

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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POLICIES SUBCOMMITTEE MEETING MINUTES

May 22, 2025, 10:05 a.m. – 11:42 a.m.

Subcommittee Members Present: Co-Chair John Dobard and Members Lily Khadjavi, Manju Kulkarni, Angela Sierra, and Ameena Qazi.

Subcommittee Members Absent: Co-Chair Andrea Guerrero and Members Chad Bianco, Souley Diallo, and Rich Randolph.

CALL TO ORDER BY SUBCOMMITTEE CO-CHAIR

Co-Chair Dobard called the meeting to order.

1. WELCOME AND INTRODUCTIONS

Each Policies Subcommittee (herein Subcommittee) member introduced themselves.

2. APPROVAL OF FEBRUARY 26, 2025 MEETING MINUTES

Member Sierra motioned to adopt the meeting minutes and Member Khadjavi seconded. California Department of Justice (DOJ) Deputy Attorney General (DAG) Alexander Simpson facilitated the vote:

- **AYE:** Co-Chair Dobard and Members Khadjavi, Qazi, and Sierra
- **NAY:** none
- **ABSTAIN:** Member Kulkarni

With four Ayes, the meeting minutes were approved.

3. UPDATES BY THE DEPARTMENT OF JUSTICE

Deputies Attorney General (DAGs) Jeanelly Orozco Alcalá and Shannon Kitten presented an overview of the draft Policies Section of the 2026 RIPA Report, described key themes for the section, and encouraged the Subcommittee to provide any feedback or guidance on the Report.

DAG Orozco Alcalá stated that the draft begins with an introduction that provides a roadmap for the rest of the sections and will introduce the central theme of this year's Report. The central theme for this year is a focus on the ways reducing racial and identity profiling can enhance public safety. DAG Orozco Alcalá asked that the Subcommittee devote some time during today's meeting to discuss the meaning of "public safety," so that the analysis in the draft is grounded on the Subcommittee's shared understanding of the topic. For example, the Subcommittee could discuss the role of law enforcement in public safety, whether they enforce or promote public safety, whether the role of law enforcement is to prevent harm, respond to crises, or a combination of proactive and reactive roles. Additionally, the Subcommittee could discuss the factors that contribute to individuals and communities feeling safe or unsafe.

DAG Orozco Alcalá stated that the next section of the draft, “Background and Trajectory of Racial and Identity Profiling,” will lay out the foundation for discussion of how reducing profiling practices can enhance public safety by outlining the historical and current context of these practices. This section explains how reducing racial and identity profiling promotes and enhances public safety by discussing research that shows that reducing racial and identity profiling can help prevent trauma, improve police interactions with the community, and help create safer and healthier communities and environments for all. This section also explores how to identify the impact of profiling on public safety and communities by, for example, creating distrust in the community, impairing communications with law enforcement, and leading to general hesitation or reluctance to seek help from law enforcement or cooperate with investigations. Additionally, this section will examine the social costs of racial and identity profiling, focusing on the withdrawal from civic engagement that can occur when individuals and communities feel that public institutions do not adequately represent them or treat them fairly.

DAG Kitten stated that the next section of the draft is a case study in policy changes, including legislative and jurisdictional changes, to pretextual stops. DAG Kitten acknowledged that the Board has focused on pretextual stops in prior years because the RIPA data shows that these traffic stops constitute the majority of contacts individuals have with the police. In the 2023 RIPA stop data, 82.1 percent of reported stops were traffic stops. Recent data also shows that individuals perceived to be Black are stopped at a higher rate than their proportion of the population, meaning this topic is still ripe for the Board’s discussion. This section of the draft will be a data-driven case study to show how pretextual stops are represented in the numbers, as well as how that number interacts with public safety. DAG Kitten stated that policy changes have recently been adopted in individual jurisdictions in California and through statewide legislation in other states. She stated that the Board can study how the policymakers came to the decision to limit or prohibit the use of pretextual stops, what they did well or could have done better, and what we can learn from those experiences. This section will also highlight jurisdictions in California that have made changes to limit or prohibit pretextual stops. The purpose of this section is to reflect on how much these policy changes are helping and what the Board should do to incorporate beneficial changes we’re seeing on a smaller level throughout the state.

DAG Kitten stated that the draft also includes discussion about the impact of stops designated as “high-risk stops,” such as stops that involve a high-speed chase, and how these are related to pretextual stops.

