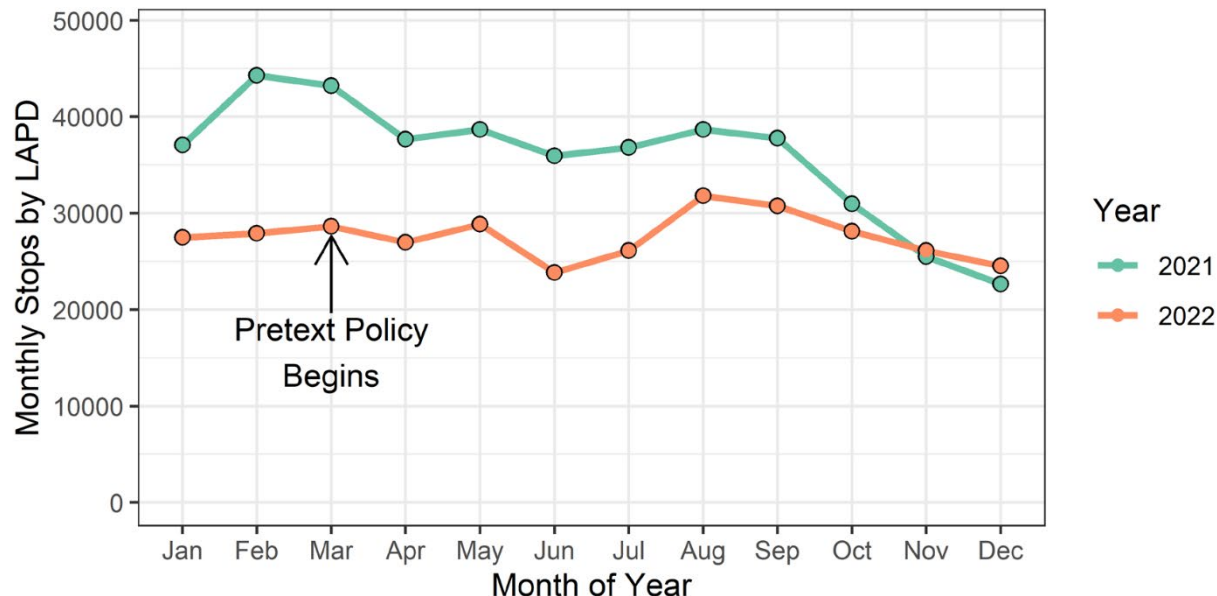
Traffic infraction stops decreased [new chart pending from research services]

Non-moving violations decreased by nearly 60 percent between 2021 (118,767 stops) and 2024 (48,265 stops, a 59.36% decrease). There was a dramatic reduction in common equipment violations, such as broken or burned-out vehicle lights, damaged or cracked windshields, and missing/malfunctioning safety equipment, after the pretext policy was implemented (57.61% reduction from 105,603 stops in 2021 to 44,769 in 2022). The number of traffic stops for common equipment violations stayed relatively consistent with the 2022 rate in 2023 and 2024. Between 2021 and 2024, stops for common equipment violations decreased 59.28 percent, local ordinance violations decreased 33.76 percent, moving violations decreased 1.77 percent, moving bicycle violations decreased 62.59 percent, non-equipment violations decreased 48.03 percent, non-moving violations decreased 73.69 percent, non-moving pedestrian violations decreased 71.28 percent, and suspicion violations decreased 84.29 percent. The number of moving violations remained relatively constant from 2021 to 2024.

Searches Decreased While Discovery Rates Improved

[insert chart from data services]

The LAPD performed 15.16 percent fewer searches after the pretext policy was in place between the months of March and December 2022 (77,769 searches) compared to the same period during 2021 (91,661 searches). The LAPD performed 7.68 percent fewer searches between the months of March and December 2023 (84,621 searches) than it did during the same period in 2021. However, this represents an increase in searches from 2022. The LAPD performed 39.07 percent fewer searches during the months of March and December 2024 (55,849 searches) compared to the same period during 2021. This represents the smallest number of searches compared to the same periods in each of the prior years[170]. Additionally, the LAPD's search rate slightly increased year to year from 2021 (26.34% of stops involved a search) to 2023 (28.47%), with an almost 10-point decrease in 2024 (19.19%).

[will expand on searches charts and data shown on page 60 and 61 of the 2024 RIPA Report]

Contraband discovery rates have continued to climb as reductions in pretextual stops occur. For instance, the LAPD discovered contraband during a higher percentage of RIPA-reported stops between March and December of 2022 (26.04%, 20,253 stops) compared to the comparison period in 2021 (25.59%, 23,454 stops). [171] The LAPD discovered contraband during a higher percentage of RIPA-reported stops between March and December of 2023 (26.40%, 22,340 stops) compared to the comparison period in 2021. The LAPD discovered contraband during a higher percentage of RIPA-reported stops between March and December of 2024 (32.59%, 18,203 stops) compared to the comparison period in 2021.

Pretextual stop bans appear to be reducing officer time spent on enforcing minor traffic infractions and improving efficiency and success rates in searches. As Los Angeles' reforms on pretextual stops continue to show improved policing, further reforms may prove beneficial. Further, Los Angeles County's successes in reducing officer time dedicated to traffic infractions and improving search rate percentages further support a state-wide limitation on pretextual stops.

---

[170] This decrease could at least partially be explained by the introduction of terry frisk as an option for officers to choose to separate from a search of a person or property in 2024.

[171] 2024 RIPA Board Annual Report, pg. 57 <https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf >,[as of May 1, 2025]https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf > [as of May 1, 2025]https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf >2024 RIPA report,[as of May 1, 2025] pg. 57.

c.   Calls for More

In 2023, the Los Angeles City Council created the Alternatives to Traffic Enforcement and Community Task Force to assess successes of the program and areas where the city can do more.[172] In response, the Task Force presented three key findings: 1) disparate traffic stops remain concentrated in three neighborhoods; 2) disparate stops and elevated police responses to racial minorities continue to be reflected in the data; and 3) targeting drivers for moving violations continues to disparately impact racial minorities — particularly Black drivers.[173]

The Task Force suggested a number of improvements: 1) increasing investments in infrastructure; 2) placing further limitations on pretextual stops; 3) finding alternatives to fines and fees; 4) identifying obstacles to discipline and accountability of officer misconduct (e.g., excessive use of force, racial profiling, and other violations) and identifying strategies to overcome these obstacles; and 5) creating a civilian response to traffic infractions with a focus on road safety and traffic- related calls for service.[174]

4.   Additional pretextual stop limitations in California

Three other California jurisdictions have recently enacted policies limiting officer discretion and pretextual stops in certain circumstances. The Board will continue to monitor the data from these jurisdictions to determine whether, and to what extent, these policy changes have affected the rates of racial and identity profiling going forward.

a.   San Francisco: Policy No. 9.07.04(a) (2023)[175]

In response to several high-profile incidents of racial bias in its police force, the mayor of San Francisco and its then police chief requested analysis by the US Department of Justice to assess racial disparities in its policing.[176] The result was a 68-page report which addressed five objectives and made 94 findings and 272 recommendations.[177] The report recommended robust data collection and analysis, community focused engagement on policing and feedback, and a change to policies which show disparate impact on police practices.

The Department followed recommendations for a data-driven approach by further engaging in data analysis to determine how the city can reduce racial disparities in police contacts.[178] The 2023 report analyzed 60,000 stops in San Francisco and further confirmed that law enforcement disproportionately stopped Black and Latinx drivers, specifically finding that pretextual stops "drive much of the racial disparity in traffic enforcement."[179] The report recommended changing

---

[172] Los Angeles City Council, *Alternatives to Traffic Enforcement and Community Task Force* (Apr. 2024) <https://clkrep.lacity.org/onlinedocs/2020/20-0875_rpt_tran_6-11-24.pdf >

[173] LA DOT report: Traffic Enforcement Alternatives Project Report (Nov. 2023)

[174] LA DOT report: Traffic Enforcement Alternatives Project Report (Nov. 2023)

[175] San Francisco Police Dept, *General Order*, Policy No. 9.07.04(A) (2023). < Policy link> [as of XX, 2025].

[176] Collaborative Reform Initiative, *An Assessment of the San Francisco Police Department*, (Oct. 2016) US DOJ <https://portal.cops.usdoj.gov/resourcecenter/RIC/Publications/cops-w0818-pub.pdf> [as of May 1, 2025]

[177] Collaborative Reform Initiative, *An Assessment of the San Francisco Police Department*, (Oct. 2016) US DOJ <https://portal.cops.usdoj.gov/resourcecenter/RIC/Publications/cops-w0818-pub.pdf> [as of May 1, 2025]

[178] Denney, Jacob, *Putting an End to Biased Traffic Stops in San Francisco* (Feb. 2023) Spur <https://www.spur.org/news/2023-02-21/putting-end-biased-traffic-stops-san-francisco> [as of May 1, 2025].

[179] Denney, Jacob, *Putting an End to Biased Traffic Stops in San Francisco* (Feb. 2023) Spur <https://www.spur.org/news/2023-02-21/putting-end-biased-traffic-stops-san-francisco> [as of May 1, 2025].

all non-moving traffic violations to mail citation responses, removing non-safety violations from law enforcement purview, reducing fines and fees, and completely eliminating minor violations that have no impact on road safety.[180]

In response to the studies above, the San Francisco Police Commission passed Policy No. 9.07.04(a) in 2023 to de-prioritize stops for nine categories of low-level offenses, such as license plate illumination, display of registration tags, brake lights, and rear-view mirror obstruction.[181] The policy acknowledged most traffic enforcement stops as pretextual and that "pre-text stops are disproportionately carried out against people of color and return negligible public safety benefits." The change in policy also acknowledged the "fiscal, human and societal costs" of racially disparate pretextual stops. Litigation challenging the new policy by the San Francisco Police Officer's Association delayed the implementation of policy 9.07 until its passage in 2024.[182]

b. Berkeley: Report and Recommendations from the Mayor's Fair and Impartial Policing Working Group (2021)

In 2021, the Berkley Police Department approved its "Report and Recommendations from Mayor's Fair and Impartial Policing Working Group," a slate of policy changes designed to amend officer conduct in policy stops.[183] Officers are not prohibited from stopping individuals for safety violations such as speeding, failure to yield to pedestrians or other vehicles, red light or stop sign violations, or drivers showing signs of impairment.[184] Conversely, officers are instructed to minimize or deemphasize other forms of traffic-related stops that did not have statistically significant correlations with crashes and fatalities.[185]

c. West Hollywood: Resolution No. 22-5516 (2022)

In 2022, West Hollywood introduced Resolution No. 22-5516, which declared certain low-level document and equipment defects such as registration, lighting, license plate issues and view obstruction stops to be considered low priority.[186] As such, the Resolution directed law enforcement to focus resources away from these low-level stops.

---

[180] Denney, Jacob, *Putting an End to Biased Traffic Stops in San Francisco* (Feb. 2023) Spur <https://www.spur.org/news/2023-02-21/putting-end-biased-traffic-stops-san-francisco> [as of May 1, 2025].

[181] San Francisco Police Dep't, *General Order*, Policy No. 9.07.04(A) (2023). < Policy link> [as of XX, 2025]

[182] Balakrishnan, Eleni, *SF Police Commission Restricts Pretext Stops Over Union Objections* (Feb. 2024) Mission Local < https://missionlocal.org/2024/02/sf-police-commission-restricts-pretext-stops-union-objections/ >

[183] City of Berkeley, Motion Item # 1, Special Meeting, February 23, 2021 "Report and Recommendations from Mayor's Fair and Impartial Policing Working Group" (Feb. 23, 2021) <https://tinyurl.com/6zak4xwz> [as of Mar. 25, 2025].

[184] City of Berkeley, Motion Item # 1, Special Meeting, February 23, 2021 "Report and Recommendations from Mayor's Fair and Impartial Policing Working Group" (Feb. 23, 2021) <https://tinyurl.com/6zak4xwz> [as of Mar. 25, 2025].

[185] City of Berkeley, Motion Item # 1, Special Meeting, February 23, 2021 "Report and Recommendations from Mayor's Fair and Impartial Policing Working Group" (Feb. 23, 2021) <https://tinyurl.com/6zak4xwz> [as of XX, 2025].

[186] West Hollywood City Council, Res. No. 22-5516 (2022). <https://tinyurl.com/mrspayzr> [as of XX, 2025].

IV. OVERSATURATION POLICING DISPROPORTIONATELY HARMS MARGINALIZED COMMUNITIES AND UNDERMINES PUBLIC SAFETY

The negative impacts of pretextual stops on communities are increased as police interaction within those communities increase; simply put, the more pretextual stops there are, the more likely those pretextual stops will have an effect on the community in which they occur. In this section, the Board examines how practices which concentrate law enforcement presence in marginalized communities — a practice known as "oversaturation" — impact those communities,reduce public safety, and how these practices are a function of or perpetutate racial profiling.

Where an individual lives, where they spend their time, and what they look like will largely determine how often they encounter law enforcement in their everyday lives. When law enforcement is disproportionately concentrated in particular communities, individuals in those communities may experience that law enforcement is "everywhere when surveilling people's everyday activity."[187] Accordingly, oversaturation practices increase the risk of racial profiling.In one study, community members in a community experiencing police oversaturation reported their perceptions of police to be "extremely attentive to small infractions," "hound[ing] people for minor quibbles," and "overly aggressive" for "minor infractions and seemingly innocuous inquiries."[188]

What these community members perceived is order maintenance policing, a form of proactive policing, .[189] Law enforcement policies built around order maintenance policing encourage officers to crack down against minor, even seemingly innocuous infractions which invites officers to act on implicit biases.[190] Interviews with young urban residents show that stop and search practices, coupled with frequent arrests for low-level public-order offenses, are widely viewed as unjust because they are insensitive, harsh or racially selective and potentially based upon prejudice."[191] These tactics may signal "broad-based and automatic suspicion based on

---

[187] Prowse, et al. (2019). *The State from Below: Distorted responsiveness in policed communities.* Urban Affairs Review at p.1. < the-state-from-below.pdf> [as of June 4, 2025])

[188] *Id.* at p.13-14.

[189] See Soss and Weaver. (2017). *Police Are Our Government: Politics, political science, and the policing of race-class subjugated communities.* Annu. Rev. Polit. Sci. <https://tinyurl.com/yd2xx3wr> [as of XX, 2025]; Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpeuch (eds.), Comparing the Democratic Governance of Police Intelligence: New Models of Participation and Expertise in the United States and Europe., Columbia Public Law Research Paper No. 14-514, Yale Law & Economics Research Paper No. 547, p. 5 <SSRN: https://ssrn.com/abstract=2795175> [as of Sept. 9, 2025].https://tinyurl.com/yd2xx3wr> [as of XX, 2025]; Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpeuch (eds.), Comparing the Democratic Governance of Police Intelligence: New Models of Participation and Expertise in the United States and Europe., Columbia Public Law Research Paper No. 14-514, Yale Law & Economics Research Paper No. 547, p. 5 <SSRN: > [as of Sept. 9, 2025].

