



Item No. 22 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL

THROUGH: GEORGE RODERICKS, CITY MANAGER

FROM: STEVEN D. MCCULLEY, CHIEF OF POLICE

DATE: OCTOBER 20, 2021

SUBJECT: RESPONSE TO GRAND JURY REPORT: “BUILDING GREATER TRUST BETWEEN THE COMMUNITY & LAW ENFORCEMENT VIA THE RACIAL AND IDENTITY PROFILING ACT”

RECOMMENDATION

Consider the attached response to the San Mateo Grand Jury on their report entitled “Building Greater Trust Between The Community & Law Enforcement Via The Racial And Identity Profiling Act” and, if appropriate, authorize the Mayor to sign the response letter.

BACKGROUND

On July 27, 2021, the San Mateo County Civil Grand Jury released a report entitled “Building Greater Trust Between The Community & Law Enforcement Via The Racial And Identity Profiling Act” (Attachment 1). The purpose of the report is to confirm that law enforcement agencies countywide, are fully aware of the Racial and Identity Profiling Act (RIPA) information gathering/reporting requirements and have implemented plans to begin gathering the required RIPA information starting on January 1, 2022. The Town of Atherton is required to respond to all findings and recommendations no later than October 27, 2021.

ANALYSIS

California enacted the Racial and Identity Profiling Act in 2015 (RIPA, Assembly Bill 953), to highlight one of the more serious problems that can obstruct effective and fair law enforcement: implicit bias and racial and identity profiling. By requiring “stop data,” be documented and reported, law enforcement agencies will gain a tool to improve racial and identity awareness in law enforcement. Law enforcement agencies the size of the Atherton Police Department (APD) are required to start reporting RIPA data to the California Department of Justice (DOJ) starting on January 1, 2022.

APD has enacted a RIPA implementation plan which includes RIPA policies/procedures, training, reporting requirements, data collection equipment, and close coordination with the DOJ. RIPA data collection testing and confirmation with the DOJ will be completed by November 30, 2021. APD is fully aware of all RIPA requirements and is ready and prepared to begin the required RIPA reporting starting on January 1, 2022.

The attached reply has been prepared for Council consideration and approval. (Attachment 2). The Mayor's draft response *Agrees* with all applicable findings of the Grand Jury and for each *Recommendation* notes where the Town is in its implementation of the requirements and best practices.

POLICY FOCUS

The Grand Jury requires that the Town indicate agreement or disagreement with specific findings in the Grand Jury Report. Further, the Grand Jury requires that the Town respond to each of the recommendations indicating whether that recommendation has been implemented, will be implemented in the future (with a specific time frame), whether further analysis is needed (with a specific time frame), or whether it will not be implemented.

FISCAL IMPACT

At this time there are no fiscal impacts in response to the Grand Jury responses.

GOAL ALIGNMENT

This report and its contents are in alignment with the following Council Policy Goals:

- Goal E – Strengthen Community Engagement and Transparency
- Goal F – Be Forward-Thinking, Well-Managed, and Well-Planned

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer) and regional elected officials.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ___ has or X has not been before a Town Committee or Commission.

___ Audit/Finance Committee (meets every other month)

- _____ Bicycle/Pedestrian Committee (meets as needed)
- _____ Civic Center Advisory Committee (meets as needed)
- _____ Environmental Programs Committee (meets every other month)
- _____ Park and Recreation Committee (meets each month)
- _____ Planning Commission (meets each month)
- _____ Rail Committee (meets every other month)
- _____ Transportation Committee (meets every other month)
- _____ Tree Committee (meets each month)

ATTACHMENTS

1. Civil Grand Jury Report “Building Greater Trust Between the Community and Law Enforcement Via the Racial and Identity Profiling Act.
2. Mayor’s Response to the Civil Grand Jury
3. Atherton PD RIPA Implementation Plan
4. Atherton PD RIPA Training PowerPoint
5. Atherton PD RIPA Lexipol Policy
6. Atherton PD Biased Free Policing Lexipol Policy



BUILDING GREATER TRUST BETWEEN THE COMMUNITY & LAW ENFORCEMENT VIA THE RACIAL AND IDENTITY PROFILING ACT

[Issue](#) | [Summary](#) | [Glossary](#) | [Background](#) | [Discussion](#) | [Findings](#) | [Recommendations](#)
[Requests for Responses](#) | [Methodology](#) | [Bibliography](#) | [Appendices](#) | [Responses](#)

ISSUE

California enacted the Racial and Identity Profiling Act in 2015 (RIPA, Assembly Bill 953), to highlight one of the more serious problems that can obstruct effective and fair law enforcement: implicit bias and racial and identity profiling. By requiring “stop data,” be documented and reported, law enforcement agencies will gain a tool to improve racial and identity awareness in law enforcement.

Are San Mateo County Law Enforcement Agencies (LEAs) ready to collect and report the RIPA stop data? Will the LEAs use the data to build trust within the community and improve their departments?

SUMMARY

Professor Paul Butler of Georgetown University Law Center in an NPR interview shared:

In my class at Georgetown, I have a real-life police officer come and talk to my students about what it's like to be a cop in D.C. And to demonstrate how much power he has, he plays a game with the students where he invites them to come on a ride-along, sit in the back seat of his car for a night, and the game is called “**Pick That Car.**” And he tells the student, **pick any car you want on the street, and I'll stop it. He's a good cop. He waits until he finds a legal reason.** But he says that he can follow any car for four or five minutes, and he'll find a reason. There are so many traffic infractions that any time you drive, you commit one. And **that gives police an extraordinary amount of power**, and we know that they selectively use this power against Black and brown people.¹

¹ NPR Interview with Paul Butler, April 16, 2021, <https://www.npr.org/transcripts/987956420> (emphasis added)

Peace officers² have a great deal of individual discretion on who they stop. And, as is true of all humans, they have implicit biases. Addressing implicit bias is key to addressing racism, reducing inequities in policing, and helping to eliminate needless or unwarranted peace officer-initiated shootings.³ The connection between racism and implicit bias is well documented,⁴ as is the fact that racism is present at individual and institutional levels.⁵

California's 2015 Racial and Identity Profiling Act, AB 953, seeks to address potential racial and identity profiling by peace officers.⁶ RIPA requires law enforcement agencies (LEAs) to collect data on every stop⁷ and capture the officer's *initial perception* of the people stopped. This data can help identify whether one demographic group is being stopped and searched more frequently than others due to implicit biases. The data collection requirement began in 2018 for the State's largest LEAs and expanded each year to the next largest LEAs. Every LEA in the County must collect stop data starting January 1, 2022 and submit stop data to the California Department of Justice (CA DOJ) annually, starting April 1, 2023.

The RIPA Advisory Board (RIPA Board) publishes an annual report examining the stop data and complaint data collected in the prior year. The report notes problems, shares successes, and offers informed recommendations on preventing and addressing racial and identity profiling. The report is released to the public at the end of the year or start of the next year. Thus, there is a significant lag time between the data collection and the RIPA Board report. Accordingly, the 2021 report, issued in January of this year, covers the stop data from 2019. If an LEA submits data identifying a potential problem but takes no action until the Board report is issued, it will be a reaction to the data versus a proactive response by the LEA in a timelier fashion.

² The terms peace officer and police officer are used interchangeably in this report. The RIPA Board prefers "peace officer."

³ Racial Equity Tools, Act, Communicating, Implicit Bias

<https://www.racialequitytools.org/resources/act/communicating/implicit-bias>

⁴ Gaertner S, Dovidio JF. "The aversive form of racism." In: Dovidio JF, Gaertner S, editors. *Prejudice, discrimination, and racism*. Orlando: Academic Press; 1986. pp. 61–89

⁵ Jones CP. "Levels of racism: a theoretic framework and a gardener's tale." *Am J Public Health*. 2000;90(8):1212-1215. doi:10.2105/ajph.90.8.1212

⁶ RIPA definition: "[P]eace officer,' ... is limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions. "Peace officer," as used in this section, does not include probation officers and officers in a custodial setting." (Gov. Code, § 12525.5 (g)(1).)

⁷ RIPA definition: "'[S]top' means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control." (Gov. Code, § 12525.5 (g)(2).)

For this Grand Jury report, all seventeen of the County’s LEAs were surveyed and subsequently interviewed to ascertain their progress and plans for:

- RIPA data collection and reporting;
- using insights gained from the RIPA data to improve the operation of their departments by combating implicit bias in policing; and
- pursuing greater community trust by implementing the RIPA Board’s growing list of policing best practices.

Those best practices include “community-based accountability.”⁸

The Board encourages law enforcement agencies to partner with local community-based organizations or colleges or universities to help with analyzing the data that drives the implementation of these best practices.⁹

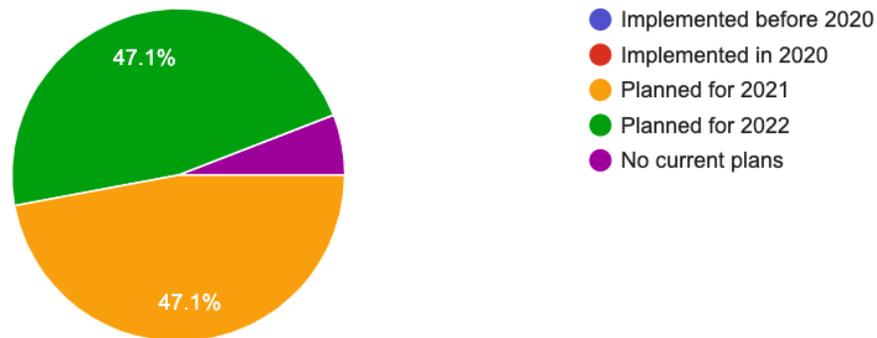
The Grand Jury found, as of the first quarter of 2021, two of the County’s LEAs are ahead in preparing for RIPA data collection, others are on track and should be able to comply, and a few are lagging in implementation. The Grand Jury survey asked each LEA their “plans for RIPA recommendation: ‘regularly analyze data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population.’” Their responses are summarized in the chart below:

⁸ Racial & Identity Profiling Advisory Board, 2021, “Annual Report 2021,” at p. 91, <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2021.pdf>

⁹ 2021 RIPA Report Best Practices (ca.gov) <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2021.pdf>

What are your plans for RIPA recommendation: "regularly analyze data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population."

17 responses



The Grand Jury recommends that all LEAs, in collaboration with their governing bodies:

1. finalize, implement, and test departmental systems and processes to collect and analyze RIPA stop data;
2. *start* collecting RIPA stop data *as soon as possible*, including earlier than the mandatory data collection date, to gain time to test, validate, and improve processes, and begin evaluating the collected data to identify possible signs of biased-policing;
3. plan how to analyze the RIPA stop data to improve local policing activities by “regularly analyzing data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population;” and
4. evaluate and consider RIPA Board recommendations and peer-LEA examples of community engagement and transparency to build community trust and provide bias-free policing, sought by all stakeholders.¹⁰

¹⁰ Stakeholders include local governance leaders (city/town councils, Boards of Supervisors), residents, local community leaders and organizers, to name a few.

GLOSSARY

Bias – prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair.¹¹

Bias by proxy – “when an individual calls the police and makes false or ill-informed claims about persons they dislike or are biased against.”¹² The bias starts outside the agency.

BOS – Board of Supervisors, San Mateo County.

CAD – Computer Aided Dispatch; used by public safety agencies to dispatch public safety personnel and to respond to calls.

CA DOJ – California Department of Justice.

Contracting Entities – The Sheriff’s Office “provides contract law enforcement services for the cities of Half Moon Bay, Millbrae, San Carlos ... the towns of Portola Valley and Woodside, as well as for the Peninsula Corridor Joint Powers Board and the San Mateo County Transit District.”¹³ This report restricted itself to the contracting entities that are towns and cities.

County – San Mateo County.

Implicit Bias – The RIPA Board defines implicit bias as “the attitudes or stereotypes that affect a person’s understanding, actions, and decisions in an unconscious manner.”

LEA – Law Enforcement Agency – a police department or the County Sheriff’s Office.

POST –The California Commission on Peace Officer Standards and Training (POST), established by the Legislature in 1959.

RIPA – The Racial and Identity Profiling Act of 2015, California Assembly Bill 953.¹⁴

RIPA Advisory Board – Racial and Identity Profiling Advisory Board, created by AB 953.

¹¹ Unconscious Bias | diversity.ucsf.edu <https://diversity.ucsf.edu/resources/unconscious-bias>

¹² Racial & Identity Profiling Advisory Board, “2021 Best Practices,” p. 3, available at Racial and Identity Profiling Advisory Board | State of California - Department of Justice - Office of the Attorney General <https://oag.ca.gov/ab953/board>

¹³ San Mateo County Sheriff’s Office. “Patrol Services.” Undated. <https://www.smcsheriff.com/patrol-services>

¹⁴ An act to add Section 12525.5 to the Government Code, and to amend Sections 13012 and 13519.4 of the Penal Code, relating to racial profiling.

SDCS – Stop Data Collection System, the CA DOJ RIPA data input portal.

SMC – San Mateo County.

Stop – “means (1) any detention by a peace officer of a person; or (2) any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person’s body or property in the person’s possession or control.”¹⁵

Stop data – the specific racial and identity data required to be collected under RIPA.

BACKGROUND

RIPA: The Racial and Identity Profiling Act (AB 953) & the RIPA Advisory Board

The 2015 Racial and Identity Profiling Act (AB 953) is designed to address potential racial and identity profiling by peace officers. Key provisions of RIPA:

1. required all LEAs in the State to collect peace officer *perceived* demographic and relevant data on all pedestrian and traffic stops and provide that data to the CA DOJ for public reporting and analysis purposes;
2. created the Racial and Identity Profiling Advisory Board (RIPA Board) to oversee RIPA implementation and guide LEAs on appropriate procedures, training and best practices; and
3. changed existing laws on the reporting of civilian complaints (Pen. Code, § 13012) and updated POST training guidelines.¹⁶

This report focuses on the first two provisions. The *annual* data collection requirement began with the State’s largest LEAs, which submitted their initial data, covering the last half of 2018, to the CA DOJ in 2019. RIPA expanded each year to smaller LEAs each year. All County LEAs are required to start collecting RIPA data on January 1, 2022 and to submit the data to CA DOJ by April 1, 2023. The data collection focuses on implicit bias by capturing the officer’s *initial perception* of the person’s race, sex, gender identity, sexual preference, age, physical or mental handicap, and English fluency.

Unlike existing data on traffic citations, arrests, and other interactions, the focus of the RIPA data is on the officer’s observation and *perception* of the stopped person’s race and identity. AB

¹⁵ Cal. Govt. Code § 12525.5(g)(2)

¹⁶ California DOJ webinar presentation “Reporting Stop Data for the Racial & Identity Profiling Act” for the California Police Chiefs Association. October 21, 2020.

953 also expanded and clarified the definition of racial and identity profiling as “the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description.”¹⁷

The law specifically requires that “the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped.”¹⁸ RIPA also requires that *any detention* of a person by a peace officer, *or any peace officer interaction with a person in which the officer conducts a search, including a consensual search, is recorded.*¹⁹ Thus, a traffic stop that only resulted in a warning also generates a RIPA data record, unlike previous practice where citations resulted in a record, but warnings did not.

In California there are two main types of local law enforcement agencies: first, police departments, which operate in cities and towns (or special districts) and are headed by a police chief. The police chief is hired by and reports to a city or town manager, who in turn are governed by a city or town council. The other LEA in a county is the county sheriff. A sheriff is elected by the county residents. The Sheriff does *not* report to the county board of supervisors. And a county board of supervisors is specifically barred from obstructing the “constitutionally and statutorily designated investigative ... functions of the sheriff of the county...”²⁰

The 19-member RIPA Board includes a wide range of stakeholders, representing law enforcement, academia, religious clergy, and the community.²¹ Annually, the RIPA Board:

- analyzes the stop data information, by LEA;
- analyzes current law enforcement training;
- works in partnership with State and local law enforcement agencies to review and analyze racial/identity profiling policies/practices across geographic areas in California;

¹⁷ <https://oag.ca.gov/ab953> The entirety of the new definition can be found in Penal Code section 13519.4, subdivision (e).

¹⁸ Govt. Code §12525.5(b)(6)

¹⁹ California DOJ webinar presentation “Reporting Stop Data for the Racial & Identity Profiling Act” for the California Police Chiefs Association. October 21, 2020.

²⁰ California Government Code Section 25303

²¹ California Penal Code Section 13519.4(j)(2)

- makes policy recommendations for eliminating racial and identity profiling,²² and
- publishes the following three reports:

RIPA | RACIAL AND IDENTITY PROFILING ACT
2020 REPORT QUICK FACTS

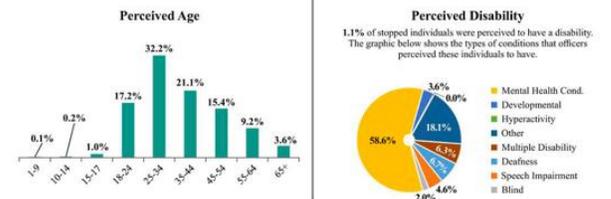
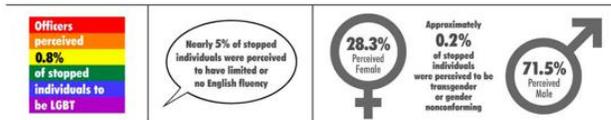
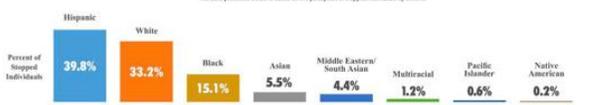
Between July 1, 2018 to December 31, 2018 the eight largest agencies in California collected data on vehicle and pedestrian stops. RIPA defines a stop as a detention or search.

California Highway Patrol
Los Angeles County Sheriff's Department
Los Angeles Police Department
Riverside County Sheriff's Department

San Bernardino County Sheriff's Department
San Diego County Sheriff's Department
San Diego Police Department
San Francisco Police Department



Demographics of Stopped Individuals



- An Annual Report detailing the past and current status of racial and identity profiling,
- A Quick Facts document showing a statewide summary of the stop data (see Appendices F and G), and
- A Best Practices document²³ This Grand Jury report examines: 1) the status of local LEA preparation for compliance with the RIPA data collection and submission requirements, 2) LEA plans to use the data to improve their agency, and 3) LEA willingness to adopt RIPA Board recommendations and peer-LEA examples to build trust between their departments and the community.

To investigate their readiness to implement and utilize RIPA to identify and/or address bias and improve relationships between law enforcement and the communities it serves, the Grand Jury surveyed and

followed-up with interviews of all seventeen LEAs in SMC. The aggregate results are available in the Discussion section.²⁴

²² California DOJ webinar presentation “Reporting Stop Data for the Racial & Identity Profiling Act”

²³ [RIPA Board Reports and Videos | State of California - Department of Justice - Office of the Attorney General](#)

²⁴ As previously mentioned, the Grand Jury is not allowed to reveal information it obtained during interviews, or via the survey, in ways that might identify the source.

Implicit Bias

The RIPA Board defines implicit bias as “the attitudes or stereotypes that affect a person’s understanding, actions, and decisions in an unconscious manner.”²⁵ These biases could be favorable or unfavorable assessments, and they are activated involuntarily and without an individual’s awareness or intention. Implicit biases differ from explicit biases, which are known to the individual and include biases that the individual may not be comfortable revealing.²⁶

All humans have biases. Explicit bias is easier to identify and address, if people are willing to speak up and have a growth mindset.²⁷ Overt racism and racist comments are examples of explicit biases.²⁸

Implicit bias affects our decision making, even when we are unaware of it. Multiple academic studies, dating back into the 1990s and repeated many times since, show that when an identical resume is sent to a large and diverse set of evaluators for a clearly defined job, a majority of evaluators – regardless of their own race, age, sex, etc. – offer the job to white males more often, and at a higher salary. The only difference is the candidate names on the resume. The researchers intentionally used names that are historically connected to a particular sex/gender, or race/ethnicity.²⁹

Similarly, orchestras that recognize the problem of implicit bias switched to curtained live auditions, thus blinding the evaluator’s view of the auditioning musician’s visible race or gender. The result: more women and people of color were hired into nationally renowned orchestras.³⁰ A pop-culture acknowledgement of the role of implicit bias is seen in the TV show “The Voice,” where the coaches conduct blind auditions of contestants.³¹

²⁵ RIPA Board 2021 Report, p. 23.

²⁶ RIPA Board 2020 Report – Best Practices; see also Eberhardt 2020 Ted Talk.

²⁷ Great Schools Partnership, “Glossary of Education Reform, Growth Mindset” August 29, 2013, <https://www.edglossary.org/growth-mindset/>

²⁸ Lorie Fridell, “This Is Not Your Grandparents’ Prejudice: The Implications of the Modern Science of Bias for Police Training,” *Translational Criminology*, Fall 2013: 10-11, <http://cebcp.org/wp-content/TCmagazine/TC5-Fall2013>

²⁹ Steinpreis, R.E., Anders, K.A. & Ritzke, D. The Impact of Gender on the Review of the Curricula Vitae of Job Applicants and Tenure Candidates: A National Empirical Study. *Sex Roles* 41, 509–528 (1999). <https://doi-org.stanford.idm.oclc.org/10.1023/A:1018839203698>

³⁰ *Orchestrating Impartiality: The Impact of “Blind” Auditions on Female Musicians*, Claudia Goldin and Cecilia Rouse *AMERICAN ECONOMIC REVIEW* VOL. 90, NO. 4, SEPTEMBER 2000 (pp. 715-741)

³¹ [https://en.wikipedia.org/wiki/The_Voice_\(American_TV_series\)](https://en.wikipedia.org/wiki/The_Voice_(American_TV_series))

Although we generally associate implicit bias in policing with racial biases, implicit bias can also be expressed in relation to non-racial factors such as gender, age, religion, or sexual orientation. As with all types of bias, implicit bias can distort one's perception and subsequent treatment either in favor of or against a given person or group. Although most police officers do not intentionally discriminate, we as a nation have been confronted with multiple episodes of officers relying on racial stereotypes in judging who to stop and search. Last year's heavily reported incidents of police violence show that implicit biases may unconsciously link African American motorists and pedestrians with crime or with a propensity towards violence or hostility. The result could explain a tendency for police to shoot unarmed black people at a higher rate than white people (per capita).³²

What is Bias-Free Policing?

LEAs committed to bias-free policing provide services and enforce laws in a professional, nondiscriminatory, fair, and equitable manner. This keeps the community and officers safe and protected. It requires LEAs to recognize explicit and implicit biases can occur at individual and institutional levels, and a focused commitment to examining and eradicating both. This results in greater effectiveness of the LEA and builds mutual trust and respect with the diverse communities the LEAs serve.³³

Why Stops Matter

A 2020 guidebook³⁴ for LEAs and stakeholders on RIPA data collection, analysis and response, prepared by New York University researchers, notes: "Despite the prominence of stops, there is much we still do not know about them, including their efficacy in achieving public safety and their impact on the public. These questions, asked by law enforcement executives and communities alike, go largely unanswered because the data needed to answer them are lacking."³⁵ This research indicates that vehicle stops and pedestrian stops disproportionately burden non-white communities and the operational realities of stops—particularly vehicle stops—pose dangers both to those stopped and to law enforcement officers.³⁶ This research concludes that collecting and analyzing stop data can shed light on all of these issues.³⁷ By

³² The Stanford Open Policing Project, <https://openpolicing.stanford.edu>

³³ RIPA Board 2020 Report – Best Practices, p.2

³⁴ Pryor, Marie, Phillip Atiba Goff, Farhang Heydari, and Barry Friedman. 2020. "Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities." New York. https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf

³⁵ Pryor, *Guidebook for LEAs*, *ibid.*, at 7.

³⁶ Pryor, *Guidebook for LEAs*, *ibid.*

³⁷ Pryor, *Guidebook for LEAs*, *ibid.*

embracing stop data collection and analysis in a transparent way, law enforcement can realize a range of benefits, such as:

- obtaining concrete evidence about whether stops are achieving law enforcement and public safety objectives;
- providing a better understanding of how stops impact the community and whether certain groups bear a disproportionate burden from those stops;
- permitting agencies to better assess the conduct of individual officers; and
- building community trust through improved transparency and dialogue about policing practices.

Again, the only way to answer these questions is to collect and analyze data.”³⁸

RIPA data: What is collected? And why *perceived* identity information?

For each stop the officer will collect RIPA Data regarding the stop, the officer’s perception of the person(s) stopped, and information about the officer. The 2021 RIPA Board report groups the information as shown in the table.³⁹

Officer Reporting Requirements
Information Regarding Stop
<ol style="list-style-type: none"> 1. Date, Time, and Duration 2. Location 3. Reason for Stop 4. Was Stop in Response to Call for Service? 5. Actions Taken During Stop 6. Contraband or Evidence Discovered 7. Property Seized 8. Result of Stop
Information Regarding Officer’s Perception of Person Stopped

³⁸ Ibid.

³⁹ 2021 RIPA Board Annual Report, p. 21

Officer Reporting Requirements
<ol style="list-style-type: none"> 1. Perceived Race or Ethnicity 2. Perceived Age 3. Perceived Gender 4. Perceived to be LGBT 5. Limited or No English Fluency 6. Perceived or Known Disability
Information Regarding Officer
<ol style="list-style-type: none"> 1. Officer’s Identification Number 2. Years of Experience 3. Type of Assignment

A full list of the fields for which data is collected is available in Appendix A.

The RIPA-recorded perception is intended to be the first one the officer has of the stopped person. For example, in a traffic stop of a car with tinted windows, or at night, the officer may not see the driver until they roll down the window. The perception is the one at that moment, when the officer first sees the driver.⁴⁰ Capturing perception allows implicit biases to be examined. It does not matter if the actual identity information differs; what counts is how the officer perceives the person and deals with them.

Data Integrity & Is Data Collection a Burden?

Any set of data is only as useful as the quality of its components. Incomplete and contradictory data must be minimized to make the data useful. Recognizing the importance of RIPA data integrity, the CADOJ produced a five-minute video on the subject in May 2019. [RIPA – Data Integrity](#), available on YouTube.⁴¹ A LEA that collects data without following the CA DOJ requirements will have its data rejected, requiring reexamination of the data and resubmission.⁴²

How much time does it take to gather this valuable data? Experienced LEAs elsewhere in California have found that data collection, on average, only took three- to -five minutes per

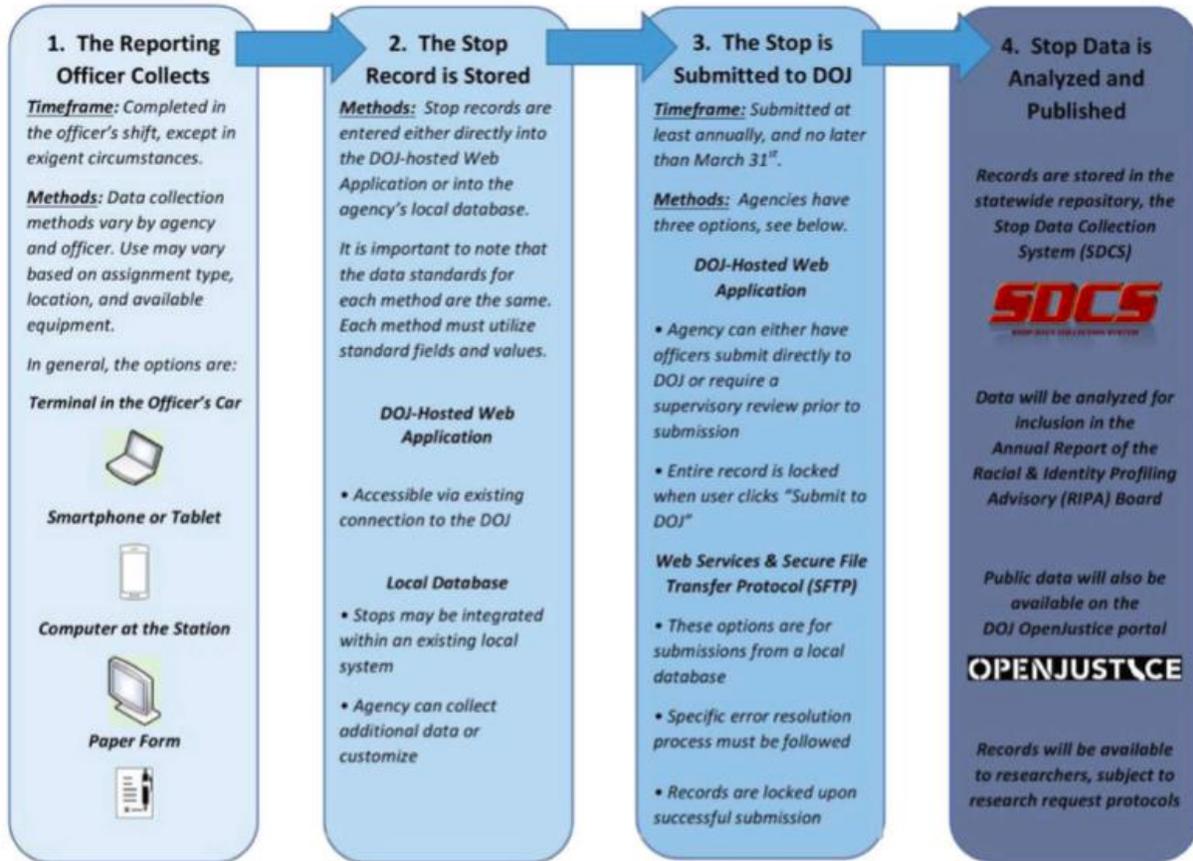
⁴⁰ DOJ webinar, “Reporting Stop Data for the Racial & Identity Profiling Act (RIPA / AB 953)”, slide 42 of 111.

⁴¹ RIPA Data Integrity, California Department of Justice, May 2, 2019, available at <https://youtu.be/F2evSciOFo0>

⁴² RIPA Stop Data Collection Stop Presentation, 2018, Slide 14 of 16

person stopped.⁴³ Private software vendors have created RIPA solutions for LEAs. See Appendix B for screenshots of one vendor’s RIPA application.

The illustration below, from the 2019 RIPA Board report, illustrates the collection, submission, and analysis process:



RIPA Board Best Practices and Learning from Peer LEAs

The RIPA Board offers “policy recommendations for eliminating racial/identity profiling” via an annually published RIPA Board Best Practices Report. An outline of the 2020 and 2021 Best Practices Report is available in Appendix C.

