

## POST TRAINING AND RECRUITMENT

### I. INTRODUCTION

*A cultural shift is required to end racism in policing, and making that shift requires a multipronged approach, including addressing systemic racism and accountability in training.<sup>1</sup>*

This year's report will focus on developing training and policy guidelines for the Peace Officer Standards and Training's (POST) racial and identity profiling courses. The report will include recommendations for the structure and content of the guidelines and will recount POST's development of these guidelines. The guidelines are designed to inform law enforcement agencies and officers of the relevant state and federal legal standards that relate to practices like the use of force and racial and identity profiling.

This section of the Report also includes POST's response to the 2024 RIPA recommendations, a literature review of emerging research on the effectiveness of anti-bias training, and best practices and policy recommendations for the California Legislature and the POST Commission to improve peace officer training and reduce disparities in racial and identify profiling in California.

### II. POST RESPONSE TO 2024 RECOMMENDATIONS

Over the past eight years, the RIPA Board has extensively reviewed POST's training and course materials related to racial and identity profiling and made recommendations to improve those courses.<sup>2</sup> POST identified courses and provided materials for the board to review.

Despite updated training, the RIPA data show that across all years of the RIPA data collection (2018-2023), disparities persist in how individuals perceived as Black, Hispanic/Latine(x), with disabilities, transgender are treated, despite officers receiving training on racial and identity bias through POST, and perhaps through their law enforcement agency.

In all years of the RIPA data collection (2018-2023), individuals perceived as Black had the highest search rate (20.3%) and were handcuffed during a higher percentage of stops (14.7%) than any other racial or ethnic groups. Despite a higher search rate, the discovery rate of contraband or evidence was lower for Black individuals than White individuals. Individuals perceived as Hispanic/Latine(x) (13%) had a higher percentage of stops than the overall average

<sup>1</sup> Eberhardt et al., "When the Cruiser Lights Come On:" Using the Science of Bias & Culture to Combat Racial Disparities in Policing (2024) 153 Daedalus 1, pp. 124-125, 134 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>2</sup> Recommendations from the RIPA Board have varied over the years, but regularly included calls for increased community engagement by POST and revisions to bolster existing trainings and reduce disparities in stop data.

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in years 2020, 2021, and 2022. In all years (2018-2023), individuals perceived as transgender men/boys and transgender women/girls were handcuffed during a higher percentage of stops than cisgender or gender non-conforming individuals.

The RIPA data shows racial and identity profiling continues to impact all aspects of a stop, from the decision to initiate the stop to actions taken during the stop, including the result of the stop. For example, the 2022 RIPA data demonstrated that stopped individuals perceived as having a disability had a higher proportion of their stops involve officers taking actions towards them (69.6%) than individuals not perceived to have a disability (24.4%).<sup>3</sup> Additionally, Black individuals were stopped 131.5 percent more frequently than expected, given their relative proportion of the California population.<sup>4</sup> Yet officers reported taking no action as a result of a stop most frequently for individuals perceived to be Black than for any other demographic group.<sup>56</sup>

The persistence of these disparities raises serious questions about whether training and awareness alone can eliminate bias in policing. Current research, discussed below, and prior reports have concluded that the most effective way to eliminate racial bias is through a combination of training that changes behavior outcomes and policies that limit officer discretion and address department culture.

RIPA data should inform and strengthen the training necessary designed to eliminate racial and identity profiling in California. Pursuing more data-driven trainings can also lead to enhanced officer and civilian safety in the field. To that end, in the 2024 Report, the Board recommended improvements to training and guidelines. POST delivered its response to the recommendations, in a June 2024 POST Commission meeting.<sup>7</sup> Its responses are as follows:

- (1) Adopt protocols and publish separate guidelines independent of the curriculum: POST supports this recommendation.
- (2) Adopt a process and publish timelines for Board and community review of trainings (Pen. Code, § 13519.4, subd. (b)); POST does not support this recommendation. POST

<sup>3</sup> Racial and Identity Profiling Advisory Board, *2024 Report*, at p. 40.

<sup>4</sup> Racial and Identity Profiling Advisory Board, *2024 Report*, at p. 6.

<sup>5</sup> A stop that results in no action such as, no citation, warning, or arrest, is an indicator of pretext. Where levels of pretext stops are elevated, there are higher search rates for racial and ethnic groups of color. (See Pierson, et al., *A Large-scale Analysis of Racial Disparities in Police Stops Across the United States* (July 2020) at p. 739 <<https://doi.org/10.1038/s41562-020-0858-1>>; see also, U.S. DOJ, Investigation of the City of Minneapolis and the Minneapolis Police Department (June 2023) p. 35 <<https://www.justice.gov/opa/press-release/file/1587661/download>>.)

<sup>6</sup> This grey box contains RIPA data from last year. We anticipate receiving updated data sometime after the subcommittee meeting.

<sup>7</sup> See POST Commission Meeting Agenda, Report on Racial and Identity Profiling Advisory (RIPA) Board 2024 Annual Report (June 13, 2024) <[https://post.ca.gov/Portals/0/post\\_docs/commissionmeetings/2024/2024-06-13\\_Commission\\_Meeting\\_Agenda.pdf](https://post.ca.gov/Portals/0/post_docs/commissionmeetings/2024/2024-06-13_Commission_Meeting_Agenda.pdf)>.

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concluded its community/stakeholder input is sufficient, and POST lacks the resources to address further recommendations such as assigning a community engagement coordinator.

- (3) Allow time for meaningful feedback throughout curriculum updates and development, including community sourcing of subject matter experts (SMEs): POST partially supports this recommendation and agreed to provide verbal updates for (curriculum-related) regulatory items to the Board and share non-regulatory items with sufficient time to review.
- (4) Measure course effectiveness of all POST Racial and Identity Profiling [Certified] Courses: POST partially supports this recommendation and agreed to request the Museum of Tolerance (MOT) include “a more in-depth review” of RIPA data in the MOT Racial and Identity Train-the-Trainer course. POST stated it lacks legal authority to collect data on individual officer actions and performance following training. Instead, “POST believes measuring the effectiveness of [racial and identity] training should fall to local law enforcement agencies and the communities they serve.”
- (5) Include individual officer and supervisor accountability and reporting as a required training topic in all racial and identity profiling courses<sup>8</sup>: POST supports this recommendation and will recommend to MOT to “further incorporate the importance of accountability,[] specifically to highlight officer peer behavior and supervisor accountability.” POST stated it will ensure this topic is included in all racial and identity courses.

The Board appreciates POST’s responses to the Board’s recommendations and its willingness to continue working with the Board to implement adopted recommendations.

### **III. POST’S DEVELOPMENT OF ITS RACIAL AND IDENTITY PROFILING GUIDELINES**

In August 2023, POST agreed to develop racial and identity profiling guidelines as a standalone document and included Board members in their development. Previously, the guidelines were dispersed throughout POST’s training curricula. POST invited RIPA Board members to participate in guideline development workshops. In May 2024, POST advised the DOJ that in lieu of developing mandatory guidelines, POST would instead develop racial and identity profiling policy guidelines for optional use by interested California law enforcement agencies. POST advised the Board that it would be using the certified Museum of Tolerance (MOT) Racial and Identity Profiling course for trainers—*Racial Profiling: Issues and Impact*—as the template curriculum to develop the guidelines. This MOT curriculum was updated in 2022, after 20 years, with the input of several Board members as subject matter experts. However, the RIPA Board was not provided an opportunity to review the final curriculum before its implementation.

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<sup>8</sup> Racial and Identity Profiling Advisory Board, *2024 Report*, at p. 219.