Finally, the draft includes a discussion of oversaturation policing. DAG Kitten stated that while a lot of the section focuses on the profiling of individuals in law enforcement stops, this section discussing oversaturation policing focuses on the profiling of communities and its impact. An important part of this discussion is whether the concentrated presence of police in certain areas is due to higher rates of crime in those areas, or whether law enforcement’s presence results in higher numbers of citations and arrests. Additionally, the section discusses how alternative enforcement technologies are used as part of oversaturation policing, including who makes the decisions to place these technologies, how the technologies are being written or coded, and why.

DAG Kitten stated that this is especially relevant to the Board's work because many of these technologies are promoted as a means to reduce the volume of officer-initiated stops and thereby address the problem of officer discretion resulting in profiling. This section of the Report will also analyze RIPA data in future drafts.

Regarding the Recommendations section of the draft, DAG Kitten reminded the Subcommittee that this year is the tenth anniversary of the enactment of the Racial and Identity Profiling Act. DAG Kitten stated that is a great time for the Board to address strategies to avoid the entrenchment of status quo bias as it promotes the adoption and implementation of the Board's recommendations. DAG Kitten also asked the Board to consider reiterating its past recommendation to eliminate pretextual stops to ensure that a stop or search is based on reasonable suspicion or probable cause, and encouraged the Subcommittee to provide additional recommendations for this year's Report.

4. BOARD DISCUSSION OF THE 2026 REPORT DRAFT

Co-Chair Dobard noted several areas for the Subcommittee's discussion, including areas to prioritize or set aside for this year's Report, defining "public safety," discussing the role of law enforcement in public safety, identifying factors that contribute to communities feeling safe or unsafe, and the Subcommittee's thoughts on recommendations for this year.

Co-Chair Dobard asked Subcommittee members to first discuss a definition of "public safety." Member Sierra stated that "public safety" should be defined broadly to include societal impacts and that, while crime statistics are a component of public safety, the Board should not limit the definition to crime statistics. She stated that an important measure of public safety is whether members of the public feel safe to seek assistance from law enforcement and any impact interaction with law enforcement has on individuals' ability to thrive and participate in their communities. Member Sierra stated that the Report should note that public safety can be thought of in a number of ways and should refer to the ways it is defined by research.

Member Khadjavi stated that she supports using a broad definition of public safety because the health and wellbeing of communities are impacted in multidimensional ways by policing. She stated that the definition should reference, explicitly or implicitly, health or human wellbeing as the core element of public safety. Member Khadjavi also noted that communities' trust in law enforcement is also important for law enforcement and should be included in the definition of public safety.

Co-Chair Dobard stated that he also believed the definition of public safety should be broad. He stated he thinks of safety as the experience of being or feeling safeguarded or protected from threats to one's life or wellbeing, and "public safety" is the collective experience of members of a community being or feeling safeguarded or protected from threats to their life or wellbeing. Co-Chair Dobard stated that, although trust is not explicit in this definition, it is central to it because one cannot be or feel protected from threats to life or wellbeing in a social environment where there are large amounts of mistrust or distrust. He stated that the ways that communities achieve public safety can involve governmental and non-governmental actors and, in the context in which the Board is working, government plays an important role, particularly law enforcement

as an extension of government. Co-Chair Dobard stated that government resources and capacity should be used to ensure that community members actually are and also feel safeguarded and protected from threats to their life or wellbeing that are acknowledged in the law. He stated that the government's role is to protect individuals from legally acknowledged threats and, at a minimum, the Board expects the government will not perpetuate or exacerbate threats that aren't legally acknowledged.

Member Qazi stated that everyone has a right to live in peace and security, which is encoded in Article 3 of the Universal Declaration of Human Rights, meaning everyone has the right to life, liberty, and security of person. Sometimes agents of the state or government can perpetuate violence that people have the right to be free from, and sometimes, as part of a community, they may engage in protection of community or investigation of crime. This is about a collective right and how communities decide they want to ensure those rights. For example, a community could decide that it wants certain entities engage in response to natural disasters or other ways to protect the community during emergency situations. But it is not just up to traditional law enforcement to keep communities safe; it is up to our communities to decide how we keep ourselves safe.

Co-Chair Dobard stated that the Report could acknowledge that there are many ways a community achieves public safety, which involve both governmental and non-governmental actors. For purposes of the RIPA Board, the focus is on government and police as a governmental arm.

