

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.





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

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

### ISSUE

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

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

### SUMMARY

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

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

---

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

Peace officers<sup>2</sup> have a great deal of individual discretion on who they stop. And, as is true of all humans, they have implicit biases. Addressing implicit bias is key to addressing racism, reducing inequities in policing, and helping to eliminate needless or unwarranted peace officer-initiated shootings.<sup>3</sup> The connection between racism and implicit bias is well documented,<sup>4</sup> as is the fact that racism is present at individual and institutional levels.<sup>5</sup>

California's 2015 Racial and Identity Profiling Act, AB 953, seeks to address potential racial and identity profiling by peace officers.<sup>6</sup> RIPA requires law enforcement agencies (LEAs) to collect data on every stop<sup>7</sup> and capture the officer's *initial perception* of the people stopped. This data can help identify whether one demographic group is being stopped and searched more frequently than others due to implicit biases. The data collection requirement began in 2018 for the State's largest LEAs and expanded each year to the next largest LEAs. Every LEA in the County must collect stop data starting January 1, 2022 and submit stop data to the California Department of Justice (CA DOJ) annually, starting April 1, 2023.

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

---

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

<sup>3</sup> Racial Equity Tools, Act, Communicating, Implicit Bias

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

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

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

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

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

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

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

Those best practices include “community-based accountability.”<sup>8</sup>

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

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

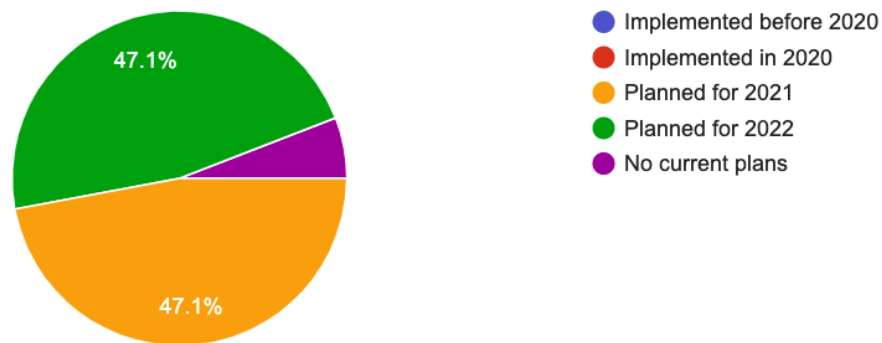
---

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

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

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

17 responses



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

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

---

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

## GLOSSARY

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

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

**BOS** – Board of Supervisors, San Mateo County.

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

**CA DOJ** – California Department of Justice.

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

**County** – San Mateo County.

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

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

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

**RIPA** – The Racial and Identity Profiling Act of 2015, California Assembly Bill 953.<sup>14</sup>

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

---

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

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

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

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

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

**SMC** – San Mateo County.

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

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

## **BACKGROUND**

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

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

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

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

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

---

<sup>15</sup> Cal. Govt. Code § 12525.5(g)(2)

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

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

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

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

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

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

---

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

<sup>18</sup> Govt. Code §12525.5(b)(6)

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

<sup>20</sup> California Government Code Section 25303

<sup>21</sup> California Penal Code Section 13519.4(j)(2)

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

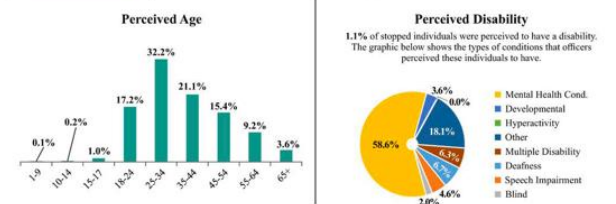
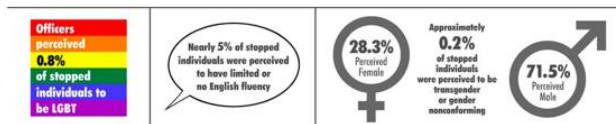
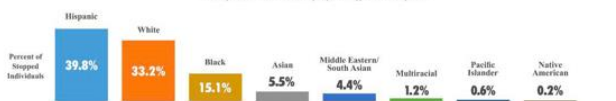
## RIPA | RACIAL AND IDENTITY PROFILING ACT 2020 REPORT QUICK FACTS

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



### Demographics of Stopped Individuals

The data presented below is based on the perception of stopped individuals by officers.



- An Annual Report detailing the past and current status of racial and identity profiling,
- A Quick Facts document showing a statewide summary of the stop data (see Appendices F and G), and
- A Best Practices document<sup>23</sup> This Grand Jury report examines: 1) the status of local LEA preparation for compliance with the RIPA data collection and submission requirements, 2) LEA plans to use the data to improve their agency, and 3) LEA willingness to adopt RIPA Board recommendations and peer-LEA examples to build trust between their departments and the community.

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

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

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

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

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

## Implicit Bias

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

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

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

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

---

<sup>25</sup> RIPA Board 2021 Report, p. 23.

<sup>26</sup> RIPA Board 2020 Report – Best Practices; see also Eberhardt 2020 Ted Talk.

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

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

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

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

<sup>31</sup> [https://en.wikipedia.org/wiki/The\\_Voice\\_\(American\\_TV\\_series\)](https://en.wikipedia.org/wiki/The_Voice_(American_TV_series))

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

### **What is Bias-Free Policing?**

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

### **Why Stops Matter**

A 2020 guidebook<sup>34</sup> for LEAs and stakeholders on RIPA data collection, analysis and response, prepared by New York University researchers, notes: "Despite the prominence of stops, there is much we still do not know about them, including their efficacy in achieving public safety and their impact on the public. These questions, asked by law enforcement executives and communities alike, go largely unanswered because the data needed to answer them are lacking."<sup>35</sup> This research indicates that vehicle stops and pedestrian stops disproportionately burden non-white communities and the operational realities of stops—particularly vehicle stops—pose dangers both to those stopped and to law enforcement officers.<sup>36</sup> This research concludes that collecting and analyzing stop data can shed light on all of these issues.<sup>37</sup> By

---

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

<sup>33</sup> RIPA Board 2020 Report – Best Practices, p.2

<sup>34</sup> Pryor, Marie, Phillip Atiba Goff, Farhang Heydari, and Barry Friedman. 2020. "Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities." New York. [https://policingequity.org/images/pdfs-doc/COPS-Guidebook\\_Final\\_Release\\_Version\\_2-compressed.pdf](https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf)

<sup>35</sup> Pryor, *Guidebook for LEAs*, *ibid.*, at 7.

<sup>36</sup> Pryor, *Guidebook for LEAs*, *ibid.*

<sup>37</sup> Pryor, *Guidebook for LEAs*, *ibid.*

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

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

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

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

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

Officer Reporting Requirements
Information Regarding Stop
1. Date, Time, and Duration 2. Location 3. Reason for Stop 4. Was Stop in Response to Call for Service? 5. Actions Taken During Stop 6. Contraband or Evidence Discovered 7. Property Seized 8. Result of Stop
Information Regarding Officer’s Perception of Person Stopped

---

<sup>38</sup> Ibid.

<sup>39</sup> 2021 RIPA Board Annual Report, p. 21

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

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

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

### **Data Integrity & Is Data Collection a Burden?**

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

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

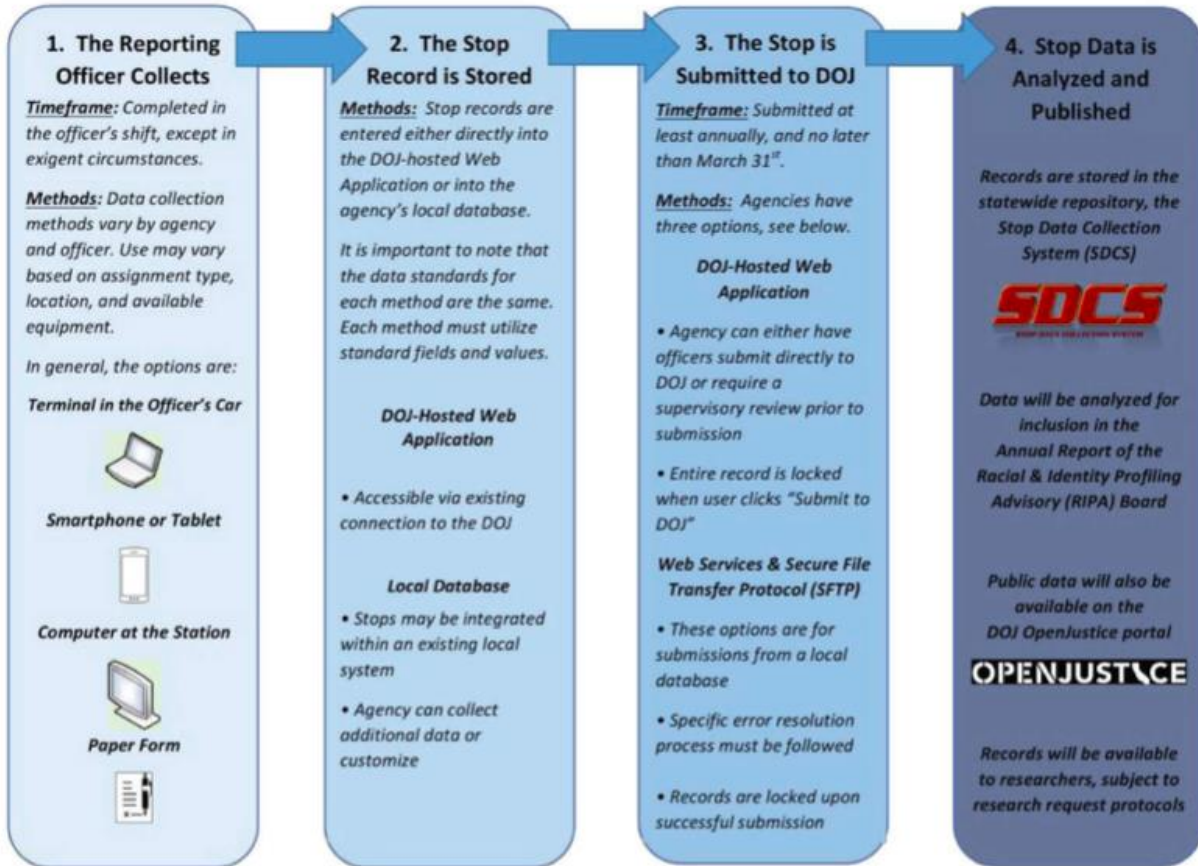
<sup>40</sup> DOJ webinar, “Reporting Stop Data for the Racial & Identity Profiling Act (RIPA / AB 953)”, slide 42 of 111.

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

<sup>42</sup> RIPA Stop Data Collection Stop Presentation, 2018, Slide 14 of 16

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

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



### RIPA Board Best Practices and Learning from Peer LEAs

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

<sup>43</sup> Grand Jury Interviews.

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

Many peer LEAs have begun implementing community advisory boards for community-based accountability and trust building, unrelated to RIPA. These include, but are not limited to, the University of California, Berkeley<sup>45</sup>, Chula Vista<sup>46</sup>, Davis<sup>47</sup>, Walnut Creek<sup>48</sup>, Fremont<sup>49</sup>, Hayward<sup>50</sup>, Salinas<sup>51</sup>, and others. The RIPA Board notes: “For law enforcement agencies to fully practice accountability, the community must be included in those efforts to keep individual officers and the agency as a whole accountable. The Board will review avenues for community involvement, including community participation in oversight, advisory, or disciplinary boards.”<sup>52</sup>

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

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

---

<sup>44</sup> Penal Code §13519.4 (j)(1)

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

<sup>46</sup> Chula Vista Police Department. “Community Advisor Committee” Accessed May 2021.

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

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

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

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

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

<sup>49</sup> Fremont Police Department. “Community Advisory Group (CAG).” Undated.

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

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

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

<sup>52</sup> Racial & Identity Profiling Advisory Board, *2021 Annual Report*, p. 91,

<sup>53</sup> Racial & Identity Profiling Advisory Board, *2021 Best Practices*, p. 2,

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

free policing, sought by all stakeholders<sup>54</sup>. The 2021 RIPA Board notes: “13 of the 25 agencies surveyed indicated that they have a civilian review board. Of those agencies, five reported discussing the RIPA Board’s findings with their civilian review boards.”<sup>55</sup>

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

---

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

<sup>55</sup> RIPA Board 2021 Annual Report, p. 85

<sup>56</sup> RIPA Board 2021 Best Practices, *supra*, at p. 2

<sup>57</sup> RIPA Board 2021 Best Practices, *supra*, at p. 3

<sup>58</sup> RIPA Board 2021 Best Practices, *supra*, at p. 5

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

## **RIPA Stop Data Impact on New Legislation**

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

## **DISCUSSION**

### **Do SMC LEAs Have a Bias Problem?**

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

---

<sup>59</sup> RIPA Board 2021 Best Practices, *supra*, at pp. 4-5

<sup>60</sup> Bill Text - AB-1238 Pedestrian access. (ca.gov)

[https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1238](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1238)

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

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

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

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

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

### **Are the County’s LEAs prepared for RIPA?**

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

Are County LEAs prepared for RIPA data collection and submission? Do they have qualified personnel to analyze and use the data? How will they use the data for greater local transparency, training, and trust building? These are the questions this investigation set out to answer. The data for all local LEAs is based on the Grand Jury’s survey<sup>66</sup> and subsequent interviews with the leadership of all seventeen LEAs that took place in January and February 2021. The LEAs will have moved ahead with specific RIPA-related plans since the interviews.

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

---

<sup>63</sup> Grand Jury Interviews.

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

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

<sup>66</sup> See Appendix D for the survey form.

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

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

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

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

---

<sup>68</sup> Walsh, Austin. "Police address policy reforms in Burlingame - Chief details variety of efforts department has adopted in the wake of George Floyd's killing." The Daily Journal. December 28, 2020. [https://www.smdailyjournal.com/news/local/police-address-policy-reforms-in-burlingame/article\\_4ff4a732-48ca-11eb-9dcf-f3b429ebbeb7.htm](https://www.smdailyjournal.com/news/local/police-address-policy-reforms-in-burlingame/article_4ff4a732-48ca-11eb-9dcf-f3b429ebbeb7.htm)

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

<sup>70</sup> Grand Jury interviews.

<sup>71</sup> Grand Jury interviews.

## Costs

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

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

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

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

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

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

---

<sup>72</sup> Grand Jury interviews.

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

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

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

### RIPA’s Bias Free Policing Opportunity

The RIPA Board recommendations map out a path for local LEAs to deliver on the aspirations of bias-free -policing. The 2020-Summer-of-Race-Reckoning and ongoing national coverage of the subject<sup>75</sup> reinforces the need for racial equity in policing everywhere, including San Mateo County.

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

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

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

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

### **Analysis of Stop Data**

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

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

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

### **Using RIPA to Improve Law Enforcement**

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

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

### **What Could Governing Bodies Expect of Their LEAs Regarding RIPA?**

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

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

---

<sup>77</sup> Pryor, Marie, Phillip Atiba Goff, Farhang Heydari, and Barry Friedman. 2020. "Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities." New York. [https://policingequity.org/images/pdfs-doc/COPS-Guidebook\\_Final\\_Release\\_Version\\_2-compressed.pdf](https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf)

<sup>78</sup> Grand Jury Interviews

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

## **IN SUMMARY**

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

## **FINDINGS**

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

### **RIPA Data Collection and Reporting**

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

### **Using RIPA Data for Transparent Community Trust Building**

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

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

## **RECOMMENDATIONS**

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

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

### **Using RIPA Data for Transparent Community Trust Building – don't wait for the annual report**

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

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

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

**REQUEST FOR RESPONSES**

**Penal Code Section 933.05** (emphasis added)

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

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

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

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

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

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

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

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

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

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

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

## **METHODOLOGY**

### **Documents**

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

### **Site Tour(s)**

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

## Interviews & Surveys

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

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

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

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

## BIBLIOGRAPHY

- Assembly Bill 953 (2015, Weber). “Law enforcement: racial profiling.” An act to add Section 12525.5 to the Government Code, and to amend Sections 13012 and 13519.4 of the Penal Code, relating to racial profiling.
- Becera, Xavier, California Department of Justice. May 2, 2019. Video: “RIPA – Data Integrity” <https://youtu.be/F2evScIOFo0>
- Bretón, Marcos, “‘Implicit bias’ replaces the ‘R’ word. This is how we explain cops killing black men.” Sacramento Bee, April 8, 2018, <https://www.sacbee.com/news/local/news-columns-blogs/marcos-breton/article208230624.html>
- Butler, Paul, interview by Noel King. 2021. “Minnesota Police Officer Charged In Death Of Daunte Wright.” *NPR News, National*. April 16, 2021, <https://www.npr.org/transcripts/987956420>
- California Department of Justice. October 21, 2020. Presentation: “Reporting Stop Data for the Racial & Identity Profiling Act” for the California Police Chiefs Association.

- California Department of Justice. “AB 953: The Racial and Identity Profiling Act of 2015” <https://oag.ca.gov/ab953#complaints>
- California Government Code, Sections 12525.5(g)(1), 12525.5(g)(2), and 25303
- California Penal Code Sections 13519.4(j)(1), 13519.4(j)(2)
- Calbike: California Bicycle Coalition. 2021. “CalBike Announces New Legislation to Eliminate Jaywalking Tickets in California.” *Calbike* . March 25. Accessed April 17, 2021. <https://www.calbike.org/calbike-announces-new-legislation-to-eliminate-jaywalking-tickets-in-california/>.
- Chang, Ailsa, Rachel Martin, Eric Marrapodi. “Summer of Racial Reckoning.” KQED. August 16, 2020. <https://www.npr.org/2020/08/16/902179773/summer-of-racial-reckoning-the-match-lit>
- Chula Vista Police Department. “Community Advisor Committee” Accessed May 2021. <https://www.chulavistaca.gov/departments/police-department/programs/chief-s-advisory-committee>
- Davis Police Department, “Community Advisory Board”, (board formed in 2005), Accessed May 2021. <https://www.cityofdavis.org/city-hall/police-department/administration/community-advisory-board>
- Eberhardt, Jennifer L. 2020. *TED Talk: How racial bias works - and how to disrupt it*. June. Accessed April 30 , 2021. [https://www.ted.com/talks/jennifer\\_l\\_eberhardt\\_how\\_racial\\_bias\\_works\\_and\\_how\\_to\\_disrupt\\_it](https://www.ted.com/talks/jennifer_l_eberhardt_how_racial_bias_works_and_how_to_disrupt_it)
- Eberhardt, Jennifer, “To end racial disparities in policing, we must look beyond the data” *The Guardian*, April 18, 2019, <https://www.theguardian.com/commentisfree/2019/apr/17/race-policing-oakland-biased-jennifer-eberhardt>
- Edwards, Ezekiel. 2018. “San Francisco Is a Hotbed of Illegal Race-Based Policing.” *ACLU*. October 4. Accessed January 11, 2021. <https://www.aclu.org/blog/criminal-law-reform/reforming-police/san-francisco-hotbed-illegal-race-based-policing> .
- Fremont Police Department. “Community Advisory Group (CAG).” Undated. <https://www.fremontpolice.gov/about-us/office-of-the-chief-of-police/community-advisory-group> Accessed May 2021.
- Fridell, Lorie. Fall 2013. “This Is Not Your Grandparents’ Prejudice: The Implications of the Modern Science of Bias for Police Training,” *Translational Criminology*, Fall 2013: 10-11, <http://cebcp.org/wp-content/TCmagazine/TC5-Fall2013.pdf>

- Gaertner, Samuel L., and John F. Dovidio. 1986. "The aversion form of racism." In *Prejudice, Discrimination, and Racism*, by John F. Dovidio and Samuel L. Gaertner, 61-89. Orlando: Academic Press.
- Goldin, Claudia and Cecilia Rouse. Sept. 2000. "Orchestrating Impartiality: The Impact of 'Blind' Auditions on Female Musicians", AMERICAN ECONOMIC REVIEW VOL. 90, NO. 4, SEPTEMBER 2000 (pp. 715-741)  
<https://ideas.repec.org/a/aea/aecrev/v90y2000i4p715-741.html>
- Great Schools Partnership, "Glossary of Education Reform, Growth Mindset" August 29, 2013, <https://www.edglossary.org/growth-mindset/>
- Green, Jason, and Robert Salonga. 2020. *San Jose police officers' racist Facebook posts exposed by blogger*. June 26. Accessed April 20, 2020.  
<https://www.mercurynews.com/2020/06/26/san-jose-police-officers-racist-facebook-posts-exposed-by-blogger/>
- Jones, Camara Phyllis. 2000. "Levels of Racism: A Theoretic Framework and a Gardener's Tale." *Am J Public Health* 90 (8): 1212-1215.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1446334/pdf/10936998.pdf>
- Louie, David, "Report: SJPD has a big problem being racially biased," ABC, KGO-TV. April 10, 2015. <https://abc7news.com/san-jose-police-department-sjpd-report-racial-bias/649558/>
- Mather, Kate. "LAPD found no bias in all 1,356 complaints filed against officers." Los Angeles Times, Dec. 15, 2015. <https://www.latimes.com/local/lanow/la-me-ln-lapd-biased-policing-report-20151215-story.html>
- Menlo Park City Manager's Office. "Staff Report 20-150-CC: Add institutionalized bias reform as a top priority for City staff in 2020-21 and provide input to staff on how to address police" for July 16 2020 meeting.  
<https://menlopark.org/DocumentCenter/View/25679/F2-20200714-CC-Institutionalized-bias-reform>
- Mento, Tarryn. "SDPD Didn't Need Additional \$200K To Implement New Anti-Racial Profiling Law." KPBS. December 20, 2018.  
<https://www.kpbs.org/news/2018/dec/20/sdpd-didnt-need-additional-200k-implement-new-anti/>
- MP Associates, CAPD, and World Trust Educational Services . n.d. *Racial Equity Tools; Act; Communicating; Implicit Bias*. Accessed April 14, 2021.  
<https://www.racialequitytools.org/resources/act/communicating/implicit-bias>

- Navarro, Renee. undated. *UCSF Office of Diversity and Outreach; Programs & Services; Unconscious Bias*. Accessed April 14, 2021. <https://diversity.ucsf.edu/resources/unconscious-bias>
- Parker, Clifton B. 2016. “Stanford big data study finds racial disparities in Oakland, Calif., police behavior, offers solutions.” *Stanford / News*. June 15. Accessed April 20, 2020. <https://news.stanford.edu/2016/06/15/stanford-big-data-study-finds-racial-disparities-oakland-calif-police-behavior-offers-solutions/>
- Pryor, Marie, Phillip Atiba Goff, Farhang Heydari, and Barry Friedman. 2020. “Collecting, Analyzing, and Responding to Stop Data: A Guidebook for Law Enforcement Agencies, Government, and Communities.” New York. [https://policingequity.org/images/pdfs-doc/COPS-Guidebook\\_Final\\_Release\\_Version\\_2-compressed.pdf](https://policingequity.org/images/pdfs-doc/COPS-Guidebook_Final_Release_Version_2-compressed.pdf)
- Racial Equity Tools, “Implicit Bias,” undated, Act, Communicating, Implicit Bias (racialequitytools.org) <https://www.racialequitytools.org/resources/act/communicating/implicit-bias>
- Racial & Identity Profiling Advisory Board. 2021. “Annual Report 2021”, <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2021.pdf>
- Racial & Identity Profiling Advisory Board. 2021 “2021 Best Practices” <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2021.pdf>
- Racial & Identity Profiling Advisory Board. 2021. “2021 RIPA Report Quick Facts (ca.gov).” *Attorney General of California - Racial and Identity Profiling Advisory Board*. Accessed January 5, 2021
- Racial & Identity Profiling Advisory Board. 2020. “Annual Report 2020”, <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>
- Racial & Identity Profiling Advisory Board. 2020 “2020 Report - Best Practices” <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2020.pdf>
- Racial & Identity Profiling Advisory Board. 2020. “2020 RIPA Report Quick Facts” *2020 R*. <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-quick-facts-2020.pdf>
- Racial & Identity Profiling Advisory Board. 2020. “Supplemental Technical Report 2020” <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-tech-report-2020.pdf>
- Racial & Identity Profiling Advisory Board. 2019. “Annual Report 2019.” <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2019.pdf>
- Racial & Identity Profiling Advisory Board. 2019 “2019 Report - Best Practices” <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-best-practices-2019.pdf>