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Participating Board members did receive a copy of the final curriculum at the first guidelines workshop in May 2024. Board members hope in the future POST will implement the Board’s recommendations to update the course annually and, during that update, hold community forums.<sup>9</sup>

In May and October 2024, POST convened stakeholders for two workshops to develop the guidelines using the MOT *Racial Profiling: Issues and Impact* curriculum as a framework. POST shared it anticipates completing the guidelines by early 2025.<sup>10</sup>

### **A. RIPA Requirements Regarding POST Trainings and Guidelines**

RIPA requires POST to develop and disseminate guidelines and mandatory training for all peace officers to address racial and identity profiling.<sup>11</sup> RIPA requires POST courses and its guidelines on profiling to “stress understanding and respect for racial, identity, and cultural differences,” and to “prescribe evidence-based patterns, practices, and protocols that prevent racial or identity profiling.”<sup>12</sup> RIPA also mandates the Board “analyze law enforcement training” proscribed by the statute.<sup>13</sup> In developing the courses, POST must consult with the RIPA Board and community groups and individuals with “an interest and expertise in the field of racial, identity, and cultural awareness and diversity.”<sup>14</sup>

Penal Code section 13519.4, subdivision (h), lists the following necessary subjects for curricula instruction:

- Identification of key indices and perspectives that make up racial, identity, and cultural differences among residents in a local community;
- Negative impact of intentional and implicit biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations and contributed to injury, death, disparities in arrest detention and incarceration rights, and wrongful convictions;
- The history and role of the civil and human rights movement and struggles and their impact on law enforcement;
- Specific obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow peace officers;

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<sup>9</sup> See 2024 Report recommendations on community engagement and course review. Racial and Identity Profiling Advisory Board, *2024 Report*, at pp. 210-213.

<sup>10</sup> POST Response to 2024 Report Recommendations.

<sup>11</sup> Pen. Code, § 13519.4, subd. (d)(5).

<sup>12</sup> Pen. Code, § 13519.4, subds. (a) and (h).

<sup>13</sup> Pen. Code, § 13519.4, subd. (j)(3)(B).

<sup>14</sup> Pen. Code, § 13519.4, subds. (b) and (h).

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- Perspectives of diverse, local constituency groups and experts on particular racial, identity, and cultural and police-community relations issues in a local area; and
- The prohibition against racial or identity profiling in subdivision (f).<sup>15</sup>

The law also requires POST to create refresher courses on racial and identity profiling and cultural awareness for in-service officers.<sup>16</sup> These courses must be taken at a minimum of every five years.<sup>17</sup>

## **B. POST Current Standards for Racial and Identity Profiling**

Before an officer can exercise powers as a peace officer, they must complete the Regular Basic Course academy training.<sup>18</sup> Forty-two POST-certified academies across California<sup>19</sup> present the entry-level training. Mandatory regular basic course training consists of 664 hours of training, spread across 42 course subjects, called Learning Domains (LD).<sup>20</sup> After basic course training, peace officers complete a field training program for hands-on experience, which lasts for a minimum of 10 weeks or 400 hours.<sup>21</sup> POST regulations and guidelines dictate training content and the framework for the LDs. According to POST, officer training and guidelines on racial and identity profiling are scattered across various LDs, including LD 42: Cultural Diversity/Discrimination, a 16-hour course, and LD 3: Principled Policing in the Community, a 26-hour course. Neither LD 3 nor 42 are evaluated in the POST-Constructed Comprehensive tests at the conclusion of regular basic course training.<sup>22</sup>

In addition to publishing its reviews in the RIPA reports, the Board relayed the training recommendations related to racial and identity profiling for each of the reviewed courses to the POST Commission, in each Report and via an annual letter. Board members also made in-person presentations at regularly scheduled POST Commission meetings in June 2024.

<sup>15</sup> Pen. Code, § 13519.4, subd. (h).

<sup>16</sup> Pen. Code, § 13519.4, subd. (i).

<sup>17</sup> *Ibid.*

<sup>18</sup> Cal. Code Regs., tit. 11, § 1005, subd. (a)(1).

<sup>19</sup> Commission on Peace Officer Standards and Training, Regular Basic Course <<https://post.ca.gov/regular-basic-course>> [as of May 22, 2024].

<sup>20</sup> Commission on Peace Officer Standards and Training, Regular Basic Course Training Specifications <<https://post.ca.gov/regular-basic-course-training-specifications>>; <<https://post.ca.gov/regular-basic-course>> [as of May 22, 2024]; Cal. Code Regs., tit. 11, § 1005, subd. (a)(1)(C)(1)(a)(i); POST Presentation to SB 882 Advisory Committee (July 25, 2024).

<sup>21</sup> POST, [Commission Procedure D-13—Field Training](https://post.ca.gov/Commission-Procedure-D-13-Field-Training#d131) <<https://post.ca.gov/Commission-Procedure-D-13-Field-Training#d131>>; Cal. Code Regs., tit. 11, § 1004, subd. (a)(1); POST Presentation to SB 882 Advisory Committee (July 25, 2024).

<sup>22</sup> POST, Minimum Content and Hourly Requirements, Regular Basic Course (RBC) <[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fpost.ca.gov%2FPortals%2F0%2Fpost\\_docs%2Ftraining%2Ftrainingspecs%2FRBC\\_MINIMUM\\_HOURLY\\_REQUIREMENT.docx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fpost.ca.gov%2FPortals%2F0%2Fpost_docs%2Ftraining%2Ftrainingspecs%2FRBC_MINIMUM_HOURLY_REQUIREMENT.docx&wdOrigin=BROWSELINK)>.

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## 1. Racial and Identity Profiling Legal Standards

The development of guidelines on racial and identity profiling is critical to officer compliance with RIPA.<sup>23</sup> Guidelines inform officers of the relevant state and federal legal standards, for practices like hate crimes, use of force, and racial and identity profiling.<sup>24</sup> For example, California law provides more protection than federal law by prohibiting “the *consideration of, or reliance on, to any degree,*” on protected characteristics like race, identity, or gender.<sup>25</sup>

As such, for training guidelines on racial profiling to be compliant with RIPA they must reflect California’s legal standard prohibiting racial and identity profiling and provide guidance regarding how to comply with the law.<sup>26</sup> Furthermore, RIPA requires that the training acknowledge the harm caused by profiling to individuals, communities, and police-community relations.<sup>27</sup>

Failure to comply with RIPA’s prohibition against racial and identity profiling or other state or federal laws prohibiting discrimination in policing can subject the officer, law enforcement agencies, school districts, and municipalities to significant legal liability, including civil and criminal penalties, or result in the exclusion of evidence in a criminal case.<sup>28</sup> In 2021, California enacted Senate Bill No. 2 (SB 2), the Kenneth Ross Jr. Police Decertification Act of 2021,<sup>29</sup> which allows for the decertification of officers for serious misconduct, including demonstrating bias against an individual based on their perceived membership in a protected class or group, like

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<sup>23</sup> See Racial and Identity Profiling Advisory Board, *2024 Report*, at pp. 208-209.

<sup>24</sup> See POST Publications and Guidelines <<https://post.ca.gov/Publication-List>>; see, e.g., Cal. Com. on Peace Officer Stds. and Training, *POST Use of Force Standards and Guidelines* (2021) p. 8 <[https://post.ca.gov/Portals/0/post\\_docs/publications/Use\\_Of\\_Force\\_Standards\\_Guidelines.pdf](https://post.ca.gov/Portals/0/post_docs/publications/Use_Of_Force_Standards_Guidelines.pdf)> (“These guidelines include the statewide minimum standards law enforcement executives are now required to incorporate into their agency’s use of force policy. The guidelines incorporate best practices and are intended to assist with implementation of the practical requirements of these requisite minimum standards”); Cal. Com. on Peace Officer Stds. and Training, *POST Hate Crimes Model Policy* (Mar. 19, 2024) p. vii [https://post.ca.gov/Portals/0/post\\_docs/publications/Hate\\_Crimes.pdf](https://post.ca.gov/Portals/0/post_docs/publications/Hate_Crimes.pdf).

