

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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STOP DATA ANALYSIS SUBCOMMITTEE MEETING MINUTES

September 3, 2024, 9:02 a.m. – 11:30 a.m.

Subcommittee Members Present: Co-Chair Lily Khadjavi, Member LaWanda Hawkins, Member Darren Greene, Member John Dobard, Member Rich Randolph, Member Andrea Guerrero

Subcommittee Members Absent: Member Chad Bianco

1. INTRODUCTIONS

Co-Chair Khadjavi called the meeting to order at 9:02 a.m. She introduced new member Souley Diallo. Member Souley Diallo then introduced himself. He expressed excitement to work with the Subcommittee. Each Stop Data Subcommittee member (herein Subcommittee) introduced themselves.

2. APPROVAL OF JUNE 18, 2024, MEETING MINUTES

Co-Chair Khadjavi called the Subcommittee to review the June 18, 2024 Meeting Minutes. She amended the minutes to reflect the following recommendations:

- On page three it stated that Co-Chair Khadjavi recommended the use of field interview cards. Instead, it should state she recommended to prohibit the use of field interview cards when unnecessary.
- On page four, under section six, it stated “The second and third largest reporting agencies for RIPA were the Los Angeles Sheriff’s Department with more than 10 percent of RIPA stops.” She stated that it should instead be the Los Angeles Police Department and Los Angeles Sheriff’s Department.

Member Dobard moved to approve the minutes as amended; Member Hawkins seconded. Deputy Attorney General (DAG) Kendal Micklethwaite of the California Department of Justice (DOJ) proceeded with the roll call vote:

- **AYE:** Member Guerrero, Member Greene, Member Diallo, Co-Chair Khadjavi, Member Hawkins, Member Dobard, Member Randolph
- **NAY:**
- **ABSTAIN:**

With seven Ayes, the meeting minutes were approved as amended.

3. UPDATE BY DEPARTMENT OF JUSTICE

DAG Micklethwaite stated that there were no updates from the DOJ.

4. UPDATE BY DOJ RESEARCH SERVICES ON DATA PROCESSING AND ANALYSIS

Dr. Eric van Holm of the DOJ Department of Research Services presented the Racial and Identity Profiling Act 2025 Report Stop and Policy Data Follow Up presentation.

539 agencies reported a total of 4,721,135 stops in 2023. 823,773 stops were of persons aged 1-24. The summary of the demographic data was collected and analyzed by race or ethnicity, gender, sexual orientation, age, English fluency, and disability.

They looked at six different questions for policy analyses: calls for service versus officer-initiated stops, actions during stop (handcuffing of minors/youth, use of force, searches), duration of stop, result of stop (field interview cards).

All questions look at age as a key variable and look at demographics to break trends and differences between groups.

Calls for Service versus Officer Initiated Stops by Race

This graph looks at three age groups: 12-14, 15-17, and 18-24. As a person ages, more stops are officer initiated. In the 12-14 group, more than half the stops are calls for service. Across all age groups, Black individuals are the most likely to have a call for service, whereas Middle Eastern/South Asian are most likely to have an officer-initiated stop.

Member Khadjavi asked if the largest number of stops were in the 18-24 age group.

Dr. Holm responded affirmatively. He stated that the 12-14 and 15-17 age groups have the smallest sample sizes so the percentages can jump up a little bit more.

Calls for Service versus Officer Initiated Stops by Gender

In the same vein, as a person ages, more stops are officer initiated. Across all age groups, cisgender individuals are more likely to have officer-initiated stops while non-cisgender individuals are more likely to have calls for service.

Handcuffing by Race/Ethnicity

Black and Native American youth are most likely to be handcuffed during a stop regardless of age group. Middle Eastern/South Asian are the least likely to be handcuffed regardless of age group. The 12-14 age group has a larger percentage of handcuffing than the 15-17 and 18-24 age group across all racial groups.

Handcuffing by Gender

Similarly, the 12-14 age group has a larger percentage of handcuffing than the 15-17 and 18-24 age group across nearly all gender groups. The transgender man/boy category is an outlier, where the 15-17 age group has the highest probability of being handcuffed. Cisgender individuals are less likely to be handcuffed than non-cisgender groups.

