

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. As in prior years, this year's data show that these continuing 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 and identity profiling by law enforcement to public safety, and how reducing or eliminating profiling contributes to public safety. 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. For purposes of this Report, the Board defines public safety as the collective experience of being safeguarded or protected from threats to one's life or wellbeing.

The Board begins this examination of the relationship between profiling and public safety by providing an overview of factors that contribute to feelings of safety and the impact of racial profiling on those feelings of safety (Section II). Next, the Board analyzes the impact of two common police practices with roots in racial and identity profiling: oversaturation policing and pretextual stops. This chapter provides an overview of the origin and impact of oversaturation policing on communities of color, as well as tools of oversaturation policing, including the use of “alternative enforcement technologies,” and their relation to racial profiling and public safety (Section III). This chapter also 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 (Section IV). The chapter next seeks to identify trends in police interactions that may reflect racial or identity profiling and may impact feelings of public safety by analyzing trends of disparities in stops and frisks based on perceived demographics, disparities in the duration and outcome of stops, disparities involving individuals perceived to have limited English proficiency, and how agency and regional characteristics may influence stop outcomes (Section V). Finally, this chapter concludes with policy recommendations from the Board (Section VI).

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

—RIPA Board

II. RACIAL AND IDENTITY PROFILING IS A PUBLIC SAFETY ISSUE

As described above, the Board has defined public safety as the collective experience of being safeguarded or protected from threats to one's life or wellbeing. This definition is intentionally broad, in recognition that the concepts of safety, protection, and wellbeing mean different things to different groups. For example, research shows that 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.¹ Indeed, for many in these

¹ 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/yk6zdxz>> [as of Oct. 7, 2025]; Sequino et al., Reducing

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communities, safety is defined not by the presence of law enforcement but by its absence.² These differences in how public safety is defined demonstrate how systemic change as well as a reconceptualization of public safety.³ Researchers and practitioners recognize that public safety must be reimagined in collaboration with those most affected by racial and identity profiling from law enforcement.⁴

The Board hopes to contribute to the reimagining of public safety by applying the broad definition above to California policing data. This section begins that analysis by providing a broad overview of the impacts of profiling on public safety, including public health consequences, economic costs, and social costs, such as feelings of mistrust which can lead to decreased civic engagement. These factors may be used as metrics to assess the impact of police practices, including practices that result in racial and identity profiling, on public safety.

A. The Impacts of Racial and Identity Profiling on Public Safety

Racial and identity profiling by law enforcement impacts not only the individuals subjected to it, but the surrounding community as a whole. In particular, racial and identity profiling can have profound public health and economic consequences, reduce public trust in law enforcement, and decrease civic engagement, ultimately eroding public safety.

1. Public Health Impacts of Racial and Identity Profiling

Research shows that police encounters can lead to a variety of public health impacts. For example, “[d]isproportionate exposure to physically invasive law enforcement surveillance

pretext stops can lower racial disparities in Vermont Policing (Feb. 2022) *Vt. Digger* <<https://tinyurl.com/2439dvuy>> [as of Oct. 7, 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).

² Hudson, *Building a World without Police*, 69 UCLA L. REV. 1665, 1670 (Sept. 2023) <<https://tinyurl.com/4kphsef9>> [as of Oct. 7, 2025] (noting that the “oversurveillance of Black and poor communities creates unsafe conditions” and “limit[s] our experience of safety from day to day”).

³ 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 Oct. 7, 2025] (noting that one goal of systemic change “is to meaningfully engage the community in finding alternatives to traditional policing approaches” and by investing in communities).

⁴ 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,” including community investment and non-policing approaches to violence prevention).

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tactics, including frisking, can undermine the health of residents.^{5 6 7} 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.^{8 9} Even being subjected to repeated law enforcement stops, without more, can result in public health consequences—for example, men who experience a high number of lifetime law enforcement stops are three times more likely to experience PTSD symptoms compared with men who did not experience persistent law enforcement exposure.¹⁰

Communities of color experience a disproportionate burden of routine “[a]ggressive policing tactics, such as stop-and-frisk and excessive use of force, meaning they are subjected to an increased risk of public health consequences from policing. In addition, as discussed more fully in the 2025 RIPA Report, the public health of adolescents and young adults are particularly affected by police contact.¹¹ Adolescents in specific urban neighborhoods “are likely to experience assertive contemporary police practices.”¹² “[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.”¹³ 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.”¹⁴ “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.”¹⁵ For youth and young adults, recent encounters

⁵ 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].

⁶ 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.

⁷ 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].

⁸ 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].

⁹ 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].

¹⁰ 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].

¹¹ 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.]

¹² 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].

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. 2.

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. 2.

¹⁵ 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.

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with law enforcement are linked to increased anxiety and both the quantity and intensity of recent stop experience are associated with increased PTSD symptoms.¹⁶

Thus, disparities in the frequency and nature of law enforcement contacts can lead to disparities in the health and wellbeing of communities of color, which in turn may impact those communities' feelings of public safety.

2. Economic Costs of Racial and Identity Profiling

Racial and identity profiling can also result in economic costs, such as legal settlements, that may decrease a community's feeling of public safety. 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 that may result from racial and identity profiling. Often, those lawsuits result in settlements, which can easily cost taxpayers millions of dollars per year in larger cities.¹⁷ However, research shows that such settlements rarely lead to reform.¹⁹ Thus, racial and identity profiling by police can create a financial cost to the community, without leading to policy changes that could increase the community's feeling of protection in their safety and wellbeing.

Additionally, racial and identity profiling may correlate with an increased police presence, creating an additional financial cost to communities without contributing the feelings of public safety. While police department funding has generally increased from year to year, increases in funding have not significantly correlated to a reduction in crime.²⁰ For example, a sample of 940 municipalities across the U.S. with more than 25,000 residents between 1990-2016 found that more officers per 1,000 residents and higher police expenditures predicted higher rates of misdemeanor and quality-of-life crime arrest rates while controlling for violent crime rates.²¹ That is, higher rates of police expenditures may result in higher rates of low-level arrests, but may not meaningfully reduce violent crime.²² A 20-year analysis of 51 major Californian cities conducted by the Center on Juvenile and Criminal Justice and found that "increased law enforcement budgets and personnel correlate[d] with significantly worse crime clearance rates

¹⁶ 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].

¹⁷ Policing Project, *It's Time to Follow the Money on Police Misconduct* (Oct. 18, 2023) <<https://tinyurl.com/2z336zvt>> [as of XX, 2025].

¹⁸ See NAACP, *Criminal Justice Fact Sheet*, <<https://naacp.org/resources/criminal-justice-fact-sheet>> [as of Sept. 4, 2025].

¹⁹ See, e.g., Rachel Harmon, *Limited Leverage: Federal Remedies and Policing Reform*, 32 ST. LOUIS U. PUB. L. REV. 33, 46-47 (2012) ("Because police departments and their leaders are not easily forced to internalize the costs borne by the government, it is not surprising that many departments fail to adopt institutional reforms even after successful civil judgments impose significant costs for misconduct").

²⁰ Males, *More Law Enforcement Spending Accompanies Worse, Not Improved Crime-Solving* (Oct. 2024) Center on Juvenile and Criminal Justice <<https://tinyurl.com/mrryzk3>> [as of xx, 2025].

²¹ See, e.g., Beck, et al., *The Material of Policing: Budgets, Personnel and the United States' Misdemeanour Arrest Decline*, *The British Journal of Criminology*, Volume 63, Issue 2, March 2023, Pages 330-347. <<https://tinyurl.com/4ra6meac>> [as of xx, 2025]

²² See Beck, et al., *The Material of Policing: Budgets, Personnel and the United States' Misdemeanour Arrest Decline*, *The British Journal of Criminology*, Volume 63, Issue 2, March 2023, Pages 330-347. <<https://tinyurl.com/4ra6meac>> [as of xx, 2025]

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and higher crime incidence.”²³ The Center found that crime clearance rates dropped by 41% in California, “from 22.3% in 1990 to just 13.7% in 2023,” “[d]espite unprecedented funding levels.”²⁴

Thus, racial and identity profiling can lead to public costs without corresponding circumstances, such as a decrease in crime, that may lead to feelings of safety.

3. 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,²⁵ which is shaped by a history of discriminatory policing, use of excessive force, and lack of accountability.²⁶ For example, in one study, researchers found that mistrust of law enforcement was higher among Black respondents than among other racial groups.²⁷ 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.”²⁸

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 police stops are common. For example, for youth of color residing in urban areas, elevated

²³ Males, *More Law Enforcement Spending Accompanies Worse, Not Improved Crime-Solving* (Oct. 2024) Center on Juvenile and Criminal Justice <<https://tinyurl.com/mrryrzk3>> [as of XX, 2025].

²⁴ Males, *More Law Enforcement Spending Accompanies Worse, Not Improved Crime-Solving* (Oct. 2024) Center on Juvenile and Criminal Justice <<https://tinyurl.com/mrryrzk3>> [as of XX, 2025].

²⁵ 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.

²⁶ Hegney, *The “Stop Snitching” Phenomenon: Violence, Justice, & Policy Implications*, Voices: On Difference, Grad. Social Work Dept, West Chester Univ. (Tennille edit, 2015) p. 7 <<https://tinyurl.com/4y39244m>> [as of XX, 2025] (noting that police mistrust is an “enduring issue in impoverished, black neighborhoods” and that “community members are averse to relying on a system that is understood as apathetic to or antagonistic towards the needs of the black community”).

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. 1 <<https://tinyurl.com/yc8zay9z>> [as of XX, 2025].

²⁸ 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].

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risks of vicarious police contact can intensify feelings of fear, anger, and cynicism toward law enforcement.²⁹ 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.³⁰

“Inconsistency in aggressive low-level policing across community groups undermines police legitimacy, which erodes cooperation with law enforcement.”³¹ Higher levels of distrust among criminalized individuals may result in “decreased willingness to engage with public institutions more broadly.”³² 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.”³³ Even routine encounters with law enforcement may “constitute significant learning experiences with respect to government and one’s relationship with it.”³⁴ For example, being stopped by law enforcement in a public space may “suggest public discounting of worth.”³⁵

“[I]nvolutionary police interventions incentivize strategic retreat from engagement with the state.”³⁶ “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.”³⁷ 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.”³⁸ In a 2018 survey of 20,271 households in 26 U.S. metro areas, results showed that residents in communities characterized by high levels of inequality who reported lower civic engagement also reported feeling that their communities were less safe.³⁹

²⁹ 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.

³⁰ 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.

³¹ 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].

³² Ben-Menachem, Torrats-Espinoso. (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].

³³ Ben-Menachem, Torrats-Espinoso. (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].

³⁴ Ben-Menachem, Torrats-Espinoso. (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].

³⁵ 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].

³⁶ 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].

³⁷ 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].

³⁸ 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].

³⁹ Collins and Guidry, *What Effect Does Inequality Have on Residents’ Sense of Safety? Exploring the mediating processes of social capital and civic engagement* (2018) 40 J. of Urban Affairs 7, 1.

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Thus, racial and identity profiling may lead to mistrust of law enforcement and decreased civic engagement which, in turn, may lead to decreased feelings of public safety.

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

While not every police encounter is negative, the potential for negative externalities is higher as the frequency of stops increases. caSimply put, the more police stops there are, the more likely they are to affect the community in which they occur. In this section, the Board examines how practices that concentrate law enforcement presence in marginalized communities — a practice known as “oversaturation policing” — impact those communities, reduce public safety, and can perpetuate racial and identity profiling.

A. Overview of Oversaturation Policing

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.”⁴⁰ In a 2019 study of more than 800 recorded and transcribed conversations across 12 neighborhoods in five cities, community members described how oversaturation tactics translate to a sense that law enforcement is “extremely attentive to small infractions,” “hound[ing] people for minor quibbles,” and “overly aggressive” for “minor infractions and seemingly innocuous inquiries.”⁴¹

What these community members perceived is order maintenance policing, a form of proactive policing.⁴² 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.⁴³ 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.”⁴⁴ These tactics may signal “broad-based and automatic suspicion based on status (gender, race,

⁴⁰ Prowse, et al. (2019). *The State from Below: Distorted responsiveness in policed communities*. Urban Affairs Review at p.1. <<https://tinyurl.com/4fuw8mp8>> [as of XX, 2025].)

⁴¹ *Id.* at p.13-14.

⁴² 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 Delpuech (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 Delpuech (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].

⁴³ 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].

⁴⁴ Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpuech (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].

