CHULA VISTA POLICE DEPARTMENT

RACIAL AND IDENTITY PROFILING ACT (RIPA)

ASSEMBLY BILL (AB) 953

Sergeant Bryan Jackson

AB 953

Background

AB 953 (Weber, 2016) was introduced by the California State Legislature to help develop, as well as encourage, a collaborative process between LEAs in the community to end racial and identity profiling.

The goals are to develop community based solutions by (1) collecting stop data and (2) providing a forum for LEA and community conversation to discuss developing best practices based on evidence collected from those stops

The bill requires all city and county LEAs in California, as well as the California Highway Patrol and peace officers of California State and University educational institutions, to collect perceived demographic and other detailed data regarding pedestrian and traffic stops.

AB 953

RIPA Advisory Board

As part of the RIPA assembly bill. The Racial and Identity Profiling Advisory Board (RIPA Board) was formed.

The RIPA Board is a diverse group of members that represent the public, law enforcement and educators. At the direction of the Legislature, their charge is to eliminate racial and identity profiling, and improve diversity and racial and identity sensitivity in law enforcement.

The RIPA Board aims to strengthen law enforcement-community relations in California through collaboration, transparency, and accountability. The California Department of Justice, Office of the Attorney General, has the primary oversight of the RIPA Board.

AB 953

RIPA ADVISORY BOARD

- Analyze stop data information
- Publish annual reports that detail the past and current status of RIPA
- Analyze law enforcement training
- Make policy recommendations for eliminating racial and identity profiling
- Work with state and local law enforcement agencies to review, analyze policies and practices

RIPA BOARD REPORTS:
https://oag.ca.gov/ab953/board/reports

AB 953

When did this take effect?

BEGINNING JULY 1, 2018, LAW ENFORCEMENT AGENCIES, STARTING WITH THE EIGHT LARGEST AGENCIES, WILL BEGIN COLLECTING STOP DATA AND REPORTING THE INFORMATION TO THE DOJ.

- The bill requires an agency that employs 1,000 or more peace officers to issue its first annual report by April 1, 2019.
- The bill requires an agency that employs 667 or more but less than 1,000 peace officers to issue its first annual report by April 1, 2020.
- The bill requires an agency that employs 334 or more but less than 667 peace officers to issue its first annual report by April 1, 2022.
- *The bill requires an agency that employs one or more but less than 334 peace officers to issue its first annual report by April 1, 2023.*

AB953

REPORTING THE STOP-DATA

- Only peace officers, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, as set forth below:
  - Probation Officers are not subject to this chapter
  - Peace Officers shall not report stops that occur in a custodial settings
  - DOJ Division of Law Enforcement Special Agent is exempt.
  - Peace Officers employed by a reporting agency, except Probation Officers, are subject to this chapter even if the officer makes a stop while assigned or contracted to work for another governmental agency or private entity.
  - Peace Officers employed by a "reporting agency", defined as any city or county law enforcement agency that employs Peace Officers, including officers who are contracted to work at other governmental agencies or private entities. This includes, but is not limited to, Peace Officers assigned to work in cities or other jurisdictions that are not within the original jurisdiction of the city or county law enforcement agency; Peace Officers of city or county agencies assigned to or contracted to work at housing or transit agencies; and school resource officers assigned to work in California state educational institutions.

AB953

Confidentiality of Officer Identity

(g) Data Publication. Data submitted to the Department will be published, at the discretion of the Attorney General and consistent with Government Code section 12525.5, on the Department's OpenJustice website. The data published shall include disaggregated statistical data for each reporting agency. The Department shall not release to the public the Officer's I.D. Number or Unique Identifying Information. Nothing in this section prohibits the Department from confidentially disclosing all stop data reported to the Department to advance public policy through scientific study and pursuant to the Department's data security protocols, which will ensure that the publication of any data, analyses, or research will not result in the disclosure of an individual officer's identity.

AB953

WHAT DATA DO WE NEED TO COLLECT?

The data elements to be reported, to include

1. ORI NUMBER
2. Date, time and Duration of the stop
3. Location of Stop
4. Perceived race or ethnicity of person stopped
5. Perceived gender of person stopped
6. Person stopped perceived to be LGBTQ+
7. Perceived age of person stopped
8. Person stopped has limited or no English fluency

AB953

WHAT DATA DO WE NEED TO COLLECT?

Continued - The data elements to be reported, to include

9. Perceived or known disability of the person stopped
10. Reason for stop
11. Stop made in response to a call for service
12. Actions taken by the officer during the stop
13. Results of stop
14. Officer's Identification (ID) number *
15. Officer's years of experience
16. Type of assignment of officer

AB953

ADDITIONAL QUESTIONS…

We want to tell the whole story

17. When did you know the subject/suspect's race/gender?

18. What Beat was the stop in?

19. Why did you initiate the stop?

20. Did your stop match the subject/suspect race/gender description in the call for service or proactive enforcement?

21. If an observation stop, were you aware of recent crimes in the surrounding area and did the description match your stop?

22. Was the subject/suspect on parole or probation?

23. Was the subject/suspect a known gang member?

*RIPA will be adding additional questions

AB953

DATA COLLECTION

- CA DOJ requires RIPA data to be submitted electronically.

- CVPD began a two-month pilot program to test two different submission applications:
  - San Diego County Sheriffs Department development their own application.
  - Veritone application

Thank you to Off J. Rodrigues, Off M. Knapp, Off V DelRio, Off H. Martin Jr, Off J. Symonette, Off J. Aguayo and Off C. Isaaks unit who assisted us in testing both applications.

- RIPA Subject Matter Experts (SME)
  - Agt Natalie Caceres
  - Agt Kevin Rosas
  - Off Chanelle Walsh

AB953

PERCEPTION

Can a perception be wrong? No, there is no wrong perception but it must be YOUR honest perception.

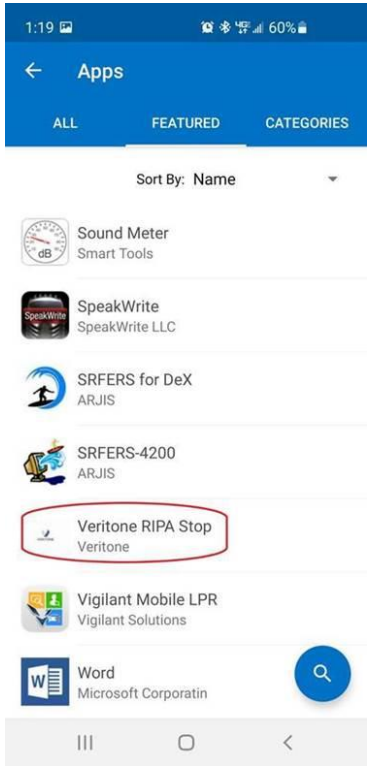
Government Code section 12525.5 requires officers to record perception data and the regulations make clear that officers should not record demographic data (age or gender) seen on the person's ID card. It is also unlawful to knowingly record false information.

AB953

VERITONE

Step 1: Locate the Company Portal app on your phone, tap to open, then log in:

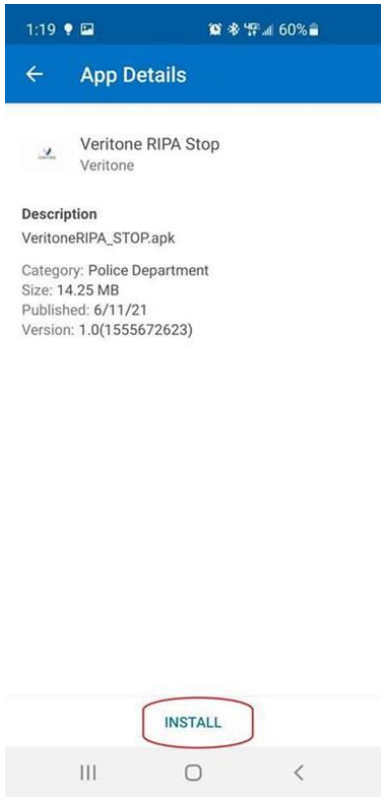
Step 2: Scroll down the App list until you find the custom Veritone RIPA Stop App



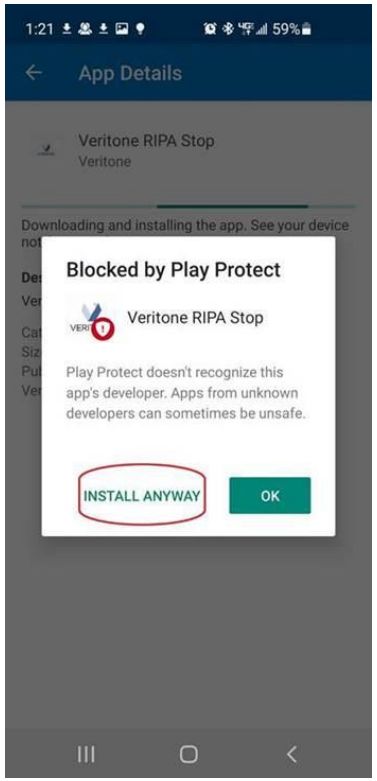
AB953

VERITONE

Step 3: Tap Install



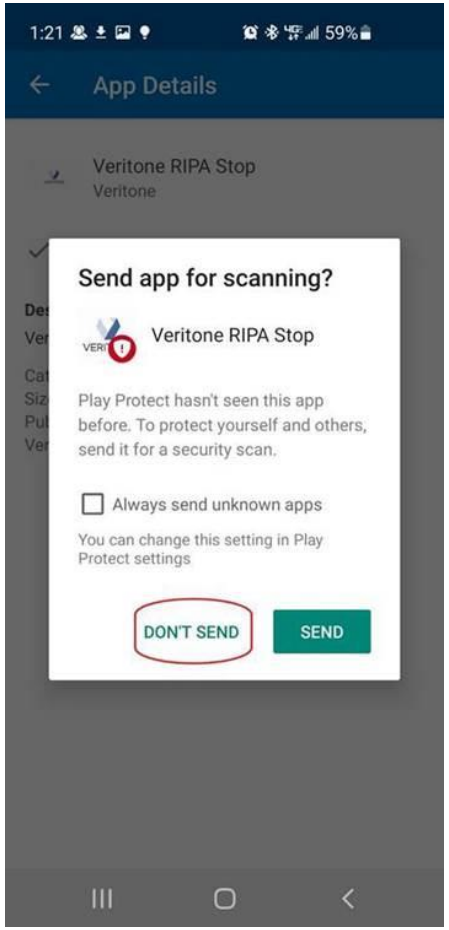
Step 4: You we will get this warning, tap “Install Anyway



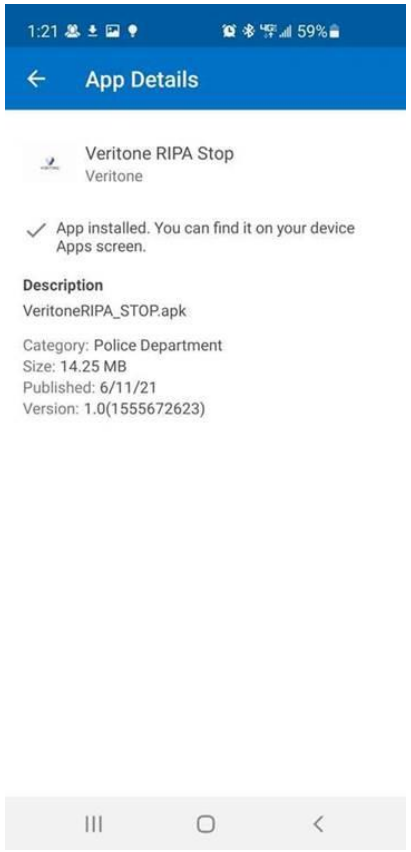
AB953

VERITONE

Step 5: Select “Don’t Send”



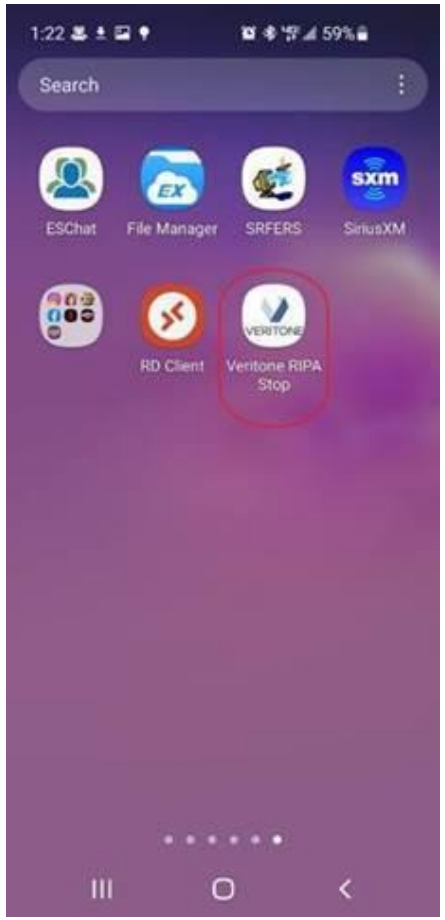
Step 6: When app has been successfully installed you will get this screen



AB953

VERITONE

Step 7: Go back to your home screen and tap on the new app, then log in



AB953

VERITONE

WHAT IS A REPORTABLE STOP?

- Any DETENTION of a person by a peace officer

- Any peace officer interaction with a person in which the officer conducts a SEARCH (including consensual search)

AB953

VERITONE

SPECIAL SETTINGS (DUI CHECKPOINTS ETC)

(1) Peace officers shall not submit the data elements described in section 999.226, subdivision (a) for passengers in vehicles subject to a stop unless either of the following applies: ……

(1) (D) Checkpoints or roadblocks in which an officer detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics. 1. Example: A checkpoint or roadblock, including a DUI sobriety checkpoint, that stops all vehicles or stops randomly selected vehicles using a neutral formula, i.e., not based on individualized suspicion or personal characteristics, is not subject to the reporting requirements of this chapter.

11 CCR § 999.227, 11 CA ADC § 999.227

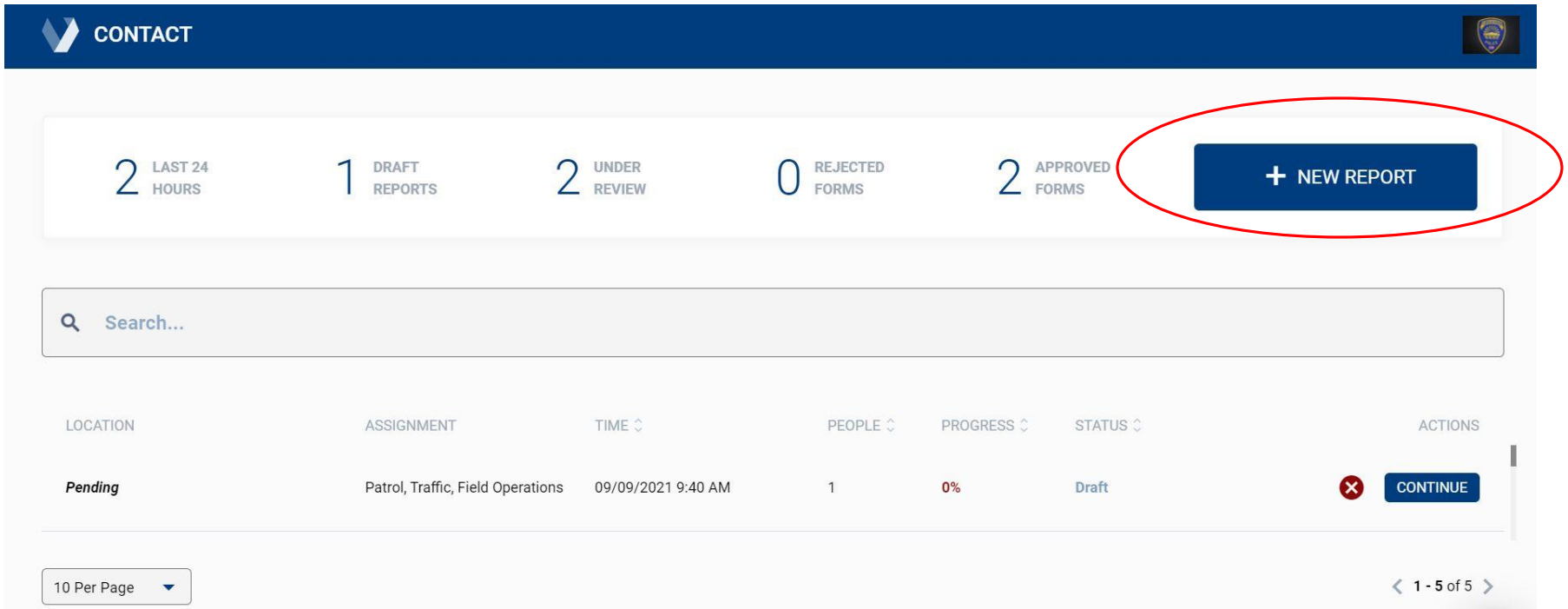
AB953

VERITONE

LIVE DEMO

AB953

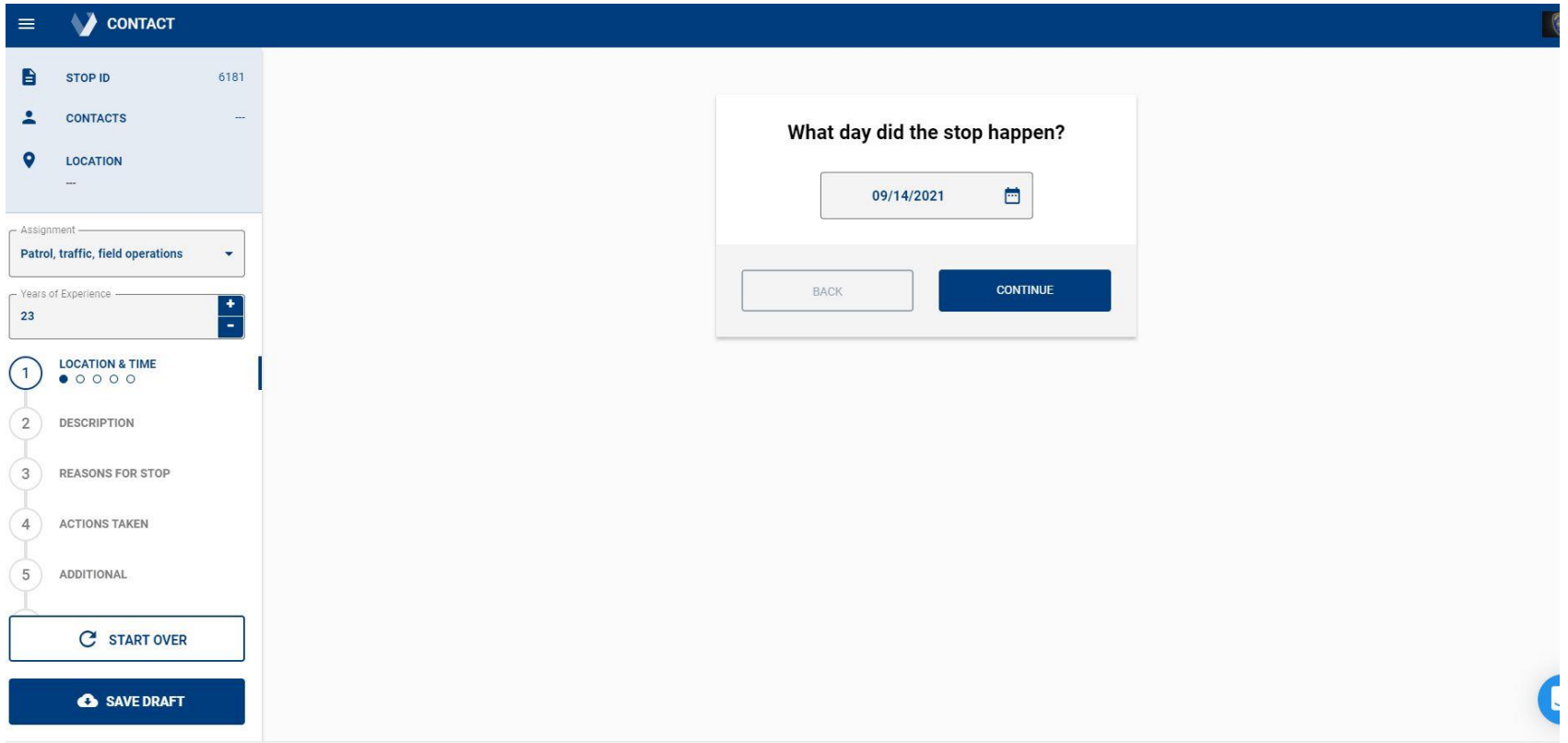
VERITONE



Select “new report” to enter you RIPA stop.

