

CALIFORNIA RACIAL AND IDENTITY PROFILING ADVISORY BOARD (BOARD)

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POLICIES SUBCOMMITTEE MEETING MINUTES

September 12, 2024, 9:00 a.m. – 11:55 a.m.

Subcommittee Members Present: Member Angela Sierra, Member Ameena Qazi, Co-Chair John Dobard, Member Chad Bianco, Member Souley Diallo, Member Lily Khadjavi, Member Manjusha Kulkarni, Co-Chair Andrea Guerrero, Member Rich Randolph

Subcommittee Members Absent:

1. INTRODUCTIONS AND WELCOME

Co-Chair Dobard called the meeting to order. Each Policies Subcommittee member (herein Subcommittee) introduced themselves.

2. INTRODUCTION OF NEW SUBCOMMITTEE MEMBER

Co-Chair Dobard introduced new Subcommittee member Souley Diallo. Member Diallo expressed excitement to work with the Subcommittee.

3. APPROVAL OF JUNE 5, 2024, SUBCOMMITTEE MEETING MINUTES

Member Sierra motioned to adopt the meeting minutes and Member Khadjavi seconded. Deputy Attorney General (DAG) Jennifer Gibson facilitated the vote:

- **AYE:** Member Bianco, Member Diallo, Co-Chair Dobard, Co-Chair Guerrero, Member Khadjavi, Member Sierra
- **NAY:**
- **ABSTAIN:** Member Qazi, Member Kulkarni

With six Ayes the meeting minutes were approved.

4. DISCUSSION OF POLICIES SECTION OF THE DRAFT 2025 REPORT

DAG Alexander Simpson presented the Policies Section of the Draft 2025 Report.

The chapter on Policies is split into four main areas:

(1) Overview of research of policies relating to police interactions with youth

The chapter includes transition-age youth, 18-24 year-olds, as a part of youth. Youth are uniquely impacted by law enforcement encounters. Nationally, researcher found racialized youth have qualitatively different encounters with law enforcement than white youth. They also found youth of color are likelier to be perceived as older, and more guilty, than white youth of the same age. This is called adultification. This could have harmful impacts on a youth's life, with earlier experiences being more harmful. Any interaction with police can have disparate impacts on youth.

(2) Analysis of 2023 Stop Data in different respects with youth interaction with police

This looks at seven different offenses that are common with police interactions with youth: loitering, pedestrian roadway violations, disturbing the peace, trespassing, vandalism, status offenses, and underage drinking. There were racial differences in the reporting of stops of youth that officers reported for these common youth offenses. Specific actions taken by officers during stops were also looked at: use of force, curbside/patrol car detentions, consent searches, photographing youth. These actions were looked at as it may inform how bias affects how officers take actions during a stop, and the need to address any detrimental effect those actions have on youth. As to actions taken by officers during stops, the data shows racial, gender, and disability disparities with regards to youth. Data included result of stops: field interview cards and entry into CalGang. This data helps to illuminate how bias could impact an officer's decisions during the stop, and how those decisions can impact racial and ethnic groups more often when compared to White youth. There were racial disparities in the law enforcement agency's designations of youth as suspected gang members, associates, or affiliates in CalGang, and racial disparities in the use of field interview cards. Co-Chair Guerrero asked if there was an error on the graph on page 15 which shows 100% loitering citations for Hispanic/Latine(x) ethnic groups but not any loitering citations for other ethnic groups. DAG Simpson noted that issue in the report.

Co-Chair Guerrero also stated that the data on use of force was stunning. She appreciated the data for use of force.

Member Randolph stated that children are before puberty, while the data is not all children.

DAG Simpson stated that they included transition-age youth as defined by the federal government up until the age of twenty-four, but that the appendix would have additional age categories and use of force broken down by those age categories.

Co-Chair Dobard recommended that on page 27 that in the sentence "National research shows that use of alcohol by high school students has declined since the mid-1990s and reached historic lows in 2019.⁸³," the 83 should be formatted to be a superscript.

Member Sierra stated that the public would benefit from a definition of the use of force and what the parameters are for that term of art. Furthermore, she stated use of force would benefit from being broken down to see what types of use of force experience the greatest disparities.

DAG Simpson stated that they would try to accommodate her suggestions.