Handcuffing by LGBT

Perceived LGBT youth are more likely to be handcuffed than non-perceived LGBT youth. In the same trend, younger groups are more likely to be handcuffed than older groups.

Handcuffing by English Fluency

The probability of being handcuffed in the limited/no English fluency group is similar across all age groups. In fact, while the 18-24 age group has a higher probability of being handcuffed in the limited/no English fluency group than the English fluent group, the 15-17 and 12-14 age groups have lower probability of being handcuffed in the limited/no English fluency group than the English fluent group.

Handcuffing by Disability

For those with a perceived disability, the older age groups were more likely to be handcuffed than the youngest age groups. 51% of the 18-24 age group with a perceived disability were handcuffed. Youth with a perceived disability were handcuffed at higher rates among all groups than youth without a perceived disability.

Use of Force by Race and Ethnicity

There is less of a strong trend across age groups, although there is a small decline in the use of force as groups age. Older groups are less likely to have force as a part of their stops, albeit younger age groups have a limited sample size. For the 12-14 age group, the Native American ethnicity group has the highest rate of use of force and the Asian and Middle Eastern/South Asian ethnicity groups have both the lowest rate of use of force. For the 15-17 and 18-24 age groups, the Black ethnicity group has the highest rate of use of force and the Middle Eastern/South Asian ethnicity group has the lowest rate of use of force. The majority of force used in all types of stops are limited force.

Use of Force by Gender

There is a higher rate of force used when the individual is perceived to be transgender. There is a small decline in the use of force as individuals age.

Use of Force by LGBT

Youth perceived to be LGBT have a higher rate of the use of force used than youth not perceived to be LGBT.

Use of Force by English Fluency

The use of force is the highest for those English Fluent in the 12-14 age group. The use of force is the highest for those with Limited/No English Fluency in the 15-17 and 18-24 age group.

Use of Force by Disability

Those perceived with a disability have higher rates of force being used. Moving among age groups, those without a disability have less use of force as they age, while those with a disability have more use of force as they age.

Searches by Race/Ethnicity

Searches are divided into five age brackets: 1-7, 8-11, 12-14, 15-17, 18-24. For many racial groups, it is observed that the highest rate of searches being part of a stop is in the 12-14 age groups. Across age groups, the Black ethnicity group has the highest rate of searches as part of stops while the Middle Eastern/South Asian ethnicity group has the lowest rate of searches as part of stops.

Searches by Gender

Cisgender males and females have the lowest rate of searches as part of stops while transgender males and females have the highest rate of searches as part of stops.

Searches by LGBT

Across all age groups, perceived LGBT groups are more likely to have a search as part of their stop than non-perceived LGBT groups.

Searches by English Fluency

English fluent is more likely to have a search as part of their stop than Limited/No English fluency for the 1-7, 8-11, and 12-14 age groups. Limited/No English fluency is more likely to have a search as part of their stop than English fluent for the 15-17 and 18-24 age groups.

Searches by Disability

Across all age groups, perceived disability groups are more likely to have a search as part of their stop than non-perceived disability groups.

Duration of Stop by Race (age 18-24)

The average length of a stop is broken down by any actions taken during stop and no actions taken during a stop. If an action is taken during a stop, the duration of the stop becomes 50% longer on average. There is a less of a clear pattern for the 8-11 age group. For the 12-14 age group, Black and Middle Eastern/South Asian ethnicity groups have the longest duration of a stop if any actions are taken during the stop, and the Black race group has the longest duration of a stop if no actions are taken during the stop.

Co-Chair Khadjavi asked what actions go into any actions taken during stop and no actions taken during stop. Furthermore, she asked that given there is so much data, what would be included and what would be excluded from the report.

Dr. Holm asked if he could answer her question at the end of the report after he has given his presentation of all the actions.

Co-Chair Khadjavi asked if there is an outlier in the Native American ethnicity group for the 8-11 age group that is driving the average duration of the stop more than twice as high as the overall average.

Dr. Holm said that he could pull up the exact numbers later, but believed there are a dozen stop for the Native American youth aged 8-11.

Co-Chair Khadjavi stated that the report would have more information.

Duration of Stop by Race (age 15-24)

In general, any actions taken during a stop is associated with a 50% or more longer stop. For the 15-17 age group, Native Americans have the longest stop whether actions are or are not taken. For the 18-24 age group, Native Americans have the longest stop if actions are taken and Pacific Islander have the longest stop if no actions are taken.