AB953

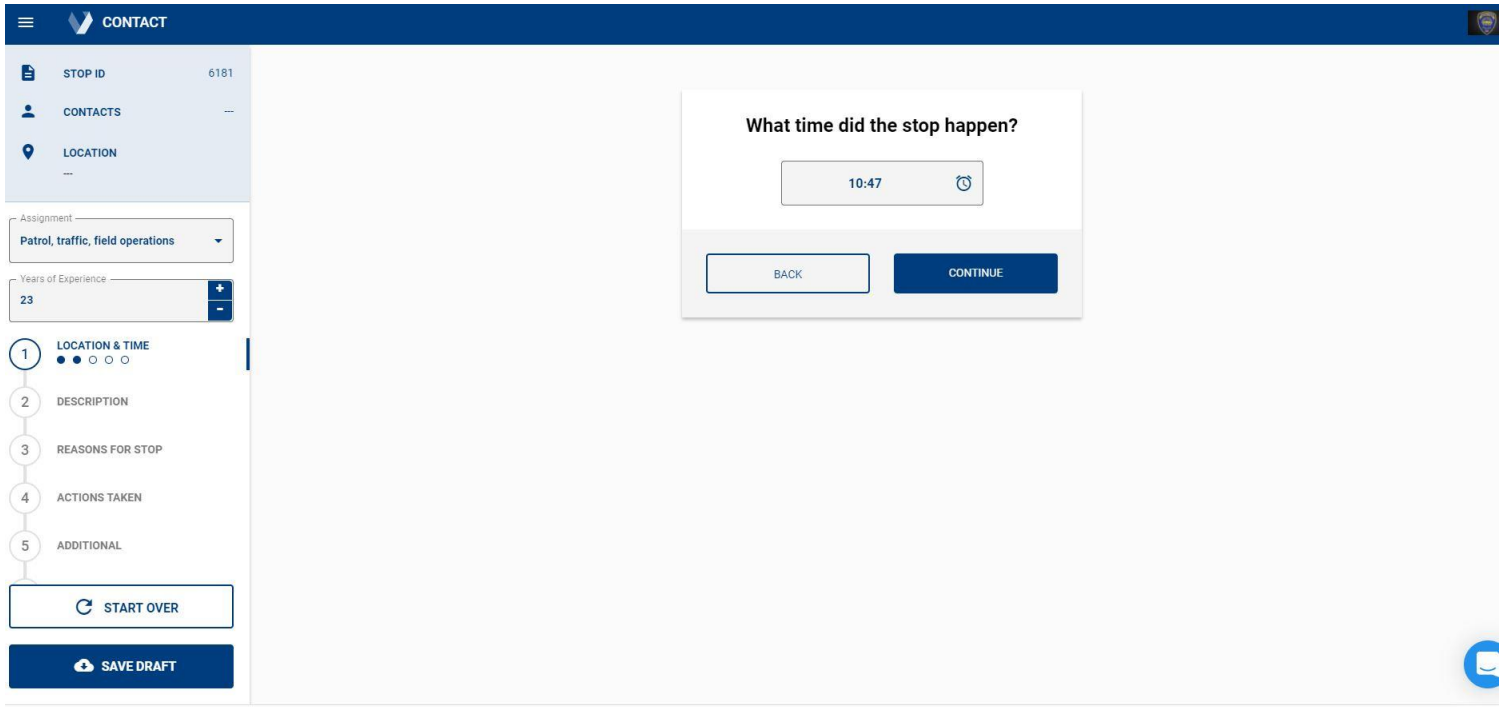
VERITONE



Select the date of the stop

AB953

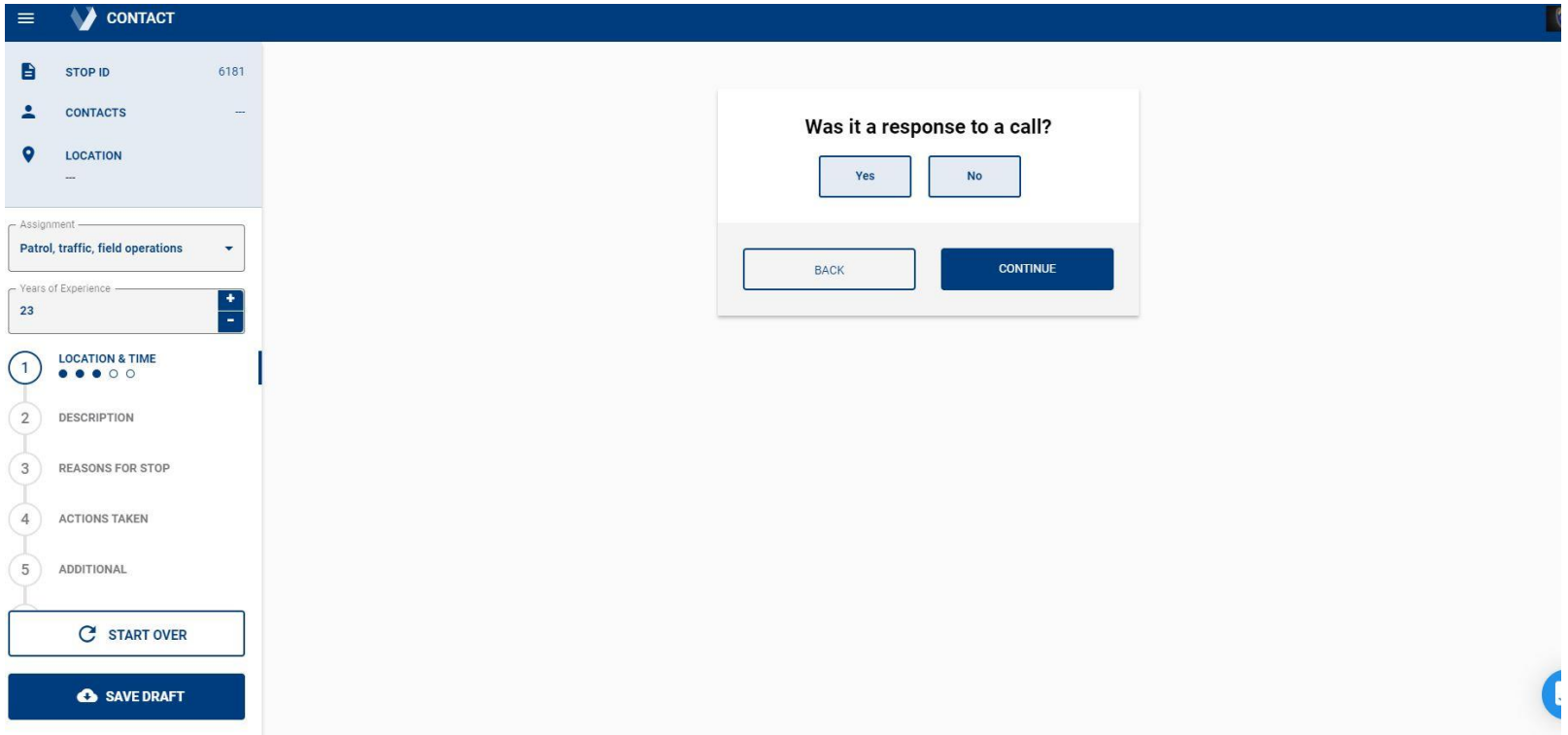
VERITONE



Select time of stop

AB953

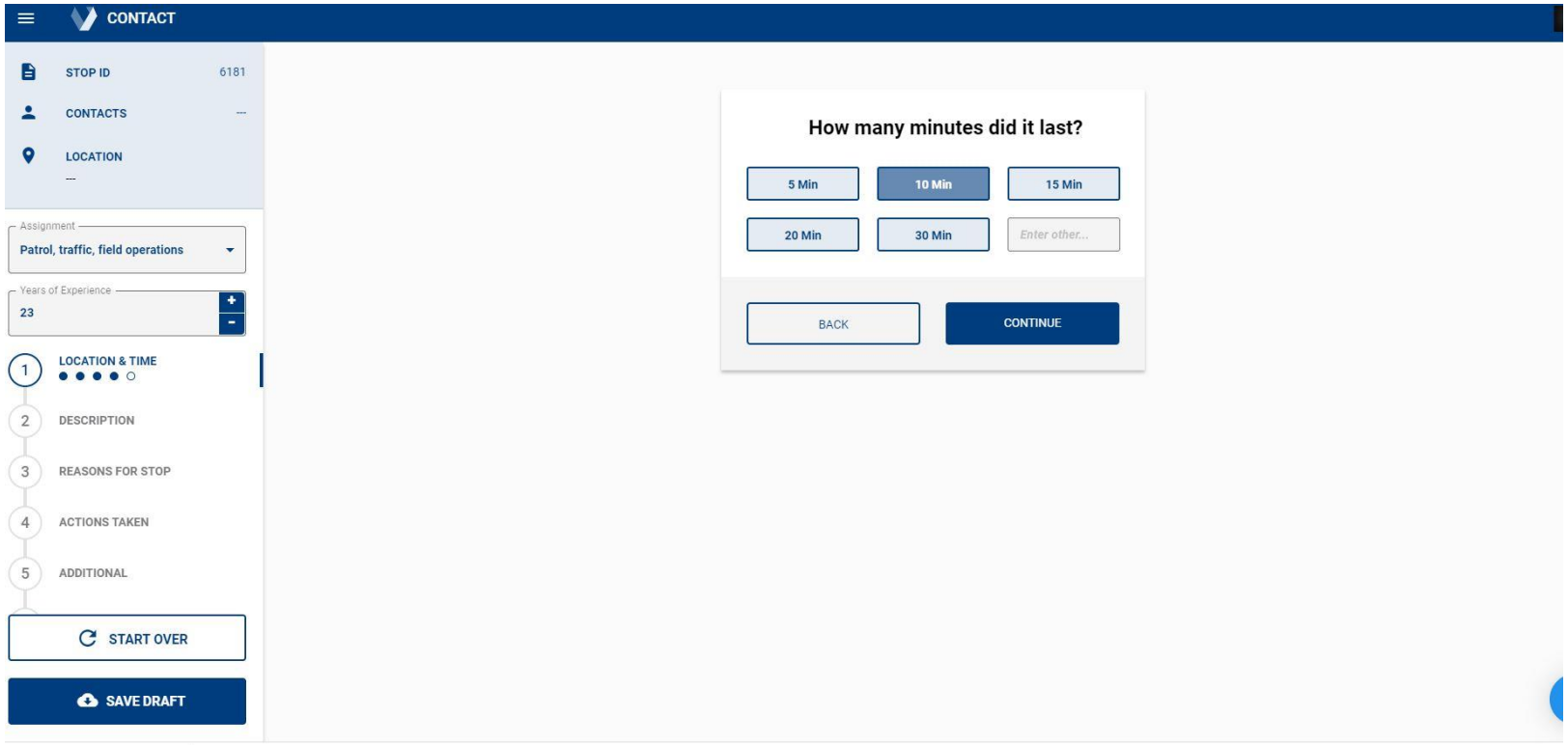
VERITONE



Select yes or no

AB953

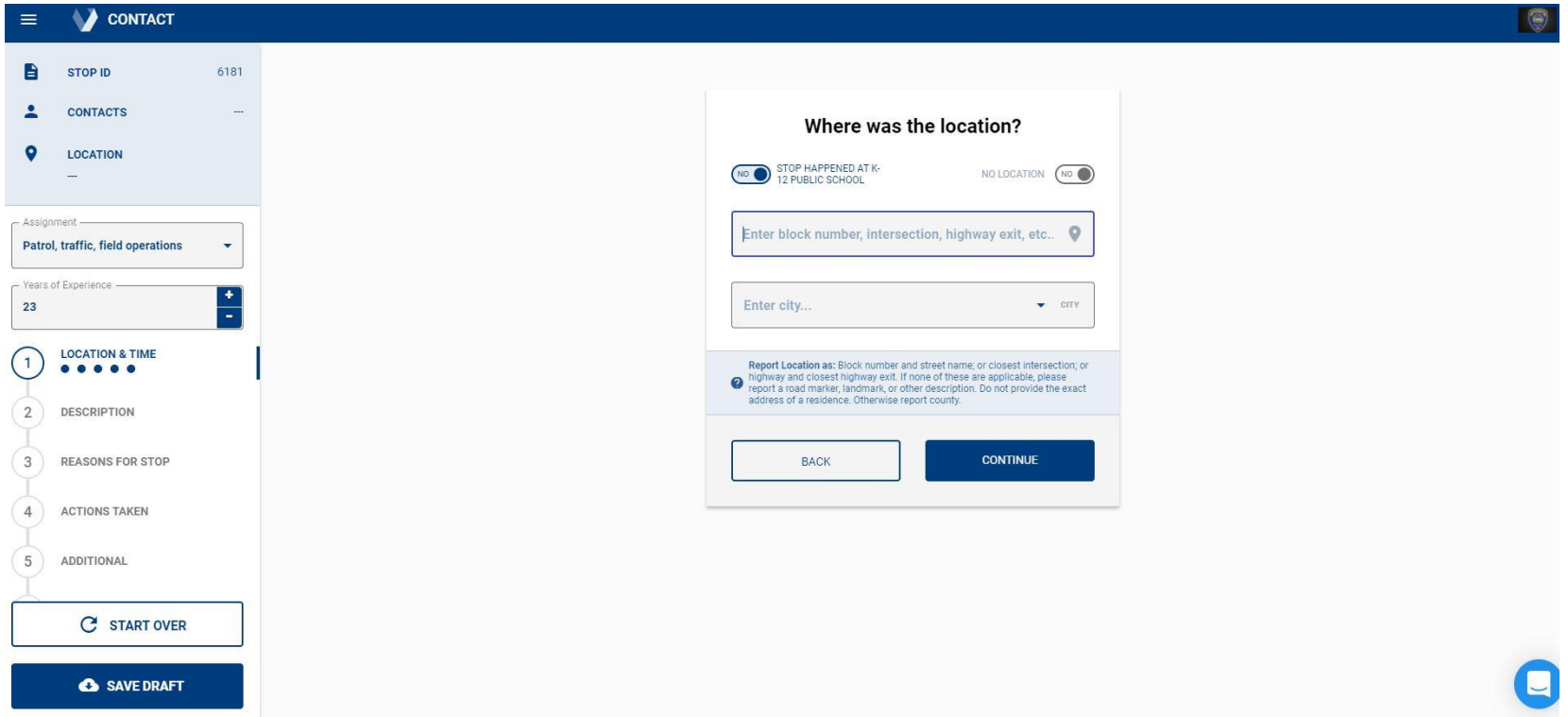
VERITONE



Enter the duration of the stop

AB953

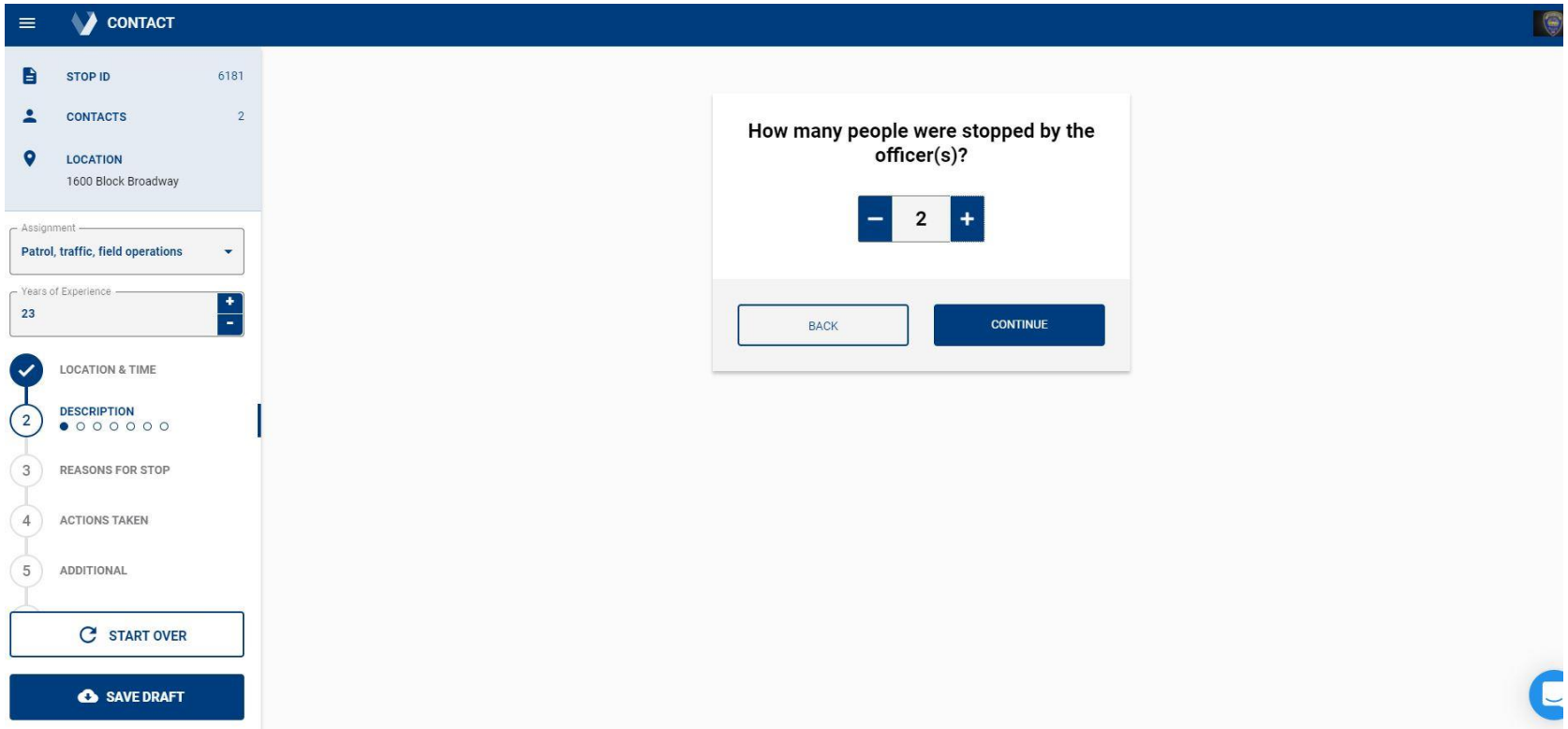
VERITONE



Enter the location of the stop. As you type the field will autofill

AB953