Co-Chair Dobard summarized the definition that public safety as the experience of community members being and feeling safeguarded or protected from threats to their lives or wellbeing. He asked DOJ staff to include a discussion of the role of governmental and non-governmental actors in achieving public safety, and the central role of trust. Co-Chair Dobard noted that the discussion about trust might be included with the discussion of the definition of public safety or could be included in the discussion of the impacts of racial and identity profiling on public safety. Co-Chair Dobard asked that DOJ staff situate the Subcommittee's definition of public safety within the context of the Universal Declaration of Human Rights.

Member Khadjavi expressed support for this definition and the point that peace and security are part of the Universal Declaration of Human Rights. Member Khadjavi added that, in addition to trust, a lack of trust also has an impact on public safety, although it does not need to be part of the definition.

Member Sierra expressed support for this approach. She stated that the topics discussed by the Subcommittee, such as feelings of safety, crime statistics, or oversaturation, are indicators of the general definition of public safety. The proposed definition of public safety is a good umbrella to cover those topics.

Member Khadjavi expressed support for the proposed case studies on pretextual stops, and highlighted several topics that were identified in the minutes of the Subcommittee's February meeting for discussion in this Report: the use of "consent searches," which could potentially be

incorporated into the case studies; analysis of the stops across the perceived English proficiency of the people stopped; and a geographic analysis of the RIPA data.

Member Kulkarni expressed support for Member Khadjavi's statement. Member Kulkarni expressed interest in what the data shows regarding distrust of public institutions and the ability to civically engagement. She stated that this is critical in our democracy. Member Kulkarni stated that not enough attention has been paid to these areas or the diminishment of trust has led to where we are now.

Co-Chair Dobard asked Subcommittee members to consider the remaining questions from DOJ. He also recommended reversing the order of subsections "Reducing Racial and Identity Profiling Improves Public Safety" and "How Do We Identify the Impact of Racial and Identity Profiling on Public Safety" in the draft to first discuss why profiling is problematic, then shift to a discuss of how reducing profiling leads to improving public safety. Member Sierra stated that reversing the order of these subsections may be helpful, but it is especially important to ensure that the impacts of racial profiling are not presented as something separate from public safety results.

Co-Chair Dobard and Member Sierra stated that the definition of public safety should be presented early in the text as a reference point for the discussions that follow, and could be presented as its own subsection.

Regarding the impacts of profiling on public safety, Co-Chair Dobard noted three impacts that could be included in the Report. He stated that one of the main impacts of racial and identity profiling that needs to be discussed in the section is the undermining of trust. He stated that the impact of enduring racial and identity profiling on mental health or public health more generally should also be discussed in this section, as should the waste of public resources spent on the ineffective strategy of profiling that could instead be directed to other measures that could be contributing to safer communities. He stated that the discussion about these harms of profiling can be followed by a discussion of the ways public safety can be improved by reducing profiling.

Member Qazi stated that the text of the current draft seems to implicitly assume that if law enforcement resources were not used to undertake pretextual stops based on racial and identity profiling, those resources would instead be used by law enforcement to address crime. She stated the Report should not assume those funds would be reallocated within law enforcement, but that they would go back to communities to determine how to invest those resources and how to enhance public safety. Co-Chair Dobard expressed agreement and stated this is a throughline to the discussion about what measures, other than law enforcement, would make communities safe, what the government's role is, and what the government can be doing to help communities be and feel safe.

With respect to the impacts of racial profiling and oversaturation policing, Member Qazi stated that communities affected by these forms of policing do not seek assistance from law enforcement for issues such as intimate partner violence and instead seek assistance through other resources available in the communities, which may include community first responders or gang leadership. While not relying on law enforcement can lead to the development of positive programs, there are sometimes unhealthy ways communities seek assistance that can perpetuate

other forms of violence and detract from public safety. Co-Chair Dobard affirmed Member Qazi's statement, noting that it's not simply about distrust in law enforcement, but that communities will come up with their own ways of dealing with their feeling of not being able to rely on law enforcement.

Regarding the role of law enforcement, Member Qazi stated that the role of law enforcement in public safety is currently being renegotiated. She stated that the draft section discusses the development of police forces, and a lot of that development took place without the representation of people of color within decision-making bodies, which is currently shifting. She stated that, because the social contract we have developed around how we keep ourselves safe is being renegotiated, she would not feel comfortable making a statement about what is the role of law enforcement. Member Qazi stated that in the Report the Board could recognize that these things are shifting and create space for those conversations to happen. Member Sierra and Co-Chair Dobard agreed with this proposal.