⁴³ Grand Jury Interviews.

The RIPA Board Best Practices Report includes recommendations for policies, training, and interactions with the community to eliminate “racial and identity profiling and improving diversity and racial and identity sensitivity in law enforcement.”⁴⁴

Many peer LEAs have begun implementing community advisory boards for community-based accountability and trust building, unrelated to RIPA. These include, but are not limited to, the University of California, Berkeley⁴⁵, Chula Vista⁴⁶, Davis⁴⁷, Walnut Creek⁴⁸, Fremont⁴⁹, Hayward⁵⁰, Salinas⁵¹, and others. The RIPA Board notes: “For law enforcement agencies to fully practice accountability, the community must be included in those efforts to keep individual officers and the agency as a whole accountable. The Board will review avenues for community involvement, including community participation in oversight, advisory, or disciplinary boards.”⁵²

The RIPA best practices and Statewide LEA actions intended to promote transparency and trust building that are most relevant to the scope of this report include:

- **Accountability practices** to improve police and community relations composed of a comprehensive system which includes: data tracking and transparency, early intervention systems, supervisory oversight, clear policies, and community-based accountability.⁵³
- Peer-LEA examples of community engagement and transparency, including use of **community advisory boards** as a mechanism to build community trust and provide bias-

⁴⁴ Penal Code §13519.4 (j)(1)

⁴⁵ “Recommendation 15 states each campus would create independent advisory boards with representatives from the campus who can facilitate and enhance communication between the police department and the greater campus community as well as work collaboratively with the departments on issues involving campus safety and security” University of California, UC Berkeley, “Update On Campus Safety Task Force” March, 2021.
<https://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/campus-safety/updates-on-campus-safety-task-forces.pdf>

⁴⁶ Chula Vista Police Department. “Community Advisor Committee” Accessed May 2021.

<https://www.chulavistaca.gov/departments/police-department/programs/chief-s-advisory-committee>

⁴⁷ Davis Police Department, “Community Advisory Board”, (board formed in 2005), Accessed May 2021.

<https://www.cityofdavis.org/city-hall/police-department/administration/community-advisory-board>

⁴⁸ Walnut Creek, City of. “Chief’s Community Advisory Board.” Undated. Accessed May 2021.

<https://www.walnut-creek.org/government/commissions-committees/chief-s-community-advisory-board>

⁴⁹ Fremont Police Department. “Community Advisory Group (CAG).” Undated.

<https://www.fremontpolice.gov/about-us/office-of-the-chief-of-police/community-advisory-group>

⁵⁰ <https://www.hayward-ca.gov/your-government/boards-commissions/hpd-community-advisory-panel>

⁵¹ <https://www.cityofsalinas.org/our-government/boards-commissions/police-community-advisory-committee>

⁵² Racial & Identity Profiling Advisory Board, *2021 Annual Report*, p. 91,

⁵³ Racial & Identity Profiling Advisory Board, *2021 Best Practices*, p. 2,

<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2021.pdf?>

free policing, sought by all stakeholders⁵⁴. The 2021 RIPA Board notes: “13 of the 25 agencies surveyed indicated that they have a civilian review board. Of those agencies, five reported discussing the RIPA Board’s findings with their civilian review boards.”⁵⁵

- **A Stand-alone Bias-free Policing Policy** which should: use clear language, including definitions of relevant terms; express the agency’s responsibility to identify and eliminate racial and identity profiling; include references to relevant training that agency personnel receive on racial and identity profiling and bias; include components on encounters with the community, data analysis, accountability, and supervisory review; be easily accessible to both agency personnel and the public; and include cross references to other relevant agency policies on subjects such as civilian complaints, stops, use of force, training, and accountability.⁵⁶
- **Processes to Address Bias by Proxy** which occurs “when an individual calls the police and makes false or ill-informed claims about persons they dislike or are biased against.”⁵⁷ The RIPA Board recommends that all LEAs adopt a policy to prevent bias by proxy or bias-based call by filtering out the biased information.
- **Civilian Complaints practices** - The RIPA Board has in- depth recommendations on how a LEA should handle complaints from members of the public so that they are not all dismissed as unfounded.⁵⁸
- **Training on Bias** - The RIPA Board also makes recommendations related to Racial and Identity Profiling training. In California, the Commission on Peace Officers Standards and Training (POST) creates training programs and materials for use by LEAs Statewide. The RIPA Board specifically recommends that POST training: uses stop data findings from RIPA reports to examine the disparities between racial and identity groups to identify topic areas of concern for future course development; provides courses with deeper discussions on possible officer bias that leads to a stop, how the situation evolves during the stop, and communication skills to prevent stops from escalating; provides guidance and discussion about the legal implications and consequences of bias; connects recruitment academy training to field officer training and determines how implicit bias

⁵⁴ Stakeholders include local governance leaders (city/town councils, Boards of Supervisors), residents, local community leaders and organizers, to name a few.

⁵⁵ RIPA Board 2021 Annual Report, p. 85

⁵⁶ RIPA Board 2021 Best Practices, *supra*, at p. 2

⁵⁷ RIPA Board 2021 Best Practices, *supra*, at p. 3

⁵⁸ RIPA Board 2021 Best Practices, *supra*, at p. 5

and racial and identity profiling and cultural awareness training are being applied; and, ensures that field training officers have up-to-date racial and identity profiling training.⁵⁹

RIPA Stop Data Impact on New Legislation

RIPA data has triggered the creation of new legislation. For example, early in 2021, a California assemblyman proposed a change in the State's laws regarding jaywalking (AB-1238, 2021, Ting and Friedman).⁶⁰ The bill was prompted, in part, by RIPA data showing that African Americans were four and one-half times more likely to be ticketed for jaywalking than whites. A ticket for jaywalking can escalate into a violent confrontation with law enforcement.⁶¹ On June 2, 2021, AB-1238, passed in the Assembly, it has moved to the State Senate.

DISCUSSION

Do SMC LEAs Have a Bias Problem?

It is easy to believe that biased policing is only a problem of big cities in other counties. Los Angeles, Oakland, Sacramento, San Francisco, and San Jose have all had publicized problems with documented episodes of their respective peace officers exhibiting biases in their interactions with civilians.⁶²

⁵⁹ RIPA Board 2021 Best Practices, *supra*, at pp. 4-5

⁶⁰ Bill Text - AB-1238 Pedestrian access. (ca.gov)

https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1238

⁶¹ Ting Proposes to Eliminate Jaywalking Tickets In California | Official Website - Assemblymember Phil Ting Representing the 19th California Assembly District (asmdc.org) <https://a19.asmdc.org/press-releases/20210325-ting-proposes-eliminate-jaywalking-tickets-california>

⁶² Edwards, Ezekiel, "San Francisco Is a Hotbed of Illegal Race-Based Policing" San Francisco Is a Hotbed of Illegal Race-Based Policing | American Civil Liberties Union (aclu.org) 2018, <https://www.aclu.org/blog/criminal-law-reform/reforming-police/san-francisco-hotbed-illegal-race-based-policing> ; Louie, David, (April 10, 2015) "Report: SJPd has a big problem being racially biased," ABC, KGO-TV, <https://abc7news.com/san-jose-police-department-sjpd-report-racial-bias/649558/>; Eberhardt, Jennifer, "To end racial disparities in policing, we must look beyond the data" The Guardian, April 18, 2019, <https://www.theguardian.com/commentisfree/2019/apr/17/race-policing-oakland-biased-jennifer-eberhardt>; Bretón, Marcos, "'Implicit bias' replaces the 'R' word. This is how we explain cops killing black men." Sacramento Bee, April 8, 2018, <https://www.sacbee.com/news/local/news-columns-blogs/marcos-breton/article208230624.html>; Times Editorial Board, "Editorial: The more LAPD changes...", Los Angeles Times, May 28, 2021, <https://www.latimes.com/opinion/story/2021-05-28/lapd-changes-reform-needed> ; see also FiveThirtyEight, February 4, 2021, <https://fivethirtyeight.com/features/the-biden-administration-wants-to-address-racial-bias-in-policing-what-cities-should-it-investigate/>

When asked, SMC LEAs generally do not think they have a problem with biased policing, based in part, on how few public bias-complaints they get.⁶³ Few departments have more than a small handful of complaints annually alleging any type of bias. All have both policies and training designed to eliminate biased policing.

Analysis of data shows that speaking up or complaining to authorities such as the local police are not reliable indicators of bias-free policing. For example, in Los Angeles, from 2012 to 2014, there were 1,356 allegations of biased policing. None of the complaints were upheld.⁶⁴

“AB 953 expanded the type of complaints that agencies are required to report to the Department of Justice, as well as the specific data to be reported for complaints.”⁶⁵ Complaint data for the County’s LEAs shows that while there were a total of 43 racial or identity profiling complaints reported during 2016 to 2019, none were sustained. The complaints were examined and resolved by the LEAs. (See Appendix H).

Are the County’s LEAs prepared for RIPA?

As previously mentioned, the RIPA timeline for County LEAs requires official data collection to begin on January 1, 2022, and submission to the CA DOJ by April 1, 2023. In order to comply, each individual LEA must have processes, technology, training, and system debugging completed before the end of 2021.

Are County LEAs prepared for RIPA data collection and submission? Do they have qualified personnel to analyze and use the data? How will they use the data for greater local transparency, training, and trust building? These are the questions this investigation set out to answer. The data for all local LEAs is based on the Grand Jury’s survey⁶⁶ and subsequent interviews with the leadership of all seventeen LEAs that took place in January and February 2021. The LEAs will have moved ahead with specific RIPA-related plans since the interviews.

The survey and interview results indicate levels of preparedness across LEAs that fall along a classic bell curve.⁶⁷ Some LEAs began collecting RIPA stop data in early 2021. The majority

⁶³ Grand Jury Interviews.

⁶⁴ Mather, Kate. “LAPD found no bias in all 1,356 complaints filed against officers.” Los Angeles Times, Dec. 15, 2015.

⁶⁵ AB 953: The Racial and Identity Profiling Act of 2015 | State of California - Department of Justice - Office of the Attorney General <https://oag.ca.gov/ab953#complaints>

⁶⁶ See Appendix D for the survey form.

⁶⁷ Grand Jury Confidentiality rules dictate that the identity of individuals interviewed is kept confidential.

have begun looking at solutions to comply, and a few are lagging and relying on other LEAs to lead the way. As of the first quarter of 2021:

- Burlingame announced it would begin collecting RIPA data early.⁶⁸
- Menlo Park indicated it purchased the necessary software.⁶⁹
- Most LEAs had either decided on their technology platform for RIPA data collection or had narrowed their approach to two or three alternatives.
- A few of the LEAs had barely begun their RIPA preparations.
- At least one of the contracted entities did not know about RIPA nor that it will be able to request RIPA data from the Sheriff.⁷⁰
- Some LEAs were confused and believed the County Dispatch System would collect the RIPA data. The dispatch system is part of the existing traffic citation writing procedure. The Grand Jury did not find any technology platforms that rely on County-level dispatch systems for RIPA data collection and question the efficacy of such a system.
- None of the LEAs had a firm plan for what personnel will be needed to ensure accurate data collection and analysis. Some thought they might add the task to the existing command group while others indicated a possible need for a data analyst. For the smaller departments, sharing one data analyst may make sense.

While each LEA is responsible for its own RIPA compliance, the LEAs in SMC can consult each other through the San Mateo Police Chiefs & Sheriff Association. The group meets monthly and has a RIPA Subcommittee.⁷¹

⁶⁸ Walsh, Austin. “Police address policy reforms in Burlingame - Chief details variety of efforts department has adopted in the wake of George Floyd’s killing.” The Daily Journal. December 28, 2020. https://www.smdailyjournal.com/news/local/police-address-policy-reforms-in-burlingame/article_4ff4a732-48ca-11eb-9dcf-f3b429ebbeb7.htm

⁶⁹ Menlo Park City Manager’s Office. “Staff Report 20-150-CC: Add institutionalized bias reform as a top priority for City staff in 2020-21 and provide input to staff on how to address police” for July 16, 2020 meeting. <https://menlopark.org/DocumentCenter/View/25679/F2-20200714-CC-Institutionalized-bias-reform>

⁷⁰Grand Jury interviews.

⁷¹ Grand Jury interviews.

Costs

The range of technology solutions for RIPA compliance include using existing systems without the purchase of new software or hardware, using the CA DOJ option which requires human labor, or acquiring technology for budget and time-friendly solutions.

City and town LEAs anticipated initial *direct* costs to range from \$0 - \$30,000. Some had existing systems which offer RIPA add-ons as part of the annual software fee, others expected to purchase either an add-on or standalone solution. None expressed budgetary concerns.⁷²

The County's largest LEA, the Sheriff's Office, has designated patrol services for the unincorporated parts of the county. The Sheriff's Office also provides contracted law enforcement services for the cities of Half Moon Bay, Millbrae, San Carlos, for the towns of Portola Valley and Woodside, as well as for the Peninsula Corridor Joint Powers Board and the San Mateo County Transit District.⁷³ Its preliminary estimate of RIPA costs range from \$15,000 to \$250,000, depending on the technology platform.

There are also *indirect* costs involved in complying with RIPA. They include:

- basic startup costs of any new program: installation of software and debugging, which may, or may not, be included in the direct costs mentioned above;
- training of officers on the use of the software, the purposes of RIPA, RIPA compliant data collection, etc.;
- personnel costs to audit the data collection to ensure, at a minimum, accurate data collection and reporting; and
- resources required to regularly analyze and use the data for improving bias-free policing.

Technology cost miscalculations can occur as evidenced by the experience of larger agencies. For example, a 2018 San Diego Police Department news report shared that the Peace Officers Research Association of California and the California State Sheriffs' Association had raised concerns that the RIPA requirements, which began in July 2018 for the State's largest agencies, would be expensive. In February 2017, then-Police Chief Shelley Zimmerman mentioned potential RIPA-related expenses to the city council. Later in May, council members budgeted an additional \$200,000 to cover the cost of implementation. SDPD Lieutenant Jeff Jordon said the money was intended to pay for the development of new tools to meet the mandate, but the agency instead received a free mobile application and program from the San Diego County Sheriff's Department. Ultimately, the department spent \$6,228, Jordon said, and the remaining

⁷² Grand Jury interviews.

⁷³ <https://www.smcsheriff.com/index.php/patrol-services>

\$193,772 went back to the city’s general fund at the end of the fiscal year in June, a mayor’s office spokesman confirmed.⁷⁴

To prevent such miscalculations and deliver on community and local-governance expectations, SMC LEAs would benefit from early planning and consultation with peer-LEAs that are leading in this effort.

RIPA’s Bias Free Policing Opportunity

The RIPA Board recommendations map out a path for local LEAs to deliver on the aspirations of bias-free -policing. The 2020-Summer-of-Race-Reckoning and ongoing national coverage of the subject⁷⁵ reinforces the need for racial equity in policing everywhere, including San Mateo County.

The Annual RIPA Report summarizes and publishes stop data findings along with recommendations to improve bias-free-policing. Local LEAs, in collaboration with their city/town councils and residents, can review their local RIPA data. A quarterly review, engaging internal and external stakeholders, can identify opportunities for addressing potential biases and course-correcting before the Annual RIPA Report is published. The appended table below summarizes: 1) legislated requirement (**bold**), and 2) RIPA Board intent and recommendations (italics).

RIPA Components	Understanding the RIPA Opportunity for Moving Toward Bias-Free Policing	Suggestions for Implementing RIPA ⁷⁶	Delivering on RIPA goal of Bias-Free-Policing
Stop Data	Collection & Reporting to CA DOJ (legislated)	<i>Regularly analyzing RIPA data at the LEA level</i>	<i>Training and mentoring officers and dispatch teams; evolving policies, etc.</i>

⁷⁴ Mento, Tarryn. “SDPD Didn’t Need Additional \$200K To Implement New Anti-Racial Profiling Law.” KPBS. December 20, 2018. <https://www.kpbs.org/news/2018/dec/20/sdpd-didnt-need-additional-200k-implement-new-anti/>
⁷⁵ Chang, Ailsa, Rachel Martin, Eric Marrapodi. “Summer of Racial Reckoning.” KQED. August 16, 2020. <https://www.npr.org/2020/08/16/902179773/summer-of-racial-reckoning-the-match-lit>
⁷⁶ Grand Jury Interviews

RIPA Components	Understanding the RIPA Opportunity for Moving Toward Bias-Free Policing	Suggestions for Implementing RIPA ⁷⁶	Delivering on RIPA goal of Bias-Free-Policing
<i>Technology Platform</i>	<i>Easy plug-in for quick data collection</i>	<i>Ongoing and auto-auditing</i>	<i>Sophisticated, regular reporting at LEA level for local management via neighborhoods, etc.</i>
<i>Training front line officers for data collection; Training Supervisors for data collection & auditing</i>	<i>A mindset shift whereby all LEA teams understand the need to address implicit bias aka perceptions. Noting: we're all human</i>	<i>Awareness via ongoing Implicit bias training and discussions. Creating safe and brave spaces for learning from human frailty of implicit bias.</i>	<i>Transparency with external stakeholders on the need for the journey to learn and grow in order to deliver bias-free-policing</i>
<i>Community Engagement</i>	<i>Community is aware of stop data reports via annual RIPA Reports and easily accessible online data</i>	<i>LEAs engage City or Town Councils and the public on local RIPA data on a regular basis. Data should be easily accessible</i>	<i>Engage diverse stakeholders to advise, inform, guide collaborative bias-free-public safety</i>

Analysis of Stop Data

The RIPA stop data will require analysis using statistical or analytical tools. The RIPA Board’s annual analysis compares the stop data-breakdown by race and identity against that of the community. But that comparison can be misleading when the diversity of day visitors doesn’t match that of the residents. For example, populations vary in Half Moon Bay with a high beach-day-use or seasonal-agricultural workers; and Colma has day-work, transient populations. When the day-population diversity is different from the fulltime resident population, RIPA data could either suggest or hide biases.

The mandated data collection creates an opportunity for local LEAs to use their data on a regular basis as an early alert of possible individual or unit bias. Collection and analysis could promote early addressing of potential issues via training or mentorship. Sharing the data with the local

community on a regular basis, and engaging them in ascertaining possible solutions, is a RIPA Advisory Board recommendation implemented by many California LEAs.

Using RIPA to Improve Law Enforcement

A few SMC LEAs have plans to review the data monthly or quarterly, to identify patterns of bias; but a majority don't. Pryor, et al. *Guidebook for LEAs, supra*, recommends:⁷⁷

- Data analysis is crucial; thus LEAs should either allocate resources to hire experts or look to partner with universities or researchers;
- Analysis can be used to assess both the effectiveness of specific tactics and any disparities in how those tactics are applied in the community; and
- Three levels of explanation for police-data analysis, namely: *community, department, and relationship* between community and department.

What Could Governing Bodies Expect of Their LEAs Regarding RIPA?

Municipal governing bodies (city or town councils) should already be aware of RIPA, *and* of the plans of their respective LEAs to implement it. This is important because the LEA interviews raised the following concerns:⁷⁸

- LEA may request additional funding to implement RIPA data collection;
- LEA may need to reassign personnel to enable it to make use of RIPA data to improve its operation;
- LEA may show an initial drop in traffic citations and other interactions with the public when it starts collecting RIPA data;
- RIPA data will be analyzed by CA DOJ and department deficiencies will become public for citizens, advocacy groups, and academic researchers to view and further analyze and question; and

⁷⁷ Pryor, Marie, Phillip Atiba Goff, Farhang Heydari, and Barry Friedman. 2020. "Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities." New York. https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf

⁷⁸ Grand Jury Interviews

- RIPA data may bring to light a policing problem that is not otherwise apparent to the council.

IN SUMMARY

RIPA provides LEAs with an opportunity to improve operations. Explicit bias is readily identified in the words and actions of individuals, as well as in organizations. Implicit bias, in contrast, operates subtly, often without awareness by the person whose behavior the bias affects. Collecting and analyzing stop data can shed light on ways in which implicit biases are leading to uneven and unfair law enforcement. Once the problem is known, steps can be taken to minimize the bias and reduce its impact. It is crucial for the community to trust law enforcement.

FINDINGS

All seventeen LEAs responded to the Grand Jury survey on RIPA-readiness and participated in one or more interviews. Grand Jury confidentiality rules prevent specific identification of the responses of each LEA. The Grand Jury's aggregate relevant findings are:

RIPA Data Collection and Reporting

- F1. LEAs in SMC are aware of RIPA data requirements, including the requirement that data collection starts on January 1, 2022.
- F2. County LEAs vary in their degree of understanding of: RIPA data collection requirements, technological options for collecting the data, and the need for procedures and training to collect and report the data. The LEA's RIPA-preparedness correlates to their understanding of RIPA requirements.
- F3. Burlingame and Menlo Park are to be commended for publicly announcing their plans for early implementation of RIPA data collection and reporting to the CA DOJ. The other fifteen LEAs were in various stages of planning and acquiring their RIPA data collection system.
- F4. The San Mateo County Police Chiefs & Sheriff Association RIPA Subcommittee provides a convenient forum for LEAs to benefit from peer learning and collaboration for RIPA planning, testing, deployment and best practices.
- F5. Some LEAs mistakenly believe the County Dispatch System will handle their RIPA data collection.

Using RIPA Data for Transparent Community Trust Building

- F6. LEAs vary in their understanding that implementing RIPA Board recommendations would build greater trust with their communities.

- F7. Some contracting entities were unaware of the RIPA requirements, and that RIPA data breakdown for their respective cities could be requested from the Sheriff’s Office beginning in the spring of 2022.
- F8. Between now and 2022, sixteen county LEAs have plans for “regularly analyzing data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population.”

RECOMMENDATIONS

RIPA Data Collection and Reporting – Milestones for January 1, 2022 compliance

- R1. Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies and procedures, roll-out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 30, 2021.
- R2. Each LEA needs to acquire the necessary software and hardware required to comply with RIPA by October 30, 2021, in order to complete testing within 30 days and to go live by January 1, 2022.
- R3. Each LEA must test and confirm their readiness for RIPA data collection by November 30, 2021.
- R4. Each LEA should provide regular updates to their governing entities, on their progress *toward preparing* for the required RIPA data collection starting on October 15, 2021.

Using RIPA Data for Transparent Community Trust Building – don’t wait for the annual report

- R5. Each LEA should, on a quarterly basis, starting in the second quarter of 2022, provide reports on RIPA data and how it is being used to address potential identity biases, including supervisory oversight (as defined by the RIPA Board). The report should be posted and easily viewable on the entity’s website.
- R6. By February 1, 2022, each LEA should begin considering how to obtain and use insights gained from the RIPA data to improve the operation of its department by combating implicit bias in policing and pursuing greater community trust by implementing the RIPA Board’s growing list of policing best practices.
- R7. By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of “academics, police commissions, civilian

review bodies, or advisory boards” as a mechanism to build community trust and provide bias-free policing.

R8. In the second quarter of 2022, each of the contracting entities should begin requesting RIPA stop data for its jurisdiction, separate from the rest of the Sheriff’s stop data.

REQUEST FOR RESPONSES

Penal Code Section 933.05 (emphasis added)

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall report one of the following:

- (1) The respondent **agrees** with the finding.
- (2) The respondent **disagrees** wholly or partially with the finding, in which case the response shall **specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.**

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, **with a summary regarding the implemented action.**
- (2) The recommendation has not yet been implemented, but will be implemented in the future, **with a timeframe for implementation.**
- (3) The recommendation requires further analysis, **with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.**
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, **with an explanation therefor.**

Pursuant to Gov. Code § 933.05, the Grand Jury requests responses from the following entities, for the listed **Findings**:

Responses to FINDINGS from City/Town Councils and the Sheriff								
FINDINGS	F1	F2	F3	F4	F5	F6	F7	F8
Atherton	X	X	X	X	X	X		X
Belmont	X	X	X	X	X	X		X

Responses to FINDINGS from City/Town Councils and the Sheriff									
FINDINGS	F1	F2	F3	F4	F5	F6	F7	F8	
Brisbane	X	X	X	X	X	X		X	
Burlingame	X	X	X	X	X	X		X	
Colma	X	X	X	X	X	X		X	
Daly City	X	X	X	X	X	X		X	
East Palo Alto	X	X	X	X	X	X		X	
Foster City	X	X	X	X	X	X		X	
Hillsborough	X	X	X	X	X	X		X	
Menlo Park	X	X	X	X	X	X		X	
Pacifica	X	X	X	X	X	X		X	
Redwood City	X	X	X	X	X	X		X	
San Bruno	X	X	X	X	X	X		X	
San Mateo	X	X	X	X	X	X		X	
South San Francisco	X	X	X	X	X	X		X	
Broadmoor Police District Board	X	X	X	X	X	X		X	
Millbrae	X	X	X	X	X	X	X	X	
San Carlos	X	X	X	X	X	X	X	X	
Portola Valley	X	X	X	X	X	X	X	X	
Woodside	X	X	X	X	X	X	X	X	
Half Moon Bay	X	X	X	X	X	X	X	X	
Sheriff	X	X	X	X	X	X	X	X	

Pursuant to Gov. Code § 933.05, the Grand Jury requests responses **from the following entities for the listed Recommendations:**

Responses to RECOMMENDATIONS from City/Town Councils and the Sheriff									
RECOMMENDATIONS	R1	R2	R3	R4	R5	R6	R7	R8	
Atherton	X	X	X	X	X	X	X	X	
Belmont	X	X	X	X	X	X	X	X	
Brisbane	X	X	X	X	X	X	X	X	
Burlingame	X	X	X	X	X	X	X	X	
Colma	X	X	X	X	X	X	X	X	
Daly City	X	X	X	X	X	X	X	X	

Responses to RECOMMENDATIONS from City/Town Councils and the Sheriff								
RECOMMENDATIONS	R1	R2	R3	R4	R5	R6	R7	R8
East Palo Alto	X	X	X	X	X	X	X	
Foster City	X	X	X	X	X	X	X	
Hillsborough	X	X	X	X	X	X	X	
Menlo Park	X	X	X	X	X	X	X	
Pacifica	X	X	X	X	X	X	X	
Redwood City	X	X	X	X	X	X	X	
San Bruno	X	X	X	X	X	X	X	
San Mateo	X	X	X	X	X	X	X	
South San Francisco	X	X	X	X	X	X	X	
Board of the Broadmoor Police Protection District	X	X	X	X	X	X	X	
Millbrae	X	X	X	X	X	X	X	X
San Carlos	X	X	X	X	X	X	X	X
Portola Valley	X	X	X	X	X	X	X	X
Woodside	X	X	X	X	X	X	X	X
Half Moon Bay	X	X	X	X	X	X	X	X
Sheriff	X	X	X	X	X	X	X	X

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

METHODOLOGY

Documents

Reports, presentations, and other documents from the California RIPA Board were reviewed, along with websites for the Sheriff’s Office, police departments, and city and town councils. In response to the survey (below) certain LEAs provided additional documents. The California Department of Justice also provided materials to inform the investigation. For a comprehensive list of the documents reviewed and consulted, see the Bibliography below.

Site Tour(s)

Due to the Covid-19 pandemic, no physical site tours were scheduled for this report.

Interviews & Surveys

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

All interviews were conducted by videoconference using Zoom or Google Meets. For this report the Grand Jury interviewed:

- Law enforcement personnel at the commander, captain, or chief level, or equivalent from each LEA in the County
- Current and past members of the RIPA advisory boards
- Members of law enforcement with experience outside of the County
- At least one city manager

A comprehensive survey on RIPA preparedness and bias-free policing was sent to all 17 active LEAs in the County. All 17 responded. Appendix D shows the form used in the survey. Some of the answers from that survey, anonymized, are shown in Appendix E.

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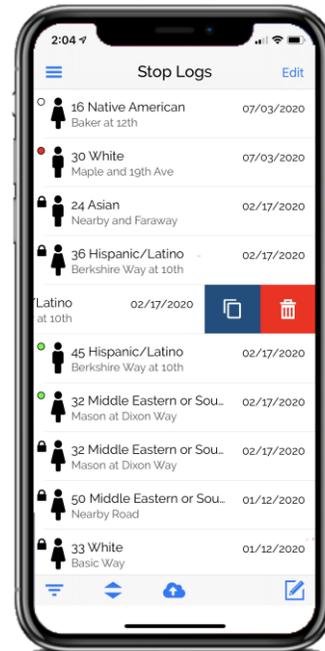
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APPENDIX A: List of RIPA Data Fields and Variables

[RIPA Data Fields and Variables.pdf](#)

APPENDIX B: Screenshots of RIPALog Software



APPENDIX C: Outline of RIPA Board Best Practices Documents for 2020 and 2021

2020 Best Practices Document (21 pgs.) - [Best Practices - 2020 RIPA Board Report - Racial and Identity Profiling Advisory \(RIPA\) Board \(ca.gov\)](#)

<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2020.pdf>

- 1) Model Bias-Free Policing Policies
 - a) Policy Language
 - b) Definitions
 - c) Exception language - when characteristics may be considered
 - d) Encounters with Community
 - e) Training
 - f) Data Collection & Analysis
 - g) Accountability & Adherence to the Policy
 - h) Supervisory Review
- 2) Bias by Proxy Recommendations
 - a) [multiple subparts]
- 3) Civilian Complaint Forms best practices
 - a) Background
 - b) General Complaint Information
 - c) Complaint Information
 - d) Incident Information
 - e) Processing of Complaints
- 4) Lack of Uniformity in what is a complaint and how to quantify
- 5) Accessibility & Knowledge of LEA's Complaint Process
- 6) Barriers to Reporting Civilian Complaints
- 7) Complaint Access for the Disabled

2021 Best Practices Document (6 pgs.) [2021 RIPA Report Best Practices \(ca.gov\)](#)

<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2021.pdf>

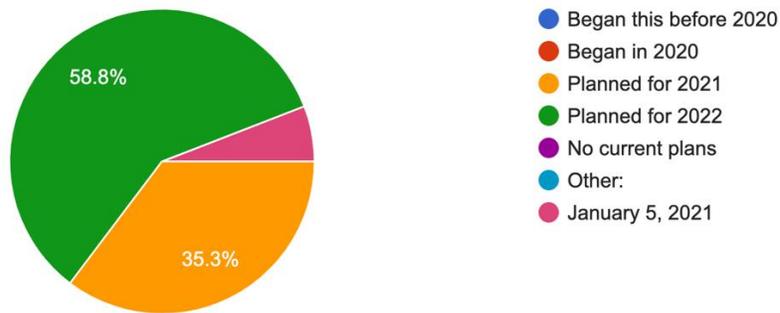
- 1) Explicit Bias, Implicit Bias, and Other Driving Forces for Stop Data Disparities
- 2) Racial and Identity Profiling Policies and Accountability
- 3) Calls for Service and Bias by Proxy
- 4) Civilian Complaints: Policies and Data Analysis
- 5) California Commission on Peace Officer Standards and Training (Post) Training Related to Racial and Identity Profiling

APPENDIX D: Grand Jury Survey – Delivering on DEI & Ready for RIPA
[Survey Form for Grand Jury Survey of LEAs.pdf](#)

APPENDIX E – Selected LEA Responses to GJ RIPA Survey

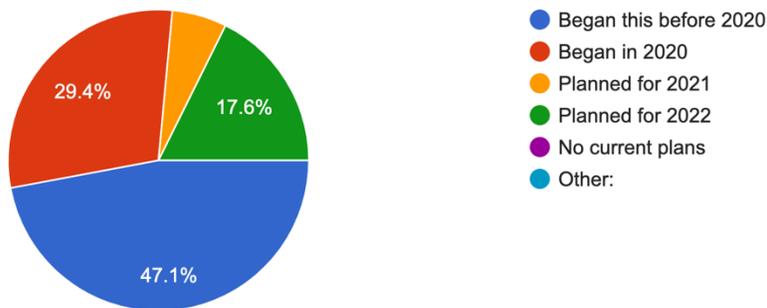
When did you begin collecting stop data with race and identity, as defined by RIPA demographics?