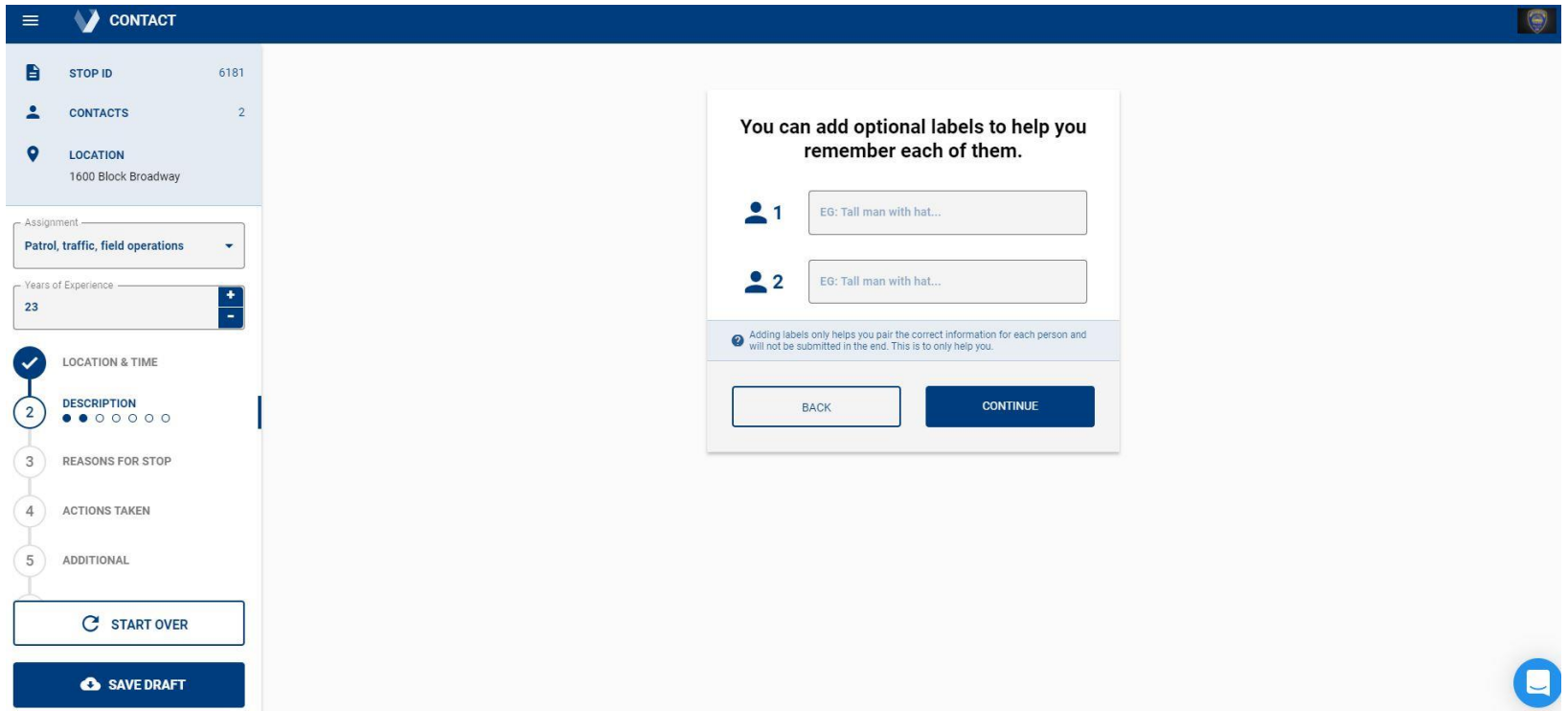
VERITONE



Enter how many subjects were stopped

AB953

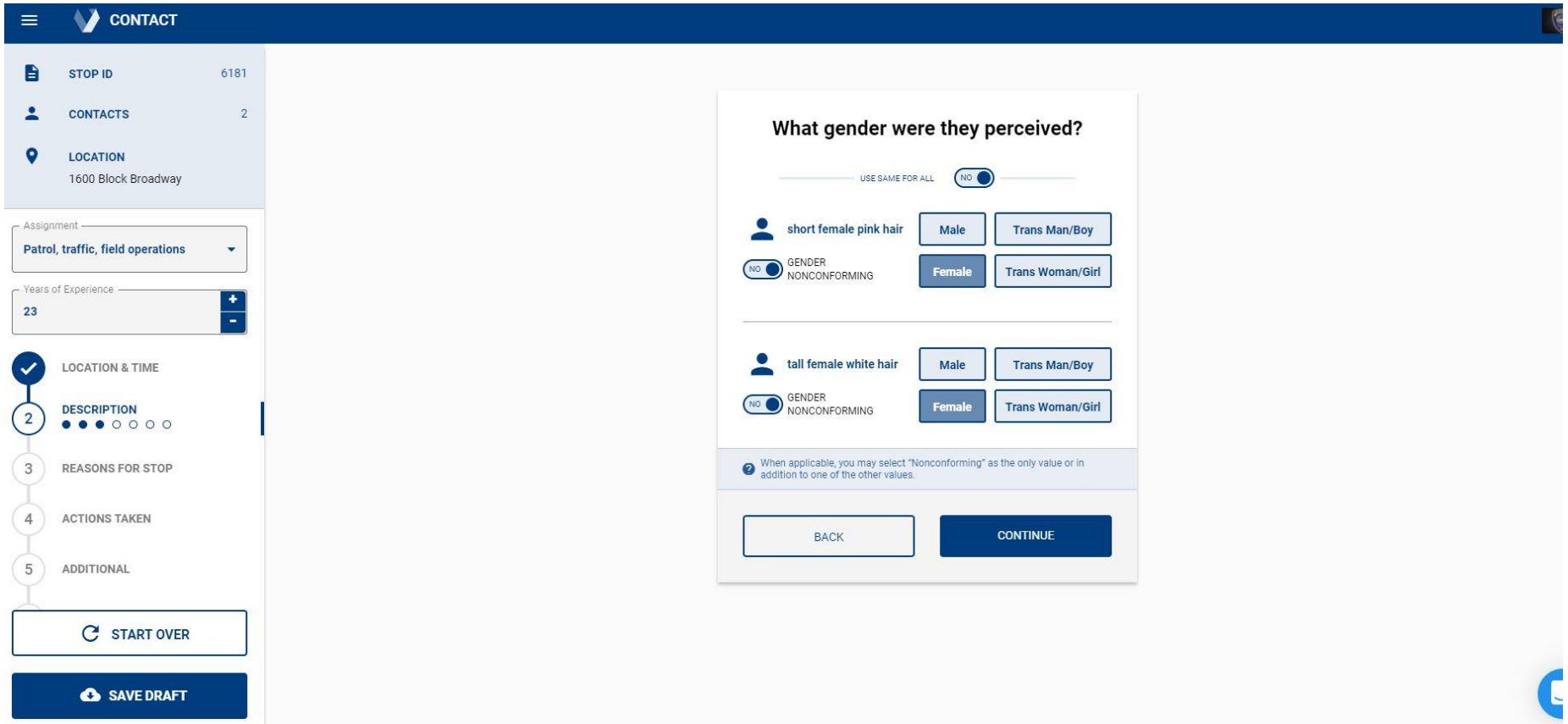
VERITONE



You can label the multiple subjects to help you recall later on.

AB953

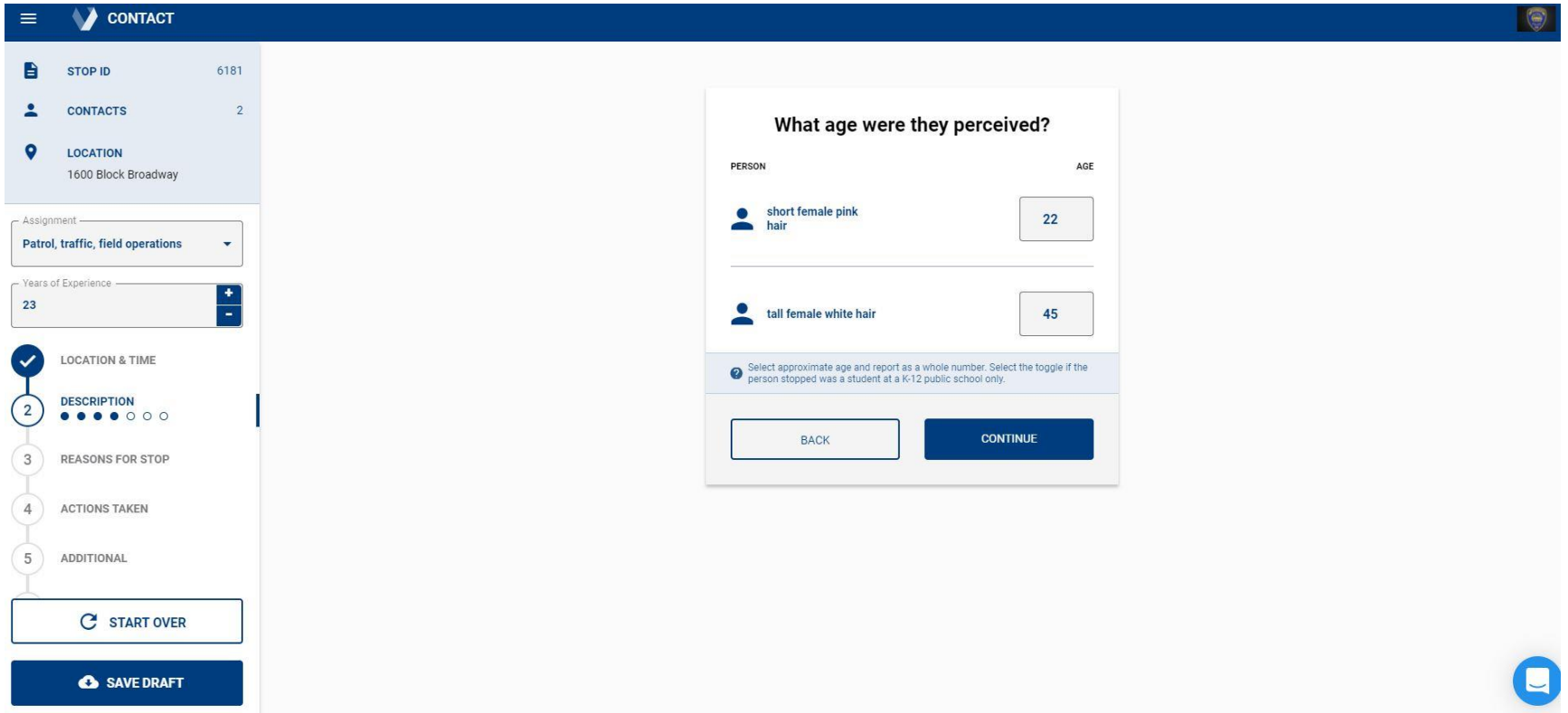
VERITONE



Enter perceived gender

AB953

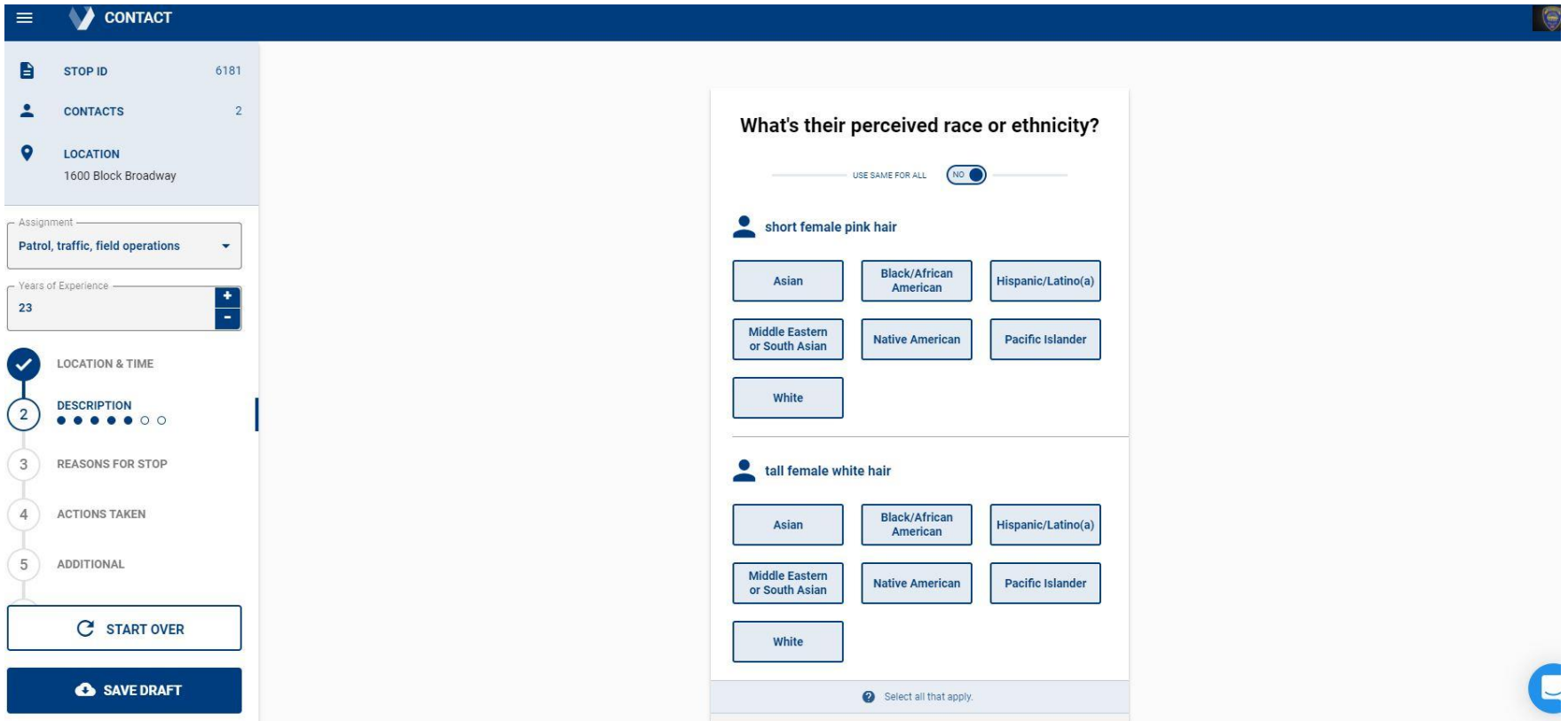
VERITONE



Enter the perceived age

AB953

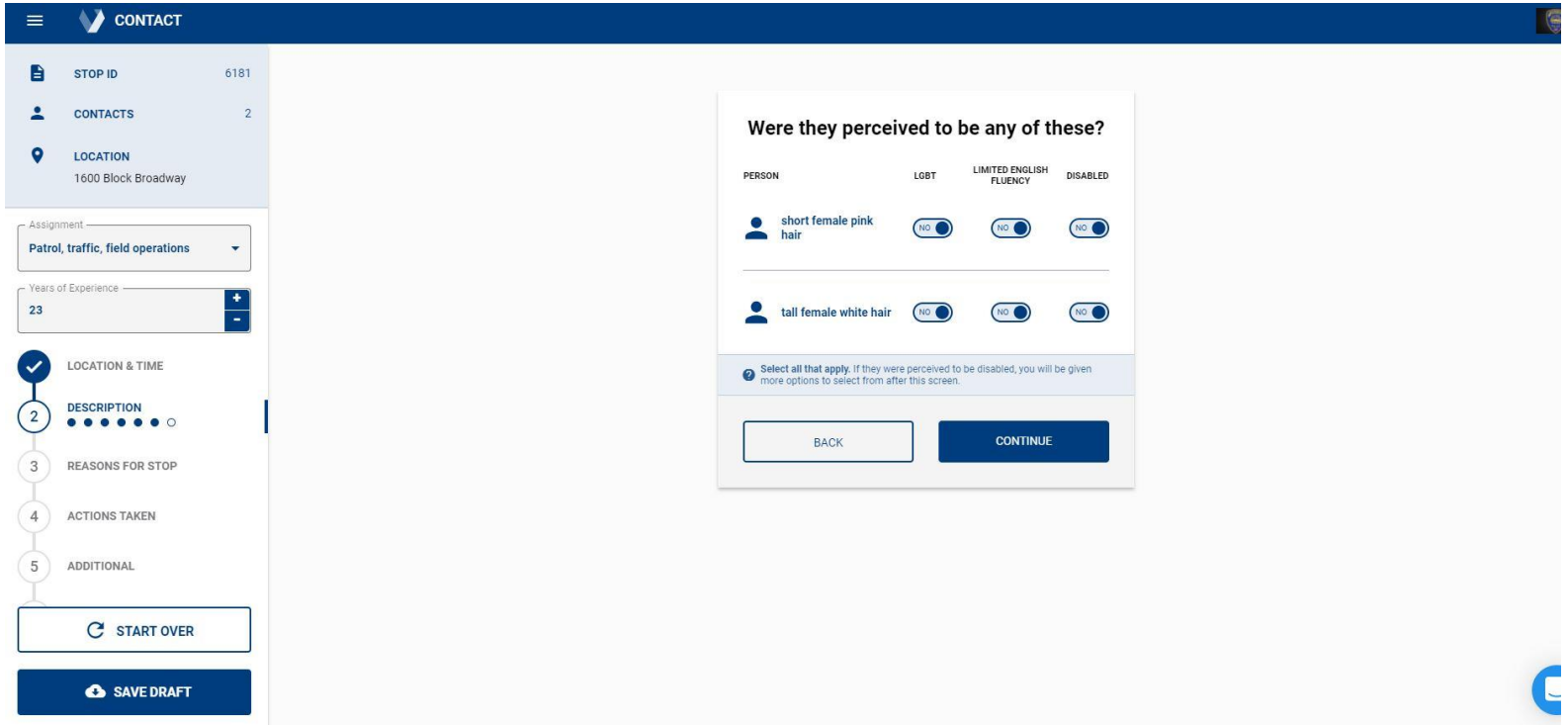
VERITONE



Enter the perceived race or ethnicity-you can select more than one.