<sup>25</sup> California prohibits “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.” Pen. Code, § 13519.4, subd. (e) (emphasis added). In comparison, under federal law, pretextual stops are permitted so long as an officer can point to an objective reason for the stop, and the officer’s subjective motives or hunches (which research and data shows may be susceptible to racial bias) do not affect the legality of the stop. (*Whren v. United States* (1996) 517 U.S. 806, 813.) Even under federal law, however, “a seizure justified only by a police-observed traffic violation, therefore ‘become[s] unlawful if it is prolonged beyond the time reasonably required to complete th[e] mission’ of issuing a ticket for the violation.” (See *Rodriguez v. United States* (2015) 575 U.S. 348, 350-51 (citation omitted).)

<sup>26</sup> See Pen. Code, § 13519.4.

<sup>27</sup> See Pen. Code, § 13519.4.

<sup>28</sup> See e.g. Pen. Code §§ 745, 1538.5; Civ. Code, § 52.1; Ed. Code, § 220; Gov. Code, § 11135.

<sup>29</sup> Senate Bill No. 2 (SB 2)

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race or identity.<sup>30</sup> To inform officers fully of their obligations, any guidelines POST develops must also advise officers of the potential range of consequences of engaging in racial and identity profiling or failing to intervene or report the biased conduct of other officers. Those consequences could include personal accountability (including financial and reputational harm), citizen complaints, job discipline or loss, decertification under SB 2, and importantly, the harm caused to the community and the breach of trust that undermines police-community relations.<sup>31</sup>

## 2. Guidelines Workshop

The POST Commission convened its first workshop to develop racial and identity policy guidelines on May 14-16, 2024, at the MOT in Los Angeles. A group of subject matter experts and academy instructors, including three RIPA Board members, were selected to help develop the guidelines on racial and identity profiling. At its first workshop in May, POST convened representatives from the LGBTQ+ community, community organizations, law enforcement agencies, course instructors, POST, the California Department of Justice, and families impacted by police violence.

During the workshop, the group discussed the five-hour MOT *Racial Profiling: Issues and Impact* course outline and compliance with RIPA.

Hourly Distribution for a model 5-hour course<sup>32</sup>

<u>START</u>	<u>END</u>	<u>SUBJECT</u>
<u>0800</u>	<u>0930</u>	<u>Section 1: Why are we here?</u>
<u>0940</u>	<u>1105</u>	<u>Section 2: Legal Considerations</u>
<u>1115</u>	<u>1220</u>	<u>Section 3: History of Policing</u>
<u>1220</u>	<u>1300</u>	<u>Section 4: Community Considerations</u>

Participants spent the first day of the workshop touring the MOT exhibits on the Holocaust. They did not receive a tour of the portion of the museum dedicated to training law enforcement. The next two days of the POST guidelines workshop consisted of a critical review of the MOT course outline and materials. In general, Board members expressed appreciation to be at the table and collaborate with individuals with diverse expertise. Participants were told they could only offer verbal feedback and were not allowed to edit the facilitation guide they were using as a template

<sup>30</sup> See Pen. Code, § 13510.8, subd. (b)(5). For a fuller discussion of SB 2 and its implications, see **XXXX** pages of this Report.

<sup>31</sup> See Racial and Identity Profiling Advisory Board, *2024 Report*, at p. 209.

<sup>32</sup> Draft POST Guidelines.

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to develop the guidelines because it was the same guide used by trainers for the MOT train the trainers course and that course, which had already been certified by POST, could no longer be edited.

At the workshop, participants were assigned to small groups to review the course for compliance with the statutory requirements of RIPA. However, once participants reconvened with the larger group, they were not given the opportunity to discuss the consensus reached between law enforcement participants and community participants about gaps in the training.

After the first workshop, Board members were left with concerns about the effectiveness of the racial and identity profiling training courses. Board members articulated that the workshop process did not allow for meaningful group feed-back. Board members believed the guidelines being developed should streamline academy instruction on addressing racial and identity profiling.

In June, POST provided participants with an online, shared working document to provide comments to the draft course guidelines. Individual Board members who participated in the workshop and the full RIPA Board provided feedback reflecting many of the concerns about training relayed in prior Reports. The RIPA Board comments aimed to direct POST to establish standards and guidelines with a commitment to mitigate officer errors and promote officer safety by reducing the disparities in stop data, rather than educate officers on cultural awareness alone.

The second guidelines workshop was hosted at POST Headquarters in Sacramento on October 8-9, 2024. [TK TK]

### **3. Racial and Identity Profiling Standards and Guidelines Format**

POST is tasked with developing a variety of standards and guidelines to ensure that trainings at law enforcement agencies comply with the law and facilitate learning.<sup>33</sup> Effective standards and guidelines highlight best practices, support the development of internal accountability measures, obtain measurable improvements in law enforcement and community relations, and are consistent with adult learning principles.<sup>34</sup> One such set of POST guidelines are the 2021 Use of Force Standards and Guidelines. This document advises law enforcement agencies on maintaining a policy that includes minimum standards for the application of deadly force, alternatives to the use of force, and requirements for intervention, reporting, and training.<sup>35</sup> Following this example, the racial and identity profiling standards and guidelines should provide selection and training standards to ensure agencies comply with California's prohibition against

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<sup>33</sup> See, e.g., Cal. Com. on Peace Officer Stds. and Training, *POST Use of Force Standards and Guidelines* (2021) p. 8 <[https://post.ca.gov/Portals/0/post\\_docs/publications/Use\\_Of\\_Force\\_Standards\\_Guidelines.pdf](https://post.ca.gov/Portals/0/post_docs/publications/Use_Of_Force_Standards_Guidelines.pdf)>.

<sup>34</sup> See Racial and Identity Profiling Advisory Board, *2023 Report*, at pp. 201-206, 208-210.

<sup>35</sup> See Cal. Com. on Peace Officer Stds. and Training, *POST Use of Force Standards and Guidelines* (2021) <[https://post.ca.gov/Portals/0/post\\_docs/publications/Use\\_Of\\_Force\\_Standards\\_Guidelines.pdf](https://post.ca.gov/Portals/0/post_docs/publications/Use_Of_Force_Standards_Guidelines.pdf)>.

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racial and identity profiling and facilitate agency-specific policies and training to address and reduce disparities in profiling.<sup>36</sup>

#### **4. RIPA Board Members Comments on the Workshop Process and Edits**

[general comments good/bad/etc.] After the first workshop, Board members left with three primary outstanding concerns that the guidelines did not adequately address the following: (1) tools to reduce bias; (2) community engagement strategies for local agencies; and (3) accurate legal standards. The second workshop is scheduled for October 2024. In the interim, Board members provided comments and suggested edits to the proposed draft of the guidelines. After the workshop in October, Board members will be able to share their perspective on the entire process and the inclusion of their suggested edits into the guidelines.

##### **a. Other Subject Matter Expert Comments**

Content will be added following the October workshop.

#### **5. Status Update on Guidelines, Lessons Learned, Outstanding Recommendations**

Given the concerns outlined above, the RIPA Board will continue to review the final guidelines, with expected publication early 2025. The Board will review the final guidelines in next year's report.

### **IV. EMERGING RESEARCH ON ANTI-BIAS TRAINING AND ALTERNATIVES**

*A meta-analysis that synthesized the results of 492 studies of implicit bias training effectiveness found that, “without active efforts to sustain short-term shifts created in [training], these shifts are likely to be wiped away upon re-exposure to the social environment.”<sup>37</sup>*

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<sup>36</sup> See Pen. Code, § 13519.4 subd. (h).