[190] Soss and Weaver. (2017). *Police Are Our Government: Politics, political science, and the policing of race-class subjugated communities.* Annu. Rev. Polit. Sci. <https://tinyurl.com/yd2xx3wr> [as of XX, 2025].

[191] Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpeuch (eds.), Comparing the Democratic Governance of Police Intelligence: New Models of Participation and Expertise in the United States and Europe., Columbia Public Law Research Paper No. 14-514, Yale Law & Economics Research Paper No. 547, p. 6 <SSRN: https://ssrn.com/abstract=2795175> [as of Sept. 9, 2025].

status (gender, race, neighborhood), and that the police could therefore be seen as a hostile presence in these neighborhoods."[192]

In rooting out danger, law enforcement officers "act on implicit stereotypes of who looks suspicious."[193] Because of individual unconscious bias and systemic racism, this often results in members of marginalized communities being subject to investigatory stops by law enforcement at a disproportionately high rate. For example, the 2023 RIPA stop data, which included over 4.7 million stops by 539 law enforcement agencies in California, found that individuals perceived to be Native American were twice as likely to be searched as individuals perceived to be White, and individuals perceived to be Black were nearly twice as likely to be searched as individuals perceived to be White.[194] Individuals perceived to be Black or Native American were more likely than individuals perceived to be White or Asian to experience intrusive actions, such as handcuffing, being detained curbside, or being ordered to exit a vehicle.[195] Officers reported handcuffing individuals perceived to be Native American at the highest rate, and detaining individuals perceived to be Black curbside or in a patrol car or ordering them to exit a vehicle during stops at the highest rate compared to other racial/ethnic groups.[196]

Despite that individuals perceived to be Native American, Black, Hispanic/Latine(x) are searched more frequently than individuals perceived to be White, the data do not show officers discover more evidence of criminal conduct when stopping them.[197] Searches of individuals perceived to be of any racialized group were less likely to yield contraband and evidence than searches of individuals perceived to be White.[198] Similarly, individuals perceived to be Native American, Black, Multiracial, Hispanic/Latine(x), or Pacific Islander are overrepresented in stops that ultimately do not lead to enforcement actions.[199] Additionally, one study of three cities in Los Angeles County — Glendale, South Pasadena, and Pasadena — found that the individuals perceived to be Black or Hispanic/Latine(x) were exposed to a higher risk of being arrested more frequently than their White counterparts; the ratio of individuals arrested to residents in those

---

[192] Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpeuch (eds.), Comparing the Democratic Governance of Police Intelligence: New Models of Participation and Expertise in the United States and Europe., Columbia Public Law Research Paper No. 14-514, Yale Law & Economics Research Paper No. 547, p. 7 <SSRN: https://ssrn.com/abstract=2795175> [as of Sept. 9, 2025].

[193] Epp, et al., *Pulled Over: How Police Stops Define Race and Citizenship*, 2014) at p. xv.

[194] Racial and Identity Profiling Advisory Board. (2025). *2025 Annual Report*. p. 28 <https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf> [as of Sept. 8, 2025].

[195] Racial and Identity Profiling Advisory Board. (2025). *2025 Annual Report*. p. 28 <https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf> [as of Sept. 8, 2025].

[196] Racial and Identity Profiling Advisory Board. (2025). *2025 Annual Report*. p. 28 <https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf> [as of Sept. 8, 2025].

[197] For more on these data, please see the Stop Data section of this year's report, p. XX. See also Racial and Identity Profiling Advisory Board. (2025). *2025 Annual Report*. p. 28 <https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf> [as of Sept. 8, 2025].

[198] Racial and Identity Profiling Advisory Board. (2025). *2025 Annual Report*. p. 28 <https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf> [as of Sept. 8, 2025].

[199] Racial and Identity Profiling Advisory Board. (2025). *2025 Annual Report*. p. 32 < https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf> [as of Sept. 8, 2025].

three cities is more than four times higher for individuals perceived to be Black than individuals perceived to be White, and twice as high for individuals perceived to be Hispanic/Latine(x).[200]

The extent to which police attention is focused on marginalized populations independent of crime is well established.[201] "Carceral contact is not randomly distributed, but is both spatially and racially concentrated."[202] "This facet of the 'distribution' of policing is most commonly identified in relation to race and ethnicity."[203] "[I]ncarceration and police surveillance are largely concentrated in certain cities, particular communities within those cities, and even specific neighborhoods."[204] Individuals in these police-saturated neighborhoods are disproportionately hurt by these interactions. Individuals in these communities learn to deal with the constant emotional burden of "carefully manag[ing] their bodies and words to avoid aggravating police contacts," which in turn shapes their self-identity and conception of social valuation.[205] Further, "police–citizen encounters routinely feature derogatory remarks and bodily contact, and citizens forced to do humiliating things."[206] Even without contact, the presence of oversaturation policing can do damage; policing in general has been found to create "potent images of the state 'assigning worth'" to individuals and communities being policed, and police focus on a particular community can create a sense of "who is a citizen deserving of fairness and justice and who constitutes a group of dangerous others deserving of severe punishment, monitoring, and virtual branding."[207]

Despite all of this, marginalized communities increasingly rely on law enforcement police when they encounter actual threats. South Los Angeles, for example, saw a steady increase in 911 emergency calls between 2011 to 2018.[208] However, calls for service do not always translate into responsiveness nor public trust. Interviewed about their interactions with the police, citizens "wondered aloud why police seemed to be there at a moment's notice to check them for insignificant, technically unlawful things, but withdrawn and reluctant to protect them when actual threats to their person arose."[209] They also "described their communities metaphorically as

---

[200] Harris and Rodnyansky. An Analysis of Suburban Policing Activity in Glendale, Pasadena, and South Pasadena (Feb. 2024) at p. 7 <https://tinyurl.com/3zsxpbx5> [as of Sept. 8, 2025].

[201] Kyprianides and Bradford (2024). *Intersections between Policing and Mental Health at the Neighborhood Level: Evidence from England*. International J. of Police Science & Management <https://tinyurl.com/3j26numh> [as of XX, 2025].

[202] Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <https://tinyurl.com/55e9epbs> [as of Sept. 8, 2025].

[203] Kyprianides and Bradford (2024). *Intersections between Policing and Mental Health at the Neighborhood Level: Evidence from England*. International J. of Police Science & Management <https://tinyurl.com/3j26numh> [as of Sept. 8, 2025].

[204] Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <https://tinyurl.com/55e9epbs> [as of XX, 2025].

[205] Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <https://tinyurl.com/55e9epbs> [as of XX, 2025].

[206] Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <https://tinyurl.com/55e9epbs> [as of XX, 2025].

[207] Soss and Weaver. (2017). *Police Are Our Government: Politics, political science, and the policing of race-class subjugated communities.* Annu. Rev. Polit. Sci. <https://tinyurl.com/yd2xx3wr> [as of XX, 2025].

[208] Miller, Jenesse, *Study: L.A. communities of color rely on police yet are stopped and arrested at higher rates* (Oct. 7, 2020) <https://tinyurl.com/5bdrumtf> [as of XX, 2025].

[209] Weaver et al., *The State from Below: Distorted Responsiveness in Policed Communities*, Urban Affairs Review (2019) p. 14 <https://tinyurl.com/mv89un2r> [as of XX, 2025].

sometimes being on a tight leash but at other times being in the free fall of abandonment at those key moments in their lives and the lives of those around them when they desperately needed help." Researchers termed this seemingly contrarian phenomenon as *distorted responsiveness*— that is, the phenomenon of "being treated harshly in conjunction with perceived abandonment."[210]

Oversaturation policing and distorted responsiveness sows distrust and suffocates an individual's financial, political, and social power. Researchers have concluded that, like redistributive policies such as welfare and social security, criminal justice policies such as oversaturation alters an individual's access to resources.[211] However, unlike welfare or social security, or other redistributive policies that provide resources and promote participation, oversaturation and other law enforcement policies "are likely to depress political action by limiting and diminishing resources. For many, a criminal record results in considerable financial penalties and limited job prospects, diminishing the material resources available for participation in politics."[212] Citizens who have adversarial interactions with law enforcement become less likely to seek out government of any kind — including through engagement in the political process.[213]

A. The Deployment of Alternative Enforcement Technologies in Oversaturation Policing Reinforces Systemic Inequalities in Justice, Safety, and Community Well-Being

Law enforcement agencies use a wide range of technologies in their daily work. Alternative enforcement technologies have been presented as a means to reduce racial disparities in stops and the harms that flow from stops by reducing the frequency of officer-effectuated stops. Proponents of these technologies generally argue that they can expand law enforcement's capacity to predict, prevent, and respond rapidly and accurately to criminal activity and security threats. Critics, on the other hand, raise concerns about the privacy rights of individuals subject to surveillance and the potential for these technologies to exacerbate existing problems of bias in policing. They also raise questions about the cost of the technologies, their ties to the private companies that distribute them, and their true efficacy at achieving their stated goals. The Board will examine the role of racial and identity profiling in the deployment of alternative enforcement technologies and how these technologies may contribute to oversaturation policing.

B. Alternative Enforcement Technologies: A Chart

Technology	What is it?	Usage/Examples
Automated License Plate Readers (ALPRs)	An Automated License Plate Reader (ALPR) system collects and stores license plate images of vehicles passing in its view and corresponding data and enables	The majority of California law enforcement agencies collect and use images captured by automated license plate readers. As of 2019, the State Auditor found that 230

---

[210] Weaver et al., *The State from Below: Distorted Responsiveness in Policed Communities*, Urban Affairs Review (2019) p. 20 <https://tinyurl.com/mv89un2r> [as of XX, 2025].

[211] Weaver et al., *The State from Below: Distorted Responsiveness in Policed Communities*, Urban Affairs Review (2019) p. 20 <https://tinyurl.com/mv89un2r> [as of XX, 2025].

[212] Weaver et al., *The State from Below: Distorted Responsiveness in Policed Communities*, Urban Affairs Review (2019) p. 20 <https://tinyurl.com/mv89un2r> [as of XX, 2025].

[213] See Weaver et al., *The State from Below: Distorted Responsiveness in Policed Communities*, Urban Affairs Review (2019) p. 20 <https://tinyurl.com/mv89un2r> [as of XX, 2025].

	law enforcement to track a vehicle's movements over time. ALPR is both a real-time tool and an archive of historical images.	police and sheriff agencies in California used ALPR systems and an additional 36 agencies had plans to begin using one.[214]
Body-Worn Camera (BWC)	A body-worn camera is an audio and/or video recording device that an officer can clip onto their uniform or wear as a headset.**[215]**	As of 2025, EFF's Atlas of Surveillance has documented 292 Californian law enforcement agencies using body-worn cameras.[216]
Camera Registry	A camera registry consolidates private security camera footage voluntarily shared with local law enforcement.[217]	At least 85 local law enforcement agencies across California maintain a camera registry.[218]
Cell Site Simulators (CSS) (including "stringrays" and "IMSI-catchers")	Cell site simulators mimic a cell phone tower to gather information from mobile phone use. Various types of CSS collect device identifiers, like IMSI (International Mobile Subscriber Identity), for tracking purposes; metadata that can reveal the recipient and duration of calls made on the device; the content of calls and SMS messages; and data usage, including websites visited.[219]	EFF's Atlas of Surveillance has found that major law enforcement agencies in California use CSS, including San Francisco, Los Angeles, and San Diego.[220] Notably, the San Bernardino County Sheriff's Office used their cell-site simulator over 300 times in a little over a year.[221]

---

[214] California State Auditor, *Automated License Plate Readers: To Better Protect Individuals' Privacy, Law Enforcement Must Increase Its Safeguards for the Data It Collects* (Feb 2020) p.7. https://information.auditor.ca.gov/pdfs/reports/2019-118.pdf

[215] Body-Worn Cameras. Electronic Frontier Foundation. (2023). Street Level Surveillance: Body-Worn Cameras. <https://sls.eff.org/technologies/body-worn-cameras> [as of June 19, 2025].

[216] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Body-worn Cameras) <https://atlasofsurveillance.org/search?location=California&technologies%5Bbody-worn-cameras%5D=on&sort=> [as of June 19, 2025].

[217] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance: Glossary - Camera Registry <https://atlasofsurveillance.org/glossary#camera-registry> [as of June 19, 2025].

[218] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Camera Registry) < https://atlasofsurveillance.org/search?location=California&technologies%5Bcamera-registry%5D=on&sort= > [as of June 19, 2025].

[219] Electronic Frontier Foundation. (2023). Street Level Surveillance: Cell-Site Simulators/IMSI Catchers. <https://sls.eff.org/technologies/cell-site-simulators-imsi-catchers > [as of June 19, 2025].

[220] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Cell-site Simulator) <https://atlasofsurveillance.org/search?location=California&technologies%5Bcell-site-simulator%5D=on&sort=> [as of June 19, 2025].

[221] Farivar, C., *Why does one California county sheriff have the highest rate of stingray use?* ARSTechnica.com (Oct 24, 2018) <https://arstechnica.com/tech-policy/2018/10/eff-sues-county-sheriff-claims-agency-wont-give-up-stingray-related-records/> [as of June 19, 2025].

Community Surveillance Apps	Community surveillance apps give their users a platform to communicate about crime and safety in their neighborhoods through crowdsourced information and/or police activity, like 911 calls.[222]	Ring, Inc, an Amazon subsidiary, has created an app called "Neighbors" where users can share videos and incident reports.[223] According to Ring, as of 2019, 405 agencies across the U.S. were using an extension of the app that allows law enforcement to engage directly with communities.[224]
Drones (Unmanned Aerial Vehicles, or UAV)	Drones are remotely controlled flying devices that law enforcement can use to surveil in contexts in which on-the-ground presence would be difficult or unsafe for officers, such as in large crowds or near a suspected explosive device.[225]	At least 1,578 state and local law enforcement agencies across the country use drones.[226] California is the state with the highest number of public safety agencies that use drones.[227] See, as an example, the Chula Vista Police Department's drone program.[228]
Face Recognition Technology (FRT)	Face recognition technology uses algorithms trained on databases of individuals' faces to identify (or verify the identity of) someone by an image of their face.[229] Law enforcement uses this technology to generate potential suspects and identify victims in criminal	In 2021, GAO surveyed 24 federal agencies and found that 18 used FRT in some capacity.[231] According to the Atlas of Surveillance, almost 900 municipal, county, and state agencies use face recognition.[232] California enacted a moratorium on the use of FRT on body-worn cameras in 2019 but allowed it to

[222] Electronic Frontier Foundation. (2023). Street Level Surveillance: Community Surveillance Apps. <https://sls.eff.org/technologies/community-surveillance-apps > [as of June 19, 2025].