17 responses



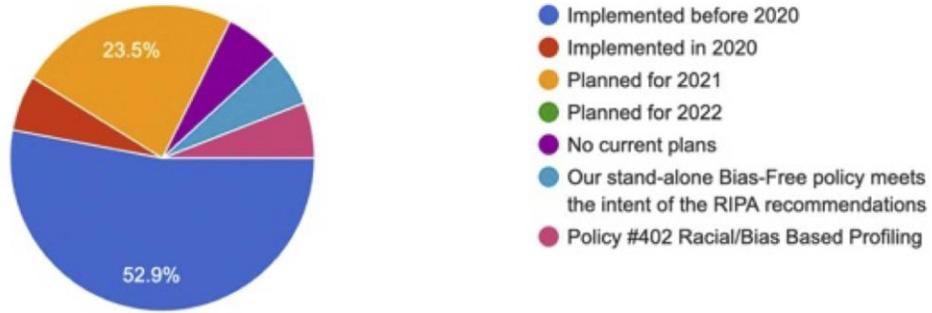
Has your LEA started preparing for compliance with Racial and Identity Profiling Act of 2015 (AB 953)? *

17 responses



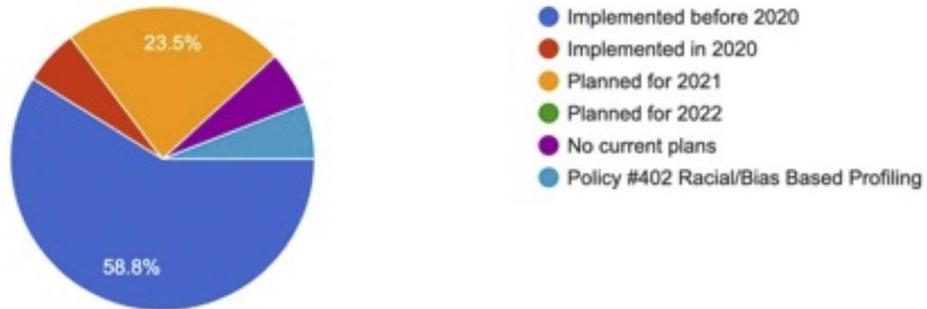
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which is clearly written and easily accessible by all employees?

17 responses

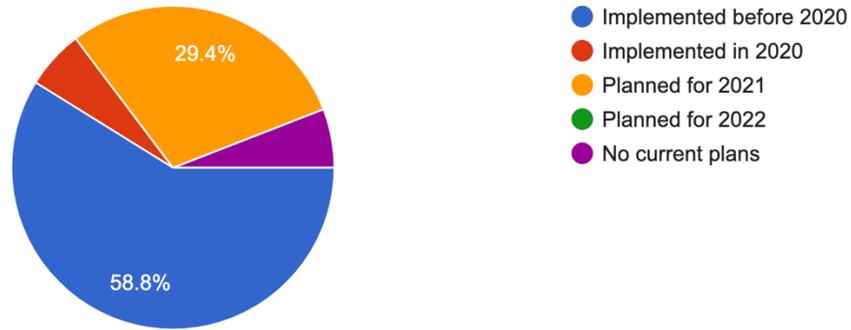


Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which uses concrete definitions of Bias-Free Policing and/or Racial & Identity Profiling?

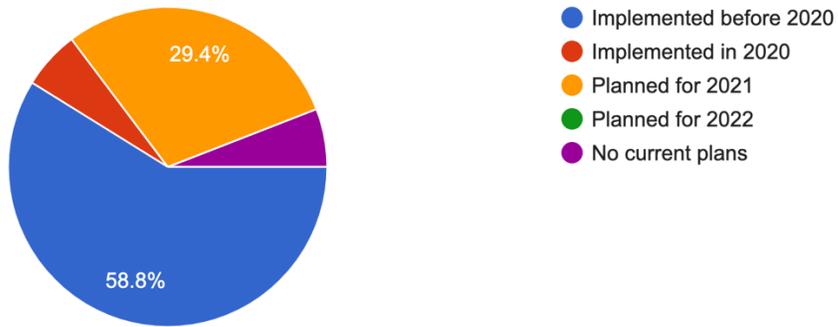
17 responses



Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on limited circumstances in which characteristics of individual may be considered?
17 responses

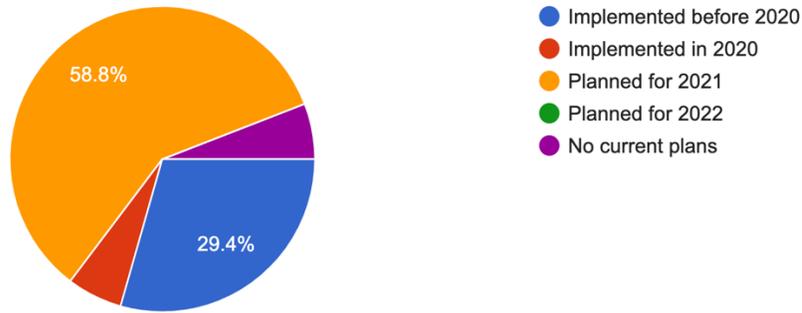


Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on encounters with community?
17 responses



What is the status of your LEA's RIPA recommended: "Agencies should have a policy detailing how sworn personnel and dispatchers should respond to ...or integrated into the bias-free policing policy."

17 responses



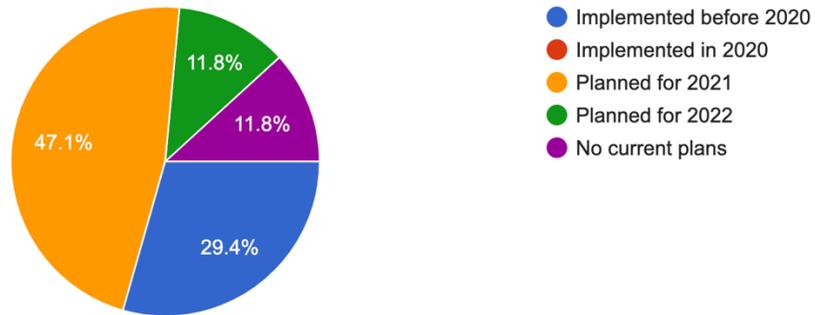
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on Racial and Identity Profiling Training?

17 responses



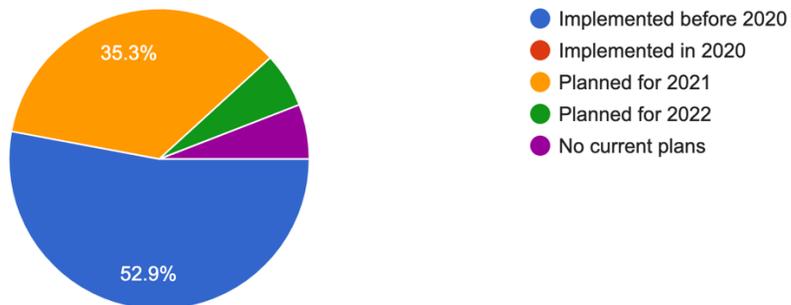
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on Data Analysis?

17 responses



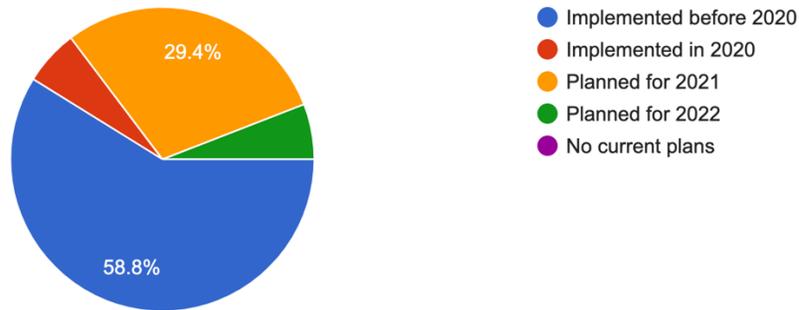
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on requiring accountability?

17 responses



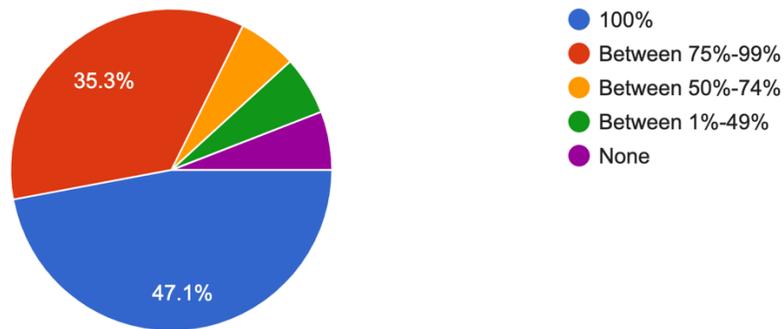
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on required Supervisory Review?

17 responses



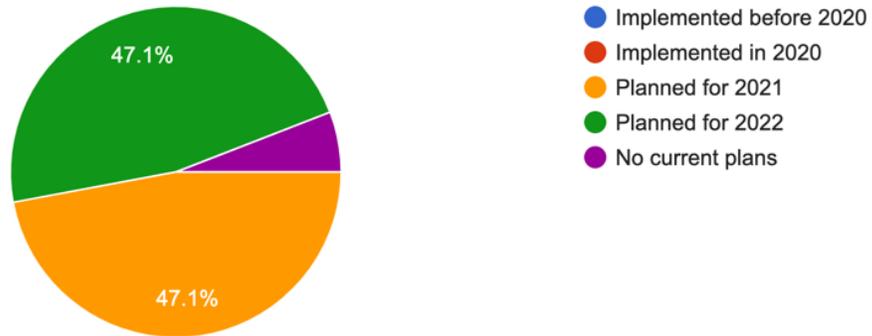
What percent of your officers have completed comprehensive training on bias free policing in the last 2 years?

17 responses



What are your plans for RIPA recommendation: "regularly analyze data, in consultation with [academics, police commissions, civilian review bod... on any group relative to the general population."

17 responses



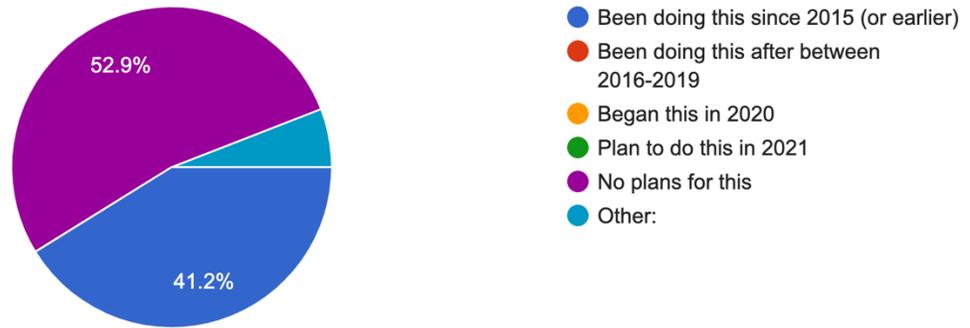
RIPA Model Policy Language for Supervisory Review: " Supervisors shall ensure that all personnel under their command, including dispatchers and no...s and procedures for review should be included."

17 responses



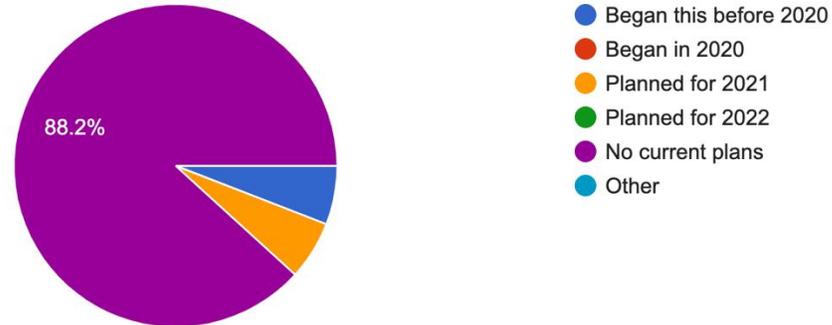
Do you currently proactively and formally seek community input when making decisions about hiring and resource allocation?

17 responses



Do you currently have a formal community advisory board for your LEA?

17 responses



APPENDIX F: RIPA Quick Facts 2020

[RIPA-quick-facts-2020.pdf](#)

APPENDIX G: RIPA Quick Facts 2021

[RIPA-quick-facts-2021.pdf](#)

APPENDIX H: Summary of Profiling Complaints for San Mateo County Law Enforcement Agencies 2016-2019

AB 953 amended “Penal Code section 13012 pertaining to the collection and reporting of Citizens’ Complaints Against Peace Officers (CCAPO).” To add as a separate category “complaints involving racial or identity profiling.” This took effect January 1, 2016. For more information see [Information Bulletin: Citizens' Complaints Against Peace Officers \(ca.gov\)](#)⁷⁹

Total Racial or Identity Profiling Complaints SMC LEAs 2016-2019						
Reported	Exonerated	Not Sustained	Unfounded	Pending	Sustained	(missing)
43	9	9	19	4	0	2

Source: CA DOJ, OpenJustice Data, Citizens Complaints Against Peace Officers, file: CCAPO_2016-2019_Agency_0.xlsx from <https://openjustice.doj.ca.gov/data>

File was sorted by agency name, the SMC LEAs Identified and separately totaled, for the Racial Profiling Complaints category, which was defined in the Readme file^[1] as “The total number of complaints reported with a racial or identity profiling component.” The number of complaints for any particular agency ranged from 0 to 5 per year. Some agencies had none for the four years of available data.

⁷⁹ https://oag.ca.gov/sites/all/files/agweb/pdfs/law_enforcement/dle-2015-06.pdf?

ATTACHMENT 2



Office of the City Manager
Town of Atherton

150 Watkins Avenue
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212

October 13, 2021
Honorable Amarra A. Lee
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: Response of the Town of Atherton to the Civil Grand Jury Report “Building Greater Trust Between the Community & Law Enforcement Via the Racial and Identity Profiling Act”

Dear Judge Lee,

Thank you for the opportunity to respond to the Civil Grand Jury report entitled “Building Greater Trust Between the Community & Law Enforcement Via the Racial and Identity Profiling Act.” The Town of Atherton’s response to both the findings and recommendations are listed below.

Responses to Civil Grand Jury Findings:

RIPA Data Collection and Reporting

F1. LEAs in SMC are aware of RIPA data requirements, including the requirement that data collection starts on January 1, 2022.

Response:
The Town of Atherton agrees with this finding.

F2. County LEAs vary in their degree of understanding of: RIPA data collection requirements, technological options for collecting the data, and the need for procedures and training to collect and report the data. The LEA’s RIPA-preparedness correlates to their understanding of RIPA requirements.

Response:
The Town of Atherton agrees with this finding.
The Atherton Department of Police has a full and complete understanding of the RIPA data collection requirements, has the necessary technology for RIPA data collection, has established RIPA procedures and training, and has started the process of collecting the required RIPA data.

F3. Burlingame and Menlo Park are to be commended for publicly announcing their plans for early implementation of RIPA data collection and reporting to the CA DOJ. The other fifteen LEAs were in various stages of planning and acquiring their RIPA data collection system.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police has finalized all required RIPA planning, training, and implementation of the RIPA data collection system and is currently collecting the required RIPA data.

F4. The San Mateo County Police Chiefs & Sheriff Association RIPA Subcommittee provides a convenient forum for LEAs to benefit from peer learning and collaboration for RIPA planning, testing, deployment, and best practices.

Response:

The Town of Atherton agrees with this finding.

F5. Some LEAs mistakenly believe the County Dispatch System will handle their RIPA data collection.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police fully understands that RIPA data collection is their full responsibility.

Using RIPA Data for Transparent Community Trust Building

F6. LEAs vary in their understanding that implementing RIPA Board recommendations would build greater trust with their communities.

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police fully understands that the RIPA Board recommendations to law enforcement agencies are intended to and will build greater trust in our Department of Police.

F7. Some contracting entities were unaware of the RIPA requirements, and that RIPA data breakdown for their respective cities could be requested from the Sheriff's Office beginning in the spring of 2022.

Response:

This finding is not applicable to the Atherton Department of Police.

F8. Between now and 2022, sixteen county LEAs have plans for “regularly analyzing data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group

relative to the general population.”

Response:
The Town of Atherton agrees with this finding.

Responses to the Civil Grand Jury Recommendations:

RIPA Data Collection and Reporting – Milestones for January 1, 2022, compliance

R1. Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies and procedures, roll-out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 30, 2021.

The Atherton Department of Police RIPA Implementation plan and related policies/procedures have been approved and are attached for review.

R2. Each LEA needs to acquire the necessary software and hardware required to comply with RIPA by October 30, 2021, in order to complete testing within 30 days and to go live by January 1, 2022.

The Atherton Department of Police has acquired Veritone RIPA software and Apple iPhone hardware for RIPA data collections. Testing has been completed and is RIPA data collection is operational.

R3. Each LEA must test and confirm their readiness for RIPA data collection by November 30, 2021.

The Atherton Department of Police has tested and confirmed readiness for RIPA data collection.

R4. Each LEA should provide regular updates to their governing entities, on their progress toward preparing for the required RIPA data collection starting on October 15, 2021.

The Atherton Department of Police has been and will continue to keep the Town Council and City Manager updated on our progress for RIPA data collection implementation.

Using RIPA Data for Transparent Community Trust Building – don't wait for the annual Report

R5. Each LEA should, on a quarterly basis, starting in the second quarter of 2022, provide reports on RIPA data and how it is being used to address potential identity biases, including supervisory oversight (as defined by the RIPA Board). The report should be posted and easily viewable on the entity's website.

The Atherton Department of Police will provide detailed RIPA data reporting on a regular basis to the Town Council/Residents and the reports will be posted on the Police Department's website.

R6. By February 1, 2022, each LEA should begin considering how to obtain and use insights gained from the RIPA data to improve the operation of its department by combating implicit bias in policing and pursuing greater community trust by implementing the RIPA Board’s growing list of policing best practices.

On a semi-annual basis, the Atherton Department of Police will review our RIPA data and the RIPA Board’s current recommended policing best practices, to ensure community trust and ensure implicit bias does not affect or impact our policing practices.

R7. By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of “academics, police commissions, civilian review bodies, or advisory boards” as a mechanism to build community trust and provide bias-free policing.

The Atherton Department of Police actively and routinely engages in community outreach events and opportunities and has the necessary policies and procedures to ensure transparency and confidence, to and by, the residents we serve. The department will leverage “academics” and other effective resources to continue to build and maintain community trust and to help ensure bias-free policing. Currently, the department is not considering the use of “police commissions, civilian review bodies, or advisory boards.”

R8. In the second quarter of 2022, each of the contracting entities should begin requesting RIPA stop data for its jurisdiction, separate from the rest of the Sheriff’s stop data.

Response:

This recommendation is not applicable to the Atherton Department of Police.

This response to the Grand Jury was considered by the City Council at a public meeting on October 20, 2021. Should you have any questions concerning this response, please contact City Manager George Rodericks at (650) 752-0504.

Respectfully,

Elizabeth Lewis
Mayor

Attachments

Atherton PD RIPA Implementation Plan
Atherton PD RIPA Training PowerPoint

Atherton PD RIPA Lexipol Policy
Atherton PD Biased Free Policing Lexipol Policy



ATHERTON POLICE DEPARTMENT

Inter-Department Correspondence

To: Chief McCulley

From: Commander Larsen

Date: October 7th, 2021

Subject: RIPA Implementation/Recommendation

BACKGROUND:

The Racial and Identity Profiling Act (RIPA) was formed as part of AB953. The goal of the bill is to eliminate racial and identity profiling and improve diversity and racial and identity sensitivity in law enforcement. The bill requires each state and local agency that employs peace officers to annually report to the Attorney General data on all stops. Agencies that employ one or more, but less than 334 peace officers are required to issue their first annual report by April 1st, 2023. This requirement mandates the Atherton Police Department, with 26 peace officers, to start collecting and submitting RIPA data to the DOJ on January 1st, 2022.

DATA COLLECTION SOFTWARE

The Atherton Police Department started testing RIPA data collection on June 1st, 2021. RIMS software, Veritone software, and direct entry to the DOJ were reviewed and/or tested. Of the three, Veritone software was the most efficient. Veritone software offered the following capabilities:

Fast, Automated Stop Date Entry

- Officers can quickly complete stop data collection with easy, multi-select answer picklists.
- Create stop data reports for multiple contacts at one time.
- Flexible data entry – officers can start and stop data entry at any time.

- Veritone works with smartphones, tablets, MDT's, and laptops which can connect securely to the agency's network using a standard web browser.

Security and Compliance

- All data transmission is secured using 128-bit encryption.
- User authentication through Microsoft Active Directory, LDAP or other service.
- Supports CJIS compliance obligations.

Review Stop Data Prior to DOJ Submission

- Command staff can batch review all officer reports.
- "Spell check-like" PII detection highlights possible areas for correction.
- Easy to understand visual dashboards provide command staff with a preview of all aggregated stop data information for analysis and potential corrective actions.
- Secure delivery of stop data to DOJ performed on a desired schedule.

On September 1st, 2021, the Atherton Police Department entered a one (1) year agreement with Veritone for the use of their software to collect and submit RIPA data (see attached).

FISCAL IMPACT

The cost of Veritone is \$100.00 per user per year. With a total of 26 sworn police officers, the cost for one year of Veritone software is \$2,600.00. This cost may be reimbursable through the Office of the State Controller.

TRAINING

All sworn personnel were provided training on AB953, RIPA requirements, and data collection (see attached power point presentation). Dispatcher Gutierrez instructed the training sessions.

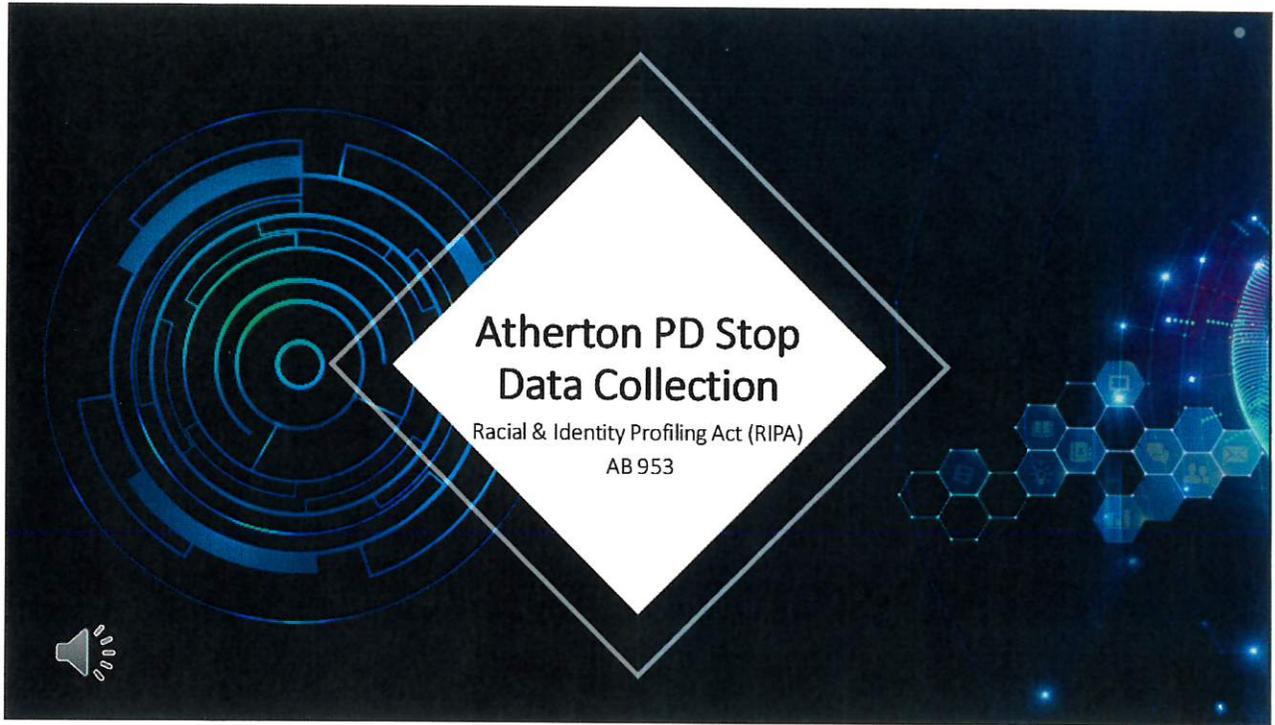
All sworn personnel were provided training in the use of Veritone software through watching a video created by Veritone. The video can be found at <https://drive.google.com/file/d/1 - PENnLTXPOoLDNyS1fRZpcGCre1DDuL/view>

POLICY

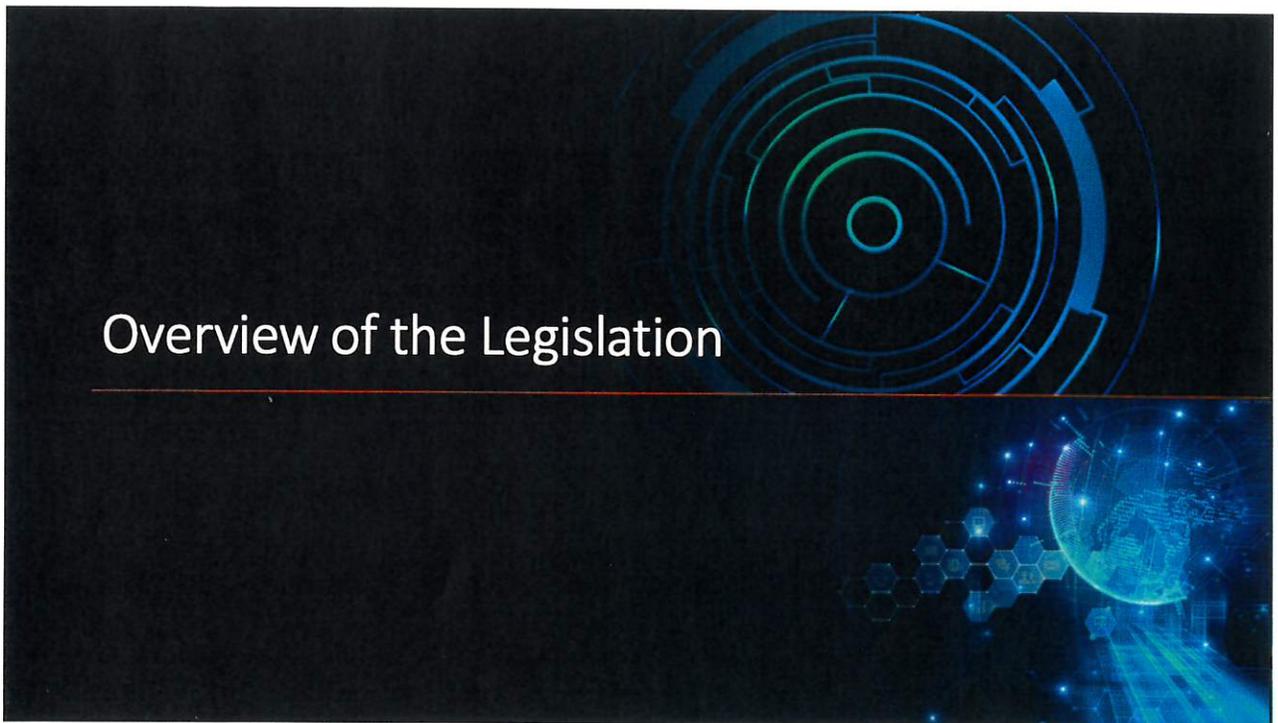
Lexipol Policy 403 – Racial and Identity Profiling Act (RIPA) was created and implemented (see attached). The purpose of this policy is to establish procedures for the collection of data pursuant to California Government Code 12525.5.

RECOMMENDATIONS

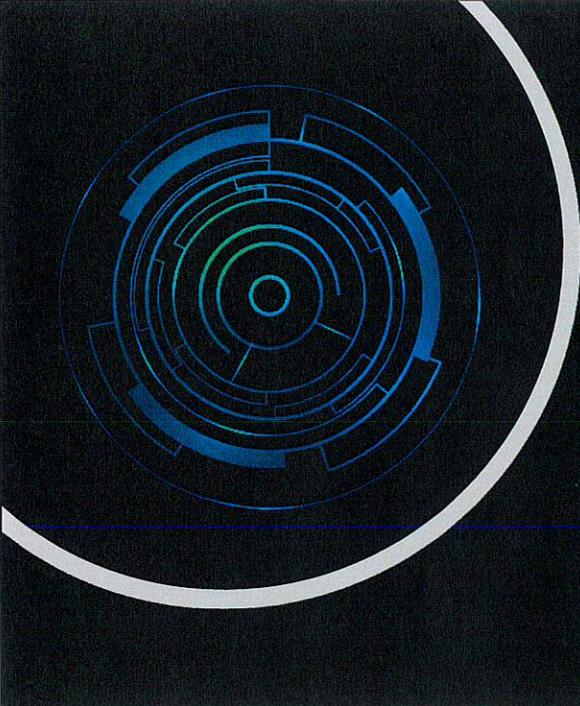
I recommend the Atherton Police Department abide by the requirements set forth in California Government Code 12525.5 – RIPA.