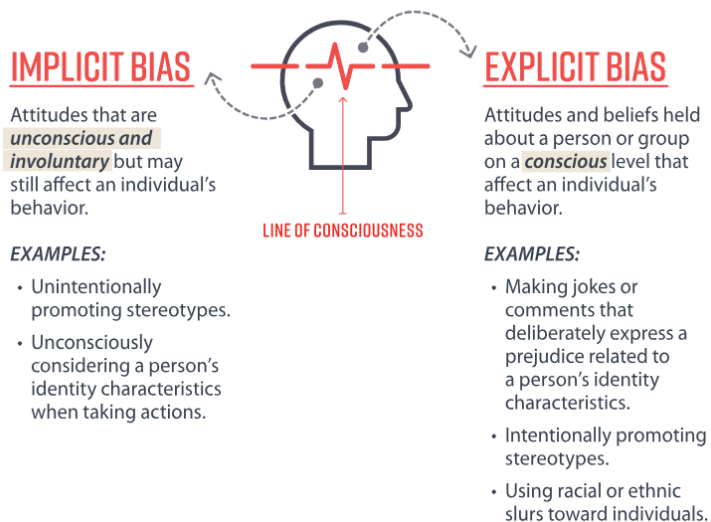
<sup>37</sup> Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, p. 38. In the study, the “final sample represented 87,419 participants and included 342 articles, 492 studies, and 571 independent samples.” Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, p. 9.

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In light of the stability of racial disparities, researchers have raised concerns that the positive effects of implicit bias training on reforming officer behavior are fleeting or null.<sup>38</sup> The trainings’ “null effects on behavior come as no surprise to cognitive social psychologists, given that these trainings typically aim, in a single day or less, to mitigate the effects of cognitive biases that are learned over the life-span, operate outside of conscious awareness and occur automatically.”<sup>39</sup> Social psychological theory suggests that communication styles, perceptions, and behaviors that arise from these biases are deeply rooted and cannot be undone with a one-day classroom training taken every few years.<sup>40</sup>

#### Explicit and Implicit Bias Can Both Affect Behavior



Source: California State Auditor

Several studies indicate that focused, short-term training to reduce implicit bias can produce some immediate reductions in implicit bias, but that trainees return to their baseline levels of implicit bias after a few months.<sup>41</sup> However, variations in the intensity of the training—total number of hours, distribution across weeks or months, and refresher courses—can enhance the durability of implicit bias training.<sup>42</sup> Overall, the studies show that anti-bias interventions must be woven into the culture of police departments to be successful. The researchers found that department policies are necessary to support training and sustain anti-bias intervention awareness

<sup>38</sup> See e.g., Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, pp. 37-38; Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, pp. 159-160 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)> [as of XX,]; Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) 34 *Psychological Science* p. 3.

<sup>39</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, pp. 159-160 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>40</sup> Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12.

<sup>41</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, pp. 157-158 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>; Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, pp. 37-38; Lai et al., *Reducing Implicit Racial Preferences: II. Intervention Effectiveness across Time* (2016) 145 *Journal of Experimental Psychology* 8, p. 1001.

<sup>42</sup> Dube et al., *A Cognitive View of Policing* (2023) *The Pearson Institute* 2023-13, at p. 42 <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

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and behavior.<sup>43</sup> The Board also recommends that before implementing, funding, or requiring any additional training on implicit bias, the courses be evaluated for effectiveness and assessed for the actual long-term effects of the training on individual officer attitudes and behaviors.

The body of evidence to date indicates that, without meaningful, lasting environmental change, implicit biases are resilient.”<sup>44</sup> Environmental changes within law enforcement agencies should address officer and department goals and motivations rather than induce threat or rely on affirmation to maintain positive behaviors.<sup>45</sup> For example, agencies should aim to shift department values to prioritize police-community relations and equitable treatment, rather than relying only on punishing officers who show disparities in their stops. Additionally, an agency’s training approach needs to be evaluated using field outcomes to understand the bias mitigation techniques that succeed for a particular agency and to measurably reduce disparities.<sup>46</sup>

To effectuate change, a person must first recognize their biases and examine how it impacts their behavior. Yet, many people do not know the biases they hold and must be trained to identify them.<sup>47</sup> If peace officers are trained to identify the subtle cues of implicit bias activating during a rapid response, some officers would be able to disrupt or inhibit a response that is rooted in their automatic bias.<sup>48</sup> For those officers, “having a heightened awareness about the potential for bias-driven errors, and/or having an attenuated race-crime mental association,<sup>49</sup> could make the difference in a consequential split-second decision.”<sup>50</sup>

Researchers have turned to examining alternative interventions and revising existing anti-bias trainings to produce lasting reductions in adverse police outcomes including use of force, officer injury, and racial disparities.<sup>51</sup> In response to these findings, researchers recommend:

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<sup>43</sup> Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers’ Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, pp. 3-4, 12.

<sup>44</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 158 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>45</sup> Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, p. 36; see also Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers’ Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12.

<sup>46</sup> Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 9 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>47</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 153 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>48</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 155 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>49</sup> Explain race-crime attenuation. See Sacramento police racial profiling training discussing race-crime attenuation.

<sup>50</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 152 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>51</sup> See Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, p. 6.

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- (1) Repeated training sessions for sustained behavior changes;<sup>52</sup>
- (2) Supervisor support from the top-down to influence cultural shifts within departments toward fair and impartial policing;<sup>53</sup>
- (3) Using body worn camera footage to train officers;<sup>54</sup>
- (4) Integrating implicit bias-oriented diversity training within organizational initiatives;<sup>55</sup>
- (5) Evaluating bias intervention as part of job performance<sup>56</sup> (e.g. assessing attitudes and behavior in response to incidents of alleged bias); and
- (6) Adopting a policy that limits peace officer discretion during stops, encourages intelligence-based stops, and disrupts the influence of implicit biases.<sup>57</sup>

Given the limited effectiveness of short-term implicit bias training, training alone cannot be relied on to reduce bias;<sup>58</sup> rather, some researchers have concluded that training must be accompanied by substantive cultural change within police departments, including policies that guide officers' behavior and reduce discretion during stops.<sup>59</sup> Thus, while some researchers continue to seek the proper dosage of implicit-bias training intensity,<sup>60</sup> others have turned to assessing the alternatives to anti-bias training that reduce racial disparities in policing such as

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<sup>52</sup> Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12.

<sup>53</sup> Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12; Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, p. 110.

<sup>54</sup> Eberhardt et al., "When the Cruiser Lights Come On:" *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, pp. 136-137 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>55</sup> Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12; see also, Cochran et al., *The Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) pp. 16-17, 70. <https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>

<sup>56</sup> Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12.

<sup>57</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, 3 <https://thepearsoninstitute.org/research/cognitive-view-policing>; Eberhardt et al., "When the Cruiser Lights Come On:" *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 134, 138 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>; Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 160 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>58</sup> Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, p. 160 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>.