- Read, Aaron, and Randy Perry. 2016. “THE REAL STORY: AB 953 AND AB 71 EXPLAINED.” *PORAC (Peace Officers Research Association of California)*. March 1. Accessed April 30, 2021. <https://porac.org/2016/03/the-real-story-ab-953-and-ab-71-explained/>
- Redwood City Hall. “Police Advisory Committee” March 8, 2021. <https://www.redwoodcity.org/city-hall/advisory-bodies-and-committees/police-advisory-committee>
- RIPA Advisory Board. 2020. “Racial and Identity Profiling Advisory Board.” State of California Department of Justice, Office of the Attorney General. January 3. Accessed April 2, 2021. <https://oag.ca.gov/ab953/board>
- San Mateo County Sheriff’s Office. “Patrol Services.” Undated. <https://www.smcsheriff.com/patrol-services>
- Sinyangwe, Samuel, “The Police Departments With The Biggest Racial Disparities In Arrests And Killings”, *FiveThirtyEight*, February 4, 2021, <https://fivethirtyeight.com/features/the-biden-administration-wants-to-address-racial-bias-in-policing-what-cities-should-it-investigate/>
- Stanford SPARQ and California Department of Justice. “Principled Policing Training – Procedural Justice and Implicit Bias.” 2015. [https://oag.ca.gov/sites/all/files/agweb/pdfs/law\\_enforcement/principled-policing-white-paper.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/law_enforcement/principled-policing-white-paper.pdf)
- Steinpreis, R.E., Anders, K.A. & Ritzke, D. “The Impact of Gender on the Review of the Curricula Vitae of Job Applicants and Tenure Candidates: A National Empirical Study.” *Sex Roles* 41, 509–528 (1999). <https://doi-org.stanford.idm.oclc.org/10.1023/A:1018839203698>
- Times Editorial Board, “Editorial: The more LAPD changes...”, *Los Angeles Times*, May 28, 2021, <https://www.latimes.com/opinion/story/2021-05-28/lapd-changes-reform-needed>
- Ting, Phil. “Ting Proposes to Eliminate Jaywalking Tickets In California.” March 25, 2021. press release. <https://a19.asmdc.org/press-releases/20210325-ting-proposes-eliminate-jaywalking-tickets-california>
- Walnut Creek, City of. “Chief’s Community Advisory Board.” Undated. Accessed May 2021. <https://www.walnut-creek.org/government/commissions-committees/chief-s-community-advisory-board>
- Walsh, Austin. “Police address policy reforms in Burlingame - Chief details variety of efforts department has adopted in the wake of George Floyd’s killing.” *The Daily Journal*. December 28, 2020. [https://www.smdailyjournal.com/news/local/police-address-policy-reforms-in-burlingame/article\\_4ff4a732-48ca-11eb-9dcf-f3b429ebbeb7.htm](https://www.smdailyjournal.com/news/local/police-address-policy-reforms-in-burlingame/article_4ff4a732-48ca-11eb-9dcf-f3b429ebbeb7.htm)

- Wikipedia. “The Voice (American TV series)” Accessed February 2021. [https://en.wikipedia.org/wiki/The\\_Voice\\_\(American\\_TV\\_series\)](https://en.wikipedia.org/wiki/The_Voice_(American_TV_series))
- University of California, UC Berkeley, “Update On Campus Safety Task Force” March, 2021. <https://www.ucop.edu/research-policy-analysis-coordination/policies-guidance/campus-safety/updates-on-campus-safety-task-forces.pdf>

**APPENDIX A: List of RIPA Data Fields and Variables**

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

## APPENDIX B: Screenshots of RIPALog Software

9:49  
36 Hispanic/Latino 02/17/2020  
Berkshire Way at 10th

**Demographics**

Age of person stopped

K-12 student? Yes  No

LGBT? Yes  No

Fluent in English? Yes  No

Has a disability

Gender is non-conforming

**Gender (select one):**  
(optional if gender non-conforming)

Male

Female

Transgender Male

Transgender Female

**Race (one or more):**


2:04

**Stop Logs** [Edit](#)

<input type="checkbox"/>	16 Native American Baker at 12th	07/03/2020
<input checked="" type="checkbox"/>	30 White Maple and 19th Ave	07/03/2020
<input type="checkbox"/>	24 Asian Nearby and Faraway	02/17/2020
<input type="checkbox"/>	36 Hispanic/Latino Berkshire Way at 10th	02/17/2020
<input type="checkbox"/>	Latino at 10th	02/17/2020
<input checked="" type="checkbox"/>	45 Hispanic/Latino Berkshire Way at 10th	02/17/2020
<input checked="" type="checkbox"/>	32 Middle Eastern or Sou.. Mason at Dixon Way	02/17/2020
<input checked="" type="checkbox"/>	32 Middle Eastern or Sou.. Mason at Dixon Way	02/17/2020
<input type="checkbox"/>	50 Middle Eastern or Sou.. Nearby Road	01/12/2020
<input type="checkbox"/>	33 White Basic Way	01/12/2020

3:56

**RIPA Stop Log**



To continue, you must  
authenticate your access

Email address

Secret key

[Authenticate](#)

[Create new agency](#)

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

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

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

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

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

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

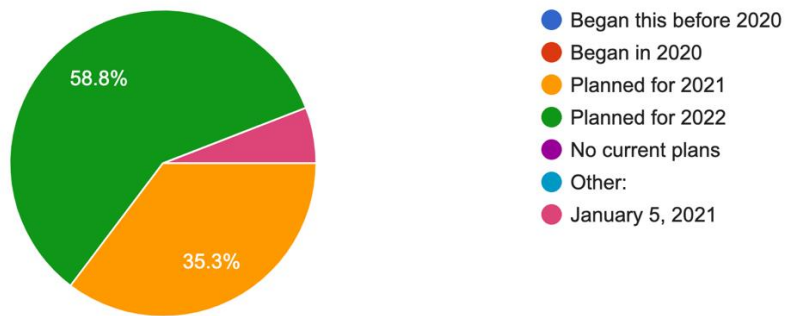
- 1) Explicit Bias, Implicit Bias, and Other Driving Forces for Stop Data Disparities
- 2) Racial and Identity Profiling Policies and Accountability
- 3) Calls for Service and Bias by Proxy
- 4) Civilian Complaints: Policies and Data Analysis
- 5) California Commission on Peace Officer Standards and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

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

**APPENDIX E – Selected LEA Responses to GJ RIPA Survey**

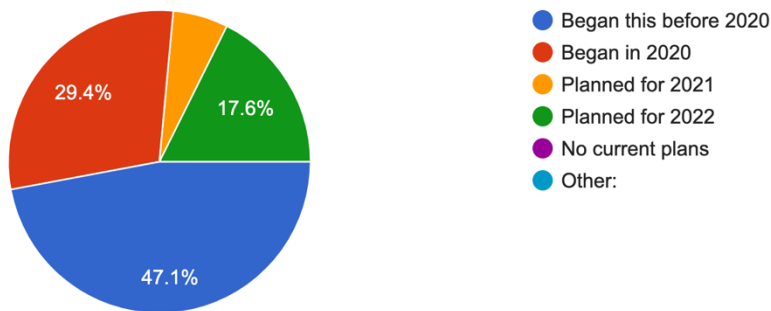
When did you begin collecting stop data with race and identity, as defined by RIPA demographics?

17 responses



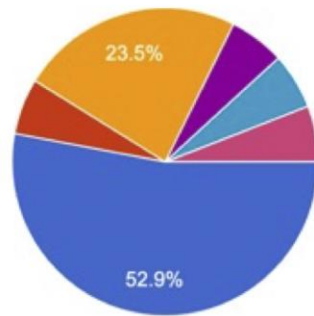
Has your LEA started preparing for compliance with Racial and Identity Profiling Act of 2015 (AB 953)? \*

17 responses



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

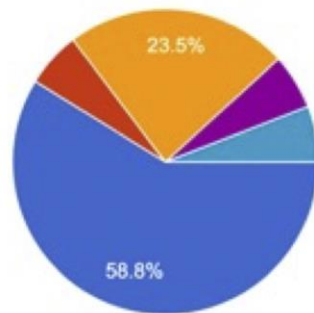
17 responses



- Implemented before 2020
- Implemented in 2020
- Planned for 2021
- Planned for 2022
- No current plans
- Our stand-alone Bias-Free policy meets the intent of the RIPA recommendations
- Policy #402 Racial/Bias Based Profiling

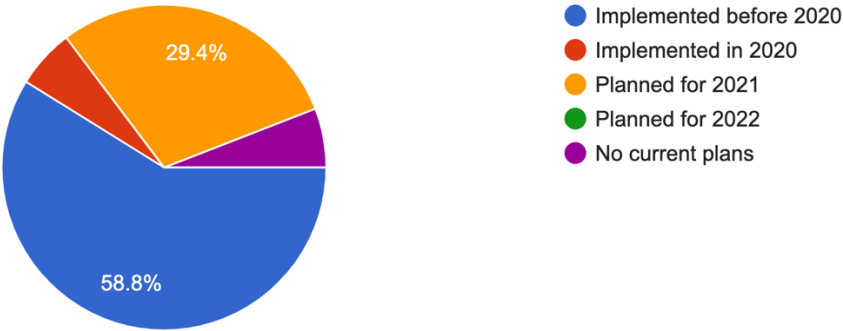
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which uses concrete definitions of Bias-Free Policing and/or Racial & Identity Profiling?

17 responses

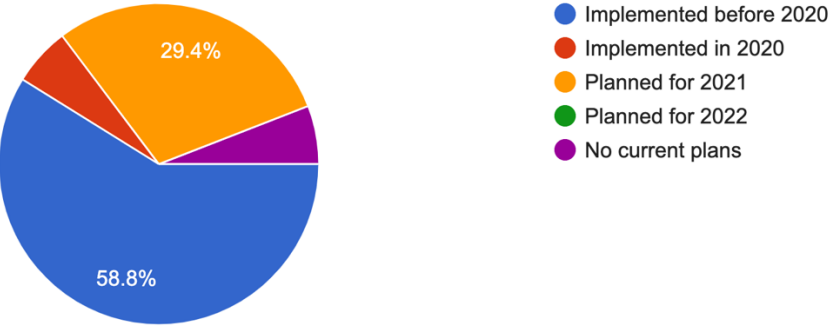


- Implemented before 2020
- Implemented in 2020
- Planned for 2021
- Planned for 2022
- No current plans
- Policy #402 Racial/Bias Based Profiling

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

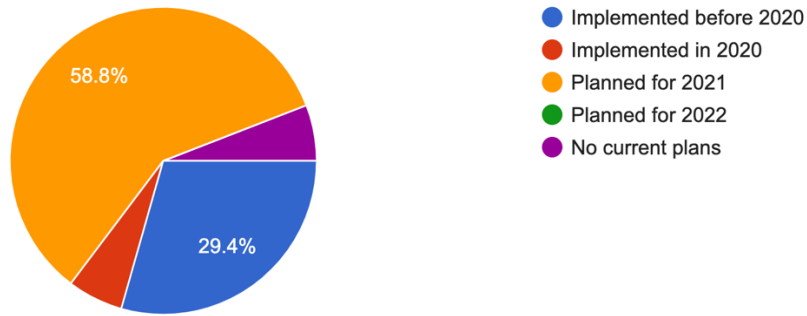


Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on encounters with community?  
17 responses



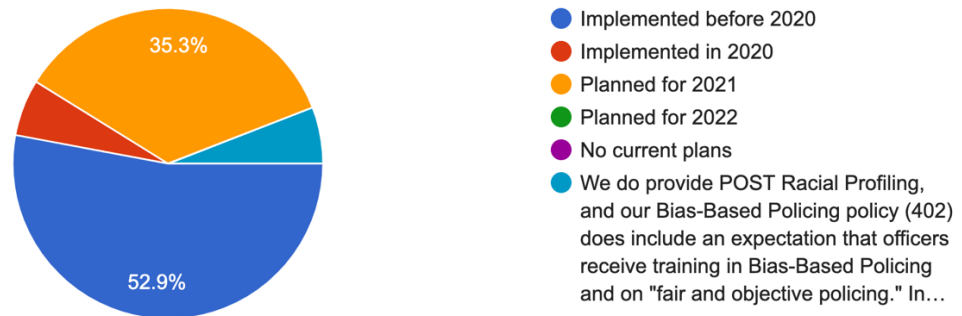
What is the status of your LEA's RIPA recommended: "Agencies should have a policy detailing how sworn personnel and dispatchers should respond to ...or integrated into the bias-free policing policy."

17 responses



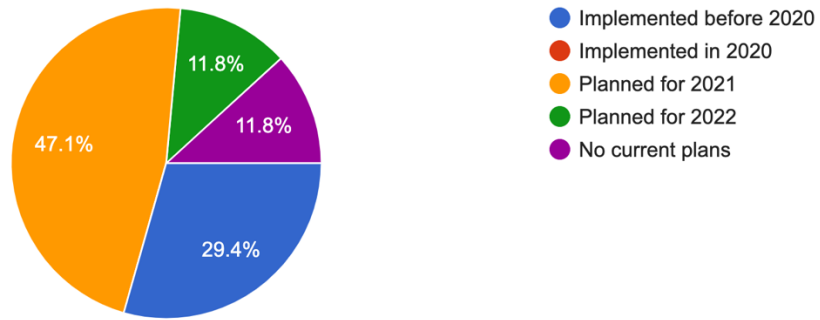
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on Racial and Identity Profiling Training?

17 responses



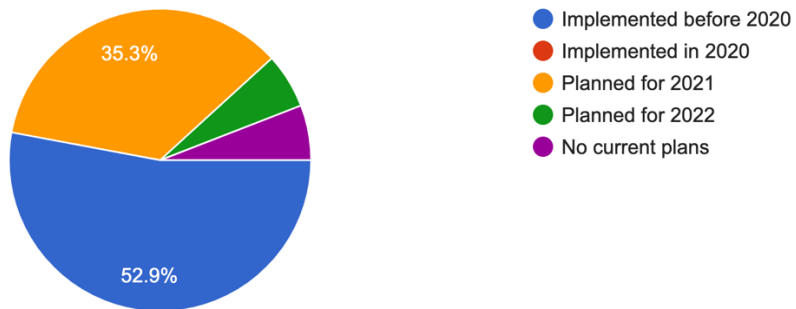
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on Data Analysis?

17 responses



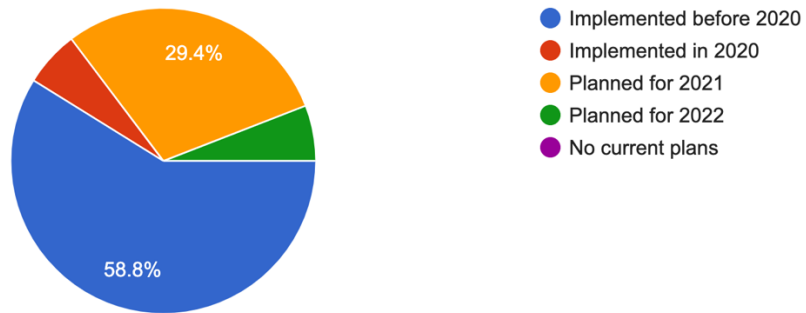
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on requiring accountability?

17 responses



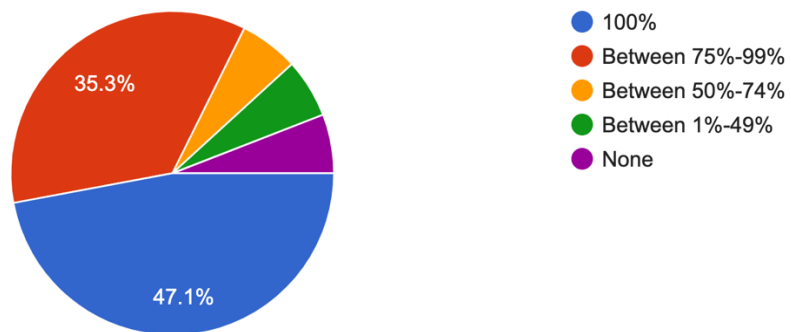
Does your LEA have a RIPA recommended Stand-Alone Bias-Free Policing Policy which includes a component on required Supervisory Review?

17 responses



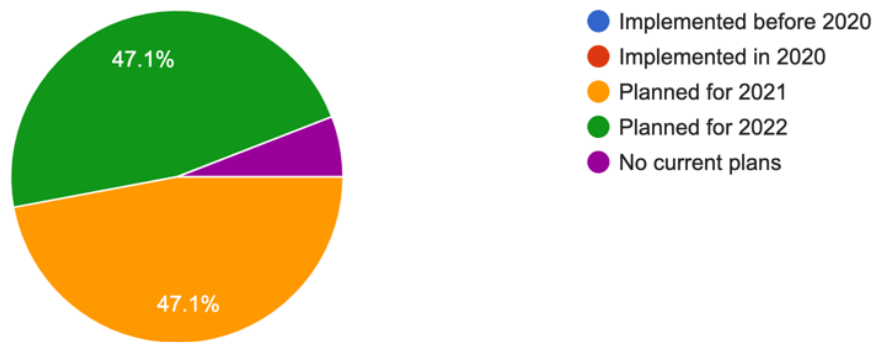
What percent of your officers have completed comprehensive training on bias free policing in the last 2 years?

17 responses



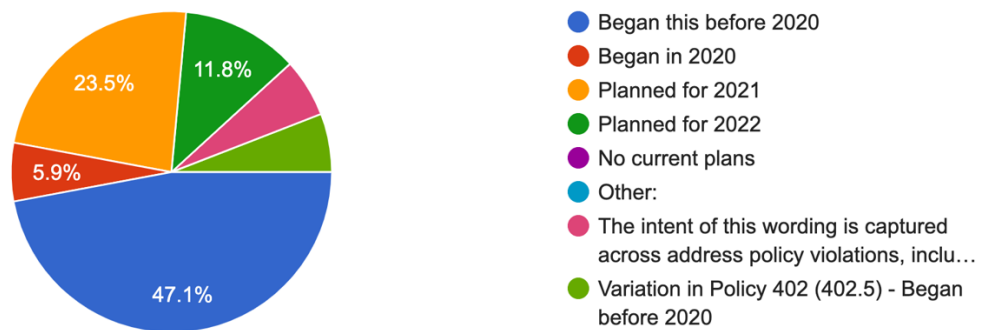
What are your plans for RIPA recommendation: "regularly analyze data, in consultation with [academics, police commissions, civilian review bod... on any group relative to the general population."

17 responses



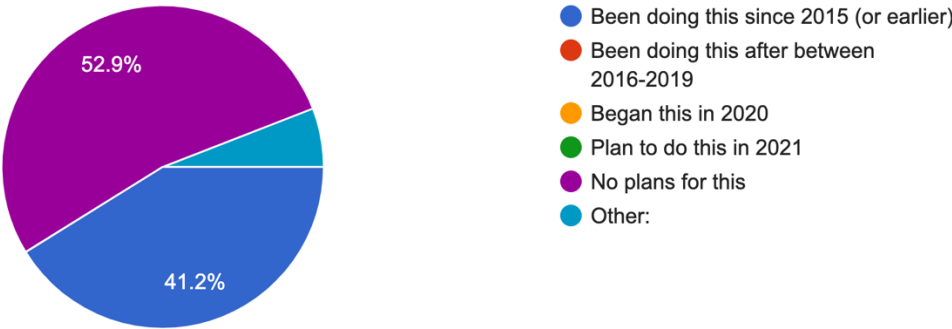
RIPA Model Policy Language for Supervisory Review: " Supervisors shall ensure that all personnel under their command, including dispatchers and no...s and procedures for review should be included."

17 responses



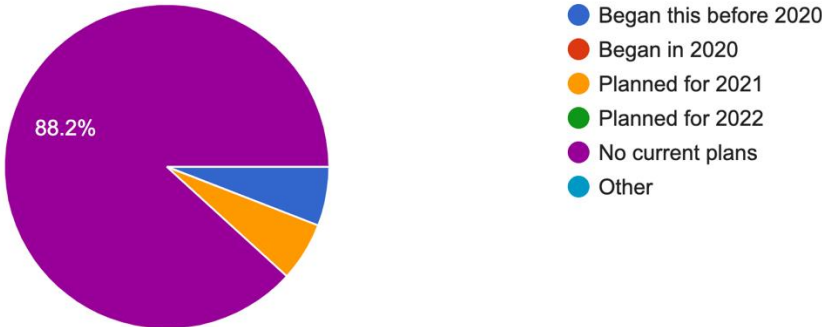
Do you currently proactively and formally seek community input when making decisions about hiring and resource allocation?

17 responses



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

17 responses



**APPENDIX F: RIPA Quick Facts 2020**

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

**APPENDIX G: RIPA Quick Facts 2021**

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

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

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

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

Source: CA DOJ, OpenJustice Data, Citizens Complaints Against Peace Officers, file: CCAPO\_2016-2019\_Agency\_0.xlsx  
from <https://openjustice.doj.ca.gov/data>

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

<sup>79</sup> [https://oag.ca.gov/sites/all/files/agweb/pdfs/law\\_enforcement/dle-2015-06.pdf?](https://oag.ca.gov/sites/all/files/agweb/pdfs/law_enforcement/dle-2015-06.pdf?)



September 28, 2021

Honorable Amarra A. Lee  
c/o Jenarda Dubois, Grand Jury Coordinator  
400 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063

Dear Judge Lee,

Thank you for the opportunity to respond to the Grand Jury report entitled "Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act." The City of Belmont's required responses which were approved by the City Council on this date are listed below:

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

**Response:**

**The Belmont Police Department is aware of January 1, 2022 data collection requirements. The Belmont Police Department has implemented RIPA and began collecting data on July 1 2021, earlier than required by law.**

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

**Response:**

**The Belmont Police Department followed the RIPA legislation from its approval, understood its requirements and began preparing for implementation several years ago. The department has already researched, tested, and implemented all technological equipment for the collection and reporting of RIPA data.**

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

**Response:**

**The Belmont Police Department planned for an early implementation of RIPA data collection as well. The Belmont Police Department began testing in April 2021 and fully implemented RIPA with reporting to the state Department of Justice on July 1, 2021.**

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

**Response:**

**When the Belmont Police Department began the planning for the implementation of data collection, we explored best practices not only within San Mateo County, but through the entire**

**state. The Belmont Police Department will continue to work collaboratively with San Mateo County Police Chiefs & Sheriff Association (SMCPCSA) RIPA Subcommittee for best practices.**

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

**Response:**

**The Belmont Police Department does not utilize County Dispatch.**

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

**Response:**

**The Belmont Police Department believes the need for sharing RIPA data with the community is paramount in trust building within the law enforcement profession.**

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

**Response:**

**This finding does not apply to the Belmont Police Department.**

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

**Response:**

**The Belmont Police Department began meeting with an ad hoc sub-committee of the Belmont City Council following the George Floyd incident to discuss, review, and consider policy and information such as stop data. The City Council has expressed its intent to form a permanent Public Safety Sub-Committee consisting of two City Council members, which will hold regular open meetings under the Brown Act and is anticipated to be staffed by the City Manager, and Chief of Police, with participation by the President of the Belmont Police Officer's Association.**

Response to Grand Jury Recommendations:

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

**Response:**

**The Belmont Police Department has already developed policies, procedures, conducted training and fully implemented RIPA. Our agency began the training in December 2020, testing in April 2021 and reporting to the state Department of Justice on July 1, 2021.**

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

**Response:**

**The Belmont Police Department has already purchased all necessary software and equipment to successfully collect and report RIPA data as of July 1, 2021.**

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

**Response:**

**The Belmont Police Department began collecting and reporting RIPA data information on July 1, 2021. This is six months earlier than mandated by law.**

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

**Response:**

**The Belmont Police Department has passed on all necessary information to the City Council and Public Safety Sub-Committee. Both entities are aware the agency has started collecting and reporting RIPA data.**

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

**Response:**

**The Belmont Police Department will be posting a link on our website to RIPA on the DOJ website.**

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

**Response:**

**The Belmont Police Department plans to review RIPA data and other department records to determine patterns and practices, how those relate to and can be integrated into training and best practices and how the data, training and findings can be used to continue to build the relationships and trust within our community.**

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

**Response:**

**The Belmont Police Department will discuss the RIPA data collection with the City of Belmont Public Safety Sub Committee.**

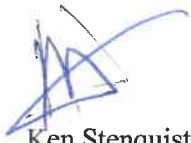
R8. In the second quarter of 2022, each of the contracting entities should begin requesting RIPA stop data for its jurisdiction, separate from the rest of the Sheriff's stop data.

**Response:**

**This does not apply to the Belmont Police Department.**

The Belmont Police Department had been planning for the implementation of RIPA since its inception. In addition, staff have been assisting other agencies with RIPA implementation not only within the San Mateo County law enforcement community but also throughout the State of California.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Ken Stenquist', with a large, sweeping flourish extending to the right.

Ken Stenquist  
Chief of Police



## City of Brisbane

50 Park Place  
Brisbane, CA 94005-1310  
(415) 508-2100  
(415) 467-4989 Fax

October 7, 2021

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

### **Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act**

Dear Honorable Amarra A. Lee:

This letter is in response to the 2020/2021 San Mateo County Civil Grand Jury report of July 27, 2021, which contain findings and recommendations that pertain to the City of Brisbane. Listed below are the Jury's findings and recommendations followed by the City of Brisbane's response. The Brisbane City Council reviewed and approved the below recommendations at a public hearing on October 7, 2021.