[223] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance: Glossary - Ring/Neighbors Partnership < https://atlasofsurveillance.org/glossary#ring-neighbors-partnership [as of June 19, 2025].

[224] Siminoff, J. (2019). Working Together for Safer Neighborhoods: Introducing the neighbors active law enforcement map. Ring. < https://blog.ring.com/2019/08/28/working-together-for-safer-neighborhoods-introducing-the-neighbors-active-law-enforcement-map/> [as of June 19, 2025]

[225] Electronic Frontier Foundation. (2023). Street Level Surveillance: Drones and Robots. <https://sls.eff.org/technologies/drones-and-robots> [as of June 19, 2025].

[226] Gettinger, D. (2020). Public Safety Drones, 3rd Edition. Center for the Study of the Drone at Bard College, p.1.

[227] Gettinger, D. (2020). Public Safety Drones, 3rd Edition. Center for the Study of the Drone at Bard College, p.3.

[228] City of Chula Vista. (2025). Drone Program. < https://www.chulavistaca.gov/departments/police-department/programs/uas-drone-program > [as of June 19, 2025].

[229] Electronic Frontier Foundation. (2023). Street Level Surveillance: Face Recognition. <https://sls.eff.org/technologies/face-recognition > [as of June 19, 2025].

[231] U.S. Government Accountability Office. (2021). Facial Recognition Technology: Current and planned uses by federal agencies. < https://www.gao.gov/products/gao-21-526 > [as of June 19, 2025].

[232] Electronic Frontier Foundation. (2023). Street Level Surveillance: Face Recognition. <https://sls.eff.org/technologies/face-recognition > [as of June 19, 2025].

	investigations (among other purposes).[230]	expire without replacement in 2023.[233]
Gunshot Detection	Gunshot detection technology is a system of sensors which can detect and locate the sound of gun fire and notify law enforcement.[234]	The Atlas of Surveillance has documented 27 law enforcement agencies in California that use gunshot detection.[235]
Mobile Device Forensic Tools	Mobile device forensic tools allow law enforcement to extract and copy the entire (or select) contents of a cellphone for analysis.[236]	More than 2,000 local law enforcement agencies across the country have access to mobile device forensic technology.[237]
Predictive Policing	Predictive policing software uses algorithms to predict where crime is likely to occur and direct law enforcement to particular neighborhoods for investigation.[238]	The Atlas of Surveillance has identified 21 law enforcement agencies in California that use or have used predictive policing technology.[239]
Social Media Monitoring	Law enforcement agencies may track social media posts to gather information related (but not limited) to criminal activity, security threats, and protest activity.[240] To do so, law enforcement agencies may employ	A 2015 survey by the International Association of Chiefs of Police (IACP) found that more than 96 percent of the 553 departments who responded "reported that they

[230] U.S. Government Accountability Office. (2021). Facial Recognition Technology: Current and planned uses by federal agencies. < https://www.gao.gov/products/gao-21-526 > [as of June 19, 2025].

[233] Electronic Frontier Foundation. (2023). Street Level Surveillance: Face Recognition. <https://sls.eff.org/technologies/face-recognition > [as of June 19, 2025].

[234] Electronic Frontier Foundation. (2023). Street Level Surveillance: Gunshot Detection. <https://sls.eff.org/technologies/gunshot-detection > [as of June 19, 2025].

[235] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Predictive Policing) < https://atlasofsurveillance.org/search?location=California&technologies%5Bgunshot-detection%5D=on&sort= >[as of June 19, 2025].

[236] Koepke, L. et al. (2020) *Mass Extraction: The widespread power of U.S. law enforcement to search mobile phones*, Upturn Toward Justice in Technology, < https://www.upturn.org/static/reports/2020/mass-extraction/files/Upturn%20-%20Mass%20Extraction.pdf > [as of June 19, 2025], p. 6.

[237] Koepke, L. et al (2020) *Mass Extraction: The widespread power of U.S. law enforcement to search mobile phones*, Upturn Toward Justice in Technology. < https://www.upturn.org/static/reports/2020/mass-extraction/files/Upturn%20-%20Mass%20Extraction.pdf > [as of June 19, 2025], p. 32.

[238] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance: Glossary – Predictive Policing < https://atlasofsurveillance.org/glossary#predictive-policing> [as of June 19, 2025].

[239] Electronic Frontier Foundation and Reynolds School of Journalism. Atlas of Surveillance (filtered for California and Gunshot Detection) < https://atlasofsurveillance.org/search?location=California&technologies%5Bpredictive-policing%5D=on&sort= > [as of June 19, 2025].

[240] Electronic Frontier Foundation. (2023). Street Level Surveillance: Social Media Monitoring. <https://sls.eff.org/technologies/social-media-monitoring > [as of June 19, 2025].

	software for larger datasets, and on occasion, fake accounts.[241]	used social media in some capacity."[242]
Video Analytics/Computer Vision	Video analytics or "computer vision" software is applied to video feeds to analyze patterns in the movement of people and objects.[243]	The Sacramento Police Department uses Vintra software and the Inglewood Police Department, Beverly Hills Police Department, and L.A. Metro Transit Security use Briefcam video analytics, as examples.[244]

While each of the above technologies has the potential to exacerbate existing bias or to be deployed in oversaturation policing, critics have raised particular concern around three technologies in this respect: face recognition, gunshot detection, and predictive policing technology.

1. Face Recognition (FRT)

Face Recognition Technology (FRT) uses algorithms to identify someone by an image of their face.[245] Critics have raised concerns about the use of FRT and bias. Studies have consistently found that FRT has higher error rates when identifying individuals with darker skin tones.[246] In particular, women with dark skin tones face the worst rates of inaccuracy — in one 2018 study, FRT classified their gender incorrectly at a rate that was up to 34 percent higher than that of lighter-skinned men — while transgender people experience "significant bias" in these algorithms as well.[247] There are likely multiple factors that contribute to FRT's racial and gender

---

[241] Electronic Frontier Foundation. (2023). Street Level Surveillance: Social Media Monitoring. < https://sls.eff.org/technologies/social-media-monitoring > [as of June 19, 2025].

[242] Levinson-Waldman, *Private Eyes, They're Watching You: Law Enforcement's Monitoring of Social Media, (2019) 71 Okla. L. Rev. 997* , 998, citing *2015 Social Media Survey Results*, Int'l Ass'n of Chiefs of Police (2015) http://www.iacpsocialmedia.org/wp-content/uploads/2017/01/FULL-2015-Social-Media-Survey-Results.compressed.pdf.

[243] Electronic Frontier Foundation and Reynolds School of Journalism, *Atlas of Surveillance: Glossary – Video Analytics/Computer Vision* <https://tinyurl.com/44mjj39p> [as of XX, 2025].

[244] Electronic Frontier Foundation and Reynolds School of Journalism. *Atlas of Surveillance (filtered for California and Video Analytics)* <https://tinyurl.com/bde733p4> [as of XX, 2025].

[245] Electronic Frontier Foundation. (2023). Street Level Surveillance: Face Recognition. <https://sls.eff.org/technologies/face-recognition> [as of June 19, 2025].

[246] Arnold et al, *Use of Facial Recognition Technologies for Law Enforcement: A Comparative Analysis*, (2025) 26 Or. Rev. Int'l L. 175, at p. 185, citing Wang, *Failing at Face Value: The Effect of Biased Facial Recognition Technology on Racial Discrimination in Criminal Justice* (2022) 4 Sci. & Soc. Res. 29, 31; Yucer et al., *Measuring Hidden Bias Within Face Recognition via Racial Phenotypes* (2022) in IEEE/CVF Winter Conference on Applications of Computer Vision 995; Mittal et al*., Are Face Detection Models Biased?* (2023) in IEEE 17th International Conference on Automatic Face & Gesture Recognition.

[247] Arnold et al, *Use of Facial Recognition Technologies for Law Enforcement: A Comparative Analysis*, (2025) 26 Or. Rev. Int'l L. 175, at p. 185, citing Buolamwini and Gebru*, Gender Shades: Intersectional Accuracy Disparities in Commercial Gender Classification* (2018) in Conference on Fairness, Accountability & Transparency 77; Najibi*, Racial Discrimination in Face Recognition Technology* (2020) Sci. News 24; Scheuerman et al., *How Computers See Gender: An Evaluation of Gender Classification in Commercial Facial Analysis Services* (2019) 3 Proc. ACM on Hum.-Comput. Interaction 1, 2.

biases, including poor quality images of people of color, since many cameras are not adjusted to capture dark skin, disproportionate numbers of mugshots of Black people in FRT systems, given that Black people are arrested at disproportionate rates, and implicit biases that determine which images compose the databases on which FRT algorithms are trained.[248] As a result, FRT reflects systemic biases against people of color, women, and transgender individuals, contributing to their over-policing. In 2019, citing concerns that FRT would "exacerbate racial injustice and threaten our ability to live free of continuous government monitoring," San Francisco became the first city to ban the use of FRT by police and other agencies.[249]

Some also object to collaboration between local law enforcement and federal agencies in the use of face recognition technologies. For instance, the Government Accountability Office found in 2021 that the Department of Homeland Security "had access to at least 24 state, local, and commercial FRT systems for domestic law enforcement, for border and transportation security, and for national security and defense purposes."[250] Federal law enforcement access to local agencies' face recognition systems could expose communities at increased risk of false positive results to heightened surveillance at the national level.

2. Gunshot Detection

> "Police respond assuming that someone is armed [which] leads to really confrontational types of policing."
>
> —Anti-gunshot detection technology activist Freddy Martinez, on gunshot detection technology, Berlatsky, *How Chicago Organizers Managed to Rid the City of Shotspotter*, Prism (Dec. 2, 2024) <https://tinyurl.com/yk5znxrk> [as of XX, 2025].

Gunshot detection technology uses auditory sensors to identify and alert law enforcement to the sounds that may be related to gun fire. In recent years, communities across the country have led campaigns to end their cities' contracts with providers of gunshot detection technology, with mixed success.[251] In particular, advocates have raised concerns about the use of this technology with respect to the over-policing of racialized communities. As they point out, the placement of these systems depends on law enforcement's assessment of what constitutes a "high-crime area."[252] In making this determination, law enforcement might exacerbate existing bias towards low-income and majority Black or Brown communities and create a vicious cycle in which disproportionate surveillance of these neighborhoods results in disproportionate law enforcement stops in these communities. Gunshot detection technology can also increase the risk of the deployment of excessive force in highly surveilled neighborhoods.

---

[248] Ball, *Facial Recognition in the Eyes of the Law* (2023) B.C. Intell. Prop. & Tech. F., 1 at p. 10-11.

[249] Conger et al, *San Francisco Bans Facial Recognition Technology*, The New York Times (2019) <https://tinyurl.com/taf72brn> [as of XX, 2025]; Admin. Code - Acquisition of Surveillance Technology, no. 0107-19, Section 1(d) <https://tinyurl.com/4vmn6pjw> [as of XX, 2025].

[250] U.S. Government Accountability Office. (2021). Facial Recognition Technology: Current and planned uses by federal agencies. < https://www.gao.gov/products/gao-21-526 > [as of June 19, 2025].

[251] See, for example, recent campaigns to end city contracts with ShotSpotter, a common gunshot detection technology, ending with success in Chicago and failure in Oakland in 2024. Berlatsky, *How Chicago Organizers Managed to Rid the City of Shotspotter*, Prism (Dec. 2, 2024) <https://tinyurl.com/yk5znxrk> [as of XX, 2025].

[252] Electronic Frontier Foundation. (2023). Street Level Surveillance: Gunshot Detection. < https://sls.eff.org/technologies/gunshot-detection > [as of June 19, 2025].

Finally, though this technology might facilitate the rapid transport of gunshot victims to emergency care,[253] research has not shown that its use is "associated with longer-term reductions in crime."[254] The high rate of false positives caused by sounds like car backfires or fireworks can increase risks to community members when law enforcement officers respond assuming that someone is armed.[255] Oakland activist Brian Hofer found that, according to the city's own data, Oakland's gunshot detection technology (ShotSpotter) had a false positive rate of 78 percent in 2023.[256] Besides compounding problems of hyper surveillance of marginalized communities, false positive rates can divert a police response from an actual emergency, which Hofer says might be a contributing factor in Oakland's poor 911 response times.[257]

3. Predictive Policing

Predictive policing software uses algorithms to predict where crime is likely to occur and direct law enforcement to particular neighborhoods for investigation. Critics label the use of this technology a "self-fulfilling prophecy," in which law enforcement's scrutiny of particular neighborhoods leads to the detection of relatively higher rates of criminal activity in those areas, which becomes part of the data that the algorithm considers the next time that police use it to predict where crime is likely to occur.[258] In that sense, "derivative maps purporting to show where future crimes might be committed will disproportionately weigh those neighborhoods already living under the weight of intense police presence."[259] As a result, predictive policing software has the potential to legitimize existing patterns of oversaturation policing. In the face of critiques of this kind, the Los Angeles Police Department ended its predictive policing program (LASER, or Los Angeles Strategic Extraction and Restoration) in 2021.[260]

C. ALPR Data and Local-Federal Cooperation on Immigration

Several months into the second Trump administration, California-based nonprofits and media outlets began to elevate concerns that local law enforcement agencies across the state have been sharing data collected from automatic license plate readers with federal law enforcement agencies, including Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP). Such sharing might contravene the California Values Act (SB 54) and 2018 guidance issued by the California Department of Justice. It would also heighten the risk for immigrant communities that any contact with local law enforcement, including for reasons

---

[253] Henning, et al. (2025). Reporting Gunshots: Prevalence, correlates, and obstacles to calling the Police. Police Practice and Research. 26(1). pp. 42-45. <https://pdxscholar.library.pdx.edu/ccj_fac/122> [as of June 19, 2025].

[254] Henning, et al. (2025). Reporting Gunshots: Prevalence, correlates, and obstacles to calling the Police. Police Practice and Research. 26(1). pp. 42-45. <https://pdxscholar.library.pdx.edu/ccj_fac/122> [as of June 19, 2025].

[255] Henning, et al. (2025). Reporting Gunshots: Prevalence, correlates, and obstacles to calling the Police. Police Practice and Research. 26(1). pp. 42-45. <https://pdxscholar.library.pdx.edu/ccj_fac/122> [as of June 19, 2025].