<sup>59</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 158 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>60</sup> Forscher et al., *A Meta-Analysis of Procedures to Change Implicit Measures* (2019) 117 *Journal of Personality & Social Psychology* 3, pp. 5-6, 43-44; Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 158, 160 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

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changes to policing culture more broadly,<sup>61</sup> cognitive training programs,<sup>62</sup> and policies that limit discretion and guide officers' behavior.<sup>63</sup>

### A. Addressing Systemic Racism that Fuels Individual Bias

A cultural shift is required to end racism in policing and making that shift requires a multipronged approach, including effective accountability systems and training.<sup>64</sup> Bias in policing has been portrayed as an individual psychological issue.<sup>65</sup> But that view ignores the ways group dynamics influences individual behavior.<sup>66</sup> In the past decade, prominent institutions such as the United Nations have concluded that what is viewed as problematic behavior by rogue officers should instead be viewed as behavior that reflects institutional deficiencies: "There is strong evidence that the abusive behaviour of *some* individual police officers is part of a broader and menacing pattern, connected into larger social, historical, cultural and structural contexts, within which policing is undertaken. Law enforcement officers in the United States share and reproduce values, attitudes and stereotypes of US society and institutions."<sup>67</sup>

Recognizing this, researchers examined the influence of department culture on stop data. In one study, Stanford researchers worked with police departments to help reduce disparities and profiling in stops, by analyzing collected stop data. Researchers utilized a sociocultural lens to identify the ways racism and discrimination within institutions, laws, practices, history, interpersonal interactions and individual psychology affect officer actions and contribute to disparities and bias.<sup>68</sup>

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<sup>61</sup> Eberhardt et al., "When the Cruiser Lights Come On:" Using the Science of Bias & Culture to Combat Racial Disparities in Policing (2024) 153 Daedalus 1, pp. 124-125 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>62</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, at pp. 40-41 <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>63</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 Daedalus 1, p. 161 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>64</sup> Eberhardt et al., "When the Cruiser Lights Come On:" Using the Science of Bias & Culture to Combat Racial Disparities in Policing (2024) 153 Daedalus 1, pp. 124-125, 134 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>65</sup> U.N. Human Rights Council, A/HRC/54/CRP.7: International Independent Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement - Visit to the United States of America (Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement) (Sept. 26, 2023) p. 9 <<https://www.ohchr.org/en/documents/country-reports/ahrc54crp7-international-independent-expert-mechanism-advance-racial>>.

<sup>66</sup> Eberhardt et al., "When the Cruiser Lights Come On:" Using the Science of Bias & Culture to Combat Racial Disparities in Policing (2024) 153 Daedalus 1, p. 126 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>67</sup> U.N. Human Rights Council, A/HRC/54/CRP.7: International Independent Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement - Visit to the United States of America (Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement) (Sept. 26, 2023) p. 9 <<https://www.ohchr.org/en/documents/country-reports/ahrc54crp7-international-independent-expert-mechanism-advance-racial>> [as of XX, 2024] (emphasis added).

<sup>68</sup> Parker, *Stanford Big Data Study Finds Racial Disparities in Oakland, California, Police Behavior, Offers*

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The Stanford experts developed a conceptual tool called the “culture cycle” to diagnose how institutions produce and maintain bias in different settings.<sup>69</sup> The culture cycle mapped four levels—ideas, institutions, interactions, and individuals—to see the dynamic interplay between racial bias on an individual level and within police culture.<sup>70</sup> Alongside reliable data, the culture cycle helped researchers “navigate the boarder context and [] learn the roles of people within it,” to diagnose problems and prescribe solutions for lasting change.<sup>71</sup>

To stop the racist culture cycle, the experts found it necessary to intervene at the decision-making point of when officers decide to make a stop and require officers to provide an intelligence-led reason for the stop. Intelligence-led means the officer had a specific information, “such as suspect descriptions provided by crime victims or specific patterns of gang activity or illegal drug dealing, as opposed to relying on intuition.”<sup>72</sup> Research shows that “automaticity” plays a key role in decision-making: “conscious deliberation is mentally costly” so humans developed automatic responses that are adaptive to commonly faced problems.<sup>73</sup> Simply the act of requiring officers to articulate the specific intelligence-led reasons for the stop, an intervention designed to “mitigate specific situational triggers of bias, and in the process, alter the way officers make the decision to pull someone over,”<sup>74</sup> reduced stop disparities.<sup>75</sup>

The research team also found additional accountability mechanisms reduced profiling, such as reviewing body-worn camera footage to examine officer behavior for a lack of respect through tone, body language, and word choice.<sup>76</sup> They found that viewing body-worn camera footage helped ensure both the community and officers that interactions were being carried out in a

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*Solutions* (2016) Stanford News; Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 124 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>69</sup> Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 125 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>70</sup> Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 125 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>71</sup> Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 126 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>72</sup> Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, pp. 130, 134 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>73</sup> University of Chicago Crime Lab, *Preventing Youth Violence: An Evaluation of Youth Guidance’s becoming a Man Program* (2018) p. 4

<[https://www.americorps.gov/sites/default/files/evidenceexchange/BAM\\_SIF\\_Final\\_Report\\_Revision\\_20181005\\_508\\_1.pdf](https://www.americorps.gov/sites/default/files/evidenceexchange/BAM_SIF_Final_Report_Revision_20181005_508_1.pdf)>.

<sup>74</sup> Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 134 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>75</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, 3 <<https://thepearsoninstitute.org/research/cognitive-view-policing>>; Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, p. 134, 138 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>76</sup> Eberhardt et al., “When the Cruiser Lights Come On:” *Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, pp. 136-137 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

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constitutional and procedurally just manner, an increasingly important metric of community trust and safety amid escalating relations between police and Black communities, in particular.<sup>77</sup> The experts then deployed body-worn camera footage as a training tool to provide feedback to officers on their behavior.<sup>78</sup> Overall, their team found that mandating intelligence-led stops and using body-worn camera footage to improve training and accountability reduced racial bias and improved the culture of law enforcement in Oakland.

A department's organizational context, from the executive's tone to recruitment and hiring practices to community engagement policies, facilitates an institution's culture.<sup>79</sup> Field supervisors, who mediate the application of policies and implementation of programs, also heavily shape departmental culture.<sup>80</sup> Their influence can either reinforce and amplify training or contradict and undermine it, particularly through training follow-up.<sup>81</sup> As mentioned previously, the Fair and Impartial Policing (FIP) implicit bias training caters to different ranks to instill within supervisors the ability to "communicate effectively, internally and externally, about bias," which allows supervisors to "take advantage of 'teaching moments' as mechanisms for continued dialogue" fostered by the implicit bias training.<sup>82</sup> The FIP training stresses that supervisors play a significant role in internal communications about impartial policing, and how supervisors handle conversations about potentially biased behavior can "enhance their credibility and reputation as leaders" and reinforce messages conveyed in training.<sup>83</sup> Addressing the organizational and systemic factors shaping police-community interactions along with implicit bias training can

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<sup>77</sup> Eberhardt et al., "When the Cruiser Lights Come On: Using the Science of Bias & Culture to Combat Racial Disparities in Policing (2024) 153 Daedalus 1, p. 137 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>78</sup> Eberhardt et al., "When the Cruiser Lights Come On: Using the Science of Bias & Culture to Combat Racial Disparities in Policing (2024) 153 Daedalus 1, p. 138 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>.

<sup>79</sup> See Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, p. 110 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>.

<sup>80</sup> Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, p. 110 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>.

<sup>81</sup> Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, p. 110 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>.

<sup>82</sup> Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, pp. 16-17 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>.

<sup>83</sup> Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, pp. 114-117 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>.

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more effectively reduce bias.