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neighborhood), and that the police could therefore be seen as a hostile presence in these neighborhoods.”⁴⁵

In rooting out danger, law enforcement officers “act on implicit stereotypes of who looks suspicious.”⁴⁶ 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 disproportionately high rates.⁴⁷ Individuals in these police-saturated neighborhoods are disproportionately hurt by these interactions, and 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.⁴⁸ Further, “police–citizen encounters routinely feature derogatory remarks and bodily contact, and citizens forced to do humiliating things.”⁴⁹ As discussed in *supra* part ___, this leads to negative consequences in the form of economic, mental health, and social costs borne on both the community and local government. Even without contact, 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.”⁵⁰

Despite all of this, marginalized communities increasingly rely on law enforcement when they encounter actual threats. South Los Angeles, for example, saw a steady increase in 911 emergency calls between 2011 to 2018.⁵¹ 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.”⁵² They also “described their communities metaphorically as 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.”⁵³

⁴⁵ Fagan, et al. (2016). *Street Stops and Police Legitimacy in New York* in Ross and Delpuech (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].

⁴⁶ Epp, et al., *Pulled Over: How Police Stops Define Race and Citizenship*, (2014) at p. xv.

⁴⁷ Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <<https://tinyurl.com/55e9epbs>> [as of XX, 2025].

⁴⁸ Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <<https://tinyurl.com/55e9epbs>> [as of XX, 2025].

⁴⁹ Weaver and Lerman. (2010) *Political Consequences of the Carceral State*. Am. Pol. Science Review <<https://tinyurl.com/55e9epbs>> [as of XX, 2025].

⁵⁰ 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].

⁵¹ 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].

⁵² 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].

⁵³ 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].

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Oversaturation policing and distorted responsiveness sow distrust and suffocate 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 alter an individual's access to resources.⁵⁴ 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."⁵⁵ Individuals who have adversarial interactions with law enforcement become less likely to seek out government of any kind — including through engagement in the political process.⁵⁶

[Conclusion/transition]

B. 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. Increasingly, agencies are turning to alternative enforcement technologies, such as 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, in their daily work.^{57 58}

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. Many of these technologies, such as social media monitoring,⁵⁹ the sharing of private

⁵⁴ 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].

⁵⁵ 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].

⁵⁶ 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].

⁵⁷ See Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 33.

⁵⁸ See generally ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <<https://tinyurl.com/23w8eyud>> [as of XX, 2025] [discussing technologies].

⁵⁹ Electronic Frontier Foundation. (2023). Street Level Surveillance: Social Media Monitoring. <<https://tinyurl.com/55xm9rm2>> [as of XX, 2025]. A 2015 survey by the International Association of Chiefs of Police (IACP) found that more than 96 percent of the 553 departments reported using social media in some capacity. Levinson-Waldman, *Private Eyes, They're Watching You: Law Enforcement's Monitoring of Social Media* (2019) 71 Okla. L. Rev. 997, 998 <<https://tinyurl.com/4uc6a2j9>> [as of XX, 2025], citing Int'l Ass'n of Chiefs of Police, *2015 Social Media Survey Results* (2015) <<https://tinyurl.com/pct3mwmr>> [as of XX, 2025].

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security camera footage,⁶⁰ and the use of body-worn cameras⁶¹ have become commonplace tools in the criminal legal system. Proponents of these technological advancements generally argue that they can expand law enforcement's capacity to predict, prevent, and respond rapidly and accurately to criminal activity and security threats.

However, some alternative enforcement technologies have been criticized for 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. Accordingly, the Board examines the role of racial and identity profiling in the deployment of four alternative enforcement technologies—face recognition, gunshot detection, predictive policing, and automated license plate reader (ALPR) data—and how these technologies may contribute to oversaturation policing, are function of racial bias or increase the risk of racial profiling, and undermine public safety.

1. Face Recognition (FRT)

Face Recognition Technology (FRT) uses algorithms to identify someone by an image of their face.⁶² 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.⁶³ 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.⁶⁴

Multiple factors contribute to FRT's racial and gender 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

⁶⁰ Electronic Frontier Foundation and Reynolds School of Journalism, *Atlas of Surveillance: Glossary - Camera Registry* <<https://tinyurl.com/4t7ca9dx>> [as of XX, 2025]. At least 85 local law enforcement agencies across California maintain a camera registry. Electronic Frontier Foundation and Reynolds School of Journalism, *Atlas of Surveillance (filtered for California and Camera Registry)* <<https://tinyurl.com/5eanfacm>> [as of XX, 2025].

⁶¹ Body-Worn Cameras. Electronic Frontier Foundation, *Street Level Surveillance: Body-Worn Cameras* (2023) <<https://tinyurl.com/3p4h6nyk>> [as of XX, 2025]. There are at least 292 Californian law enforcement agencies using body-worn cameras as of 2025. Electronic Frontier Foundation and Reynolds School of Journalism, *Atlas of Surveillance (filtered for California and Body-worn Cameras)* <<https://tinyurl.com/2kdhabuy>> [as of XX, 2025].

⁶² Electronic Frontier Foundation. (2023). *Street Level Surveillance: Face Recognition*. <<https://sfs.eff.org/technologies/face-recognition>> [as of June 19, 2025].

⁶³ 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.

⁶⁴ 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.

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disproportionate rates; and implicit biases that determine which images compose the databases on which FRT algorithms are trained.⁶⁵ As a result, FRT reflects systemic biases against people of color, women, and transgender individuals, contributing to their over-policing.

Some also object to collaboration between local law enforcement and federal agencies in the use of FRT. For instance, the U.S. 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.”⁶⁶ 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.

In response to these concerns, some jurisdictions, such as the city of San Francisco, have banned the use of FRT.⁶⁷

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].

Another alternative enforcement technology that may be used in oversaturation policing is gunshot detection technology. 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.⁶⁸ 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.”⁶⁹ 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. The impact of this determination may be compounded by law enforcement practices that prioritize oversaturation practices over multidisciplinary and community-oriented policing. Gunshot detection technology can also increase the risk of the deployment of excessive force in highly surveilled neighborhoods.

⁶⁵ Ball, *Facial Recognition in the Eyes of the Law* (2023) B.C. Intell. Prop. & Tech. F., 1 at p. 10-11.

⁶⁶ 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].

⁶⁷ 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].

⁶⁸ 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].

⁶⁹ Electronic Frontier Foundation, *Street Level Surveillance: Gunshot Detection* (2023) <<https://tinyurl.com/3yydb2wv>> [as of XX, 2025].

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Finally, though this technology might facilitate the rapid transport of gunshot victims to emergency care,⁷⁰ research has not shown that its use is “associated with longer-term reductions in crime.”⁷¹ 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.⁷² 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 2023.⁷³ 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.⁷⁴

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.⁷⁵ 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.”⁷⁶ As a result, predictive policing software has the potential to legitimize existing patterns of oversaturation policing as well as racial profiling and institutional law enforcement practices or strategies informed by racial bias. 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 2021.⁷⁷

4. ALPR Data and Local-Federal Cooperation on Immigration

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

⁷⁰ Henning, et al., *Reporting Gunshots: Prevalence, correlates, and obstacles to calling the Police* (2025) 26 Police Practice and Research 1, 42-45 <<https://tinyurl.com/46pw5trk>> [as of XX, 2025].

⁷¹ Henning, et al., *Reporting Gunshots: Prevalence, correlates, and obstacles to calling the Police* (2025) 26 Police Practice and Research 1, 42-45 <<https://tinyurl.com/46pw5trk>> [as of XX, 2025].

⁷² Henning, et al., *Reporting Gunshots: Prevalence, correlates, and obstacles to calling the Police* (2025) 26 Police Practice and Research 1, 42-45 <<https://tinyurl.com/46pw5trk>> [as of XX, 2025].

⁷³ Berlatsky, *How Chicago Organizers Managed to Rid the City of Shotspotter*, Prism (Dec. 2, 2024) <<https://tinyurl.com/yk5znxrk>> [as of XX, 2025].

⁷⁴ Berlatsky, *How Chicago Organizers Managed to Rid the City of Shotspotter*, Prism (Dec. 2, 2024) <<https://tinyurl.com/yk5znxrk>> [as of XX, 2025].

⁷⁵ Electronic Frontier Foundation, *Street Level Surveillance: Predictive Policing* (2023) <<https://tinyurl.com/y4k3j3ak>> [as of XX, 2025].

⁷⁶ Electronic Frontier Foundation, *Street Level Surveillance: Predictive Policing* (2023) <<https://tinyurl.com/y4k3j3ak>> [as of XX, 2025].

⁷⁷ 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].

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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.

The use of ALPRs raises some concern regarding public safety generally and, in particular, in light of federal immigration enforcement. This year, 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). Under California law, state and local law enforcement agencies are prohibited from sharing data pulled from ALPR systems with federal and out-of-state law enforcement, where the data's use is beyond the reach of California's oversight and regulation.⁷⁸ It would also heighten the risk for immigrant communities that any contact with local law enforcement, including for reasons unrelated to immigration, could render them a target for federal immigration enforcement and ultimately deportation proceedings. On October 3, 2025, California Attorney General Rob Bonta filed a lawsuit against the City of El Cajon over its refusal to comply with state law prohibiting the sharing of license plate data with federal and out-of-state law enforcement agencies.⁷⁹

Local law enforcement agencies create their own hot lists and can also obtain hot lists from state and federal agencies. For example, the California Department of Justice provides hot lists to authorized local agencies that include license plate numbers primarily of stolen vehicles, however the lists may also contain other vehicles of public safety interest, such as those linked to missing or wanted persons. Agencies may request similar license plate data from the FBI's National Crime Information Center. Law enforcement agencies can also 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.⁸⁰ 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.⁸¹

⁷⁸ Cal. DOJ (Oct. 2, 2025). *Attorney Bonta sues El Cajon for illegally sharing license plate data with out-of-state law enforcement* [Press Release] <<https://tinyurl.com/464skc7f>> [as of XX, 2025].

⁷⁹ Cal. DOJ (Oct. 2, 2025). *Attorney Bonta sues El Cajon for illegally sharing license plate data with out-of-state law enforcement* [Press Release] <<https://tinyurl.com/464skc7f>> [as of XX, 2025].

⁸⁰ 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].

⁸¹ 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].

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State law prohibits the sharing of ALPR data with out-of-state agencies or the federal government.⁸² 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.⁸³

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.⁸⁴ 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 private companies like Palantir and Peregrine Technologies as potential modes of impermissible data-sharing with federal agencies.⁸⁵

A May 2025 report by 404 Media found 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.⁸⁶ 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.⁸⁷ 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.⁸⁸ 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.⁸⁹

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 2024.⁹⁰ The records revealed that, “[i]n at least one case, the Oakland Police Department fulfilled a request

⁸² Civ. Code, § 1798.90.55, subd. (a).

⁸³ Senate Bill No. 54 (2017-2018 Reg. Sess.) <<https://tinyurl.com/4wxx2mdd>> [as of XX, 2025].

⁸⁴ Hamid Khan, *ALPR Letter* (April 7, 2025) Stop LAPD Spying Coalition <<https://stoplapdspying.org/alpr-letter/>> [as of Aug. 15, 2025]

⁸⁵ Khan, *ALPR Letter* (April 7, 2025) Stop LAPD Spying Coalition <<https://stoplapdspying.org/alpr-letter/>> [as of Aug. 15, 2025]

⁸⁶ Koebler, ICE Taps into Nationwide AI-Enabled Camera Network, Data Shows (May 27, 2025) 404 Media <<https://tinyurl.com/45p6rfsd>> [as of XX, 2025].

⁸⁷ Yadi, *CA Automated License Plate Readers (ALPR) and ICE* (Jun. 16, 2025) Oakland Privacy <<https://tinyurl.com/d9n236xn>> [as of XX, 2025].

⁸⁸ Yadi, *CA Automated License Plate Readers (ALPR) and ICE* (Jun. 16, 2025) Oakland Privacy <<https://tinyurl.com/d9n236xn>> [as of XX, 2025].

⁸⁹ 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]; see also Riverside County Sheriff, *Audit Reports* <<https://tinyurl.com/5eewtndn>> [as of XX, 2025].

⁹⁰ 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].

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related to an Immigration and Customs Enforcement investigation.”⁹¹ 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.⁹² 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.⁹³

A July article by *The LA Times* illustrates the stake of these instances of potential ALPR data-sharing for communities at risk of deportation.⁹⁴ In looking through recent court filings, *The 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.⁹⁵ 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.⁹⁶ 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.⁹⁷ 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.