AB953

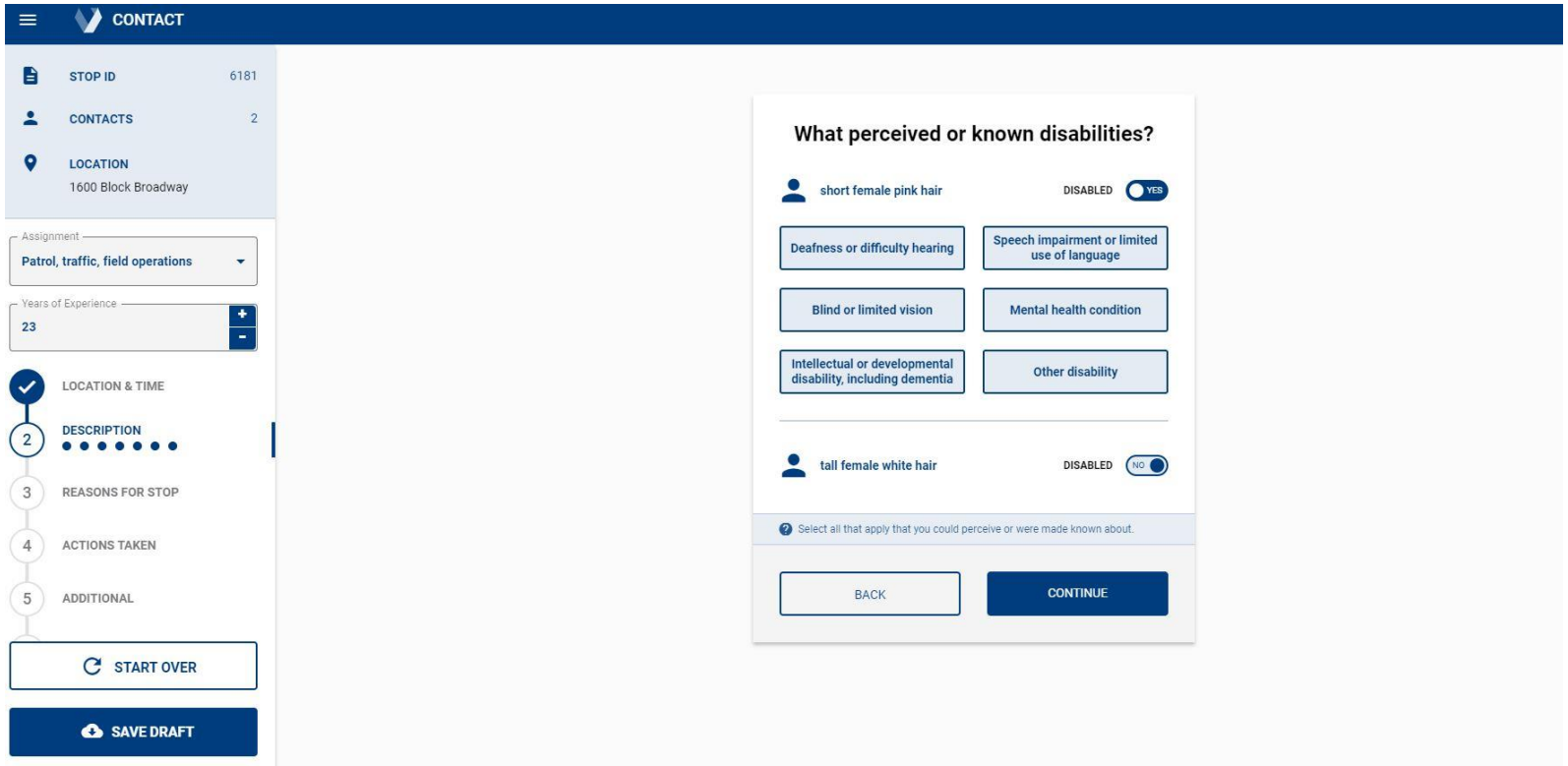
VERITONE



Enter perceived LGBT

AB953

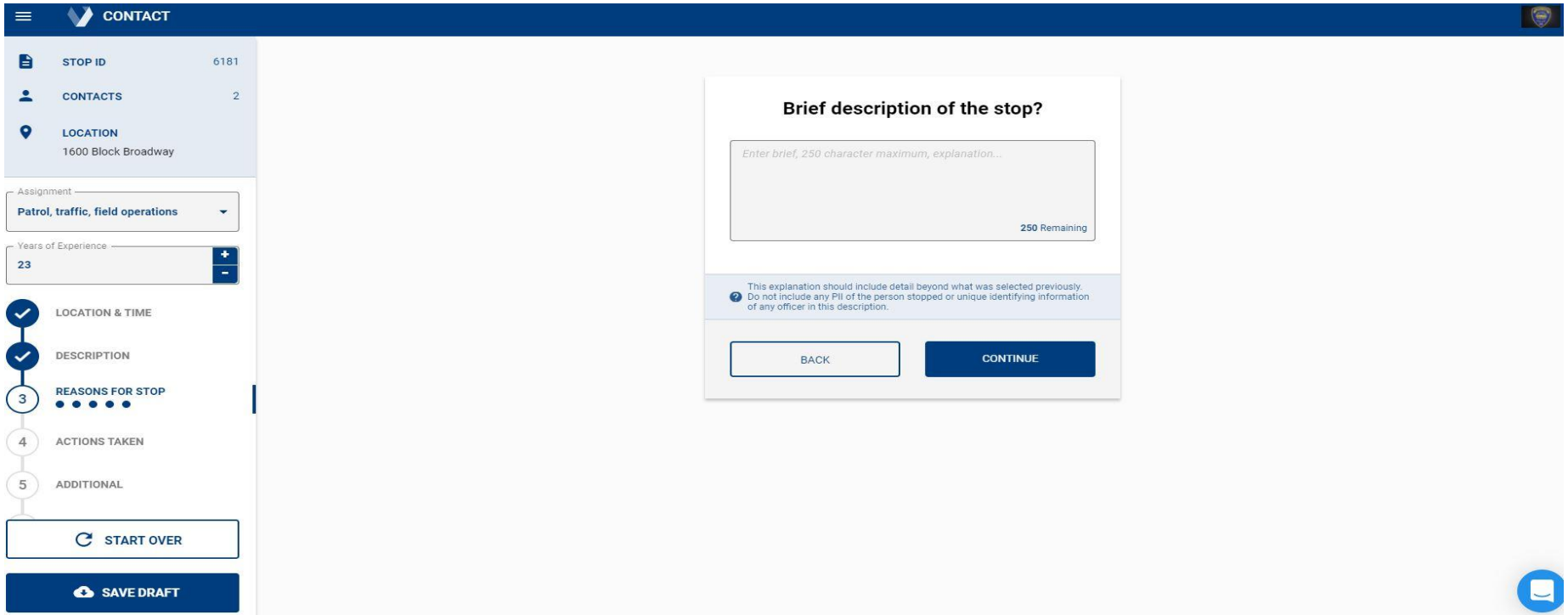
VERITONE



Enter the perceived disabilities

AB953

VERITONE

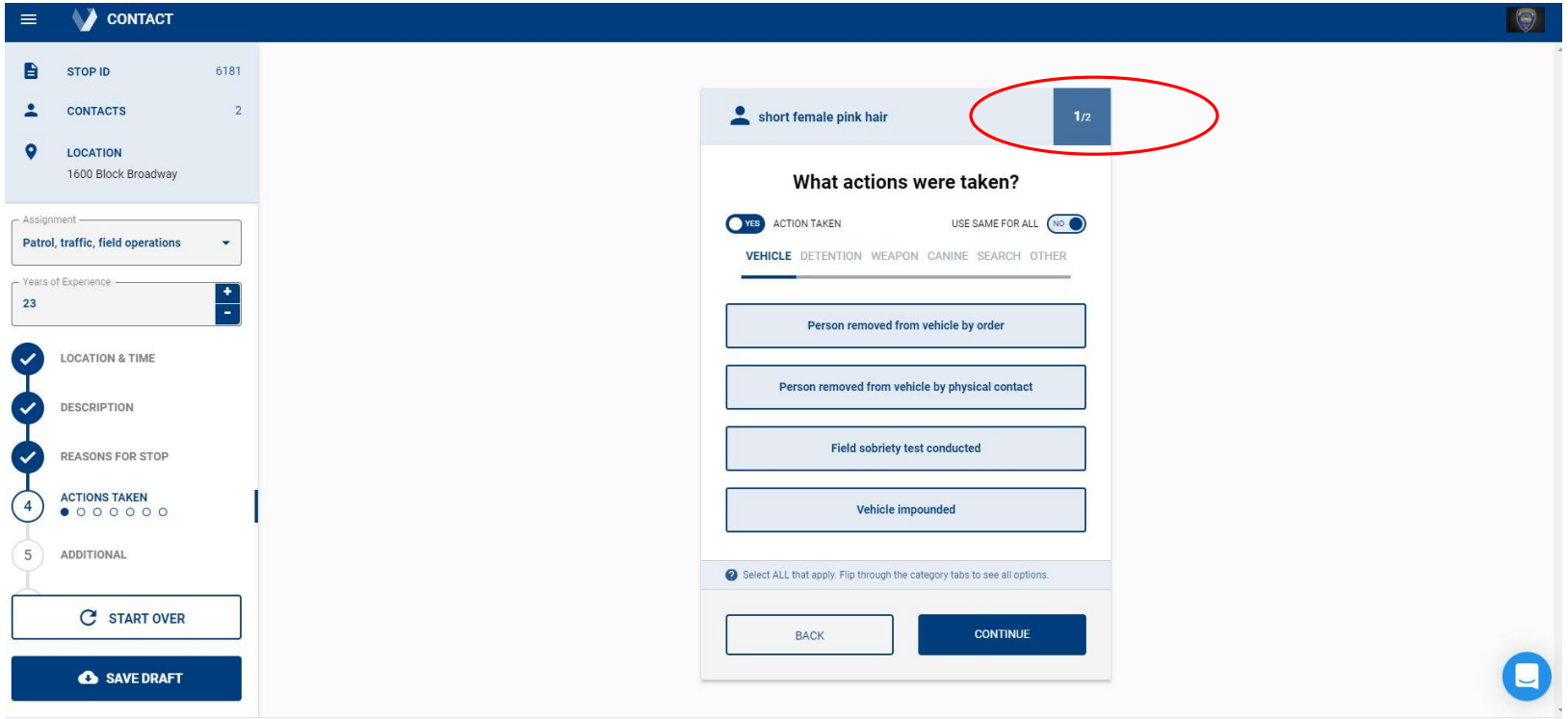


Please put “test” on all narratives during this training

Ex: traffic stop of a vehicle weaving in and out of traffic. Driver rushing pregnant wife to hospital.

AB953

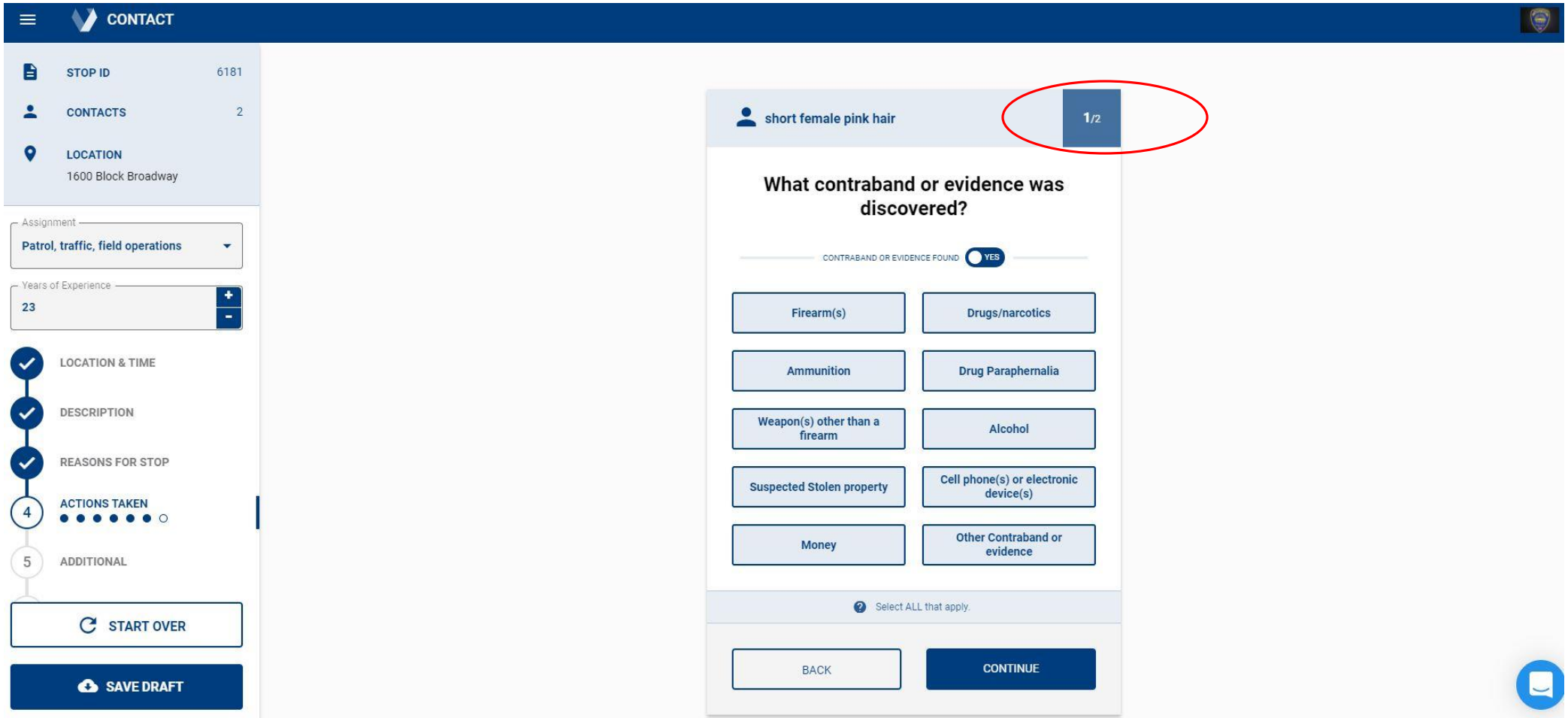
VERITONE



Fill in actions taken for each person detained.