## B. Cognitive Training

Another area of research has found that officer training focused on managing the cognitive demands of policing resulted in less use of force, fewer discretionary arrests, fewer officer injuries, and reduced racial disparities.<sup>84</sup> From 2020-2021, a team of experts trained over two thousand officers at the Chicago Police Department using a new training model, called Situational Decision-making (Sit-D). Sit-D trains officers to develop more varied explanations of subject behavior, process information more efficiently, and update initial threat assessments throughout the duration of the interaction.<sup>85</sup> The Sit-D uses five-step “Thinking Tactic Model” where officers learn to recognize and regulate their responses to policing situations and consider alternative interpretations of situations to mitigate “thinking traps” that limit their perspective.<sup>86</sup> Then officers practice these skills in simulation exercises that are each debriefed with trainers and other officers.<sup>87</sup> Notably, the training did not explicitly focus on racial bias in policing, but instead generally encouraged officers to go beyond initial impressions to more effectively assess a situation.<sup>88</sup>

Four months after the training, researchers evaluated the effectiveness of the training and the results demonstrated that Sit-D training significantly reduced adverse police outcomes.<sup>89</sup> Specifically, the training reduced non-lethal force by 23 percent, reduced discretionary arrests (which may “stem from officers’ emotional responses, such as frustration with a subject’s behavior”) by 23 percent, reduced overall arrests of Black subjects (without any corresponding effects on other races) by 11 percent, and reduced officer injuries.<sup>90</sup> The training gave officers

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<sup>84</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, pp. 40-41 <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>85</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, pp. 3-5. <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>86</sup> In Sit-D training, “officers learn about various ‘cognitive biases’ or ‘thinking traps,’ which are mental shortcuts that might constrain their perspective on a situation, [including] [1] catastrophizing (assuming the worst possible outcome will occur), [2] minimizing (down-playing potential risks), [3] personalization (assuming others’ actions are meant to antagonize oneself), [4] confirmation trap (focusing on information that supports one’s assumptions), [5] over-generalization (basing interpretations too heavily on salient past experiences), [6] all-or-none thinking (thinking in absolutes and ignoring nuances), and [7] anchoring (failing to update one’s impression as the situation changes).” Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, pp. 10-11. <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>87</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, p. 11. <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>88</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, pp. 3-4 <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>89</sup> The researchers analyzed Chicago Police Department administrative data aligned with the timing of the training assessments. (Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, p. 5 <<https://thepearsoninstitute.org/research/cognitive-view-policing>>.)

<sup>90</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, pp. 5, 32-33

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tools to evaluate multiple perspectives and consider more appropriate ways to respond.<sup>91</sup>

This approach mitigated racial disparities, despite focusing on the cognitive processes involved in policing instead of racial biases. The study suggests that disrupting the influence of subconscious beliefs on officers' actions—by providing them the tools with which to make more deliberate decisions—could be a more effective way to reduce racial disparities than implicit bias training.<sup>92</sup>

### C. Policies Limiting Officer Discretion

Professor Jack Glaser<sup>93</sup> has researched the efficacy of implicit bias training, and in light of findings indicating implicit bias training does not produce substantial, lasting effects on officer behavior, Glaser searched for other means to disrupt the opportunities for indirect discrimination to influence police-civilian encounters, from the decision to stop an individual to the use of force, including fatal force.<sup>94</sup> Glaser concluded that, “[g]iven that implicit bias trainings for police... have been shown not to reduce disparate outcomes in stop, search, arrest, and use of nonlethal force, limiting the discretion with which police officers use force needs to be prioritized.”<sup>95</sup> Limiting discretion disrupts the effects of implicit bias by eliminating the opportunity for bias in the first place. “When discretion is high—for example, when decision-makers can use their own judgment in ambiguous situations—cognitive shortcuts like stereotypes have more opportunity to influence decisions.”<sup>96</sup> Therefore, training and experience will improve officers' ability to make assessments, but constraining discretion can systemically reduce disparities by eliminating individual judgment from the decision to initiate a stop or conduct a search, for example.<sup>97</sup>

In his research, Glaser reviewed stop data from the U.S. Customs Service (now Customs and Border Patrol), New York Police Department (NYPD), and the eight largest agencies in California. Glaser found that when officers' discretion to search was high, so were racial

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<<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>91</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, pp. 28-29

<<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>92</sup> Dube et al., *A Cognitive View of Policing* (2023) The Pearson Institute 2023-13, p. 8

<<https://thepearsoninstitute.org/research/cognitive-view-policing>>.

<sup>93</sup> Glaser is a social psychologist, graduate professor at UC Berkeley, and currently an Advisory Member to the Peace Officer Standards Accountability Advisory Board created by Senate Bill 2.

<sup>94</sup> See Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, pp. 158, 164 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>95</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 166 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>96</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 160 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>97</sup> See Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 160-161 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

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disparities in search rates. “White people were being subjected to higher thresholds of suspicion than Black people and Latino people in order to get stopped and/or searched. When discretion was relatively low (when search decisions were based on more stringent, prescribed criteria), yield rates were higher overall, and far less disparate.”<sup>98</sup> Glaser’s analysis shows that reducing discretion effectively reduces racial, ethnic, or other disparities in policing stops and searches.

*“When discretion is high—for example, when decision-makers can use their own judgment in ambiguous situations—cognitive shortcuts like stereotypes have more opportunity to influence decisions.” – See footnote XXX*

Glaser appeared before the POST Commission on September 21, 2023. During Glaser’s presentation, POST acknowledged research showing that anti-bias training does not seem to be effective but is nonetheless a common response to concerns about discrimination.<sup>99</sup> Glaser was asked, “Are we wasting time and effort by pushing something out that perhaps isn’t working? And should we wait for, you know, further studies to kind of demonstrate where we should be going with the training?”<sup>100</sup> Glaser advised POST to concentrate their implicit bias training on management, from sergeants all the way up to chief or sheriff, to make the training more effective and a more efficient use of department

resources.<sup>101</sup> Glaser stated that training officers “is good for setting the stage and for motivating people to do things differently,” but policies and strategies need to be implemented to reinforce the training in the field.<sup>102</sup> By addressing bias systemically through top-down training and policies, incentives within the department shift and influence the actions of individual officers more than individual training aimed at officers.<sup>103</sup> Glaser also recommended limiting officer discretion by formalizing decision criteria used during stops to reduce racial bias.<sup>104</sup> These recommendations to POST are consistent with the recommendations the Board makes below to improve training and reduce disparate treatment in police civilian encounters.

## V. BEST PRACTICES, POLICY, LEGISLATIVE RECOMMENDATIONS

### A. Recommendations to the Legislature

- (1) Expand the POST Commission to add additional public members that include members from the public and non-sworn community, including victims and impacted communities, health and mental health professionals who serve vulnerable communities, and experts in

<sup>98</sup> Glaser, *Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing* (2024) 153 *Daedalus* 1, p. 164 <[https://doi.org/10.1162/daed\\_a\\_02053](https://doi.org/10.1162/daed_a_02053)>.

<sup>99</sup> POST Commission Meeting, Reporter’s Transcript (Sept. 21, 2023) p. 61.

<sup>100</sup> POST Commission Meeting, Reporter’s Transcript (Sept. 21, 2023) p. 61.

<sup>101</sup> POST Commission Meeting (Sept. 21, 2023) p. 65:7-9.

<sup>102</sup> POST Commission Meeting (Sept. 21, 2023) p. 63:19-22.

<sup>103</sup> See POST Commission Meeting (Sept. 21, 2023) pp. 61-66.

<sup>104</sup> POST Commission Meeting (Sept. 21, 2023) p. 65: 10-12.

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adult education and scientific research.

This recommendation is a reiteration of recommendations from the 2022 and 2023 Reports,<sup>105</sup> and it was initially proposed by The Little Hoover Commission (LHC), a legislative oversight body that conducted a study from 2020-2021 examining the effect of law enforcement trainings in California.<sup>106</sup> LHC found in its study that, compared to other regulatory bodies, the POST Commission has far less public representation.<sup>107</sup> While POST regularly consults non-law enforcement experts to help create curriculum, as seen in the guidelines workshop, these efforts are not a permanent seat at the POST Commission table.<sup>108</sup> Although Senate Bill (SB) 399 doubled the public members serving on the Commission to 4 out of 18,<sup>109</sup> Commission membership is still not balanced between individuals with and without law enforcement experience.<sup>110</sup> The Board agrees with LHC: adding civilian voices will increase inclusive decision-making, public confidence, and the quality of law enforcement training in California.<sup>111</sup>

- (2) Require LEAs adopt a policy to prohibit racial and identity profiling that includes accountability and consequences of non-compliance based on the POST guidelines (ex. SB 2).
- (3) Require more frequent, evaluated and evidence-based training on racial and identity profiling than once every five years.