#### **The San Mateo County 2020-2021 Grand Jury makes the following findings to the City Councils of the cities of San Mateo County:**

**F1:** Law Enforcement Agencies (LEA's) in SMC are aware of RIPA data requirements, including the requirement that data collection starts on January 1, 2022

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report.*

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

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report.*

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

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report. The Brisbane Police department has begun to send test transmission of early RIPA data collected to the Department of Justice to ensure a smooth transition for the January 1, 2022 implementation.*

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

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report.*

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

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report. The Brisbane Police Department does not utilize San Mateo County Dispatch.*

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

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report. The Brisbane Police Department believes the need for sharing RIPA Data with the community is important in building trust and transparency within the law enforcement profession.*

**F7:** Some contracting entities were unaware of the RIPA requirements, and the RIPA data breakdown for their respective cities could be requested from the Sheriff's Office beginning in Spring of 2023.

**RESPONSE:** *This finding does not apply to the Brisbane Police Department.*

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

**RESPONSE:** *The City of Brisbane Agrees with the finding. We have no reason to disagree with the information contained in the Grand Jury's report. The Brisbane Police Department will be reviewing and discussing the annual reports released by the California Department Justice with the City of Brisbane Inclusion, Diversity, Equity and Accountability Committee as a means of identifying any racial biases that need to be addressed.*

**The San Mateo County 2020-2021 Grand Jury made a number of recommendations to the cities of San Mateo County, the San Mateo Sheriff, and the San Mateo County Coroner.**

**R1:** Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies, and procedures, roll-out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 20, 2021.

**RESPONSE:** *The recommendation has been implemented. The Brisbane Police Department has and continues to attend roll out meetings hosted by the DOJ which has addressed all the items mentioned in R1. The Brisbane Police Department is ahead of the DOJ suggested timelines. The Brisbane Police Department will be in full compliance with AB 953 come January 1, 2022.*

**R2:** Each LEA needs to acquire the necessary software and hardware required to comply with RIPA by October 3, 2021, in order to complete testing within 30 days and to go live by January 1, 2022.

**RESPONSE:** *The recommendation has been implemented; the Brisbane Police Department is using our current Records Management System, SunRidge Systems, as they have a platform which has a built-in feature to comply with all the mandates of DOJ. The Brisbane Police Department has already been testing since August 2021 and is now testing data live with DOJ.*

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

**RESPONSE:** *The recommendation has been implemented. The Brisbane Police Department has been ready and testing since September 1, 2021.*

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

**RESPONSE:** *The recommendation has been implemented. The Brisbane Police Department plans to update our City Council before the recommended deadline.*

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

**RESPONSE:** *The recommendation has not yet been implemented. The Brisbane Police Department is working on posting a link on the police department website to the RIPA program so that the reports are readily available to the public, along with the listing of all the racial bias trainings attended by the Brisbane Police Officers.*

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

**RESPONSE:** *The recommendation has not yet been implemented but the Brisbane Police Department plans to implement this recommendation within the listed deadline by having an internal management team review the RIPA data within the reports as a means of identifying any implicit biases in policing within our organization and need of future training.*

**R7:** By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of “academics, police commissions, civilian review bodies, or advisory boards”

**RESPONSE:** *The Brisbane Police Department plans to implement this recommendation within the listed deadline by reviewing the annual RIPA reports with the City of Brisbane Inclusion, Diversity, Equity and Accountability Committee to identify any implicit bias policing and discuss any recommendations.*

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

**RESPONSE:** *This does not apply to the Brisbane Police Department.*

The Brisbane Police Department has been planning for the implementation of RIPA since its inception and has been well ahead of DOJ’s timeline.

On behalf of the City of Brisbane, I would like to thank the members of the Grand Jury for their efforts.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Karen Cunningham', with a long horizontal flourish extending to the right.

Karen Cunningham

Mayor, City of Brisbane

CC: San Mateo County Civil Grand Jury  
City Clerk



## BROADMOOR POLICE DEPARTMENT

388 Eighty Eighth Street  
Broadmoor, CA 94015-1717  
(650) 755-3838 • Fax (650) 755-9732



**Mark D. Melville**  
Chief of Police

Board of Police Commissioners  
**Hon. James Kucharszky**  
**Hon. Ralph Hutchens**  
**Hon. Marie Brizuela**

December 14, 2021

By Email and U.S. Mail

Hon. Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
400 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655  
grandjury@sanmateocourt.org

Re: Response by Broadmoor Police Protection District to 2020-2021 Grand Jury Report

Dear Judge Lee:

This is the response by Broadmoor Police Protection District to the 2020-2021 Grand Jury Report titled, "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act." The District's governing board adopted and approved this response at its regular meeting on December 14, 2021. The District appreciates the significant work done by the Grand Jury on these issues and regrets not providing a response by the Grand Jury's earlier deadline.

The District agrees with Findings F1 to F6 and F8, inclusive, and provides no response to Finding F7, because this finding was not directed to the District.

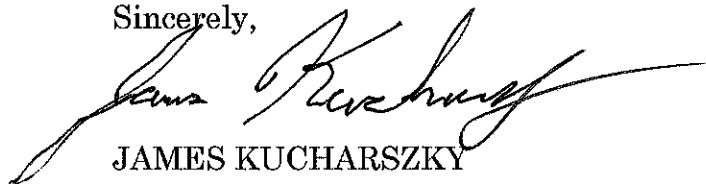
Regarding Recommendations R1 to R7, inclusive, the District provides the following responses:

- R1: The District has implemented this recommendation and is in the final stages of implementation.
- R2: The District has implemented this recommendation. The District will be using the California Department of Justice, Stop-Data Collection system. This system has been tested is now in field testing.
- R3: The District is in the process of implementing this recommendation. As stated above, the District will be using the California Department of Justice, Stop-Data Collection system. This system has been tested is now in field testing.
- R4: The District will implement this recommendation in 2022 through at least quarterly reports on RIPA implementation to the District's governing board.

- R5: The District will implement this recommendation within the timeframe provided in the recommendation.
- R6: The District will implement this recommendation within the timeframe provided in the recommendation.
- R7: The District will implement this recommendation within the timeframe provided in the recommendation.

Thank you for the opportunity to respond to the Grand Jury Report. The District is committed to implementing the Report's recommendations as described above. Please contact the District's Chief of Police should you have any questions regarding the District's response.

Sincerely,

A handwritten signature in black ink, appearing to read "James Kucharszky", written over a horizontal line.

JAMES KUCHARSZKY  
Chair, Board of Commissioners

Enclosure

2020-2021 Grand Jury Report, pp. 23-27

cc: Ronald Banta, Interim Chief of Police  
Andrew Ramos, District Counsel



## The City of Burlingame

CITY HALL -- 501 PRIMROSE ROAD  
BURLINGAME, CALIFORNIA 94010-3997

TEL: (650) 558-7201  
[www.burlingame.org](http://www.burlingame.org)

ANN O'BRIEN KEIGHRAN, MAYOR  
RICARDO ORTIZ, VICE MAYOR  
MICHAEL BROWNRIGG  
DONNA COLSON  
EMILY BEACH

September 21, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
400 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

Subject: City of Burlingame's response to Civil Grand Jury Report entitled "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act"

Dear Judge Lee:

After reviewing the Grand Jury report entitled "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act," the following are the City of Burlingame's responses to the Grand Jury's findings:

**Findings F1-F6 and F8:** The City of Burlingame agrees with these findings.

The following are the City of Burlingame's responses to the Grand Jury's recommendations:

**Recommendations R1-R4 have been implemented.** The Burlingame Police Department began developing a plan to comply with the Racial and Identity Profiling Act (RIPA) in early 2020; acquired the necessary software and hardware in July of 2020; tested the plan, software, and hardware during a five-month pilot program between August and December of 2020; and fully implemented the plan on January 1, 2021 (one year earlier than required by law). Updates were routinely given to governing entities, including publicly during a Police Reform Presentation given by the Chief of Police at the December 21, 2020, Burlingame City Council Meeting.

**Recommendation R5 has not yet been implemented but will be implemented in the future** (by the beginning of the second quarter of 2022).

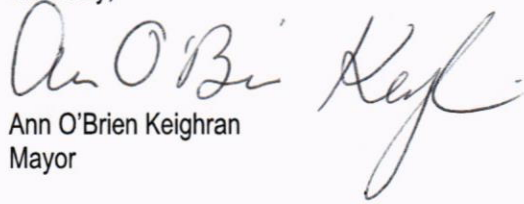
**Recommendation R6 has been implemented.** The Burlingame Police Department is always considering ways to use the insights gained from the RIPA data to improve departmental operations, combat implicit bias in policing, and pursue greater community trust. This includes considering implementing some or all of the RIPA Board's growing list of policing best practices.

**Recommendation R7 will not be implemented.** The City of Burlingame and its Police Department are already very engaged with the community and practice transparency. Therefore, the use of police commissions, civilian review boards, or advisory boards is not a consideration at this time.

The Honorable Amarra Lee  
September 21, 2021  
Page 2

The Burlingame City Council approved this response letter at its public meeting on September 20, 2021.

Sincerely,

A handwritten signature in cursive script that reads "Ann O'Brien Keighran". The signature is written in black ink and is positioned to the right of the printed name.

Ann O'Brien Keighran  
Mayor



# OFFICE OF THE CITY MANAGER CITY OF DALY CITY

333 – 90<sup>TH</sup> STREET  
DALY CITY, CA 94015-1895  
(650) 991-8125

October 27, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center, 2<sup>nd</sup> floor  
Redwood City, CA 94063-1655

Re: Building Greater Trust between the Community and Law Enforcement via the Racial and Identity Profiling Act

Dear Judge Lee,

We are in receipt of the Grand Jury's final report entitled; "Building Greater Trust between the Community and Law Enforcement via the Racial and Identity Profiling Act."

Pursuant to your October 27, 2021 request for response, the Daly City, City Council held a public meeting on October 27, 2021 and approved this response. The City of Daly City responds to the Grand Jury's findings, conclusions and recommendations as follows:

## **Findings:**

F1. LEA's in San Mateo County are aware of RIPA data requirements, including the requirement that data collection starts on January 1, 2022.

**Response:** The City **agrees** with this finding.

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

**Response:** The City **agrees** with this finding.

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

**Response:** The City **agrees** with this finding.

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

**Response:** The City **agrees** with this finding.

F5. Some LEA's mistakenly believe the County Dispatch System will handle their RIPA data collection.

**Response:** The City **neither agrees nor disagrees** with this finding as the City is aware County Dispatch is not responsible for our RIPA data collection.

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

**Response:** The City **agrees** with this finding.

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

**Response:** The City **neither agrees nor disagrees** with this finding as we are not a contracted city.

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

**Response:** The City **agrees** with this finding.

### **Recommendations:**

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

**Response:** The recommendation **has been implemented** by the City of Daly City. The City has selected data collection software, developed RIPA policy and guidance, and training is identified with full program participation prior to the required January 1, 2022 date.

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

**Response:** The recommendation **has been implemented** by the City of Daly City. Software has been purchased, and program participation will begin following the department training cycle beginning October 8, 2021 and ending on November 18, 2021.

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

**Response:** The recommendation **has been implemented** by the City of Daly City. We tested the collection and submission of data during our pilot program, and true data will be submitted department wide by November 30, 2021.

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

**Response:** The recommendation **has been implemented** by the City of Daly City.

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

**Response:** The recommendation **has not yet been implemented but will be implemented in the future.** City Staff will work to design reports within the software to be posted and viewable through the Police Accountability section of the Police Department website by the timeline provided in the recommendation.

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

**Response:** The recommendation **has not yet been implemented but will be implemented in the future.** City Staff will incorporate the associated data and reports designed from Recommendation #5 into our mandated training requirements by the timeline provided in the recommendation.

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

**Response:** This recommendation **has been implemented** by the City of Daly City. We have and will continue to engage academics and community groups to enhance our services and provide bias-free policing. We will continue to look for partnering opportunities as the RIPA project evolves.

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

**Response:** The recommendation **has not yet been implemented but will be implemented in the future.** City Staff will request data from DOJ and through our independent software provider separate from the Sheriff's stop data by the timeline provided in the recommendation.

The City of Daly City appreciates the opportunity to provide written responses to the San Mateo County Civil Grand Jury Report, "Building Greater Trust between the Community and Law Enforcement via the Racial and Identity Profiling Act."

Should the Grand Jury require any additional information, please contact me directly at 650-991-8127.

Sincerely,

A handwritten signature in cursive script that reads "Shawna Maltbie".

Shawna Maltbie  
City Manager

cc: City Council  
Annette Hipona, City Clerk  
Rose Zimmerman, City Attorney



# CITY OF EAST PALO ALTO

## Office of the City Council

---

September 21, 2021

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

RESPONSE TO GRAND JURY REPORT: "Building greater trust between the community & law enforcement via the Racial and Identity Profiling Act."

Honorable Judge Lee,

I appreciate the opportunity to review and comment on the eight findings and eight recommendations referenced in the Grand Jury Report filed on July 27, 2021. The City of East Palo Alto's response to the findings and recommendations are listed below.

### **Response to Civil Grand Jury Findings:**

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

Response to F1: The respondent agrees with the finding with respect to the City of East Palo Alto. The respondent cannot speak for the other LEAs in the County.

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

Response to F2: The respondent disagrees partially with the finding. The respondent has an implementation plan in progress, including City Council approval to hire a part-time employee to collect, manage and report RIPA data collection. The respondent cannot speak for the other LEAs in the County.

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

Response to F3: The respondent disagrees partially with the finding. The respondent agrees that it has an implementation plan in progress, including City Council approval to hire a part-time

employee to collect, manage and report RIPA data collection. The respondent cannot speak for the other LEAs in the County.

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

Response to F4: The respondent agrees with the finding.

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

Response to F5: The respondent disagrees with the finding. The respondent cannot speak for the other LEAs in the County.

F6. LEAs vary in their understanding that implementing RIPA Board recommendations would build greater trust with their communities. Response to F6: The respondent disagrees with the finding. The respondent cannot speak for the other LEAs in the County.

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

Response to F7: The respondent disagrees with the finding. The respondent cannot speak for the other LEAs in the County.

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

Response to F8: The respondent disagrees partially with the finding. The respondent has an implementation plan in progress, including City Council approval to hire a part-time employee to collect, manage and report RIPA data collection. The respondent cannot speak for the other LEAs in the County.

#### **Response to Civil Grand Jury Recommendations:**

Recommendation 1 (R1): Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies, and procedures, roll- out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 30, 2021.

Response to R1: This recommendation has not yet been implemented but will be implemented in the future, with a target completion date of October 30, 2021. The respondent cannot speak for the other LEAs in the County.

Recommendation 2 (R2): Each LEA needs to acquire the necessary software and hardware required to comply with RIPA by October 30, 2021, in order to complete testing and data auditing. The plan should be reviewed and approved by October 30, 2021.

Response to R2: This recommendation has not yet been implemented but will be implemented in the future, with a target completion date of October 30, 2021.

The responded cannot speak for the other LEAs in the County.

Recommendation 3 (R3): Each LEA must test and confirm their readiness for RIPA data collection by November 30, 2021.

Response to R3: This recommendation has not yet been implemented but will be implemented in the future, with a target completion date of November 30, 2021. The responded cannot speak for the other LEAs in the County.

Recommendation 4 (R4): Each LEA should provide regular updates to their governing entities, on their progress toward preparing for the required RIPA data collection starting on October 15, 2021.

Response to R4: This recommendation has not yet been implemented but will be implemented in the future, with a target completion date of November 30, 2021. The responded cannot speak for the other LEAs in the County.

Recommendation 5 (R5): Each LEA should on a quarterly basis, starting in the second quarter of 2022, provide reports on RIPA data and how it is being used to address potential identity biases, including supervisory oversight (as defined by the RIPA Board). The report should be posted and easily viewable on the entity's website.

Response to R5: This recommendation requires further analysis. The respondent disagrees with this timeline since CA DOJ and the RIPA Board will not receive the first annual report until April 1, 2023. However, if CA DOJ and the RIPA Board audit the data from this period then the East Palo Alto Police Department can make quarterly reports with confidence the data is accurate and proper steps are taken by supervisors to address potential identity biases. The responded cannot speak for the other LEAs in the County.

Recommendation 6 (R6): By February 1, 2022, each LEA should begin considering how to obtain and use insights gained from the RIPA data to improve the operation of its department by combating implicit bias in policing and pursuing greater community trust by implementing the RIPA Board's growing list of policing best practices.

Response to R6: This recommendation requires further analysis. The date for starting this step is only thirty (30) after the beginning of data collection, The East Palo Alto Police Department will consider using this recommendation if there are clear indicators of implicit bias and would request support from the RIPA Board regarding best practices policies. The responded cannot speak for the other LEAs in the County.

Recommendation 7 (R7): By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of "academics, police commissions, civilian review

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

Response: This recommendation requires further analysis. The Department is committed to community engagement and transparency. The decision to use "academics, police commissions, civilian review bodies, or advisory boards" as a mechanism to build community trust and provide bias-free would require City Council deliberation and direction to the Department. The responded cannot speak for the other LEAs in the County.

Recommendation 8 (R8): In the second quarter of 2022, each of the contracting entities should begin requesting RIPA stop data for its jurisdiction, separate from the rest of the Sheriff's stop data.

Response to R8: This recommendation will not be implemented because it is not warranted or is not reasonable, as it applies to contracted LEAs and the East Palo Alto Police Department is not a contracted entity.

In conclusion, the city remains committed to an open and public process regarding law enforcement practices and fair and unbiased policing.

Sincerely,

A handwritten signature in black ink that reads "Carlos Romero". The signature is written in a cursive style and is positioned above a solid black horizontal line.

**Carlos Romero Mayor**  
City of East Palo Alto



*City of Foster City*

**ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222

October 18, 2021

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

**RE: Response of the Foster City Police Department to the Grand Jury Report “Building Greater Trust Between the community & Law Enforcement Via the Racial and Identity Profiling Act.”**

Honorable Judge Lee:

Thank you for the opportunity to review and comment on the above referenced Grand Jury Report filed on July 27, 2021. The City of Foster City’s response to both the findings and recommendations are detailed below.

**Responses to Grand Jury Findings:**

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

- Response to F1:  
The City of Foster City agrees with this finding, relying on the Grand Jury’s representations in their report. The City of Foster City and the Foster City Police Department are fully aware of RIPA data requirements.

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

- Response to F2:  
The City of Foster City agrees with this finding, relying on the Grand Jury’s representations in their report. The City of Foster City and the Foster City Police Department are confident in our

understanding of RIPA data collection requirements, technological options for collecting the data, and the need for procedures and training to collect and report the data.

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

- Response to F3:

The City of Foster City agrees with this finding, relying on the Grand Jury's representations in their report. The City of Foster City and the Foster City Police Department are confident in our preparation and are well-positioned to deliver required RIPA data by January 1, 2022.

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

- Response to F4:

The City of Foster City agrees with this finding, relying on the Grand Jury's representations in their report.

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

- Response to F5:

The City of Foster City agrees with this finding, relying on the Grand Jury's representations in their report. The City of Foster City and the Foster City Police Department understand the County Dispatch System will not handle our RIPA data collection.

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

- Response to F6:

The City of Foster City agrees with this finding, relying on the Grand Jury's representations in their report.

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

- Response to F8:

The City of Foster City agrees with this finding, relying on the Grand Jury's representations in their report.

## **Responses to Grand Jury Recommendations:**

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

- **Response to R1:**

The recommendation has been implemented. While a formal implementation plan does not exist, all aspects of implementation have been considered and planned for. Training is being provided by designated Department trainers and the stop data collection process has been integrated into our field training program for all new officers. The applicable policy (Policy 402) has been completed and added to our policy manual. All required personnel began submitting stop data to the DOJ testing platform in August 2021; reportable information will be submitted beginning January 1, 2022. All responsibilities have been assigned to ensure the required data is collected and reviewed prior to submission to DOJ and that all data is transferred correctly and in accordance with our agency's submission timeline.

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

- **Response to R2:**

The recommendation has been implemented. All necessary software and hardware required to comply with RIPA has been acquired and is in use through our current Record Management System – SunRidge RIMS.

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

- **Response to R3:**

The recommendation has been implemented. All required personnel have been successfully entering and submitting required stop data to a testing platform. The authorized reviewers have been successfully reviewing and submitting required stop data to the DOJ testing platform.

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

- **Response to R4:**

The recommendation has been implemented.

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

- Response to R5:

The recommendation requires further analysis. It is the intention of this Department to review and analyze the information provided through the stop data collection. The frequency in which this Department will obtain reports from DOJ is unknown at this time; however, ensuring regular efforts are made to identify and remedy issues, such as potential identity biases and supervisory oversight, will remain a priority of this City and Department. The frequency of publicly sharing the information collected through the stop data process is also being determined.

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

- Response to R6:

The recommendation has not yet been implemented, but consideration of data analysis is ongoing and will be implemented in the future. The City agrees with this recommendation. Upon seeing and understanding the information available through the stop data reports, consideration will be given to how to best utilize the information to provide the best and most equitable service possible to the public.

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

- Response to R7:

The recommendation requires further analysis. Continual efforts are being made to engage our community and to provide an appropriate level of transparency concerning our policies and operations. Further considerations will be made in these areas to include direct involvement of community members.

Pursuant to Penal Code Section 933.05 and the Brown Act, this response to the Grand Jury was approved by Minute Order at a public meeting on October 18, 2021.

Respectfully,

*Sanjay Ravi Gehani*  
Sanjay Ravi Gehani (Oct 19, 2021 12:36 PDT)

Sanjay Gehani  
Mayor, City of Foster City of Foster City

*Enclosure*

# MINUTE ORDER

**No. 1811**

OFFICE OF THE CITY CLERK  
FOSTER CITY, CALIFORNIA

Date: October 19, 2021

Attention: City Council/EMID Board  
Kevin Miller, Interim City/District Manager  
Tracy Avelar, Police Chief

City Council/EMID Board of Directors Meeting Date: October 18, 2021

Subject: Grand Jury Report, Dated July 27, 2021, Entitled "Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act"

Motion by Councilmember Sullivan, seconded by Vice Mayor Awasthi, and carried unanimously, 5-0-0, IT WAS ORDERED to approve a Letter to the Honorable Amarra A. Lee, Judge of the Superior Court in Response to the San Mateo County Civil Grand Jury Report, dated July 27, 2021, Entitled "Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act."

DocuSigned by:

*Priscilla Schaus*

6131E59FA33B4AB...

---

CITY CLERK/DISTRICT SECRETARY



## CITY OF HALF MOON BAY

501 Main Street  
Half Moon Bay, CA 94019

October 5, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
C/O Jenarda Dubois  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

**Subject:** July 27, 2021 Grand Jury Report: "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act"

Dear Honorable Judge Lee:

The City Council of the City of Half Moon Bay, at its October 5, 2021 meeting, reviewed and approved the following responses to the San Mateo County Civil Grand Jury 2020-2021 Report entitled "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act"

### **Findings**

The report includes eight (8) findings with the City's response to each summarized below.

- F1: Agree (although there is no way for us to actually know this with 100% certainty)
- F2: Agree
- F3: Partially Disagree. We do not believe it is the City's place to commend another agency for early implementation of RIPA.
- F4: Agree
- F5: Partially Disagree. We do not know if this is true.
- F6: Agree (we assume this to be true)
- F7: Partially Disagree. We do not know if this is true.
- F8: Agree



## CITY OF HALF MOON BAY

501 Main Street  
Half Moon Bay, CA 94019

### **Recommendations**

The report includes eight (8) Recommendations with the City's response to each summarized below.

**R1 through R7:** The City of Half Moon Bay does not operate a Law Enforcement Agency, so these recommendations do not apply to the City. The City contracts with the County sheriff for law enforcement services. We assume the Sheriff will be responding that they will implement each recommendation in the future, that the recommendation requires further analysis, or that the recommendation is not warranted or reasonable.

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

**Response:** The recommendation has not yet been implemented. The City will implement this recommendation by July 1, 2022.

Thank you for your consideration of the foregoing.

Sincerely,

*Robert Brownstone*

Robert Brownstone  
Mayor



September 27, 2021

The Honorable Amarra A. Lee  
Judge of the Superior Court c/o Jenarda Dubois  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

**RE: Grand Jury Report: “Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act”**

Dear Judge Lee,

The Menlo Park City Council received the above referenced San Mateo County Civil Grand Jury Report in July of 2021. The report identifies certain findings and recommendations, and requests that the City Council respond in writing to those findings no later than October 27, 2021. On October 12, 2021, the Menlo Park City Council held a public meeting and approved this response.