Duration of Stop by Gender

Dr. Holm gave a caveat that there are outliers in the data and a small sample size for transgender youth.

Duration of Stop by LGBT

Those perceived as LGBT have, on average, a longer duration of stops.

Duration of Stop by English Fluency

For youth under age 15, English fluent individuals have a longer duration of stops than Limited/No English fluency individuals. For youth 15 or older, the duration of a stop is approximately similar between English fluent and Limited/No English fluency groups.

Duration of Stop by Disability

Those perceived as having a disability have, on average, a longer duration of stops.

Result of Stop – Field Interview Cards by Race

The data regarding field interview cards look at the percentage of stops that have a field interview card being completed. Black youth have the highest rate of field interview cards being completed while Native American youth have the lowest rate of field interview cards being completed.

Result of Stop – Field Interview Cards by Gender

Cisgender females are the least likely to have a field interview card completed while transgender males are the most likely to have a field interview card completed.

Result of Stop – Field Interview Cards by LGBT

Those perceived as non-LGBT have a higher percentage of field interview cards being completed than those perceived as LGBT for the 1-7 and 18-24 age groups. Those perceived as LGBT have a higher percentage of field interview cards being completed than those perceived as non-LGBT for the 12-14 and 15-17 age groups.

Result of Stop – Field Interview Cards by Disability

Those with a perceived disability are more likely to have a field interview card completed than those with no disability. There is no clear pattern for how age impacts field interview cards being completed for the perceived disability group.

Subcommittee Discussion

Co-Chair Khadjavi thanked Dr. Holm for his presentation and opened the discussion to the Subcommittee.

Member Randolph asked that of all the contacts law enforcement has had, whether there is a margin of error included. Sometimes they do not include information such as gender status out of privacy concerns.

Dr. Holm responded that a margin of error is valuable but for the presentation would be too complicated to include. However, the report would benefit from a margin of error.

DAG Micklethwaite responded that the data is not about the actual status of the individual but the officer perceived status of the individual. A margin of error is not whether the data is right but whether people are being treated fairly about those identity perceptions.

Member Randolph said that the slides presents law enforcement as targeting transgender individuals.

Co-Chair Khadjavi stated that a vast majority of stops are not for those perceived as transgender or gender non-conforming, so there are a smaller number of stops. She stated Member Randolph may be saying it is a small sample size. Furthermore, these are officer perceptions and not how the individual identifies. She stated that this will hopefully shed light on experiences of transgender and gender non-conforming individuals. She said that having the counts of those in the sample size would be beneficial to conclude in the report. Because the numbers are so small, that maybe comparisons could or could not be made.

Member Guerrero stated that if the raw numbers or a chart of the numbers reported were included, it would help them understand the scale. Furthermore, she asked if searches could be broken down by consent or supervision. Likewise, she asked if the cumulative stops that result in any or all of the above (field cards, handcuffing, use of force) could be aggregated in one graph. She does not understand well enough how field cards interact with these other categories. Do field cards happen simultaneously with the other actions or independently of those other actions?

Dr. Holm stated that they already try to include in the report raw numbers and the affirmation suggestions by Member Guerrero. There is a concern that as more data is presented, the actions are obscured because they are small.

Member Guerrero stated that the life cycle of a stop could be helpful. Because they do not happen in isolation, understanding the sequence of events would be helpful.

Member Randolph stated that handcuffs should also be disseminated by outcomes - whether they went to jail, were sent to behavioral health, etc. There have been situations where handcuffs were placed and then the situations de-escalated, so they have not been sent to behavioral health.

Dr. Holm did not have a comment but stated they would try to include that in the report.

Member Randolph asked why there are arrows on the slide of “Result of Stop – Field Interview Cards by Gender” pointing to Cisgender Female and Transgender Man/Boy.

Dr. Holm stated the arrows were added for the presentation.

Member Randolph stated that duration of a stop for someone with a disability could be for accommodations or privacy. He stated nine times out of ten, developing a relationship is important. Furthermore, he stated that a peace officer will not make an arrest without a translator or depriving them of their freedoms. He stated that they should not be presenting law enforcement officers as violating people’s rights.

Member Hawkins asked if the data could be broken down by law enforcement agencies.