Research recommends frequent anti-bias training for lasting changes to officer behavior.<sup>112</sup> Relative to other states, California's mandated training on racial and identity profiling—every five years—is relatively infrequent.<sup>113</sup> Many LEAs in California require more frequent anti-bias

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<sup>105</sup> Racial and Identity Profiling Advisory Board, *2022 Report*, at pp. 251-252; Racial and Identity Profiling Advisory Board, *2023 Report*, at pp. 208-209.

<sup>106</sup> Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 3 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>107</sup> See Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 23 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>108</sup> See Little Hoover Com., *Steps to Improve Law Enforcement Training in California* (Nov. 2021) pp. 10-11 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>109</sup> SB 399 (Atkins). Chapter 594, Statutes of 2019.

<sup>110</sup> Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 23 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>111</sup> See Little Hoover Com., *Steps to Improve Law Enforcement Training in California* (Nov. 2021) pp. 23-24 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>112</sup> See Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12; Forscher et al., *Breaking the Prejudice Habit: Mechanisms, Timecourse, and Longevity* (Sept. 2017), *J. of Experimental Social Psychology* 72 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5720145/>>.

<sup>113</sup> According to the National Conference of State Legislatures (NCSL), 27 states require law enforcement officers to undergo cultural and racial bias trainings with ranging frequency and hours requirements.

<<https://app.powerbi.com/view?r=eyJrjoiNzlmOTQyM2QtZWRIOS00MmIxLWEzOTYtYTUzMjNINzdkMWZhIi>

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training.<sup>114</sup> In its 2022 review of law enforcement training, the California State Auditor recommended officers undergo racial and identity profiling training every other year.<sup>115</sup> In addition to regular basic course training in the academy, California should require all law enforcement officers to undergo anti-bias bias training on an annual basis, or every two years at a minimum. This is necessary to keep up with the latest research on racial and identity profiling, reinforce anti-bias tools in the field, and reduce disparities. In addition, the Legislature should also consider requiring frequent follow-up or micro trainings to see sustained improvements in officer behavior and disparate outcomes.<sup>116</sup>

- (4) Require law enforcement supervisors and field training officers receive specialized training on eliminating racial and identity profiling within their departments.<sup>117</sup>

To further effectuate supervisor training and to demonstrate a shift in cultural values toward reducing disparities and respecting community members, agencies should evaluate supervisors in their job performance reviews on their management of allegations of bias and quality of community interactions.

- (5) Require POST and MOT courses on racial and identity profiling to be updated annually with the latest RIPA Data, current events, and community input.<sup>118</sup>

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[widCI6IjM4MmZiOGIwLTRkYzMtNDEwNy04MGJkLTM1OTViMjQzMmZhZSIsImMiOjZ9](#)). Among those, seven states/jurisdictions require annual training (Arkansas, DC, Iowa, Kansas, Nebraska, Nevada, North Carolina), four require it every two years (New Mexico, Pennsylvania, Texas, Vermont), and two require it every three years (Missouri, Minnesota). *Id.*

<sup>114</sup> For example, after the Tiburon Police Department engaged in an incident of alleged racial profiling at a local couple's clothing store, the Department "increased the frequency of training on biased-based policing from every five years to every two years . . . [and] [i]n December 2020 and in February 2021, all department staff attended half-day trainings focused on implicit bias." (<https://www.thearknews.com/live/tiburon-settles-racial-profiling-claim>). In another instance, the Solano County Civil Grand Jury found that although local law enforcement agencies appeared to comply with the state's every-five-year racial bias training requirement, the agencies should "adopt a more frequent schedule of diversity and bias training over and above the current five-year requirement." (<https://solano.courts.ca.gov/wp-content/uploads/2021/06/FINAL-210624-Law-Enforcement-Bias.pdf?ref=vallejosun.com>).

<sup>115</sup> California State Auditor, *Law Enforcement Departments Have Not Adequately Guarded Against Biased Conduct* (April 26, 2022) <[Report 2021-105 \(ca.gov\)](#)>.

<sup>116</sup> "Frequently responding to questions about race may have made all participants more sensitive to racial issues, a sensitivity that could have differentially impacted intervention and control participants, perhaps causing the decrease in discrepancies in the latter parts of the study." Forscher et al., *Breaking the Prejudice Habit: Mechanisms, Timecourse, and Longevity* (Sept. 2017), *J. of Experimental Social Psychology* 72, p. 9 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5720145/>>.

<sup>117</sup> See Lai and Lisnek, *The Impact of Implicit Bias-Oriented Diversity Training on Police Officers' Beliefs, Motivations, and Actions* (2023) *Psychological Science* 34, p. 12; Cochran et al., *Impacts of Implicit Bias Awareness Training in the NYPD* (July 2020) International Association of Chiefs of Police (ICAP) and University of Cincinnati Center for Police Research and Policy & John F. Finn Institute for Public Safety, pp. 16-17 <<https://www.theiacp.org/sites/default/files/2020-09/NYPD%20Implicit%20Bias%20Report.pdf>>;

<sup>118</sup> Board members who attended the POST workshops found the cultural references and some of the information

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- (6) Require POST and MOT courses on racial and identity profiling be revised to include ways to prevent behavior that could lead to officer decertification for serious misconduct under SB 2.
- (7) Amend the law to increase funding and allow for a more diverse group of stakeholders, beyond the MOT, to present additional options of the racial and identity profiling training to law enforcement officers.<sup>119</sup>

Since 2004, MOT has been the sole provider of both racial profiling trainings and course content, whereas previously additional non-profits collaborated to develop racial profiling trainings.<sup>120</sup> While POST must consult with the RIPA Board on racial and identity profiling training, the consultation is limited to feedback on an initial draft of training, when provided. Yet Board members have raised concerns about course content in prior Reports.<sup>121</sup> Given the lack of bias mitigation tools, lack of historical harms to community-police relations, limited community input, and incorrect legal standards in MOT-developed courses, the Board recommends expanding training facilitators.

The input and facilitation by additional organizations with direct police-community experience such as Neighborhood Wellness and the Center on Juvenile and Criminal Justice (CJ CJ) can strengthen racial and identity profiling trainings offered in California and RIPA's goals. Both Neighborhood Wellness and CJ CJ presented at the June 2024 Board meeting and discussed particularized training addressing racial disparities and law enforcement. The Board recommends the Legislature amend RIPA to require training consultation and facilitation by organizations such as these.

- (8) Require body-worn camera footage or highly publicized incidents be used in the racial and identity profiling training in lieu of, or in addition to, staged scenarios.<sup>122</sup>
- (9) Fund an independent a study, under the guidance of the RIPA Board and conducted by

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outdated.

<sup>119</sup> See Former Pen. Code, § 13519.4, subd (f), (1)-(9), as amended by Statutes 2011, chapter 854, section 63; see also, Racial and Identity Profiling Advisory Board, *2023 Report*, at p. 200.

<sup>120</sup> Those former organizations included: (1) State Conference of the NAACP, (2) Brotherhood Crusade, (3) Mexican American Legal Defense and Education Fund, (4) The League of United Latin American Citizens, (5) American Civil Liberties Union, (6) Anti-Defamation League, (7) California NOW, (8) Asian Pacific Bar of California, and (9) The Urban League. See Former Pen. Code, § 13519.4, subd (f), (1)-(9), as amended by Statutes 2011, chapter 854, section 63; see also, Racial and Identity Profiling Advisory Board, *2023 Report*, at p. 200.