[256] Berlatsky, *How Chicago Organizers Managed to Rid the City of Shotspotter*, Prism (Dec. 2, 2024) <https://tinyurl.com/yk5znxrk> [as of XX, 2025].

[257] Berlatsky, *How Chicago Organizers Managed to Rid the City of Shotspotter*, Prism (Dec. 2, 2024) <https://tinyurl.com/yk5znxrk> [as of XX, 2025].

[258] Electronic Frontier Foundation. (2023). Street Level Surveillance: Predictive Policing. < https://sls.eff.org/technologies/predictive-policing > [as of June 19, 2025].

[259] Electronic Frontier Foundation. (2023). Street Level Surveillance: Predictive Policing. < https://sls.eff.org/technologies/predictive-policing > [as of June 19, 2025].

[260] Li, C. (2024). Artificial Intelligence and Racial Profiling: Emerging challenges for the European Court of Human Rights. <https://tinyurl.com/up8bu9br> [as of XX, 2025].

unrelated to immigration, could render them a target for federal immigration enforcement and ultimately deportation proceedings.

As explained in the table above, automatic license plate readers, or ALPRs, are cameras that capture the images of license plates on vehicles passing within their view. The software that extracts the license plate number from the image stores it with the date, time, and location of the scan. After the ALPR system identifies a license plate number in an image, it compares the number to stored lists of license plate numbers from vehicles of interest, called hot lists, then issues alerts if the plate number matches an entry on the hot list. An ALPR system stores the plate number and image in a database even if the plate number does not match one on a hotlist. Local law enforcement agencies create their own hot lists and also obtain hot lists from state and federal agencies. For example, the California Department of Justice provides hot lists to local agencies that include license plate numbers associated with missing persons, gang members, and suspected terrorists.

Law enforcement agencies can share ALPR data with other public agencies. The Auditor's statewide survey showed that among agencies that operate ALPR systems, roughly 84 percent share their images. Accessing ALPR images shared from other jurisdictions enables agencies to search a broader area. Even if an agency does not operate ALPR cameras itself, it can, through sharing agreements, access ALPR images that other agencies collect.

However, in 2018 the California Department of Justice issued guidance to state and local law enforcement agencies regarding limitations to the information law enforcement agencies can share for immigration enforcement purposes.[261] The guidance states that if a law enforcement agency intends to use the information for immigration enforcement purposes, agencies should require, as a condition of accessing the database, an agreement that stipulates that access will be made only in cases involving individuals with criminal histories or for information regarding the immigration or citizenship status of an individual.[262]

Meanwhile, the California Values Act (SB 54) places further restrictions on Californian law enforcement in its sharing of ALPR data: the Act prohibits state and local agencies from assisting federal agencies with immigration enforcement, except under limited circumstances.[263]

In March 2025, a nonprofit called the "Stop LAPD Spying Coalition" raised concerns in a letter to the Los Angeles Board of Police Commissioners that LAPD was obfuscating the extent of its sharing of ALPR data with federal immigration enforcement agencies.[264] The group pointed to LAPD's participation in fusion centers, which are national data-sharing hubs that tie together federal and local agencies, and in nationally searchable databases of ALPR data maintained by

---

[261] Cal. DOJ, Division of Law Enforcement, California Automated License Plate Reader Data Guidance (Oct. 27, 2023) Information Bulletin 2023-DLE-06 https://oag.ca.gov/system/files/media/2023-dle-06.pdf [as of Aug. 15, 2025].

[262] Cal. DOJ, Division of Law Enforcement, *California Automated License Plate Reader Data Guidance* (Oct. 27, 2023) Information Bulletin 2023-DLE-06 https://oag.ca.gov/system/files/media/2023-dle-06.pdf [as of Aug. 15, 2025]

[263] Senate Bill No. 54 (2017-2018 Reg. Sess.) < https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB54> [as of Aug. 15, 2025].

[264] Hamid Khan, *ALPR Letter* (April 7, 2025) Stop LAPD Spying Coalition <https://stoplapdspying.org/alpr-letter/> [as of Aug. 15, 2025]

private companies like Palantir and Peregrine Technologies as potential modes of impermissible data-sharing with federal agencies.[265]

Other groups picked up the call following a May 27th report by 404 Media finding that local agencies across the country have been conducting immigration-related searches at the request of the federal government in a national database of ALPR data run by the private company Flock.[266] On the heels of this revelation, the citizen watchdog Oakland Privacy filed record requests with several police agencies across California for their ALPR audit logs generated in Flock's transparency portals.[267] These logs capture every search an agency conducts in its database of license images, as well as searches conducted by other agencies. In June, the Riverside County Sheriff's Office became the first to respond, and its log from April 28, 2025 to May 30, 2025 revealed a number of searches in the Flock ALPR database that referenced CBP or Homeland Security Investigations, a component of ICE, as part of the "reason" given for the search.[268] The Riverside County Sheriff's Office had conducted some of these lookups, while outside agencies—including the Los Angeles Police Department--had conducted the others.[269]

In July 2025, *The San Francisco Standard* released the results of its own public records request, which it had directed at the Oakland Police Department (OPD) for the log of that agency's database search history, dating back to when the city had first installed ALPRs in 2024.[270] The records revealed that, "[i]n at least one case, the Oakland Police Department fulfilled a request related to an Immigration and Customs Enforcement investigation."[271] Another search in OPD's database conducted on April 22nd, 2025 by the California Highway Patrol labeled the "reason" for the search as "ICE case," with no further clarification.[272] Overall, the records revealed more than 200 searches of OPD's data that used keywords related to federal law enforcement, including the FBI and the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives.[273]

A July article by *The LA Times* illustrates the stake of these instances of potential ALPR data-sharing for communities at risk of deportation.[274] In looking through recent court filings, *The*

---

[265] Khan, *ALPR Letter* (April 7, 2025) Stop LAPD Spying Coalition <https://stoplapdspying.org/alpr-letter/> [as of Aug. 15, 2025]

[266] Koebler, ICE Taps into Nationwide AI-Enabled Camera Network, Data Shows (May 27, 2025) 404 Media <https://tinyurl.com/45p6rfsd> [as of XX, 2025].

[267] Yadi, *CA Automated License Plate Readers (ALPR) and ICE* (Jun. 16, 2025) Oakland Privacy <https://tinyurl.com/d9n236xn> [as of XX, 2025].

[268] Yadi, *CA Automated License Plate Readers (ALPR) and ICE* (Jun. 16, 2025) Oakland Privacy <https://tinyurl.com/d9n236xn> [as of XX, 2025].

[269] Johnson & Al Elew, *California police are illegally sharing license plate data with ICE and Border Patrol* (Jun. 13, 2025) CalMatters <https://tinyurl.com/3vckt5m9> [as of XX, 2025]; Riverside_Co_Sheriff_CPRA_C000975-052825_-_Flock_Safety_Portal_-_Audits_Reports_last_30_days_-_Redacted-Sorted..xlsx - Google Sheets

[270] Chien, SF, Oakland cops illegally funneled license plate data to feds (Jul. 14, 2025) The San Francisco Standard <https://tinyurl.com/bdharb8e> [as of XX, 2025].

[271] Chien, *SF, Oakland cops illegally funneled license plate data to feds* (Jul. 14, 2025) The San Francisco Standard <https://tinyurl.com/bdharb8e> [as of XX, 2025].

[272] Chien, *SF, Oakland cops illegally funneled license plate data to feds* (Jul. 14, 2025) The San Francisco Standard <https://tinyurl.com/bdharb8e> [as of XX, 2025].

[273] Chien, *SF, Oakland cops illegally funneled license plate data to feds* (Jul. 14, 2025) The San Francisco Standard <https://tinyurl.com/bdharb8e> [as of XX, 2025].

[274] Jany, *How ICE is using the LAPD to track down immigrants for deportation*, Los Angeles Times (Jul. 30, 2025) <https://tinyurl.com/y5j36aea> [as of XX, 2025].

Times identified at least 30 people whom immigration agents had detained for illegal re-entry after deportation following an arrest in the few months prior by LAPD.[275] According to *The Times*, the court records showed that in the case of at least one man, his booking had "pinged" an ICE Facility in Orange County.[276] These alleged collaborations could increase the likelihood that members of vulnerable communities are brought to the attention of federal immigration enforcement agencies for deportation proceedings based solely on a chance encounter with local police. As a result, the patterns of racial and other kinds of bias that inflect local police encounters could bleed into patterns of federal immigration enforcement, which already disproportionately target Latinx people.[277] From the other direction, bias in federal immigration enforcement could travel along these lines of local-federal cooperation to exacerbate the over-policing of immigrant communities at the local level, as well.

D. The Costs of Surveillance Policing Are Increasing, but Such Increases Have Not Led to a Reduction in Racial and Identity Profiling or an Increase in Public Safety

Advanced surveillance policing technologies are a substantial cost to taxpayers. The majority of police and sheriff's departments in major U.S. cities and counties have adopted some form of surveillance policing technology,[278] including body cameras, automatic license plate readers, biometric technologies like facial recognition, gunshot detection devices, "predictive policing" software, through-the-wall-sensors, or other sophisticated devices.[279] These technologies collect vast amounts of data that require specialized storage and maintenance, which result in substantial initial and long-term costs.[280] Many police departments lack the ability to securely store large amounts of sensitive data themselves and contract with private third parties to outsource that data.[281] The City of San Diego, for example, in 2023, approved a twelve-million-dollar police surveillance network consisting of 500 cameras with license plate reading technology.[282] The network will cost approximately $3.5 million in initial hardware, software, and connectivity

---

[275] Jany, How ICE is using the LAPD to track down immigrants for deportation, Los Angeles Times (Jul. 30, 2025) <https://tinyurl.com/y5j36aea> [as of XX, 2025].

[276] Jany, *How ICE is using the LAPD to track down immigrants for deportation*, Los Angeles Times (Jul. 30, 2025) <https://tinyurl.com/y5j36aea> [as of XX, 2025].

[277] See Lopez et al, *Addressing Racial Bias in the Immigration System* (2022) Berkeley Interdisciplinary Migration Initiative <https://tinyurl.com/46m7rnma> [as of XX, 2025] finding that in 2018 Latinx people accounted for 91 percent of all arrests made by ICE, though they made up only a little over 50 percent of the US foreign-born population, and Bier, *One in Five ICE Arrests Are Latinos on the Streets with No Criminal Past or Removal Order* (Aug. 5, 2025) Cato Institute <https://tinyurl.com/cwwtwey8> [as of XX, 2025] (documenting the steep rise in ICE's street profiling of Latinx people in the months following January 2025—a practice that has sharply decreased since a federal injunction blocked it in July).

[278] See Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 33.

[279] See generally ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <https://tinyurl.com/23w8eyud> [as of XX, 2025] [discussing technologies].

[280] See generally ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <https://tinyurl.com/23w8eyud> [as of XX, 2025] [discussing costs].

[281] Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 32.

[282] Winkley, *San Diego Oks $12M Police Surveillance Network* (Nov. 15, 2023) <https://tinyurl.com/k8n8ba8f> [as of XX, 2025].

costs; approximately $1.5 million to install and maintain; and approximately $2 million dollars annually in subsequent fiscal years over the five-year contract to operate.[283]

Various surveillance technologies are associated with different costs, but all generally require substantial long-term storage and maintenance contracts in addition to sizeable initial expenditures.[284] For example, in 2016, the Hailstorm version of the Stingray, a cell-site simulator, cost $169,602 per unit, not including additional operating costs.[285] Camero-Tech's Xaver 400, a Through-the-Wall Sensor system, cost $47,500 per unit before additional operating costs.[286] And in 2014, PredPol, a "predictive policing" software company, offered the Orange County Sheriff's Office a subscription to use its software for $103,000, but this cost did not include substantial data storage and other expenses.[287]

Data storage and maintenance costs can easily surpass initial expenditures.[288] For example, in 2015, Taser offered the City of San Diego a five-year body camera contract at $267,000 for 1,000 cameras. But the entire system, including data storage, software licenses, maintenance fees, and other related costs totaled an additional $3,600,000.[289] Similarly, Taser body cameras cost the Birmingham, Alabama, police department approximately $180,000, but with data storage and management plans, the five-year contract totaled $889,000.[290] The high costs of these programs have prompted some departments to discontinue their use and redirect funds towards more central activities.[291] For instance, in 2020, the Los Angeles Police Department ended its nine-year use of a PredPol predictive policing system to cut costs during the coronavirus pandemic.[292] Additionally, some cities have declined to adopt gunshot detection technology because of its high cost and controversial nature, instead deciding to invest funding in collaborative, anti-violence community partnerships.[293]

---

[283] Winkley, *San Diego Oks $12M Police Surveillance Network* (Nov. 15, 2023) <https://tinyurl.com/k8n8ba8f> [as of XX, 2025].

[284] See generally ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <https://tinyurl.com/23w8eyud> [as of XX, 2025] [discussing costs].

[285] ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) p. 3 <https://tinyurl.com/23w8eyud> [as of XX, 2025].

[286] ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) p. 8 <https://tinyurl.com/23w8eyud> [as of XX, 2025]

[287] ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) p. 9 <https://tinyurl.com/23w8eyud> [as of XX, 2025].

[288] See, e.g., Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 33.

[289] ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <https://assets.aclu.org/live/uploads/publications/tc2-technology101-primer-v02.pdf> [as of Sept. 4, 2025] p. 9.

[290] Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 32-33.

[291] Macaulay, *LAPD Ditches Predictive Policing Program Accused of Racial Bias* (Apr. 22, 2020) TNW <https://thenextweb.com/news/lapd-ditches-predictive-policing-program-accused-of-racial-bias> [as of Sept. 4, 2025].

[292] Macaulay, *LAPD Ditches Predictive Policing Program Accused of Racial Bias* (Apr. 22, 2020) TNW <https://thenextweb.com/news/lapd-ditches-predictive-policing-program-accused-of-racial-bias> [as of Sept. 4, 2025].

[293] Ebrahimji, *Critics of ShotSpotter Gunfire Detection System Say It's Ineffective, Biased and Costly* (Feb. 24, 2024) CNN https://www.cnn.com/2024/02/24/us/shotspotter-cities-choose-not-to-use [as of Sept. 5, 2025].