1

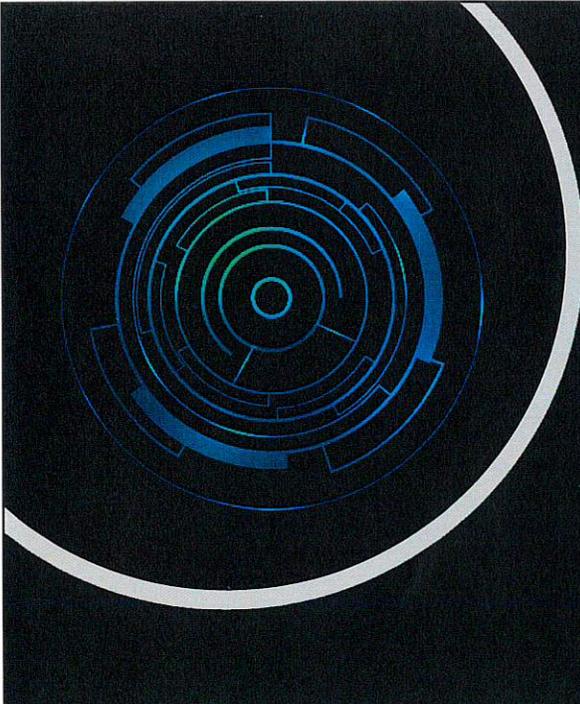


2



Requires all city and county local law enforcement agencies in California, as well as the California Highway Patrol and peace officers of California State and university educational institutions, to collect perceived demographic and other detailed data regarding pedestrian and traffic stops.

3

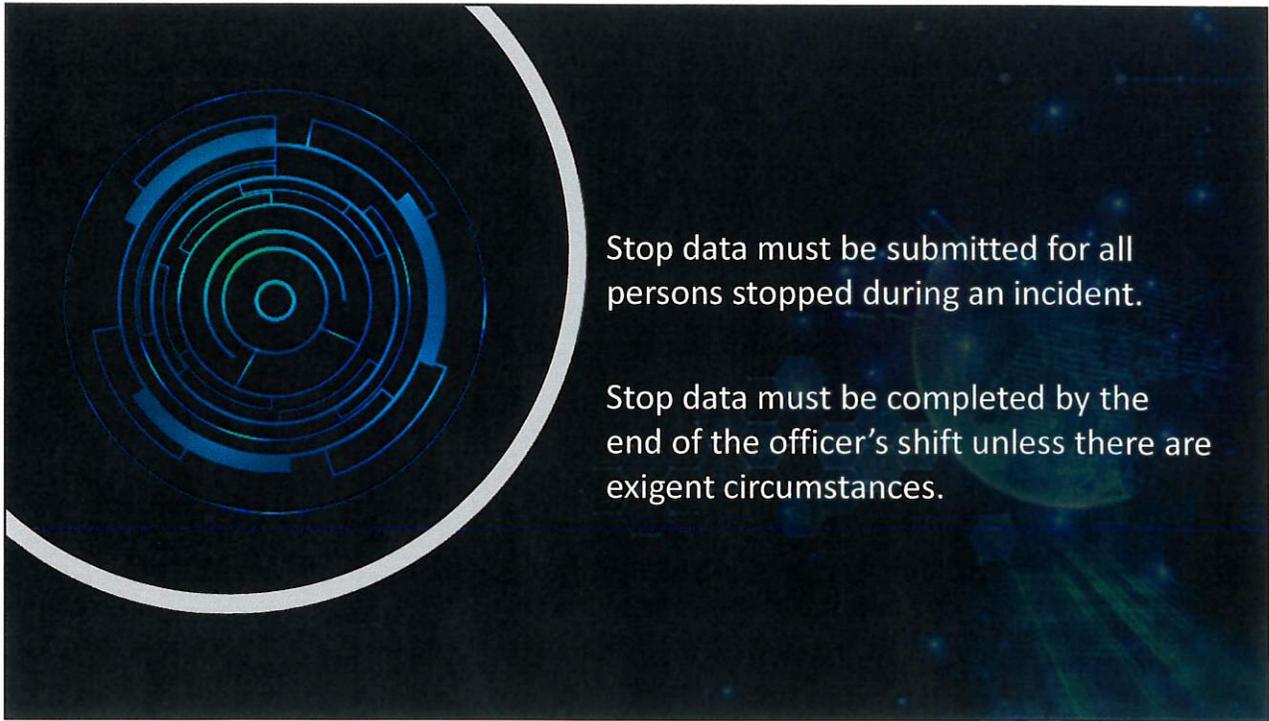


Government Code Section 12525.5 requires officers to record perception data.

Regulations also highlights that officers should not use any demographic data that may be seen on an individual's identification card or from any system that contains their information (CLETS).

It is also unlawful to knowingly record false information.

4



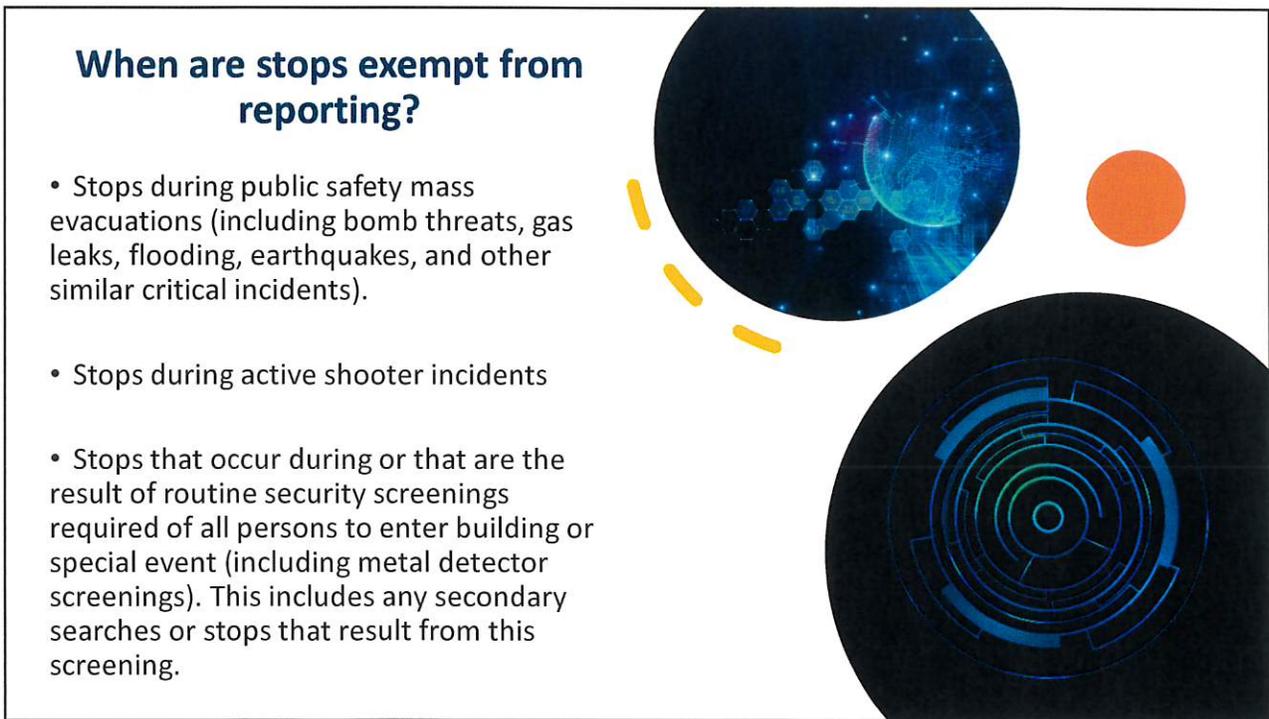
Stop data must be submitted for all persons stopped during an incident.

Stop data must be completed by the end of the officer's shift unless there are exigent circumstances.

5

When are stops exempt from reporting?

- Stops during public safety mass evacuations (including bomb threats, gas leaks, flooding, earthquakes, and other similar critical incidents).
- Stops during active shooter incidents
- Stops that occur during or that are the result of routine security screenings required of all persons to enter building or special event (including metal detector screenings). This includes any secondary searches or stops that result from this screening.



6

When are stops exempt from reporting?

- Traffic control due to traffic accident or emergency situation that requires vehicles to be stopped for public safety purposes.
- Crowd control in which pedestrians asked to remain in location or directed to different location for public safety purposes.
- Checkpoints or roadblocks in which a person is detained as the result of blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics. (DUI Checkpoint)



7

When are stops exempt from reporting?

- Interactions at a residence of person who is subject to warrant or search conditions, or home detention/house arrest.

*If other persons in the residence are contacted and handcuffed, arrested, had a firearm pointed at them, were bit by a canine or held down by a canine, or were involved in the officers' use of a firearm, electronic control device, impact projectile, baton or other impact weapon, or are chemical sprayed, stop data is required.



8

	Number of Officers	Start date	
Wave 1	1000+ officers	7/1/2018	Largest 8 agencies in the state 1 st years data is dues 4/1/2019
Wave 2	667-999 officers	1/1/2019	7 agencies 1 st year's data is due 4/1/2020
Wave 3	334-666 officers	1/1/2021	11 agencies 1 st year's data is due 4/1/2022
Wave 4	1-333 officers	1/1/2022	All remaining agencies 1 st years data is due 4/1/2023

9

What is a stop?

- Any detention of a person by a peace officer (a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer)
- Any peace officer interaction with a person in which the officer conducts a search (including consensual search, both of person and property)



10

Who gets included in stop data?

- If a vehicle is pulled over and there is only a moving violation involved, the driver is the only person requiring stop data. No stop data is required for the passengers of the vehicle.
- Stop data is required for the passenger of a vehicle if the passenger is observed or suspected of violating a law, or if the officer takes any of the actions in the data element "Actions Taken During Stop" toward the passenger, with exception of "vehicle impounded."
- All persons stopped during an incident require stop data.

11

Data Elements Required for Each Stop

12

STATE OF CALIFORNIA
 DEPARTMENT OF JUSTICE
 STOP DATA COLLECTION FORM
 Racial & Identity Profiling Act - Penal Code Sections 13012 and 13519.4, and Gov. Code 12825.5

PLEASE NOTE:
 * The data collected on this form must be electronically submitted to the California Department of Justice (DOJ), Stop Data Collection System by entry into the Web Application or submission by Web Services or Secure File Transfer.
 * Please contact your agency's local administrator for instructions on processing this record for submission to the DOJ. If needed, the DOJ can be reached at (916) 218-3300 or StopDataCollection@doj.ca.gov
 * If multiple persons are related to one stop, complete a separate form (sections III-IX) for each person and report as one incident.
 * If the stop involves a student at a K-12 public school, then some fields may have additional options available for reporting. These items are noted with an asterisk (*), and shown in red italics.

I. REPORTING OFFICER	AGENCY OR:	OFFICER ID:	OFFICER'S YEARS OF EXPERIENCE:
	OFFICER'S TYPE OF ASSIGNMENT (Select one):		
II. SETTING	<input type="checkbox"/> Patrol, traffic enforcement, field operations <input type="checkbox"/> Gang enforcement <input type="checkbox"/> Companion Chicks <input type="checkbox"/> Special Events	<input type="checkbox"/> Roadblock or DUI sobriety checkpoint <input type="checkbox"/> Narcotics/Viol <input type="checkbox"/> Task Force <input type="checkbox"/> K-12 Public School	<input type="checkbox"/> Investigative/observ <input type="checkbox"/> Other Other, specify: _____
	DATE (MM/DD/YYYY)	TIME (24 Hr MM use 24 Hr clock)	DURATION OF STOP (minutes)
III. OFFICER PERCEPTION OF PERSON STOPPED	LOCATION: (Report as block number and street name, or closest intersection, or highway and closest highway exit. If none of these are applicable, please report a cross marker, landmark, or other description. Do not provide the exact address of a residence)	RESPONSE TO CALL FOR SERVICE? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	CITY: (If City is not applicable because stop occurred in unincorporated area, report the County)	COUNTY: (Only required when City is not applicable)	
III. OFFICER PERCEPTION OF PERSON STOPPED	IF STOP OCCURRED AT A K-12 PUBLIC SCHOOL, REPORT SCHOOL NAME:		
	PERCEIVED RACE OR ETHNICITY: (Select all that apply)		
	PERCEIVED GENDER: (When applicable, you may select "Gender nonconforming" as the only value or in addition to one of the other values)		
	PERCEIVED TO BE LOBTT		
	PERCEIVED OR KNOWN DISABILITY: (Select all that apply)		

13

STATE OF CALIFORNIA
 DEPARTMENT OF JUSTICE
 STOP DATA COLLECTION FORM
 Racial & Identity Profiling Act - Penal Code Sections 13012 and 13519.4, and Gov. Code 12825.5

REASON FOR STOP: (Select the primary reason for stop)

Traffic Violation: (Specify type of traffic violation) Moving Equipment Non-moving

Code section related to violation: _____

Reasonable suspicion that the person was engaged in criminal activity

Select all that apply to describe the basis of suspicion:

- Officer witnessed commission of a crime
- Matches suspect description
- Witness or victim identification of suspect at the scene
- Carrying suspicious object
- Actions indicative of causing a victim or location
- Discrepancy of acting as a lookout
- Actions indicative of a drug transaction
- Actions indicative of engaging in a violent crime
- Other reasonable suspicion of a crime

If known, Code for suspected violation: _____

Known to be on parole/probation/PCIC/mandatory supervision

Knowledge of outstanding arrest warrant/arrested person

Investigation to determine whether the person is instant

Consensual encounter resulting in a search

* Possible conduct violating exception under Education Code (EC) 49800, et al

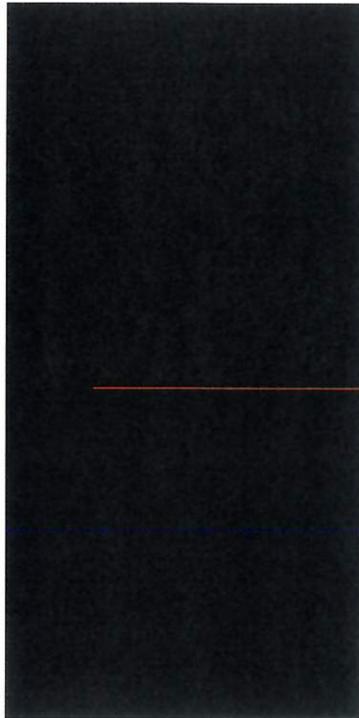
Code Section: 49800 49800.2 49800.3 49800.4 49800.7

When EC 49800 is pertinent, specify the subsection: _____

* Determine whether the student violated school policy

REASON FOR STOP - BRIEF DESCRIPTION: (Provide a brief explanation, 250 character maximum. This explanation should provide detail beyond the general data values selected above. Do not include any personally identifying information of the person stopped or unique identifying information of any officer in this description)

14



STATE OF CALIFORNIA
CIVILIAN
(Only Section)

DEPARTMENT OF JUSTICE
PAGE 4 of 4

STOP DATA COLLECTION FORM

Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519.4, and Gov. Code 12525.5

ACTIONS TAKEN: (Select all that apply)

<input type="checkbox"/> Person removed from vehicle by order	<input type="checkbox"/> Baton or other impact weapon used
<input type="checkbox"/> Person removed from vehicle by physical contact	<input type="checkbox"/> Chemical spray used (e.g., pepper spray, mace, tear gas, or other chemical irritant)
<input type="checkbox"/> Field sobriety test administered	<input type="checkbox"/> Other physical or verbal contact
<input type="checkbox"/> Outside diversion	<input type="checkbox"/> Person photographed
<input type="checkbox"/> Handcuffed or flex cuffs	<input type="checkbox"/> Asked for consent to search person
<input type="checkbox"/> Patrol car detention	<input type="checkbox"/> Consent if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Canine removed from vehicle or used to search	<input type="checkbox"/> Search of person was conducted * Complete BASIS FOR SEARCH
<input type="checkbox"/> Firearm pointed at person	<input type="checkbox"/> Search of person was conducted * Complete BASIS FOR SEARCH
<input type="checkbox"/> Firearm discharged or used	<input type="checkbox"/> Specify if consent was given: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Electronic control device used	<input type="checkbox"/> Search of property was conducted * Complete BASIS FOR SEARCH
<input type="checkbox"/> Impact projectile discharged or used (e.g., blunt impact projectile, rubber bullet, or bean bag)	<input type="checkbox"/> Property was seized * Complete PROPERTY SEIZURE
<input type="checkbox"/> Canine bit or咬 person	<input type="checkbox"/> Vehicle impounded
	<input type="checkbox"/> * Ammonition or written statement obtained from subject
	<input type="checkbox"/> None

BASIS FOR SEARCH: (Only applicable when the Actions Taken include "Search of person" or "Search of property" was conducted. Select all that apply.)

V. ACTIONS TAKEN

Consent given

Officer safety/utility of others

Search warrant

Condition of parole/probation/PWCC/mandatory supervision

Suspended weapons

Visible contraband

Odor of contraband

Canine detection

Evidence of crime

Incident to arrest

Exigent circumstances-emergency

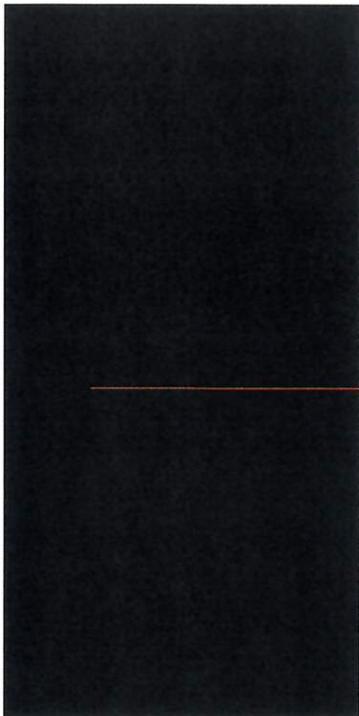
Vehicle inventory (for search of property only)

* **“Suspected violation of school policy”**

BASIS FOR SEARCH – BRIEF DESCRIPTION: (Provide a brief explanation (200 character maximum). This explanation should provide detail beyond the general data request selected above. Do not include any personally identifying information of the person stopped or unique identifying information of any officer in the description. When the Basis for Search is "Condition of parole/probation/PWCC/mandatory supervision," this description is not required.)



15



STATE OF CALIFORNIA
CIVILIAN
(Only Section)

DEPARTMENT OF JUSTICE
PAGE 4 of 4

STOP DATA COLLECTION FORM

Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519.4, and Gov. Code 12525.5

BASIS FOR PROPERTY SEIZURE: (Only applicable when the Actions Taken include "Property was seized")

TYPE OF PROPERTY SEIZURE: (Only applicable when the Actions Taken include "Property was seized")

VII. PROPERTY SEIZURE

Select all that apply:

<input type="checkbox"/> Seizure as allowed by law/enactment	<input type="checkbox"/> Firearms	<input type="checkbox"/> Drug paraphernalia
<input type="checkbox"/> Contraband	<input type="checkbox"/> Ammunition	<input type="checkbox"/> Suspected stolen property
<input type="checkbox"/> Evidence	<input type="checkbox"/> Weapon(s) other than firearm	<input type="checkbox"/> Cell phone(s) or electronic device(s)
<input type="checkbox"/> Impound of vehicle	<input type="checkbox"/> Drugs/narcotics	<input type="checkbox"/> Vehicle
<input type="checkbox"/> Abandoned property	<input type="checkbox"/> Alcohol	<input type="checkbox"/> Other contraband or evidence
<input type="checkbox"/> * Suspected violation of school property	<input type="checkbox"/> Money	

VIII. CONTRABAND / EVIDENCE

CONTRABAND/EVIDENCE DISCOVERED (IF ANY): (Include any items discovered in plain view or as the result of a search)

Select all that apply:

<input type="checkbox"/> None	<input type="checkbox"/> Drugs/narcotics	<input type="checkbox"/> Suspected stolen property
<input type="checkbox"/> Firearms	<input type="checkbox"/> Alcohol	<input type="checkbox"/> Cell phone(s) or electronic device(s)
<input type="checkbox"/> Ammunition	<input type="checkbox"/> Money	<input type="checkbox"/> Other contraband or evidence
<input type="checkbox"/> Weapon(s) other than firearm	<input type="checkbox"/> Drug Paraphernalia	

IX. RESULT OF STOP:

Select all that apply:

No action

Warning (verbal or written)

Code section(s) related to warning: _____

Citation for infraction

Code section(s) related to citation for infraction: _____

Infield Cite and Release

Code section(s) related to cite and release: _____

Out-of-area arrest pursuant to outstanding warrant

Out-of-area arrest without warrant

Code section(s) related to arrest: _____

Field interview card completes

Noncriminal transport or caretaking transport (providing transport by officer, arranger, or another agency)

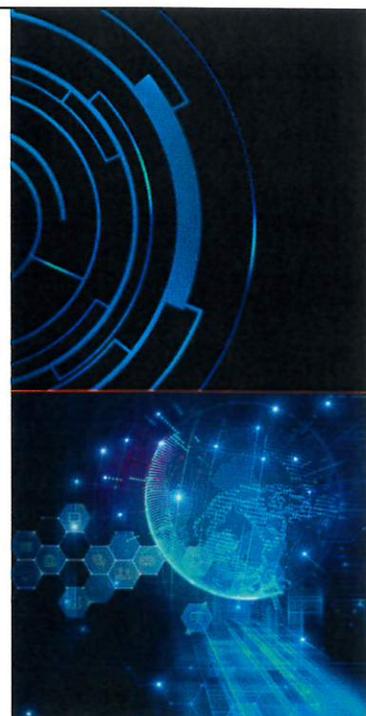
Contacted parent/legal guardian or other person responsible for the minor

Psychiatric hold (Welfare & Institutions Code sections 5150 and/or 5152.2)

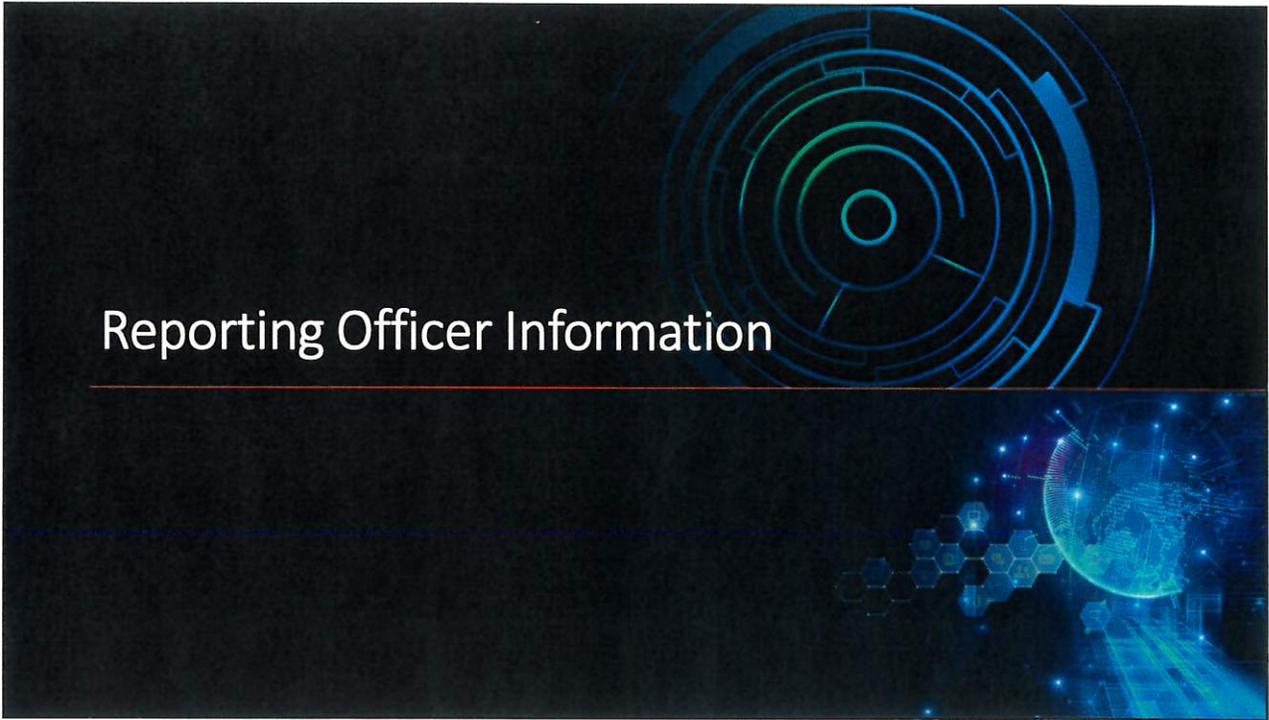
Contacted U.S. Department of Homeland Security (e.g., Immigration and Customs Enforcement, Customs and Border Protection)

* **Referral to school administrator**

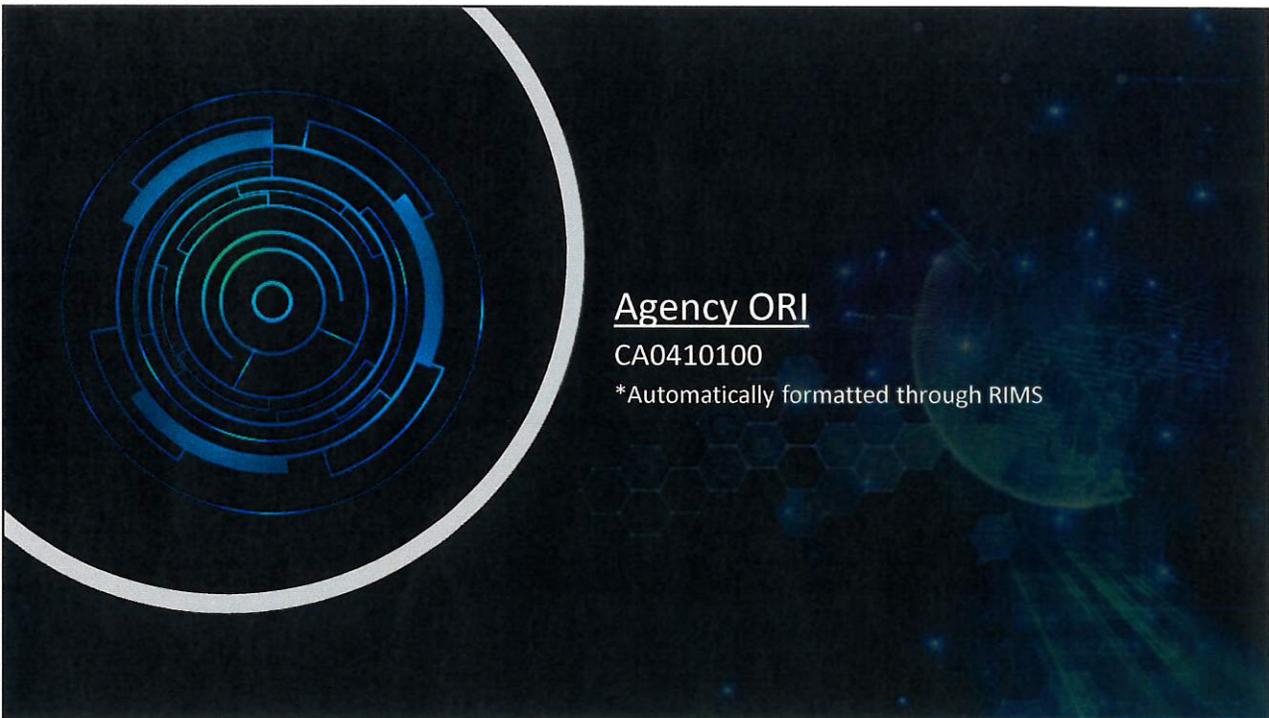
* **Referral to school counselor or other support staff**



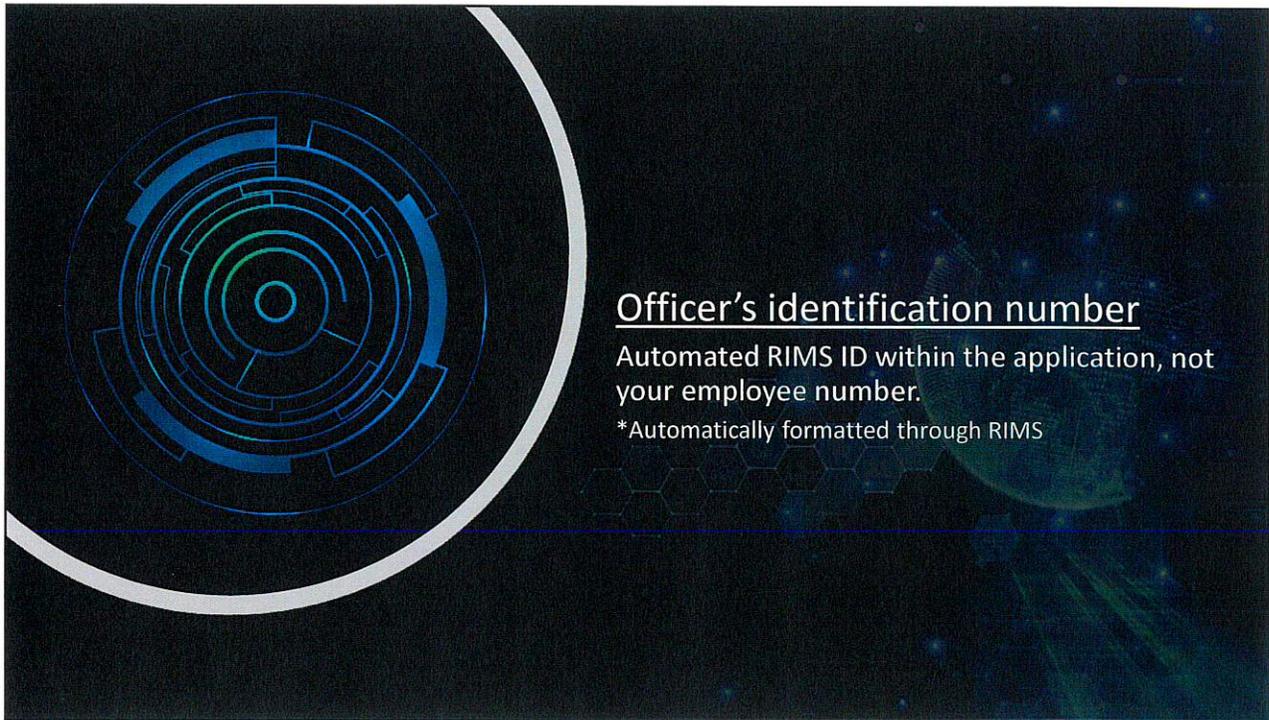
16



17



18



Officer's identification number
Automated RIMS ID within the application, not your employee number.
*Automatically formatted through RIMS

19



Years of experience

- Based on total number of years as a peace officer
- To include service years from all states
- Also includes time served as a reserve officer

*Automatically formatted through RIMS

20

Scenario 1:

Officer Jetson worked for Orbit City PD for 6 years. She then joined the military for 4 years. After she left the military, Officer Jetson worked for Jupiter PD for 3 years.