Member Khadjavi stated that the Stop Data Section has many graphs and can be merged with the Policies subcommittee to merge their information. The Stop Data Section defines youth and use of force. Furthermore, there is a disparity of Black and brown youth much more likely to be subjected to a search. She invited that graph to be added to the Policies section.

Member Qazi stated that there should be a footnote or definition of proactive policing the first time it is mentioned on page 7. Furthermore, she stated that if there are more proactive policing

encounters that are not raised to the level of reasonable suspicion, then the data and research underestimates the magnitude of the negative effects of proactive policing.

DAG Simpsons stated that the data only captures stops, so if it does not rise to the level of a stop, it will not be collected.

Co-Chair Guerrero agreed with Member Qazi, and stated that a narrative that there is a gap between the data and what is happening in the field would be helpful. Co-Chair Guerrero also agreed with Member Khadjavi in that there should be a graph on searches, but also that searches should also be broken down by consent and supervision. This is important as later in the report they make recommendations based on consent and supervision searches, so having a graph for consent and supervision searches by youth would be helpful.

Member Randolph asked if the Department of Justice (DOJ) considered presenting data which shows what the disposition is of a stop after handcuffs are placed on an individual. Member Randolph stated that he has brought this issue up in other panels, and DOJ has considered this as well. As an example, if an officer puts handcuffs on a student or a youth, do the handcuffs get taken off afterwards? Were they taken to a mental health facility? Were they taken to juvenile hall? Member Randolph asked whether DOJ could look into this.

Associate Governmental Program Analyst (AGPA) Anna Rick asked if the request was for an analysis specifically for stops with handcuffing occurred for outcomes of those stops.

Member Randolph gave an example. A deputy sheriff gets a call for a robbery, there are five youth, one of them matches the description, one of them possible has a weapon, the deputy cannot decide if the children are involved. Two or three of them are placed in handcuffs for safety reasons and the officer does an investigation and the youth were not involved. They were placed in handcuffs for safety reasons, but the data gets put in and the DOJ receives that data. He gave another scenario of a student in a high school that threatened to hurt individuals, handcuffs are placed on that student, they de-escalate until Behavioral Health interferes, and the youth transfers to a facility. He asked for the disposition after handcuffs were placed. Member Randolph stated that California peace officers are not placing handcuffs on youth all the time, and the data makes it look like they are doing it all the time. Member Randolph also stated that 9 times out of 10, youths are reunified with their families, or getting services, or not going to juvenile hall, because officers do not do that any more.

Member Bianco stated that it is everyday work of a law enforcement officer and that in his 30-year-career, 90% of the time he puts handcuffs on someone, they get taken off and walk away. Usually, the perpetrator is bigger, which does not go into the data. The de-escalation is to not get physical, and they always say okay. He said the problem with data is that it does not know where it came from. He stated that any data shows that certain racial backgrounds where heart attacks are more prevalent, but the data does not say why, and heart attacks are not racist or biased. He stated that the data being pulled is flawed. He stated that there must be things to clarify and make it better known, instead of saying handcuffs is a use of force, but we don't know why, and we don't know what it is, and we don't know how it ended, because it implies something afterwards. He says that appendixes will most likely not be read, especially for the word "children."

DAG Gibson stated that the RIPA Stop Data has a narrative field that allows officers to explain reasons for a stop and actions taken. There is an opportunity to provide context.

Member Sierra stated that the Report could benefit from an acknowledgment that the data has limitations. Furthermore, the disparities should be studied. Even if the disparities are due to benign reasons, they are significant. She says that if an explanation that there are limitations to the data could round out the chapter.

Member Diallo stated that disparities of results of after handcuffs could be illuminating. He gave the example of racial disparities in handcuffed and arrested vs. handcuffed and not arrested. He is in favor of more than less data.

Member Qazi stated that section 5 on page 39 is dedicated to results of stops and whether action was taken or not taken. This section gets to the heart of this discussion—was a field interview card completed, for example, or whether there were other outcomes that could be disaggregated. Member Qazi also noted that, in talking about whether stops and use of force are lawful or unlawful, as that is fleshed out through criminal proceedings or civil investigations. The data is talking about disparities, but whether a use of force was justified or unjustified would not be appropriate for the report.