Some surveillance technologies like body cameras have been touted as a means to reduce excessive force and police misconduct complaints.[294] However, reports have found conflicting evidence about their effectiveness in this regard.[295] For example, in Baltimore, Maryland, the police department spent $18.4 million dollars on Axon Body 3 cameras between 2016-2021 and reported that excessive force complaints dropped after the cameras' adoption.[296] However, a 2021 Report by the ACLU of Maryland challenged this assertion, finding 13,392 misconduct complaints against 1,826 police officers and 22,884 use of force incidents between 2015-2019, despite the cameras' adoption—approximately ninety-one percent of which occurred disproportionately against Black residents.[297]

The effectiveness of various surveillance policing technologies is also questionable. For example, a 2021 Report from the Chicago Office of Inspector General found that "ShotSpotter alerts 'rarely produced evidence of a gun-related crime, rarely gave rise to investigatory stops, and even less frequently lead to the recovery of gun crime-related evidence during a stop.'"[298]Additionally, a 2023 Report by The Markup examined 23,631 predictions made by the "predictive policing" software Geolitica for the Plainfield Police Department in New Jersey and found that the program's success rate was "less than half a percent."[299] Reports have found conflicting evidence about the effectiveness of advanced technology programs.[300]

In addition to their high costs, advanced surveillance technology programs are controversial for several reasons. Predictive policing algorithms, for example, can entrench racial bias.[301] Acoustic gunshot technology like ShotSpotter too has been criticized for entrenching racial bias.[302] Residents have also argued that surveillance technology programs invade their privacy and that the large expenditures would be better spent on "things that directly help officers in their daily

---

[294] Cavanaugh Simpson, *Under Watch: Police 'Spy Plane' Experiment Over but Growing Surveillance of Baltimore Continues* (Mar. 25, 2001) Pulitzer Center <https://pulitzercenter.org/stories/under-watch-police-spy-plane-experiment-over-growing-surveillance-baltimore-continues> [as of Sept. 4, 2025].

[295] See Spielberger, *Chasing Justice: Addressing Police Violence and Corruption in Maryland* (Aug. 2021) ACLU Maryland <https://tinyurl.com/3f7jmb3z> [as of XX, 2025] p. 15

[296] Cavanaugh Simpson, *Under Watch: Police 'Spy Plane' Experiment Over but Growing Surveillance of Baltimore Continues*, Pulitzer Center (Mar. 25, 2001) <https://tinyurl.com/543v43nc> [as of XX, 2025].

[297] Spielberger, *Chasing Justice: Addressing Police Violence and Corruption in Maryland* (Aug. 2021) ACLU Maryland <https://tinyurl.com/3f7jmb3z> [as of Sept. 4, 2025] pp. 15 to 17.

[298] Ebrahimji, *Critics of ShotSpotter Gunfire Detection System Say It's Ineffective, Biased and Costly*, CNN (Feb. 24, 2024) <https://tinyurl.com/yj9kyya3> [as of XX, 2025].

[299] Sankin and Mattu, *Predictive Policing Software Terrible at Predicting Crimes*, The Markup (Oct. 2, 2023) <https://tinyurl.com/3t5xb3vm> [as of XX, 2025].

[300] See Tang and Hiebert, *The Promises and Perils of Predictive Policing* (May 22, 2025) Centre for Int. Governance Innovation <https://tinyurl.com/yc4muu37> [as of XX, 2025].

[301] Heaven, *Predictive Policing Algorithms are Racist. They Need to be Dismantled* (July 17, 2020) MIT Technology Review <https://www.technologyreview.com/2020/07/17/1005396/predictive-policing-algorithms-racist-dismantled-machine-learning-bias-criminal-justice/> [as of Sept. 4, 2025].

[302] Ebrahimji, *Critics of ShotSpotter Gunfire Detection System Say It's Ineffective, Biased and Costly*, CNN (Feb. 24, 2024) <https://tinyurl.com/yj9kyya3> [as of XX, 2025].

jobs" like new equipment and training.[303] Additionally, some surveillance technology companies have been criticized for making large donations to sheriffs' campaigns and police foundations.[304]

Proprietary algorithms underlying predictive policing technologies and other big data tools are also generally kept behind closed doors.[305] The costs associated with purchasing and using predictive policing technologies do not give police departments access to the proprietary algorithms that may drive their policing decisions.[306] Some departments have also been criticized for limited transparency in their surveillance technology expenditures. For example, in 2022, advocacy groups accused the New York Police Department of failing to adequately explain $3 billion spent on surveillance technology contracts over twelve years in accordance with New York's Public Oversight of Surveillance Technology (POST) Act.[307]

Market dominance also raises concerns. A small number of technology manufacturers tend to dominate their markets. For example, Taser, the lead seller of police body cameras and services,[308] "claims to have relationships with 17,000 of the 18,000 law enforcement agencies in the United States."[309] ShotSpotter, technology that detects gunshots, had placed almost 17,000 sensors in more than 100 municipalities as of 2020, covering approximately 770 square miles, and aimed to expand to 1,400 cities, not including thousands of college campuses.[310] Accordingly, a small number of private technology companies have substantial influence over tech-based policing strategies, but these companies provide limited transparency about the algorithms their programs use to drive policing decisions. Research has called for strong privacy protections to ensure that people of color are not inaccurately or unfairly targeted by the growing use of these surveillance technologies by law enforcement.[311]

Economic investment in community partnership and anti-violence programs offers a different strategy to reduce crime. These programs involve "[l]aw enforcement, social services providers and community members work[ing] together to identify people at the highest risk of being victims or perpetrators of gun violence, then giv[ing] them stipends for substance abuse or job

---

[303] Tomaselli, *Houlton Residents Frustrated by Costly, 'Orwellian' Surveillance Program* (Feb. 17, 2025) The County <https://thecounty.me/2025/02/17/houlton/houlton-residents-frustrated-by-costly-orwellian-surveillance-program/> [as of Sept. 4, 2025].

[304] See Atlanta Community Press Collective, *Atlanta Police Foundation Pushed 'Unprecedented' Surveillance Plan* (Apr. 1, 2024) <https://atlpresscollective.com/2024/04/01/atlanta-police-foundation-pushed-unprecedented-surveillance-plan/> [as of Sept. 4, 2025].

[305] Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 34-36.

[306] Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 34-36.

[307] Parascandola, *Details Are Hazy About NYPD's $3B Surveillance Costs* (Nov. 14, 2022) Governing <https://www.governing.com/security/details-are-hazy-about-nypds-3b-surveillance-costs> [as of Sept. 4, 2025].

[308] ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <https://assets.aclu.org/live/uploads/publications/tc2-technology101-primer-v02.pdf> [as of Sept. 4, 2025].

[309] Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 33.

[310] ShotSpotter, *Investor Presentation* (Nov. 2020) <https://tinyurl.com/ycx7suhb> [as of XX, 2025].

[311] See Lee and Chin-Rothmann, *Police Surveillance and Facial Recognition: Why Data Privacy is Imperative for Communities of Color*, The Brookings Institution (Apr. 12, 2022) <https://tinyurl.com/ce7funev> [as of Sept. 4, 2025].

placement counseling."[312] In Baltimore, for example, community partnership programs receive about $7.3 million annually, funded by "the city's general budget and other federal, state and philanthropic sources."[313] "Select community groups [receive] $700,000 a year to enact their own strategies to reduce homicides and shootings in a 3.5-to 4.5-square-mile swath of the city, with up to $700,000 more in bonuses available to each annually." FORCE Detroit, one of the community-based organizations receiving funding, "saw a 72% drop in homicides and non-fatal shootings in its zone . . . compared with the same period a year prior."[314]

V.   ANALYSES OF 2024 RIPA DATA

A.   Analysis of Perceived Racial and Identity Disparities in *Terry* Stops and Frisks

This subsection analyzes disparities in *Terry*[315] frisks and stops based on perceived racial and identity factors including race, gender, age, disability status, sexual orientation, housing status, and English proficient. A *Terry* stop allows the police to briefly detain a person based on reasonable suspicion of involvement in criminal activity.[316] When police stop and search a pedestrian, it is commonly referred to a frisk. Across the whole dataset, officers performed *Terry* frisks in 88.697 stops (1.75% of all stops, 14.59% of all searches).

1.   Race

Officers performed *Terry* frisks the most frequently in stops of individuals perceived to be Black (3.32% of all stops, 17.45% of all searches, 20,347 stops) and individuals perceived to be Hispanic/Latine(x) (2.17% of all stops, 16.66% of all searches, 47,672 stops) and the least frequently in stops of individuals perceived to be Middle Eastern/South Asian (0.48% of all stops, 13.31% of all searches, 1,322 stops) and individuals perceived as Asian (0.50% of all stops, 11.03% of all searches, 1,496 stops).

2.   Gender

Officers performed *Terry* frisks the most frequently in stops of individuals perceived to be trans men/boys (3.49% of all stops, 16.73% of all searches, 451 stops), individuals perceived to be trans women/girls (2.18% of all stops, 11.17% of all searches, 158 stops) and individuals perceived as cisgender males (2.12% of all stops, 15.44% of all searches, 76,494 stops). *Terry*

---

[312] Andone and Tucker, *'This is Not Luck. This is a Systemic Approach': There Major US Cities are Trying to Curb Violent Crime — and it's Working* (Sept. 29, 2024) CNN <https://tinyurl.com/2vass87h> [as of XX, 2025].

[313] Andone and Tucker, *'This is Not Luck. This is a Systemic Approach': There Major US Cities are Trying to Curb Violent Crime — and it's Working* (Sept. 29, 2024) CNN <https://tinyurl.com/2vass87h> [as of XX, 2025].

[314] Andone and Tucker, *'This is Not Luck. This is a Systemic Approach': There Major US Cities are Trying to Curb Violent Crime — and it's Working* (Sept. 29, 2024) CNN <https://tinyurl.com/2vass87h> [as of XX, 2025].

[315] As noted in the Stop Data section of the report, A *Terry* frisk is when an officer conducts a pat down search of an individual's clothing to determine whether the individual is armed. (Cal. Code Regs. tit. 11, § 999.226, subd. (a)(16)(B)(9); *Terry v. Ohio* (1968) 392 U.S. 1.) A *Terry* frisk only requires the officer to have a reasonable suspicion the person is armed and dangerous. (See *Terry v. Ohio* (1968) 392 U.S. 1.) The Board has previously recommended that officer have probable cause for all stops or searches, including *Terry* frisks. (See Racial and Identity Profiling Advisory Board, Annual Report (2023), p. 96 fn. 326 <https://oag.ca.gov/system/files/media/ ripa-board-report-2023.pdf> [as of XX, 2025].)

[316] *Terry v. Ohio* (1968) 392 U.S. 1.

DRAFT REPORT – PENDING EDITING AND REVIEW
This draft is a product of various subcommittees of the Racial and Identity Profiling Advisory Board. It has been provided merely for the Racial and Identity Profiling Advisory Board's consideration and its content does not necessarily reflect the views of any individual RIPA Board member, the full RIPA Board, or the California Department of Justice.

frisks were less common in stops of individuals perceived to be cisgender females (0.79% of all stops, 10.78% of all searches, 11,156 stops) and individuals perceived as nonbinary (1.08% of all stops, 9.46% of all searches, 438 stops). Individuals perceived as cisgender males fell in the middle.

3. Age

Officers performed *Terry* frisks the most frequently in stops of individuals perceived to be ages 10-14 (6.93% of all stops, 26.29% of all searches, 946 stops) and individuals perceived to be 15-17 (6.88% of all stops, 29.38% of all searches, 4,958 stops) and the least frequently in stops of individuals perceived to be 65+ (0.52% of all stops, 10.47% of all searches, 1,053 stops) and individuals perceived to be 55-64 (0.86% of all stops, 10.68% of all searches, 3,573 stops).

4. Disability

Officers performed *Terry* frisks more frequently in stops of individuals perceived to have a disability (6.82% of all stops, 16.82% of all searches, 3,589 stops) compared to stops of individuals perceived to not have a disability (1.70% of all stops, 14.51% of all searches, 85,108 stops).

5. LGB+

Officers performed *Terry* frisks more frequently in stops of individuals perceived to be LGB+, but less frequently as a share of searches (2.14% of all stops, 10.97% of all searches, 1,144 stops) compared to stops of individuals perceived to be straight (1.75% of all stops, 14.66% of all searches, 87,553 stops).

6. Housing Status

Officers performed *Terry* frisks more frequently in stops of individuals perceived to be unhoused (4.93% of all stops, 11.47% of all searches, 8,943 stops) compared to stops of individuals perceived to be housed (1.63% of all stops, 15.05% of all searches, 79,754 stops).

7. English Fluency

Officers performed *Terry* frisks slightly more frequently in stops of individuals perceived to have limited/no English fluency (1.94% of all stops, 14.63% of all searches, 6,639 stops) compared to stops of individuals perceived to be fluent in English (1.74% of all stops, 14.18% of all searches, 82,058 stops).

B. A Comparison of Stop Duration by Demographic Group, Actions Taken During Stop, and The Result of The Stop.

Investigation disparities in stop duration can provide insights into whether bias may have affected policing, especially in cases where the stops result in no action taken. Importantly, stop duration can be impacted by several factors, such as the number of actions taken, the types of actions taken, reason for stop, etc. For instance, an analysis of average stop duration for each action taken during stop demonstrated that the more severe actions, such as firearm discharge, are about 10 times longer (131 minutes, SD= 240 minutes, range= 1-1,440 minutes) than stops where no action was taken during stop (13 minutes, SD= 46 minutes, range= 1-1,440 minutes). Across the dataset, the average duration of stop is 19 minutes (SD= 55 minutes, range = 1-1,440 minutes). The average duration for stops in which no action occurred is 13 minutes (SD= 46

minutes, range= 1-1,1440 minutes). The average duration for stops where no action occurred as a result of stop is 19 minutes (SD= 67 minutes, range = 1,440 minutes).

1. Race

Officers reported the longest average stop durations for stops of individuals perceived to be Native American (27 minutes, SD= 76 minutes, range= 1-1,440 minutes) and individuals perceived to be Black (22 minutes, SD= 45 minutes, range= 1-1,440 minutes) and the shortest average stop duration for stops of individuals perceived to be Asian (15 minutes, SD= 45 minutes, range= 1-1,440 minutes) and individuals perceived to be Middle Eastern/South Asian (16 minutes, SD= 53 minutes, range= 1-1,440 minutes).

Stops where no action was taken during the stop were longest for individuals perceived to be Native American (15 minutes, SD= 62 minutes, range= 1-1,440 minutes) and individuals perceived to be Pacific Islander individuals (15 minutes, SD=66 minutes, range= 1-1,440 minutes) and shortest for individuals perceived to be Asian (12 minutes, SD= 38 minutes, range= 1-,1440 minutes), individuals perceived to be Multiracial (12 minutes, SD= 36 minutes, range= 1-1,440 minutes), and individuals perceived to be White (12 minutes, SD= 48 minutes, range= 1-1,440 minutes). Stops where no action was taken as a result of stop were longest for individuals perceived to be Native American (28 minutes, SD= 102 minutes, range= 1-1,440 minutes) and individuals perceived to be Pacific Islander individuals (28 minutes, SD= 99 minutes, range= 1-1,440 minutes) and shortest for individuals perceived to be Asian (17 minutes, SD= 47 minutes, range= 1-1,440 minutes) and individuals perceived to be Multiracial (17 minutes, SD= 51 minutes, 1-1,440 minutes).