How many years of experience will Officer Jetson report to DOJ?

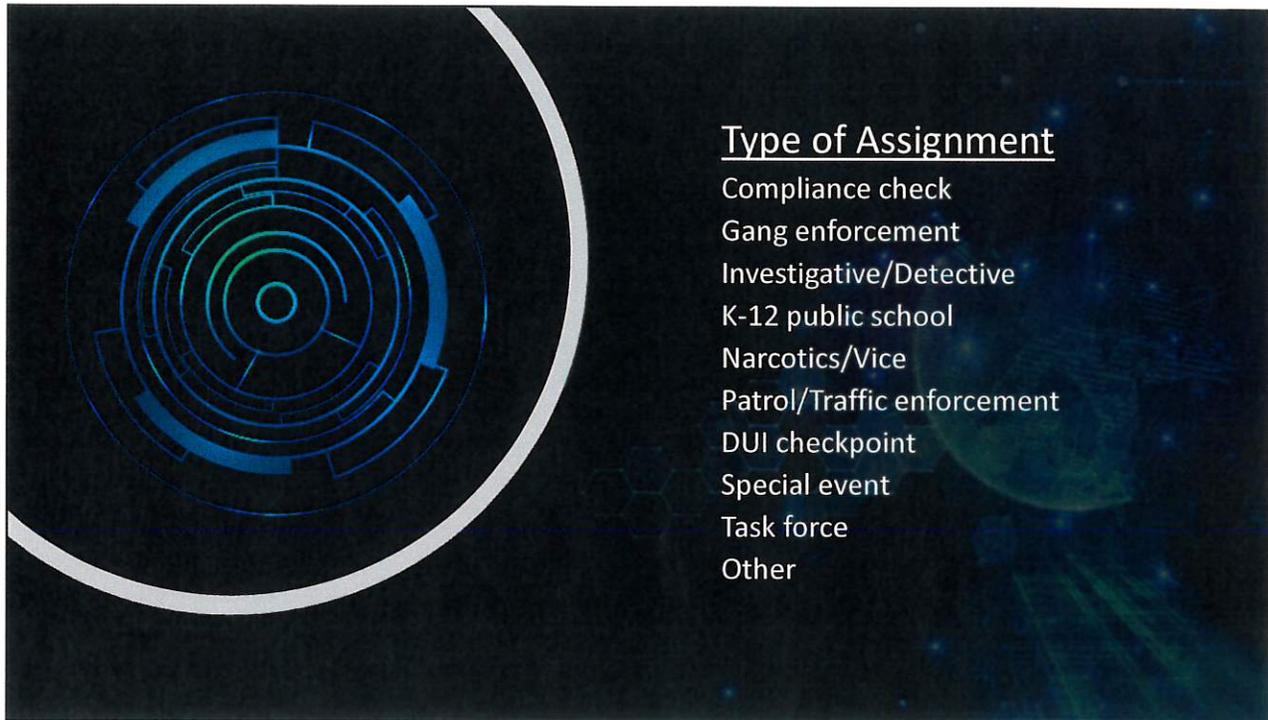
21

Answer:

9 years

Military years do not apply, only years as a sworn officer will count towards years of service.

22



23

Who submits the report when multiple officers are involved?

- Only one officer submits the report
- The officer with the highest level of engagement will submit the report
- Must include all actions taken, including those of the other officers on scene.

24

Who submits the report when multiple agencies are involved?

- The primary agency (agency with investigative jurisdiction based on local, county, or state law or applicable interagency agreement or memoranda of understand) will submit the report.
- Agencies must decide which agency is primary
- If a non-reporting agency is involved, the reporting agency must submit the stop data even if they are not the primary agency.

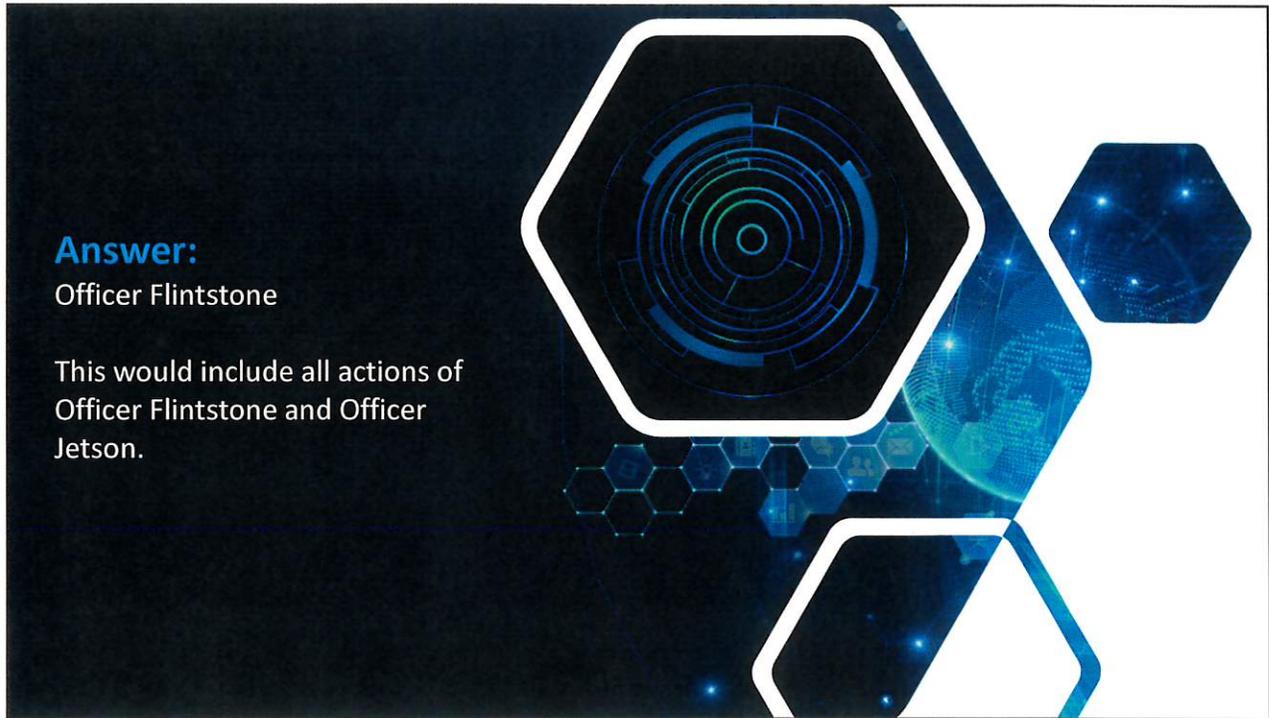
25

Scenario 2:

Officer Flintstone stops a person, conducts a search that results in the discovery of narcotics, and places that person under arrest, but Officer Jetson handcuffs the person and takes the person into custody.

Who is responsible for completing the stop data report?

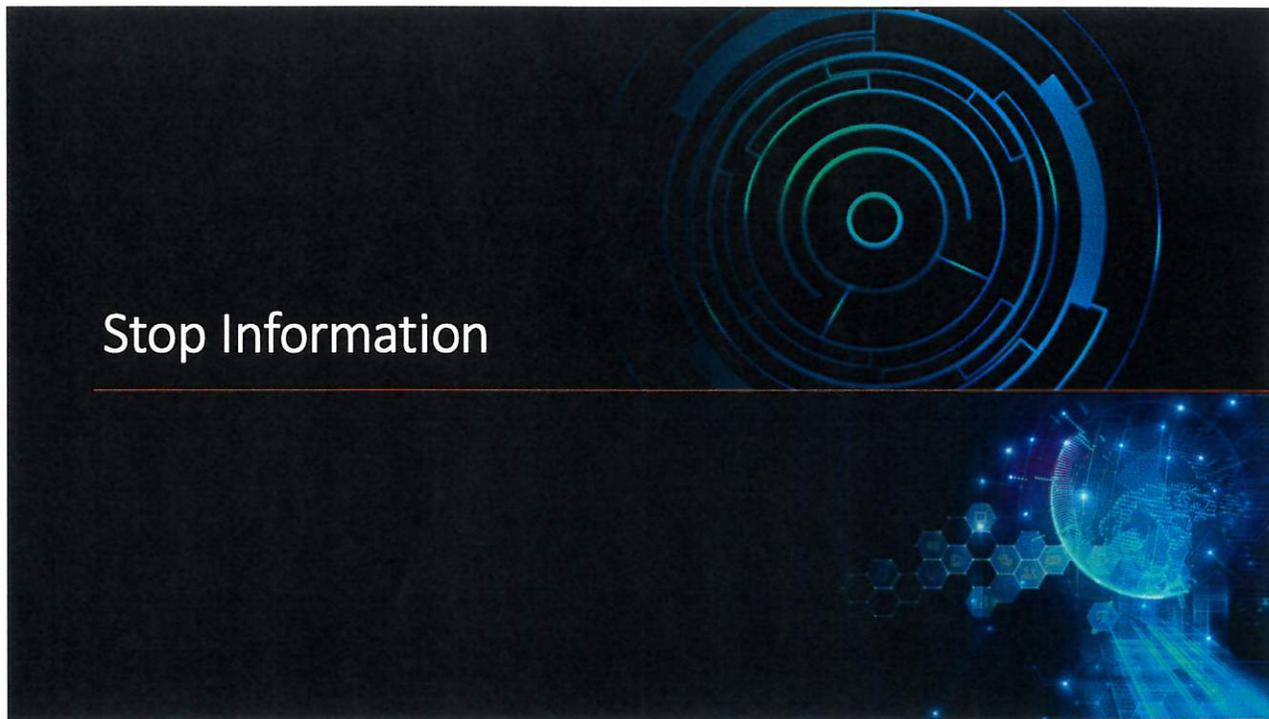
26



Answer:
Officer Flintstone

This would include all actions of
Officer Flintstone and Officer
Jetson.

27



Stop Information

28



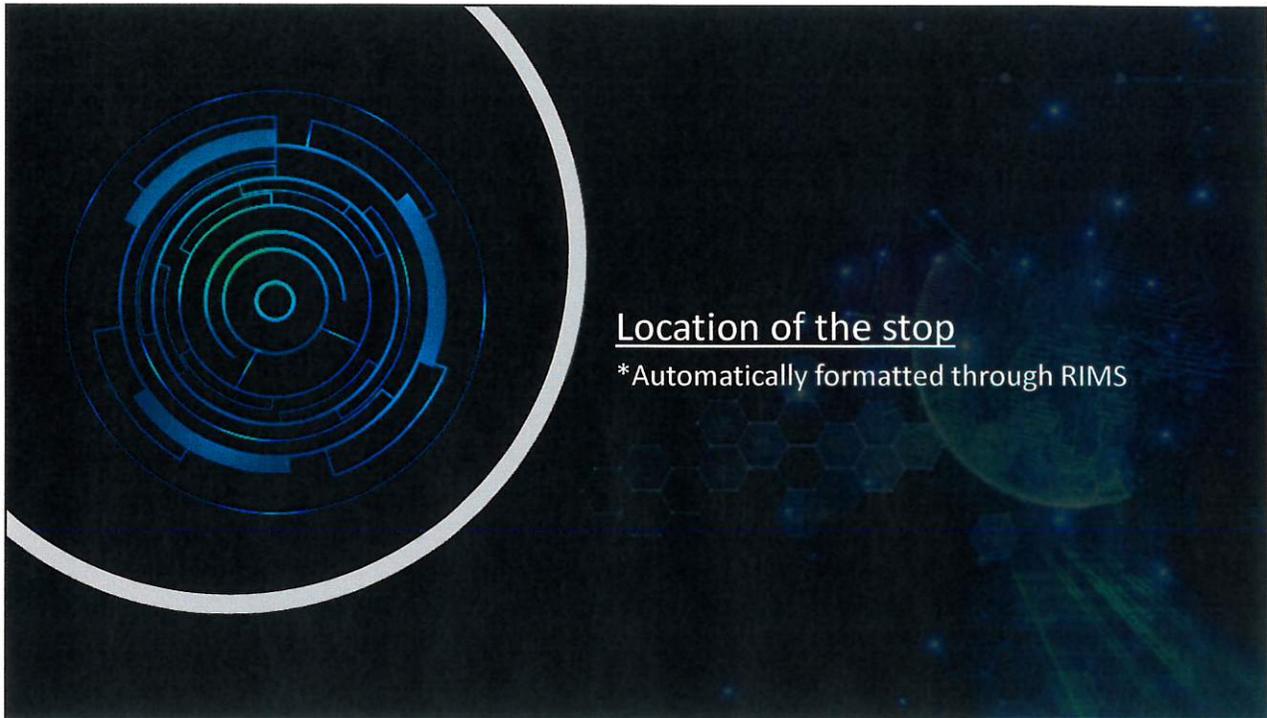
29

What is the duration?

Officer Jetson pulls over the subject at 1300 hours for suspected DUI. Officer Flintstone arrives on scene at 1315 hours to conduct the FSTs. Officer Flintstone then takes the driver into custody at 1345 hours.

The duration of the stop is 45 minutes.

30



31

Where did it happen?

Do not include specific addresses.

Use:

- Block number and street name
- Closest intersection
- Highway or closest highway exit

(Listed in order of preference)

*If an exact address is used in the incident, RIMS will reformat the location in the background and send the hundred block during the submission.

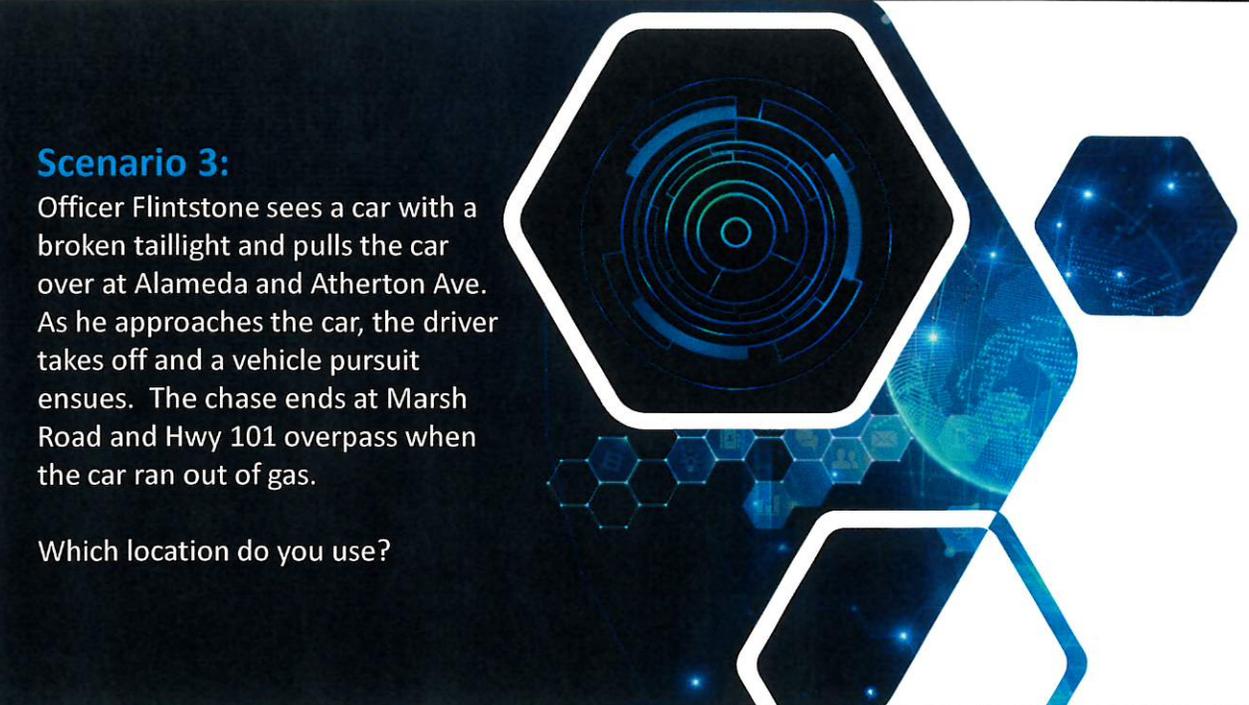
32



Where did it happen?

If the stop takes place at more than one location, use the location where the greatest amount of interaction occurred.

33



Scenario 3:
Officer Flintstone sees a car with a broken taillight and pulls the car over at Alameda and Atherton Ave. As he approaches the car, the driver takes off and a vehicle pursuit ensues. The chase ends at Marsh Road and Hwy 101 overpass when the car ran out of gas.

Which location do you use?

34

Answer:
Marsh Road and Hwy 101 overpass

This is where the person was detained and searched and where most of the actions taken by the officer took place.

35

Did it happen at a K-12 public school?

The specific school name must be used only if the stop took place on school property AND involves a student. This includes parking lots, fields, etc.

*Local public schools are programmed into RIMS and will appear in a dropdown menu. Private schools are not included in this rule.

This does not include field trips, public sidewalks, or bus stops near the school. These locations are used with standard reporting only.

This also does not include stops where the driver pulls into a school parking lot during a traffic stop.

36

Did it happen at a K-12 public school?

If a student is stopped at a school that is different from the school where they are enrolled, that would still fall under these circumstances and would be reported with the school location.

If someone is stopped on school grounds that is NOT a student (parent, teacher, administrator, etc.), regular reporting would be followed.



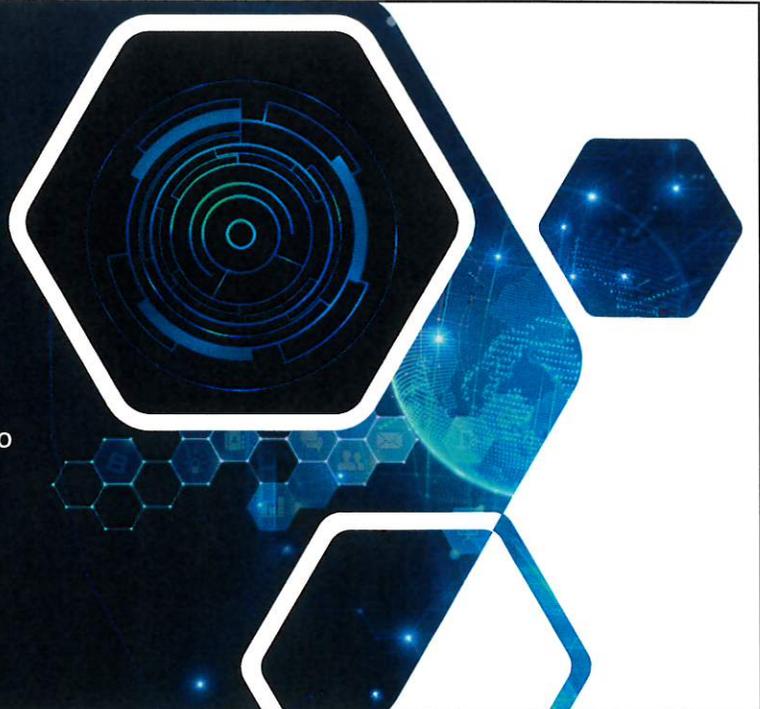
37

Scenario 4:

Officer Flintstone sees a student, Linda, with a can of spray paint and watched Linda put it in a backpack. School rules prohibit spray paint on campus

Officer Flintstone approaches Linda and asks about the spray paint. Linda turns it over to the officer who then escorts Linda to the principal's office.

Would this be a reportable stop?



38

Answer:

Yes.

This is a stop of a student at a k-12 school for suspected violation of school policy.

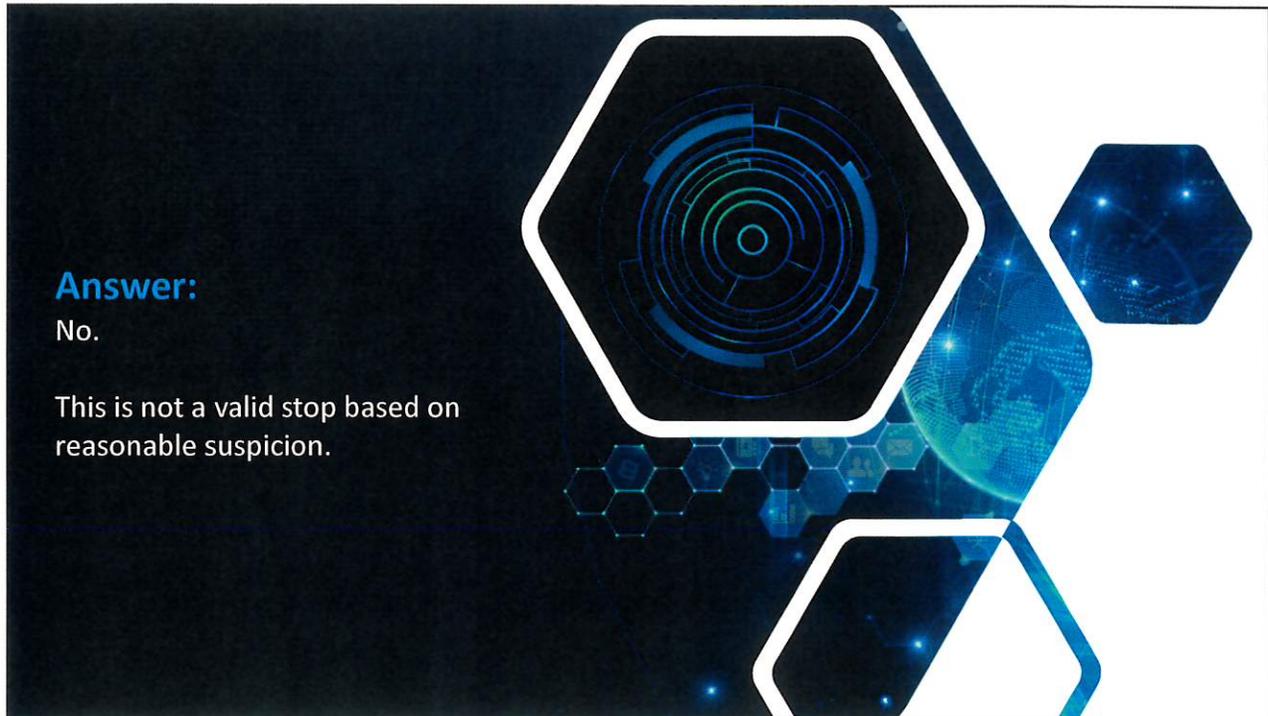
39

Scenario 5:

Officer Flintstone sees a student, Linda, talking loudly and laughing with a group of kids near their locker. Officer Flintstone waits until the students go to class and then searched the locker, finding marijuana.

Would this be a reportable stop?

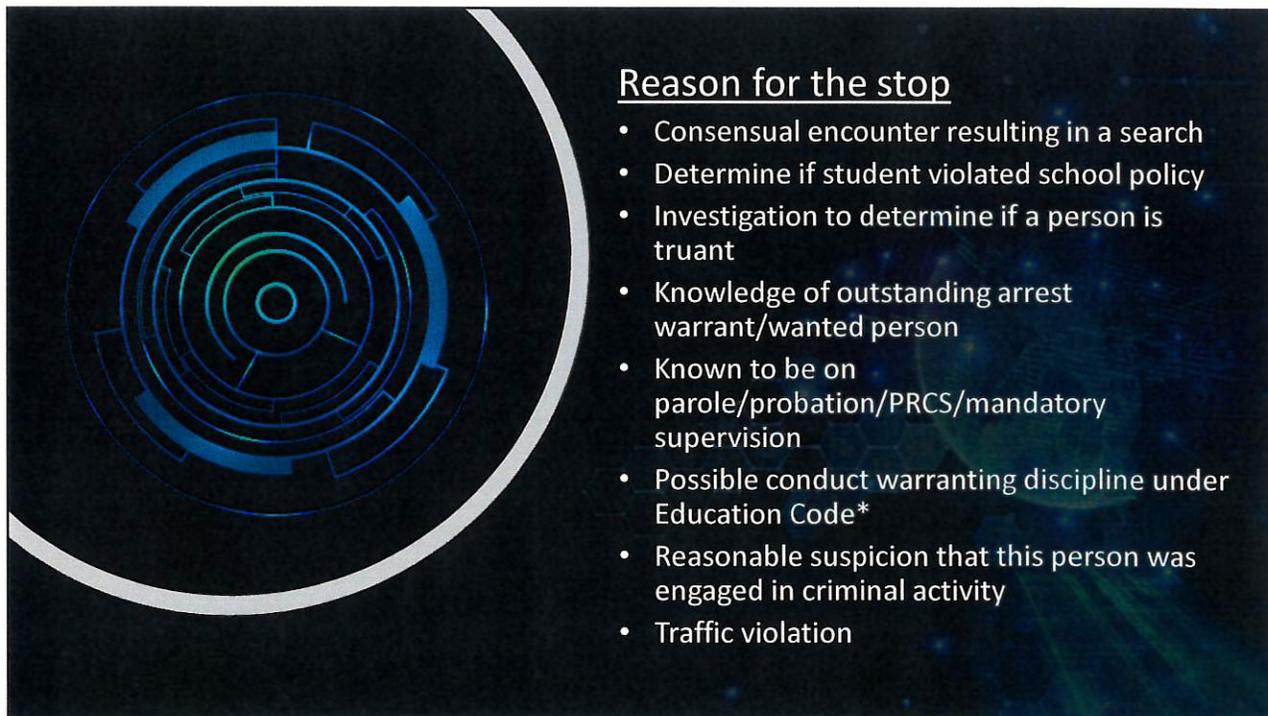
40



Answer:
No.

This is not a valid stop based on reasonable suspicion.

41



Reason for the stop

- Consensual encounter resulting in a search
- Determine if student violated school policy
- Investigation to determine if a person is truant
- Knowledge of outstanding arrest warrant/wanted person
- Known to be on parole/probation/PRCS/mandatory supervision
- Possible conduct warranting discipline under Education Code*
- Reasonable suspicion that this person was engaged in criminal activity
- Traffic violation

42

Was the reason for the stop associated with a violation of an education code?

If the reason of the stop is associated with an education code violation, that violation must be included.

*Education codes as well as their subsections are programmed into RIMS and will appear in a dropdown menu.

43

Scenario 6:

Officer Jetson pulls over a suspicious vehicle full of boxes in a neighborhood with a recent spike of residential burglaries. He collects the driver's ID, has him step out of the vehicle, and conducts a search. He runs the person through CLETS and is notified that he is on probation.

Does the officer report this data as known probation or parole status?

44

Answer:

No.

The officer pulled over the subject and conducted the search before they knew the subject's probation status.

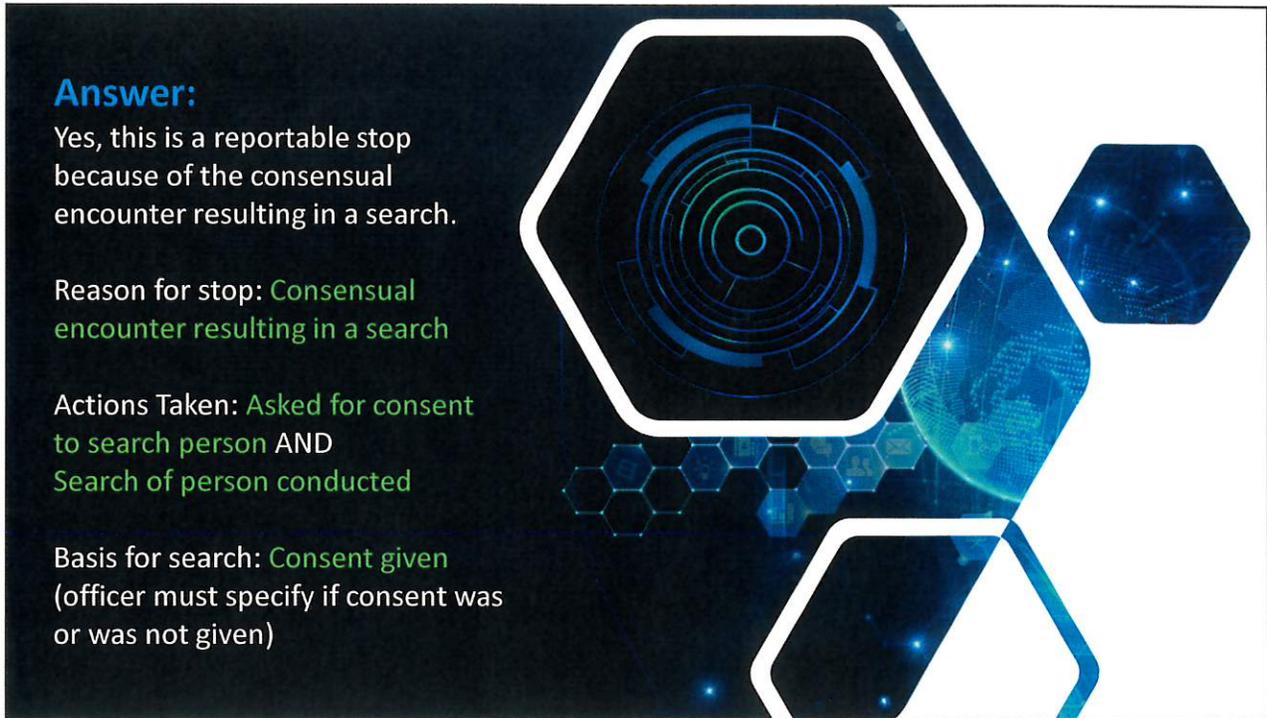
45

Scenario 7:

Officer Jetson approaches Kari and explains there have been several burglaries in the area. Officer Jetson asks Kari if she has seen any suspicious activity and they discuss issues in the neighborhood for 3-5 minutes. During the conversation, Officer Jetson notices Kari's pupils are dilated and there are noticeable injection sites on her arms. Officer Jetson then asks Kari for consent to search and she agrees.