Regarding the “findings” of the San Mateo County Civil Grand Jury, Council is requested to respond with one of the following:

1. Council agrees with the finding.
2. Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons thereafter.

Regarding the “recommendations” of the San Mateo County Civil Grand Jury, Council is requested to report one of the following actions:

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

**FINDINGS:**

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

Response

The City of Menlo Park agrees with this finding.

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

Response

The City of Menlo Park agrees with this finding.

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

Response

The City of Menlo Park agrees with this finding.

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

Response

The City of Menlo Park agrees with this finding.

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

Response

The City of Menlo Park partially disagrees with this finding. It is the experience of delegates of this City participating in Countywide Technology Committee meetings discussing RIPA extensively that there has been no indication from municipal police agencies to correspond with this finding – municipal agencies are well aware of their responsibilities. The City cannot speak for any considerations by contract cities served by the County.

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

Response

The City of Menlo Park agrees with this finding.

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

Response

The City of Menlo Park is not required to respond to this finding, as it is not a contract city.

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

Response

The City of Menlo Park agrees with this finding.

#### RECOMMENDATIONS:

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

Response

The recommendation has been implemented.

The City of Menlo Park Menlo Park started implementing the recommendation the first week of January 2021 in order to prepare sworn officers for the new requirements of RIPA and is integrated in the FTO (Field Training Officer) program for any newly hired sworn officers.

Online trainings from CA DOJ were offered, the RMS/CAD (record management system/computer aided dispatching) system had instructional videos on how to fill out the RIPA forms and several handouts were provided from the online CA DOJ trainings. The CAD/RMS captures the data where statistics can be pulled and analyzed when requested. Prior to sending live data, over 100 or more test records must be sent via the CA DOJ testing website to work out any errors. AS CA DOJ modifies any requirements, any updates that need to be pushed out will be done via training memos to the department. At this time, 1-5 minutes of extra time has been allocated in sworn personnel schedule to complete the required RIPA data.

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

Response

The recommendation has been implemented.

All software and hardware was already in use with our CAD/RMS software and we were able to start the implementation of RIPA the first week of January 2021. CA DOJ has requested test records be sent to starting September 1, 2021 and Menlo Park is on schedule to send records and will report live data no later than January 1, 2022.

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

Response

This recommendation has been implemented.

The City of Menlo Park will began testing their records in September 2021 and will have completed their testing no later than November 30, 2021 - though testing will most likely be completed well before the recommended deadline.

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

Response

This recommendation has been implemented.

The Menlo Park Police Department has updated the City Council on our planning and intent to begin collecting reportable RIPA data by the required start date of January 1, 2022, and is in the process of establishing a practice of regular reports to Council on the data derived from collection. Exact information to be reported and the timing of those reports is a topic of discussion within the City Council's Re-Imagining Public Safety Subcommittee meetings, which are ongoing.

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

Response this recommendation has not yet been implemented but will be implemented in the future.

As the Menlo Park Police Department begins revising its web-presence and transparency in coordination with the upcoming transition to a new website Citywide, the Department will be constructing a page on which RIPA data is easily available and understandable, with updates from the Department on learning points from the data and any training needs being addressed. The Department anticipates enough data to display and interpret following the first quarter of reported data by April 2022.

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

Response

This recommendation has not yet been implemented but will be implemented in the future.

The information that will be available by April 2022 as described in the response to Recommendation R5 above will be evaluated with the RIPA Board's list of best practices in mind

and referenced by hyperlink.

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

Response

This recommendation has not yet been implemented but will be implemented in the future.

The City Re-Imagining Public Safety Subcommittee is in the process of re-establishing a local advisory body composed of a cross-section of the community. One of the duties of the advisory body moving forward will be to review periodic RIPA data reporting and discuss any trends and their impacts on police-community relations.

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

Response

The recommendation does not require a response, since we are not a contracting entity.

Most sincerely,

DocuSigned by:  
  
52C1D491348F4A3...

Drew Combs  
Mayor, City of Menlo Park

Attachment:

San Mateo County Grand Jury Report “Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act”



# City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

**ANN SCHNEIDER**  
Mayor

**ANNE OLIVA**  
Vice Mayor

**GINA PAPAN**  
Councilmember

**ANDERS FUNG**  
Councilmember

**REUBEN D. HOLOBER**  
Councilmember

October 26, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center, 8th Floor  
Redwood City, CA 94063-1655

RE: City of Millbrae's Response to Grand Jury Report: "Building Greater Trust Between the Community and Law Enforcement Via the Racial and Identity Profiling Act."

Dear Honorable Judge Lee,

Please accept this as the City of Millbrae's formal response to the Grand Jury Report: "Building Greater Trust Between the Community and Law Enforcement Via the Racial and Identity Profiling Act." (Grand Jury Report), pursuant to the instructions in your July 30, 2021 letter.

The City of Millbrae (City) has reviewed the Grand Jury Report and offers the following responses to the findings and to recommendations on behalf of the City Council, City Manager and the Mayor:

## **Responses to Findings**

F1: Law Enforcement Agencies ("LEAs") in San Mateo County ("SMC") are aware of RIPA data requirements, including the requirement that data collection start on January 1, 2022.

Response to F1: The City *agrees* with this finding.

F2: Finding 2. County LEAs vary in their degree of understanding of: RIPA data collection requirements; technological options for collecting data; and the need for procedures and training to collect and report the data. The LEA's RIPA-preparedness correlates to its understanding of RIPA requirements.

Response to F2: The City *agrees* with this finding.

---

City Council/City Manager/City Clerk  
(650) 259-2334

Building Division/Permits  
(650) 259-2330

Community Development  
(650) 259-2341

Finance  
(650) 259-2350

Fire  
(650) 558-7600

Police  
(650) 259-2300

Public Works/Engineering  
(650) 259-2339

Recreation  
(650) 259-2360

F3: Burlingame and Menlo Park are to be commended for publically announcing their plans for early implementation of RIPA data collection and reporting to the California Department of Justice. The other 15 LEAs were in various stages of planning and acquiring their RIPA data collection system.

Response to F3: The City *agrees* with this finding.

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

Response to F4: The City *agrees* with this finding.

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

Response to F5: The City *agrees* with this finding.

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

Response to F6: The City *agrees* with this finding.

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

Response to F7: The City *agrees* with this finding.

F8: Between now and 2022, 16 county LEAs have plans for "regularly analyzing data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population."

Response to F8: The City *agrees* with this finding.

### **Responses to Recommendations**

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

Response to R1: The City will Implement Recommendation #1 within the timeline outlined by the Grand Jury.

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

October 26, 2021

RE: City of Millbrae's Response to Grand Jury Report: "Building Greater Trust Between the Community and Law Enforcement Via the Racial and Identity Profiling Act."

Page 3

---

Response to R2: The City will Implement Recommendation #2 within the timeline outlined by the Grand Jury.

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

Response to R3: The City will Implement Recommendation #3 within the timeline outlined by the Grand Jury.

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

Response to R4: The City will Implement Recommendation #4 within the timeline outlined by the Grand Jury.

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

Response to R5: San Mateo County Sheriff's Office - Millbrae Police Bureau will post the RIPA stop data quarterly as recommended by the Grand Jury. The posting of the data will begin after the close of the second quarter of 2022. However, this recommendation will not be fully implemented. It is not operationally feasible to evaluate the RIPA stop data and issue a report each quarter on how the data is being used. Because the San Mateo County Sheriff's Office - Millbrae Police Bureau contracts law enforcement services from the San Mateo County Sheriff's Office, the City will require more than 3 months of data to gain meaningful insights. The San Mateo County Sheriff's Office - Millbrae Police Bureau will evaluate the data on an ongoing basis to determine what insights can be gained and assess operational or procedural changes that are needed. Annual reports will be produced and posted on the San Mateo County Sheriff's Office - Millbrae Police Bureau website that will address how this data is being used. These reports will be posted each April, beginning in 2023.

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

Response to R6: The San Mateo County Sheriff's Office - Millbrae Police Bureau is currently pursuing ways to combat implicit bias and enhance community trust as recommended by the Grand Jury. Implicit Bias Training is currently in progress for all personnel in the agency. The RIPA Board's list of police practices will be evaluated and compared to our existing policies and training by February 1, 2022. This recommendation will still however require further analysis. By February 1, 2022, the San Mateo County Sheriff's Office - Millbrae Police Bureau will have only one month of RIPA data to evaluate. The evaluation of the RIPA data and any insights gained will be an ongoing process. RIPA

October 26, 2021

RE: City of Millbrae's Response to Grand Jury Report: "Building Greater Trust Between the Community and Law Enforcement Via the Racial and Identity Profiling Act."

Page 4

---

data will be reviewed beginning with the second quarter of 2022 to determine how to use any insights gained.

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

Response to R7: The San Mateo County Sheriff's Office - Millbrae Police Bureau is currently considering ways of enhancing community engagement and transparency through the use of academics as recommended by the Grand Jury. The use of academics will be implemented by February 1, 2022, as recommended by the Grand Jury. The City of Millbrae City Council on September 15, 2021 formed a subcommittee to address implicit bias and equity.

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

Response to R8: The San Mateo County Sheriff's Office - Millbrae Police Bureau will gather stop data from the Sheriff's Office and provide stop data specific to Millbrae, to the extent that the data is requested. If requested, the stop data will be provided within the timeline outlined by the Grand Jury.

The City appreciates the opportunity to share its comments on the Grand Jury Report.

Sincerely,



Ann Schneider  
Mayor

Cc: City Council  
City Manager  
City Attorney



Scenic Pacifica  
Incorporated Nov. 22, 1957

---

## CITY OF PACIFICA

540 Crespi Drive • Pacifica, California 94044-2506

[www.cityofpacifica.org](http://www.cityofpacifica.org)

---

**MAYOR**  
Sue Beckmeyer

**MAYOR PRO TEM**  
Mary Bier

**COUNCIL**  
Mike O'Neill  
Sue Vaterlaus  
Tygarjas Bigstycck

October 11, 2021

Hon. Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

Re: City of Pacifica Response to Grand Jury Report dated July 27, 2021, entitled "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act."

Dear Honorable Amarra A. Lee:

On behalf of the City of Pacifica, this letter serves as the City's response to the report named above, and was approved by the City Council at its October 11, 2021 meeting. Pursuant to California Penal Code Section 933.05, the City is responding to each finding and to each recommendation individually.

### **FINDINGS**

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

The City agrees with this finding.

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

The City partially agrees with this finding. Based solely on the information contained in this report, it is apparent that law enforcement agencies are at various stages of RIPA implementation. However, the City cannot determine, based on the report, each agency's level of preparedness and their understanding of RIPA requirements.

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

The City agrees with this finding.

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

The City agrees with this finding.

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

The City agrees with this finding.

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

The City disagrees with this finding. Based solely on the contents of this report, there is no substantial evidence that indicates what level of understanding San Mateo County law enforcement agencies have regarding implementing RIPA Board recommendations in relation to building greater trust within their communities.

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

A response to this finding is not required by the City of Pacifica.

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

The City agrees with this finding.

## **RECOMMENDATIONS**

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

This recommendation has been implemented. The Pacifica Police Department has a plan in place from which it is currently operating that meets the recommendations listed. This plan has been reviewed and approved by the City Manager.

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

This recommendation has been implemented. Software and hardware to comply with RIPA has been in place since July, 2021 and is currently being tested.

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

This recommendation has been implemented. Testing is currently underway to assure data collection procedures are solidified and in place by November 30, 2021.

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

This recommendation has been implemented. The Chief of Police will provide monthly updates beginning in October 2021 regarding progress made in preparing for required RIPA data collection.

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

This recommendation has been implemented. As part of the plan for implementing RIPA requirements, the Pacifica Police Department intends to include this information no later than the second quarter of 2022 on the Department website in an easily accessible location.

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

This recommendation has been implemented. As part of the plan for implementing RIPA requirements, the Pacifica Police department intends to analyze data collected for this purpose. Consideration will be given to RIPA's best practices, as well as practices used by other law enforcement agencies to ensure the Pacifica Police Department can use RIPA data to pursue greater community trust.

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

This recommendation has been implemented. The Pacifica Police Department has received approval from City Council to form a Chief's Advisory Panel as well as a Community Police Academy as mechanisms to build community trust. These entities will also be used to engage the community in the Department's bias-free policing efforts.

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

This recommendation is not applicable to the City of Pacifica.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Woodhouse". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin Woodhouse  
City Manager  
City of Pacifica

Mayor Diane Howard  
Vice Mayor Giselle Hale

Council Members  
Alicia C. Aguirre  
Lissette Espinoza-Garnica  
Jeff Gee  
Diana Reddy  
Michael A. Smith



1017 MIDDLEFIELD ROAD  
Redwood City, California 94063  
Telephone (650) 780-7220  
www.redwoodcity.org

October 25, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655  
(Sent via email)

**RE: Grand Jury Report: "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act"**

Dear Judge Lee:

On behalf of the City Council of the City of Redwood City, I would like to thank you for the opportunity to respond to the Grand Jury Report dated July 27, 2021, regarding the Racial and Identity Profiling Act (RIPA). The following response to the Grand Jury Report was reviewed and approved by the City Council at its meeting on October 25, 2021.

Pursuant to Penal Code Section 933.05, the Grand Jury requested responses from the City of Redwood City on Findings 1 through 6, and 8. The Findings and the City's response are detailed as follows:

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

**Partially Disagree: Agree with finding as to Redwood City.**

**We have no independent knowledge to agree nor disagree with the finding that other County LEAs are aware of RIPA data requirements.**

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

**Partially Disagree: Redwood City is well aware of the reporting requirements and data collection associated with RIPA and has secured appropriate technology to automate the collection process, including specific policy directives and training lesson plans that prompt efficient participation in RIPA reporting.**

**We have no independent knowledge to agree nor disagree with the finding that other County LEAs vary in their degree of understanding about RIPA.**

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

**Partially Disagree: Agree that Redwood City has not implemented RIPA data collection and reporting, but has a plan in place and secured appropriate technology to automate the collection process.**

**We have no independent knowledge to agree nor disagree with the finding as to other County LEAs.**

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

**Agree**

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

**Partially Disagree: Redwood City is aware that County Dispatch will not handle Redwood City's RIPA data collection.**

**We have no independent knowledge to agree nor disagree with this finding as to other County LEAs.**

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

**Partially Disagree: Redwood City is aware that implementing RIPA Board recommendations has the potential to build greater trust with our community.**

**We have no independent knowledge to agree nor disagree with this finding as to other County LEAs.**

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

**Partially Disagree. Redwood City has such a plan, but we do not have independent knowledge to agree or disagree with the finding for 15 other LEAs.**

Pursuant to Penal Code Section 933.05, the Grand Jury requested responses from the City of Redwood City on Recommendations 1 through 7. The Recommendations and the City's response are detailed as follows:

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

**Implemented: Redwood City has a plan in place, including all of the listed items.**

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

**Implemented: Redwood City has the necessary software and hardware.**

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

**Implemented: Redwood City began testing on August 30, 2021.**

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

**Implemented: The City Manager and Police Chief of Redwood City regularly provide updates on key projects, such as RIPA, during City Council meetings and/or routine communication.**

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

**Requires Further Analysis: We agree with the premise. However, without knowing in advance the amount of data that will be collected, it would be premature to commit to analyzing and acting on data that could potentially be too limited to be meaningful. The second quarter of 2023 is a more likely timeframe for implementation of this recommendation.**

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

**Not Yet Implemented: Given the future date of this recommendation, it is not possible for this to have been already implemented. However, we do agree with the recommendation and intend to implement it within the suggested timeframe.**

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

**Implemented: Redwood City has a long-standing history of utilizing community engagement and partnerships with academic institutions to build community trust and enhance police services. The Police Advisory Committee formed in 2021, as well as our partnership with Stanford’s John W. Gardner Center for Youth and Their Communities, serve as examples of our commitment to this principle.**

Sincerely,

A handwritten signature in cursive script that reads "Diane Howard". The signature is written in black ink and has a long, sweeping tail that extends to the right.

Diane Howard, Mayor  
City of Redwood City

CC: City Council, Redwood City  
Melissa Stevenson Diaz, City Manager  
Dan Mulholland, Chief of Police



Rico E. Medina  
Mayor

CITY OF SAN BRUNO  
OFFICE OF THE MAYOR

October 12, 2021

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

Subject: Response of the City of San Bruno to the Grand Jury Report "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act"

Dear Judge Lee,

Thank you for the opportunity to respond to the Grand Jury report entitled "Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act." The City of San Bruno's response to both the findings and recommendations are listed below.

**Responses to Grand Jury Findings:**

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

**F3. Burlingame and Menlo Park are to be commended for publicly announcing their plans for early implementation of RIPA data collection and reporting to the CA DOJ. The other 15 LEAs were in various stages of planning and acquiring their RIPA data collection systems.**

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

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

*Response:*

The Grand Jury Report appears to support this finding, and the City of San Bruno has no basis to disagree with the finding.

**Responses to Grand Jury Recommendations:**

The 2020-2021 San Mateo County Civil Grand Jury recommends that all San Mateo County Agencies, do the following:

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

*Response:*

This recommendation has been implemented. The San Bruno Police Department developed a detailed RIPA implementation plan in early 2021 and has been using that plan to rollout it's RIPA data collection and reporting procedures. This plan includes data collection and reporting, training methods, policies and procedures, roll-out plans, personnel allocation, systems testing and data auditing, cost estimates, tracking mechanisms, etc.

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

*Response:*

This recommendation has been implemented. The San Bruno Police Department is using a CAD/RMS integration through Sunridge RIMS. This system is already functional and being utilized on a trial basis. The police department has also purchased an add-on software known as iRims, which will better enable officers to enter RIPA data from cellular devices in the field.

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

*Response:*

This recommendation has been implemented. The San Bruno Police Department began collecting RIPA data in order to test and confirm its readiness in July 2021.

**R4. Each LEA should provide regular updates to their governing entities, on their progress toward preparing for the required RIPA data collection starting on October 12, 2021.**

*Response:*

This recommendation has been implemented. The San Bruno Police Department has been providing regular updates regarding RIPA data collection to City Council for several months already.

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

*Response:*

San Bruno will make the annual CA DOJ RIPA report available and easily viewable on its website. However, the City should not generate its own quarterly RIPA report for public release.

Publicly posting RIPA data before it has been vetted by CA DOJ is not advisable. Our understanding is that after RIPA data is submitted to CA DOJ, it passes through their internal review process, which may result in that data being sent back to the responding agency for further review or modifications, prior to that data becoming part of the official CA DOJ report. Posting RIPA data before this vital step is completed could result in inaccurate or misleading data being publicly posted.

Additionally, maintaining RIPA data in two different locations, in this case with CA DOJ and on the City's website, is potentially problematic. Doing so creates the very real possibility that there will be differences between the data that exists in each location. Not only does this create a problem for PRA and other data requests, but it could potentially erode the trust relationship between LEAs and the communities they serve, as data from the LEA might not match data from CA DOJ. We would also suggest that the fact that RIPA data is provided to the public by CA DOJ, rather than the LEA, increases the credibility and veracity of that information in the eyes of the public.

Furthermore, one of the few components of RIPA implementation that does not presently create a significant burden on the LEA is that the data is compiled and reported annually by CA DOJ. Creating and providing a publicly available RIPA report on a quarterly basis will create a significant additional workload burden on the San Bruno Police Department, which it is not presently staffed to accommodate.

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

*Response:*

This recommendation has been implemented. The San Bruno Police Department is committed to regularly reviewing insights gained from RIPA data and the RIPA Board's recommendations.

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

*Response:*

This recommendation has been implemented. The San Bruno Police Department is committed to community engagement and transparency in both philosophy and practice. The department has considered and will continue to consider the use of a variety of mechanisms to build community trust and provide bias-free policing.

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

*Response:*

This recommendation will not be implemented because it is not relevant to the City of San Bruno as the City does not contract out police services.

This response was approved by the San Bruno City Council at a public meeting prior to it being submitted to the court.

Sincerely,



Rico E. Medina  
Mayor



October 12, 2021

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

**RE: Request for Response to the Grand Jury Report “Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act”**

Dear Judge Lee:

The City of San Carlos is replying to a request by the court to respond to the Grand Jury Report “Building Greater Trust Between the Community & Law Enforcement via the Racial and Identity Profiling Act”. Below are our responses to the Findings and Recommendations that were approved by the San Carlos City Council on September 27, 2021.

**FINDINGS:**

We can confirm that Findings 1-8 are correct concerning the San Mateo County Sheriff’s Office, the law enforcement agency contracted by the City of San Carlos. It should be noted.... Also, while we cannot confirm findings concerning the Grand Jury’s research, **we agree with Findings 1-8.**

**Finding 1.** We agree with this Finding.

**Finding 2.** We agree with this Finding.

**Finding 3.** We agree with this Finding.

**Finding 4.** We agree with this Finding.

**Finding 5.** While we cannot confirm, we will agree to this Finding.

**Finding 6.** We agree with this Finding.

**Finding 7.** We agree with this Finding.

**Finding 8.** While we cannot confirm, we agree with this Finding.

## RECOMMENDATIONS:

**Recommendation 1.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, has developed an implementation plan for complying with RIPA in accordance with this recommendation that will be reviewed and approved by October 30, 2021.

**Recommendation 2.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, has acquired the necessary software and hardware to comply with RIPA by October 30, 2021 in order to complete testing within 30 days and go live by January 1, 2022.

**Recommendation 3.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, has tested and confirmed its readiness for RIPA data collection by November 30, 2021.

**Recommendation 4.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, will provide the City with regular updates on its progress toward preparing for the required RIPA data collection starting October 15, 2021.

**Recommendation 5.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, will, on a quarterly basis starting during the second quarter of 2022, provide reports on RIPA data and how it is being used to address potential identity biases, including supervisory oversight. The report will be posted and easily viewable on the Sheriff's Office page of the City's website.

**Recommendation 6.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, will by February 1, 2022, begin considering how to obtain and use insights gained from the RIPA data to improve the operation of the department by combating implicit bias in policing and pursuing greater community trust by implementing the RIPA Board's growing list of policing best practices.

**Recommendation 7.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, will by February 1, 2022, consider community engagement and transparency, including the possible use of "academics, police commissions, civilian review bodies, or advisory boards" as a mechanism to build community trust and provide bias-free policing.

**Recommendation 8.** The City of San Carlos will ensure that our contract law enforcement agency, the San Mateo County Sheriff's Office, will in the second quarter of 2022, begin requesting RIPA stop data for our jurisdiction, separate from the rest of the Sheriff's stop data.

Sincerely,



Jeff Maltbie, City Manager



OFFICE OF THE MAYOR

330 W. 20<sup>th</sup> Avenue  
San Mateo, CA 94403-1921  
Telephone: 650-522-7048  
FAX: 650-522-7041  
[www.cityofsanmateo.org](http://www.cityofsanmateo.org)

September 7, 2021

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

Sent via email to [grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org)

**Subject: The City of San Mateo response to the Grand Jury Report “Building Greater Trust Between the Community and Law Enforcement via the Racial and Identity Profiling Act”**

Honorable Judge Lee;

Thank you for the opportunity to respond to the Grand Jury report entitled “Building Greater Trust Between the Community and Law Enforcement via the Racial and Identity Profiling Act.” At a public meeting on September 7, 2021, the San Mateo City Council approved this response document, which outlines San Mateo’s responses to both the findings and recommendations from the Grand Jury’s report.

**Responses to Grand Jury Findings:**

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

*Response:*

The City of San Mateo and San Mateo Police Department are confident in our understanding and awareness of RIPA requirements. We cannot answer on behalf of other city and county jurisdictions, and we defer to them to address their awareness.

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

*Response:*

The City of San Mateo and San Mateo Police Department are confident in our understanding and awareness of RIPA data collection requirements, technological options for data collection, and the need for procedures and training to appropriately conduct this program. That said, we cannot answer on behalf of other city and county jurisdictions on their degree of understanding.

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

*Response:*

The City of San Mateo and San Mateo Police Department are confident in our own level of preparation, planning, and testing that we have implemented to optimally design our RIPA program. We are not sufficiently aware of the status of other entities' RIPA preparatory efforts to respond to this finding on their behalves.

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

*Response:*

The City of San Mateo and San Mateo Police Department agree with this finding.

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

*Response:*

The City of San Mateo and San Mateo Police Department have no belief or expectation that the San Mateo County Dispatch System will handle any component of our RIPA data collection or overall program. We cannot answer on behalf of other city and county jurisdictions, and we defer to those entities to address their beliefs.

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

*Response:*

The City of San Mateo and San Mateo Police Department enjoy a strong relationship with our community, and we seize opportunities to build on this relationship and increase community trust. We are fully aware that implementing RIPA Board recommendations will help in this endeavor.