Dr. Holm stated that it could be complicated when breaking down by individual law enforcement agencies. However, they continually consider breaking the data down geographically.

Member Hawkins stated that she is concerned people will blame specific agencies when they are not participating in the data collection.

Co-Chair Khadjavi said that in the last Subcommittee meeting they considered regional report outs. There is a concern that individual law enforcement agencies may be obscured by that.

Member Diallo asked if there is a consideration of the reasons of a stop (investigatory, consensual encounter, etc.) and nature of offense officers received (misdemeanor, felony investigation, etc.) and whether they resulted in an arrest.

Dr. Holm stated that they were not able to capture it at a high level but could consider it inside the report.

Member Diallo said, for example, handcuffing data for consensual encounters versus arrest encounters show discrepancies. Therefore, it is pertinent.

Co-Chair Khadjavi stated that because there is so much data, she believed that the trends that should stand out is: handcuff rates for Black youth, Native American youth, disability, use of force, searches for Black youth. She was surprised by the duration of stop data, but it could be because of the small number of stops. She stated that they could connect past recommendations of field interview cards to the data of field interview cards in the report. She stated the life cycle of a stop mentioned by Member Guerrero is pertinent. She stated that the footnotes defining what use of force is in the report is helpful.

Member Hawkins stated that she is concerned how many Black youth are exposed to law enforcement at a young age. She stated that they have learned through data that that is how the problems begin. She stated there are people that look like her in law enforcement, so there should be something to counteract the negativity of law enforcement at a young age. She said there are millions of good cops and she does not understand why another officer is not sent in to counteract that negativity. She said law enforcement also had experiences with law enforcement

when they were also youth. She stated hurt people hurt people and there needs to be something done about that.

Member Randolph stated that because there was a contact does not mean it was a negative contact. He stated that they do not track shaking hands or thank-yous. He stated there needs to be a follow up if there are negative contacts. He stated that as a law enforcement officer and a man of color he appreciated Member Hawkins comments.

5. BREAK

The Subcommittee adjourned for a ten minute break.

6. BOARD DISCUSSION OF STOP DATA SECTION OF THE DRAFT 2025 REPORT

Member Darren Greene joined the meeting.

DAG Garrett Lindsey presented on the Stop Data Section of the Draft 2025 Report.

He stated the Stop Data section is a summary of the analysis of RIPA data. It is an important place to improve the public perception of the RIPA data. One of the goals is to be digestible to the public, therefore it is only 39 pages and does not include all the information that the DOJ has. The first nine pages are a general overview and then it dives into youth-specific information.

Co-Chair Khadjavi stated that when she printed the Draft Section out, that the graphs should have more contrast as she printed it in black and white. For example, on page 27 the bar graph is not discernable in black and white. Furthermore, on page 4, under reason for stop, she noticed that Middle Eastern/South Asian individuals were stated the largest number of traffic violations, but she believed it was to say they were the highest percentage of traffic violations. She suggested the language be changed.

Member Guerrero re-iterated her request to show multiple outcomes of stops, whether anecdotally or through a life cycle of data. She stated it is difficult for researchers to access that information, so only DOJ can do that. She wanted to know a sequence of events or the aggregated data. Sometimes the disaggregation masks the compounding of actions within a stop. Furthermore, she added that there are alarming graphs in the Draft Section of the RIPA Report that were not presented by Dr. Holm. For example, the graph on page 19 comparing residential populations to RIPA stops.

Co-Chair Khadjavi stated that findings that point to policy recommendations should not be lost in the shuffle. She stated Black youth are disproportionately stopped and handcuffed, but also disproportionately had no action taken. She stated that they should think about policy or constructive actions for a fairer space.

Furthermore, on page 30 for request for consent, this is an example of a graph where disproportionate impact on young Black youth is lost in the shuffle. This is the largest group of stops, yet she missed in the narrative about this group. She pointed to this as an example where the grouping was impacted dramatically.

Member Randolph said that the following paragraph on page six is false: “RIPA data also reports the number of minutes a stop with an individual takes an officer to complete. Disparities in stop duration could offer additional insights into whether bias affects policing, especially in cases where a stop results in no action taken.” He stated that the data has anomalies and just because an officer took longer for a stop does not mean it is biased. He gave an example of re-unifying a missing juvenile with a family member.