2. Gender

Officers reported the longest average stop durations for stops of individuals perceived to be trans women/girls (29 minutes, SD= 85 minutes, range= 1-1,440 minutes) and individuals perceived to be trans men/boys (29 minutes, SD= 81 minutes, range= 1-1,440 minutes) and the shortest average stop duration for stops of individuals perceived to be nonbinary (16 minutes, SD= 44 minutes, range= 1-1,440 minutes) and individuals perceived to be cisgender female (17 minutes, range= 52 minutes, range= 1-1,440 minutes).

Stops where no action was taken during the stop were longest for individuals perceived to be trans men/boys (16 minutes, SD= 70 minutes, range= 1-1,440 minutes) and individuals perceived to be trans women/girls (15 minutes, SD= 67 minutes, range= 1-1,440 minutes) and shortest for individuals perceived to be nonbinary (11 minutes, SD= 32 minutes, range= 1-1,440 minutes) and individuals perceived to be cisgender females (12 minutes, SD= 43 minutes, range= 1-1,440 minutes). Stops where no action was taken as a result of stop were longest for individuals perceived to be trans men/boys (25 minutes, SD= 98 minutes, range= 1-1,440 minutes) and individuals perceived to be trans women/girls (23 minutes, SD= 81 minutes, range= 1-1,440 minutes) and shortest for individuals perceived to be nonbinary (16 minutes, SD= 57 minutes, range= 1-1,440 minutes) and individuals perceived to be cisgender males (19 minutes, SD= 67 minutes, range= 1-1,440 minutes).

3. Age

Officers reported the longest average stop durations for stops of individuals perceived to be ages 10-14 (40 minutes, SD= 69 minutes, range= 1-1,440 minutes) and individuals perceived to be 15-17 years old (31 minutes, SD= 66 minutes, range= 1-1,440 minutes) and the shortest average stop duration for stops of individuals perceived to be 65+ (16 minutes, SD= 50 minutes, range=

1-1,440 minutes) and individuals perceived to be 55-64 years old (17 minutes, SD= 52 minutes, range= 1-1,440 minutes).

Stops where no action was taken during the stop were longest for individuals perceived to be ages 10-14 (25 minutes, SD= 48 minutes, range= 1-1,440 minutes) and individuals perceived to be 15-17 (17 minutes, SD= 53 minutes, range= 1-1,440 minutes) and shortest for individuals perceived to be 65+ (12 minutes, SD= 42 minutes, range= 1-1,440 minutes) and every age group perceived to be 18-64 (all 13 minutes, range= 1-1,440 minutes, see table for SDs). Stops where no action was taken as a result of stop were longest for individuals perceived to be 10-14 (31 minutes, SD= 79 minutes, range= 1-1,440 minutes) and individuals perceived to be 15-17 years old (29 minutes, SD= 70, range = 1-1,440) and shortest for every perceived age group between 18-65+.

4. Disability

Officers stopped individuals perceived to have a disability (45 minutes, SD= 87 minutes, range= 1-1,440 minutes) more than two times longer than individuals perceived to not have a disability (19 minutes, SD= 55 minutes, range= 1-1,440 minutes).

In stops where there was no action during stop and no action as a result of stop, officers reported longer stop durations in stops of individuals perceived to have a disability compared to stops of individuals perceived to have no disability.

5. LGB+

Officers stopped individuals perceived to be LGB+ (25 minutes, SD= 61 minutes, range= 1-1,440 minutes) for, on average 6 minutes longer, than individuals perceived to be straight (19 minutes, SD= 55 minutes, range= 1-1,440 minutes).

Officers reported the same average stop length for both individuals perceived to be LGB+ and those perceived to be straight in stops where no actions were taken during the stop. Officers reported a slightly longer average stop length in stops where no actions were taken as a result of stop for individuals perceived to be LGB+ (20 minutes, SD= 61 minutes, range= 1-1,440 minutes) compared to individuals perceived to be straight (19 minutes, SD= 67 minutes, range= 1-1,440 minutes)

6. Housing Status

Officers reported longer stop durations in stops of individuals perceived to be unhoused (34 minutes, SD= 73 minutes, range= 1-1,440 minutes) compared to individuals perceived to be housed (18 minutes, SD= 54 minutes, range= 1-1,440 minutes).

In stops where there is no action during stop and no action as a result of stop, officers reported longer stop durations in stops of individuals perceived to be unhoused compared to stops of individuals perceived to be housed.

7. English Fluency

Officers reported relatively similar stop durations for both individuals perceived to be fluent in English and individuals perceived to have limited/no English fluency. However, officers stopped individuals perceived to have limited/no English fluency (21 minutes, SD= 47 minutes, range= 1-1,440 minutes) for a slightly longer duration compared to individuals perceived to be fluent in English (19 minutes, SD= 55 minutes, range= 1-1,440 minutes).

Officers reported the same average stop length for both individuals perceived to be fluent in English and individuals perceived to have limited/no English fluency in stops where no actions were taken during the stop. Officers reported a slightly longer average stop length when no actions were taken as a result of stop for individuals with limited/no English fluency (20 minutes, SD= 51 minutes, range= 1-1,440 minutes) compared to individuals perceived to be fluent in English (19 minutes, SD= 68 minutes, range= 1-1,440 minutes)

C.   Analysis of Perceived Racial and Identity Disparities in Individuals Perceived to Have Limited English Fluency

TABLE X. LIMITED/NO ENGLISH FLUENCY STOPS BY IDENTITY GROUP

Identity Group	Subgroup	Count	Percent
Race/Ethnicity	Asian	26,996	9.08%
	Black	9,297	1.52%
	Hispanic/Latine(x)	242,089	11.04%
	Middle Eastern/South Asian	21,161	7.69%
	Multiracial	2,993	4.79%
	Native American	515	3.88%
	Pacific Islander	828	3.1%
	White	37,692	2.38%
Gender	Cisgender Female	68,716	4.87%
	Cisgender Male	270,426	7.52%
	Nonbinary Person	1,395	3.45%
	Transgender Man/Boy	716	5.53%
	Transgender Woman/Girl	318	4.38%
Sexual Orientation	LGB+	2,362	4.43%
	Straight/Heterosexual	339,209	6.77%

Identity Group	Subgroup	Count	Percent
Age Group	1-9 Years	500	11.42%
	10-14 Years	835	6.11%
	15-17 Years	3,185	4.42%
	18-24 Years	34,773	4.53%
	25-34 Years	93,687	6.03%
	35-44 Years	91,672	7.35%
	45-54 Years	67,829	8.63%
	55-64 Years	34,593	8.28%
	65+ Years	14,497	7.15%
Disability	Disability	4,264	8.1%
	No Disability	337,307	6.73%
Housing Status	Housed	328,150	6.72%
	Unhoused	13,421	7.4%
Total		**341,571**	**6.74%**

1.   Race

Officers perceived the highest percentage of limited English fluency in stops of individuals perceived to be Hispanic/Latine(x) (11.04%, 242,089) and individuals perceived to be Asian (9.08%, 26,996), and the lowest percentage of limited English fluency in stops of individuals perceived to be Black (1.52%, 9,297) and individuals perceived to be White (2.38%, 37,692).

2.   Gender

Males, whether cisgender (7.52%, 270,426 stops) or transgender man/boys (5.53%, 716 stops) were the most likely to be perceived limited-English speakers.

3.   Age

Across all demographic categories, 1–9-year-olds have the highest rate of perceived limited-English speakers (11.42%, 500 stops). The lowest rate of perceived limited-English speakers was those perceived to be between 15 and 17 years old (4.42%, 3,185 stops)

4. Disability

Individuals with a perceived disability were more likely to be perceived as being limited-English speakers (8.1%, 4,264) compared to those without a perceived disability (6.73%, 337,307).

5. LGB+

Officers were more likely to perceive limited English fluency for those they perceived to be straight/heterosexual (6.77%, 339,209 stops) than those perceived to be LGB+ (4.43%, 2,362 stops).

6. Housing Status

Individuals perceived to be unhoused were more likely to be perceived as having limited English fluency (7.4%, 13,421 stops) than those that are housed (6.72%, 328,150 stops).

D. Impact of Agency and Regional Characteristics on Stop Outcomes

This section reviews analyses of how agency and regional characteristics impact stops. A multilevel regression model was used to account for the fact that agencies exist within counties that often share characteristics and environments which can make their results more similar to each other than to agencies in other parts of the state. To address this, a two-level model was tested with a first level as agencies and a second level of counties as the grouping variables. The model includes random intercepts for counties, allowing the average outcome to vary between counties while estimating the effect of our predictors across all agencies. The analysis is limited to agencies with 100 or more stops in 2024, to ensure the data has variability to capture frequency of uncommon events.

The coefficients from the model represent the average effect of each predictor variables across agencies, holding all other variables constant. We report 95% confidence intervals that reflect the uncertainty of these estimates. The results also include clustered standard errors at the county level, to allow for the possibility that agencies in the same county share unmeasured factors that make them more alike. In all, ten predictor variables are tested for their impact on seven outcomes of interest.

At the agency level, five variables are included. The first set of variables captures the agency type. Whether the agency is a police department, K-12 school, college or other types of Agencies were compared to Sheriff's Department. Sheriff's Departments are used as the comparison group, so all results for those variables will indicate whether a different type of agency has higher or lower rates of an outcome compared to a than a Sheriff's Department. In addition, the count of unique officer's present in the RIPA data is used as a measure of agency size. That variable, being a continuous count, is logged in the final model.

In addition to the agency level variables described above, the analysis accounts for regional differences with separate variables for the percentage of the population that is white alone, percentage of the population that is Black alone, percentage of the population that is Hispanic alone, and the percentage of the population that is Asian alone. The analysis also included the total county population and the county median income, both of which are logged in the final model. Finally, whether the county is part of a micropolitan statistical area or rural are included and compared to metropolitan statistical areas.

Seven outcomes of interest, or dependent variables, are tested in all. The seven dependent variables are split across two sets of analysis and are described in each section below. The first

set of variables analyze the racial breakdown of stops for agencies, while the second analyzes outcomes and actions that occur as part of stops.

1. Race

The first set of analyses examine the difference between the number of individuals of different racial groups stopped proportionate to their county population. Figure 1 displays the percentages for white individuals at the county level, compared to the percentage white population within the same county. As such, this is analysis measure whether white individuals are stopped more (or less) than their share of the population would predict at the county level. As shown, counties in Norther California tend to stop a disproportionate share of White individuals, while areas of the Bay Area and further south tend to stop a disproportionate lower share. Lassen (18.07%), Alpine (15.63%) and Del Norte (14.47%) stopped white individuals at the highest rates above their county population, while Marin (13.81%) had the lowest.

Figure 1. Difference between Percentage White and Stops of White Individuals at County Level
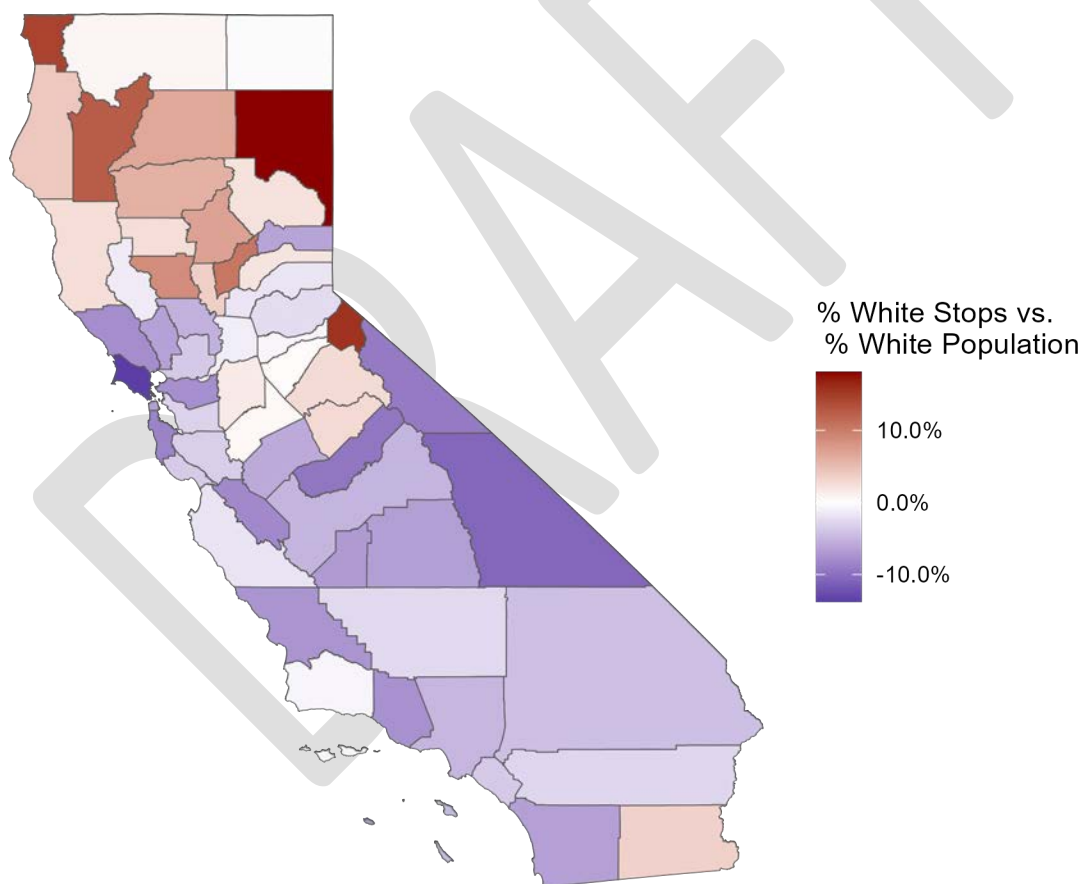
Figure 2 shows which counties individuals perceived to be Black are stopped at a higher rate than their share of the county population would predict. Trinity (-5%), Del Norte (-.01%), and Lassen (-.001%) Counties each stop fewer black people than the share of their county's population. Counties in the Bay Area tend to have the largest difference, having a larger share of stops occur for black individuals than those counties populations.