C. 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. Beyond the initial cost of the technology itself, these technologies often lead to additional expenditures to

⁹¹ 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].

⁹² 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].

⁹³ 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].

⁹⁴ 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].

⁹⁵ 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].

⁹⁶ 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].

⁹⁷ 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).

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maintain the technology and storage the data obtained through their surveillance.^{98 99 100} Data storage and maintenance costs can easily surpass initial expenditures.¹⁰¹ 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 \$3,600,000.¹⁰² The high costs of these programs have prompted some departments to discontinue their use and redirect funds towards more central activities.¹⁰³ 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.¹⁰⁴ 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.¹⁰⁵

Some alternative enforcement technologies like body cameras have been touted as a means to reduce excessive force and police misconduct complaints.¹⁰⁶ However, reports have found conflicting evidence about their effectiveness in this regard.¹⁰⁷ 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.¹⁰⁸ 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.¹⁰⁹

⁹⁸ See generally ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <<https://tinyurl.com/23w8eyud>> [as of XX, 2025] [discussing costs].

⁹⁹ See generally ACLU, *Community Control Over Police Surveillance: Technology 101* (Sept. 16, 2016) <<https://tinyurl.com/23w8eyud>> [as of XX, 2025] [discussing costs].

¹⁰⁰ Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 32.

¹⁰¹ See, e.g., Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 33.

¹⁰² 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.

¹⁰³ 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].

¹⁰⁴ 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].

¹⁰⁵ 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].

¹⁰⁶ 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].

¹⁰⁷ See Spielberg, *Chasing Justice: Addressing Police Violence and Corruption in Maryland* (Aug. 2021) ACLU Maryland <<https://tinyurl.com/3f7jmb3z>> [as of XX, 2025] p. 15

¹⁰⁸ 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].

¹⁰⁹ Spielberg, *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.

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The effectiveness of various alternative enforcement 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.’”¹¹⁰ 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.”¹¹¹ Reports have found conflicting evidence about the effectiveness of advanced technology programs.¹¹²

In addition to their high costs, alternative enforcement technology programs are controversial for several reasons. Predictive policing algorithms, for example, can entrench racial bias.¹¹³ Acoustic gunshot technology like ShotSpotter too has been criticized for entrenching racial bias.¹¹⁴ 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 jobs” like new equipment and training.¹¹⁵

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,¹¹⁶ “claims to have relationships with 17,000 of the 18,000 law enforcement agencies in the United States.”¹¹⁷ 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.¹¹⁸ 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.¹¹⁹

¹¹⁰ 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].

¹¹¹ Sankin and Mattu, *Predictive Policing Software Terrible at Predicting Crimes*, The Markup (Oct. 2, 2023) <<https://tinyurl.com/3t5xb3vm>> [as of XX, 2025].

¹¹² 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].

¹¹³ 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].

¹¹⁴ 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].

¹¹⁵ 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].

¹¹⁶ 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].

¹¹⁷ Joh, *The Undue Influence of Surveillance Technology Companies on Policing* (2017) 92 N.Y. Univ. L.Rev. 19, 33.

¹¹⁸ ShotSpotter, *Investor Presentation* (Nov. 2020) <<https://tinyurl.com/ycx7suhb>> [as of XX, 2025].

¹¹⁹ 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].

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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 placement counseling.”¹²⁰ 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.”¹²¹ “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.”¹²²

IV. ELIMINATING PRETEXTUAL STOPS IMPROVES PUBLIC SAFETY

Oversaturation policing that influenced by or that perpetuates racial bias often translates to or takes the form of pretextual stops, as jurisdictions choose to expand its police presence in minority neighborhoods through practices focused on low-level crime enforcement. 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.¹²³ Because law enforcement can legally initiate vehicle stops to issue citations for traffic infractions, it is difficult to ascertain the exact number of traffic stops initiated for pretextual investigations. Though officers must now document and disclose the reason for the stop,¹²⁴ and report that reason in the RIPA data, officers may still use a traffic stop as a pretext for their true intentions and are not required to disclose any investigative intent.

Still at issue, however, are the two most pressing questions arising from the use of pretextual stops: (1) are there benefits to enacting policies limiting or eliminating pretextual stops; and (2) what have been the results in those jurisdictions that have enacted such policies?

This section continues the Board’s discussion on how pretextual stops contribute to racial and identity profiling in California and undermine public safety, defined as the collective experience

¹²⁰ 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].

¹²¹ 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].

¹²² 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].

¹²³ 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].

¹²⁴ 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.

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of being safeguarded or protected from threats to one's life or wellbeing.¹²⁵ 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.¹²⁶

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

In its 2023 Report, the Board recommended that law enforcement agencies eliminate pretextual stops based on research and data showing such practices do not improve public safety, disparately result in racial profiling, and do little to discover or prevent crime.¹²⁷ Specifically, the Board relied, in part, on 2019 RIPA data from Catalyst California, showing that 80,000 hours of law enforcement time were spent in one year on 211,086 traffic stops that did not result in any enforcement of any kind, including warnings, or contraband found.¹²⁸

Despite the Board's recommendation and data analyses consistently showing that the high cost of traffic enforcement is not justified by any corresponding reduction in crime, most counties in California continue to prioritize traffic enforcement.¹²⁹ For example, the RIPA data shows that traffic stops comprised 83.7 percent of all stops in 2024,¹³⁰ 82.1 percent in 2023,¹³¹ and 86.8

¹²⁵ Prior analysis of racial disparities in pretextual stops can be found primarily in the 2023 and 2024 RIPA Reports. See Racial and Identity Profiling Advisory Board, *Annual Report* (2023), pg. 61-107 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of Oct. 7, 2025]; Racial and Identity Profiling Advisory Board, *Annual Report* (2024), pg. 52-166 <<https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf>> [as of Oct. 7, 2025]. <<https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf>> [as of Oct. 7, 2025].

¹²⁶ 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].

¹²⁷ See generally Racial and Identity Profiling Advisory Board, *Annual Report* (2023), pg. 61-107 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of Oct. 7, 2025].

¹²⁸ See Racial and Identity Profiling Advisory Board, *Annual Report* (2023), pg. 64 <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of Oct. 7, 2025], citing Catalyst Cal. and ACLU of Southern Cal. <<https://tinyurl.com/3zjv7yxz>> [as of Oct. 7, 2025].

¹²⁹ 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."

¹³⁰ 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].

¹³¹ 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].

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percent in 2022.¹³² Similarly, a 2019 review by Catalyst California found that the vast majority (84.3%) of officer-initiated stops by the Los Angeles County Sheriff's Department were for traffic violations; only 11.2 percent of all time was spent on responding to calls for assistance, and only 9.6 percent of stops were based on reasonable suspicion of criminal activity.¹³³ 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.¹³⁴ The report urged that traffic enforcement costs be reallocated to improving community care and infrastructure.¹³⁵

“\$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)

As 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. The Board examines those policy changes below, along with similar changes in other jurisdictions, to identify potential recommendations for California law enforcement agencies. But first, the Board examines data supporting the need to eliminate pretextual stops in more detail.

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.¹³⁶ 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 obtain consent from the driver to search.

¹³² Racial and Identity Profiling Board 2023 Annual Report Appendix, pg. 5 <<https://oag.ca.gov/system/files/media/ripa-appendix-2023.pdf>>

¹³³ 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].

¹³⁴ 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].

¹³⁵ 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].

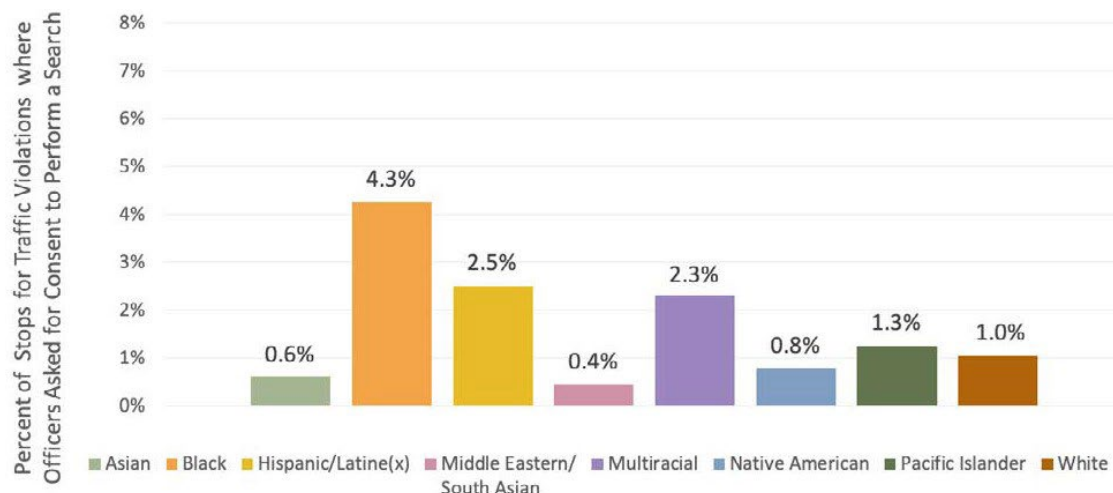
¹³⁶ See *Whren v. United States* (1996) 517 U.S. 806; see also Racial and Identity Profiling Board 2023 Annual Report, pp 67-68. at <<https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf>> [as of Aug. 14, 2025].

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RIPA data show that 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.¹³⁷

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



Consistent with prior years, the 2024 RIPA stop data shows 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).

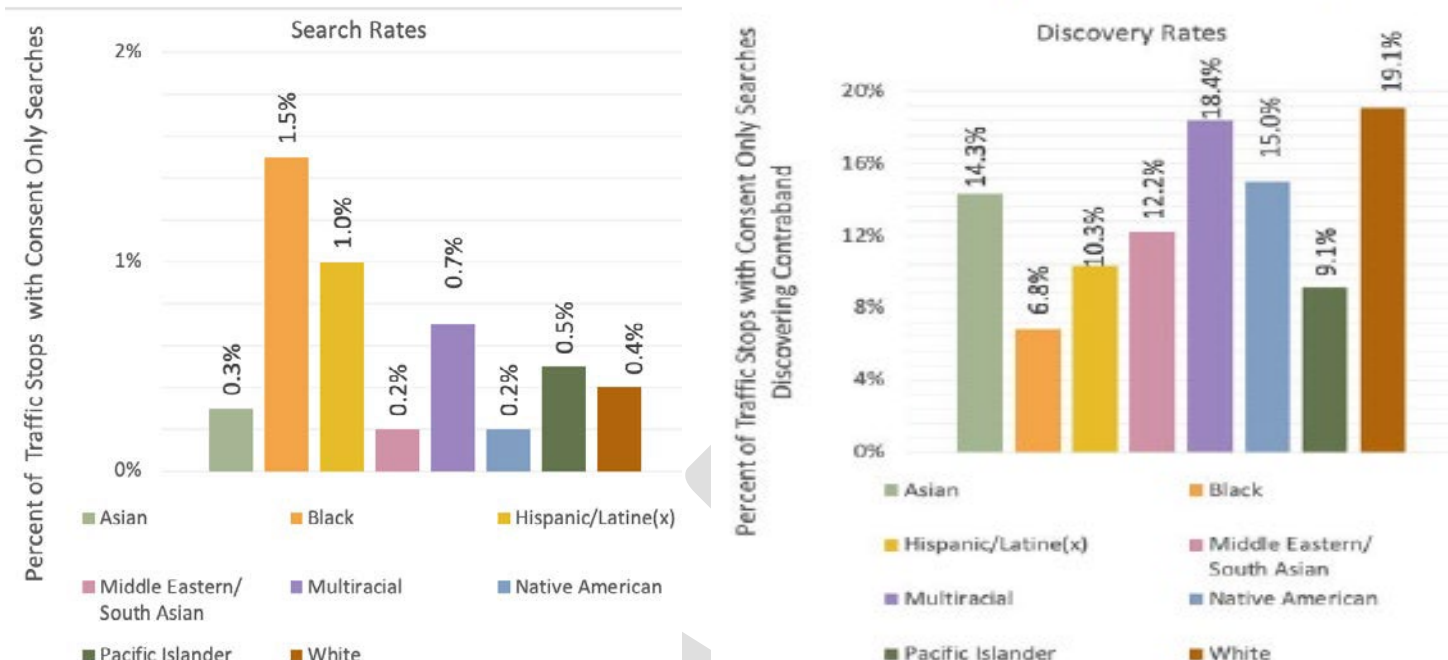
¹³⁷ Racial and Identity Profiling Advisory Board, Annual Report (2023) pp 71-73

<<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]; 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.”