Would Officer Jetson report this stop?

46



Answer:
Yes, this is a reportable stop because of the consensual encounter resulting in a search.

Reason for stop: **Consensual encounter resulting in a search**

Actions Taken: **Asked for consent to search person AND Search of person conducted**

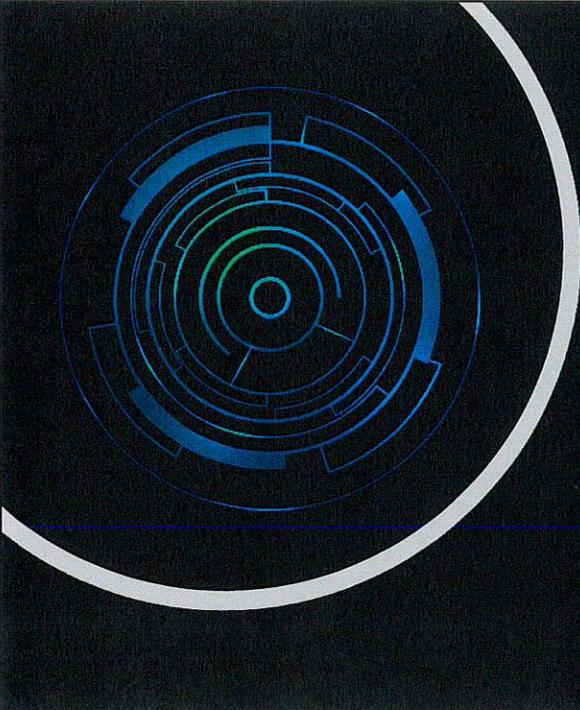
Basis for search: **Consent given (officer must specify if consent was or was not given)**

47



Response to call for service
Was the stop a result of a call for service?

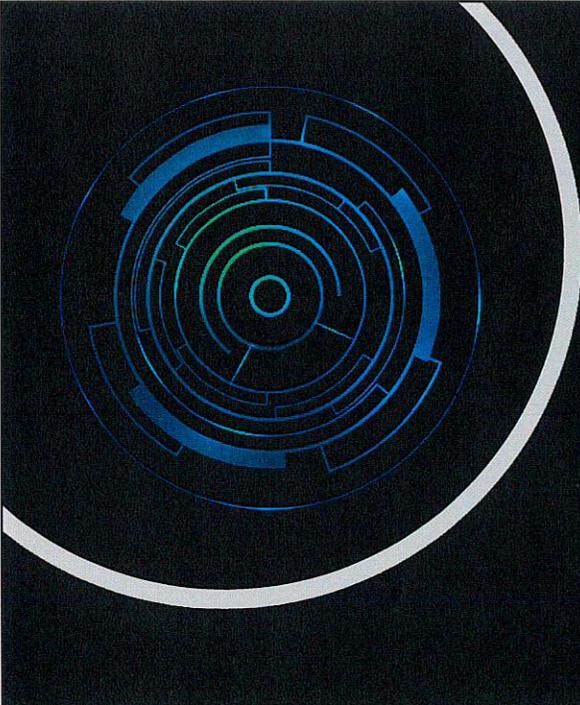
48



Actions taken during the stop

- Admission or written statement obtained from student
- Asked for consent to search person
- Baton or other impact weapon used
- Canine bit or held the person
- Canine removed from vehicle or used to search
- Chemical spray used (e.g., pepper spray, mace, or other chemicals)
- Curbside detention

49



Actions taken during the stop (cont.)

- Electronic control device used
- Field sobriety test conducted
- Firearm discharged or used
- Firearm pointed at person
- Handcuffed or flex cuffed
- Impact projectile discharged or used (e.g., blunt impact projectile, rubber bullets, or bean bags)
- Other physical or vehicle contact
- Patrol car detention

50



Actions taken during the stop (cont.)

- Person photographed (Not body cam)
- Person removed from vehicle by order
- Person removed from vehicle by physical contact
- Property was seized
- Search of person conducted
- Search of property conducted
- Vehicle impounded
- None

When submitting the stop data, check all actions that apply.

51

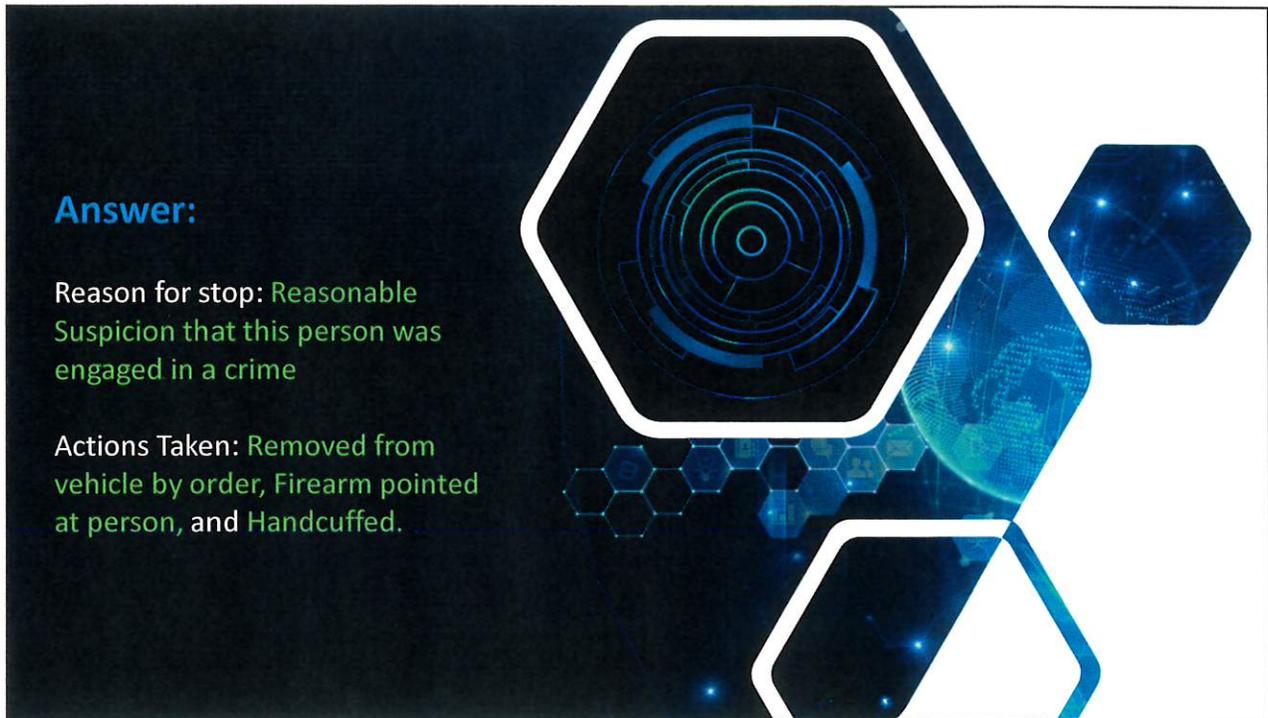
Scenario 8:
 Officer Flintstone is conducting a routine patrol when a vehicle runs a stop sign. He suspected it was done in order to avoid police contact. Officer Flintstone pursues the vehicle, runs a records check, and determines the car is stolen. Officer Flintstone then conducts a felony vehicle stop. The driver is arrested.

What is the reason for the stop?

What actions were taken?



52



Answer:

Reason for stop: Reasonable Suspicion that this person was engaged in a crime

Actions Taken: Removed from vehicle by order, Firearm pointed at person, and Handcuffed.

53



What if a search was conducted?

The basis of the search must also be included.

- Consent given
- Canine detection
- Evidence of a crime
- Officer safety/safety of others
- Search warrant (actions taken against those not listed in the warrant)
- Incident to arrest
- Condition of parole/probation
- Suspected weapons
- Visible contraband
- Odor of contraband
- Vehicle inventory
- Exigent circumstances/emergency
- Suspected violation of school policy

54

Scenario 9:

Officer Jetson serves a search warrant at a residence for stolen property. In the residence, Officer Jetson locates Linda hiding in a closet. Linda, who is not named on the warrant is ordered out at gunpoint.

Does Officer Jetson report the stop since Linda is not mentioned on the warrant?

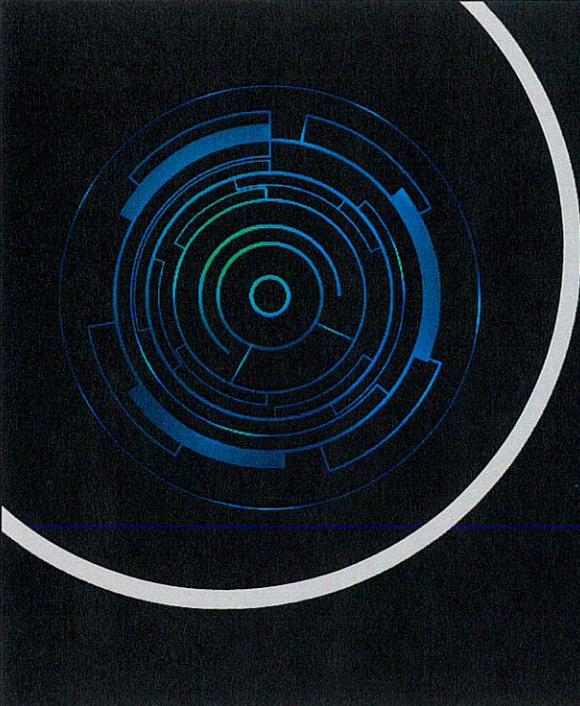
55

Answer:

Yes.

If the search warrant is issued only for the search of a residence (to search for stolen property) and does not include authority to search persons referenced in the warrant, all persons within the residence are subject to stop data reporting if they are not free to leave and/or actions are taken against them.

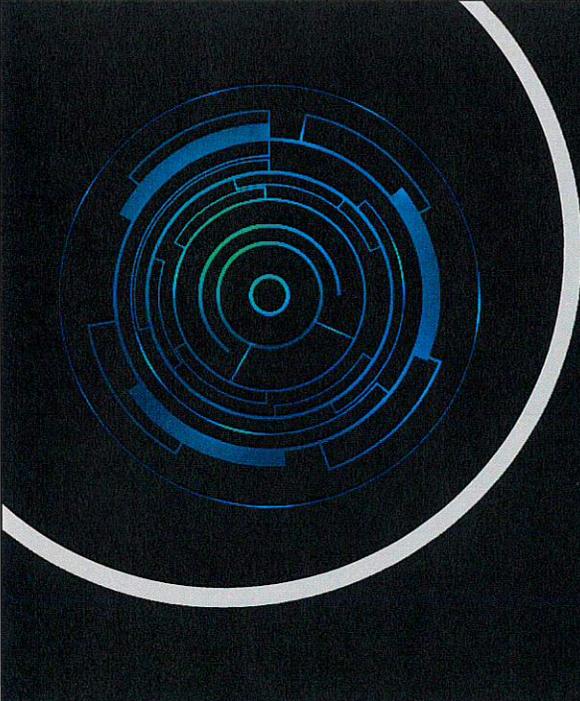
56



Contraband or evidence discovered

- Alcohol
- Ammunition
- Cell phone or electronic device
- Drug paraphernalia
- Drugs/narcotics
- Firearms
- Money
- Other contraband or evidence
- Suspected stolen property
- Weapons other than firearms
- None

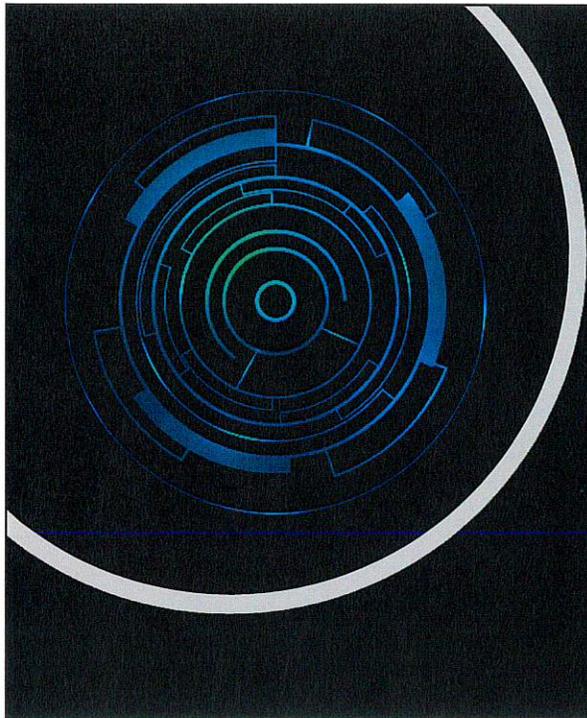
57



Property seized

- Alcohol
- Ammunition
- Cell phone or electronic device
- Drug paraphernalia
- Drugs/narcotics
- Firearms
- Money
- Other contraband or evidence
- Suspected stolen property
- Vehicle
- Weapons other than firearms

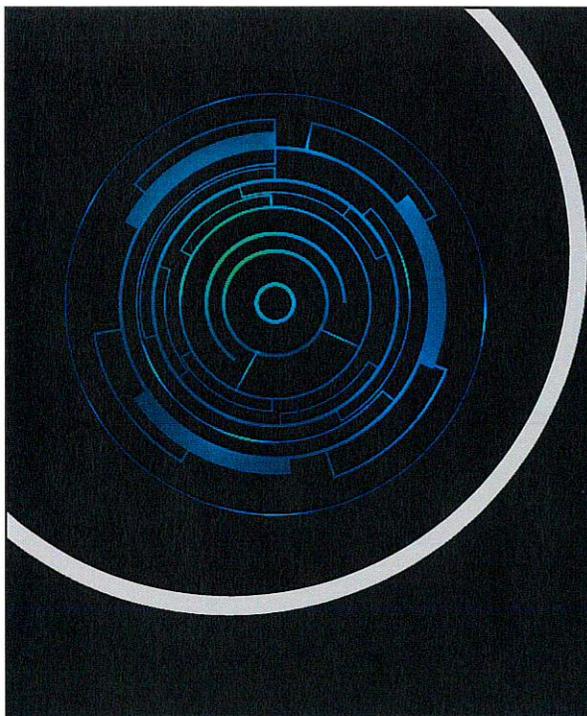
58



Result of the stop

- Citation for infraction
- Contacted U.S Department of Homeland Security
- Contacted parent/legal guardian or other person responsible
- Custodial arrest pursuant to outstanding warrant
- Custodial arrest without warrant
- Field interview card completed
- In-field cite and release

59



Result of the stop (cont.)

- Noncriminal transport or caretaking transport
- Psychiatric hold
- Referral to school administrator
- Referral to school counselor or other support staff
- Warning
- No action

When submitting the stop data, check all results that apply.

60

Scenario 10:

- A) Officer Jetson stops a speeding car and learns the vehicle registration is expired and the driver's license is suspended. Officer Jetson asks the passenger in the backseat to exit the car so it can be impounded.
- B) Officer Flintstone stops a speeding car and orders the passenger in the backseat to exit the car and sit on the curb while questioning the driver. The car is not impounded.

Which of these scenarios is reportable with respect to the passenger?

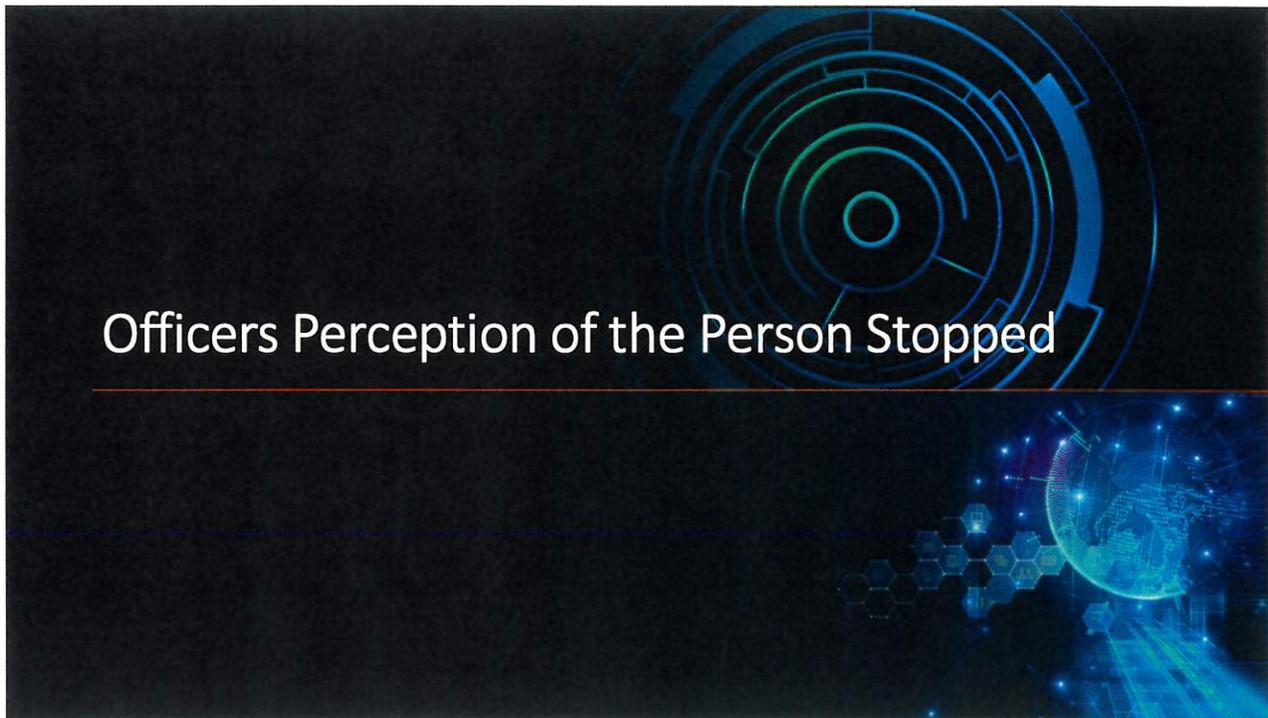
61

Answer:

No, for A, because it was a vehicle impound and no other actions were taken towards the passenger.

Yes, for B, because the passenger was detained on the curb while the driver was questioned.

62

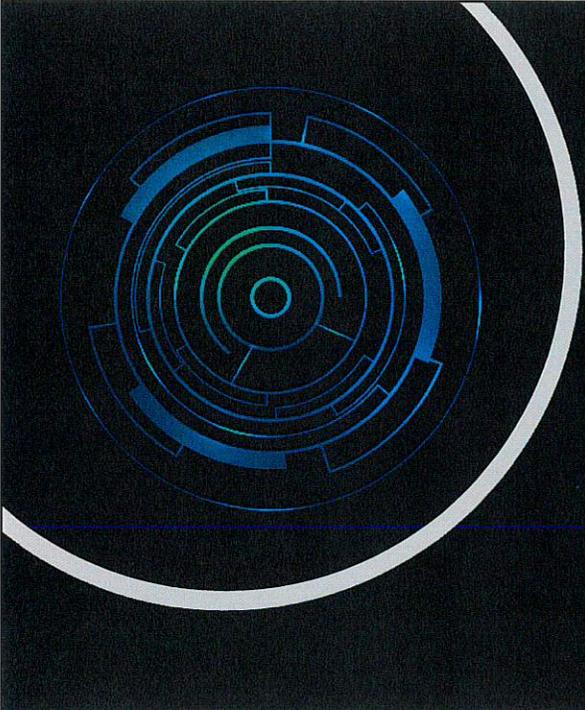


63

When does perception occur?

- The information must be based upon the officer's personal observation at whatever point in the encounter the officer is able to make such an observation depending on the circumstances.

64

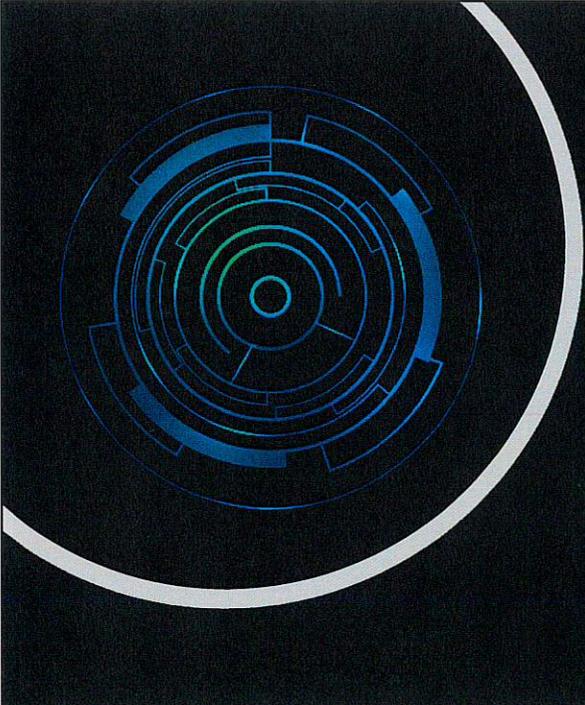


Perceived Race or Ethnicity

- Asian
- Black/African American
- Hispanic/Latino
- Middle Eastern or South Asian
- Native American
- Pacific Islander
- White

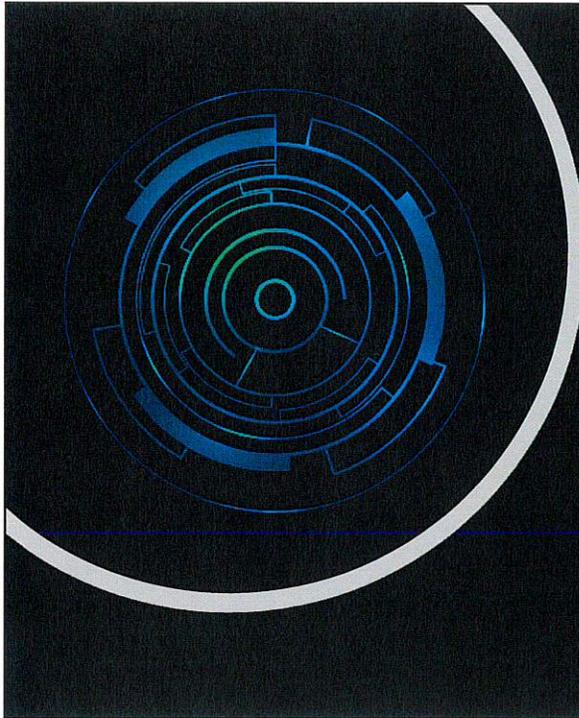
When submitting the stop data, check all races that apply.

65



Perceived Age
Fillable field within RIMS

66

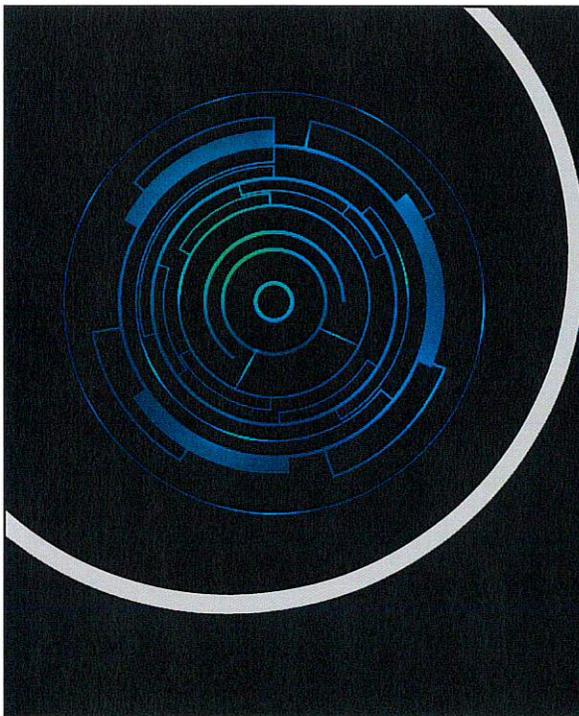


Perceived Gender

- Male - cis gender man/boy
- Female - cis gender woman/girl
- Transgender man/boy
- Transgender woman/girl
- Gender non confirming/nonbinary

When submitting the stop data, officers can select gender non confirming/nonbinary and one other option.

67

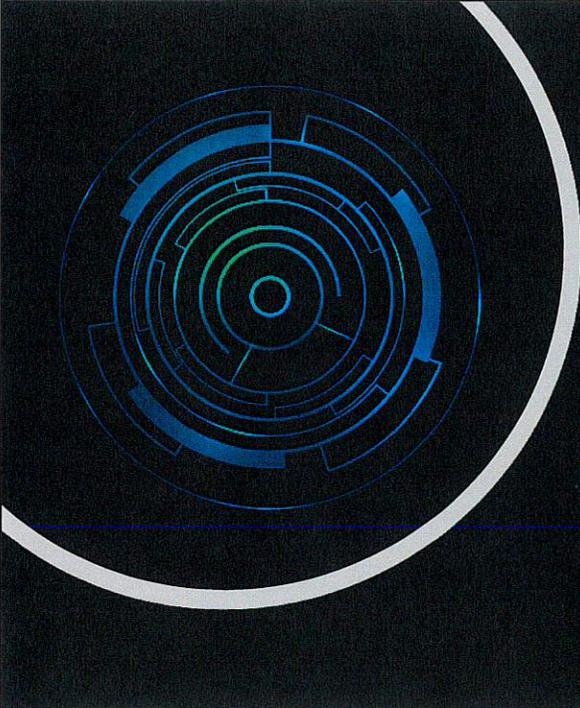


Perceived to be LGBT

Yes or no response only

If the perceived gender selected is transgender man/boy or transgender woman/girl, perceived LGBT must be marked YES. RIMS will automatically check this box.

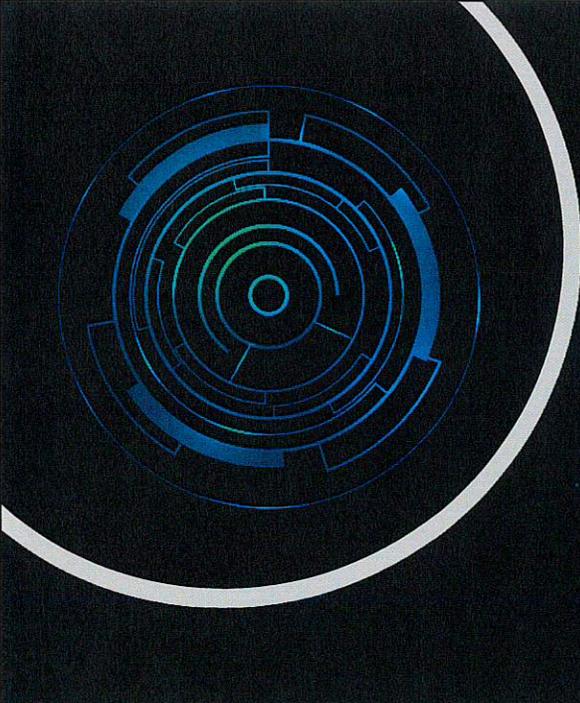
68



Perceived limited/no English fluency
Yes or no response only

This does not apply to a person that is temporarily unable to speak English due to intoxication.

69



Perceived or Known Disability

- Blind or limited vision
- Deafness or difficulty hearing
- Disability related to hyperactivity or impulsive behavior (for students)
- Intellectual or developmental disability, including dementia
- Mental health condition
- Other disability
- Speech impairment or limited use of language
- None

When submitting the stop data, check all races that apply.

70

Scenario 11:

Officer Flintstone radios in "I have visual on an adult Hispanic male, 20's, appears to be acting as a lookout..." Officer Flintstone then stops the person and runs them through CLETS looking for any warrants. The officer learns the person is a 30 year-old White female adult.

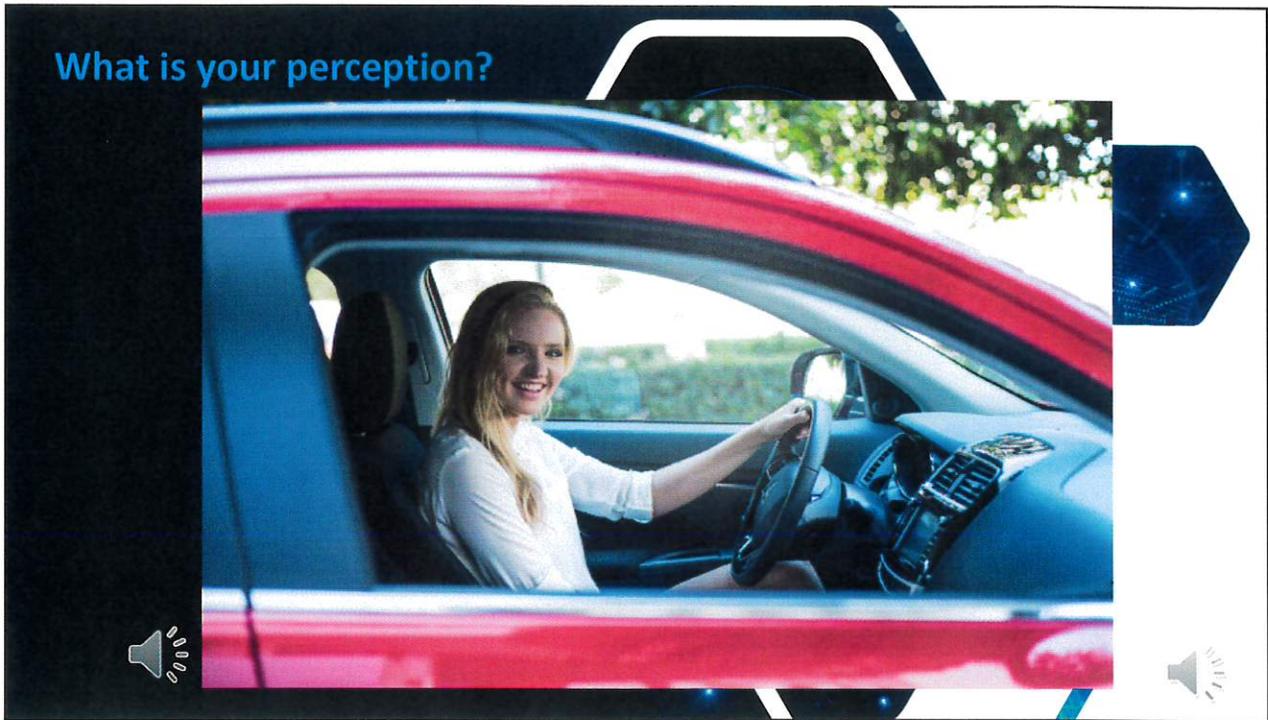
What information would the officer report?