Member Randolph agreed with Member Qazi and Diallo that there should be more data. Member Randolph encouraged his fellow board members should go on a ride-along and witness a RIPA entry. He stated that there is a comment section in the RIPA entry but not a disposition section. He stated that a police officer with numerous calls and people in need would rather not fill out an optional comment section. Member Randolph reiterated that he has said he wants more information showing law enforcement officers are not arresting 2,000 children per year.

Co-Chair Guerrero said she understood that the RIPA data does capture arrests as a data point for outcomes. She said it would be helpful to provide arrest information, as prior reports have done, even if there is not a deeper analysis. Inclusion of this information could provide to the public a loose understanding of handcuffs and arrests, and researchers can dive deeper into the data. Having that in this section would be helpful.

AGPA Rick confirmed that RIPA regulations require officers report the result of a stop and define possible entries that officers can record. There are approximately thirteen entries that are required to be reported for each stop. Some of those include arrest, cite and release, citation, psychiatric, hold, referral to school authorities, as well as others.

(3) Youth specific policies of law enforcement agencies

The DOJ looked at Wave 1 and Wave 2 agencies and conducted an analysis of the policies they may or may not have with youth and police interactions with youth. This has been updated since the last Subcommittee meeting with a survey of law enforcement agencies that was consolidated in a chart on page 46-47. The chart shows that there are not that many youth specific policies that agencies have. They look at youth specific policies relating to use of force in the while in custody, and also specific types use of force such as TASERs and hobble restraints. Furthermore,

they looked at law enforcement policies for questioning youth and special considerations regarding youth of color. The data informs the potential recommendations for this year.

Co-Chair Guerrero said that this section was illuminating. She said that including best practice standards would be helpful. Furthermore, she stated that, as the Board has done in years past, the International Treaty Obligation on the use of force would be good to note. Article 6 of the U.S. Constitution states that international treaties are applicable at all forms of the government.

Member Randolph asked if the survey was directed towards school police departments in California?

DAG Simpson said that the survey was towards law enforcement agencies, not school police departments.

Member Randolph asked if they were sanctioned and governed by a school board?

DAG Simpson said that it was to law enforcement agencies generally.

Member Randolph asked if the survey was only for 15 agencies.

DAG Simpson said that they have done surveys for Wave 3 agencies as well, but this survey in this section was only for Wave 1 and Wave 2 agencies.

Member Randolph clarified if this was the start of a rollout.

DAG Simpson confirmed.

Member Randolph stated that school police departments also have school policies in the district. Nine times out of ten, school police departments have a Memorandum of Understanding in place where they talk about use of force, contacts, etc. Aside from policies and procedures by a school resource officer, there are also contracts in place to handle certain issues where they will lean on or not lean on law enforcement.

Member Bianco asked what the DOJ is looking for. He said that it is impossible for him to have a policy for youth. In their interaction, it is impossible to decide who is a minor and not. He gave the example of a high school football game where 15, 16, or 17 year olds are over 6 feet and 300 pounds. He stated that if they do not handcuff and detain youth, then it opens up for multi-million-dollar lawsuits for violating policies, because it is impossible to determine how old someone is without asking people whether they are juveniles. He says having a broad open policy that only deals with youth cannot be followed. Having a policy to be age non-specific applies to everyone. With their Memorandum of Understandings, they have language such as “try to refrain” or “try to limit.” There are school policies, but those are for schools. He said that they cannot have youth-specific policies.

DAG Simpson explained that the full list of questions in the survey would appear in the Appendix of the report.

Member Sierra stated most law enforcement agencies have policies for use of force in youth, but they do not have policies for the other four categories – such as prohibiting field use interview

cards on youth. She asked if there is a policy on limiting field use interview cards in youth or is it just prohibiting them?

DAG Simpson stated there is a footnote that explained that agencies that responded they had a policy on use of force on youth had such policies regarding youth after they had been placed in custody. He believes they asked, "Do you have a policy regarding the use of field interview cards and youth?" Therefore, this would have included policies limiting field use interview cards as well as policies prohibiting the use of field interview cards with youth.

Member Sierra stated that having that additional explanation would be helpful.