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

*Response:*

The City of San Mateo and San Mateo Police Department have plans for analyzing RIPA data in partnership with the listed groups as well as possibly others to improve practices and better serve our community. We cannot answer on behalf of other city and county jurisdictions, and we defer to those entities to address their plans.

**Responses to Grand Jury Recommendations:**

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

*Response:*

The City of San Mateo and San Mateo Police Department already have implemented plans to design our RIPA program, which include all elements listed in the recommendation. We are currently in a testing phase and expect to be fully prepared in advance of 2022.

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

*Response:*

The City of San Mateo and San Mateo Police Department already have implemented this recommendation, and we will be using the RIPA data collection and reporting platforms through our current Record Management System – Sunridge RIMS.

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

*Response:*

The City of San Mateo and San Mateo Police Department have already begun testing our RIPA data collection mechanisms and are confident our program will be ready before 2022.

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

*Response:*

The City of San Mateo and San Mateo Police Department plan to update our City Council before the recommended deadline.

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

*Response:*

The City of San Mateo and San Mateo Police Department plan to implement this recommendation within the listed deadline.

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

*Response:*

The City of San Mateo and San Mateo Police Department plan to implement this recommendation within the listed deadline.

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

*Response:*

The City of San Mateo and San Mateo Police Department plan to implement this recommendation within the listed deadline. We have a strong track-record of community engagement and transparency, and we plan to build on the success of our existing Data Transparency Portal by considering this recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Rodriguez". The signature is stylized with a large, sweeping initial "E" and a long, horizontal flourish extending to the right.

Eric Rodriguez  
Mayor



COUNTY OF SAN MATEO  
**OFFICE OF THE SHERIFF**

A TRADITION OF SERVICE SINCE 1856

CARLOS G. BOLANOS, SHERIFF  
MARK C. ROBBINS, UNDERSHERIFF

September 16, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
C/O Jenarda Dubois  
Hall of Justice  
400 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

**RE: Grand Jury Report – “Building Greater Trust between the Community & Law Enforcement via Racial and Identity Profiling Act”**

Dear Judge Lee:

The San Mateo County Sheriff's Office (SMCSO) would like to thank the Civil Grand Jury for its report titled “Building Greater Trust between the Community & Law Enforcement via Racial and Identity Profiling Act.” Furthermore, we would like to acknowledge the obvious time and effort reflected in this report. As a follow up to the Grand Jury's findings and recommendations, the SMCSO is providing you with its response as follows.

The SMCSO understands that the Grand Jury's findings are aggregated from the various responses of the law enforcement agencies (LEAs), and that the Grand Jury's confidentiality rules prevent specific identification of which response was provided by which LEA. The SMCSO has limited information on other law enforcement agencies' knowledge of the Racial and Identity Profiling Act (RIPA) or RIPA implementation plans. While each finding (F1-F8) appears to draw a reasonable conclusion, the SMCSO cannot agree or disagree with the findings to the extent that the findings relate to other LEAs. The SMCSO's responses to the findings are based solely on its own understanding of RIPA and its own implementation plans.

**FINDINGS**

**RIPA Data Collection and Reporting**

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

**The respondent agrees with the finding.**

*Finding #2 – County LEAs vary in their degree of understanding of: RIPA data collection requirements, technological options for collecting the data, and the need for procedures and training to collect and report the data. The LEA's RIPA preparedness correlates to their understanding of RIPA requirements.*

**The respondent agrees with the finding.**

*Finding #3 – Burlingame and Menlo Park are to be commended for publicly announcing their plans for early implementation of RIPA data collection and reporting to the CA DOJ. The other fifteen LEAs were in various stages of planning and acquiring their RIPA data collection system.*

**The respondent agrees with the finding.**

*Finding #4 – The San Mateo County Police Chiefs & Sheriff Association RIPA Subcommittee provides a convenient forum for LEAs to benefit from peer learning and collaboration for RIPA planning, testing, deployment and best practices.*

**The respondent agrees with the finding.**

*Finding #5 – Some LEAs mistakenly believe the County Dispatch System will handle their RIPA data collection.*

**The respondent agrees with the finding.**

Using RIPA Data for Transparent Community Trust Building

*Finding #6 – LEAs vary in their understanding that implementing RIPA Board recommendations would build greater trust with their communities.*

**The respondent agrees with the finding.**

*Finding #7 – Some contracting entities were unaware of the RIPA requirements, and that RIPA data breakdown for their respective cities could be requested from the Sheriff's Office beginning in the spring of 2022.*

**The respondent agrees with the finding.**

*Finding #8 – Between now and 2022, sixteen county LEAs have plans for "regularly analyzing data, in consultation with [academics, police commissions, civilian review bodies, or advisory boards], to assist in identifying practices that may have a disparate impact on any group relative to the general population."*

**The respondent agrees with the finding.**

## RECOMMENDATIONS

### **RIPA Data Collection and Reporting – Milestone for January 1, 2022 compliance**

*Recommendation #1 – Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies and procedures, roll-out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 30, 2021.*

**This recommendation will be implemented within the timeline outlined by the Grand Jury.**

*Recommendation #2 – Each LEA needs to acquire the necessary software and hardware required to comply with RIPA by October 30, 2021, in order to complete testing within 30 days and to go live by January 1, 2022.*

**This recommendation will be implemented within the timeline outlined by the Grand Jury.**

*Recommendation #3 – Each LEA must test and confirm their readiness for RIPA data collection by November 30, 2021.*

**This recommendation will be implemented within the timeline outlined by the Grand Jury.**

*Recommendation #4 – Each LEA should provide updates to their governing entities, on their progress toward preparing for the required RIPA data collection starting on October 15, 2021.*

**This recommendation will be implemented within the timeline outlined by the Grand Jury.**

### **Using RIPA Data for Transparent Community Trust Building – don't wait for the annual report**

*Recommendation #5 – Each LEA should, on a quarterly basis, starting in the second quarter of 2022, provide reports on RIPA data and how it is being used to address potential identity biases, including supervisory oversight (as defined by the RIPA Board). The report should be posted and easily viewable on the entity's website.*

**The Sheriff's Office will post the RIPA stop data quarterly as recommended by the Grand Jury. The posting of the data will begin after the close of the second quarter of 2022. However, this recommendation will not be fully implemented. It is not operationally feasible to evaluate the RIPA stop data and issue a report each quarter on how the data is being used. Because the Sheriff's Office provides law enforcement services to a number of areas throughout the County with differing demographics, the County will require more than 3 months of data to gain meaningful insights. The Sheriff's Office will evaluate the data on an ongoing basis**

**to determine what insights can be gained and assess operational or procedural changes that are needed. Annual reports will be produced and posted on the Sheriff's Office website that will address how this data is being used. These reports will be posted each April, beginning in 2023.**

*Recommendation #6 – By February 1, 2022, each LEA should begin considering how to obtain and use insights gained from the RIPA data to improve the operation of its department by combating implicit bias in policing and pursuing greater community trust by implementing the RIPA Board's growing list of policing best practices.*

**The San Mateo County Sheriff's Office is currently pursuing ways to combat implicit bias and enhance community trust as recommended by the Grand Jury. Implicit Bias Training is currently in progress for all personnel in the agency. The RIPA Board's list of police practices will be evaluated and compared to our existing policies and training by February 1, 2022. This recommendation will still however require further analysis. By February 1, 2022, the Sheriff's Office will have only one month of RIPA data to evaluate. The evaluation of the RIPA data and any insights gained will be an ongoing process. RIPA data will be reviewed beginning with the second quarter of 2022 to determine how to use any insights gained.**

*Recommendation #7 – By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of "academics, police commissions, civilian review bodies, or advisory boards" as a mechanism to build community trust and provide bias-free policing.*

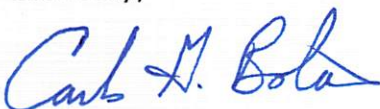
**The San Mateo County Sheriff's Office is currently considering ways of enhancing community engagement and transparency through the use of academics as recommended by the Grand Jury. The use of academics will be implemented by February 1, 2022, as recommended by the Grand Jury.**

*Recommendation #8 – In the second quarter of 2022, each of the contracting entities should begin requesting RIPA stop data for its jurisdiction, separate from the rest of the Sheriff's stop data.*

**The Sheriff's Office will provide stop data for our contracting entities, separate from the Sheriff's Office stop data, to the extent that the data is requested. If requested, the stop data will be provided within the timeline outlined by the Grand Jury.**

The San Mateo County Sheriff's Office appreciates the efforts of the Civil Grand Jury and has cooperated fully with its requests.

Sincerely,

A handwritten signature in blue ink that reads "Carlos G. Bolanos". The signature is written in a cursive, flowing style.

Carlos G. Bolanos, Sheriff



**CITY COUNCIL 2021**

MARK ADDIEGO, MAYOR  
MARK NAGALES, VICE MAYOR (DIST. 2)  
JAMES COLEMAN, MEMBER (DIST. 4)  
EDDIE FLORES, MEMBER  
FLOR NICOLAS, MEMBER

MIKE FUTRELL, CITY MANAGER

**OFFICE OF THE CITY MANAGER**

October 27, 2021

Hon. Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center, 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655  
Email: [grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org)

Dear Members of the Grand Jury:

This correspondence is in response to the Civil Grand Jury report entitled “Building Greater Trust Between the Community & Law Enforcement Via the Racial and Identity Profiling Act” (the Report) that was released on July 27, 2021.

City of South San Francisco Response to Each Finding

- F1. LEAs in SMC are aware of RIPA data requirements, including the requirement that data collection starts on January 1, 2022.  
Response: Respondent agrees with the findings.
- F2. County LEAs vary in their degree of understanding of: RIPA data collection requirements, technological options for collecting the data, and the need for procedures and training to collect and report the data. The LEA’s RIPA preparedness correlates to their understanding of RIPA requirements.  
Response: Respondent agrees with the findings.
- F3. Burlingame and Menlo Park are to be commended for publicly announcing their plans for early implementation of RIPA data collection and reporting to the CA DOJ. The other fifteen LEAs were in various stages of planning and acquiring their RIPA data collection system.  
Response: Respondent agrees with the findings.

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

Response: Respondent agrees with the findings.

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

Response: Respondent agrees with the findings.

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

Response: Respondent agrees with the findings.

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

Response: Respondent agrees with the findings.

#### City of South San Francisco Response to Recommendations

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

Response: The recommendation has been implemented. The Police Department already has a full understanding of RIPA data collection requirements and technological options for data collection and has already developed procedures and conducted training for collecting and reporting data.

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

Response: The recommendation has been implemented. The Police Department has acquired the necessary software and hardware to comply with RIPA.

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

Response: The recommendation has been implemented. The Police Department has been testing and confirming data as of May 2021.

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

Response: The recommendation has been implemented. The Police Department has been providing regular updates since August 2021.

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

Response: The recommendation has not yet been implemented but will be implemented starting in the second quarter of 2022.

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

Response: The recommendation has not yet been implemented but will be implemented starting in the second quarter of 2022.

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

Response: The recommendation has been implemented. In 2020 the City of South San Francisco formed a *Commission on Racial and Social Equity*, a diverse group of city residents who completed a year-long deep-dive into policing and police practices, including the requirements and benefits of RIPA. A proposal to create a permanent advisory board has been presented to the South San Francisco City Council and it is anticipated that this new board will be in place by February 1, 2022.

Authorization to submit this letter was approved by the City Council at a public meeting on October 27, 2021.

The South San Francisco Police Department is fully prepared to implement RIPA stop data collection and go live by January 1, 2022, which is the date recommended by the San Mateo County Civil Grand Jury.

Sincerely,



Mike Futrell  
City Manager



# TOWN OF ATHERTON

CITY COUNCIL  
80 FAIR OAKS LANE  
ATHERTON, CALIFORNIA 94027  
(650) 752-0500  
TOWN@CI.ATHERTON.CA.US

October 25, 2021

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

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

Dear Judge Lee,

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

## **Responses to Civil Grand Jury Findings:**

### ***RIPA Data Collection and Reporting***

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

Response:

The Town of Atherton agrees with this finding.

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

Response:

The Town of Atherton agrees with this finding.

The Atherton Department of Police has a full and complete understanding of the RIPA data collection requirements, has the necessary technology for RIPA data collection, has establish RIPA procedures and training, and has started the process of collecting the required RIPA data.

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

Response:

The Town of Atherton agrees with this finding.

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

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

Response:

The Town of Atherton agrees with this finding.

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

Response:

The Town of Atherton agrees with this finding.

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

*Using RIPA Data for Transparent Community Trust Building*

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

Response:

The Town of Atherton agrees with this finding.

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

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

Response:

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

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

Response:

The Town of Atherton agrees with this finding.

## **Responses to the Civil Grand Jury Recommendations:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Response:

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

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

Very truly yours,



Elizabeth Lewis  
Mayor, Town of Atherton

Cc: Grand Jury website (sent via email to [grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org) )  
George Rodericks, City Manager  
Anthony Suber, City Clerk

## **Attachments**

1. Atherton PD RIPA Implementation Plan
2. Atherton PD RIPA Training PowerPoint
3. Atherton PD RIPA Lexipol Policy
4. Atherton PD Biased Based Policing Lexipol Policy



## ATHERTON POLICE DEPARTMENT

### Inter-Department Correspondence

---

To: Chief McCulley

From: Commander Larsen

Date: October 7<sup>th</sup>, 2021

Subject: RIPA Implementation/Recommendation

---

#### **BACKGROUND:**

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

#### **DATA COLLECTION SOFTWARE**

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

Fast, Automated Stop Date Entry

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

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

#### Security and Compliance

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

#### Review Stop Data Prior to DOJ Submission

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

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

#### **FISCAL IMPACT**

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

#### **TRAINING**

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

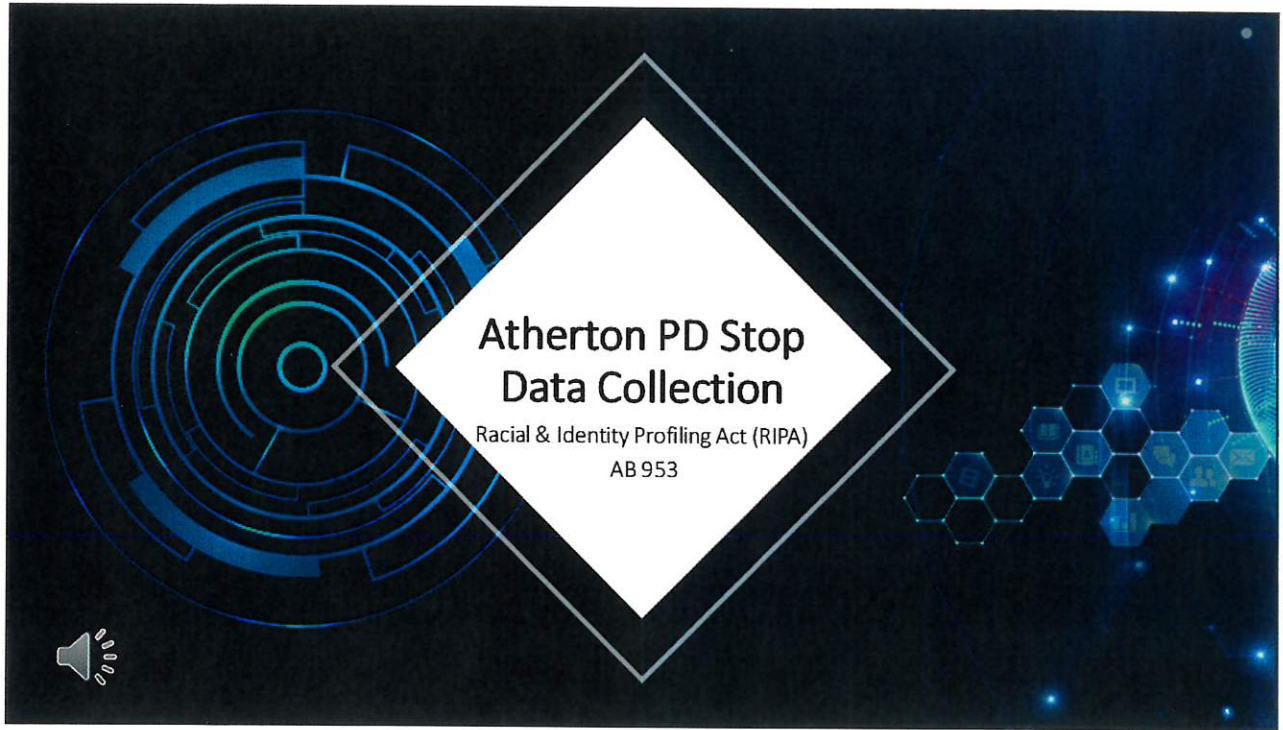
All sworn personnel were provided training in the use of Veritone software through watching a video created by Veritone. The video can be found at [https://drive.google.com/file/d/1 - PENnLTXPOoLDNyS1fRZpcGCre1DDuL/view](https://drive.google.com/file/d/1-PENnLTXPOoLDNyS1fRZpcGCre1DDuL/view)

#### **POLICY**

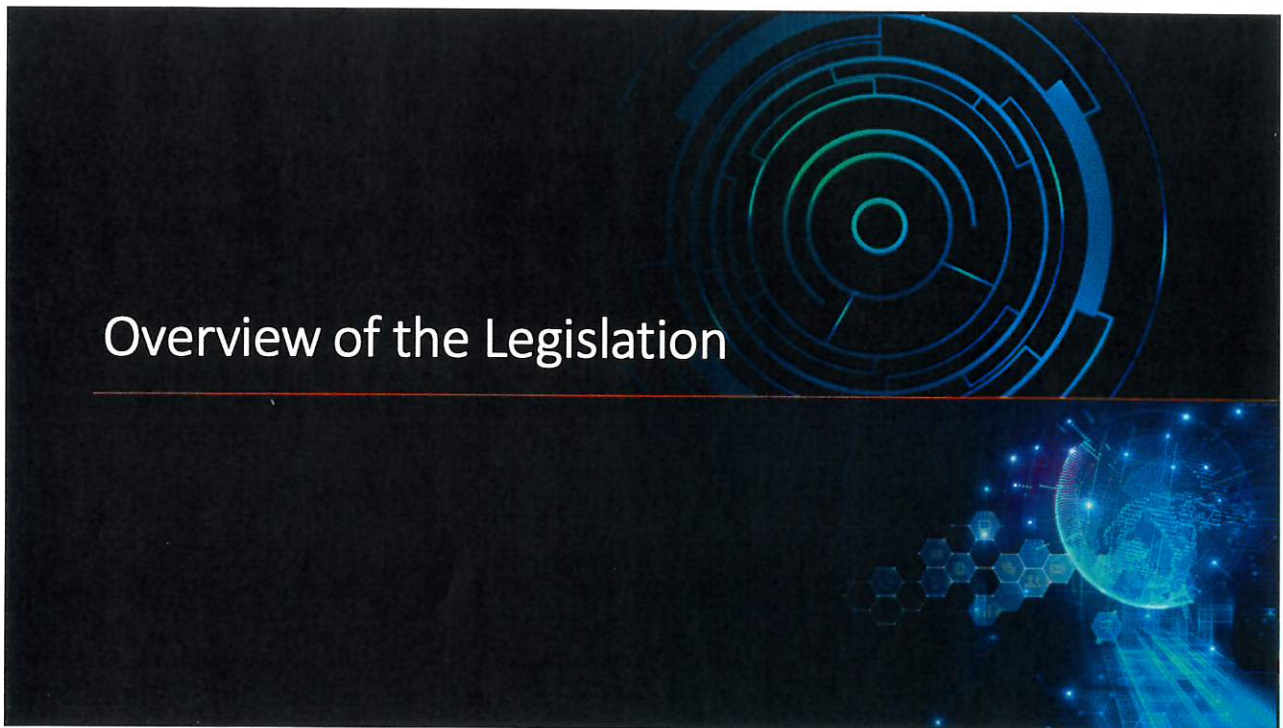
Lexipol Policy 403 – Racial and Identity Profiling Act (RIPA) was created and implemented (see attached). The purpose of this policy is to establish procedures for the collection of data pursuant to California Government Code 12525.5.

#### **RECOMMENDATIONS**


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



1

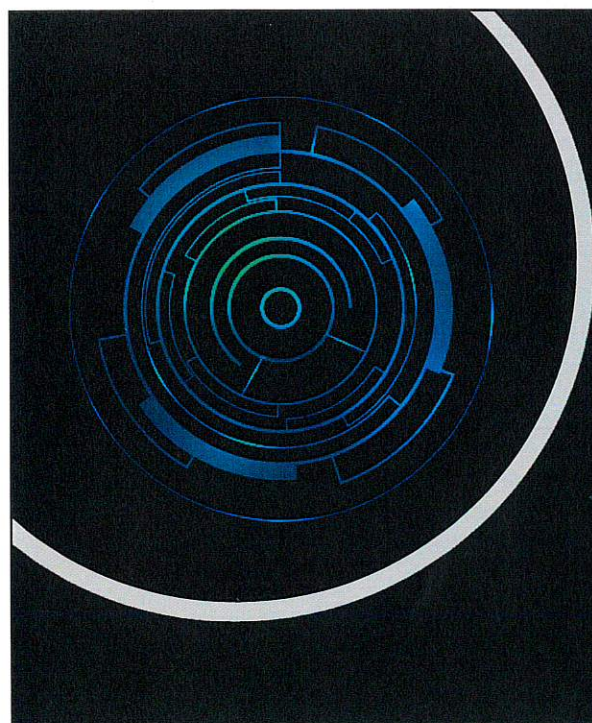


2



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

3

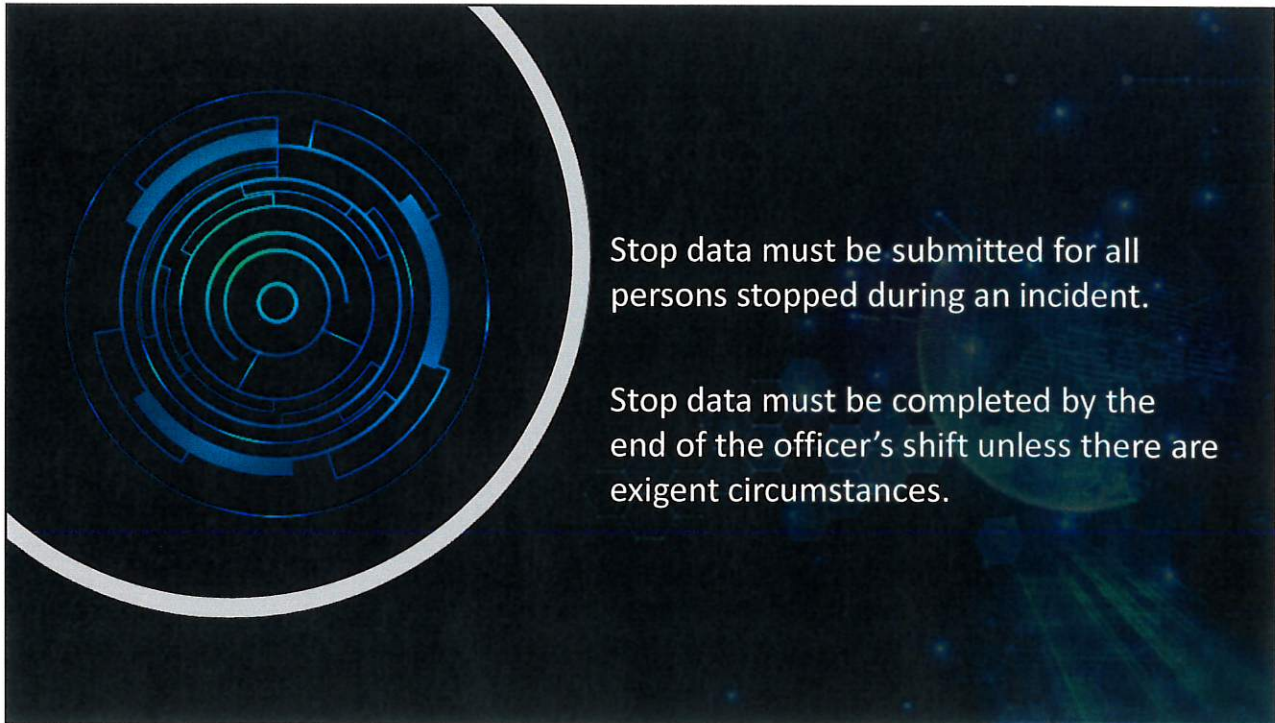


Government Code Section 12525.5 requires officers to record perception data.

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

It is also unlawful to knowingly record false information.