<sup>121</sup> See 2022, 2023, 2024 Reports.

<sup>122</sup> Eberhardt et al., "*When the Cruiser Lights Come On: Using the Science of Bias & Culture to Combat Racial Disparities in Policing* (2024) 153 *Daedalus* 1, pp. 136-137 <[https://doi.org/10.1162/daed\\_a\\_02052](https://doi.org/10.1162/daed_a_02052)>. See also, 2021 RIPA Report recommendation to "use actual footage of law enforcement encounters in lieu of scripted scenarios" as a more effective teaching tool." Racial and Identity Profiling Advisory Board, *2021 Report*, at p. 154.

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academic researchers,<sup>123</sup> that assesses the actual effects of POST’s training on officers’ attitudes, prejudices, and enforcement outcomes.

- (10) Require POST to report annually on specific training outcome and performance measures. POST should consider looking at implicit bias metrics before and after the trainings to measure its effect.

Last year, the Board recommended POST measure course effectiveness, but POST did not support the recommendation and responded it would take too many resources (see above). Several state agencies—Legislative Analyst Office (LAO),<sup>124</sup> Little Hoover Commission (LHC),<sup>125</sup> and State Auditor<sup>126</sup>—have all stated the imperativeness of evaluating state training and its effect on law enforcement job performance. To the extent POST lacks resources, the Board supports LHC’s recommendation for POST to partner with academic researchers to assess the success and relevancy of its existing profiling training.<sup>127</sup> “The focus of course evaluations must shift away from hours in training or officer satisfaction to better understanding training outcomes and impacts to officer actions and behavior in the field.”<sup>128</sup>

In its 2019-2020 Budget review, LAO advised the Legislature to monitor POST’s spending for law enforcement training by “adopt[ing] trailer bill language directing POST to report annually on specific outcome and performance measures that are tied to legislative expectations for the additional funding.”<sup>129</sup> Specifically, LAO recommend that POST collect and report on the number of officers trained, how trainings are delivered, the cost of training per attendee, as well as the effect of specific trainings on officer job performance.<sup>130</sup>

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<sup>123</sup> See Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 11 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>.

<sup>124</sup> Legis. Analyst, *2019-20 Budget: Analysis of the Governor’s Criminal Justice Proposals* (Feb. 2019) p. 44 <<https://lao.ca.gov/reports/2019/3940/2019-20-CJ-Analysis-021919.pdf>>.

<sup>125</sup> Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 9 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>126</sup> See e.g. “The Legislature should require local law enforcement departments to report to the RIPA Board the extent to which they have implemented those best practices, and should further require that departments provide the board with copies of any of the policies, procedures, or plans that they attest align with the best practices if the RIPA Board requests they do so. Finally, the Legislature should require the RIPA Board to publish annually through a scorecard, interactive dashboard, or similar means each department’s progress.” California State Auditor, *Law Enforcement Departments Have Not Adequately Guarded Against Biased Conduct* (Apr. 2022) <https://information.auditor.ca.gov/reports/2021-105/index.html>.

<sup>127</sup> See Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 11 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>.

<sup>128</sup> Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 9 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>.

<sup>129</sup> Legis. Analyst, *The 2019-20 Budget: California Spending Plan, Judiciary and Criminal Justice* <<https://lao.ca.gov/Publications/Report/4097#other-criminal-justice-programs>>; Legis. Analyst, *2019-20 Budget: Analysis of the Governor’s Criminal Justice Proposals* (Feb. 2019) p. 44 <<https://lao.ca.gov/reports/2019/3940/2019-20-CJ-Analysis-021919.pdf>>.

<sup>130</sup> Racial and Identity Profiling Advisory Board, *2023 Report*, at p. 208.

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LAO recently supported the POST Commission’s request for reimbursement for RIPA-related expenses. In LAO’s 2023-2024 Budget review of the Commission on State Mandates, LAO concurred with the Commission’s finding that the requirements of RIPA related to the collection and reporting of stop data by local agencies created a state-reimbursable mandate.<sup>131</sup> The Legislature approved LAO’s recommendation for \$57 million in reimbursement funds for local government agencies for costs incurred for RIPA compliance.<sup>132</sup> The form for reimbursement is below.<sup>133</sup>

## **B. Recommendations to POST**

- (1) Evaluate the academic research underpinning trainings during its course certification process.<sup>134</sup>
- (2) Revise the process for evaluating law enforcement training, in course certification and its quality assessment plans, to include additional course criteria that incorporates training outcomes based on officer actions and behavior in the field.<sup>135</sup>
- (3) Evaluate LD 3 and LD 42 in the Regular Basic Course comprehensive module tests.<sup>136</sup>

## **VI. VISION FOR FUTURE REPORTS**

After collaborating on developing racial and identity profiling guidelines this year, the Board looks forward to agency implementation of policies and curriculum reflecting these guidelines and to the continuation of its relationship with POST. The Board appreciates and looks forward to the POST Commission’s written response to the Board’s recommendations in the RIPA

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<sup>131</sup> Legis. Analysis Office, *2023-2024 Budget: Racial and Identity Profiling Mandate* (Feb. 2023) <<https://lao.ca.gov/Publications/Report/4715>>.

<sup>132</sup> Legis. Analysis Office, *2023-2024 Budget: Racial and Identity Profiling Mandate* (Feb. 2023) <<https://lao.ca.gov/Publications/Report/4715>>. More information can be found at the Commission of State Mandates and the State Controller’s Office websites, both of which have an operational role in administering this state mandate.

<sup>133</sup> [https://www.sco.ca.gov/Files-ARD-Local/la\\_2023\\_raip375ada.pdf](https://www.sco.ca.gov/Files-ARD-Local/la_2023_raip375ada.pdf)

<sup>134</sup> In its 2021 report, LHC recommended POST amend its certification process to include assessment of whether trainings are evidenced-based in order to understand what outcomes the training might produce or how it may impact officer behavior. (Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 7 <https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>.)

<sup>135</sup> Little Hoover Com., *Law Enforcement Training: What Works for Officers and Communities* (Nov. 2021) p. 7-9 <<https://lhc.ca.gov/report/law-enforcement-training-identifying-what-works-officers-and-communities/>>

<sup>136</sup> POST Commission, Modular Format – Module II Training Specifications <<https://post.ca.gov/modular-format-module-ii-training-specifications>>. LD 3 and LD 42 are included in Module II, but they are not tested on.

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Report. Moving forward, the Board invites POST to also present these recommendations at a Board meeting.

In future Reports, the Board will evaluate POST training courses including the Field Training Course, the final course pertaining to racial and identity profiling, and the updated MOT Racial and Identity Profiling Train-the-Trainer Course curriculum. In the guidelines workshop, subject matter experts from law enforcement identified that field training officers have a tremendous influence on shaping the behaviors of basic academy cadets. Evaluating the Field Training Course and its oversight is critical to understanding the context and enforcement of peace officer training in California. Finally, the Board looks forward to assisting POST should it decide to develop any additional training on profiling or how to mitigate bias.

As recommended by best practices, the Board will continue to review research and evidence-based practices to prescribe protocols that inform instruction and eliminate racial and identity profiling. In prior reports, the RIPA Board has expressed interest in learning more about the POST certification process for the group of racial and identity courses under its responsibility. The Board will continue to learn about POST's integration of new legal mandates such as SB 2. As POST-certified courses are updated, the RIPA Board will continue to schedule the legislatively mandated annual reviews.

In accordance with their response to the 2024 recommendations, the POST Commission will provide the Board with verbal updates on its regulations pertaining to racial and identity profiling. The Board expects to review POST's regulations implementing Assembly Bill No. 443 (AB 443) (2023-2024 Reg. Sess.), which requires, among other things, the Commission update its definition of "biased conduct" by January 1, 2026.

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