DAG Lindsey stated that he would take that information into consideration and noted the items Member Randolph said.

Co-Chair Khadjavi stated the Draft Report stated RIPA data could offer additional insights, not that it must offer additional insights. She stated that if there are systematic trends and if some stops are longer than others, then looking at duration could be valuable. She stated that a long duration and no action taken is worth looking at further.

Member Randolph said the sentence should be reworded as he believes it is misleading and false. He stated a longer duration does not necessarily equate to racial profiling.

Member Guerrero stated she appreciated Member Randolph’s comment as there are several pieces at play. She said that there could also be retribution, which happened recently to some of her own constituents. She said that they reported if they have not consented to a search, then a stop would take longer to pressure a search or wait for a dog. She said that a vast majority consent to a search and anecdotally that is because they do not want to lengthen a search. She asked the DOJ if there is literature that can draw anecdotes why a stop be long, whether for a good or bad reason. Since this is the first time the Subcommittee is getting this level of data, they are forced to address these questions. She also added that it would be good to have a supervision question. She stated that youth are not asked “Are you on probation or parole?”, but questions such as “Have you ever been in trouble?” which leads to the same thing. It becomes, like consent searches, a warrantless search that puts the person who was stopped into a precarious situation. Furthermore, if there is any research on how its asked would be helpful. She does not see supervision which was reported in the past. When adding consent and supervision searches, it becomes a large share of searches overall, with some department over 75% of their searches. California Highway patrol does not do this as they have removed their warrantless searches. She believes this is important for California youth.

Co-Chair Khadjavi noted the difference in policies between California Highway Patrol and other law enforcement agencies.

Member Guerrero stated that this has been employed by California Highway Patrol for 45 years, so it is nothing new for them. She stated that “Are you on probation or parole?” is asked in different ways. She stated that supervision based searches for youth should be compared to the overall population. She stated that they should know if it differs by youth.

Co-Chair Khadjavi stated that research on warrantless searches would give perspective to the report.

Co-Chair Khadjavi stated that on page 7, the duration of the stop was to the hundredth of a minute. She said that for clarity it would be less distracting to report for the minute or tenth of the minute.

DAG Lindsey said that there is an internal style guide that guided that format, but that it would make sense to incorporate Co-Chair Khadjavi's comments.

Co-Chair Khadjavi said that they have simplified the contents of the Report in the past in Executive Summaries and handouts.

7. PUBLIC COMMENT

Co-Chair Khadjavi gave the floor to public comment.

Richard Hylton of San Diego stated that the next Report should have what steps the DOJ Research Services team have taken to verify and validate the integrity of the data. He observed the data being used has no integrity. He has looked at data at larger law enforcement agencies and has found them wanting. He stated last year two members of the Subcommittee stated the quality of the data was so poor that the public would not accept it if they were aware of it. He stated the public should be aware of what steps the DOJ has done to ensure the data is reasonably representative of the group. He believes the data is neither true nor good. Likewise, he stated the California Highway Patrol has been using traffic stops as crime deterrent measures in Oakland. He stated it is the obligation of the DOJ to put a stop to that.

Michele Wittig from the Santa Monica Coalition for Police Reform stated that since legislation is constantly being passed at the state level, the next Report should include a list of each relevant piece of legislation relating to stops and what date they went into effect. She stated this would be helpful to give the reader an idea on how state requirements are a moving target and would be relevant to interpret the data.

8. NEXT STEPS AND VOTING ON ANY SUBCOMMITTEE ACTIONS

Co-Chair Khadjavi opened the Subcommittee to discuss next steps.

Co-Chair Khadjavi recommended to have an analysis to focus on areas or particular agencies and tie those analyses to previous recommendations. She said she wanted to highlight a data dashboard, which the DOJ would make the data available. She wanted to look at data tied to past Board recommendations. She also heard a comment on Legislation related to stops.

Co-Chair Khadjavi asked if they needed to vote on these.

DAG Micklethwaite stated they could uplift recommendations on Legislatures for the Report. She stated that if there are recommendations they would like to uplift to the Full Board, that would need to be voted on. She reminded the Subcommittee that the next two full Board Meetings are October 16, 2024, and November 19, 2024.

9. ADJOURN

Co-Chair Khadjavi adjourned the Subcommittee.