Member Qazi stated that page 52, section 2, "Law Enforcement Agencies Should Adopt Policies Restricting the Use of Force on Youth Except When Absolutely Necessary" read like a policy recommendation. She asked if this is an appropriate heading for this section of the report. Furthermore, she commented that if it is an appropriate place, she stated that the Subcommittee should take a bolder stance and take out "absolutely necessary."

DAG Simpson said that Adobe Acrobat has bookmarks by heading.

Co-Chair Dobard stated footnote 123 "Pre-arrest youth diversion is a topic covered in section II.A. of this section, below" should change "II.A." to "III.A." He stated on page 49, the sentence "According to the policy, youth who are suspected of felony offenses should not 'normally be handcuffed; however, there may be circumstances that would make the handcuffing of a juvenile arrestee inappropriate'" read awkwardly. He wondered if the phrase "should not 'normally be handcuffed'" was a typo and should be "should 'normally be handcuffed.'"

DAG Simpson confirmed.

(4) Potential Board Recommendations

This area discussed the research surrounding pre-arrest, diversion, or deflection. This addresses what happens during the initial police stop, and whether a youth should be sent to pre-arrest diversion before an arrest even occurs. There are multiple studies which are discussed in this section of the report which show that any contact with the system, including an arrest or court date, make it more likely they will be hindered in life. DAG Simpson read Page 61 of the Report, which stated "Notably, this year, the California Legislature 'reaffirm[ed] its support for utilizing research- and evidence-based, trauma-informed, community-based programs that include alternatives to arrest, incarceration, and formal involvement with the juvenile justice system, and which aim to deflect or divert youth from justice system engagement at the earliest possible point.'"

They also looked at prior recommendations from the Subcommittee involving youth. Those recommendations are consistent with and supported by the research presented in the report, and with the unique considerations present in law enforcement practices with youth. they also looked at other Board recommendations which were not specific to youth, but were also supported by the research presented.

Finally, the Report talked and presented potential recommendations for the Board's consideration. The four recommendations appear from pages 66-68:

1. The Legislature should create and fund a community panel responsible for developing, standards, policies, and training for officers as it relates to youth with a focus on use of force, de-escalation, and child development.
2. The Legislature should require and fund mandatory deflection or pre-arrest diversion for all youth charged with a status offense, misdemeanor, or low-level/nonviolent felony.
3. The Legislature, agencies, and municipalities should explore how limiting officer discretion in stops could reduce racial disparities and make specific findings from their study.
4. The Board recommends that law enforcement agencies reevaluate proactive policing practices and should collaborate with community-based organizations and other social services agencies to form partnerships with those organizations.

Co-Chair Guerrero requested that they pull in more prior recommendations around use of force as it is important to adhere to International Treaty obligations to use of force.

5. BREAK

The Subcommittee adjourned for a break.

6. CONTINUED DISCUSSION OF POLICIES SECTION OF THE DRAFT 2025 REPORT

Recommendation One

Member Qazi asked if there is precedent for creating a community panel, if it has failed in the past, or a pro/cons list. Furthermore, she stated Recommendation 1 subsection a mimic the language of Recommendation subsection c.

Co-Chair Guerrero stated she was unclear what a community panel would be or how long that would last. She recommended to add "convene a panel of experts to recommend" to Recommendation One and delete "create and fund a community panel responsible for developing." She recommended to add "affected community members" and "human rights experts" and delete "and address biases that commonly affect youth, such as adultification bias. The panel shall develop policies and training and address issues such as:" and delete the following subpoints:

- a. Use of the least restrictive means of force when interacting with youth in the field, and should limit or proscribe the use of restraints, handcuffs, or other devices, such as a TASER or hobble restraint.
- b. Similarly, use of the least restrictive means of force when interacting with youth while in police custody.
- c. When to limit or proscribe an officer's actions when interviewing or questioning youth in the field, including limiting the use of harsh language and treating youth with "courtesy and respect in order to secure information and compliance."

- d. Enact and fund legislation requiring POST and law enforcement agencies to develop standards, policies, and training for officers on using force against youth while in police custody.

She stated the subpoints are problematic; they are prescriptive of a body that they would not know would be convened. Particularly, subpoint d sounds like a recommendation within itself and starts to intertwine with POST. She can imagine the panel of experts convened by the Legislature would make recommendations to all the stakeholders. These subpoints would be limiting them in making recommendations on these specific items and by reigning it in, it would become digestible and meaningful.