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



In consent-only searches,¹³⁸ searches of individuals perceived to be Black led to the discovery of contraband at the lowest rate of all racial or ethnic groups, with only 6.8 percent of searches leading to the discovery of contraband. In contrast, individuals perceived to be White yielded discovered contraband at the second-highest rate (19.1%). These findings are consistent with the findings in prior reports.¹³⁹ 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.¹⁴⁰

Individuals perceived to be Hispanic/Latine(x) make up the second most targeted racial group for consent searches at 4.25 percent, and are the fourth most likely racial group to have contraband discovered from the search. These searches, and the low rate at which they yield results, are unlikely to contribute to public safety.

¹³⁸ 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].

¹³⁹ 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].

¹⁴⁰ 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%). See Racial and Identity Profiling Board, Annual Report (2023) pp 71-73 < <https://oag.ca.gov/system/files/media/ripa-board-report-2023.pdf> > [as of Oct. 7, 2025].

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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.¹⁴¹ 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.¹⁴²

Accordingly, the 2024 RIPA data show, consistent with prior reports, that if the search is based on more than just consent, there is a higher likelihood the officer will discover contraband. 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.

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

a. 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.¹⁴³ This sense of danger has led to preventable unarmed civilian deaths in stops for common traffic infractions.¹⁴⁴ Penal Code section 835, subdivision (a) restricts an officer's force to only what is reasonable under the circumstances.¹⁴⁵

¹⁴¹ 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 <<https://oag.ca.gov/system/files/media/ripa-appendix-2023.pdf>> [as of Oct. 7, 2025].

¹⁴² 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 <<https://oag.ca.gov/system/files/media/ripa-appendix-2023.pdf>> [as of Oct. 7, 2025].

¹⁴³ Kirkpatrick et. al, *Why Many Police Traffic Stops Turn Deadly*, New York Times (Oct. 2021) <<https://tinyurl.com/49957swk>> [as of Oct. 7, 2025] (noting that “Police think ‘vehicle stops are dangerous’ and ‘Black people are dangerous’ and the combination is volatile” and that “[t]he problem is especially acute at so-called pretextual stops”).

¹⁴⁴ Kirkpatrick et. al, *Why Many Police Traffic Stops Turn Deadly*, New York Times (Oct. 2021) <<https://tinyurl.com/49957swk>> [as of September 08, 2025].

¹⁴⁵ More information about the use of force, and how such “low discretion” events are influenced by civilian oversight agencies (COAs), see the Accountability section of this year’s Report.

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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.¹⁴⁶ 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.¹⁴⁷

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* collected data of 10,429 civilians who have been shot and killed by on duty police officers.¹⁴⁸ *The New York Times*, analyzing a subset of that data from 2016 to 2021, looked at 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.”¹⁴⁹ 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.¹⁵⁰ 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 disrespect or disobedience.¹⁵¹ 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.”¹⁵²

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.¹⁵³ Though Black individuals were only 12 percent of the population in 2024, they

¹⁴⁶ 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].

¹⁴⁷ Woods, *Policing, Danger Narratives, And Routine Traffic Stops*, 117 Mich. Law Rev. 635, 676 (2019) <<https://tinyurl.com/2dm3rc6t>> [as of September 08, 2025].

¹⁴⁸ The Washington Post, *Fatal Force: Police Shootings Database* (Dec. 31, 2024) <<https://tinyurl.com/58f9ffrh>> [as of XX, 2025].

¹⁴⁹ Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <<https://tinyurl.com/49957swk>> [as of June 10, 2025].

¹⁵⁰ Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <<https://tinyurl.com/49957swk>> [as of June 10, 2025].

¹⁵¹ Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <<https://tinyurl.com/49957swk>> [as of June 10, 2025].

¹⁵² Kirkpatrick, et. Al, *Why Many Police Traffic Stops Turn Deadly* (Oct. 2021) NYT <<https://tinyurl.com/49957swk>> [as of June 10, 2025].

¹⁵³ 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.

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made up more than 25 percent of the population to be killed by police.¹⁵⁴ 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.¹⁵⁵

b. Indirect Deadly Interactions: High-Speed Chases

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.¹⁵⁶ California law shields local jurisdictions from civil liability through Vehicle Code section 17004.7, which provides immunity to law enforcement agencies and their officers when the agency creates policy and training on vehicular pursuit policies. Because of this and other laws limiting the reach of reform through civil liability, reform efforts must come from the communities or governing agencies promulgating pursuit policies.¹⁵⁷ 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.¹⁵⁸ 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.¹⁵⁹

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.¹⁶⁰ In 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.¹⁶¹ 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.¹⁶² The USDOJ report resulted in 65 separate recommendations to further protect public safety from

¹⁵⁴ 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.

¹⁵⁵ See Police Scorecard – California at < <https://policescorecard.org/ca> > (as of Aug. 14, 2025).

¹⁵⁶ Alpert, Geoffrey P., and Anderson, Patrick R., *The Most Deadly Force: Police Pursuits* (1986) 3 Justice Q. 1, at p. 10.

¹⁵⁷ For more information on the interplay between civil liability and reform implementation, see section V.B, *post*.

¹⁵⁸ Alpert, Geoffrey P., and Anderson, Patrick R., *The Most Deadly Force: Police Pursuits* (1986) 3 Justice Q. 1, at p. 10.

¹⁵⁹ 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.

¹⁶⁰ 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].

¹⁶¹ 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].

¹⁶² 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].

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deadly high-speed chases.¹⁶³ Many recommendations focused on reducing the situations where law enforcement officers believe a high speed chase is necessary or warranted.¹⁶⁴

Long before RIPA, California law mandated that all law enforcement agencies report motor vehicle pursuit data to the California Highway Patrol, who then submits a yearly report to the Legislature.¹⁶⁵ The report form lists 30 required data points, including the time of day, length of the pursuit, speeds, collisions, and injuries involved in the pursuit. Though the form requires law enforcement to “indicate the ethnicity that most clearly resembles the driver,”¹⁶⁶ 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, 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.¹⁶⁷ Injury rates were also higher in 2021, with 35 percent of crashes leading to injuries, and 1.7 percent of crashes or 52 people dying as a result of the pursuit.¹⁶⁸ Traffic infractions were three of the top five reasons for initiating stops that resulted in pursuits in 2022. Specifically, speeding was identified as the top reason for stops (18% of stops), followed by possession of a stolen vehicle (14.8%), license plate/registration (10%), failure to stop at a stop sign (6.3%), and reckless driving (5.2%).¹⁶⁹

In 2024, San Diego County compiled its pursuit data from 2019-2024 in a report to the San Diego Police Commission.¹⁷⁰ 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.¹⁷¹ In the 219 collision pursuits, 75.3 percent involved some form of

¹⁶³ 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].

¹⁶⁴ 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].

¹⁶⁵ 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 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].

¹⁶⁶ State of California, Department of California Highway Patrol, *Allied Agency Pursuit Report* <<https://tinyurl.com/573vwv6n>> [as of September 11, 2025].

¹⁶⁷ Cal. Highway Patrol, Report to the Legislature: Senate Bill 719, Police Pursuits (June 2023) <<https://tinyurl.com/mpuhk42v>> [as of September 11, 2025].

¹⁶⁸ Cal. Highway Patrol, Report to the Legislature: Senate Bill 719, Police Pursuits (June 2023) <<https://tinyurl.com/mpuhk42v>> [as of September 11, 2025].

¹⁶⁹ Cal. Highway Patrol, Report to the Legislature: Senate Bill 719, Police Pursuits (June 2023) <<https://tinyurl.com/mpuhk42v>> [as of September 11, 2025].

¹⁷⁰ 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].

¹⁷¹ 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]

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injury.¹⁷² 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.¹⁷³

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.¹⁷⁴ 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.¹⁷⁵ Numbers rose even higher from March 31, 2023 to February 9, 2025, with a total of 1,910 pursuits in this short time frame.¹⁷⁶ 2024 saw significant increases in pursuits, with 1,116 pursuits, 353 crashes, and 227 injuries in the county in just one year.¹⁷⁷ The report also noted a concern of a 36% increase in injuries from pursuits to bystanders from 2023 to 2024.¹⁷⁸ 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.¹⁷⁹

For the first time, the RIPA Board has sought to identify how racial and identity profiling impacts law enforcement actions, including the 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 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 show 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.¹⁸⁰ 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

¹⁷² 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]

¹⁷³ 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]

¹⁷⁴ 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)

¹⁷⁵ 2015 Queally article – still needs to be pulled.

¹⁷⁶ 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 >

¹⁷⁷ 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 >

¹⁷⁸ 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 >

¹⁷⁹ 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 >

¹⁸⁰ 2024 RIPA data

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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.¹⁸¹ 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 of the fairness of our criminal legal system, and encourage the development of more effective policing strategies.”¹⁸²

The concept of policing without pretextual traffic stops has also gained traction from police departments, sheriff departments, district attorney’s offices, cities, and states.¹⁸³ 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

¹⁸¹ 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).

¹⁸² 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].

¹⁸³ 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].

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a pretext for suspicion-less investigations.¹⁸⁴ 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.¹⁸⁵

State and Local Policies Limiting Non-Safety Related Traffic Stops¹⁸⁶

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.
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.

¹⁸⁴ 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].

¹⁸⁵ 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]

¹⁸⁶ 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].

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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). ¹⁸⁷	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.¹⁸⁸ 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

Reform efforts in Fayetteville, North Carolina illustrate the importance of policy changes to eliminate pretextual stops. Following the resignation of the city’s police chief in __, in part due to data showing 75 percent of all civilians stopped by law enforcement were Black,¹⁸⁹ the newly installed Chief of Police, Harold Medlock, sought to reduce high crash rates and assuage community concerns regarding racial profiling.¹⁹⁰ The city of Fayetteville asked the U.S. Department of Justice Office of Community Oriented Policing Services’ and Collaborative Reform Initiative for Technical Assistance to review their police department, which, in turn, provided empirical evidence supporting residents’ reports of racial profiling in pretextual traffic stops.^{191 192}

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

¹⁸⁷ 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 Oct. 7, 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 Oct. 7, 2025].

¹⁸⁸ 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].

¹⁸⁹ Barnes, Greg, *Medlock at Peace with Decision to Step Down as Chief*, (2016) The Fayetteville Observer <<https://tinyurl.com/2xxs5pea>> [as of Oct. 7, 2025].

¹⁹⁰ Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <<https://tinyurl.com/3bb9hxur>> [as of Oct. 7, 2025].

¹⁹¹ 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].

¹⁹² 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].

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stops such as impaired and reckless driving.¹⁹³ Officers were also mandated to use GPS data on all traffic stops to further assess the implications of the new policy directives.¹⁹⁴

b. The Results

Researchers have described these policy changes as instrumental in increasing public safety, reducing racial and identity profiling, and mending community relations.¹⁹⁵

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 highlighted key successes of Fayetteville's restrictive pretextual stop policies in their reduction of vehicular accidents and racial profiling.¹⁹⁶ The ultimate conclusion of the report found that "re-prioritization of traffic stop types by law enforcement agencies may have positive public health consequences both for motor vehicle injury and racial disparity outcomes while having little impact on non-traffic crime."¹⁹⁷

"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)

The Chief of Police stated, more specifically, that "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."¹⁹⁸ 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."¹⁹⁹

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.²⁰⁰ Chief

¹⁹³ 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].

¹⁹⁴ 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].

¹⁹⁵ Need cite

¹⁹⁶ 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].

¹⁹⁷ 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].

¹⁹⁸ 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].

¹⁹⁹ 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].

²⁰⁰ 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].

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Medlock, who played a crucial role in reforming the department's pretextual stop policies, retired in December of 2016, and subsequent police chiefs ushered in new priorities and policies, largely reversing the reformed policies.

In 2023, under the reversed pretextual stop policies, 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.²⁰¹ The new statistics drew comparisons from pre-2013 reforms, when disparate stop-and-search rates created the impetus for the policy reforms that proved successful from 2013-2016.²⁰² Fayetteville North Carolina's racial disparity rate in pretextual stops is now even higher than in 2012, when reforms ushered in a new era.²⁰³

In 2024, the city council was briefed on the successes of the prior policies by the Vera Institute of Justice. The Vera Institute 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.²⁰⁴ The group further advised 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."²⁰⁵ Whether Fayetteville is currently willing to make similar changes that proved successful from 2013-2016 remains to be seen.