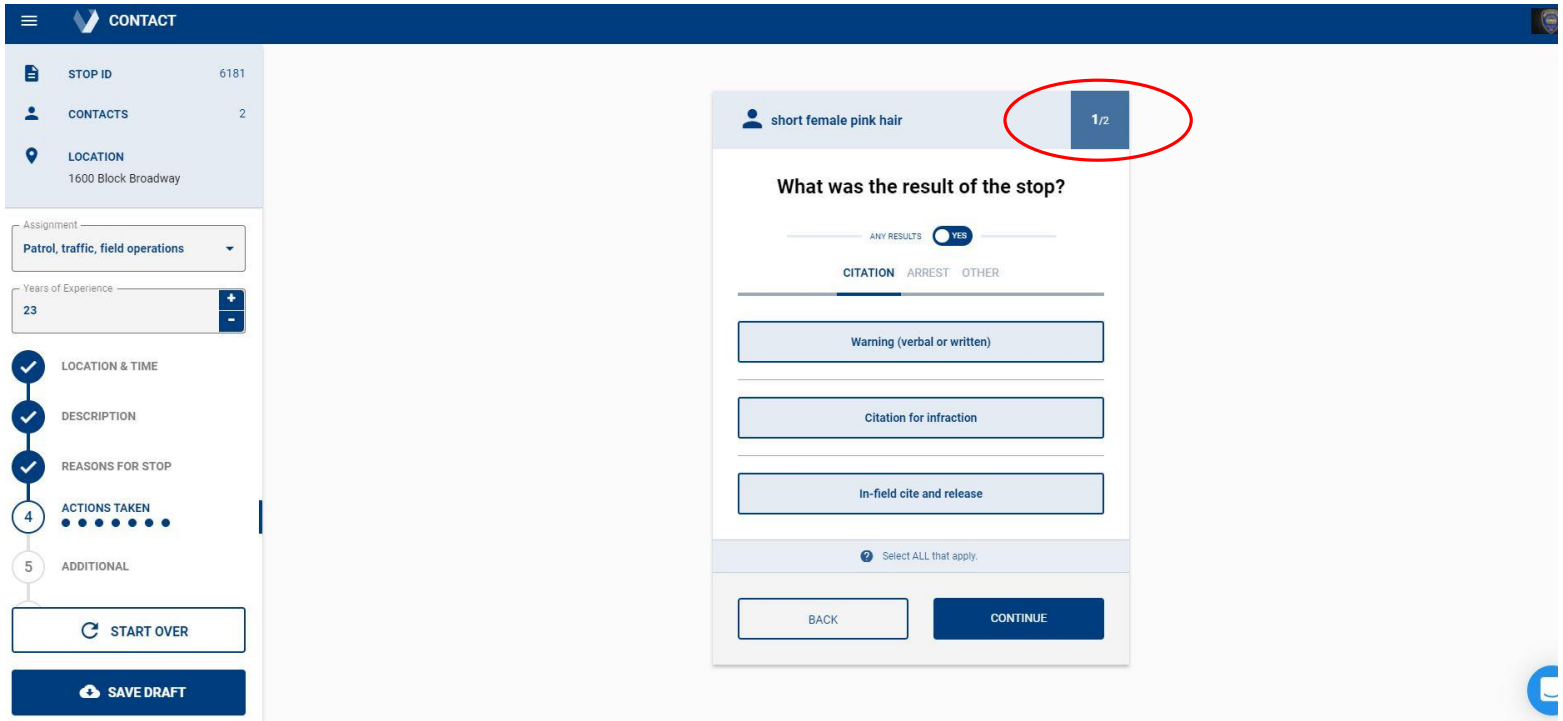
AB953

VERITONE



AB953

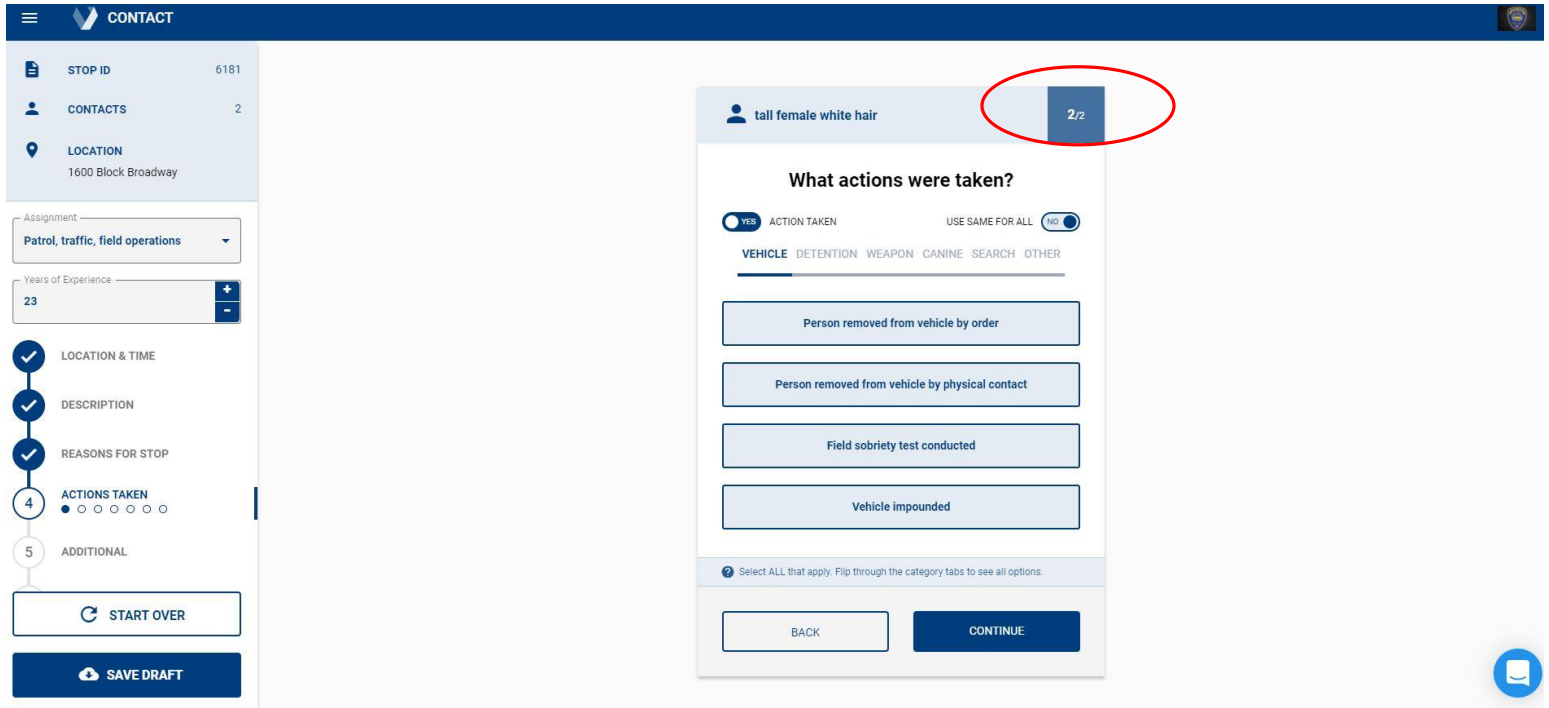
VERITONE



Enter result of stop

AB953

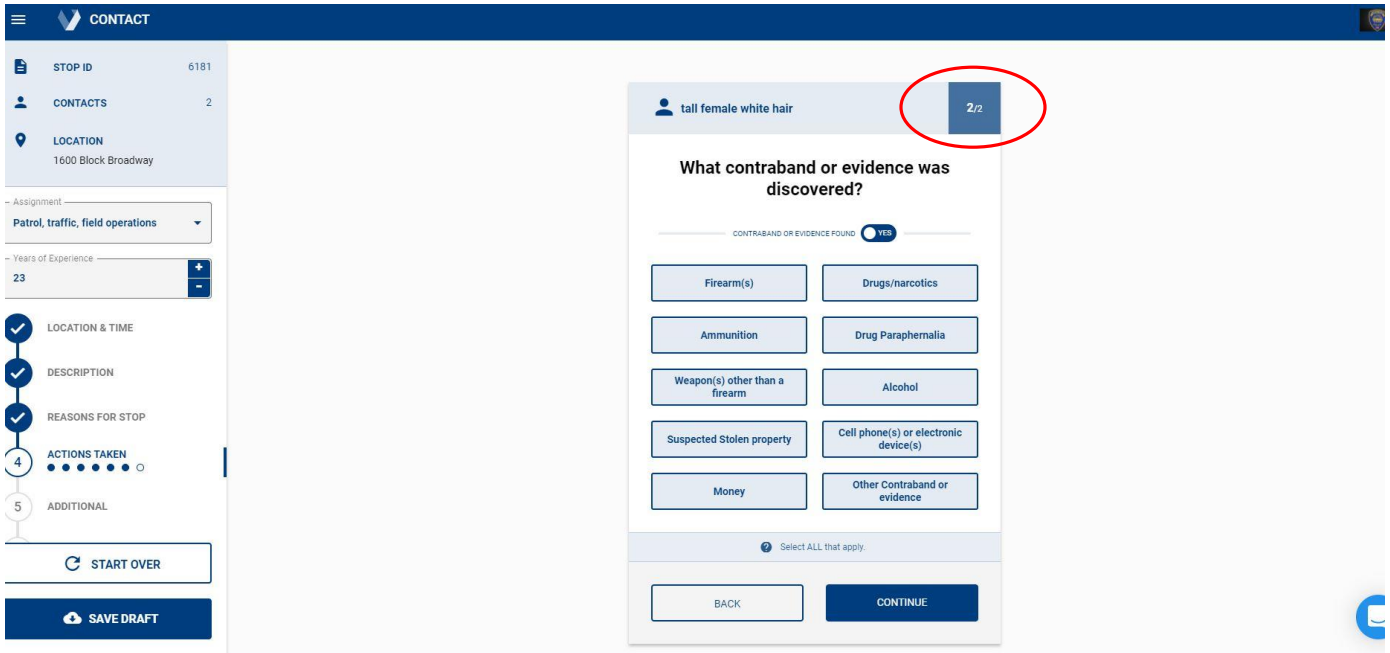
VERITONE



Enter actions taken for additional subjects

AB953

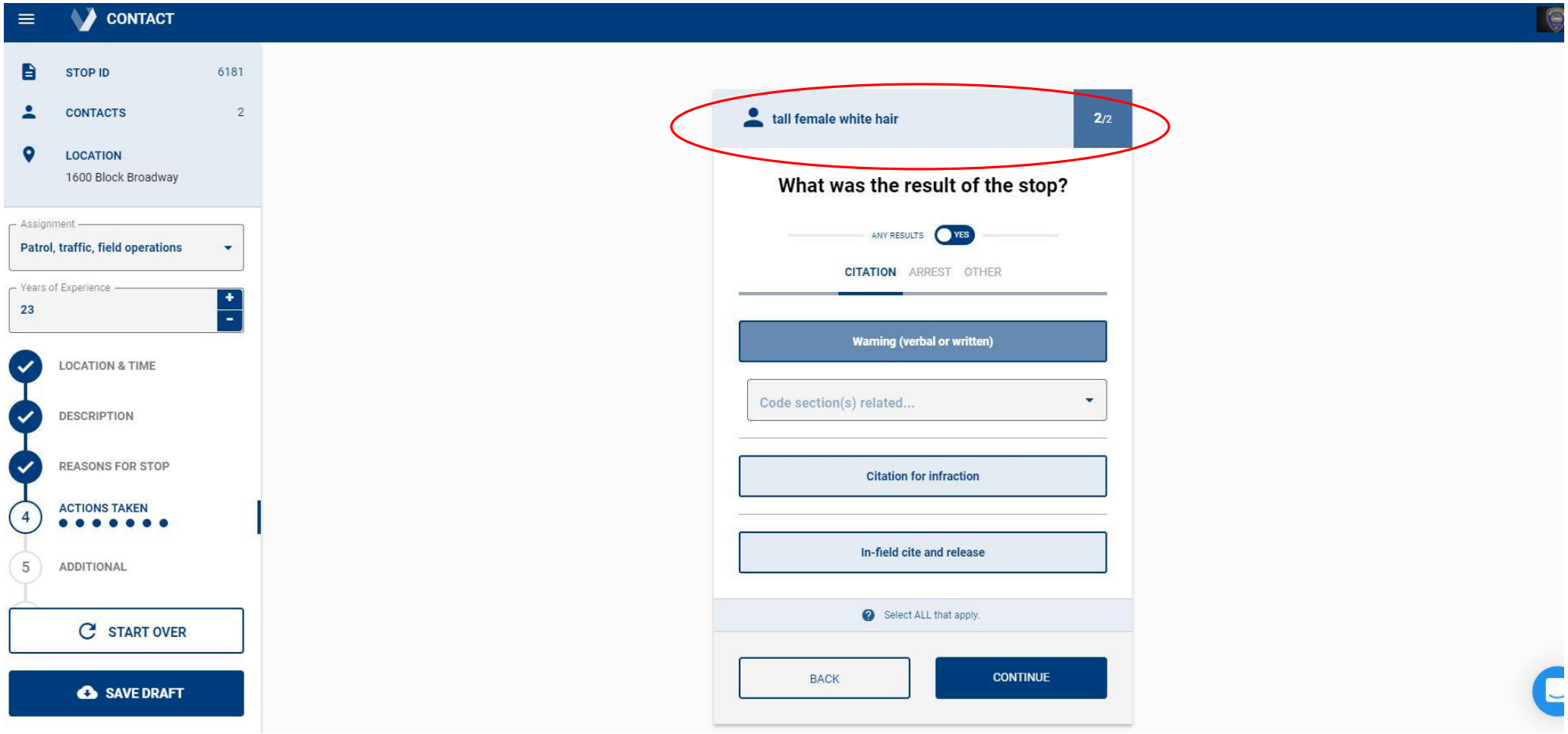
VERITONE



Enter contraband/evidence discovered for additional subjects

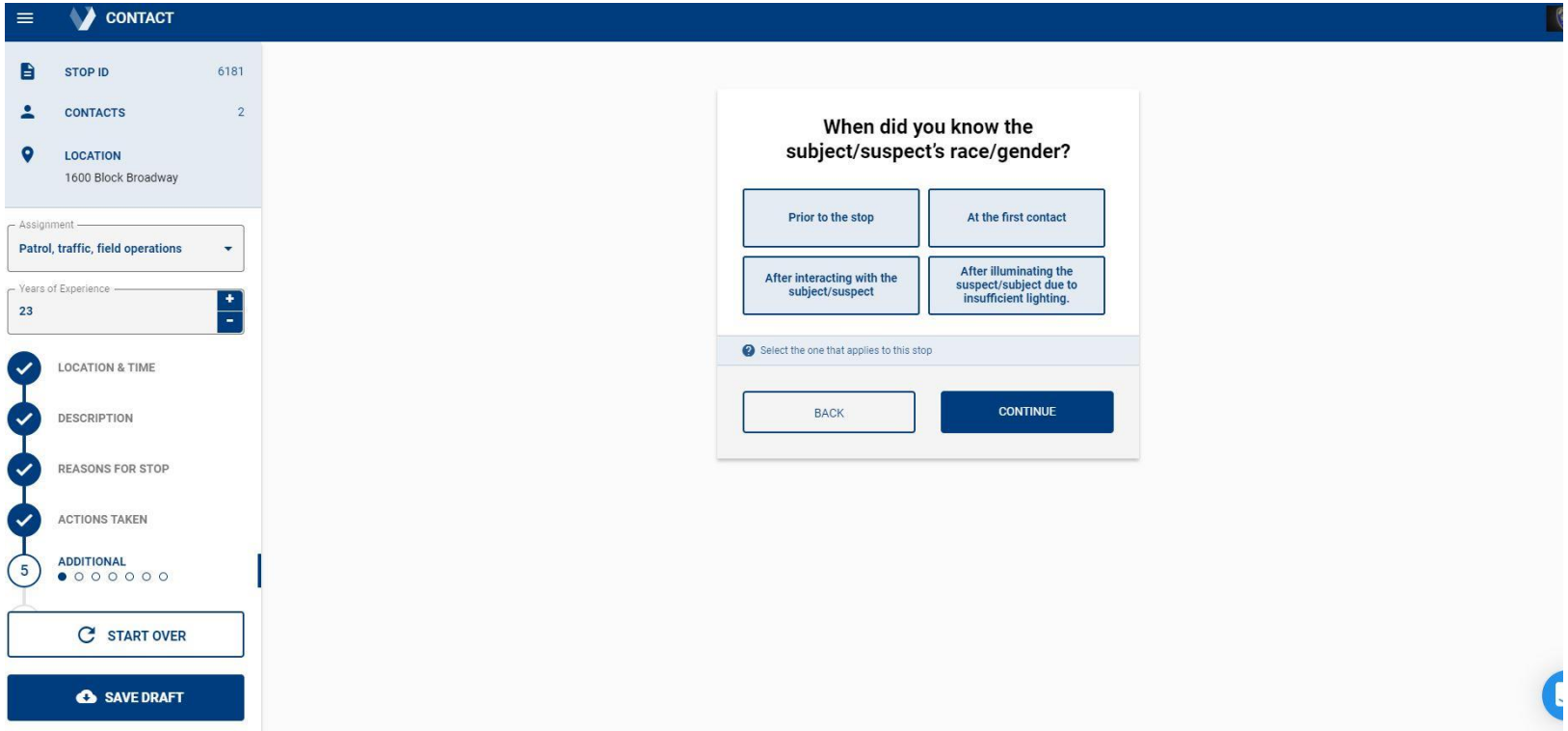
AB953

VERITONE



AB953

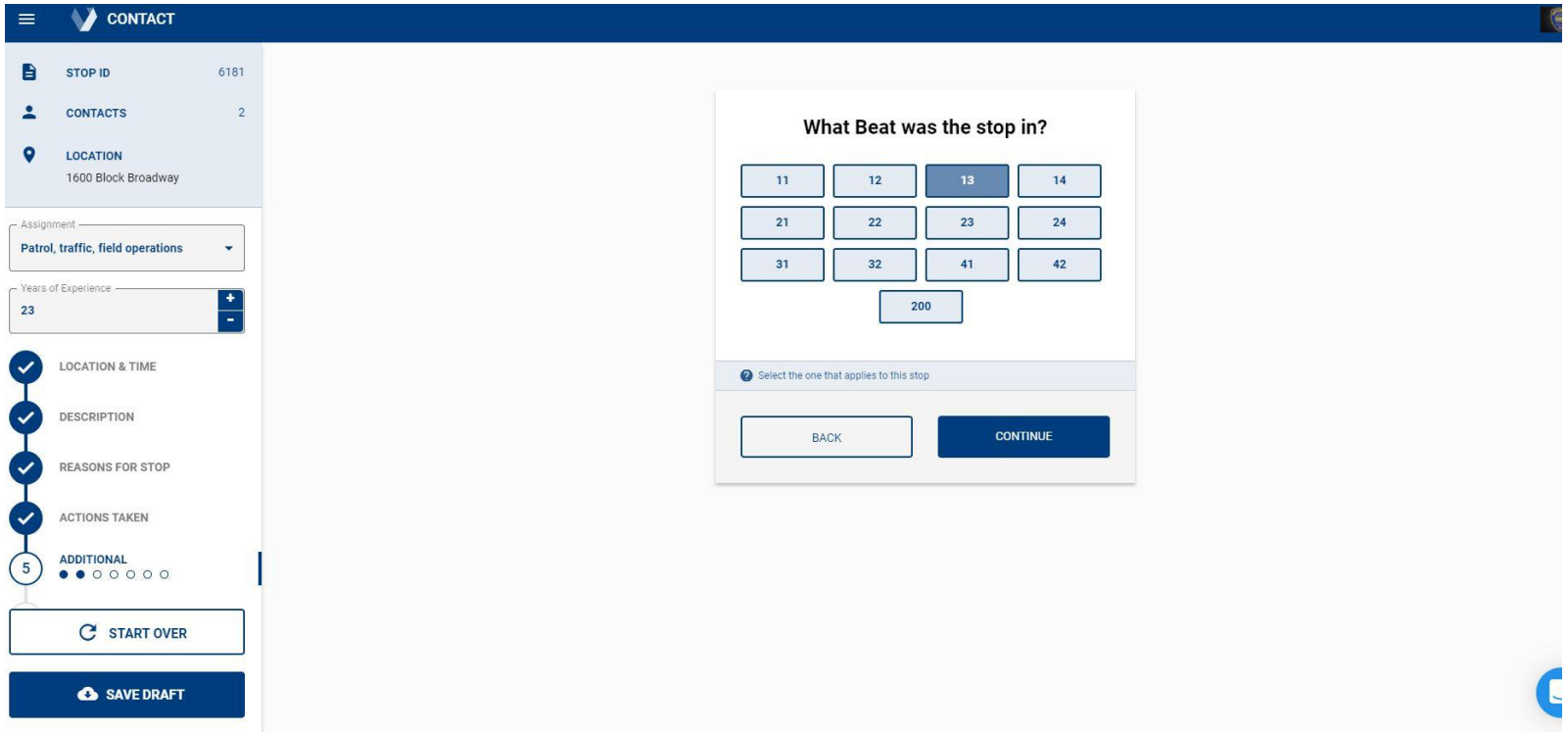
VERITONE



Additional questions; select the most applicable one

AB953

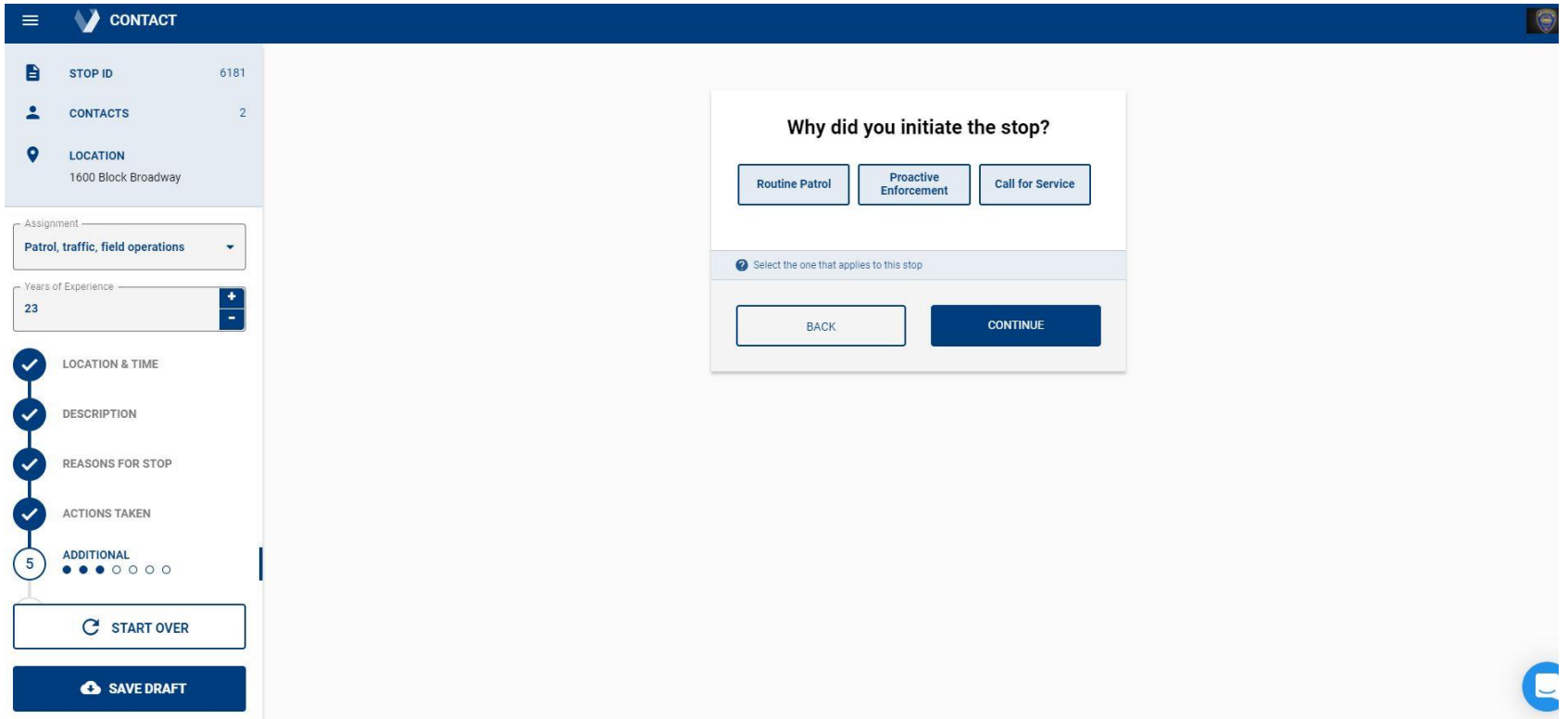
VERITONE



Additional questions; select the beat

AB953

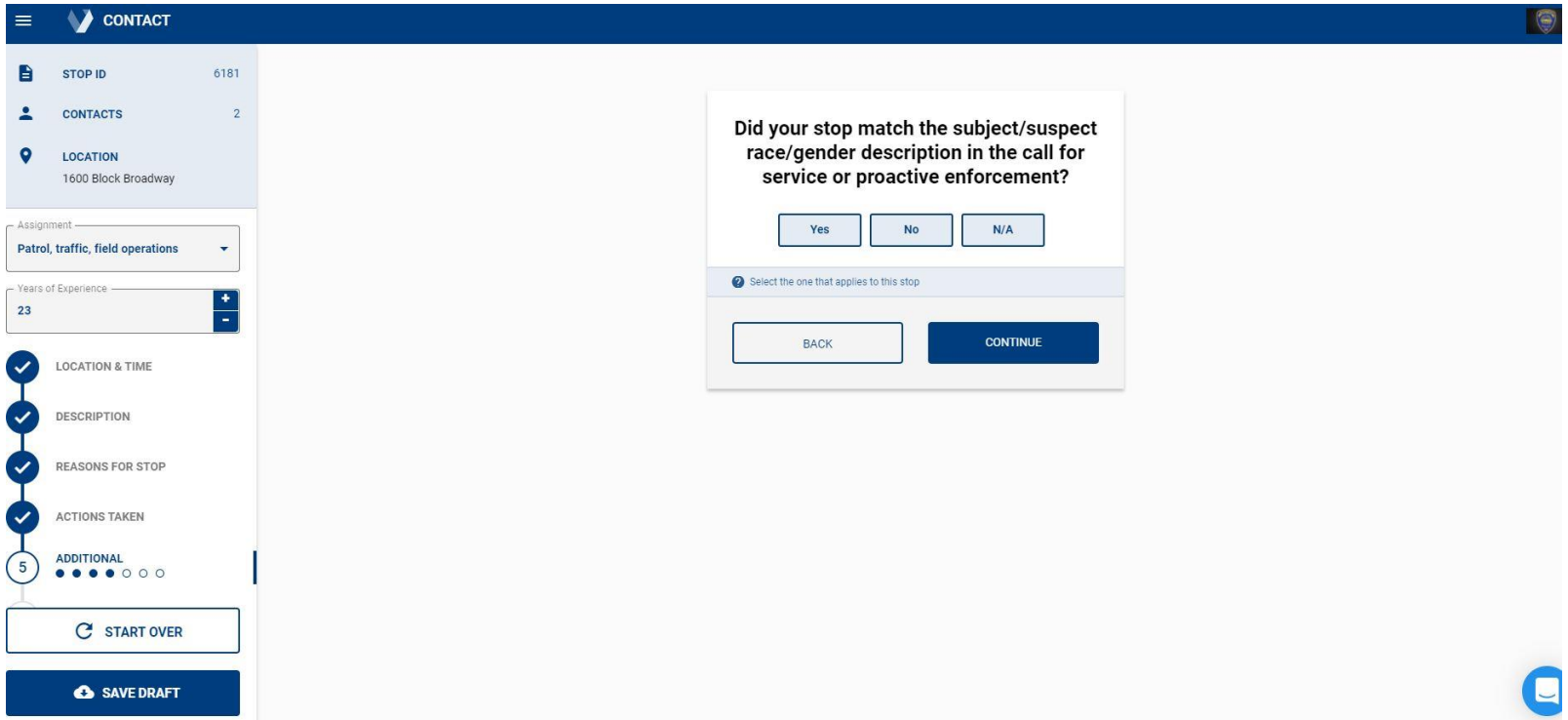
VERITONE



Additional questions; select the most applicable one

AB953

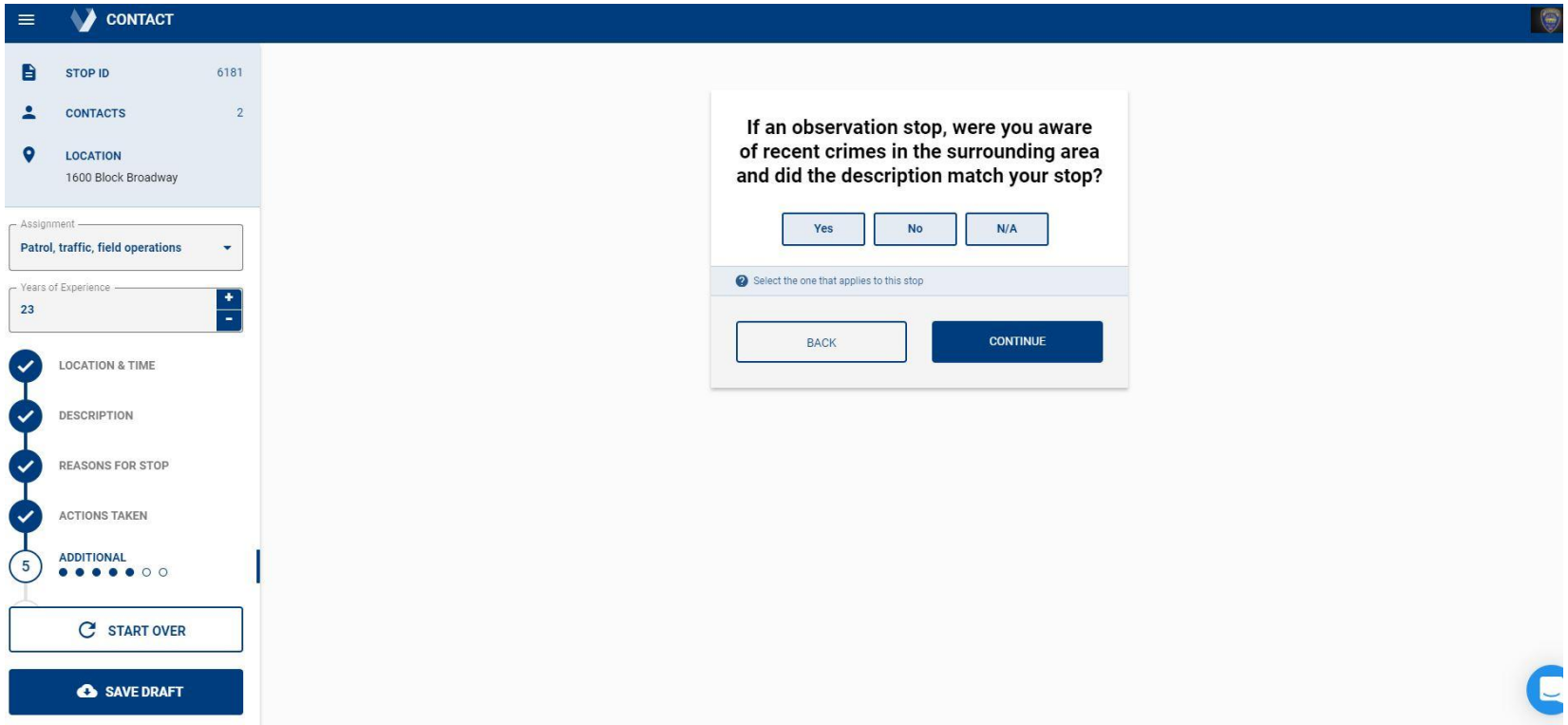
VERITONE



Additional questions; select the most applicable one

AB953

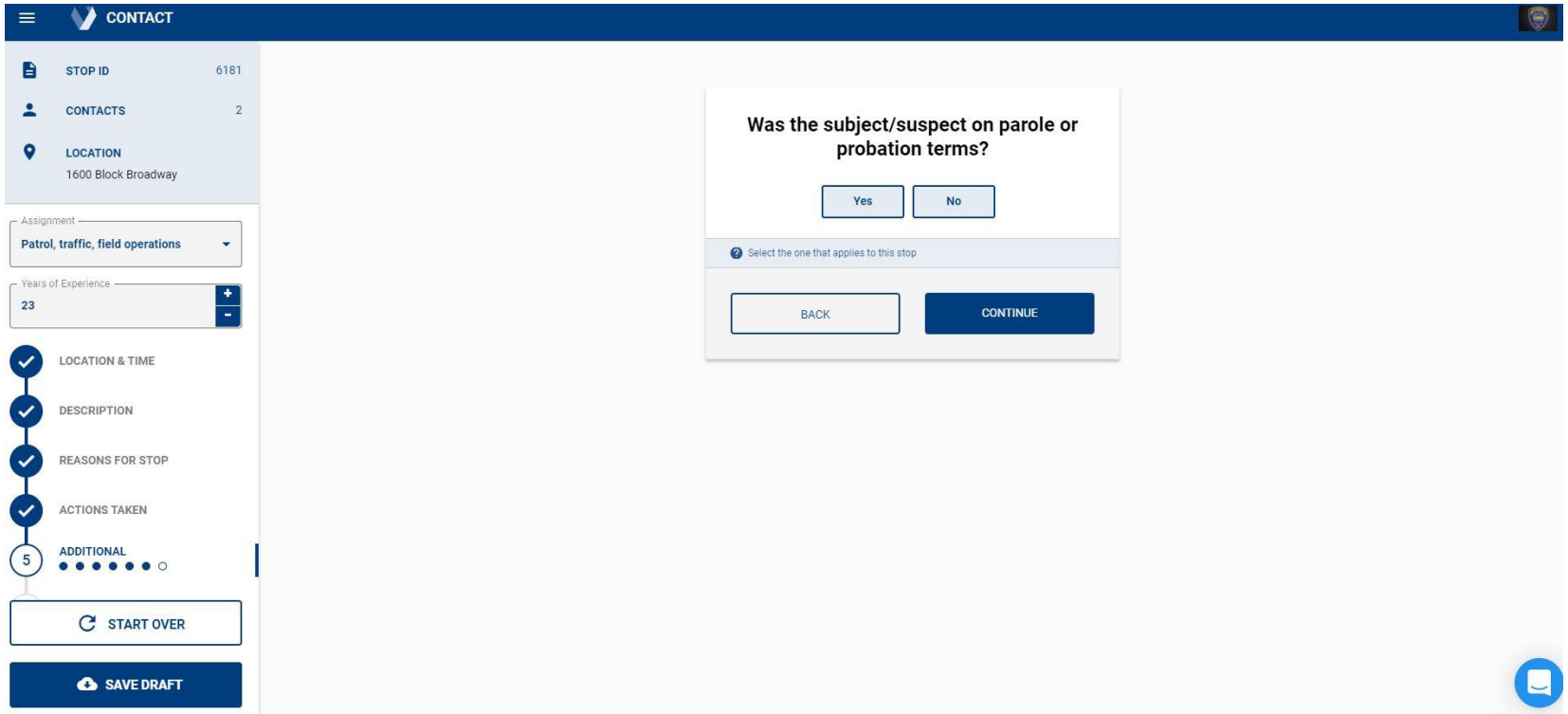
VERITONE



Additional questions; select the most applicable one

AB953

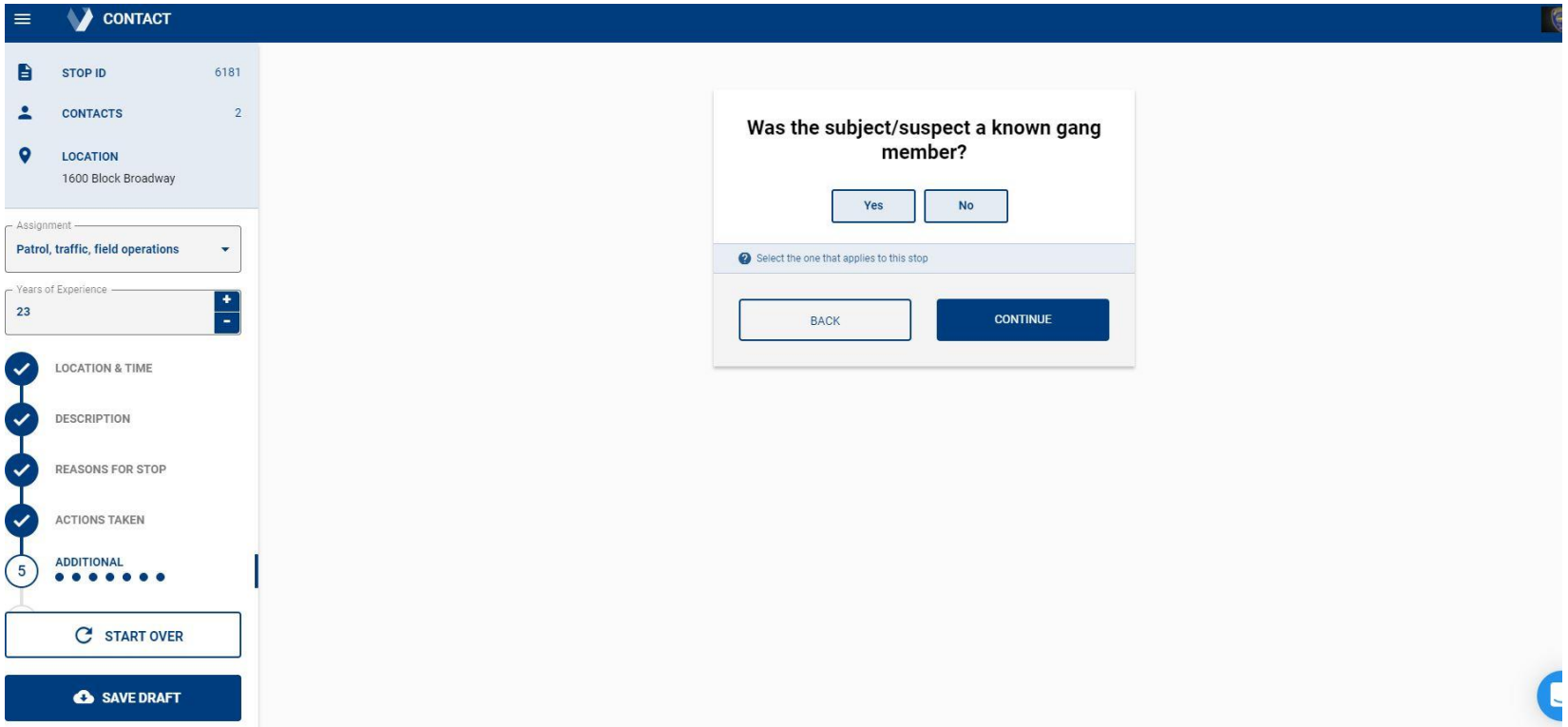
VERITONE



Additional questions; select the most applicable one

AB953

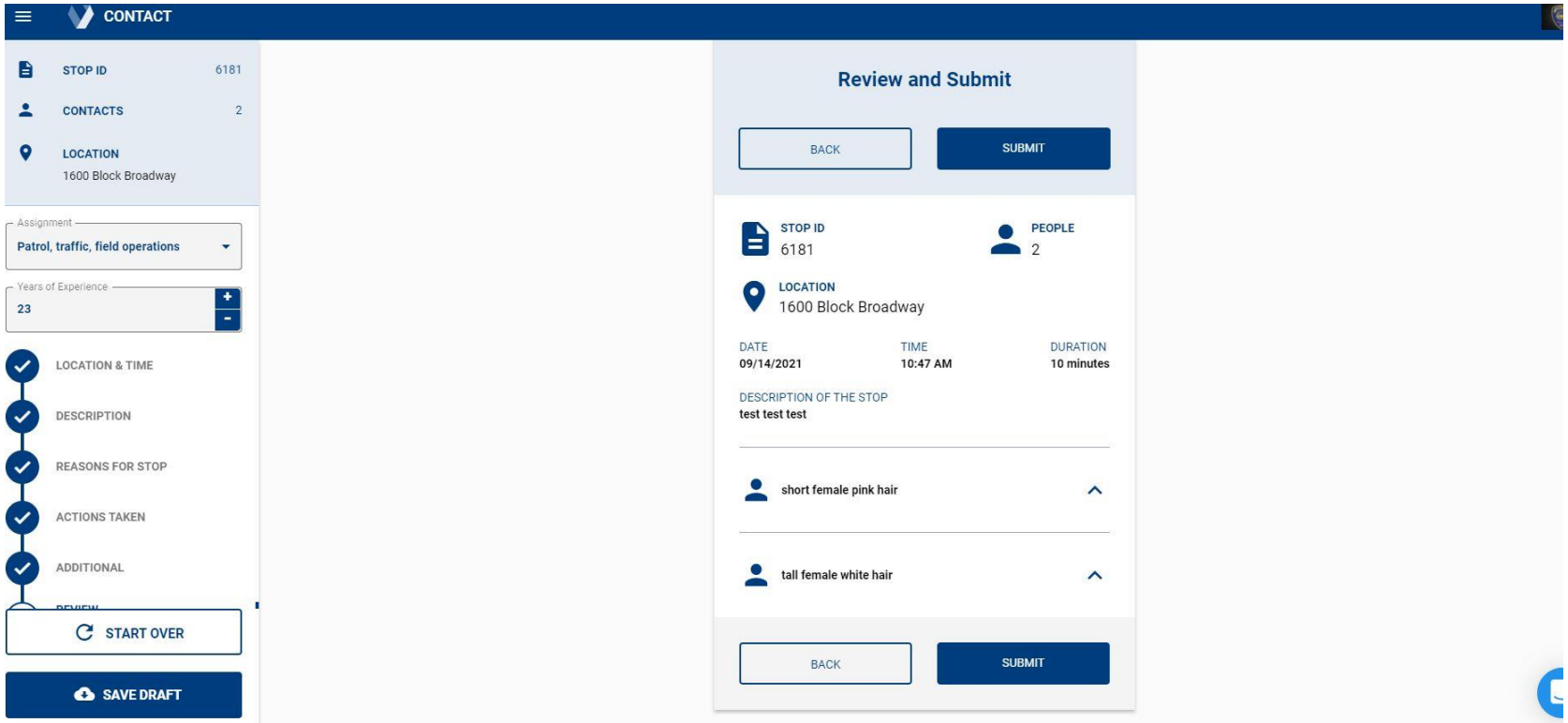
VERITONE



Additional questions; select the most applicable one

AB953

VERITONE



Review your stop and submit

AB953

VERITONE

Students at K-12 Schools:

- LIST THE SPECIFIC SCHOOL NAME ONLY IF THEY STOP OCCURRED ON A K-12 SCHOOL PROPERTY
- K-12 SCHOOL PROPERTY INCLUDES PARKING LOTS, FIELDS, ETC
- IT DOES NOT INCLUDE FIELD TRIPS, PUBLIC SIDEWALKS, OR BUS STOP; THESE ARE SUBJECT TO REGULAR REPORTING.

AB953

VERITONE

Multiple Officers from Multiple Agencies:

REPORTING AGENCY IS RESPONSIBLE FOR FILLING OUT STOP DATA FORM.

- ONLY ONE OFFICER FROM THE PRIMARY AGENCY SUBMITS REPORT
- OFFICER WITH HIGHEST LEVEL OF ENGAGEMENT SUBMITS REPORT
- MUST INCLUDE ALL ACTIONS TAKEN, INCLUDING THOSE OF OTHER OFFICERS

AB953

VERITONE

Officer Perception - Radio to Dispatch

Scenario: Officer Davis radios in “eyes on a Hispanic male, 20’s, appears to be acting as a look out…” Officer Davis then stops the person and runs their name for any warrants. The officer then learns the person is a White, female, age 30.

AB953

VERITONE

Officer Perception - Radio to Dispatch

Answer: The information radioed in because it is the officer's initial perception..