Member Sierra stated that she agreed with recommending the Legislative analysis so that the Legislature can adopt legislation for further study. She said having it be general will allow the Legislature figure out how to be best effective. She recommended adding “child development experts” to recommendation one.

Member Randolph recommended to add “law enforcement experts” to recommendation one.

Co-Chair Guerrero agreed with Member Randolph to include “law enforcement experts” to recommendation one.

Member Khadjavi stated that she appreciated the changes to the recommendations, but was pleased to see these recommendations were in line with those of the July Board meeting. It was great to hear from community organizers with a wide range of perspectives in California. Member Khadjavi informed the subcommittee that she would not be able to attend the rest of the meeting.

Recommendation Two

Co-Chair Dobard recommended to replace “these” with “law enforcement.”

Member Randolph stated that diversionary programs are tracked by law enforcement agencies that use them. He said that they need to include tracking used by other law enforcement agencies. He stated that they should look at documentation agencies provide and what they are doing.

Co-Chair Dobard asked if Member Randolph proposed tracking them forward.

Member Randolph answered affirmatively. He said that in his experience it is important, but when he proposed it last time, there was opposition from a majority of the Board. He said that there are now laws in place and discussion with law enforcement in place.

Co-Chair Dobard asked DOJ how it wanted to capture Member Randolph’s recommendation.

DAG Gibson asked Member Randolph to explicitly state how to amend recommendation two.

Member Randolph recommended to add “and should create exploratory committees in relation to juvenile delinquency.” He said there was another angle of juveniles taking a class with a parent or not involving law enforcement at all.

DAG Gibson asked if it was okay with Member Randolph to include his suggestions in another recommendation separate from recommendation two, related to recommendation two, but requiring some kind of measure to measure the effectiveness of the diversion program.

Member Randolph stated that he would like it in recommendation two. He stated that there is a problem and a solution, and they can work together.

Member Bianco stated that law enforcement is interested in preventing youth being in jail than it is interested in putting them in jail. He said he could not get behind the words “fund mandatory” diversion, as when funding is imposed, law enforcement does not get funding. As the recommendation is written, the raping of a 17 year old, or an intoxicated 15 year old, or anyone supplying fentanyl that kills a student or child is a nonviolent felony in California. He said that he cannot agree to mandatory diversion for someone who is committing a nonviolent felony because the legislature is incompetent in keeping us safe. Member Bianco stated does not want kids to go to jail but in reality, sometimes that has to happen. He stated that they are creating an unintended consequence using words.

Co-Chair Guerrero stated that she agreed that in order to provide an accurate and actionable recommendation to the Legislature and recommended to add “explore the expansion of universal” and remove “require and fund mandatory.” She recommended to add “that includes” and “of eligibility that can be overcome with evidence-based arguments” and delete “of pre-arrest diversion for these offenses, and should create exploratory committees in relation to juvenile delinquency.”

Member Sierra recommended changing “evidence-based arguments” to “evidence-based considerations.”

Member Diallo stated that it makes sense to include a review of existing programs for new diversion programs. Furthermore, he states that sometimes people get specific over definitions. The word “non-violent” could refer to Penal Code definitions, but it should not be pigeonholed to this definition. He said that the Board should not review such definitions for this work. He said he would hate to trip over definitions that are more expansive than he intends.

Co-Chair Dobard stated that he was sure other members welcomed any suggestions on revised language.

Member Bianco stated that in his interactions with the Legislature that it is far too important to not pay attention to words. He stated that the Board is stuck with the Legislature’s definition of nonviolent felonies are, which is completely wrong and debatable, but an intoxicated female is a violent rape. He agrees that the unintended consequences of using the words are not in line with what they meant. He states that they could debate over words, but if the Subcommittee words something and the Legislature goes by the written words, they create unintended consequence. He stated “pre-arrest” could be interpreted to every other student in the school when someone is raped, and there is pre-arrest diversion, that there could be no consequence because there is a diversion program or counseling and nothing for those victims. He stated there is something wrong with juveniles never being arrested, because sometimes it has to happen.

Co-Chair Guerrero recommended to add “review the efficacy of existing deflection and diversion programs” and change “expansion of universal” to “expansion to universal.” She recommended to remove “pre-arrest” and change “low-level/nonviolent felony” to “other low-level offense as later determined.”