Figure 2 Difference between Percentage Black and Stops of Black Individuals at County Level
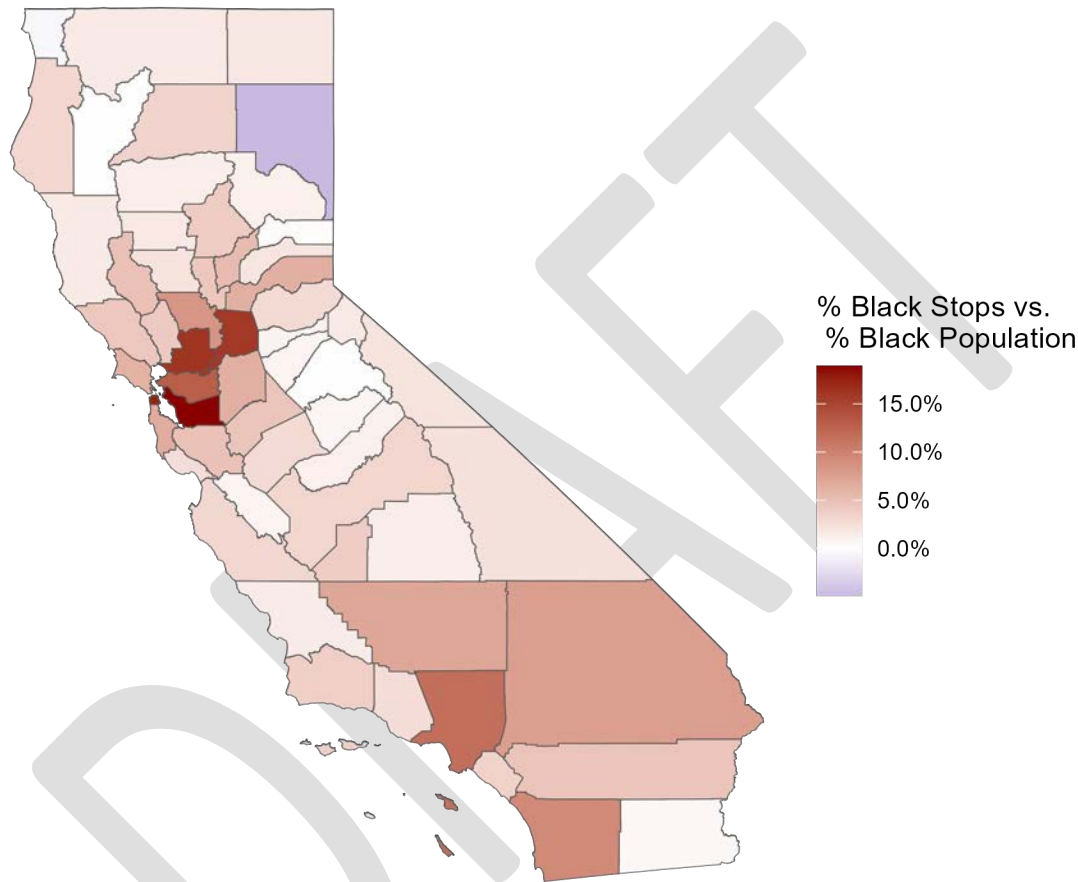
Figure 3 displays the same data for Hispanic populations. Northern and Southern California show wide regional differences in how aggregate stops of Hispanic individuals differ from their county populations. In counties across Northern California, Hispanic individuals tend to account for a smaller percentage of stops, while counties in Southern California tend to stop a disproportionately high number of Hispanics. Santa Clara County has the largest over representation of Hispanics in their stop shares (18.61%), while Del Norte has the largest under representation (-13.42%).

Figure 3 Difference between Percentage Hispanic and Stops of Hispanic Individuals at County Level
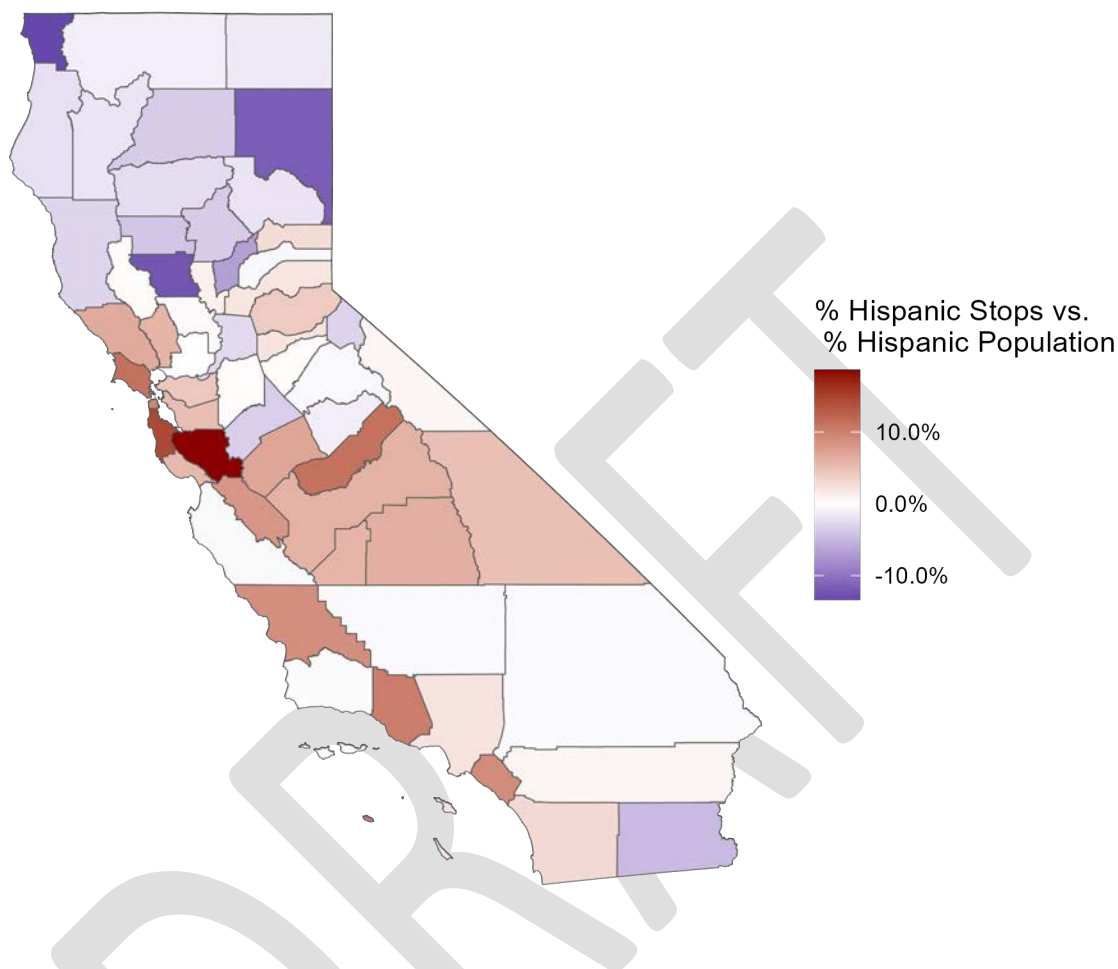
The regression results for the hierarchical model with clustered standard errors are included in Table 1 below. Only results that reach statistical significance will be discussed.

Table 1. Regression results for Race Differences

Variable	White	Black	Hispanic
Police Department	-0.04***	0.02***	0.02*
K-12 School	-0.12**	0.07***	0.09
Colleges	-0.04	0.08***	-0.09**
Other Agency Types	0.04	0.06	-0.07

Variable	White	Black	Hispanic
Unique Officers (logged)	-0.01	0.02***	-0.01
County White Population (%)	-0.36	-0.23	0.36
County Black Population (%)	-0.17	0.63*	-0.38
County Hispanic Population (%)	-0.37	-0.26	0.35
County Asian Population (%)	-0.34	-0.16	0.76
County Population (logged)	-0.02	0	-0.01
County Median Income (logged)	-0.03	0.03*	-0.03
Micropolitan Statistical Area	0.05	-0.02	-0.04*
Rural	0.01	-0.01	-0.05

Two variables reach statistical significance for the regression analyzing which agencies stop white individuals at a higher rate than their share of the county population would predict. Both police departments and K-12 schools have a lower rate of stopping white individuals than would be predicted by their populations in the county compared to sheriff's departments.

Regression results indicate that individuals perceived to be Black are overrepresented among stops for police, K-12 schools, and colleges compared to sheriff's departments. Large police departments, regardless of type, also top a disproportionate share of black individuals. Larger departments also tend to have a larger share of their stops be of black individuals than the percentage of black individuals in their counties.

Regional facts show some significant differences too. Counties with a larger total share of Black population tend to see a greater overrepresentation in stops, though the effect is only slightly significant. In addition, counties with higher median incomes tend to stop black individuals at a higher rate.

Police departments tend to have a greater overrepresentation of stops of Hispanic individuals than sheriff's departments, holding all else constant. On the other hand, college police departments tend to have a lower share of their stops occur for Hispanic individuals than the percentage of their counties that are Hispanic. Finally, Micropolitan areas see Hispanics underrepresented among their stops, compared to metropolitan statistical areas.

2. Outcomes or Processes of Stops

Arrest rates show variation across the entire state with wide variations. The Northern Coast tended to have higher rates. Trinity (61.48%) and Del Norte (49.31%) are near or above 50%, followed by Glenn (34.12%) and Yuba (33.07%) County. Conversely, agencies across Alpine (3.89%), Imperial (7.91%) and Amador (9.97%) County fell below ten percent.

Figure 4. Percentage of Arrest
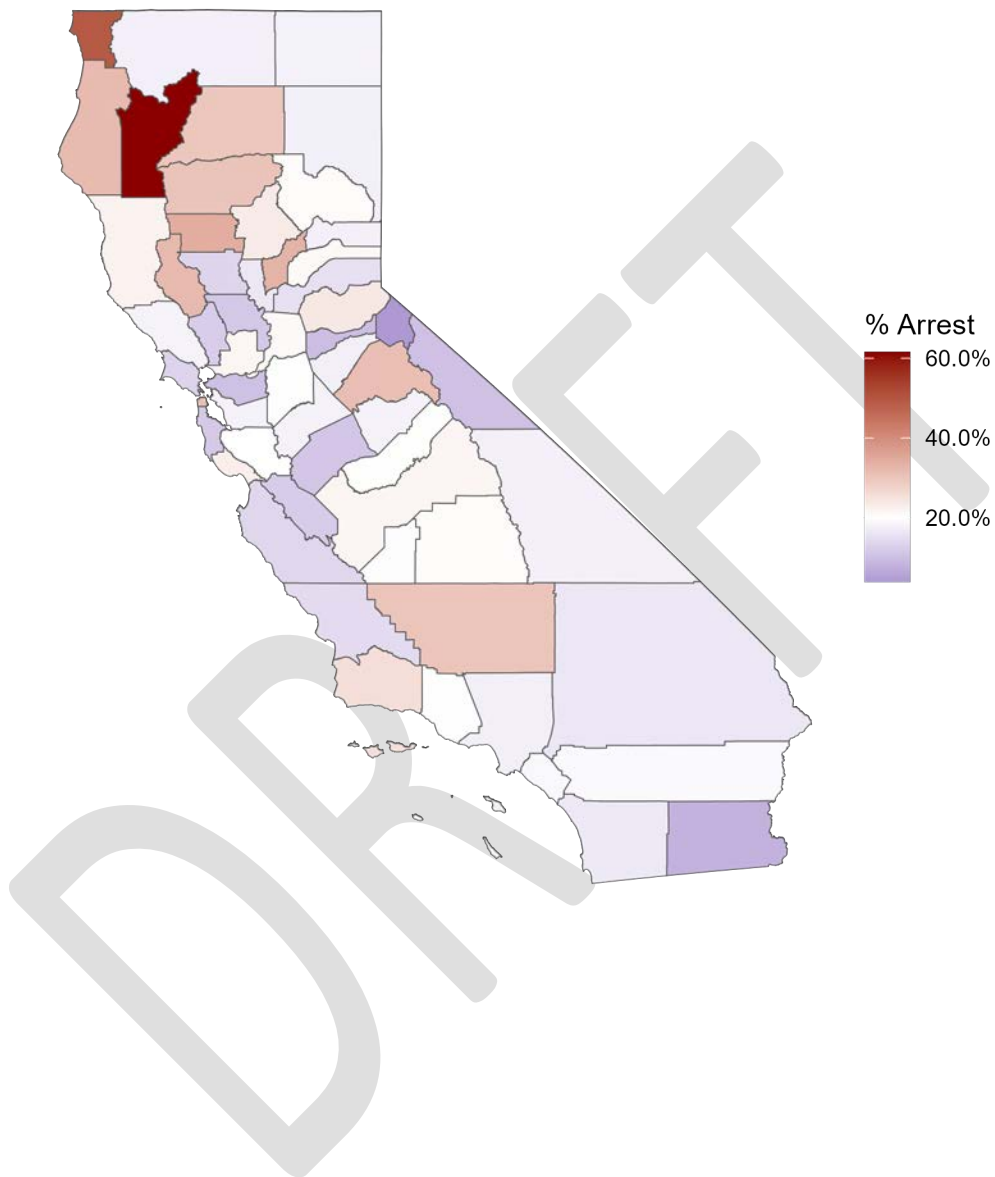
One or more actions are taken in less than fifty percent of stops across the state, but wide variation is shown across counties. Trinity (81.97%), Del Norte (58.64%), and Lake County (57.16%) had the highest rates of stops with at least one action when agencies are aggregated to the county level, while Alpine (11.92%) and Napa (14.72%) had the lowest.