REPORTING OFFICER INFORMATION: YEARS OF EXPERIENCE

Scenario: Officer Cagney worked at Smithtown PD for 6 years. She then joined the military for 4 years. Immediately after military leave, Officer Cagney took a sworn position with Jonestown PD and worked for another 3 years as a peace officer.

REPORTING OFFICER INFORMATION: YEARS OF EXPERIENCE

Answer: Officer Cagney has 9 years of experience.

AB953

VERITONE

SCENARIO:

IF OFFICER ANDERSON STOPS A PERSON, CONDUCTS A SEARCH THAT RESULTS IN THE DISCOVERY OF NARCOTICS, AND PLACES THAT PERSON UNDER ARREST, BUT OFFICER BROWN HANDCUFFS THE PERSON AND TAKES THE PERSON INTO CUSTODY, WHO IS RESPONSIBLE FOR FILLING OUT THE STOP DATA FORM?

AB953

VERITONE

ANSWER:

OFFICER ANDERSON WOULD COMPLETE THE STOP REPORT AND INCLUDE ALL RELEVANT ACTIONS OF BOTH OFFICER ANDERSON AND BROWN IN THAT STOP REPORT.

AB953

VERITONE

LOCATION OF STOP: CAR CHASE

SCENARIO:

K-9 Officer Salvador sees a car with a broken taillight and pulls the car over at Hilltop Drive and H Street. As Salvador walks towards the car, the driver takes off and a pursuit ensues. The chase ends at the intersection of Brandywine Avenue and Main Street when the car ran out of gas.

AB953

VERITONE

LOCATION OF STOP: CAR CHASE

Answer:

Brandywine Avenue and Main Street. Where the person was detained/searched was where most of the actions taken by the officer took place.

AB953

VERITONE

Mental Health Emergency

Scenario: Officer Miller responds to a call for service that Kevin is walking in the middle of the highway in and out of traffic. Officer Miller pulls Kevin to safety and does not allow Kevin to leave, asking numerous questions to determine whether Kevin is impaired or in physical or mental distress. Officer Miller ultimately determines that Kevin should be transported to a hospital for psychiatric evaluation.

AB953

VERITONE

Mental Health Emergency

Answer:

- Reason for Stop: Reasonable suspicion
- Basis: Other/reasonable suspicion
- Offense Code: Community caretaking CJIS Code 99990

AB953

VERITONE

Consensual Contact

Scenario: Officer Parr approaches James and explains there have been a number of vehicle burglaries in the area. Officer Parr asks if James has seen any suspicious activity and they discuss issues in the neighborhood for 3-5 minutes. During the conversation, the officer notices James' pupils are dilated and there are noticeable injection sites on his arms. Officer Parr then asks James for consent to search and he agrees.