Member Qazi stated that she interprets the examples Member Bianco gave as not qualifying for pre-arrest diversion, as those are violent felonies. She said she does not know if there can be pre-arrest diversion before someone is charged. She recommended to change “charged with” to “accused of.” She asked if the Subcommittee could hear from DOJ staff about how they drafted the recommendation.

DAG Simpson stated that the emphasis on mandatory pre-arrest diversion was for officer discretion. He stated that research in the Report said that officers, when given the option, have racial disparities sending youth to either diversion or arrest. He said low-level offenses like status offenses, misdemeanors, or non-violent offenses, individuals referred to those programs are successful. He stated mandatory deflection is about removal of discretion to ensure racial and identity disparities do not show up in participation of those deflection programs.

Member Qazi stated she leans to putting back “mandatory” into the recommendation to alleviate those biases.

Co-Chair Guerrero stated “mandatory” rebuts the later part of the recommendation. She stated the Legislature and law enforcement dislike the word “mandatory.” She recommended to remove “as later determined” as it is ultimately the Legislature that decides what constitutes offenses. She recommended to change “that includes” to “with.”

Recommendation Three

Co-Chair Guerrero recommended to remove “This is consistent with the research noted in other sections of this report. Legislation such as Senate Bill 50, proposed in 2023, would be one way to address how such officer discretion could be appropriately limited.” She recommended to add “to act on.”

Recommendation Four

Co-Chair Guerrero stated that the recommendation read like two recommendations. She asked if the language could be broadened. She recommended to add “that have a disparate impact” and “to find alternative to increase public safety.” She recommended to make the later half of the recommendation another recommendation as it seems too narrow, dealing with mental health services, for the recommendation.

Member Qazi asked Co-Chair Guerrero to specify “alternatives.”

Co-Chair Guerrero stated that pro-active policing has led to stops of canvassers which has a disparate impact of men of color. Her organization engaged with the police department and they both recognize pro-active policing has been received by the community as harmful. She says the language gives them the space to have a dialogue.

Member Qazi stated that the recommendation did not need to be edited as it read clearly.

Co-Chair Dobard asked if Co-Chair Guerrero wanted to include “community organizations” or not in the fifth recommendation.

Co-Chair Guerrero responded affirmatively.

Member Bianco stated that for a law enforcement agency that represents many people that ask for pro-active policies, he agrees that it makes it difficult for organizers, but that is the point. They are stopped because that is what the communities are asking for. There is a discrepancy when talking about communities that demand for more law enforcement rather than being reactive. He stated the broken windows theory works. He states that he is unaware of any law enforcement agency that does not already follow recommendation five, so it may not be needed.

Member Sierra recommended to dismiss recommendation five as the full Board has developed that issue a couple of reports ago and it seems less of a focus this year.

Co-Chair Guerrero stated that re-evaluation is an opportunity for a conversation about policing practices. She stated conversations are hard but they were both better for it. The conversations were broadened in both circles, which reaffirmed that as a strategy.

7. PUBLIC COMMENT

Richard Hylton of San Diego stated that the RIPA data is not available to the public. He stated the Attorney General wrote to various departments that they need to be open with PRA requests. He said that he does not receive his requests, and when he does, the data is purged. He stated that he is not responsive to it and that people respond dismissively. He stated that the problem with data, as Sheriff Bianco said more than a year ago, is that if the public knew what was going on with the data that they would not stand for it. Additionally, he stated that the California Highway patrol has used traffic stops as crime deterrent tools in Oakland because Oakland is a high Black density place. He said that the California Department of Justice should put a stop to this.

8. DISCUSSION AND VOTE ON POLICY RECOMMENDATIONS AND BEST PRACTICES RECOMMENDATIONS

Co-Chair Dobard revisited Member Qazi’s request to hear from the public for Recommendation Two.

Member Qazi stated that the Subcommittee has not heard from staff about other considerations for the recommendations.

DAG Simpson stated that the subheadings were included for Recommendation One based on research, reports, and data. This was to direct any panel to specific areas found within the data. For example, letter a was derived from research regarding use of force. There was research having to deal with harsh language from youth and POST and law enforcement dealing with training.