71

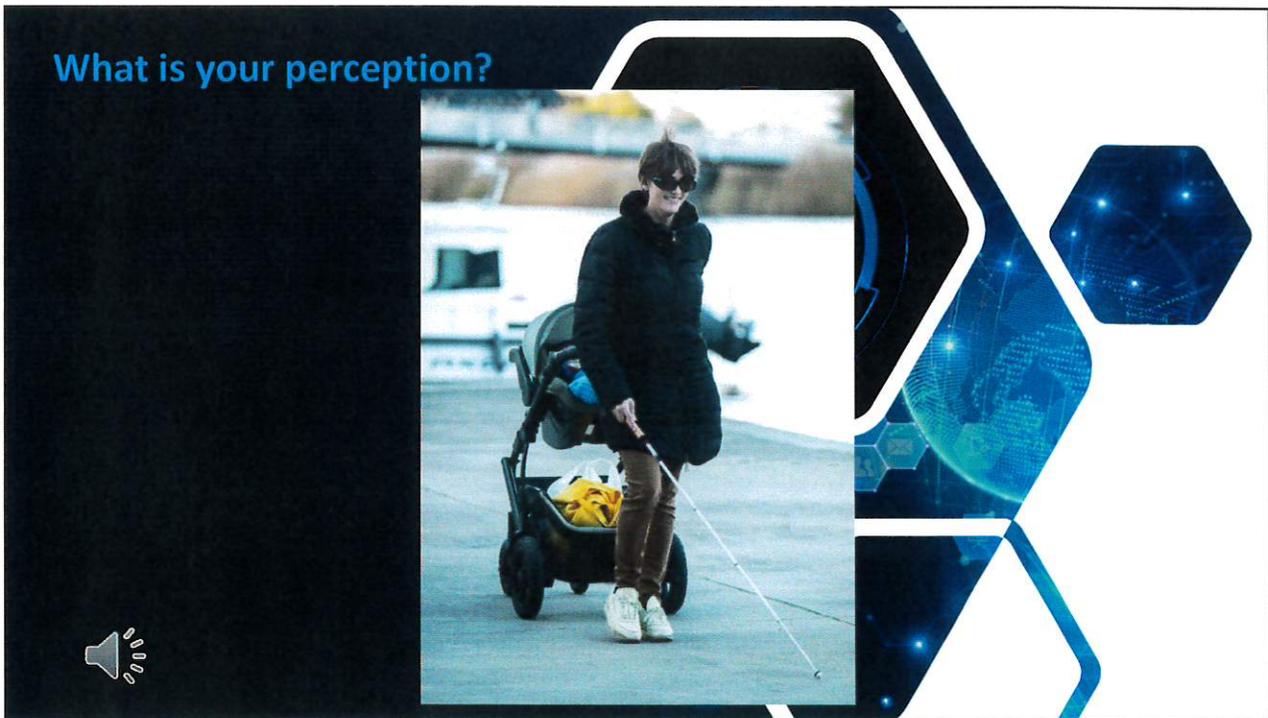
Answer:

The information that was initially broadcast by the officer (Adult Hispanic Male, 20's) since it was their initial perception of the person.

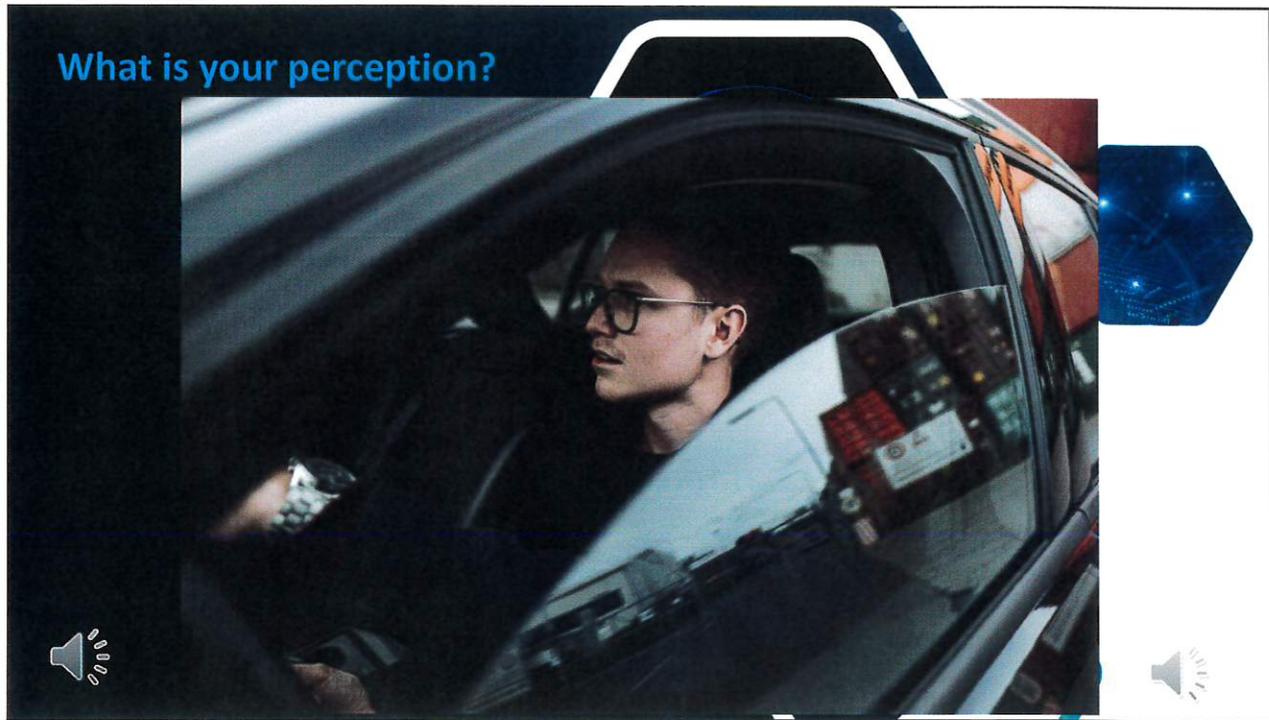
72



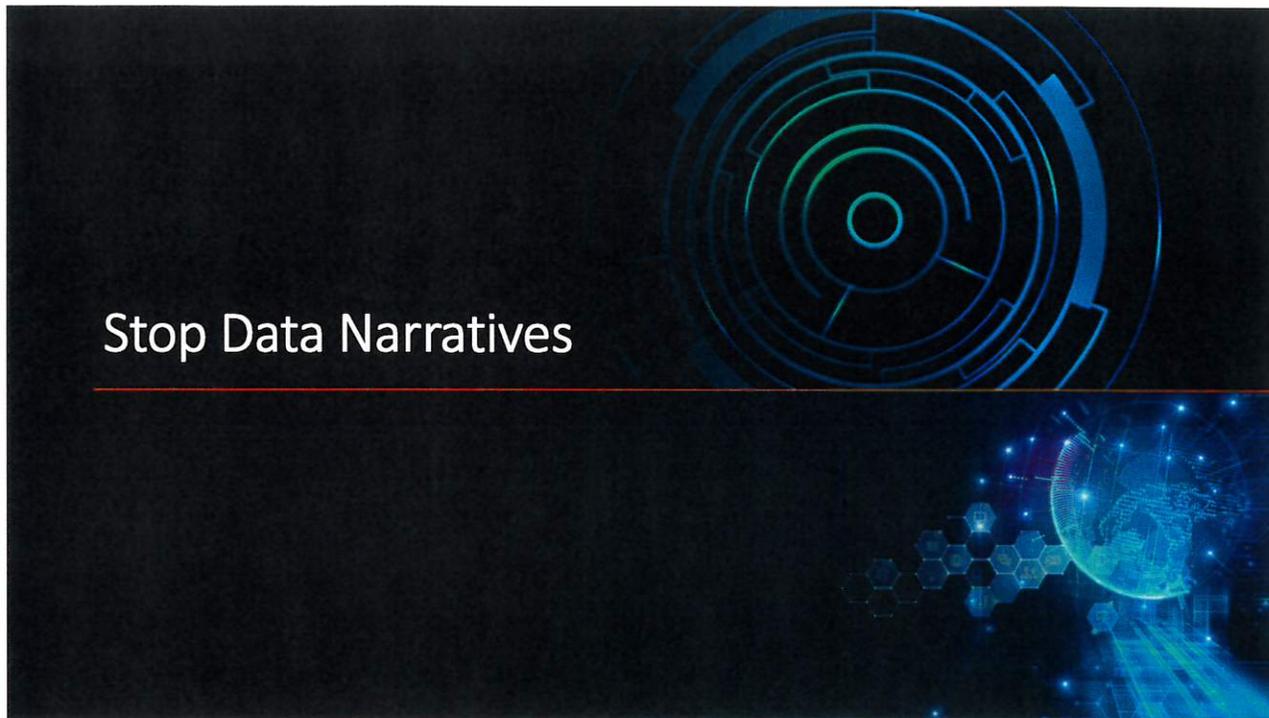
73



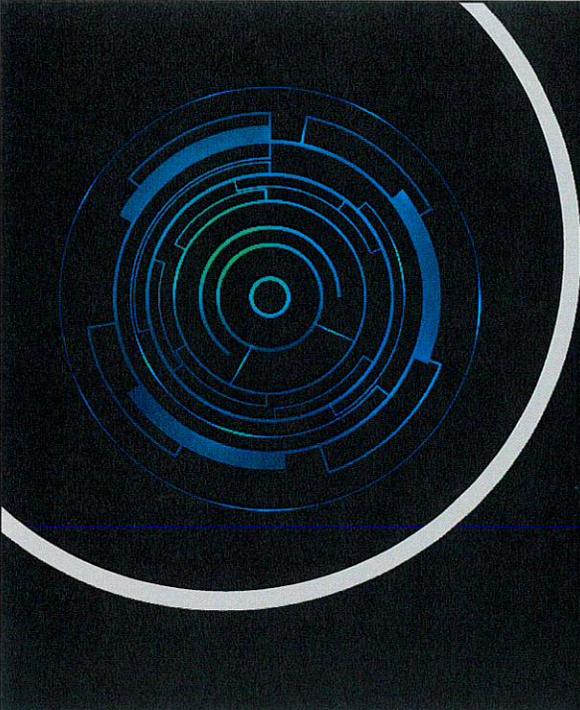
74



75

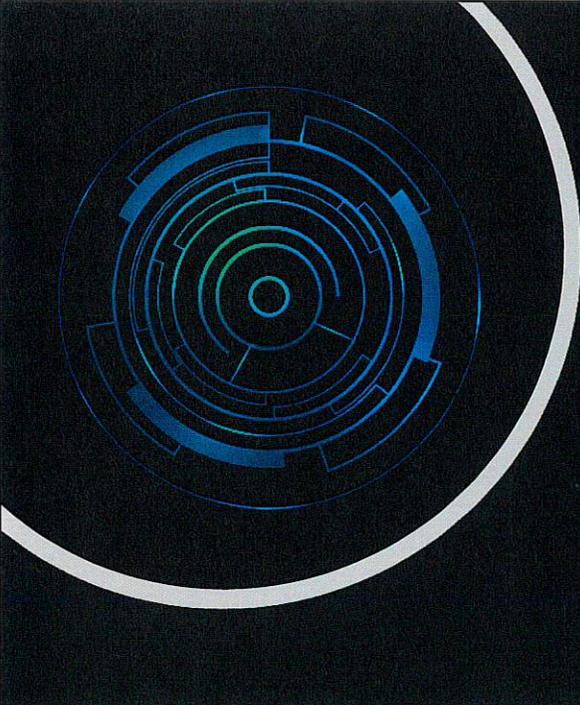


76



- Narratives have a 250 character limit (including spaces).
- The narrative should include the basis for the stop.
- The narrative should include the basis for the search if one was conducted.
- The narrative should only include plain language as this information is available to the public.
- Acronyms/penal codes/vehicle codes/10-codes should not be used.

77



- No personal identifying information (PII)/unique identifying information(UII) should be used. This includes information regarding the person that was stopped as well as the officer that was involved.
- Per Government Code Section 12525.5 subdivision (b), it is the sole responsibility of the law enforcement agency to ensure any PII is not contained within the narrative.
- Information in a narrative should not be a duplicate of what has already been selected in other fields.

78



- If the “search of a person or property conducted” option is chosen during the actions taken, a search narrative box will be created along with the basis for the search.
- Both the search narrative and basis for search are required to submit the stop data.
- Information in a search narrative should not be a duplicate of what has already been selected in other fields.

79

But what about a traffic stop?

Narrative example:

I observed a vehicle traveling at a high rate of speed on Southdown Rd. My radar detected a speed of 80mph. I initiated a traffic enforcement stop and the vehicle yielded. After a brief encounter, I issued a speeding citation.



80

Scenario 12:

Officer Jetson is dispatched to a residence because a neighbor called 911, stating that they heard arguing and the sound of glass breaking. The officer arrives, knocks on the door, and when a child opens the door, the officer see Linda Stevens assaulting Kari Pechetti. Officer Jetson detains Linda and attempts to put her in handcuffs. While doing so, he sees Linda reach inside her jacket, exposing a gun. Officer Jetson then searches Linda and removes the gun. Kari was also detained but not arrested, only interviewed.

81

Narrative #1:

Officer Jane and I went to Linda Stevens' house at 1016 San Raymundo Rd. again. She is a drunk who keeps hitting her neighbor, Kari. I am so tired of making house calls. Upon arrival, Linda was assaulting Kari.

What is wrong with this narrative?

82

Answer:

It lists the residence location

It identifies the officer, person stopped, and the victim.

Uses inappropriate language.

Conveys information that is not relevant and could cast the officer in a negative light.

83

Narrative #2:

Responded to a call for service.
Reason for the stop was suspicion of a crime. Saw a weapon.
Conducted a search. Weapon was seized and the suspect was arrested.

What is wrong with this narrative?

84

Answer:

Does not give any information in addition to what was already conveyed through the drop down fields for the reason for the stop and other data elements.

Does not identify specifics of the crime being committed (the assault).



85

Better Narrative:

A child opened the door and I saw a female punching another female. I detained the female that was punching and placed her in handcuffs. While I handcuffed her, I saw a gun in her jacket.

Narrative is short but thorough.

No PII or UII

Paints a clearer picture of the encounter.



86

Scenario 13:

Officer Jetson is dispatched to a traffic collision. When Officer Jetson arrives all parties are still present. The driver of one of the vehicles has a suspended driver's license and the car plates are stolen. Officer Jetson searches and impounds the car. During the inventory search of the car, Officers locate narcotics.

What would be the narrative?

87

Answers:

Narrative: Responded to a call regarding a traffic collision. After asking for ID for all drivers, I ran their information and learned a driver had a suspended license and the plates on the car were stolen.

88

Scenario 13:

Officer Jetson is dispatched to a traffic collision. When Officer Jetson arrives, all parties are still present. The driver of one of the vehicles has a suspended driver's license and the car plates are stolen. Officer Jetson searches and impounds the car. During the inventory search of the car, Officers locate narcotics.

What is the reason for the stop?
 What actions were taken?
 What was the basis for the search?
 What would be the basis for the property seizure?

89

Answers:

Reason for stop: **Traffic Violation – moving**

Actions Taken:

- **Search of property was conducted**
- **Vehicle was impounded**
- **Property was seized**

Basis for search: **Vehicle inventory**

Basis for property seizure:

- **Contraband**
- **Evidence**
- **impound of vehicle**

90

Scenario 13:

Officer Jetson is dispatched to a traffic collision. When Officer Jetson arrives, all parties are still present. The driver of one of the vehicles has a suspended driver's license and the car plates are stolen. Officer Jetson searches and impounds the car. During the inventory search of the car, Officers locate narcotics.

What would be the search narrative?

91

Answers:

Search Narrative: I determined the driver had a suspended license and the plates to the car were stolen. I conducted a vehicle inventory search prior to tow and located narcotics.

92

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What is the reason for the stop?

93

Answers:

Reason for stop: Traffic violation
(moving violation)

94

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What is the narrative?

95

Answers:

Narrative for the stop: *While on patrol, I noticed a vehicle unable to stay in its lane and weaving. Pulled the vehicle over with suspicion the driver may be DUI.*

96

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What were the actions taken?

97

Answers:

Actions taken:

- Person removed from car by order
- Field sobriety test conducted
- Handcuffed
- Search of person was conducted

98

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket and is arrested.

What is the basis for the search?

99

Answers:

Basis for search:

Incident to arrest

Officer Safety/Safety of others

100

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What is the narrative for the search?

101

Answers:

Narrative for the search: *When I contacted the driver, I smelled alcohol and speech was slurred. Driver failed the FST. Driver was arrested for DUI and searched upon arrest. A meth pipe was found in the arrestee's pocket.*

102

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What is the basis for the seizure?

103

Answers:

Basis for seizure:
Contraband
Evidence

104

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What is the type of property seized?

105

Answers:

Type of property seized: **Drug paraphernalia**

106

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

What is the contraband or evidence?

107

Answers:

Contraband or evidence: **Drug paraphernalia**

108

Scenario 14:

At 2200 hours, officer Jetson notices a car that is weaving and pulls over the vehicle. The driver has slurred speech and the odor of an alcoholic beverage on them. Officer Jetson orders the person out of the vehicle and attempts to conduct FSTs. However, the officer must terminate the FSTs for the person's safety when they almost fell over. The person agrees to a PAS test and blows a 0.12. In a search incident to arrest, the officer locates a meth pipe in the person's front pocket.

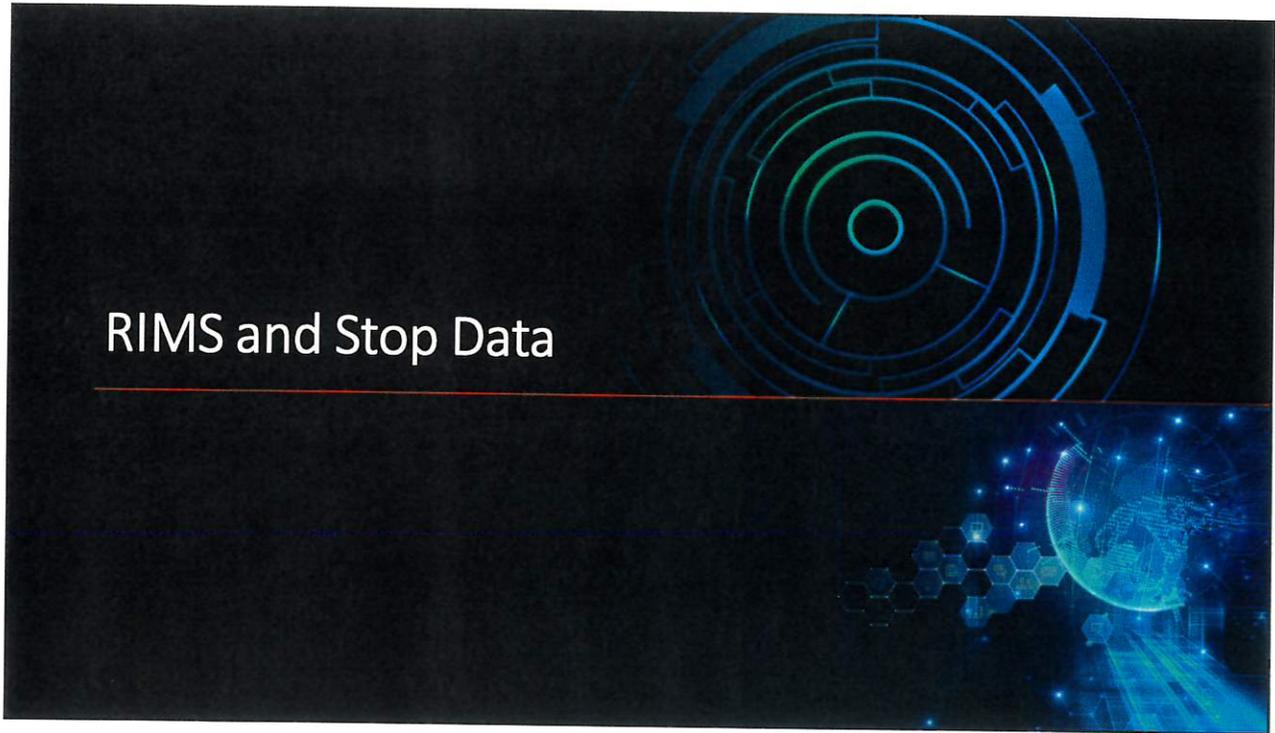
What is the result of the stop?

109

Answers:

Results of stop: **Custodial arrest without a warrant**

110



111

Photo	Name	DOB	Sex	Race	Drivers License	Lic St	Stop Data?	Completed?	Badge	PSD
	Jettson, June	12/02/1962	F	White			Yes	Yes	7630	1
	Petatohead, Spud	02/04/1980	M	Other	P5498765	CA	Yes	Yes	7630	2

The stop data process begins with the incident. Certain incident types within RIMS will automatically mark an incident person with the stop data requirement. (11-86, 11-54, etc.)

112

Incident Person
 Requesting Unit if not Primary Unit: Z1

Name: JETSON, JANE
 Name refused Name Unknown

DOB: 12/02/1962 Sex: F

DL: []

Race: White

Age: [] - []

Connection: []

Address: 1027 SKYPAD WY Apt 61
 City: ORBIT CITY St: CA Zip: 90001

Phone: []
 Cell: []

Note: []

Stop Data Required?

Do not run this person This is an additional RP
 Do not run with Middle Initial Verify this person now
 Check APBnet

Buttons: Stop Data, Save, Cancel, Delete

If an incident person is not automatically marked as “Stop Data Required” and they are detained by an officer, the dispatcher must manually mark the person through the Incident Person window.

If an officer detains a person and needs the stop data requirement box checked for that person, the officer must notify the dispatcher.

113

Stop Data for Inc #202011240001

Name: Jane Jetson

Officer: WILLIAMSON, JOEY K-12 School Student?

Officer Assignment

- Compliance check (e.g. parole/probation/PRCS/mandatory supervision)
- Gang enforcement
- Investigative/detective
- K-12 public school
- Narcotics/vice
- Other
- Patrol, traffic enforcement, field operations
- Roadblock or DUI sobriety checkpoint
- Special events
- Task force

Reason For Stop

- Consensual encounter resulting in search
- Determine if student violated school policy
- Investigation to determine if person is truant
- Knowledge of outstanding arrest warrant/wanted person
- Known to be on parole/probation/PRCS/mandatory supervision
- Possible conduct warranting discipline under Education Code
- Reasonable suspicion that this person was engaged in criminal activity
- Traffic violation

Buttons: Save, Cancel, Delete, Transfer

114

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Stop Reason Narrative
WHILE ON PATROL, I NOTICED A VEHICLE UNABLE TO STAY IN ITS LANE AND WEAVING. PULLED THE VEHICLE OVER WITH SUSPICION TI

Violation Type

Equipment violation Moving violation Non-moving violation, including registration

Violation 23152(A) CVC DRIVING UNDER THE INFLUENCE OF ALCOHOL

115

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Perceived Race (Check all that apply)

Asian
 Black/African American
 Hispanic/Latino
 Middle Eastern or South Asian
 Native American
 Pacific Islander
 White

Perceived Gender

Female
 Male
 Transgender man/boy
 Transgender woman/girl

Gender nonconforming
 Lesbian, Gay, Bisexual, Transgender (LGBT)?

Limited or No English Fluency

Perceived Age 45

Perceived Disabilities (Check all that apply)

Blind or limited vision
 Deafness or difficulty hearing
 Disability related to hyperactivity or impulsive behavior
 Intellectual or developmental disability, including dementia
 Mental health condition
 None
 Other disability
 Speech impairment or limited use of language

116

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Actions Taken (Check all that apply)

<input type="checkbox"/> Admission or written statement obtained from student	<input checked="" type="checkbox"/> Handcuffed or flex cuffed
<input type="checkbox"/> Asked for consent to search person	<input type="checkbox"/> Impact projectile discharged or used (e.g., blunt impact projectile, rubber bullets or bean bags)
<input type="checkbox"/> Asked for consent to search property	<input type="checkbox"/> None
<input type="checkbox"/> Baton or other impact weapon used	<input type="checkbox"/> Other physical or vehicle contact
<input type="checkbox"/> Canine bit or held person	<input type="checkbox"/> Patrol car detention
<input type="checkbox"/> Canine removed from vehicle or used to search	<input type="checkbox"/> Person photographed
<input type="checkbox"/> Chemical spray used (e.g., pepper spray, mace or other chemicals)	<input checked="" type="checkbox"/> Person removed from vehicle by order
<input type="checkbox"/> Curbside detention	<input type="checkbox"/> Person removed from vehicle by physical contact
<input type="checkbox"/> Electronic control device used	<input checked="" type="checkbox"/> Property was seized
<input checked="" type="checkbox"/> Field sobriety test conducted	<input checked="" type="checkbox"/> Search of person was conducted
<input type="checkbox"/> Firearm discharged or used	<input checked="" type="checkbox"/> Search of property was conducted
<input type="checkbox"/> Firearm pointed at person	<input type="checkbox"/> Vehicle impounded

117

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Search Basis (Check all that apply)

<input type="checkbox"/> Canine detection	<input type="checkbox"/> Officer safety/safety of others
<input type="checkbox"/> Condition of parole/probation/PRCS/mandatory supervision	<input type="checkbox"/> Search warrant
<input type="checkbox"/> Consent given	<input type="checkbox"/> Suspected violation of school policy
<input type="checkbox"/> Evidence of crime	<input type="checkbox"/> Suspected weapons
<input type="checkbox"/> Exigent circumstances/emergency	<input type="checkbox"/> Vehicle inventory
<input checked="" type="checkbox"/> Incident to arrest	<input type="checkbox"/> Visible contraband
<input type="checkbox"/> Odor of contraband	

Search Basis Narrative

WHEN I CONTACTED THE DRIVER, I SMELLED ALCOHOL AND SPEECH WAS SLURRED. DRIVER FAILED THE FST. DRIVER WAS ARRESTED. A

Evidence Discovered (Check all that apply)

<input type="checkbox"/> Alcohol	<input type="checkbox"/> Money
<input type="checkbox"/> Ammunition	<input type="checkbox"/> None
<input type="checkbox"/> Cell phone(s) or electronic device(s)	<input type="checkbox"/> Other contraband or evidence
<input checked="" type="checkbox"/> Drug paraphernalia	<input type="checkbox"/> Suspected stolen property
<input type="checkbox"/> Drugs/narcotics	<input type="checkbox"/> Weapon(s) other than a firearm
<input type="checkbox"/> Firearm(s)	

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Stop Data for Inc #202011240001

Jane Jetson

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Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Seized Property Basis (Check all that apply)

Abandoned property Impound of vehicle

Contraband Safekeeping as allowed by law/statute

Evidence Suspected of violation of school policy

Seized Property (Check all that apply)

Alcohol Drugs/narcotics Suspected stolen property

Ammunition Firearms Vehicle

Cell phone(s) or electronic devices Money Weapon(s) other than firearm

Drug paraphernalia Other contraband or evidence

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Stop Data for Inc #202011240001

Jane Jetson

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Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Result of Stop (Check all that apply)

Citation for infraction No action

Contacted parent/legal guardian or other person responsible for the minor Noncriminal transport or caretaking transport (including transport by officer, ambulance or other agency)

Contacted U.S. Department of Homeland Security (e.g., ICE or CBP) Psychiatric hold (WJ Code 5150 or 5585.20)

Custodial arrest pursuant to outstanding warrant Referral to school administrator

Custodial arrest without warrant Referral to school counselor or other support staff

Field interview card completed Warning (verbal or written)

In-field cite and release

Custodial Arrest Violations: 23152(A) CVC, DRIVING UNDER THE INFLUENCE OF ALCOHOL

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Stop Data Log - Review Records - 3

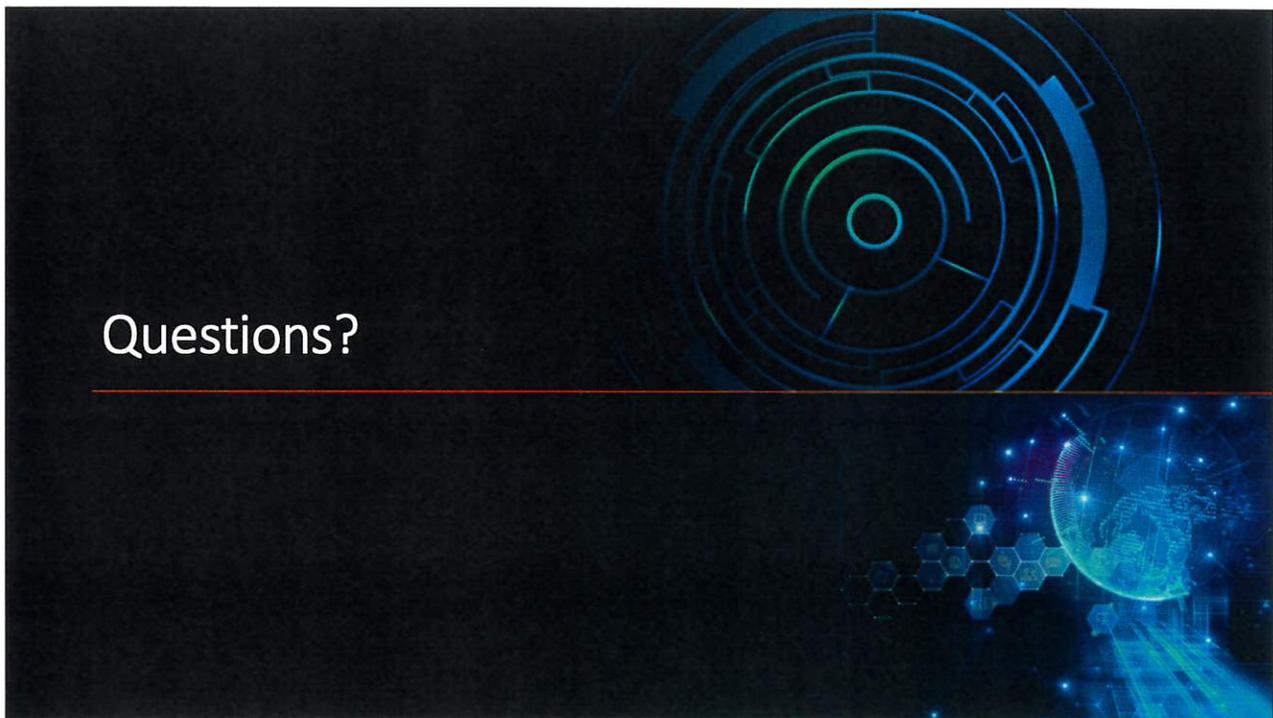
Stop Data Log	Incident #	Date	Officer	Reason for Stop Narrative	Search Basis Narrative	Officer Assignm
	2101120001	1/12/2021	WILLIAMSON	1 PULLED THEM OVER		
	2103100001	3/10/2021	PECHETTI	PULLED VEHICLE OVER FOR RUNNING STOP SIGN		
Missing Records					POTATOHEAD WAS DRIVING WITH HEADLIGHTS OFF. I RECOGNIZED HIM FROM PAST GANG ACTIVITY. I PULLED SPUD OVER AND FOUND HE WAS ON PAROLE WITH SEARCH AND SEIZURE. I SEARCHED HIS PERSON AND VEHICLE AND LOCATED A STOLEN PISTOL.	
Review Records	2103100001	3/10/2021	PECHETTI	TRAFFIC STOP ON POTENTIAL GANG MEMBER		
Transfer Stop Data						
Transfer History						

Select All
  Send
  Mark Reviewed
 Show All

Incident #
  Enter
  Cancel
  My Stop Data
  One Officer
  Position to Date
  Print
  Switch Agencies

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Questions?