4



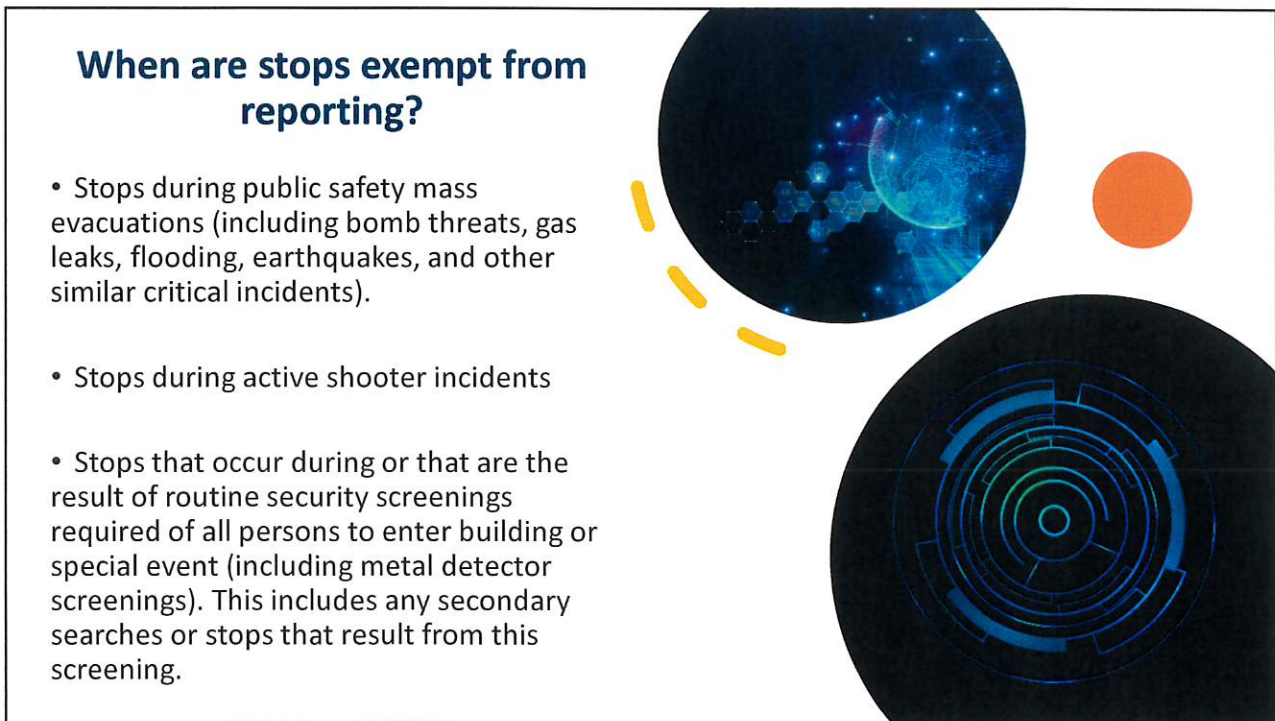
Stop data must be submitted for all persons stopped during an incident.

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

5

### When are stops exempt from reporting?

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



6

## When are stops exempt from reporting?

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



7

## When are stops exempt from reporting?

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

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



8

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

9

## What is a stop?

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



10

## Who gets included in stop data?

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

11

## Data Elements Required for Each Stop

12

STATE OF CALIFORNIA  
 DEPARTMENT OF JUSTICE  
 STOP DATA COLLECTION FORM  
 Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519.4, and Gov. Code 12525.5

PLEASE NOTE:  
 • The data collected on this form must be electronically submitted to the California Department of Justice (DOJ), Stop Data Collection System by entry into the Web Application or submission by Web Services or Secure File Transfer.  
 • Please contact your agency's local administrator for instructions on processing this record for submission to the DOJ. If needed, the DOJ can be reached at (916) 212-3325 or [StopDataCollection@doj.ca.gov](mailto:StopDataCollection@doj.ca.gov)  
 • If multiple persons are related to one stop, complete a separate form (sections III-IX) for each person and report as one incident.  
 • If the stop involves a student at a K-12 public school, then some fields may have additional options available for reporting. These items are noted with an asterisk (\*), and shown in red text.

I. REPORTING OFFICER	AGENCY OR:	OFFICER ID:	OFFICER'S YEARS OF EXPERIENCE:
	OFFICER'S TYPE OF ASSIGNMENT (Select one):		
II. SETTING	<input type="checkbox"/> Patrol, traffic enforcement, field operations <input type="checkbox"/> Gang enforcement <input type="checkbox"/> Companion Chicks <input type="checkbox"/> Special Events	<input type="checkbox"/> Roadblock or DUI sobriety checkpoint <input type="checkbox"/> Narcotics/Viol <input type="checkbox"/> Task Force <input type="checkbox"/> K-12 Public School	<input type="checkbox"/> Investigative/observ <input type="checkbox"/> Other Other, specify: _____
	DATE (MM/DD/YYYY)	TIME (24 Hr MM use 24 Hr clock)	DURATION OF STOP (minutes)
LOCATION: (Report as block number and street name, or closest intersection, or highway and closest highway exit. If none of these are applicable, please report a cross marker, landmark, or other description. Do not provide the exact address of a residence.)			
CITY: (If City is not applicable because stop occurred in unincorporated area, report the County)		COUNTY: (Only required when City is not applicable)	
IF STOP OCCURRED AT A K-12 PUBLIC SCHOOL, REPORT SCHOOL NAME:			IS PERSON STOPPED A STUDENT? (Only complete field if at a K-12 public school)
			<input type="checkbox"/> Yes <input type="checkbox"/> No
III. OFFICER PERCEPTION OF PERSON STOPPED	PERCEIVED RACE OR ETHNICITY: (Select all that apply)		
	<input type="checkbox"/> Asian <input type="checkbox"/> Black/African American <input type="checkbox"/> Hispanic/Latino/a		
	<input type="checkbox"/> Middle Eastern or South Asian <input type="checkbox"/> Native American <input type="checkbox"/> Pacific Islander <input type="checkbox"/> White		
	PERCEIVED GENDER (When applicable, you may select "Gender nonconforming" as the only value or in addition to one of the other values):		
	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Transgender man/male <input type="checkbox"/> Transgender woman/wife <input type="checkbox"/> Gender nonconforming		
PERCEIVED TO BE LOBBI		LIMITED OR NO ENGLISH FLUENCY?	
<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
PERCEIVED OR KNOWN DISABILITY: (Select all that apply)			
<input type="checkbox"/> Deafness or difficulty hearing <input type="checkbox"/> Speech impairment or limited use of language <input type="checkbox"/> Blind or limited vision <input type="checkbox"/> Mental health condition <input type="checkbox"/> Intellectual or developmental disability, including dementia <input type="checkbox"/> Other disability <input type="checkbox"/> Seizure <input type="checkbox"/> Disability related to hyperactivity or bipolar behavior			

13

STATE OF CALIFORNIA  
 DEPARTMENT OF JUSTICE  
 STOP DATA COLLECTION FORM  
 Racial & Identity Profiling Act – Penal Code Sections 13012 and 13519.4, and Gov. Code 12525.5

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

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

Code section related to violation: \_\_\_\_\_

Reasonable suspicion that the person was engaged in criminal activity

Select all that apply to describe the basis of suspicion:

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

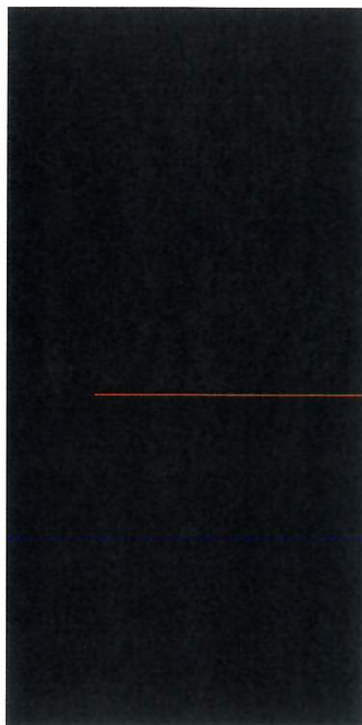
If known, Code for suspected violation: \_\_\_\_\_

Known to be on parole/probation/PCIC/mandatory supervision  
 Knowledge of outstanding arrest warrant/wanted person  
 Investigation to determine whether the person is instant  
 Consensual encounter resulting in a search

\* Possible conduct warranting discipline under Education Code (EC) 49000, et al.  
 Code Section:  49000  49000.2  49000.3  49000.4  49000.7  
 When EC 49000 is selected, specify the subsection: \_\_\_\_\_  
 \* Determine whether the student violated school policy

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

14



STATE OF CALIFORNIA  
CIVILIAN  
(Only Section)

DEPARTMENT OF JUSTICE  
PAGE 4 of 4

### STOP DATA COLLECTION FORM

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

**ACTIONS TAKEN:** (Select all that apply)

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

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

Consent given

Officer safety/utility of others

Search warrant

Condition of public probation/PWCC mandatory supervision

Suspended weapons

Visible contraband

Odor of contraband

Canine detection

Evidence of crime

Incident to arrest

Exigent circumstances-emergency

Vehicle inventory (for search of property only)

\*  **Suspected violation of school policy**

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



15



STATE OF CALIFORNIA  
CIVILIAN  
(Only Section)

DEPARTMENT OF JUSTICE  
PAGE 4 of 4

### STOP DATA COLLECTION FORM

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

**VII. PROPERTY SEIZURE**

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

Select all that apply:

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

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

Select all that apply:

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

**VIII. CONTRABAND / EVIDENCE**

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

Select all that apply:

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

**IX. RESULT OF STOP:**

Select all that apply:

No action

Warning (verbal or written)

Code section(s) related to warning: \_\_\_\_\_

Citation for infraction

Code section(s) related to citation for infraction: \_\_\_\_\_

Infield Cite and Release

Code section(s) related to cite and release: \_\_\_\_\_

Out-of-area arrest pursuant to outstanding warrant

Out-of-area arrest without warrant

Code section(s) related to arrest: \_\_\_\_\_

Field interview card completes

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

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

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

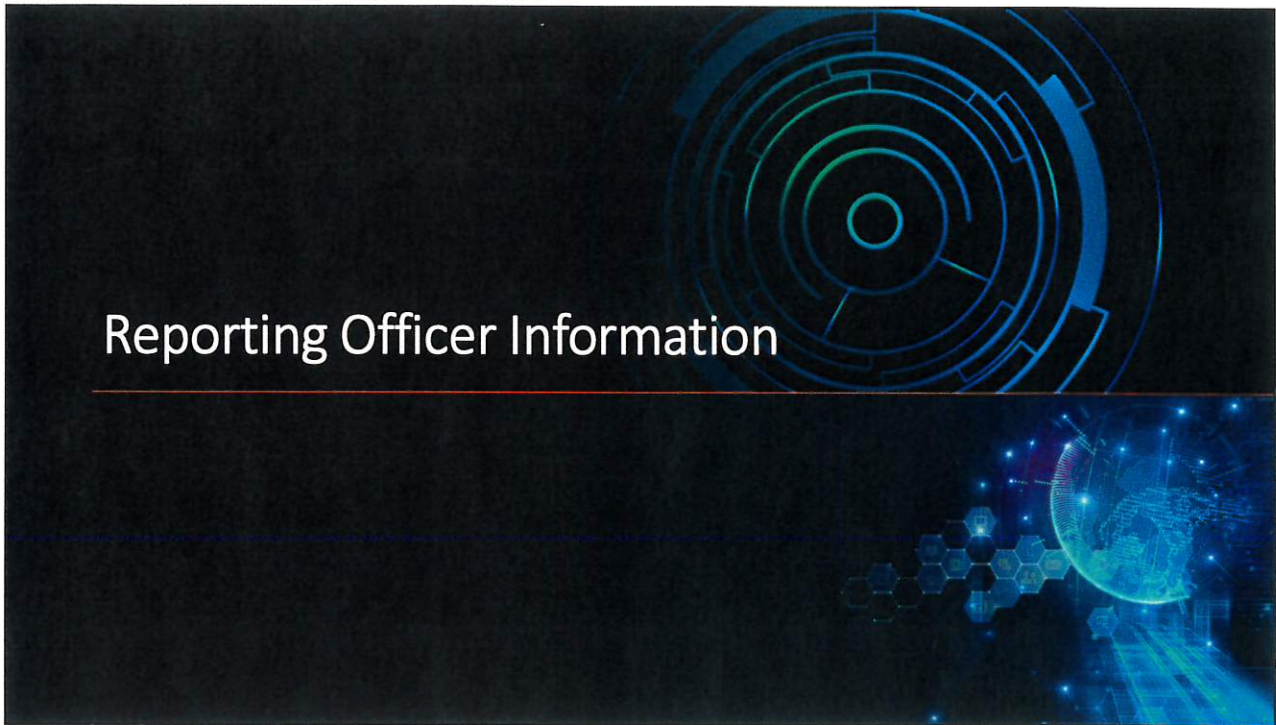
Contacted U.S. Department of Homeland Security (e.g., Immigration and Customs Enforcement, Customs and Border Protection)

\*  **Referral to school administrator**

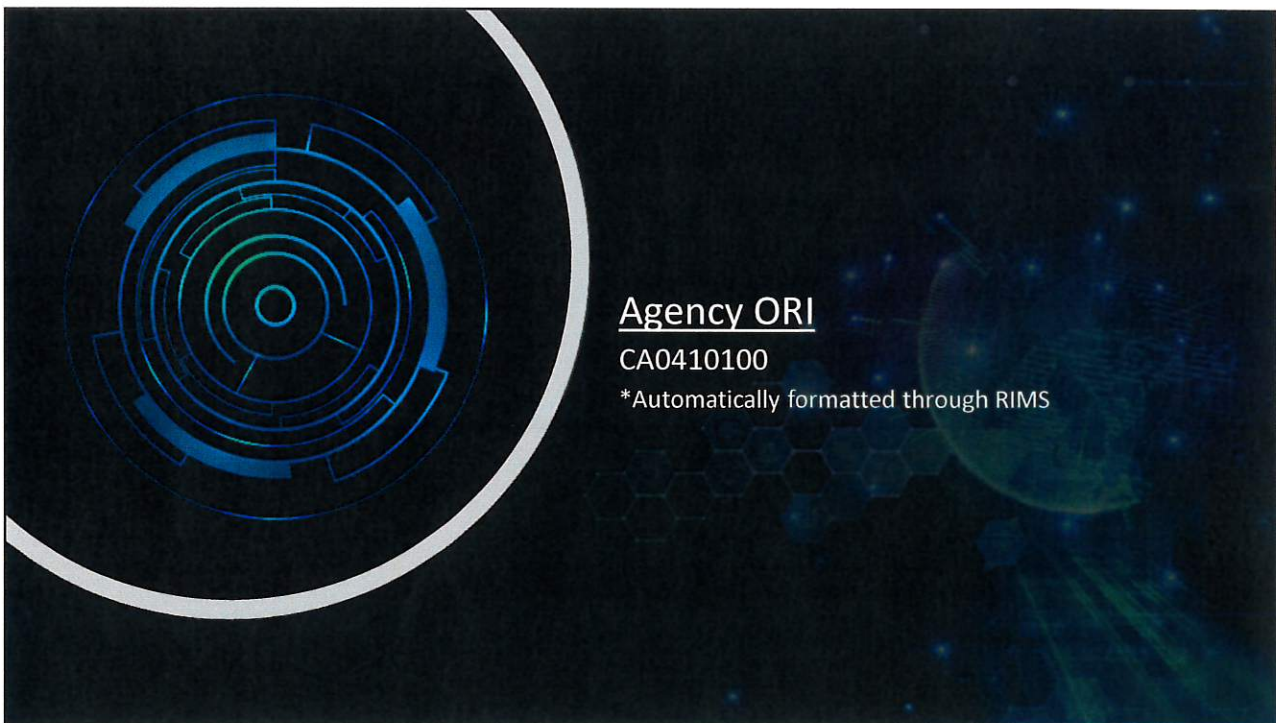
\*  **Referral to school counselor or other support staff**



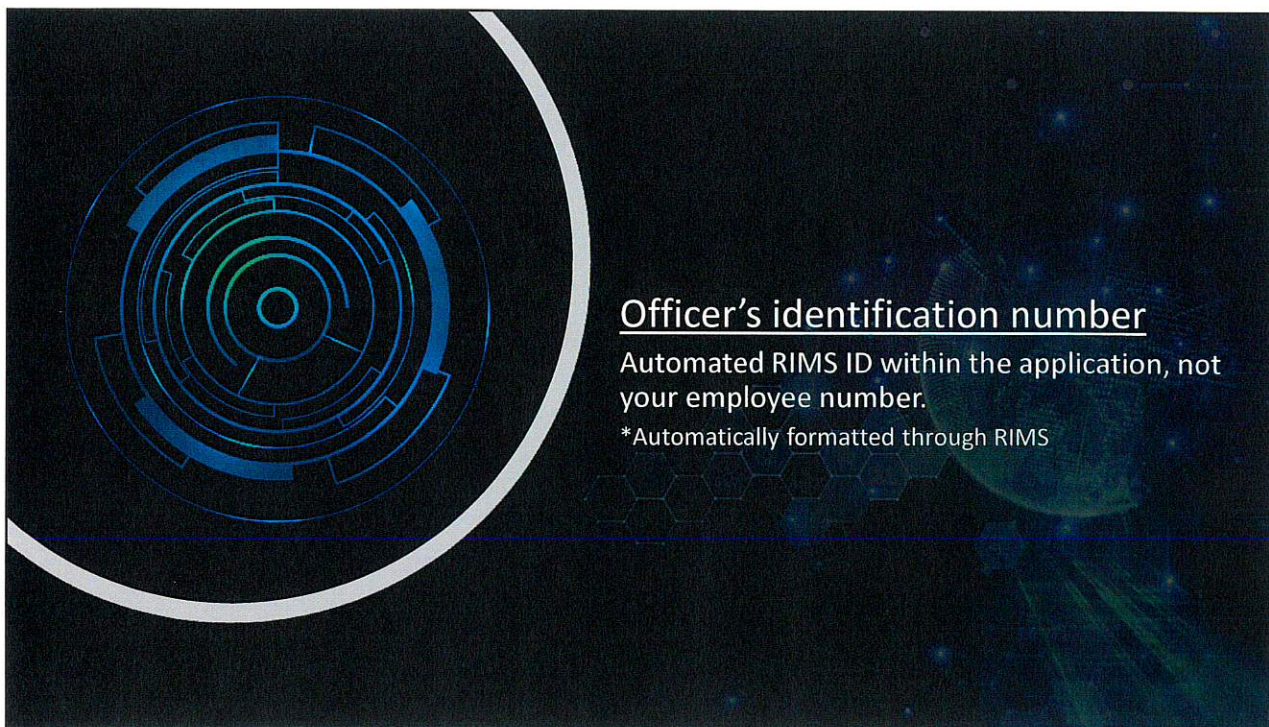
16



17



18



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

19



Years of experience

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

\*Automatically formatted through RIMS

20

**Scenario 1:**

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

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


21

**Answer:**

9 years

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

22



### Type of Assignment

- Compliance check
- Gang enforcement
- Investigative/Detective
- K-12 public school
- Narcotics/Vice
- Patrol/Traffic enforcement
- DUI checkpoint
- Special event
- Task force
- Other

23



### **Who submits the report when multiple officers are involved?**

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

24

## Who submits the report when multiple agencies are involved?

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

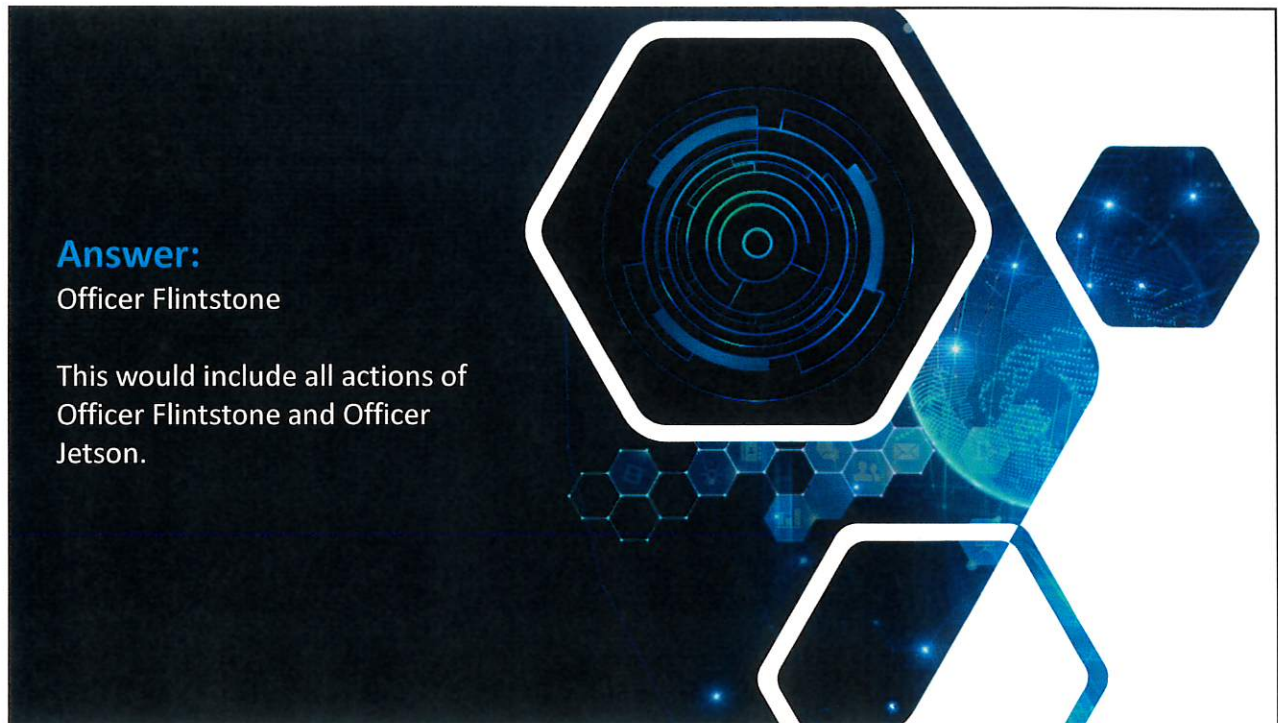
25

### Scenario 2:

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

Who is responsible for completing the stop data report?