Co-Chair Guerrero stated that leaving a panel undirected invites the Legislature or panel to look back at the RIPA Report, reach out to the DOJ, or take into consideration things they didn’t list

out originally. Any look at use of force in the report will lead to least restrictive means, especially considering the International Treaty obligations. The challenge with making a list runs the risk of it not being exhaustive, limiting, or overly prescriptive. Given the limited actions the Legislature has taken on their recommendations, it gives the Legislature the agency to move forward.

Member Qazi asked Co-Chair Guerrero to expand on the limited actions the Legislature have taken on their recommendations. She said that it reads a bit redundant that the Legislature created this body and for them to create another body. She said that this is very specific and to create another body is a good presentation of the work they are taking. Her inclination is to put the subsections back.

Co-Chair Guerrero stated that the subsections are problematic in different ways but are overall overly detailed and prescriptive. She believed they want the Legislature to take this recommendation and look back to the Report which is broader about what should be considered. She said the list is narrow and should not repeat the Report. These recommendations are not consistent with international considerations and best practices. She states that the RIPA Board is critical but does acknowledge a lot of recommendations were made and had the best success when giving a general scope that they can consider.

Member Qazi recommended to add language to look back at the report.

Member Sierra recommended to add a reference back to the report. She recommended to add “the disparities and research set forth in the 2025 RIPA report with respect to.”

Co-Chair Guerrero motioned to send recommendation one to the full Board as amended:

1. The Legislature should convene a panel of experts to recommend standards, policies, and training for officers as it relates to the disparities and research set forth in the 2025 RIPA report with respect to youth, with a focus on use of force, de-escalation, and child development. Members of the panel should include, at a minimum, affected community members, experts in the development of use of force policies and trainings, child development experts, law enforcement experts, and human rights experts.

Member Sierra seconded. DAG Gibson facilitated the vote:

- **AYE:** Member Bianco, Member Diallo, Co-Chair Dobard, Co-Chair Guerrero, Member Qazi, Member Randolph, Member Sierra
- **NAY:**
- **ABSTAIN:**

With seven Ayes, the motion passed as amended.

Co-Chair Guerrero motioned to send recommendation two to the full Board as amended:

2. The Legislature should review the efficacy of existing deflection and diversion programs and explore the expansion to universal deflection or diversion for youth accused of a

status offense, misdemeanor, or other low-level offense with a rebuttable presumption of eligibility that can be overcome with evidence-based considerations.

Member Bianco seconded. DAG Gibson facilitated the vote:

- **AYE:** Member Bianco, Member Diallo, Co-Chair Dobard, Co-Chair Guerrero, Member Qazi, Member Randolph, Member Sierra
- **NAY:**
- **ABSTAIN:**

With seven Ayes, the motion passed as amended.

DAG Simpson said the recommendation for recommendation three is found in the first sentence and the rest is an explanation.

Co-Chair Guerrero motioned to send recommendation three to the full Board as amended:

3. The Legislature, agencies, and municipalities should explore how limiting officer discretion in stops could reduce racial disparities and make specific findings from their study to act on.

Member Sierra seconded. DAG Gibson facilitated the vote:

- **AYE:** Member Bianco, Member Diallo, Co-Chair Dobard, Co-Chair Guerrero, Member Qazi, Member Randolph, Member Sierra
- **NAY:**
- **ABSTAIN:**

With seven Ayes, the motion passed as amended.

Co-Chair Guerrero motioned to send recommendation four to the full Board as amended:

4. The Board recommends that law enforcement agencies reevaluate proactive policing practices that have a disparate impact and should collaborate with community-based organizations to find alternatives to increase public safety.

Member Sierra seconded. DAG Gibson facilitated the vote:

- **AYE:** Member Bianco, Member Diallo, Co-Chair Dobard, Co-Chair Guerrero, Member Qazi, Member Randolph, Member Sierra
- **NAY:**
- **ABSTAIN:**

With seven Ayes, the motion passed as amended.

9. NEXT STEPS AND VOTING ON ANY SUBCOMMITTEE ACTIONS

Co-Chair Guerrero moved to adjourn the Subcommittee meeting. Member Sierra seconded. The Subcommittee reached a consensus to adjourn the meeting.

10. ADJOURN

Co-Chair Dobard adjourned the meeting at 11:55 a.m.