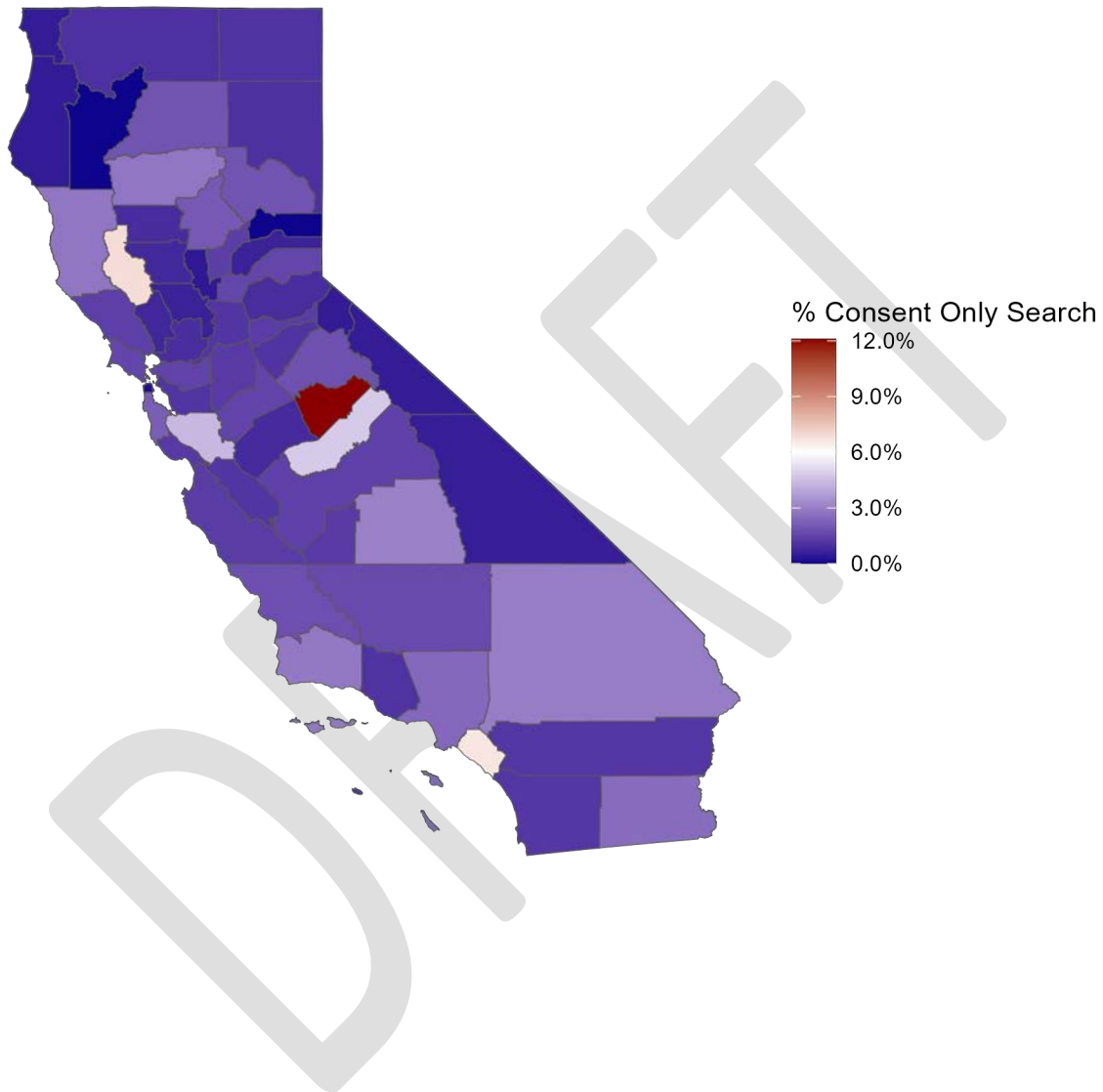*Figure 5. Percentage of Stops with One or More Actions*
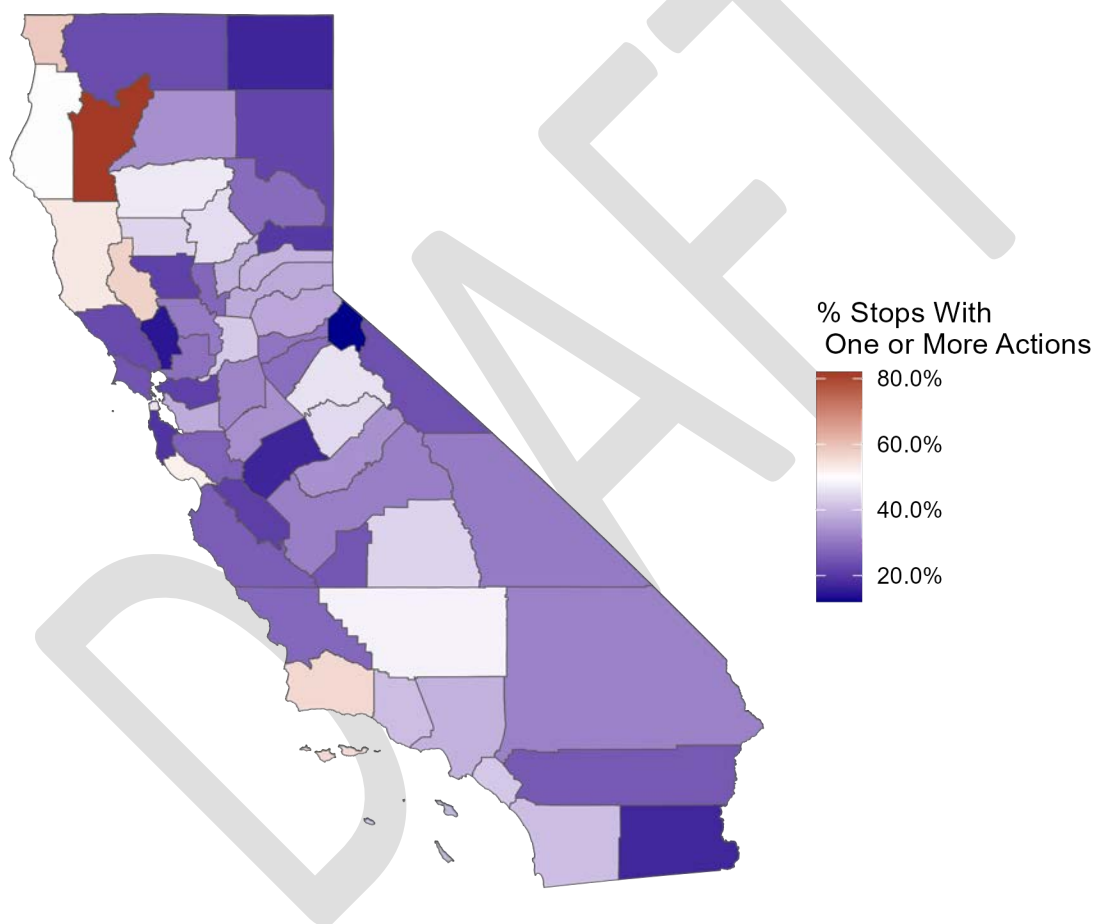
As shown in Figure 6, Consent only search is fairly evenly distrusted across counties, with Mariposa (12.09%) standing out, followed by Lake (6.87%) and Orange (6.62%) County. Sierra and Trinity County each had zero stops featuring a consent only search.

Figure 6. Percentage of Stops with Consent Only Search

3. Percentage of Stops with Limited Force

Figure 7 displays the use of limited force, the most common type of force, across stops aggregated to the county level. 15.22% of stops in 2024 featured limited force. Three counties on the Northern Coast had the highest rates of stops featuring limited force: Trinity (38.52%), Del Norte (30.6%), and Humboldt (30.01%) County. No other county was above thirty percent. Alpine County had the lowest rate in the date, with only 2.9% of stops featuring limited force.

Figure 7. Percentage of Stops with Limited Force
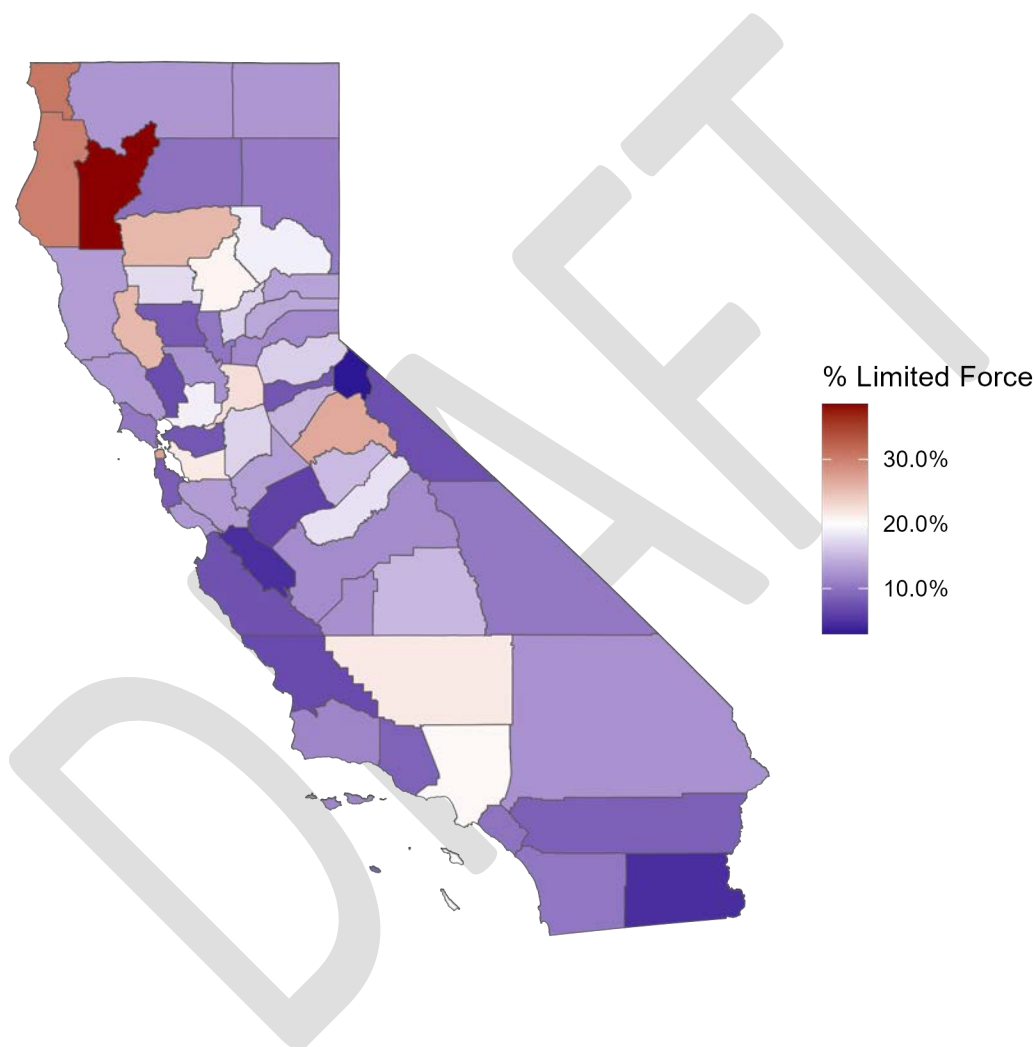
Table X displays results for all 4 sets of regressions on stop outcomes or processes.

Variable	Arrest	One or More Actions	Consent Only Search	Use of Force
Police Department	0.01	-0.06**	-0.01**	0.01
K-12 School	0.08	0.04	-0.02***	0
Colleges	-0.03	-0.04	-0.01*	0.02
Other Agency Types	0.02	0.05	-0.02***	0.01
Unique Officers (logged)	0.02**	0.03***	0	0.02***
County White Population (%)	0.53	0.44	0.05	0.47
County Black Population (%)	0.36	-0.35	-0.04	0.82
County Hispanic Population (%)	0.43	0.3	0.06	0.38
County Asian Population (%)	0.61	0.29	0.08	0.54
County Population (logged)	-0.04*	-0.01	0	-0.03**
County Median Income (logged)	-0.08**	-0.08	-0.01	-0.06**
Micropolitan Statistical Area	0.07*	0.14***	0.01	0.08**
Rural	-0.01	0	0.01	0.01

Larger police departments tend to have a higher percentage of stops end in arrest, holding agency and regional characteristics constant. In addition, agencies in counties that have a larger total population or a higher median income tend to have a lower share of stops end in arrest. In contrast, agencies in counties within micropolitan statistical areas tend to have higher arrest rates than agencies in metropolitan statistical areas.

Fewer stops have actions for Police Departments than Sherriff's departments, holding all else constant. Similarly to arrest rates, larger police departments tend to have a larger share of stops feature at least one action. In addition, agencies in counties within micropolitan statistical areas tend to have a larger share of stops with at least one action than agencies in metropolitan statistical areas.

Consent only searches only showed significant differences within agency type. Specifically, all 4 other types of agencies, police departments, K-12 schools, colleges, and other agencies, each had lower rates of consent only search than sheriff's departments.

Use of force shows many similarities with the results for arrest. Larger police departments tend to use force in a larger share of cases, holding all else constant. At the regional level, agencies in counties with larger populations tend to use force less frequently. In addition, agencies in counties that have higher median incomes also tend to use force at lower rates than counties with lower median income. Finally, agencies in counties within micropolitan statistical areas tend to use force in a lower share of stops than agencies located in metropolitan statistical areas.

VI.   POLICY RECOMMENDATIONS

A.   Potential Board Recommendations

The Board makes the following recommendations based on the research and data discussed above:

1. **The Legislature should enact legislation, similar to policies in place in North Carolina,[317] San Francisco,[318] West Hollywood,[319] Los Angeles,[320] and Virginia,[321] and prohibit pretextual stops, and enact legislation limiting stops only to specified offenses considered to impact public safety.**

This recommendation is supported by the recent research discussed above regarding the positive benefits to these communities, both in terms of crime reduction and increased public safety. It is also supported by the research discussed above regarding the inherent dangers of stops for traffic citations generally, both for those stopped and for the officers who stop them. Finally, this is consistent with the findings and recommendations of the Board in prior years.

2. **The Legislature should enact legislation to prohibit or limit policing practices that rely on oversaturation of marginalized communities due to the negative effects of those practices on those communities.**

This recommendation is supported by the recent research discussed above regarding the negative impacts of oversaturation policing on marginalized communities, and the absence of evidence that such practices reduce crime or increase public safety.

3. **The Legislature should enact legislation to study and make further recommendations limiting the use of alternative enforcement technologies such as face recognition, gunshot detection, and predictive policing technology if the use of such technologies exacerbates existing bias or be deployed in oversaturation policing.**

This recommendation is supported by the recent research discussed above demonstrating the disparate impact these technologies have on individuals in marginalized communities, and the absence of evidence that such technologies reduce crime or increase public safety. This

---

[317] Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <https://tinyurl.com/3bb9hxur> [as of XX, 2025].

[318] San Francisco Police Dept, *General Order*, Policy No. 9.07.04(A) (2023). < Policy link> [as of XX, 2025].

[319] West Hollywood City Council, Res. No. 22-5516 (2022). <https://tinyurl.com/mrspayzr> [as of XX, 2025].

[320] Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <https://tinyurl.com/3zxnwfcn> [as of XX, 2025].

[321] H 5058, Va. Acts of Assembly (2020 Special Sess.).

recommendation is also consistent with some jurisdictions, such as San Francisco, that have enacted policies limiting their use.[322]

---

[322] Conger et al, *San Francisco Bans Facial Recognition Technology*, The New York Times (2019) <https://tinyurl.com/taf72brn> [as of XX, 2025]; Admin. Code - Acquisition of Surveillance Technology, no. 0107-19, Section 1(d) <https://tinyurl.com/4vmn6pjw> [as of XX, 2025].