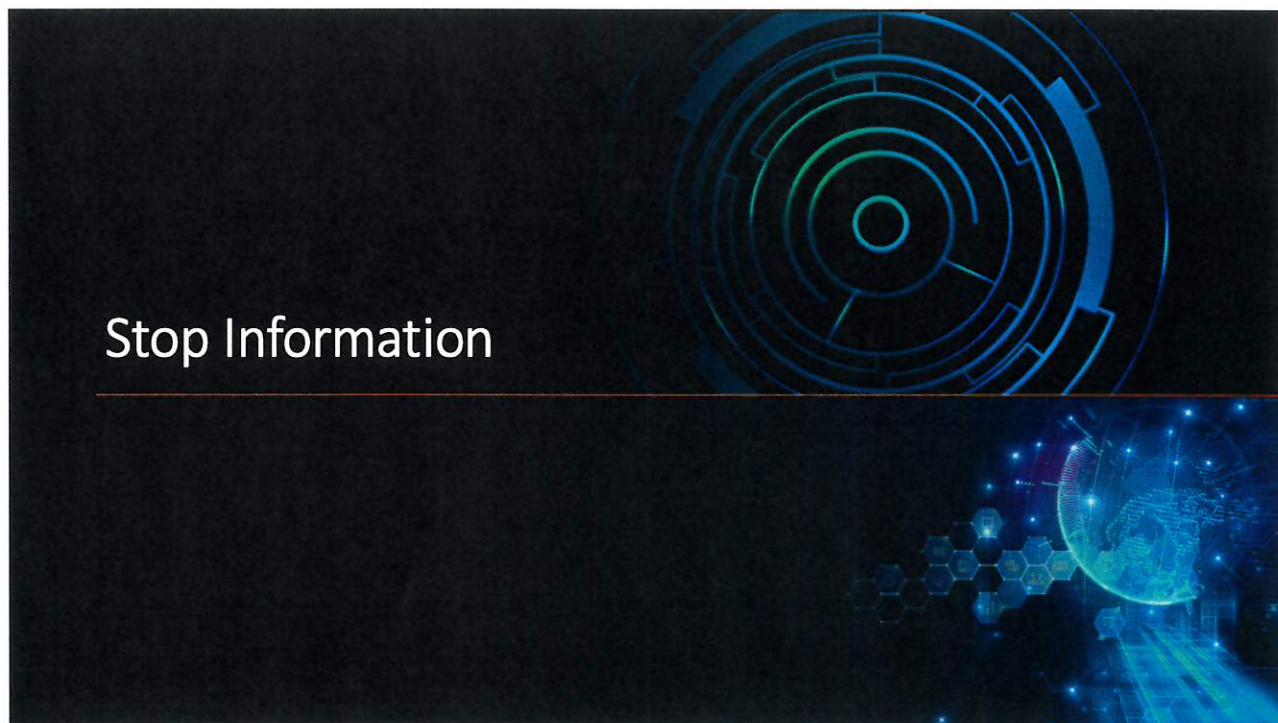
26



**Answer:**  
Officer Flintstone

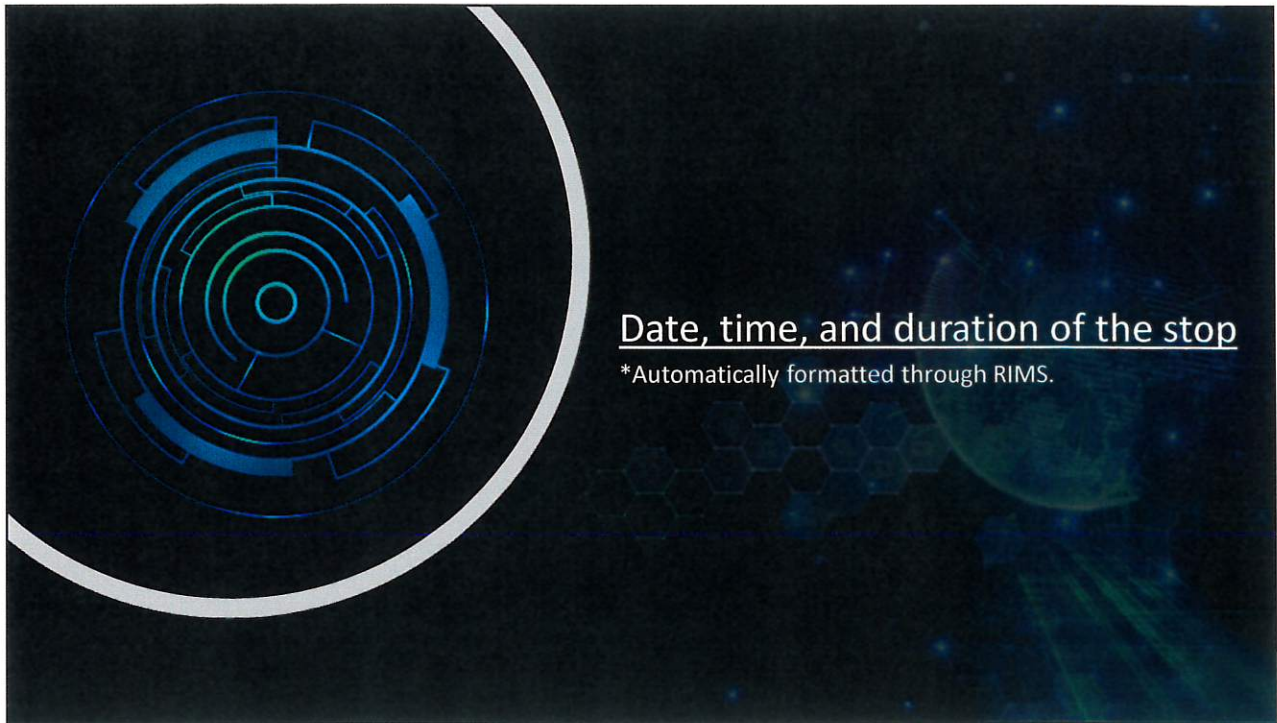
This would include all actions of  
Officer Flintstone and Officer  
Jetson.

27



Stop Information

28



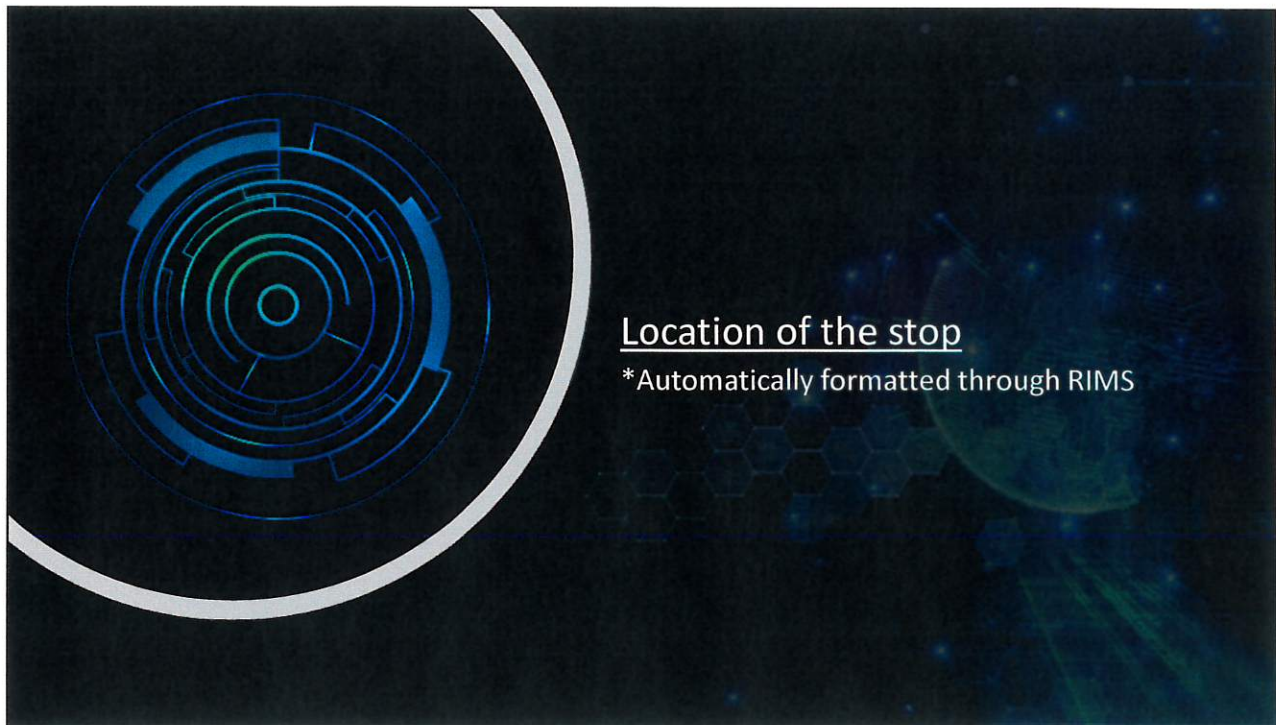
29

**What is the duration?**

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

The duration of the stop is 45 minutes.

30



31

## Where did it happen?

Do not include specific addresses.

Use:

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

(Listed in order of preference)

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

32

## Where did it happen?

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




33

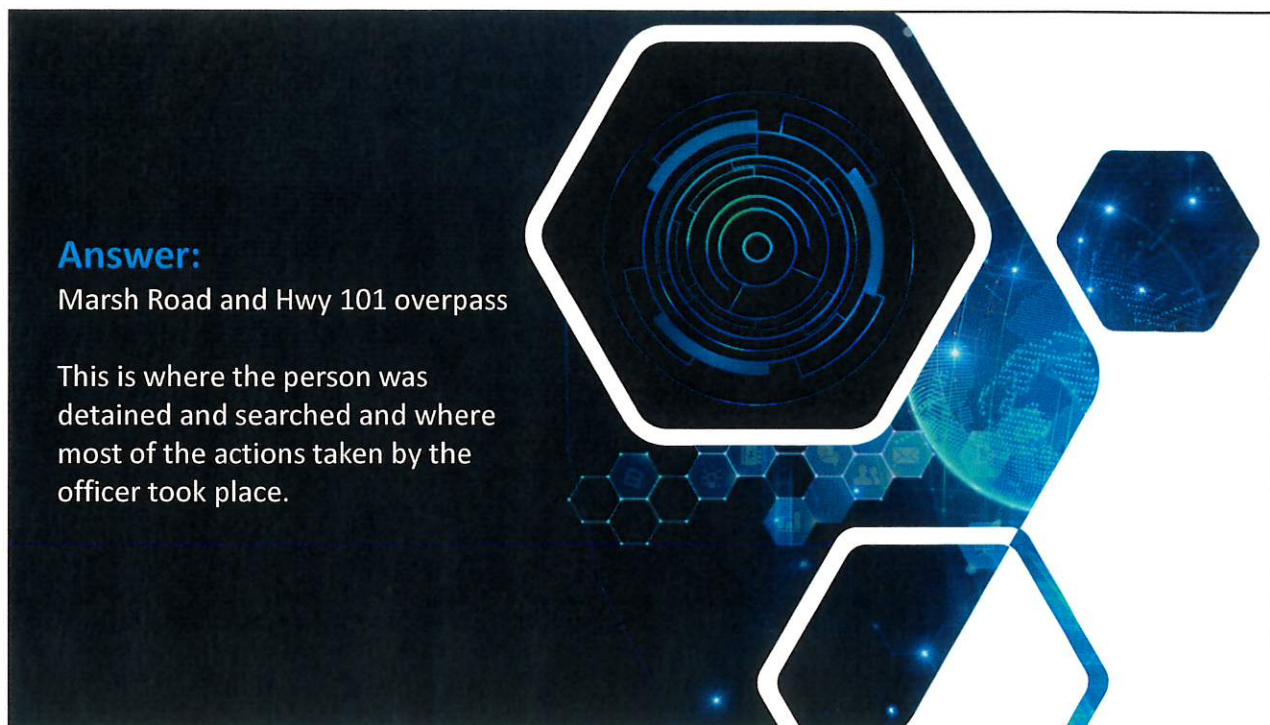
### Scenario 3:

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

Which location do you use?



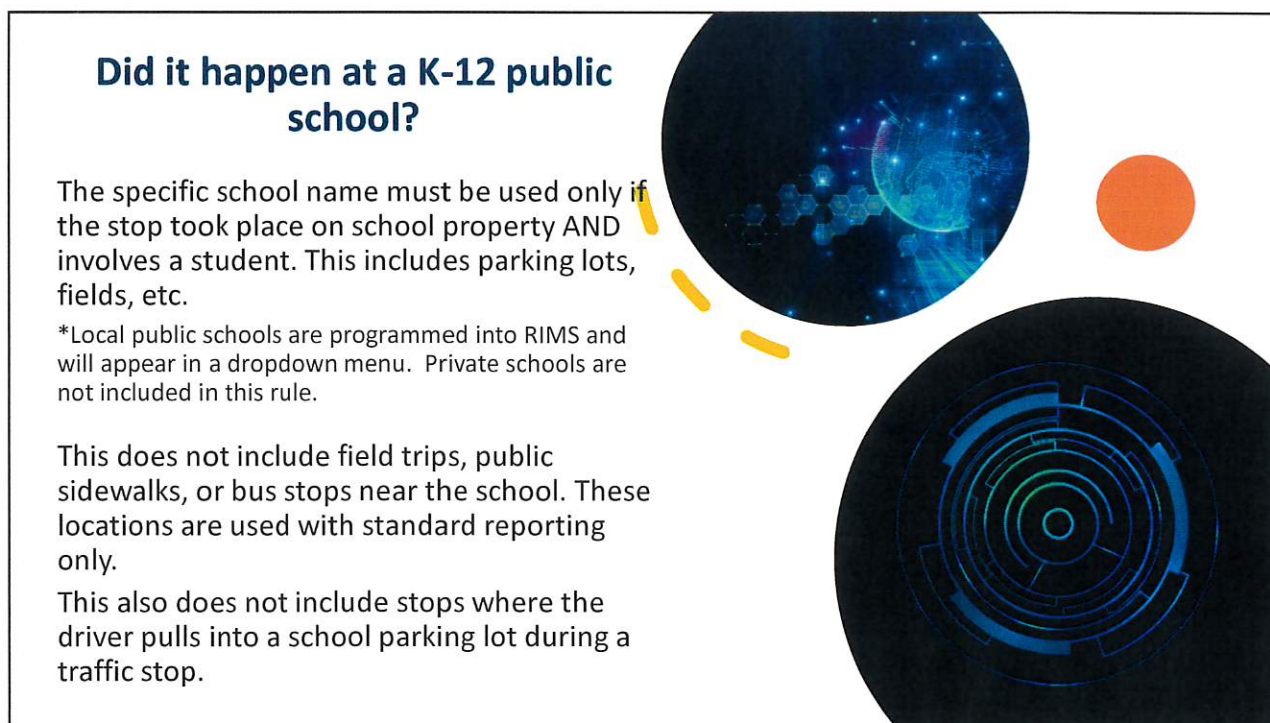
34



**Answer:**  
Marsh Road and Hwy 101 overpass

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

35



**Did it happen at a K-12 public school?**

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

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

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

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

36

## Did it happen at a K-12 public school?

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

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



37

### Scenario 4:

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

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

Would this be a reportable stop?



38

**Answer:**

Yes.

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



39

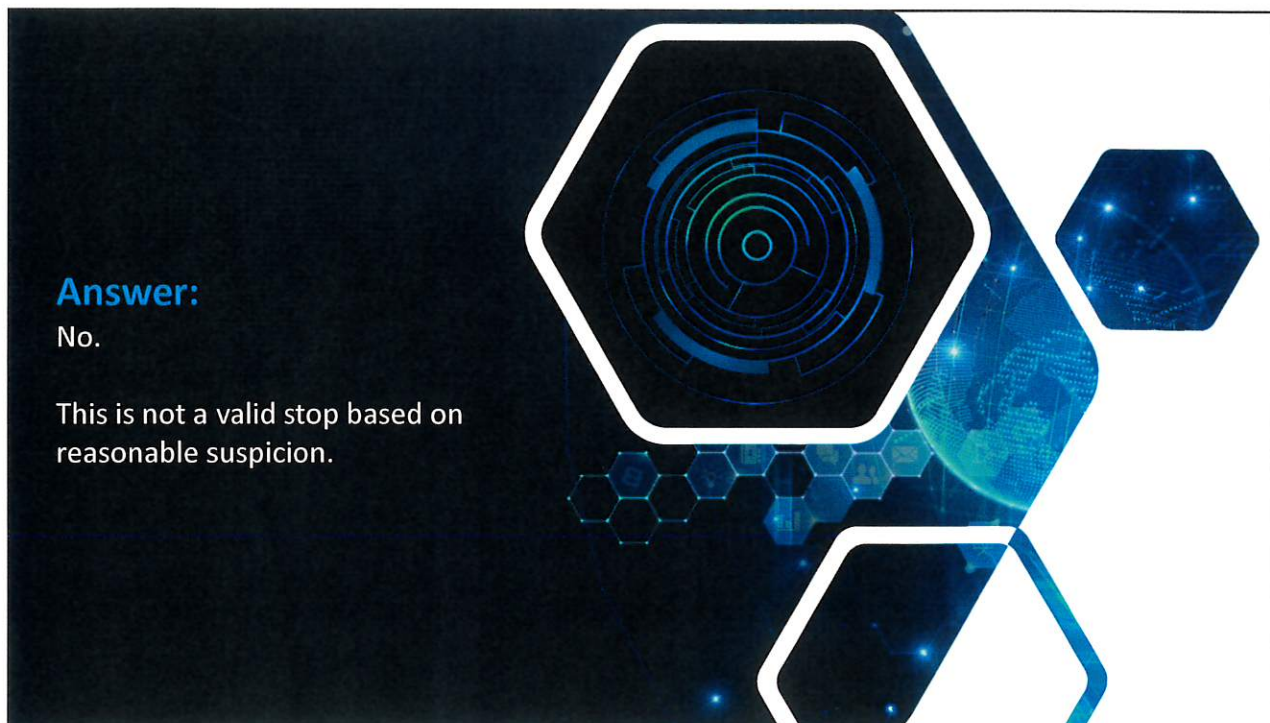
**Scenario 5:**

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

Would this be a reportable stop?



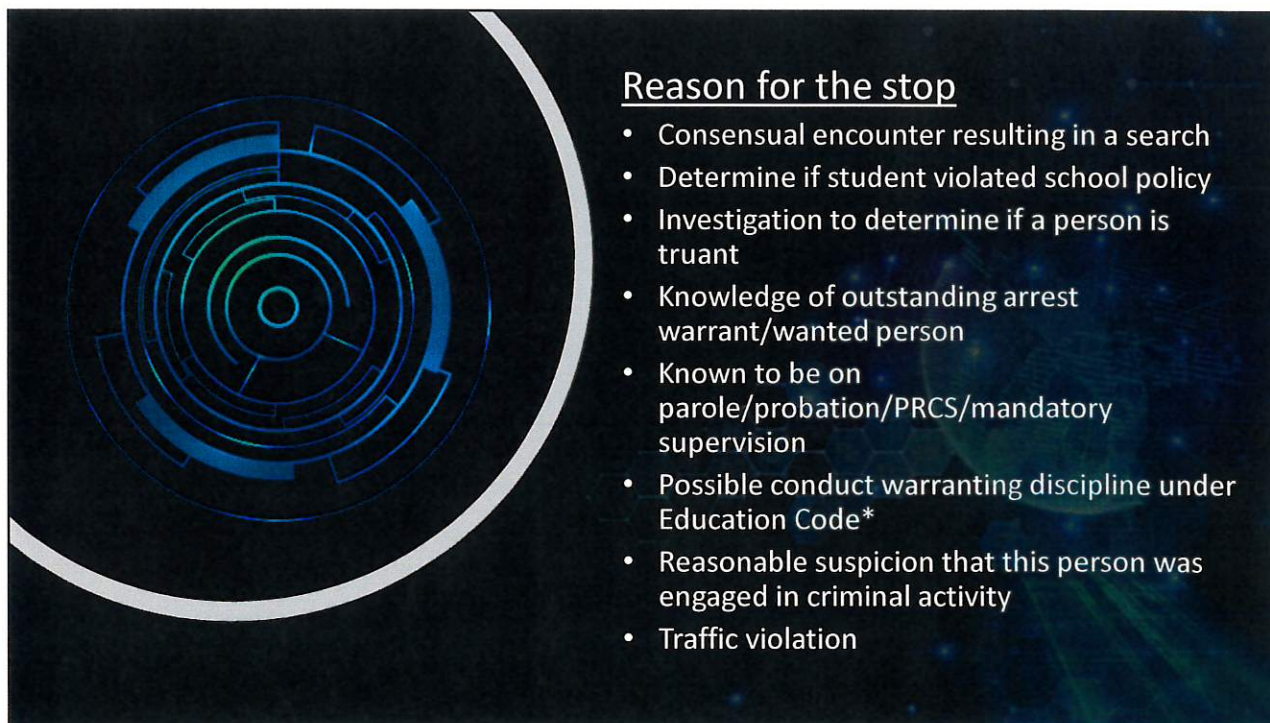
40



**Answer:**  
No.

This is not a valid stop based on reasonable suspicion.

41



Reason for the stop

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

42

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

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

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

43

### Scenario 6:

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

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

44

**Answer:**

No.

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

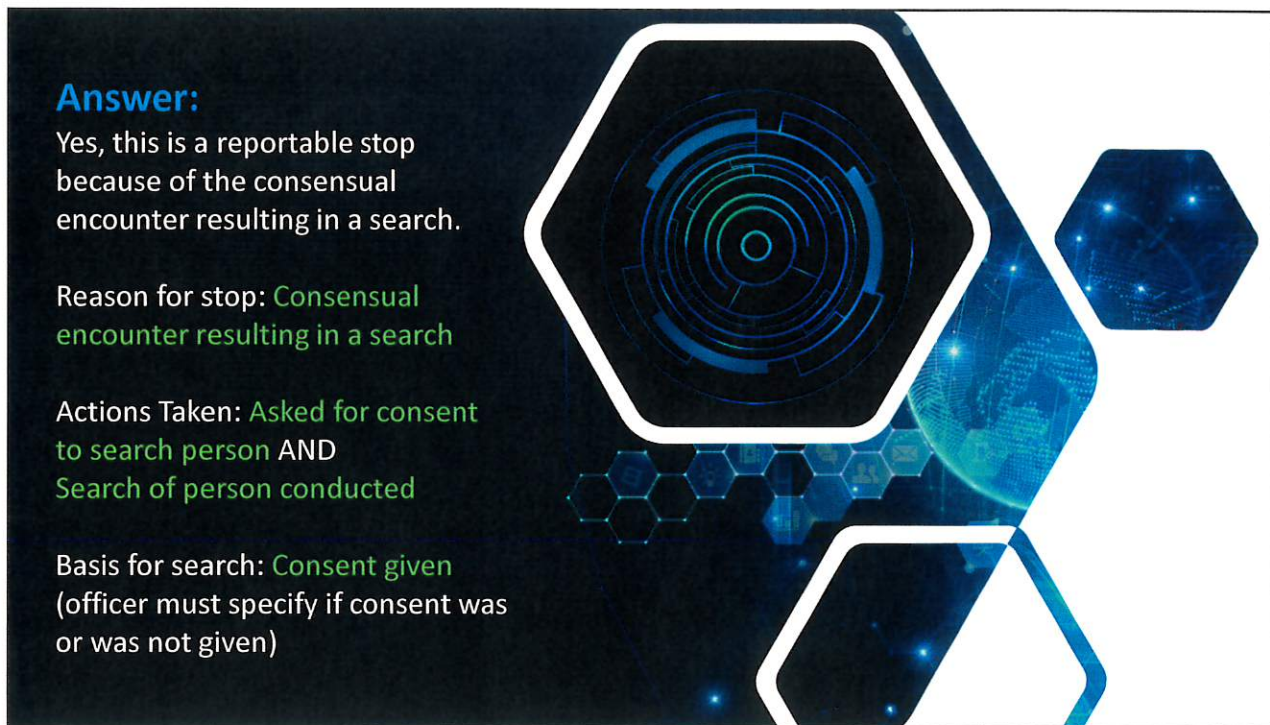
45

**Scenario 7:**

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

Would Officer Jetson report this stop?

46



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

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

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

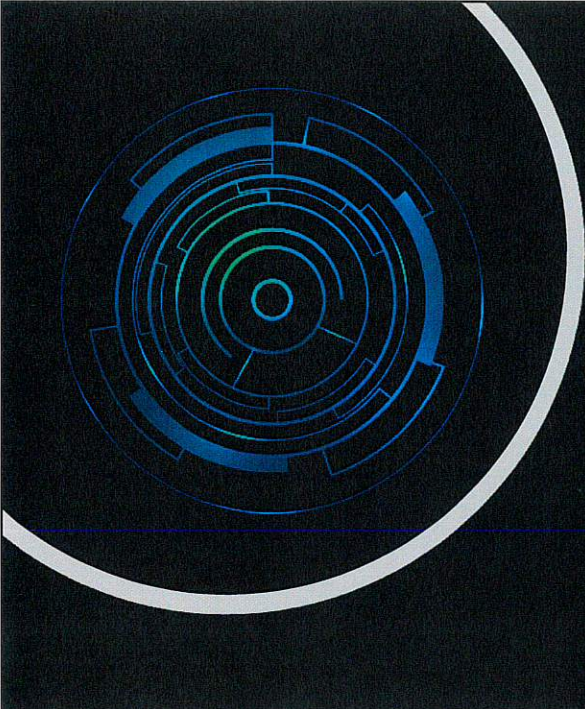
Basis for search: **Consent given (officer must specify if consent was or was not given)**

47



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

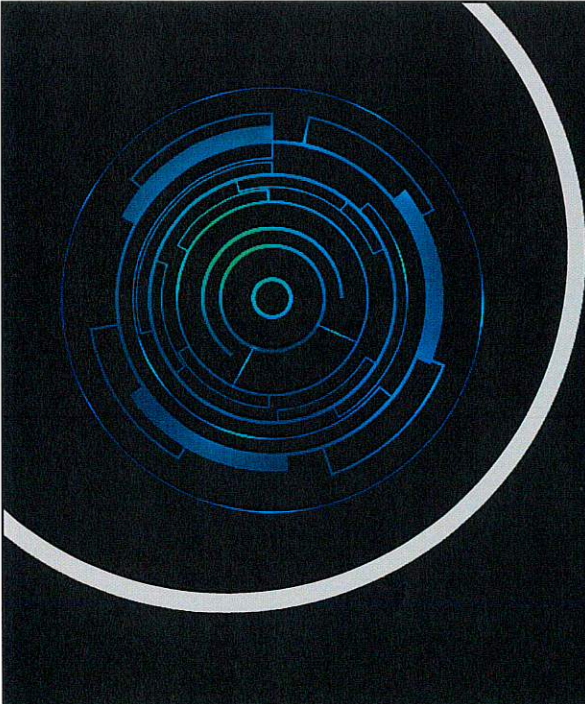
48



### Actions taken during the stop

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


49



### Actions taken during the stop (cont.)

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

50



Actions taken during the stop (cont.)

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

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

51

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

What is the reason for the stop?

What actions were taken?



52

**Answer:**

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

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

53

**What if a search was conducted?**

The basis of the search must also be included.