AB953

VERITONE

Consensual Contact

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

Reason for stop:	Consensual encounter resulting in search
Actions taken:	Asked for consent to search person Search of person conducted
Basis for search:	Consent given

AB953

VERITONE

Location of Stop: K-12

Scenario: A school resource officer sees a student, Max, with a can of spray paint and watches Max put it in a backpack. School rules prohibit spray paint on campus. The school resource officer approaches Max and asks about the spray paint. Max turns it over to the officer, who then escorts the student to the principal's office.

AB953

VERITONE

Location of Stop: K-12

Answer: This is a reportable stop. It would be reported as a stop of a student at a K-12 school for suspected violation of school policy.

AB953

VERITONE

Narrative - Speeding

Scenario: An officer pulls over a car for speeding and issues a ticket.

Narrative: I observed a vehicle traveling at a high rate of speed on I-5. My radar detected a speed of 80 mph. I initiated a traffic enforcement stop and the vehicle yielded. After a brief encounter I issued a speeding citation.

AB953

VERITONE

Narrative – Domestic Disturbance

Scenario: Officer Adler is dispatched to a residence because a neighbor called 911, stating that they heard arguing and the sound of broken glass. The officer arrives, knocks on the door of the residence, and when a child opens the door, the officer sees Frank Rose assaulting Doris Rose.

Officer Adler detains Frank and puts him in handcuffs. While doing so, Officer Adler sees Frank reach inside his jacket, exposing a gun. Officer Adler then searches Frank and removes the gun. Doris was also detained but not arrested. Officer Adler only interviewed her about what happened.

AB953

VERITONE

Narrative – Domestic Disturbance

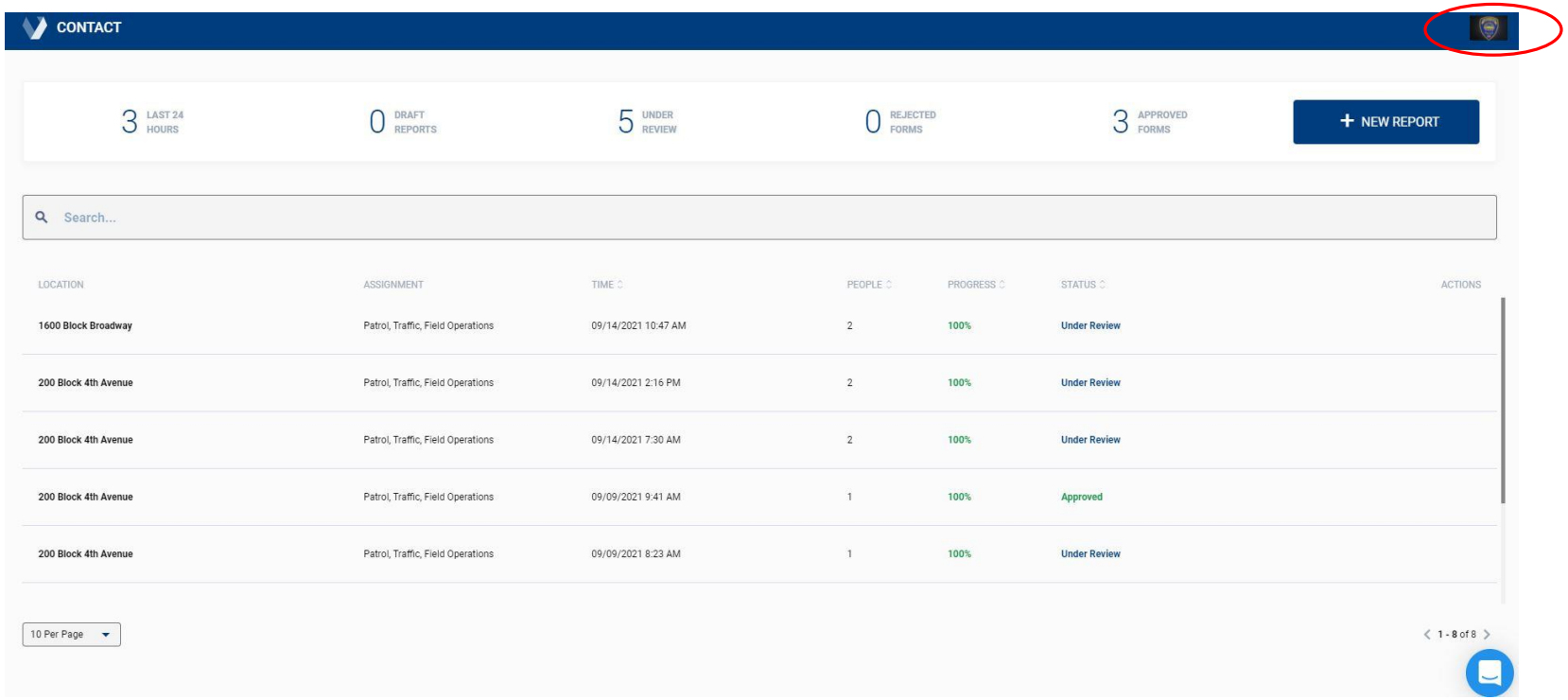
Answer:

Narrative 3: “Child opened the door and I saw a man punching a woman. I detained the man and placed him in handcuffs. While I handcuffed him I saw a gun in his jacket.”

REVIEWERS (Sgt's and Up)