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

a. The Policy

As noted in the 2023 RIPA Report, Virginia was the first state to enact a state-wide limitation on pretext stops.²⁰⁶ 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.²⁰⁷ Virginia's data reporting

²⁰¹ 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].

²⁰² 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].

²⁰³ 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].

²⁰⁴ 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].

²⁰⁵ 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].

²⁰⁶ 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/609325f4e3157f0a949d8c45/1620256244752/1/egp604.exe-14.pdf>> [as of Nov. 29, 2021]

²⁰⁷ H 5058, Va. Acts of Assembly (2020 Special Sess.).

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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.²⁰⁸

b. The Results

Initial analysis of data gathered in 2023 shows that 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.²⁰⁹ However, disparities persist in stops of individuals perceived to be Black and Hispanic/Latine(x), with individuals perceived to be Black facing the most statistically significant disparities.²¹⁰

More recently, a report analyzing stop data from July of 2020 to September of 2023 by county found that 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.²¹¹ 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, and traffic violation outcomes.²¹²

The results of this study indicate that racial disparities in “person searches” during police stops have declined since the implementation of the law.²¹³ 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.²¹⁴

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 2019.²¹⁵ The Inspector General’s comparison of LAPD’s 2019 RIPA stop data

²⁰⁸ 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].

²⁰⁹ 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]

²¹⁰ 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]

²¹¹ 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].

²¹² 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].

²¹³ 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].

²¹⁴ 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].

²¹⁵ 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].

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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.²¹⁶ 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.²¹⁷

Even with limited reporting, the Inspector General found that the searches reviewed proved to be "of limited effectiveness in identifying evidence of illegal firearms or other serious crimes."²¹⁸ 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."²¹⁹ 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-income communities.²²⁰ Instead, the report urged the department to focus its resources on activities "directly related to increasing public safety."²²¹

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.²²² If conducting a pretextual stop, officers must first record the specific public safety or other concern on their body-worn camera before making contact.²²³ 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.²²⁴ 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."²²⁵

²¹⁶ [Add citation]

²¹⁷ 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/mbvbm4uv>> [as of May 30, 2025].

²¹⁸ 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/mbvbm4uv>> [as of May 30, 2025].

²¹⁹ Cite here.

²²⁰ 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/mbvbm4uv>> [as of May 30, 2025].

²²¹ 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/mbvbm4uv>> [as of May 30, 2025].

²²² Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <<https://tinyurl.com/3zxnwfcu>> [as of Oct. 7, 2025].

²²³ Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <<https://tinyurl.com/3zxnwfcu>> [as of Oct. 7, 2025].

²²⁴ Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <<https://tinyurl.com/3zxnwfcu>> [as of Oct. 7, 2025].

²²⁵ Kirkpatrick, et al. *Cities Try to Turn the Tide on Police Traffic Stops*, New York Times (Apr. 2022) <<https://tinyurl.com/3bb9hxur>> [as of Oct. 7, 2025].

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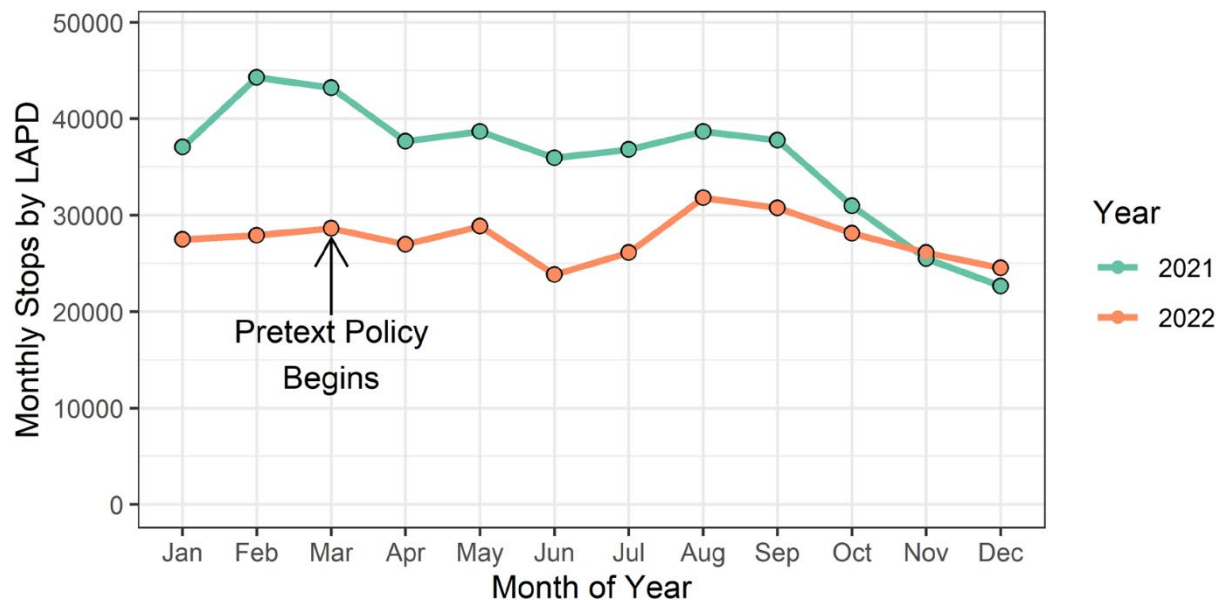
b. The Results

Since 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.²²⁶

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 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.

[Updated chart forthcoming]



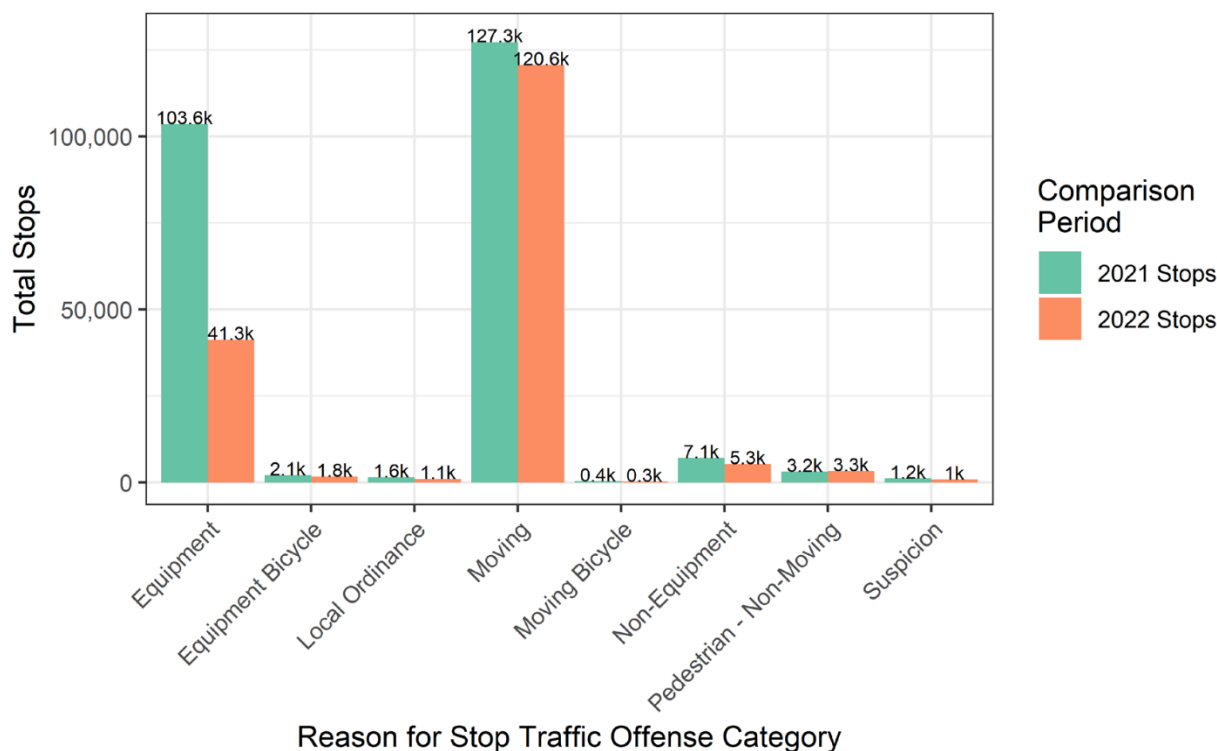
Traffic infraction stops decreased

[Updated chart forthcoming]

²²⁶ 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.”

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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

[Chart forthcoming]

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

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same periods in each of the prior years.²²⁷ 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).²²⁸ 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 reforms on pretextual stops continue to show improved policing in Los Angeles, 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.

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.²²⁹ 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.²³⁰

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.²³¹

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

²²⁷ 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.

²²⁸ Racial and Identity Profiling Advisory Board, *Annual Report* (2024) pg. 57.

<<https://oag.ca.gov/system/files/media/ripa-board-report-2024.pdf>>,[as of Oct. 7, 2025].

²²⁹ Los Angeles City Council, *Alternatives to Traffic Enforcement and Community Task Force* (Apr. 2024)

<https://clkrep.lacity.org/online/docs/2020/20-0875_rpt_tran_6-11-24.pdf>

²³⁰ LA DOT report: Traffic Enforcement Alternatives Project Report (Nov. 2023)

²³¹ LA DOT report: Traffic Enforcement Alternatives Project Report (Nov. 2023)

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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)²³²

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 U.S. Department of Justice to assess racial disparities in its policing.²³³ The result was a 68-page report which addressed five objectives and made 94 findings and 272 recommendations, including recommendations for robust data collection and analysis, community focused engagement on policing and feedback, and a change to policies which show disparate impact on police practices.²³⁴

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.²³⁵ 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.”²³⁶ The report recommended changing 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.²³⁷

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.²³⁸ 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 2024.²³⁹

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

In 2021, the Berkeley Police Department approved its “Report and Recommendations from Mayor’s Fair and Impartial Policing Working Group,” a slate of policy changes designed to

²³² San Francisco Police Dept, *General Order*, Policy No. 9.07.04(A) (2023). < [Policy link](#) > [as of Oct. 7, 2025].

²³³ U.S. Department of Justice, *Collaborative Reform Initiative: An Assessment of the San Francisco Police Department* (Oct. 2016) <<https://tinyurl.com/mr2xf4pw>> [as of Oct. 7, 2025].

²³⁴ U.S. Department of Justice, *Collaborative Reform Initiative: An Assessment of the San Francisco Police Department* (Oct. 2016) <<https://tinyurl.com/mr2xf4pw>> [as of Oct. 7, 2025].

²³⁵ 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].

²³⁶ 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].

²³⁷ 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].

²³⁸ San Francisco Police Dep’t, *General Order*, Policy No. 9.07.04(A) (2023). < [Policy link](#) > [as of Oct. 7, 2025]

²³⁹ Balakrishnan, Eleni, *SF Police Commission Restricts Pretext Stops Over Union Objections* (Feb. 2024) Mission Local <<https://tinyurl.com/3n5fue9a>> [as of Oct. 7, 2025].

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amend officer conduct in policy stops.²⁴⁰ 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.²⁴¹ 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.²⁴²

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.²⁴³ As such, the Resolution directed law enforcement to focus resources away from these low-level stops.

[Conclusion/transition]

V. ANALYSES OF 2024 RIPA DATA

Here, the Board looks at several areas of the 2024 RIPA stop data to identify disparities that may result from policies allowing racial and identity profiling. Specifically, this section analyzes stops and frisks without probable cause (*Terry* stops) by perceived racial and identity group; the duration of stops, actions taken during stops, and result of stops by racial and identity group; disparities in stops of individuals perceived to have limited or no English fluency; and differences in the perceived race or ethnicity of individuals stopped, actions taken during and as a result of stops, and the use of limited force by region and agency type. The Board intends to continue monitoring these disparities in future reports to develop appropriate recommendations.

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

A *Terry* stop-and-frisk (herein “*Terry* stop”) occurs when an officer conducts a pat down search of an individual’s clothing to determine whether the individual is armed.²⁴⁴ *Terry* stops only require an officer to have a reasonable suspicion the person is armed and dangerous.²⁴⁵

The Board has previously discussed and made recommendations that officers have probable cause for all stops or searches, including *Terry* stops.²⁴⁶ This year, the Board analyzes the data

²⁴⁰ 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].