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Revised Policy for Racial and Identity Profiling Act (RIPA)

403.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the collection of data pursuant to California Government Code section 12525.5, known as the Racial and Identity Profiling Act (RIPA) of 2015 (AB 953).

403.2 POLICY

It shall be the policy of the Atherton Police Department to collect and report data to the California Department of Justice (DOJ) in accordance with RIPA, which requires officers to complete an entry for each individual detained or searched during a call for service or self-initiated activity.

403.3 BACKGROUND

The Racial and Identity Profiling Act (RIPA) of 2015 (AB 953), passed by the California Legislature, requires the reporting of detailed data regarding all stops, which AB 953 defines as a detention or search, including a consensual search, to the California Department of Justice. Effective January 1, 2022, the Atherton Police Department will begin collecting and reporting this data. As part of AB 953, the Racial and Identity Profiling Advisory (RIPA) Board was formed in July 2016 with the stated purpose of “eliminating racial and identity profiling and improving diversity and racial and identity sensitivity in law enforcement.” The RIPA Board, which is comprised of a diverse group of individuals from various sectors (law enforcement, civil and human rights, and academia), aims to improve law enforcement-community relations in California through collaboration, transparency, and accountability.

Assembly Bill 953 enacted the Racial and Identity Profiling Act (RIPA) of 2015. RIPA revises the definition of racial profiling to instead refer to racial or identity profiling and makes a conforming change to the prohibition of peace officers engaging in that practice. The purpose of RIPA is to eliminate racial and identity profiling policies and practices across geographic areas of California, to make publicly available its findings and policy recommendations annually, to hold public meetings annually, and to issue RIPA Board reports.

AB 953 and California Government Code §12525.5 requires each state and local agency that employs peace officers to report annually to the Attorney General data on all stops conducted by the agency’s peace officers and defines the specific data that is to be reported.

403.4 GOVERNMENT CODE 12525.5.

(a) (1) Each state and local agency that employs peace officers shall annually report to the Attorney General data on all stops conducted by that agency’s peace officers for the preceding calendar year.

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(2) Each agency that employs 1,000 or more peace officers shall issue its first round of reports on or before April 1, 2019. Each agency that employs 667 or more but less than 1,000 peace officers shall issue its first round of reports on or before April 1, 2020. Each agency that employs 334 or more but less than 667 peace officers shall issue its first round of reports on or before April 1, 2022. Each agency that employs one or more, but less than 334 peace officers shall issue its first round of reports on or before April 1, 2023.

(b) The reporting shall include, at a minimum, the following information for each stop:

1. The date, time, location of the stop.
2. The reason for the stop.
3. The result of the stop (no action, warning, citation, property seizure, or arrest).
4. If a citation or warning was issued, the violation for which the citation or warning was issued.
5. If an arrest was made, the offense charged.
6. The perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop (the information shall not be requested from the person stopped). For motor vehicle stops, this paragraph only applies to the driver, unless any actions specified under paragraph (8) apply in relation to a passenger, in which case the characteristics specified in this paragraph shall also be reported for him or her.
7. The perceived sexual orientation, limited or no English fluency, or disability of the person stopped.
8. Actions taken by the peace officer during the stop:
 - (A) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.
 - (B) Whether the peace officer searched the person or any property and, if so, the basis for the search and the type of contraband or evidence discovered, if any.
 - (C) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.

(c) If more than one peace officer performs a stop, only one officer is required to collect and report to his or her agency the information specified under subdivision (b).

(d) State and local law enforcement agencies shall not report the name, address, social security number, or other unique personal identifying information of persons stopped,

ATTACHMENT 5

searched, or subjected to a property seizure, for purposes of this section. Notwithstanding any other law, the data reported shall be available to the public, except for the badge number or other unique identifying information of the peace officer involved, which shall be released to the public only to the extent the release is permissible under state law.

(e) Not later than January 1, 2017, the Attorney General, in consultation with stakeholders, including the Racial and Identity Profiling Advisory Board (RIPA) established pursuant to paragraph (1) of subdivision (j) of Section 13519.4 of the Penal Code, federal, state, and local law enforcement agencies and community, professional, academic, research, and civil and human rights organizations, shall issue regulations for the collection and reporting of data required under subdivision (b). The regulations shall specify all data to be reported, and provide standards, definitions, and technical specifications to ensure uniform reporting practices across all reporting agencies. To the best extent possible, such regulations should be compatible with any similar federal data collection or reporting program.

(f) All data and reports made pursuant to this section are public records within the meaning of subdivision (e) of Section 6252 and are open to public inspection pursuant to Sections 6253 and 6258.

(g) (1) For purposes of this section, "peace officer," as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, is limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions. "Peace officer," as used in this section, does not include probation officers and officers in a custodial setting.

(2) For purposes of this section, "stop" means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's possession or control.

State and local law enforcement agencies shall not report the name, address, social security number, or other unique identifying information of persons stopped, searched, or subjected to a property seizure.

Except for the badge number or unique identifying information of the peace officer involved, the data collected and reported shall be made available to the public.

403.5 WHEN STOP DATA INFORMATION IS REQUIRED

AB 953 requires all California law enforcement agencies to collect and report to the California Attorney General detailed data regarding all stops, which AB953 defines as a detention search, including a consensual search.

1. A "stop" under AB 953 is a detention, by a peace officer, of a person or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person's body or property in the person's

possession or control. In addition, vehicle and pedestrian stops, this includes all calls for service resulting in a detention.

2. A "detention" under AB 953 means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands or conduct by an officer that would result in a reasonable person believing he/she is not free to leave or otherwise disregard the officer.

403.6 INFORMATION REQUIRED

The information required to be collected on each stop and reported to the Department of Justice (DOJ) includes information about the stop itself, the person stopped, and the officer making the stop. This information is known as "data elements". Officers are required to submit the following data elements:

1. Date, time, and duration of stop.
2. Location of stop.
3. Reason for stop.
4. Whether the stop was in response to a call for service.
5. Actions taken by officer during the stop (e.g., curbside detention, handcuffed or flex cuffed, firearm pointed at person, firearm discharged or used, searched, etc. For searches, the officer must report whether the officer asked for consent to search the person or person's property, and whether consent was given).
6. Contraband or evidence discovered, if any.
7. Property seized, if any.
8. Result of stop (e.g., warning, citation for infraction, custodial arrest, etc.)

With respect to the person stopped, the officer must report his/her own perception, based upon personal observation only (and not through any other means, such as asking the person or referring to identification), regarding the following:

1. Perceived race or ethnicity of the person stopped.
2. Perceived age of the person stopped.
3. Perceived gender of the person stopped.
4. Whether the person stopped is perceived to be lesbian, gay, bisexual, or transgender.

5. Whether the person stopped is perceived to have limited or no English fluency.
6. Whether the person stopped is perceived or known to have a disability.

403.7 ADMINISTRATIVE REQUIREMENTS

AB 953 requires that the following information be shared with DOJ regarding the officers responsible for collecting stop data information:

1. The reporting officer's agency's originating agency identifier, which is a unique identifier assigned by the Federal Bureau of Investigation.
2. The officer's identification number, which is the permanent identification number assigned by the officer's law enforcement agency to the reporting officer and which will be used for all stop data reporting to DOJ.
3. The total years of experience for each peace officer at the time of the stop.
4. The officer's assignment at the time of the stop (such as patrol or gang enforcement).

403.8 PROCEDURE FOR STOP DATA ENTRIES

1. Stop data information must be collected whenever a peace officer conducts a "stop" of an individual. A "stop" as defined under AB 953 is "a detention, by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search of the person's body or property in the person's possession or control. This includes vehicle and pedestrian stops, and all calls for service resulting in a detention.
2. A "detention" under AB 953 means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands or conduct by an officer that would result in a reasonable person believing he/she is not free to leave or otherwise disregard the officer.
3. RIPA stop data entries will be completed using Veritone Software
4. All sworn department members will be provided access to a department-issued smart phone for the purpose of accessing Veritone for stop data entries.
5. Individual officers have the primary responsibility for ensuring stop data information is collected in accordance with this policy. Deliberate failure to collect required information will result in disciplinary action.

403.9 GUIDELINES FOR STOP DATA ENTRIES

1. Personal Identifying Information (PII)/Unique Identifying Information (UII): Officers shall not include any Personal Identifying Information of the persons stopped or Unique Identifying Information of any officer in this explanation (Government Code 12525.5, subdivision (b)).
2. When providing the reason for the stop and basis for the search (if one is conducted), the officer is required to provide an explanation for the reason for the stop not to exceed 250 characters. The explanation shall include additional detail beyond the general check boxes selected. No personal identifying information for any parties should be included in this narrative.
3. The narrative should include the basis for the stop.
4. If a search was conducted, the narrative shall include the basis for the search.
5. Narratives will be written in plain language. Officers are not to use acronyms, penal code, vehicle, or other code sections, or 10-codes. Information in a narrative should not duplicate what has already been selected in other fields. What was written in the Reason for Stop filed should not be repeated in the Basis for Search field.
6. All stop data entries shall be completed by the end of the shift in which they were generated, unless there are extenuating circumstances, and only with supervisory approval. Any stop data entries not completed at the end of the shift shall be completed at the beginning of the next shift. Under no circumstances will officers be allowed to leave stop data entries incomplete over their days off or when on extended leaves.

403.9 SPECIAL CIRCUMSTANCES AND SETTINGS

AB 953 specifies various settings in which, for practical or public safety reasons, officers will not be required to report stops, or will only be required to report stops if the officer takes certain additional actions after stopping the person.

1. Not reportable: Stops made during public safety mass evacuations, active shooter events, and as the result of routine security screenings required of all people to enter a building or special event, do not need to be reported. Stops made of a person at their residence who is the subject of a warrant, search condition, home detention, or house arrest are not required to be reported.
2. Reporting for stops of passengers in a vehicle: Stops of passengers in a vehicle are only required to be reported if the officer engages in any of the actions with the passenger that are identified in the stop data category "Actions Taken," except for "vehicle impounds" and "none." For example, if an officer stops a vehicle with a passenger in the car, the officer is required to report a stop on a passenger if the officer does the following: handcuffed or flex cuffed the

passenger, asked for consent to search the passenger, curbed sat the passenger, removed the passenger from the vehicle by order, etc.

3. Reportable if officer takes any action under “Actions taken” during stop: Stops that take place in the following settings are only reportable if an officer takes any of the actions, excluding “none,” provided under the category of information entitled “Actions taken” and the person is detained based upon individualized suspicion or personal characteristics:
 - a. Traffic control
 - b. Crowd control
 - c. Interactions in which people are detained at a residence so an officer can verify proof of age for purposes of underage drinking
 - d. Checkpoints or roadblocks in which all people are being detained or people are being detained based on a neutral formula (e.g., a DUI sobriety checkpoint, where all vehicles are stopped or stops randomly selected vehicles using a neutral formula and not based on individualized suspicion or personal characteristics).
4. Reportable if officer takes specific actions under “Actions taken” during stop: When officers are executing warrants or search conditions, or are on home detention or house arrest assignments, they shall only report stops of people in the home who are not the subject of the warrant, etc., whom the officer takes action against. The following are examples of actions taken by the officer that require reporting: handcuffing or flex cuffing, making an arrest, pointing a firearm at the person, discharging or using a firearm, using an electronic control device, using an impact projectile, using a baton or other impact weapon, using chemical spray on the person, using a canine to bite/hold the person, etc.
5. Stops of students in a K-12 public school are subject to different reporting requirements. In a K-12 public school, only the following interactions with students are subject to stop data reporting requirements:
 - a. An interaction resulting in temporary custody, citation, arrest, permanent seizure of property as evidence of a criminal offense, or referral to a school administrator because of suspected criminal activity
 - b. An interaction in which a student is questioned to investigate whether he/she committed any violation of law, including offenses listed under Education Code sections 48900, 4800.2, 4800.3, 4800.4, and 4800.7, or to determine whether the student is a truant.

- c. Any interaction in which an officer takes any of the actions provided under the category of information entitled "Actions taken," excluding "none" and searches applied using a neutral formula.

403.10 MULTIPLE OFFICER OR OFFICERS FROM MULTIPLE AGENCIES

When there are multiple officers from the same agency involved in a single incident, the officer with the highest level of engagement will be responsible for collecting stop data information and completing stop data entries. Only one officer from the agency will complete stop data entries; however, entries must include all actions taken, including those taken by other officers.

When there are multiple officers from multiple agencies involved in a single incident, the primary agency will be responsible for collecting stop data information and completing stop data entries. Only one officer from the primary agency will complete stop data entries; however, entries must include all actions taken, including those taken by other officers.

403.11 RIPA ENTRY REVIEW PROCESS

Sergeants

1. Sergeants will access their assigned officers' stop data through the Veritone software approval process.
2. To access stop data entries, sergeants will select the "Review" tab.
3. Once in the "Review" tab, sergeants will select an entry to review and approve or reject.
4. Sergeants are expected to review each stop data field for completeness and accuracy.
5. Any errors or omissions will result in the stop data entry being returned to the officer for correction.
6. Stop data entries shall be completed by the end of the shift in which they were generated, unless there are extenuating circumstances, and only with supervisory approval. Any stop data entries not completed at the end of the shift shall be completed at the beginning of the next shift. Under no circumstances will officers be allowed to leave stop data entries incomplete over their days off or when on extended leaves.
7. When an entry is returned to an officer for corrections, it will appear in the officer's "rejected" tab. Sergeants should provide sufficient narrative comments to allow the officer to understand what needs to be corrected.

8. All rejected notices sent to an officer must be corrected and resubmitted the next workday.
9. Once a stop data entry is completed and approved it is automatically transferred to the DOJ through Veritone.

403.12 RIPA COORDINATOR

The RIPA Coordinator will be a non-sworn, full-time employee of the police department. The RIPA Coordinator will be responsible for the following:

1. As a second level of review, the RIPA Coordinator will review all RIPA stop data entries to ensure completeness and accuracy.
2. Generate bi-weekly RIPA compliance reports that will be forwarded to the sergeants and watch commanders identifying officers who are missing a RIPA entry or who have incomplete RIPA entries.
3. Provide the RIPA compliance report to the Commander as needed or as requested.
4. Facilitate the analysis of all stop data collected and prepare reports as needed or requested for RIPA compliance auditing or other purposes.
5. Oversee the transfer of completed stop data information to DOJ.

Revised Policy on BIAS-FREE POLICING

402.1 PURPOSE AND SCOPE

The purpose of this policy is to increase the Department's effectiveness as a law enforcement agency and help build mutual trust and respect with diverse groups and communities. This policy provides guidance to Department members that affirms the South San Francisco Police Department's commitment to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner that keeps both the community and officers safe and protected. The Department recognizes that explicit and implicit bias can occur at both an individual and an institutional level and is committed to addressing and eradicating inappropriate use of biases.

402.1.1 DEFINITIONS

Definitions related to this policy include:

"Age" refers to the chronological age of any individual.

"Ancestry" refers to a person's family or ethnic descent.

"Behavioral Health Disabilities" refers to disabilities associated with substance-related disorders, addictive disorders, and mental disorders.

"Bias-Based Policing" is conduct motivated, implicitly or explicitly, by the member's beliefs about someone based on the person's actual or perceived personal characteristics, i.e., race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability. For purposes of this policy, bias-based policing also includes, but is not limited to, an inappropriate reliance on actual or perceived characteristics of a person such as; language ability, skin color, genetic information, marital status, behavioral health disability, where they are located, mode of transportation, manner of dress, housing status, ancestry, medical condition, citizenship, immigration status, and other such distinguishing characteristics.

"Detention or Investigatory Stop" is a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer. Absent physical restraint, before a detention exists in the law, it is necessary that the person actually submits to the assertion of authority.

"Disability" includes mental disability and physical disability.

"Discriminatory Policing" refers to differential enforcement or non-enforcement of the law, including the selection or rejection of particular policing tactics or strategies, which has a disparate impact on individuals of a particular demographic category.

“Explicit Bias or Conscious Bias” is the traditional conceptualization of bias. With explicit bias, individuals are aware of their prejudices and attitudes toward certain groups. Positive or negative preferences for a particular group are conscious. Overt racism and racist comments are examples of explicit biases.

“Field interview or FI” refers to voluntary contacts during which an officer may ask questions or try to gain information about possible criminal activity, without indicating or implying that a person is not free to leave or is obligated to answer the officer’s questions.

“Gender Identity” means a person’s internal, deeply felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth.

“Gender Expression” means an individual’s characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.

“Genetic information” means, with respect to any individual, information about any of the following:

- The individual’s genetic tests.
- The genetic tests of family members of the individual.
- The manifestation of a disease or disorder in family members of the individual.

“Genetic information” does not include information about the sex or age of any individual.

“Implicit Bias or Unconscious Bias” refers to the attitudes or stereotypes that affect a person’s understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual’s awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.

“LGBT” is a common abbreviation that refers to the lesbian, gay, bisexual, and transgender community.

“Mental Disability” includes, but is not limited to, all of the following:

- Having any mental or psychological disorder or condition, such as intellectual disability, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity.
- Any other mental or psychological disorder or condition not described above that requires special education or related services.
- Having a record or history of a mental or psychological disorder or condition.
- Being regarded or treated as having, or having had, any mental condition that makes achievement of a major life activity difficult.
- Being regarded or treated as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability.

“Mental disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

“Physical Disability” includes, but is not limited to, all of the following:

- Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
 - Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
 - Limits a major life activity
- Any other health impairment not described above that requires special education or related services.
- Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment, which is known.
- Being regarded or treated as having, or having had, any physical condition that makes achievement of a major life activity difficult.
- Being regarded or treated as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability.

“Physical disability” does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

“Probable Cause to Arrest” is a set of specific facts that would lead a reasonable person to objectively believe and strongly suspect that a crime was committed by the person to be arrested.

“Race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, age, sexual orientation, or military and veteran status” includes a perception that the person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics.

“Racial or identity profiling” is the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest. (Penal Code § 13519.4).

“Reasonable Suspicion to Conduct a Pat-Search” is justified if officers have a factual basis to suspect that a person is carrying a weapon, dangerous instrument, or an object that can be used as a weapon, or if the person poses a danger to the safety of the officer or others. Officers must be able to articulate specific facts that support an objectively reasonable apprehension of danger under the circumstances and not base their decision to conduct a pat search on any perceived individual characteristics. Reasonable suspicion to conduct a pat search is different than reasonable suspicion to detain. The scope of the pat search is limited only to a cursory or pat down search of the outer clothing to locate possible weapons. Once an officer realizes an object is not a weapon, or an object that cannot be used as a weapon, the officer must move on.

“Reasonable Suspicion to Detain” is a set of specific facts that would lead a reasonable person with the officer’s same knowledge, training and experience to believe that a crime is occurring, had occurred in the past, or is about to occur. Reasonable suspicion to detain is also established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.

“Religion” includes **“religious creed,” “religious observance,” “religious belief,” and “creed”** which are all aspects of religious belief, observance, and practice, including religious dress and grooming practices. **“Religious dress practice”** shall be construed broadly to include the wearing or carrying of religious clothing, head or face coverings, jewelry, artifacts, and any other item that is part of an individual observing a religious creed. **“Religious grooming practice”** shall be construed broadly to include all forms of head, facial, and body hair that are part of an individual observing a religious creed.

“Search” refers to an exploration or inspection of a person’s house, body, clothing, property or other intrusion on a privacy interest by a law enforcement officer for the purpose of discovering evidence of a crime or a person who is accused of a crime.

“Sex” includes, but is not limited to, a person’s gender. **“Gender”** means sex and includes a person’s gender identity and gender expression.

“Sexual Orientation” means heterosexuality, homosexuality, and bisexuality.

“Stop” generally describes **“Detentions,” “Investigatory Stops”** and **“Vehicle Stops.”**

“Vehicle stop” refers to the involuntary detention of a vehicle and the person driving the vehicle or an occupant based on probable cause that the driver has committed a traffic violation, or reasonable suspicion based on specific and articulable facts that the vehicle or an occupant of the vehicle has been, is, or is about to be engaged in the commission of a crime.

“Voluntary or Consensual Contacts” refers to interactions between members and community members that do not involve coercion. During a voluntary contact, a community member is free to leave at any time and is under no obligation to respond to officers’ attempts at questioning or conversation.

“Voluntary Social Contacts” refers to voluntary contacts between Department members and community members that are intended to serve no specific investigative purpose. Voluntary social contacts do not include questioning about possible criminal activity, but may serve other law enforcement purposes, including building trust and developing rapport with community members.

402.2 POLICY

The Atherton Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural, or other differences of those served.

Police action that is biased is unlawful and alienates the public, fosters distrust of police, and undermines legitimate law enforcement efforts. Race, ethnicity or nationality, religion, sex, sexual orientation, gender, gender identity or expression, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or enforcement of the law (i.e., discriminatory or bias-based policing).

Furthermore, a fundamental right guaranteed by the Constitution of the United States is due process and equal protection under the law guaranteed by the Fourteenth Amendment. Along with this right to due process and equal protection is the fundamental right to be free from unreasonable searches and seizures by government agents as guaranteed by the Fourth Amendment. Therefore, it is the policy of this Department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group. Members are charged with protecting these rights.

402.3 Bias-Based Policing Prohibited

Bias-based policing is strictly prohibited. However, nothing in this policy is intended to prohibit members from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

Members may consider relevant personal characteristics of an individual when determining whether to identify services designed for individuals with those characteristics (e.g., physical disability, behavioral crisis, homelessness, drug use, etc.)

402.4 Religious Freedom

Members shall not collect information on a person based on religious belief, practice, affiliation, national origin, or ethnicity unless permitted under state or federal law regarding criminal investigations (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

- (a) In compiling personal information about a person’s religious belief, practice, affiliation, national origin, or ethnicity.

- (b) By investigating, enforcing, or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

402.5 Bias-by-Proxy

Bias-by-proxy can be defined as when an individual calls the police and makes false or ill-informed claims of misconduct about persons they dislike or are biased against (either implicit or explicit bias).

- (a) Members should be aware of the potential for biased-based motivations behind calls for service.
- (b) Members should always aim to build community trust through all actions they take, especially in response to bias-based reports.
- (c) Members should exhibit critical decision making, drawing on their training and awareness of implicit and explicit bias, to assess whether there is a legitimate law enforcement purpose before taking action. Absent a legal duty to act, no member is obligated to take any discretionary action where bias-based motivation is behind a call for service.
- (d) When taking calls and dispatching, dispatchers should collect enough information necessary to verify there is a legitimate law enforcement purpose for the call and relay information without including biased assumptions. For suspected bias-motivated calls, dispatchers may use discretion to inform the caller that a member will not respond to the call without a legitimate basis of there being potentially criminal conduct or when there is no legitimate law enforcement purpose for responding.
- (e) If dispatchers assign a member to a call, they should inform the responding member(s) and the Watch Commander of any concerns with the call for service. The responding member and/or the Watch Commander may cancel the call at their discretion.

402.6 Member Responsibility

- (a) Every member of this Department shall perform their duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.
- (b) Members should treat all members of the public with courtesy, professionalism, and respect. Members will not use harassing, intimidating, derogatory, or prejudiced language, particularly when related to an individual's actual or perceived protected characteristics.
- (c) Members will refer to all members of the public, including LGBT individuals, using the names, pronouns, and titles of respect appropriate to the individual's gender identity as expressed or clarified by the individual. Proof of the person's gender identity, such as an identification card, will not be required. Members should refer to attachment Policy & Procedure 2.42-AA, Definitions related to Sexual Orientation and Gender Diversity for further guidance.

Members will not inquire about intimate details of an individual's sexual practices, anatomy, or gender-related medical history, except as necessary to serve valid, nondiscriminatory law enforcement objectives.

402.6.1 Reasons for Voluntary Contact

- (a) Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.
- (b) To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card, search), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.
- (d) Except for required data-collection RIMS entries, nothing in this policy shall require any officer to document a voluntary contact or social contact that would not otherwise require reporting.

402.6.2 For Stops/Arrests

- (a) When conducting stops, officers should introduce themselves to the person being stopped and provide an explanation for the stop as soon as soon as reasonable and practicable.
- (b) When reasonable and feasible under attendant circumstances, officers should listen to the member of the public's questions or concerns without interruption and directly address the questions the person may have regarding the stop, including an explanation of options for citation disposition if relevant.
- (c) Officers will ensure that a stop is no longer than necessary to take appropriate action for the known or suspected offense(s) and should convey the purpose of any reasonable delays.
- (d) Officers conducting a stop and/or pat search shall be prepared to articulate sufficient reason for the stop and or search, independent of the protected characteristics of the individual.
- (e) Officers arresting a person shall be prepared to articulate sufficient reason for the arrest, independent of the protected characteristics of the individual.

402.6.3 Reporting of Stops

- (a) Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a stop data report in RIMS. When multiple officers conduct a stop, the officer with the highest level of engagement with the person shall collect the data elements and prepare the RIMS report (11 CCR 999.227).
- (b) If multiple agencies are involved in a stop and the South San Francisco Police Department is the primary agency, the South San Francisco Police Department officer

shall collect the data elements and prepare the stop data report in RIMS (11 CCR 999.227).

- (c) The stop data report should be completed by the end of the officer's shift or as soon as practicable (11 CCR 999.227).

402.6.4 No Retaliation/Discipline

No member shall, in any manner, dissuade or impede any person or member from filing a complaint or reporting misconduct, nor shall any member retaliate, threaten, or harass any person or member who has alleged or reported misconduct. Any interference or allegation of retaliatory action by a member shall be immediately reported to the Deputy Chief. Interference and/or retaliation are grounds for discipline as are breaches of this policy.

402.7 Supervisor Responsibility

- (a) Provide leadership, counseling, direction, and support to members as needed.
- (b) Lead efforts to engage individuals and groups and ensure that members are working actively to engage the community and increase public trust.
- (c) Monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with department policy.
- (d) Review documentation, including video from body-worn cameras as appropriate, of investigatory stops, detentions, searches, and arrests for completeness, accuracy, and adherence to law and department policy.
- (e) Establish and enforce the expectation that members will police in a manner that is consistent with the U.S. and California Constitutions and federal and state laws, as well as internal policies (See Rule & Regulation 7.52).
- (f) Discuss any issues with the involved officer and their supervisor in a timely manner.
- (g) Initiate investigations of any actual or alleged violations of this policy (see Policy & Procedure 1.07-A).
- (h) Ensure that no retaliatory action is taken against any community member or member of this Department who discloses information concerning profiling and/or bias-based policing.
- (i) Identify training and professional development needs and opportunities.
- (j) Highlight areas where members are engaging appropriately and effectively and use those examples during roll call and other training opportunities.

402.8 Administration

Each year, the Commander shall review the efforts of the Department to prevent profiling/ bias-based policing and submit an overview, including public concerns and complaints and an

analysis of stop data, to the Police Chief. It should be reviewed to identify any changes in training or operations that should be made to improve service. Supervisors shall review the annual report and discuss the results with those they are assigned to supervise.

402.9 Training

- (a) Training on fair and objective policing and review of this policy should be conducted as directed by the Training Manager annually.
- (b) All sworn members and public safety dispatchers of this Department will attend Peace Officer Standards and Training (POST)-approved training on the subjects of racial and identity profiling, bias-based policing, and procedural justice (i.e., principled policing).

Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community in performing their duties.
- (c) All members will to attend initial implicit bias training and regularly scheduled updated training.
- (d) Each sworn member of this Department who received initial racial - or bias - based profiling training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).
- (e) Dispatchers will receive periodic training in identifying biased calls and on operating procedures for how biased calls should be dispatched.

402.10 Reporting to California Department of Justice

- (a) The Commander shall ensure that all data required by the Department of Justice (DOJ) regarding citizen complaints of racial bias against officers is collected and reported annually to DOJ (Penal Code § 13012; Penal Code § 13020).
- (b) The Records & Communications Manager shall ensure that all stop data required by the Department of Justice is reported annually.