AB953

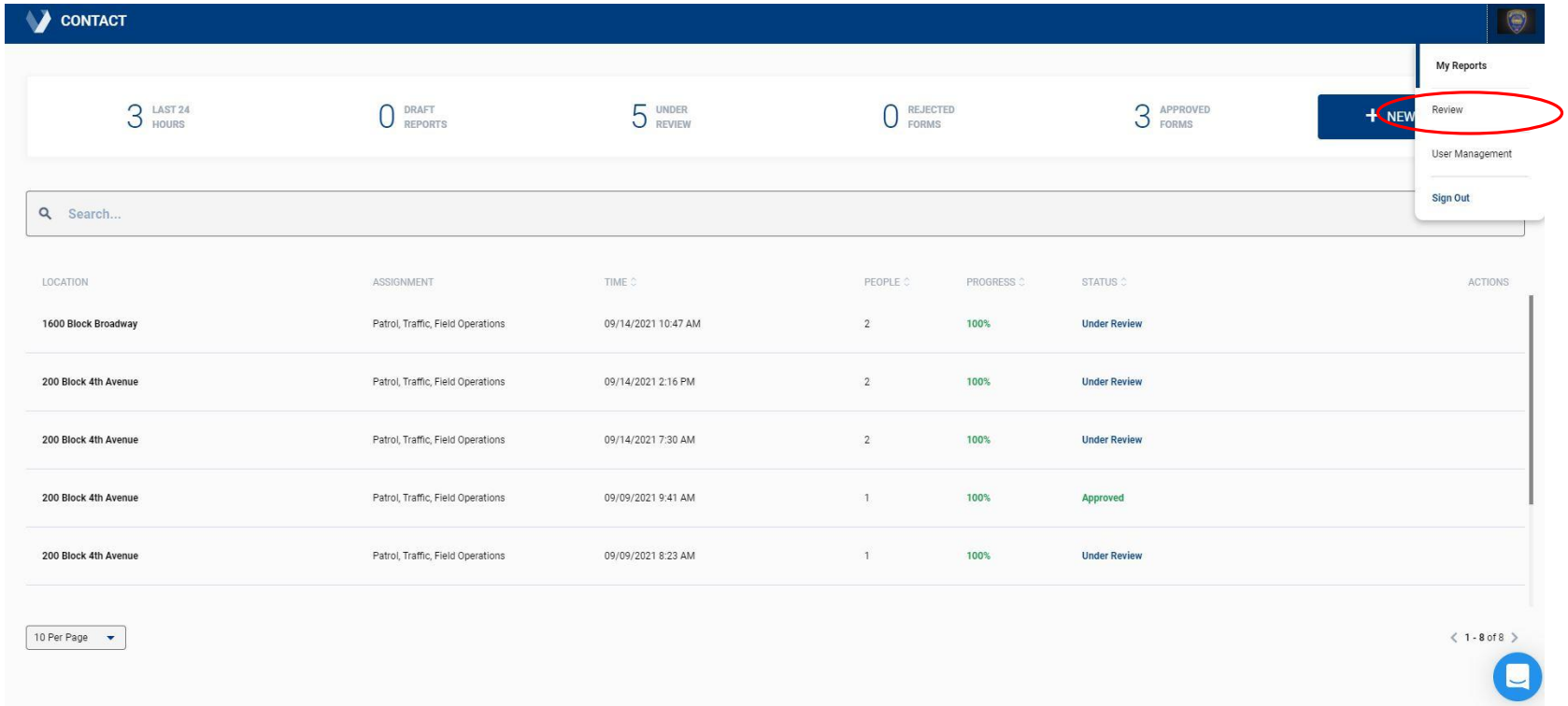
VERITONE



Select the icon in the top right of the screen

AB953

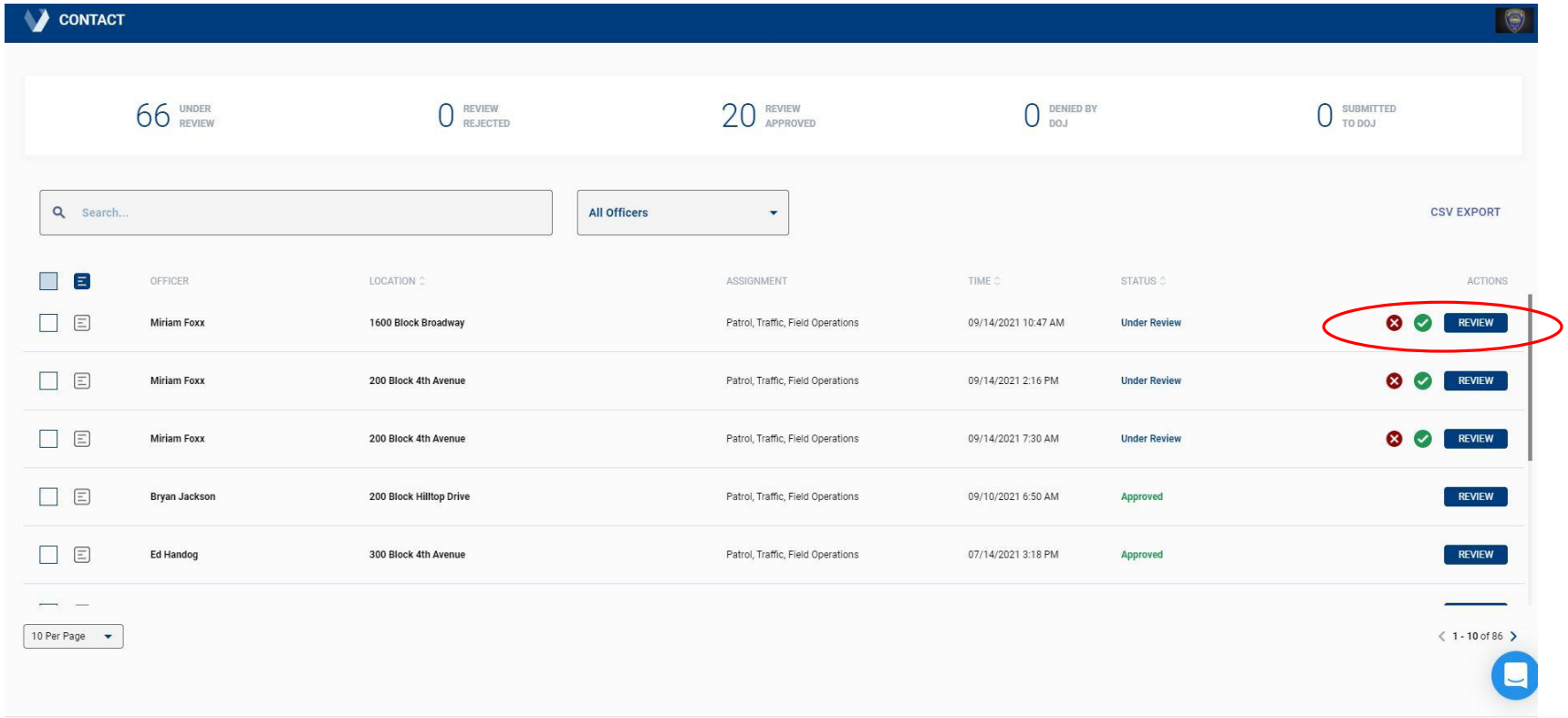
VERITONE



Select Review

AB953

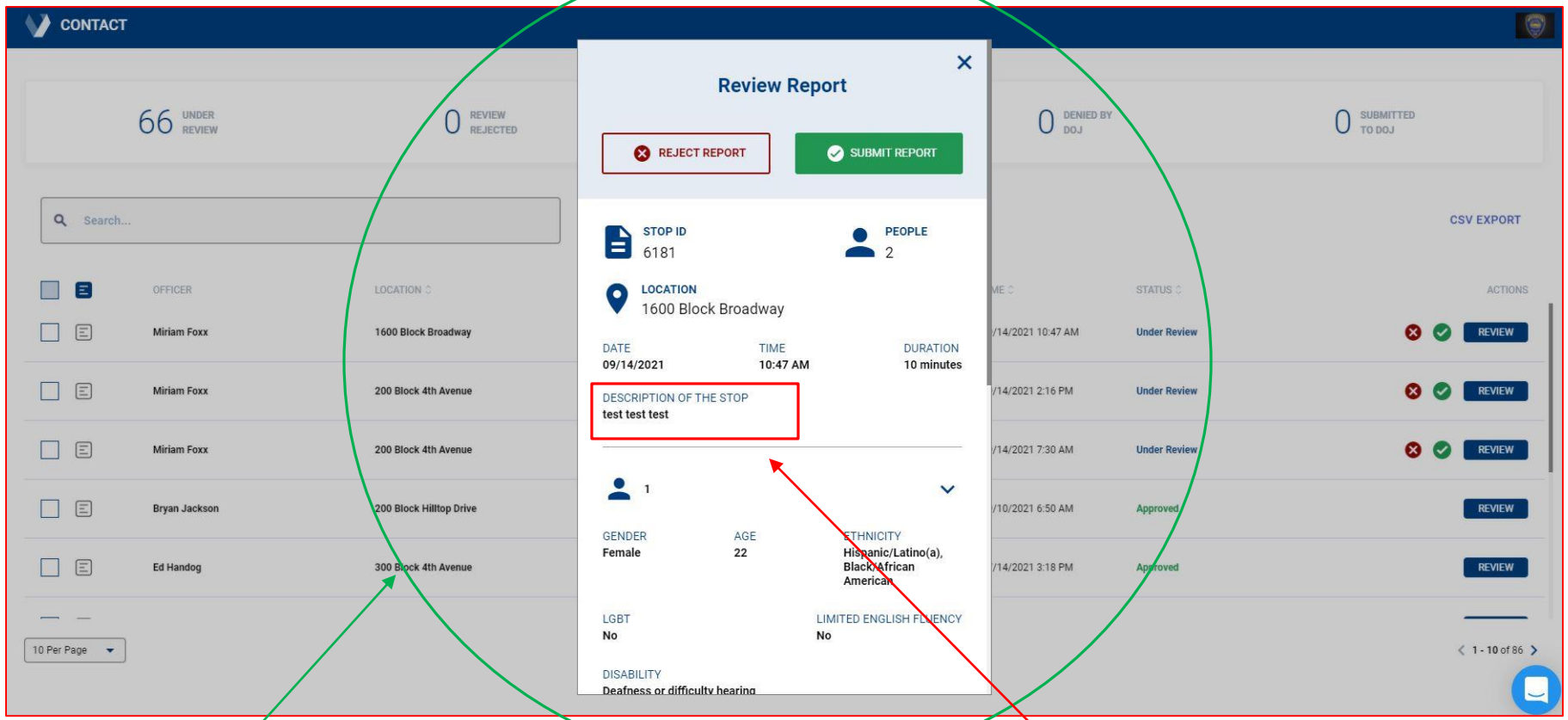
VERITONE



Select the “Review” button

AB953

VERITONE

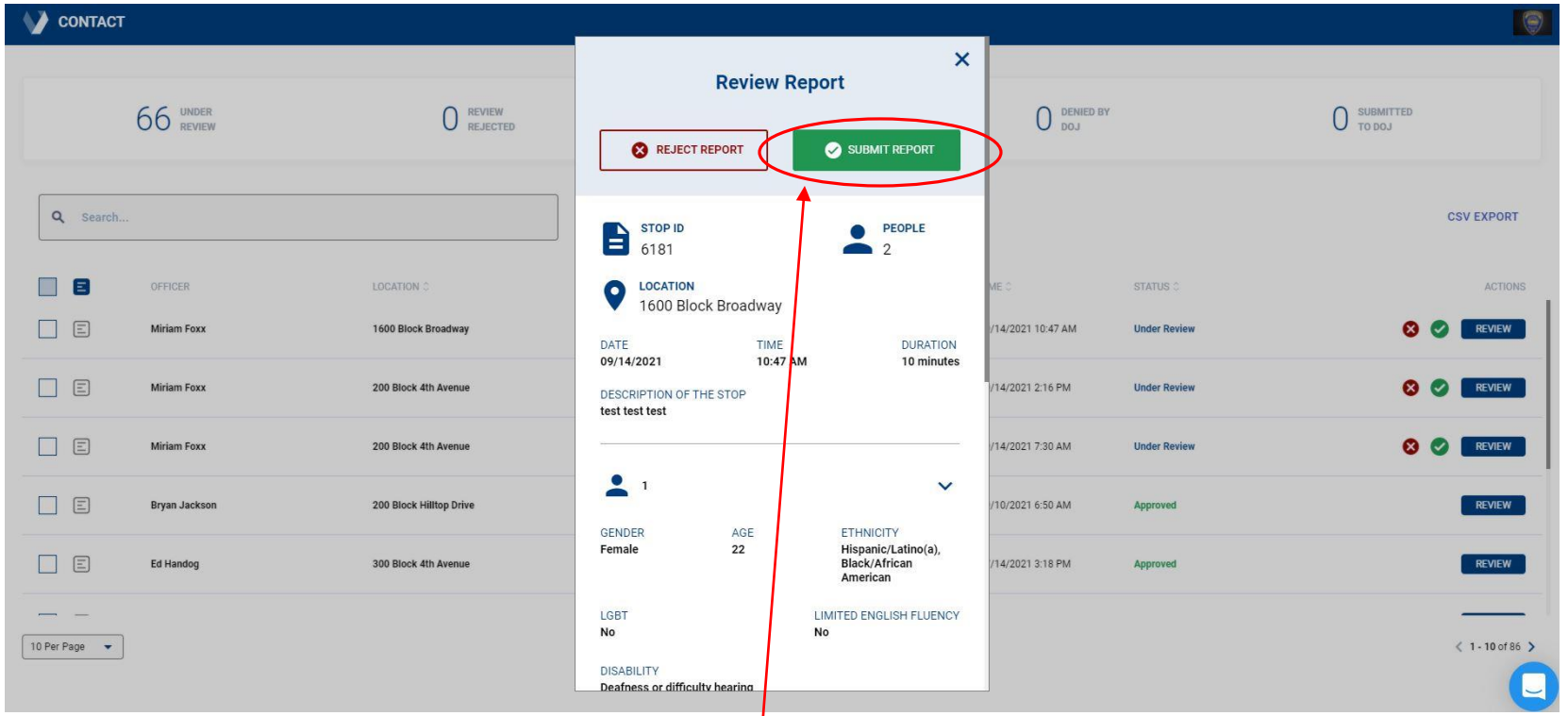


Review the submitted contact

No PII, No names and no exact addresses

AB953

VERITONE

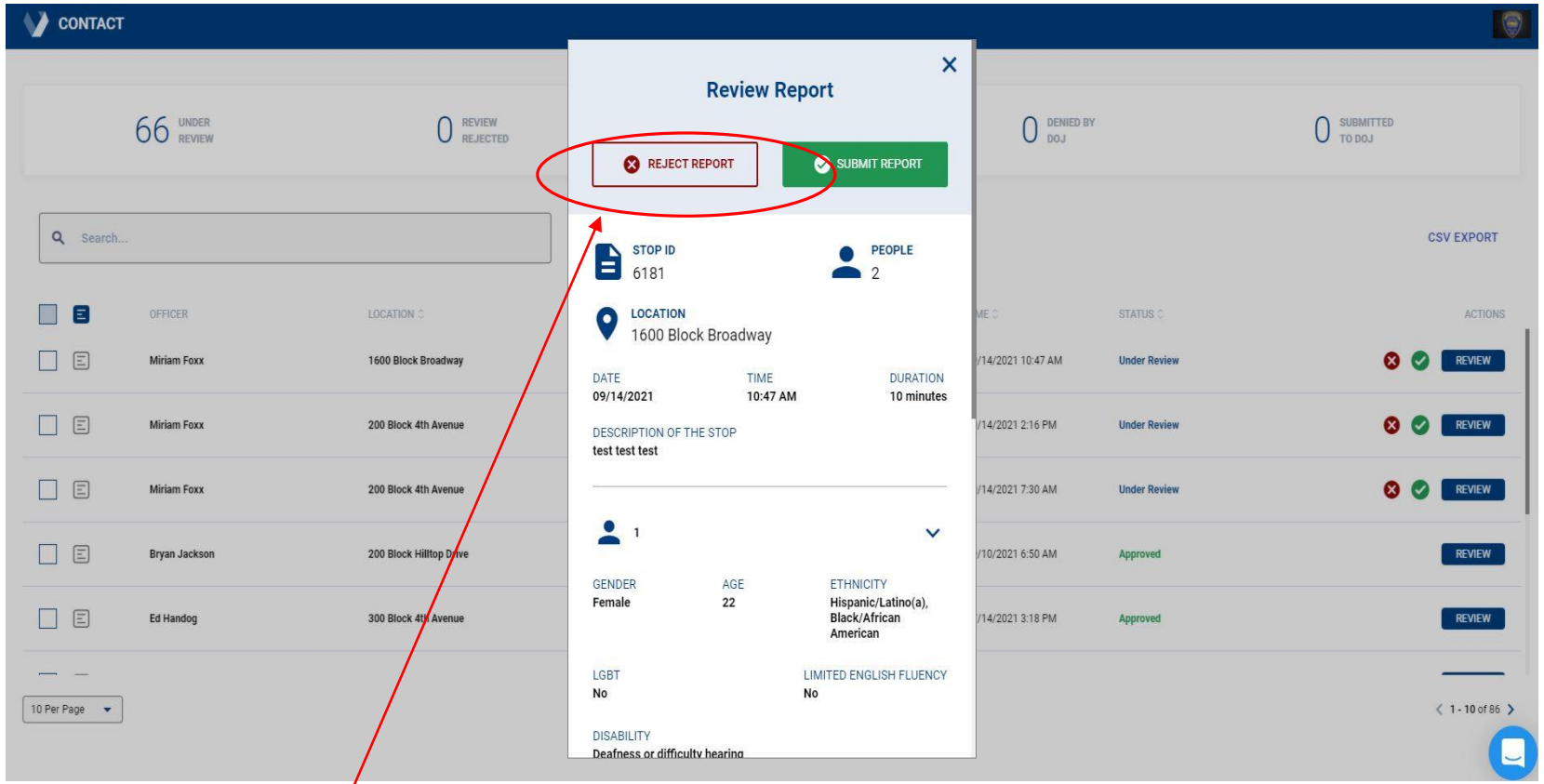


Once reviewed and good to go select “Submit Report”

The report will go in the que to be submitted later on to DOJ

AB953

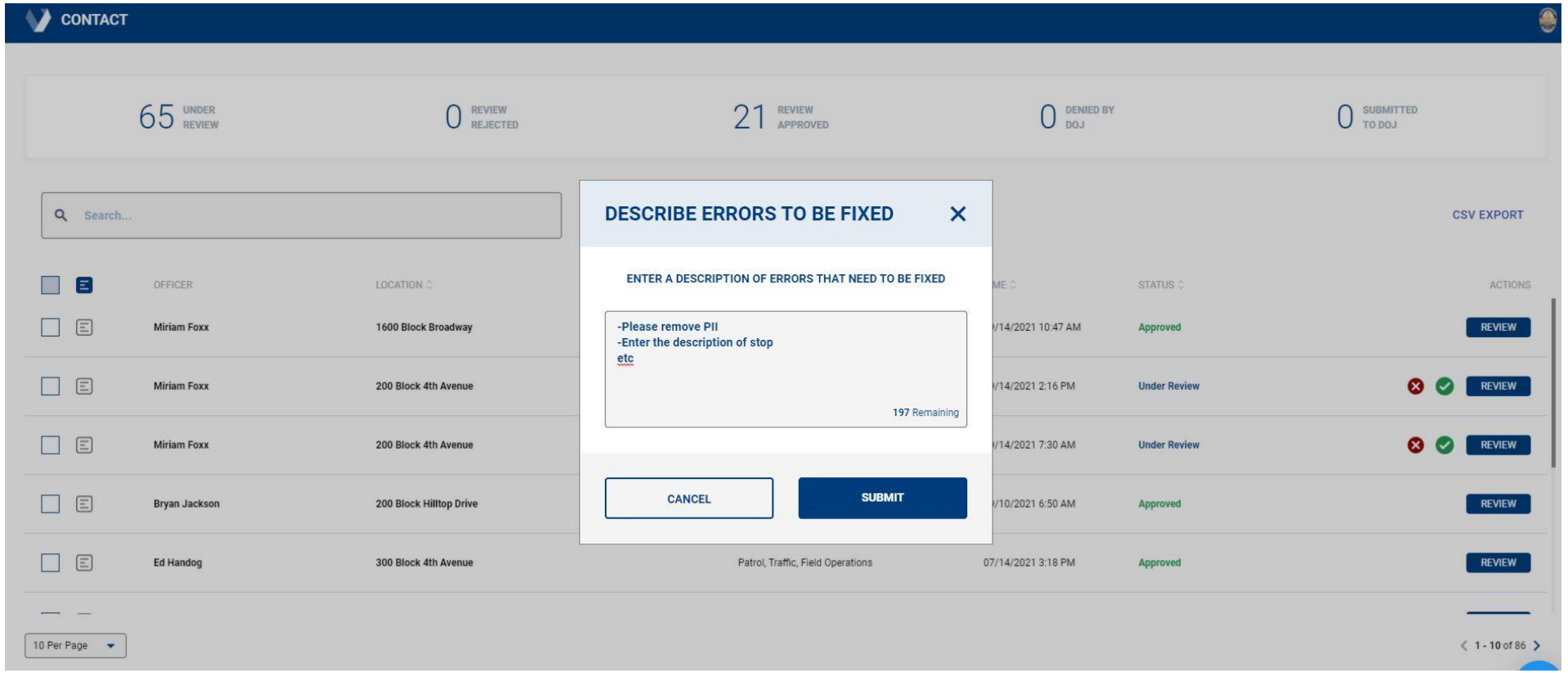
VERITONE



If you need to kick the contact back select “Reject Report”

AB953

VERITONE

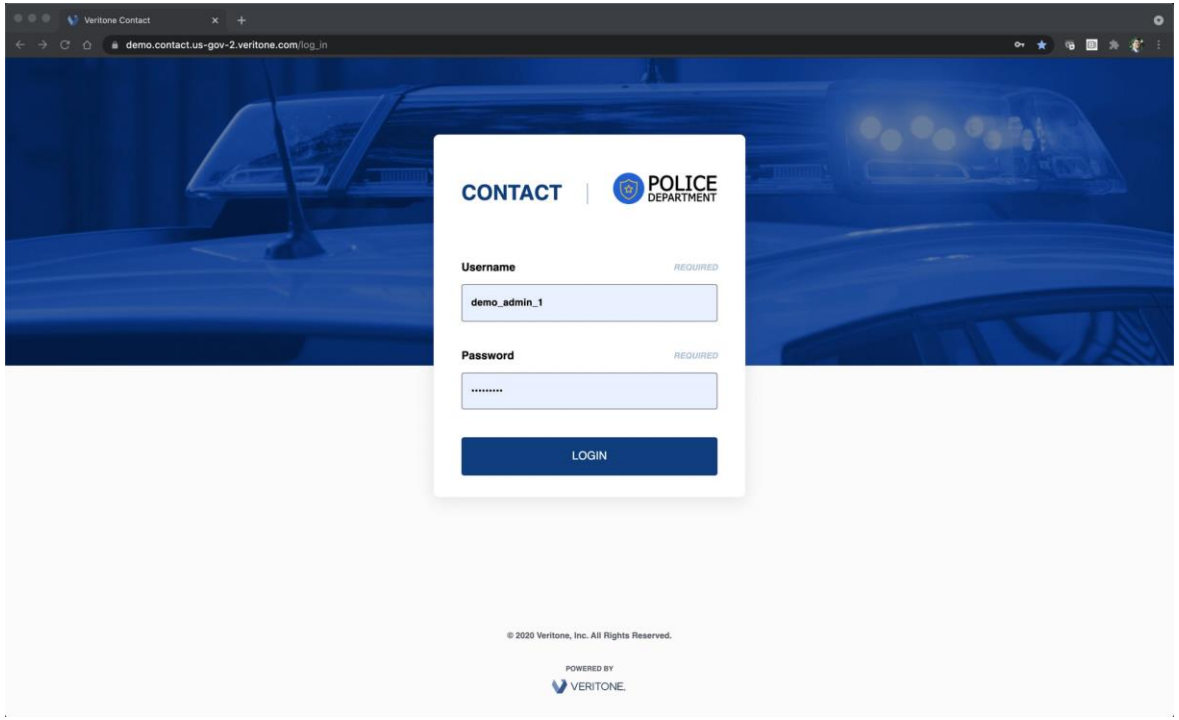


Enter the reason for the reject and select “Submit”

AB953

VERITONE

Veritone Contact Platform Training Video
K Drive : RIPA/Cycle 5 training



AB953

QUESTIONS

Any questions ????

Please contact any of the below to assist you.

Lt. Miriam Foxx

Sgt. Bryan Jackson

Agt. Natalie Caceres

Agt. Kevin Rosas

Off. Chanelle Walsh