²⁴¹ 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].

²⁴² 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].

²⁴³ West Hollywood City Council, Res. No. 22-5516 (2022). <<https://tinyurl.com/mrspayzr>> [as of Mar. 25, 2025].

²⁴⁴ Cal. Code Regs. tit. 11, § 999.226, subd. (a)(16)(B)(9); *Terry v. Ohio* (1968) 392 U.S. 1.

²⁴⁵ See *Terry v. Ohio* (1968) 392 U.S. 1.

²⁴⁶ 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].

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behind *Terry* stops more closely to illuminate the issues surrounding this law enforcement practice and how such actions relate to racial and identity profiling. The Board recognizes that this analysis can help identify potential biases and inform more equitable approaches to public safety.

In 2024, officers performed *Terry* frisks in 88,697 stops (1.75% of all stops, 14.59% of all searches). This section analyzes disparities in within those *Terry*²⁴⁷ stops and frisks based on perceived racial and identity factors including race, gender, age, disability status, sexual orientation, housing status, and English proficiency.

1. Race

Officers conducted *Terry* stops 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). *Terry* stops were less common 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 conducted *Terry* stops most frequently in stops of individuals perceived to be transgender men/boys (3.49% of all stops, 16.73% of all searches, 451 stops), individuals perceived to be transgender 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* stops 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

Terry stops were most common 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 least common 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 conducted *Terry* stops 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).

²⁴⁷ 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.)

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5. Sexual Orientation

Terry stops were conducted 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

Terry stops were more frequent 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 conducted *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, Actions Taken During Stop, and Result of Stop by Perceived Racial and Identity Group

The length of a stop can provide insights into whether bias may have affected policing, especially in cases where no action is taken as a result of the stop. For example, longer stops could indicate bias if more actions are taken during a stop, such as curbside detainment or searches, but no action is ultimately taken as a result of the stop, such as an arrest, citation, or warning. Thus, the Board continues to build on its prior work in reviewing the data related to stop duration, including the analysis of duration of stops of youth in the 2025 Report,²⁴⁸ to analyze stop duration by demographic group for the purpose of understanding of how public safety measures affect groups differently and support equitable law enforcement practices.

In 2024, the average duration of all stops was 19 minutes (SD= 55 minutes, range = 1-1,440 minutes). Stops where no action was taken were generally shorter, lasting an average of 13 minutes (SD= 46 minutes, range= 1-1,440 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).

It is important to note that 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, were 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). Accordingly, the analyses below include the average stop durations by demographic, as well as the average duration of stops where no action was taken during the stop and where no action was taken as a result of the stop.

²⁴⁸ See, e.g., See Racial and Identity Profiling Advisory Board, *Annual Report* (2025), p. 96 fn. 326 <<https://oag.ca.gov/system/files/media/ripa-board-report-2025.pdf>> [as of XX, 2025].

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1. Race and Ethnicity

In 2024, the longest average stop durations were reported in 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). The shortest average stop duration was reported in 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).

No Action During Stop. 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). Stops where no action was taken during the stop were shortest for individuals perceived to be Asian (12 minutes, SD= 38 minutes, range= 1-1,440 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).

No Action As a Result of Stop. 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, range= 1-1,440 minutes).

2. Gender

Officers reported the longest average stop durations for stops of individuals perceived to be transgender women/girls (29 minutes, SD= 85 minutes, range= 1-1,440 minutes) and individuals perceived to be transgender men/boys (29 minutes, SD= 81 minutes, range= 1-1,440 minutes). The shortest average stop durations were reported in 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).

No Action During Stop. Stops where no action was taken during the stop were longest for individuals perceived to be transgender men/boys (16 minutes, SD= 70 minutes, range= 1-1,440 minutes) and individuals perceived to be transgender women/girls (15 minutes, SD= 67 minutes, range= 1-1,440 minutes). They were 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).

No Action As a Result of Stop. Stops where no action was taken as a result of stop were longest for individuals perceived to be transgender men/boys (25 minutes, SD= 98 minutes, range= 1-1,440 minutes) and individuals perceived to be transgender women/girls (23 minutes, SD= 81 minutes, range= 1-1,440 minutes). They were 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). The shortest average stop durations were reported in stops of individuals perceived to be 65+ (16 minutes, SD= 50

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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).

No Action During Stop. 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). They were 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).

No Action As a Result of Stop. 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

Stops of individuals perceived to have a disability were reported to be more than twice as long (45 minutes, SD= 87 minutes, range= 1-1,440 minutes) as individuals perceived to not have a disability (19 minutes, SD= 55 minutes, range= 1-1,440 minutes).

No Action During Stop or As a Result of Stop. 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. Sexual Orientation

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).

No Action During Stop. 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.

No Action As a Result of 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).

No Action During Stop or As a Result of Stop. 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

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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).

No Action During Stop. 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.

No Action As a Result of 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 Disparities in Individuals Perceived to Have Limited English Fluency by Perceived Racial and Identity Group

California's population is diverse, with more than 200 languages and dialects spoken in the state. According to the U.S. Census Bureau (2015), almost 44% of California households speak a language other than English, and nearly seven million Californians (19%) report speaking English "less than very well."²⁴⁹ This year, the Board analyzes disparities based on perceived English fluency by perceived racial and identity group to better understand how language barriers may impact interactions with law enforcement. The Board's analysis is particularly relevant this year as it considers the impact of federal immigration enforcement actions on California citizens.²⁵⁰

Table X. Limited/No English Fluency Stops by Identity Group

²⁴⁹ Office of the Att'y Gen., State of CA, *Limited English Proficient Consumers* <<https://oag.ca.gov/consumers/limited-english>> [as of XX, 2025].

²⁵⁰ As noted in the Introduction, the Board held a Board meeting on October 9, 2025, to explore the impact of federal immigration enforcement efforts and racial and identity profiling. For more information about this meeting, please see the Introduction of this Report.

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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%

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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 individuals as having limited or no English fluency most often in stops of individuals perceived to be Hispanic/Latine(x) (11.04%, 242,089) and individuals perceived to be Asian (9.08%, 26,996). Officers reported limited English fluency least often 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 as limited-English speakers.

3. Age

Across all demographic categories—including race, gender, disability status, sexual orientation, and housing status—individuals perceived to be 1-9 years old were most likely to be perceived

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as having limited or no English fluency (11.42%, 500 stops). The lowest rate of perceived limited-English speakers was among individuals 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. Sexual Orientation

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 year, the Board analyzes the RIPA stop data by agency and region to understand how agency and regional characteristics impact stops.²⁵¹ The Board looks first at the intersections of race, region, and agency type, then at the intersections of actions taken during and as a result of stops by region, and finally uses of limited force by region and agency type. These analyses are critical to interpreting stop data and informing effective police practices that promote public safety.

1. Race

The rate of stops for a particular race or ethnicity can be compared to their share of the population in a particular county to measure whether individuals of a certain race or ethnicity are stopped more or less than their share of the population would predict at the county level. Applying this analysis to the 2024 stop data reveals disparities in the rates which individuals perceived to be White, Black, and Hispanic/Latine(x) are stopped in Northern and Southern California.

Specifically, the 2024 stop data show that individuals perceived as Black were stopped at a higher rate than their share of the county population would predict most often in the Bay Area.

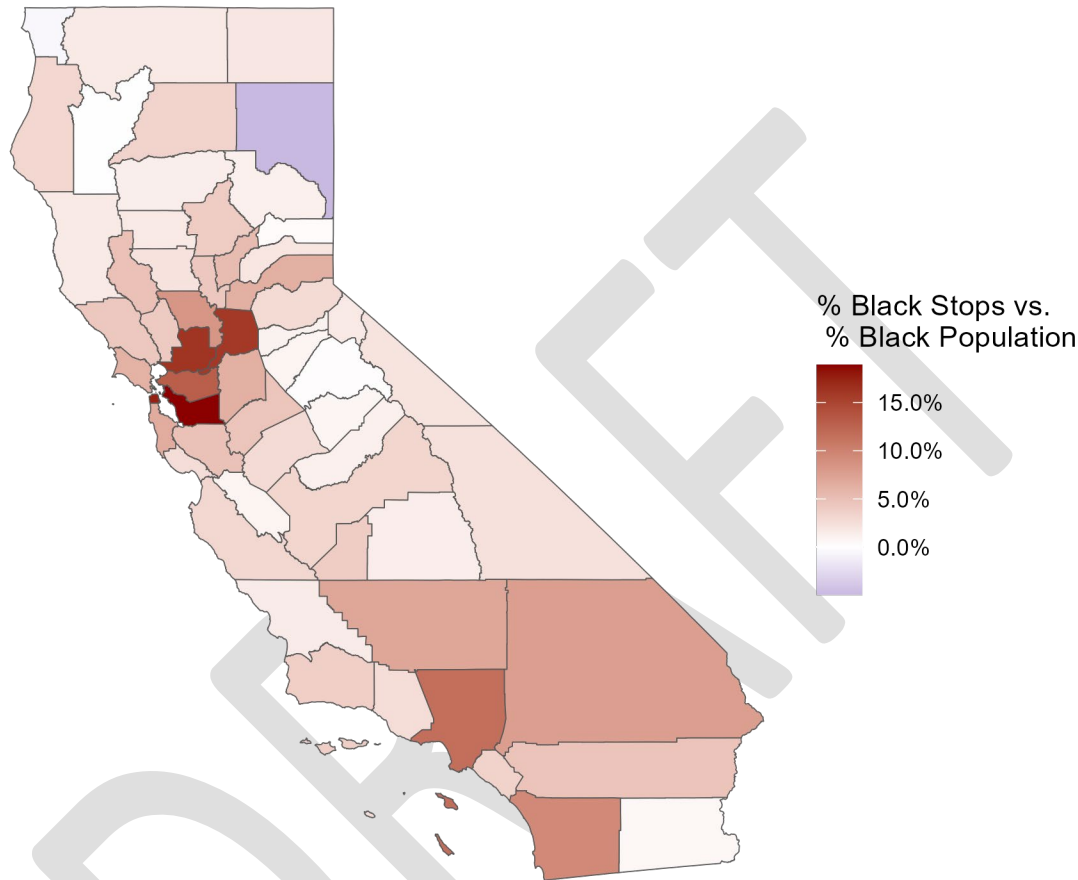
²⁵¹ As multiple agencies exist within counties, which can make their results more similar to each other than to agencies, two-level regression model was used: a first level of agencies and a second level of counties as the grouping variables. This model allows the average outcome to vary between counties while estimating the effect of our predictors across all agencies. The analysis is limited to agencies with 100 or more stops, and 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/Latine(x) alone, and the percentage of the population that is Asian alone. The analysis also included the total county population and the county median income, and whether the county is metropolitan, micropolitan, or rural. More information regarding this regression analysis can be found in the Appendix.

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Trinity (-5%), Del Norte (-.01%), and Lassen (-.001%) counties each stopped fewer individuals perceived as Black than the share of their county's population.