Co-Chair Dobard stated that theoretically, at a minimum, law enforcement is supposed to be a mechanism through which a community can achieve public safety, but not the only mechanism. The ways in which that has occurred has caused problems and that is what is currently being renegotiated. Members Sierra and Qazi supported including this acknowledgement.

Member Qazi stated that the Report could acknowledge that the concern is not just about law enforcement presence, but the increased militarization of their presence. For example, law enforcement brings weapons into many community spaces, including schools, and the presence of weapons makes these spaces less safe.

Co-Chair Dobard proposed that another throughline for the Report could be the different strategies or tactics through which profiling occurs. For example, pretextual stops are a tactic or strategy through which profiling occurs. Similarly, profiling occurs on a community level, rather than an individual level, through oversaturation policing. The case studies in the Report should identify strategies or tactics through which profiling occurs, and the policies the Board recommends should address those strategies and tactics the Board thinks need to change.

Member Sierra stated that it will be important to be explicit about ties of the case studies and recommendations to racial and identity profiling. She stated that the section about oversaturation policing should include discussion about the impact on individuals, in addition to the impact on communities.

Member Sierra also stated that the use of alternative enforcement technologies will become increasingly important and recommended that the Subcommittee highlight the topic and the implications on racial and identity profiling this year and continue work on this topic in a future report. Co-Chair Dobard expressed that this topic should be included in so far as it is another manifestation or tactic of profiling.

Co-Chair Dobard asked the Subcommittee if they had any recommendations they would like to proposed for inclusion in the draft at this time. Hearing none, Co-Chair Dobard moved to the next agenda item.

5. PUBLIC COMMENT

Co-Chair Dobard invited comments from members of the public.

Michele Wittig stated that the Board should address the argument that pretext stops are beneficial because they uncover a small percentage of crimes. Second, she stated that the Board should address law enforcement unions' perception that policies reducing traffic stops represent a threat to their members' jobs. Third, the Board should not conflate pretext stops and racial and identity profiling. Fourth, when evaluating the impact of policy changes related to pretext stops in California jurisdictions, the Board should take into account the extent of reform in each jurisdiction, as the extent of reform is not binary but falls on a continuum. Dr. Wittig stated that the impacts of COVID will make the results of a pre- and post- policy reform time analysis more difficult to interpret. Fifth, Dr. Wittig implored the Board to dedicate time and effort to the dissemination of its recommendations and advocacy for the adoption and implementation of its recommendations.

Richard Hylton stated that Dr. Wittig's comments may have addressed his concern that the pandemic may or shall have affected results that are obtained from pretext stop analyses. However, Mr. Hylton remained concerned because there is more than enough data to analyze the impact of Los Angeles Police Department's pretext stop policy. He stated that there are approximately 90,000 relevant records from a three-and-a-half-year period. He stated that this data shows the disparities in pretext stops are more than double the disparities in other stops. Mr. Hylton stated that it is a problem that the Board has not validated any of the stop data upon which it relies. He stated that, over time, the California Highway Patrol has reported a steady number of traffic stops while the other approximately 540 agencies have reported conducting approximately 40 percent fewer stops in comparison to their earlier stop data reporting. He stated that it is the duty of the Board and the DOJ to validate the stop data.

6. DISCUSSION OF NEXT STEPS

Co-Chair Dobard stated that the Subcommittee has agreed upon a definition of public safety for the Board to work with and reaffirmed that the focus of the Policies section will be how profiling undermines public safety and how reducing profiling can improve public safety. The section will also include case studies that should illuminate the ways in which profiling occurs through police strategies and tactics.

Co-Chair Dobard asked if DOJ staff had any clarifying questions about the Subcommittee's discussion. DAG Simpson thanked the Subcommittee for their thoughtful discussion, and stated that DOJ staff would work to incorporate this feedback into a revised version of the draft Report.

7. ADJOURN

Co-Chair Dobard invited a motion to adjourn the meeting. Member Sierra motioned to adjourn the meeting; Member Qazi seconded. The Subcommittee verbally agreed with the motion.

Co-Chair Dobard adjourned the meeting.