Figure 1. Difference between County Populations and Stops of Individuals Perceived as Black

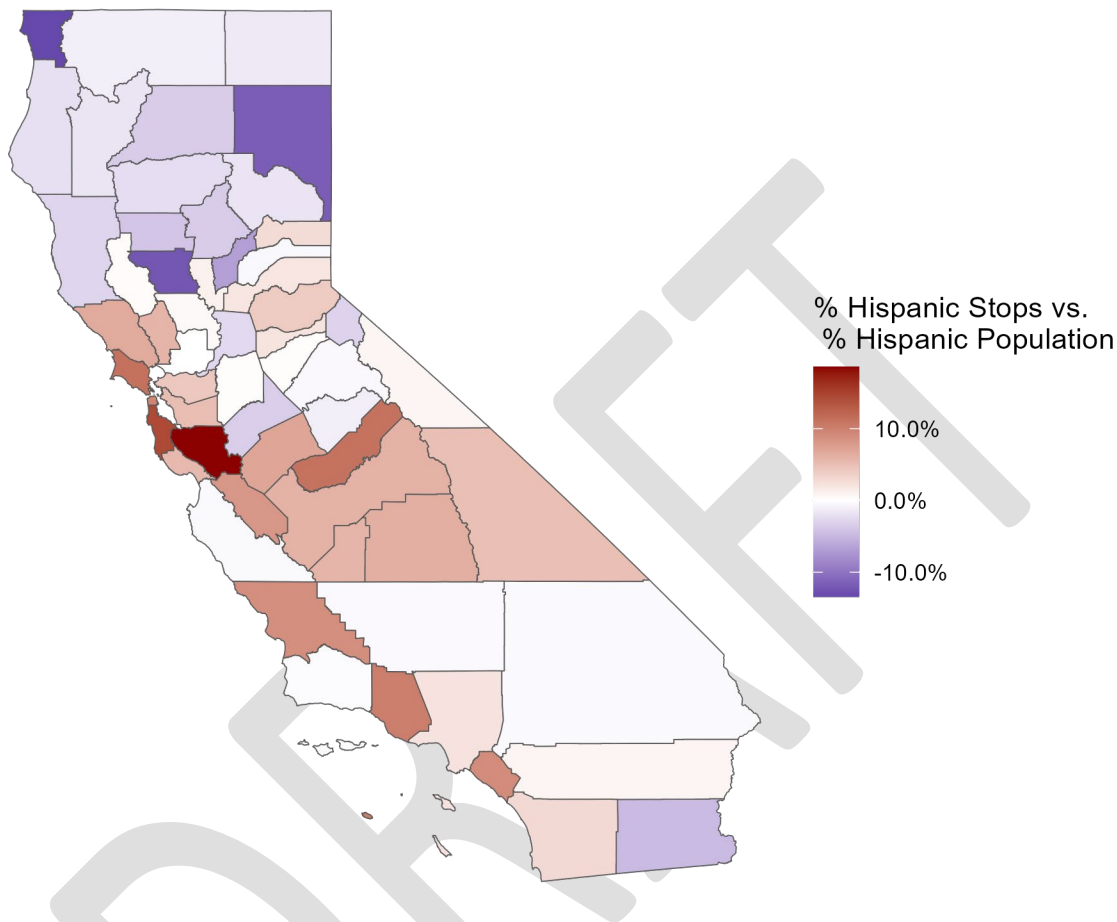


Northern and Southern California show wide regional differences in the stop rates of individuals perceived to be Hispanic/Latine(x). In counties across Northern California, individuals perceived as Hispanic/Latine(x) tended to account for a smaller percentage of stops, while counties in Southern California tended to stop a disproportionately high number of individuals perceived as Hispanic/Latine(x). Individuals perceived to be Hispanic/Latine(x) were most overrepresented in stops occurring in Santa Clara County (18.61%), while Del Norte County had the largest underrepresentation of individuals perceived to be Hispanic/Latine(x) in their 2024 stops (-13.42%).

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Figure 2. Difference between County Populations and Stops of Individuals Perceived as Hispanic/Latine(x)

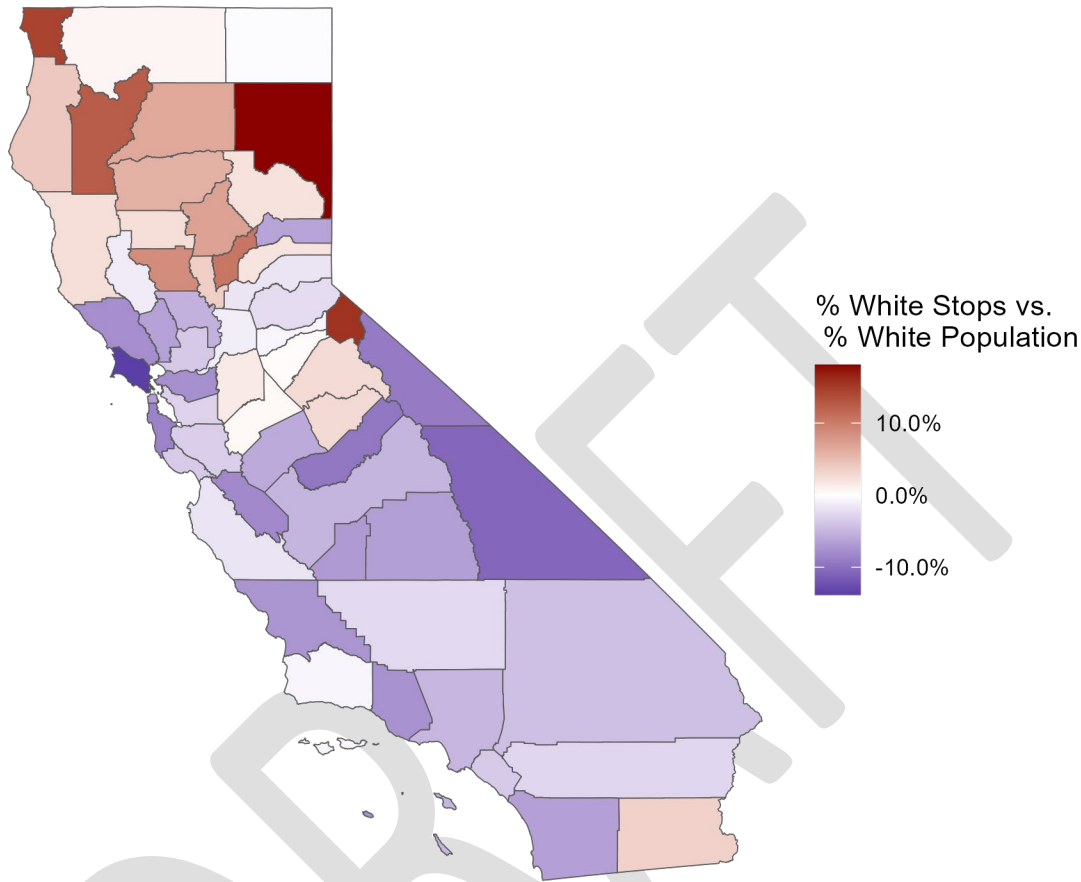


Counties in Northern California tended to stop a disproportionate share of individuals perceived as White, while areas of the Bay Area and further south tended to stop a disproportionate lower share of individuals perceived to be White. Lassen (18.07%), Alpine (15.63%) and Del Norte (14.47%) counties stopped individuals perceived as White at the highest rates above their county population, while Marin County (13.81%) stopped individuals perceived to be White the least often compared to their share of the county population.

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Figure 3. Difference between County Populations and Stops of Individuals Perceived as White



A regression analysis of the 2024 also shows that individuals perceived as Black, Hispanic/Latine(x), or White are stopped at different rates depending on the type of agency (i.e., police department, sheriff's department, K-12 school, college, etc.). 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**

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Variable	White	Black	Hispanic
Other Agency Types	0.04	0.06	-0.07
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/Latine(x) 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 individuals perceived as White than would be predicted by their populations in the county compared to sheriff's departments.

Regression results indicate that individuals perceived as 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 individuals perceived as Black. In larger departments, a larger share of their stops tended to be of individuals perceived as Black 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 individuals perceived as Black at a higher rate.

Police departments tend to have a greater overrepresentation of stops of individuals perceived as Hispanic/Latine(x) 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/Latine(x) individuals than the percentage of their counties that are Hispanic/Latine(x). Finally, micropolitan areas see individuals perceived as Hispanic/Latine(x)s underrepresented among their stops, compared to metropolitan statistical areas.

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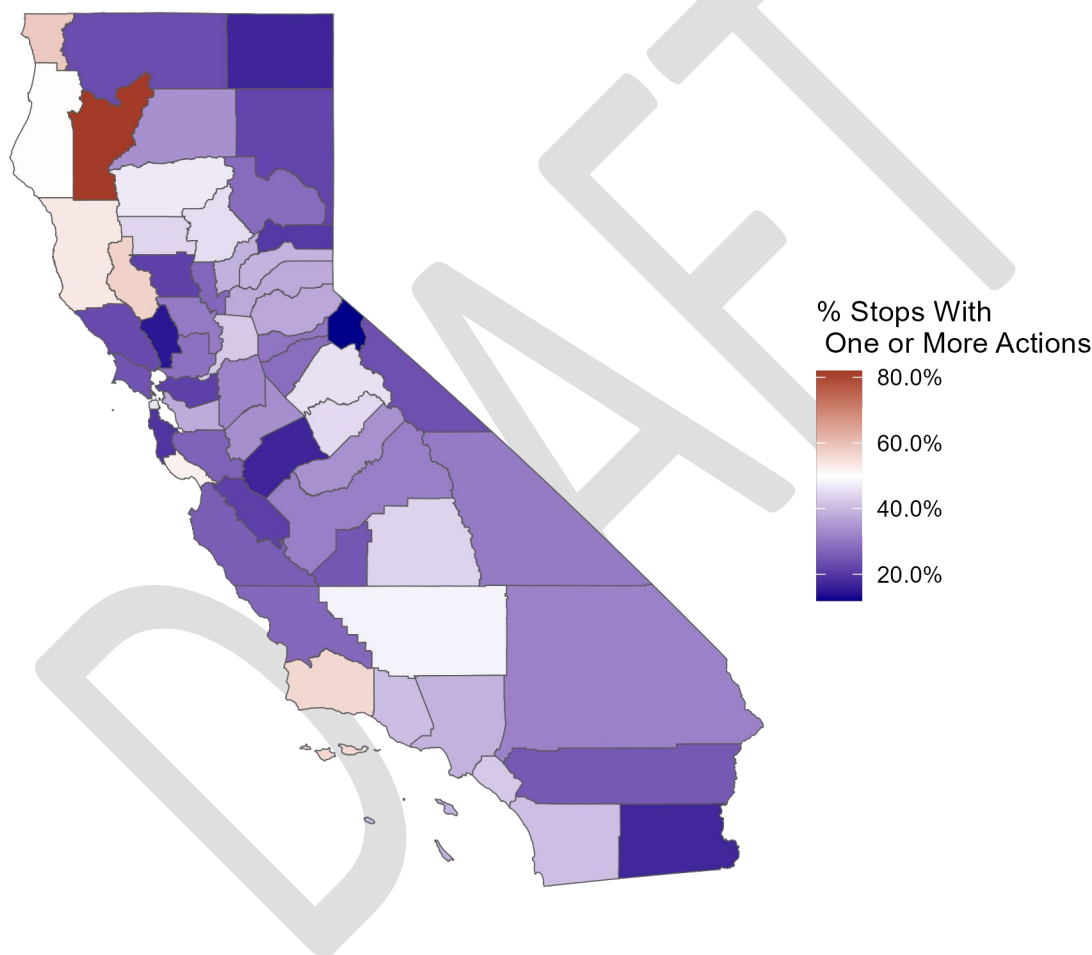
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2. Outcomes or Processes of Stops

The 2024 stop data also indicate differences at the county level in the actions taken during stops and the arrest rates resulting from stops.

While one or more actions were taken in less than fifty percent of stops across the state, wide variation is shown across counties. Trinity (81.97%), Del Norte (58.64%), and Lake (57.16%) counties 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%) counties had the lowest.

Figure 4. Percentage of Stops with One or More Actions

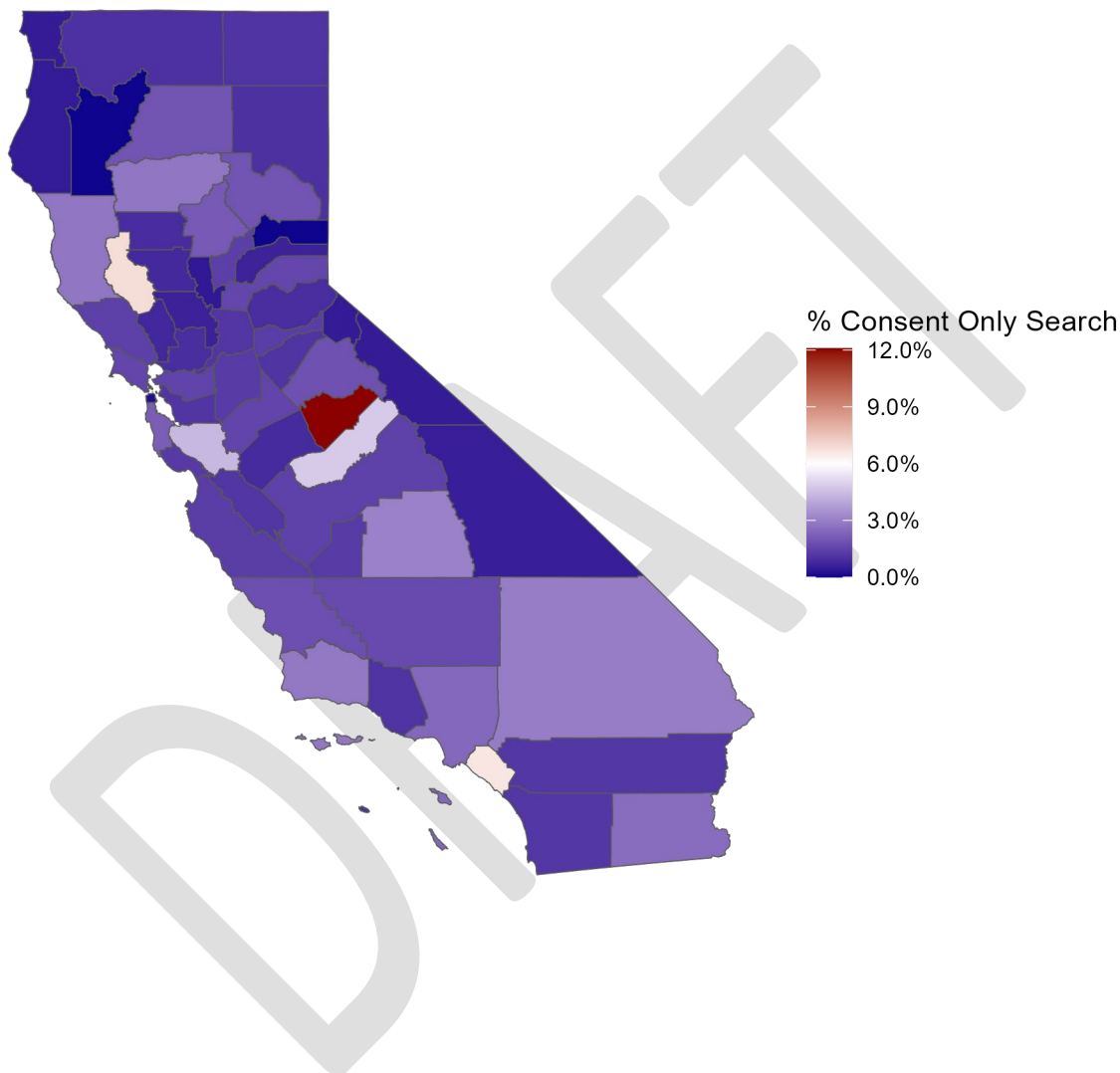


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Consent-only searches were distributed fairly evenly across counties. Most consent-only searches were concentrated in Mariposa County (12.09%), followed by Lake County (6.87%) and Orange County (6.62%). Sierra and Trinity County each report zero stops involving a consent-only search.

Figure 5. Percentage of Stops with Consent Only Search

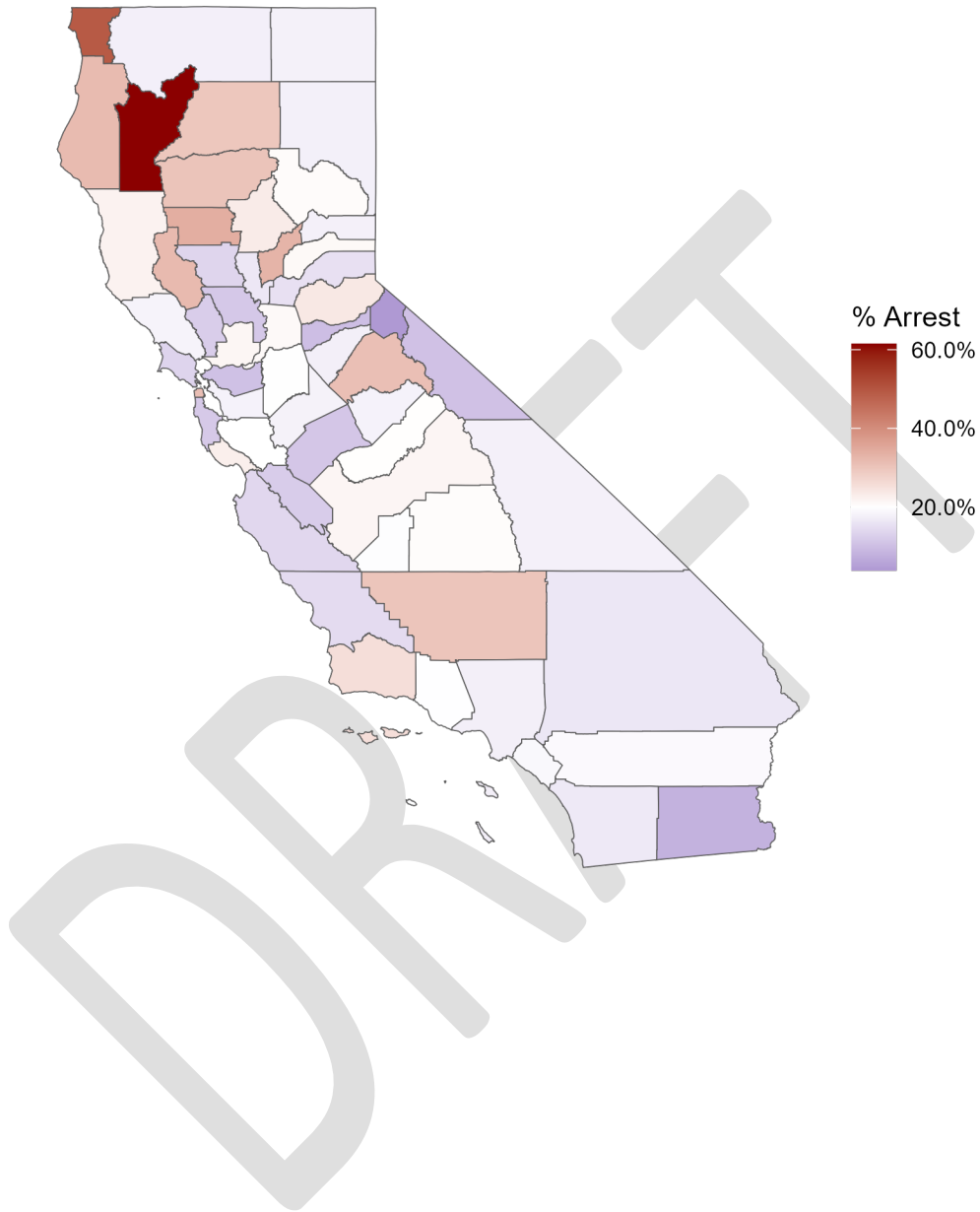


Arrest rates varied widely across the entire state. The Northern Coast tended to have higher arrest rates compared to other areas of the state. Trinity (61.48%) and Del Norte (49.31%) counties reported the highest arrest rates, followed by Glenn (34.12%) and Yuba (33.07%) counties. Conversely, agencies across Alpine (3.89%), Imperial (7.91%) and Amador (9.97%) counties reported the lowest arrest rates in 2024.

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Figure 6. Percentage of Arrest



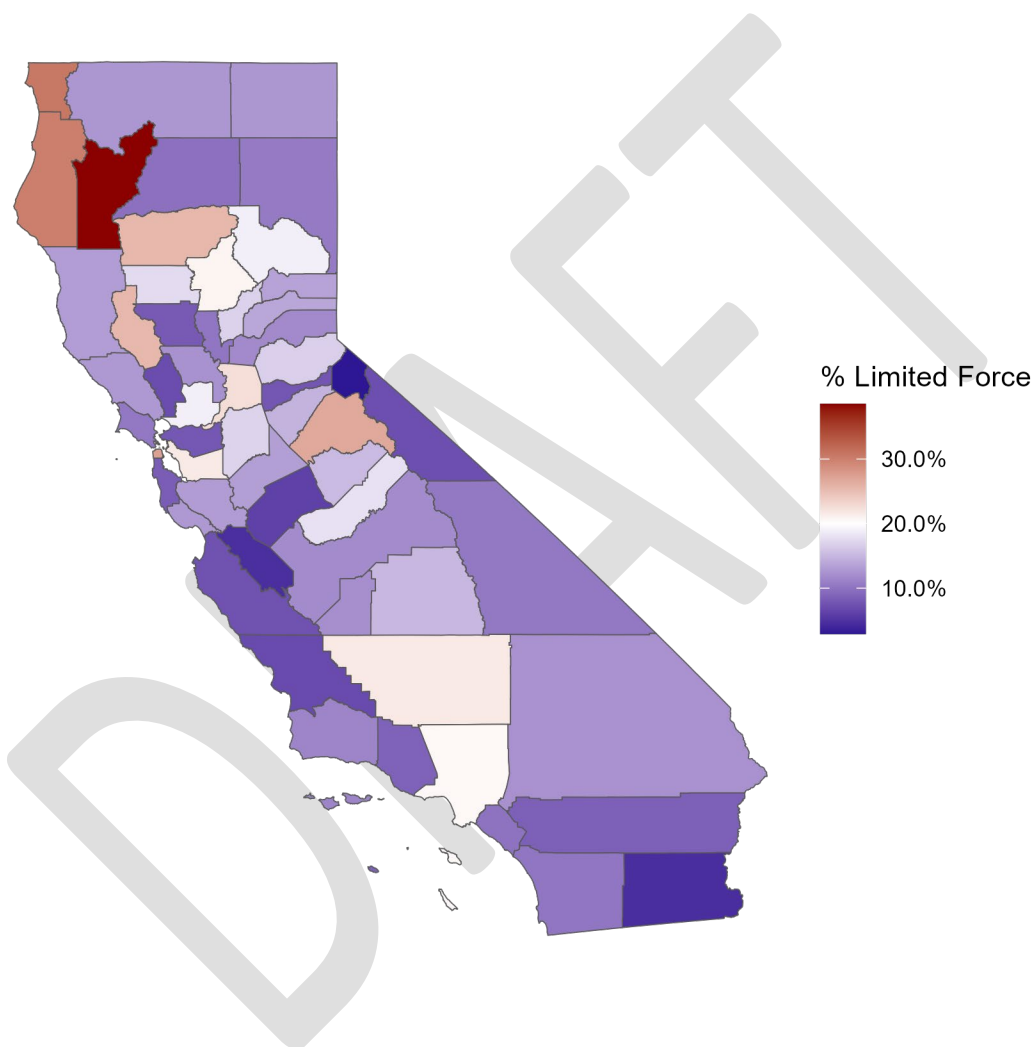
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3. Percentage of Stops with Limited Force

Limited force was the most common type of force reported in 2024. In total, 15.22 percent 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 reported a rate of limited force above thirty percent in 2024. Alpine County reported the lowest rate of limited force in 2024 (2.9%).

Figure 1. Percentage of Stops with Limited Force



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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 tended to report a higher percentage of stops end in arrest in 2024, holding agency and regional characteristics constant. Similarly, agencies in counties with a larger total population or a higher median income tended to report a lower share of stops ending in arrest. In contrast, agencies in counties within micropolitan statistical areas tended to report higher arrest rates than agencies in metropolitan statistical areas.

Holding all else constant, police departments reported more stops where an action was taken compared to sheriff's departments in 2024. Larger police departments tended to report more stops where at least one action was taken. Additionally, agencies in counties within micropolitan statistical areas tended to report more stops where at least one action was taken, compared to agencies in metropolitan statistical areas.

Consent-only searches only showed significant differences within agency type, not by region. Specifically, police departments, K-12 schools, colleges, and other agencies each had lower rates of consent-only search than sheriff's departments.

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Use of force showed many similarities to arrest rates in 2024. Larger police departments tended to use force in a larger share of cases, holding all else constant. At the regional level, agencies in counties with larger populations tended to use force less frequently. In addition, agencies in counties that have higher median incomes also tended to use force at lower rates than counties with lower median income. Finally, agencies in counties within micropolitan statistical areas tended 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,²⁵² San Francisco,²⁵³ West Hollywood,²⁵⁴ Los Angeles,²⁵⁵ and Virginia,²⁵⁶ 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

²⁵² 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].

²⁵³ San Francisco Police Dept, *General Order*, Policy No. 9.07.04(A) (2023). < [Policy link](#) > [as of XX, 2025].

²⁵⁴ West Hollywood City Council, Res. No. 22-5516 (2022). <<https://tinyurl.com/mrspayzr>> [as of XX, 2025].

²⁵⁵ Los Angeles Board of Police Commissioners, Policy 240.06, *Policy – Limitation on Use of Pretextual Stops* <<https://tinyurl.com/3zxnwfcu>> [as of XX, 2025].

²⁵⁶ H 5058, Va. Acts of Assembly (2020 Special Sess.).

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recommendation is also consistent with some jurisdictions, such as San Francisco, that have enacted policies limiting their use.²⁵⁷

²⁵⁷ 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].

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