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

54

**Scenario 9:**

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

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

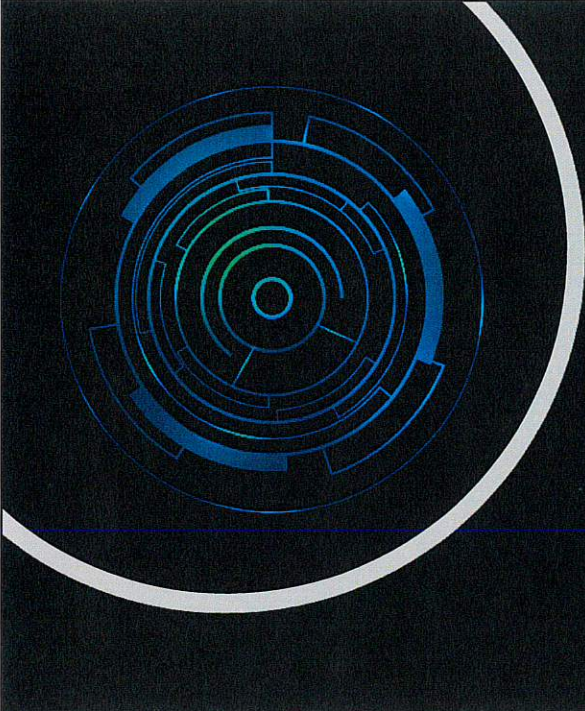
55

**Answer:**

Yes.

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

56



Contraband or evidence discovered

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

57



Property seized

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


58



### Result of the stop

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

59



### Result of the stop (cont.)

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

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

60

**Scenario 10:**

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

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

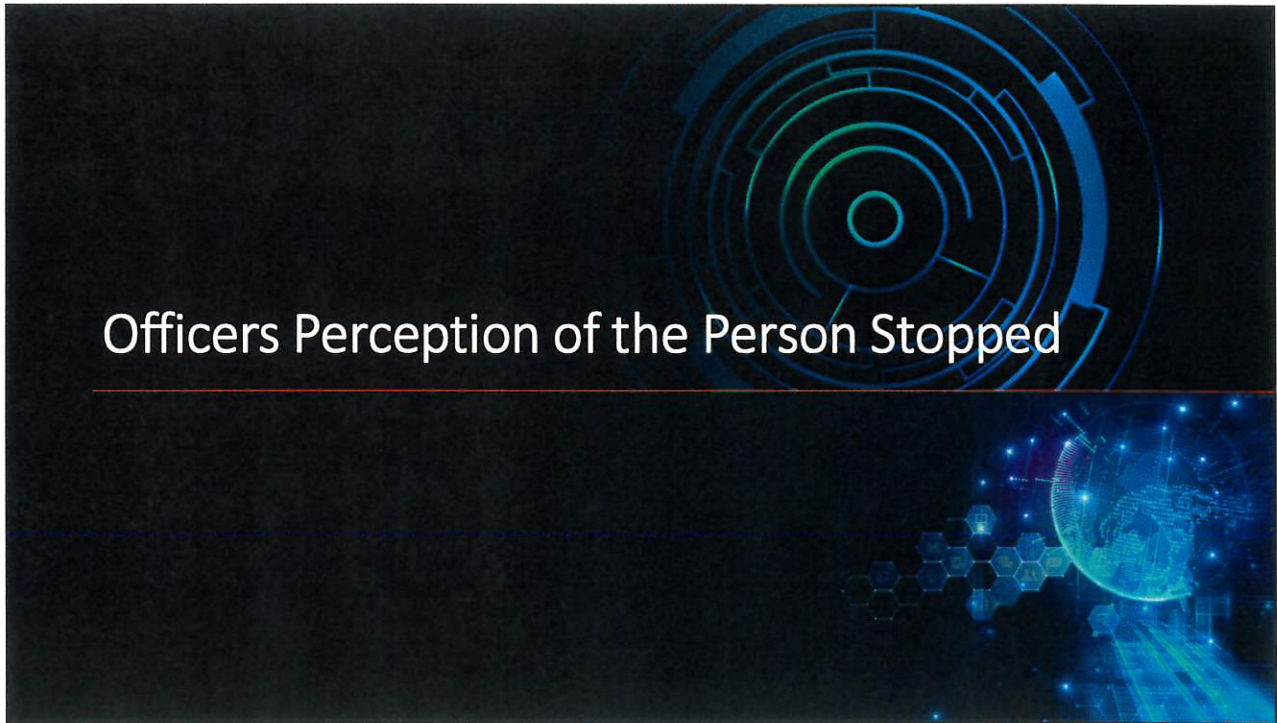
61

**Answer:**

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

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

62



# Officers Perception of the Person Stopped

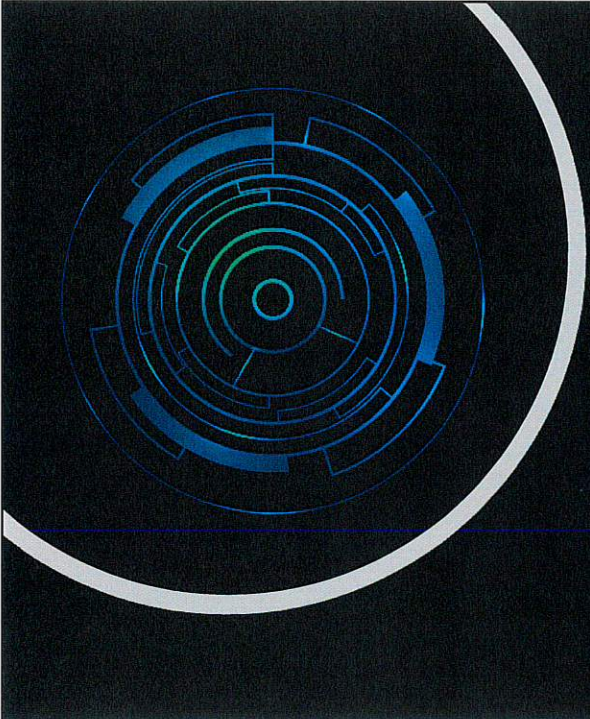
63

A white rectangular area containing text and decorative circular graphics. The graphics include a blue globe, a solid orange circle, and a blue circular pattern with concentric rings. A dashed yellow line connects the globe and the orange circle.

**When does perception occur?**

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

64

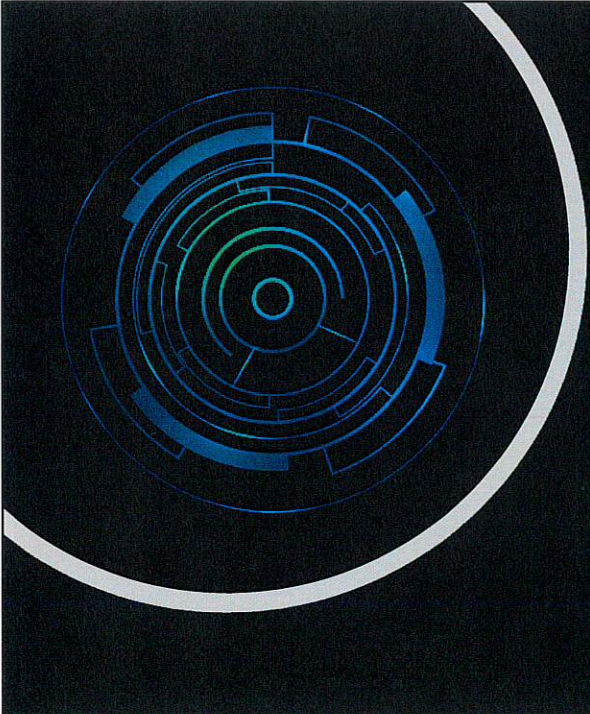


Perceived Race or Ethnicity

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

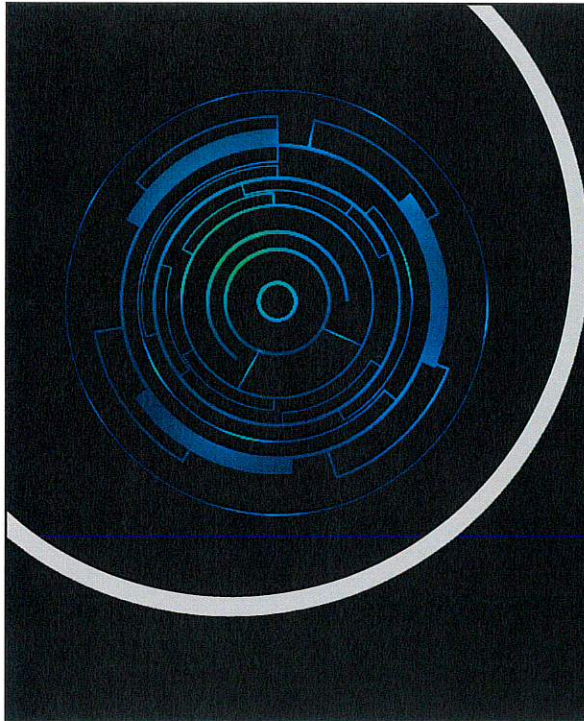
When submitting the stop data, check all races that apply.

65



Perceived Age  
Fillable field within RIMS

66

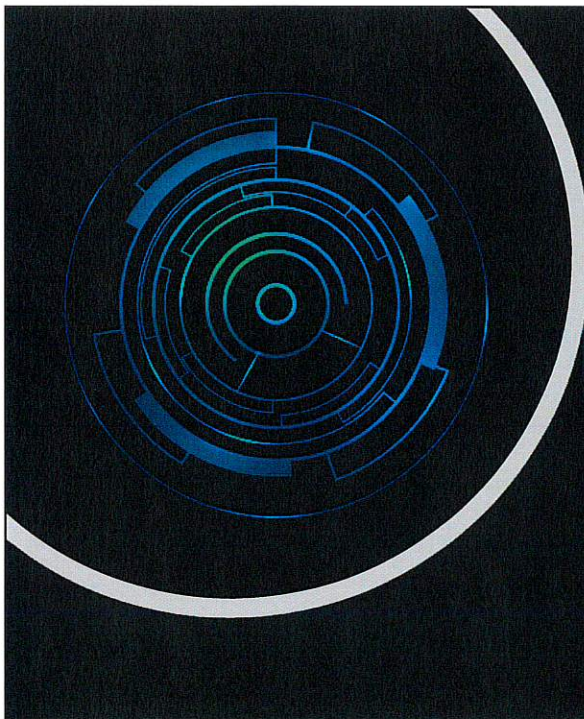


### Perceived Gender

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

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

67

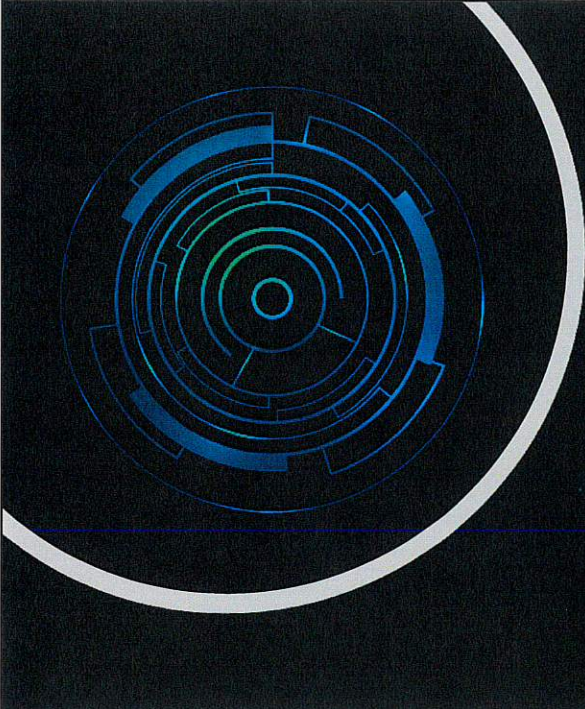


### Perceived to be LGBT

Yes or no response only

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

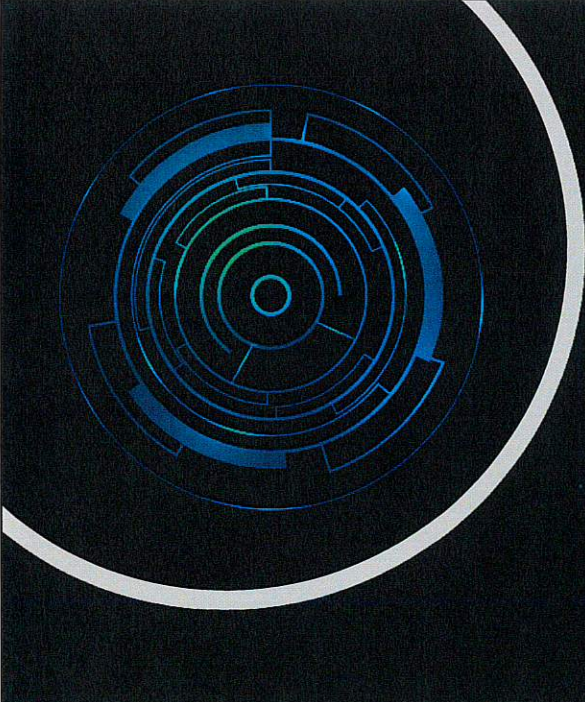
68



Perceived limited/no English fluency  
Yes or no response only

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

69



Perceived or Known Disability

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

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

70

**Scenario 11:**

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

What information would the officer report?

71

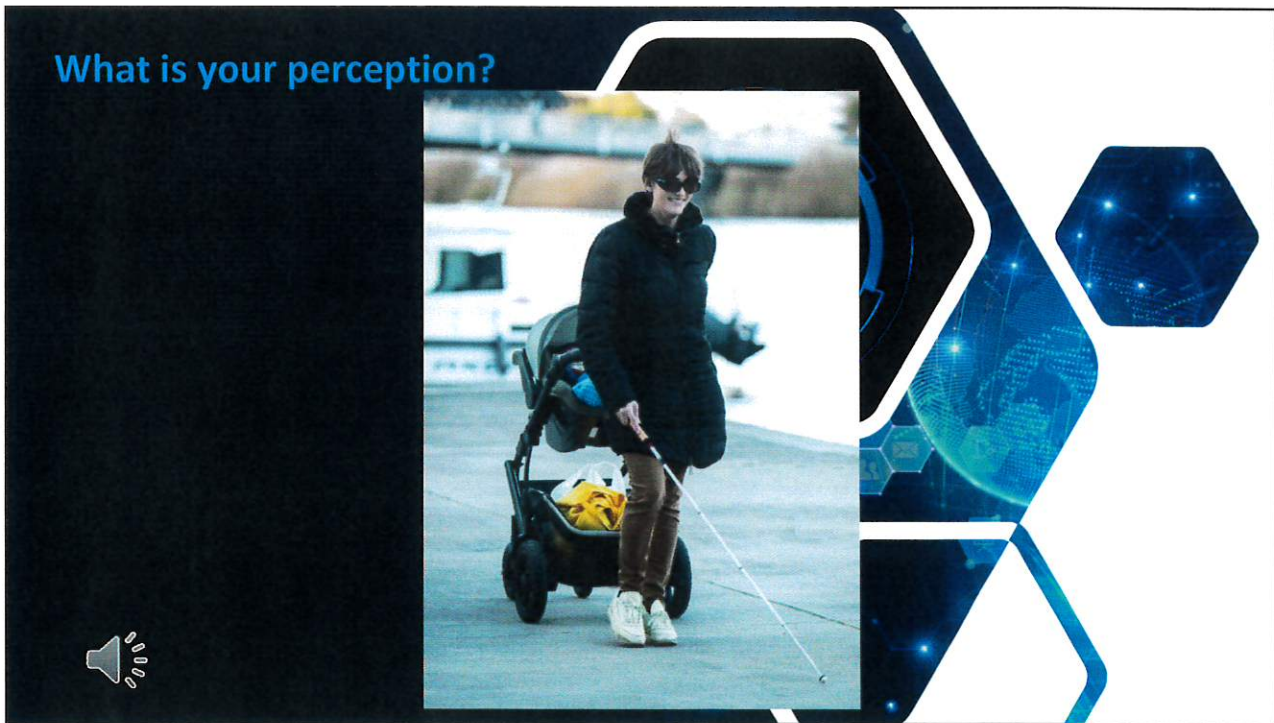
**Answer:**

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

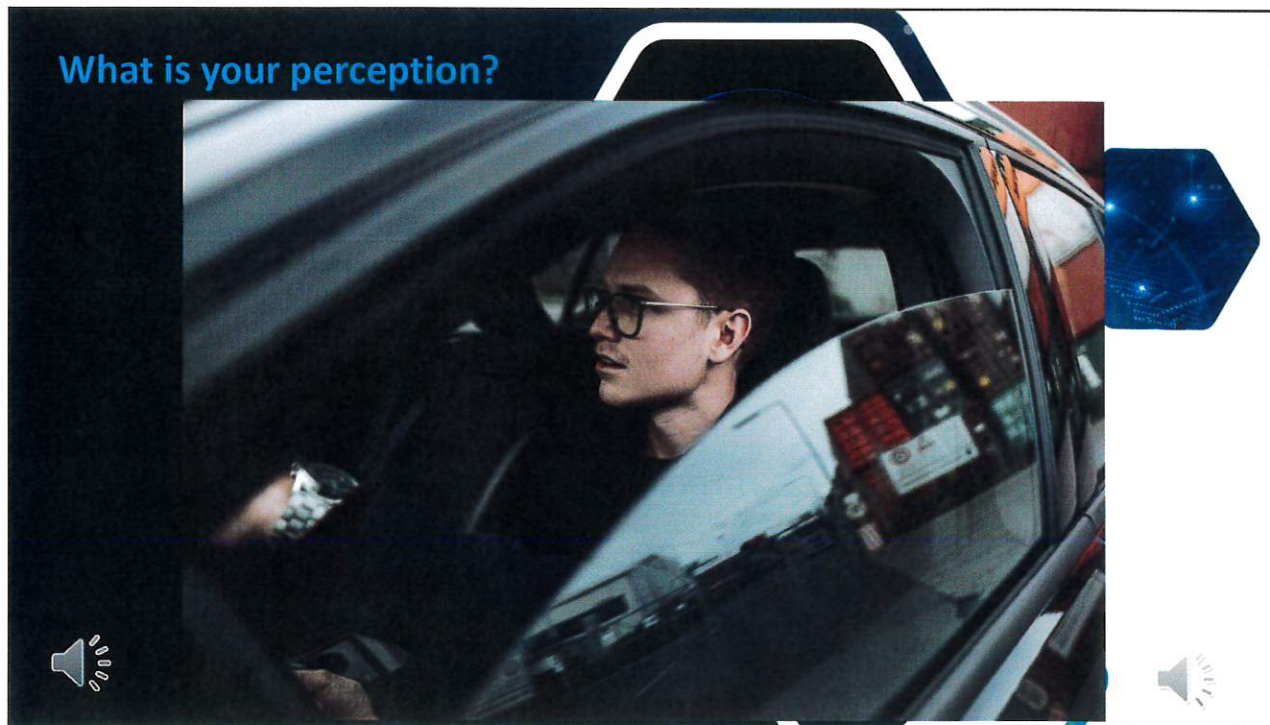
72



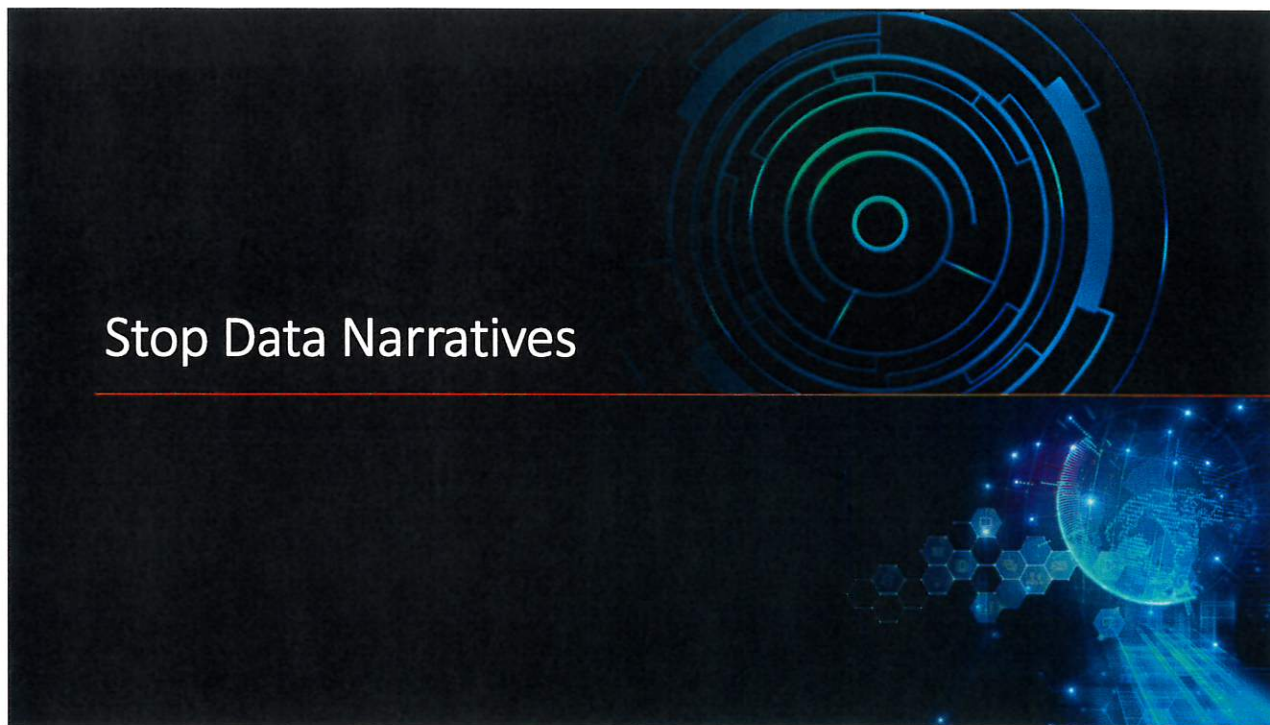
73



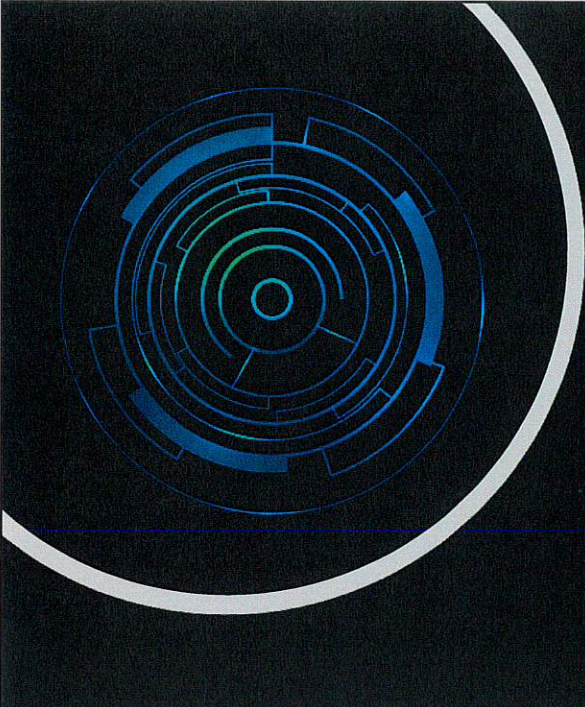
74



75

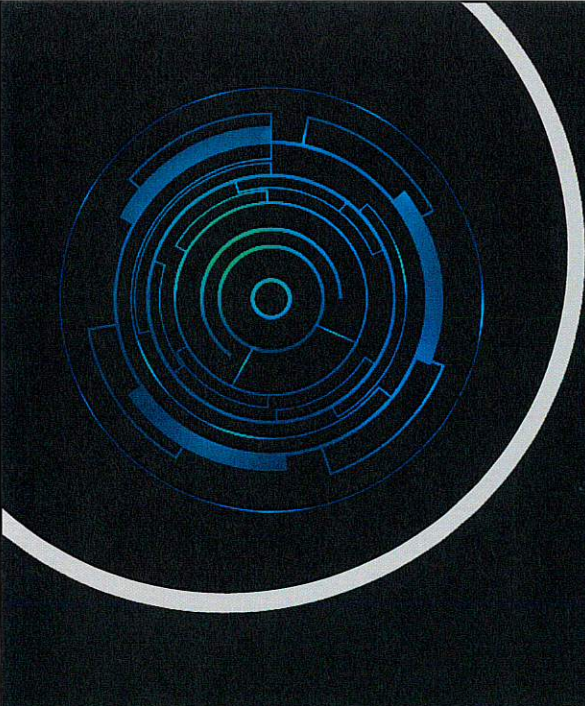


76



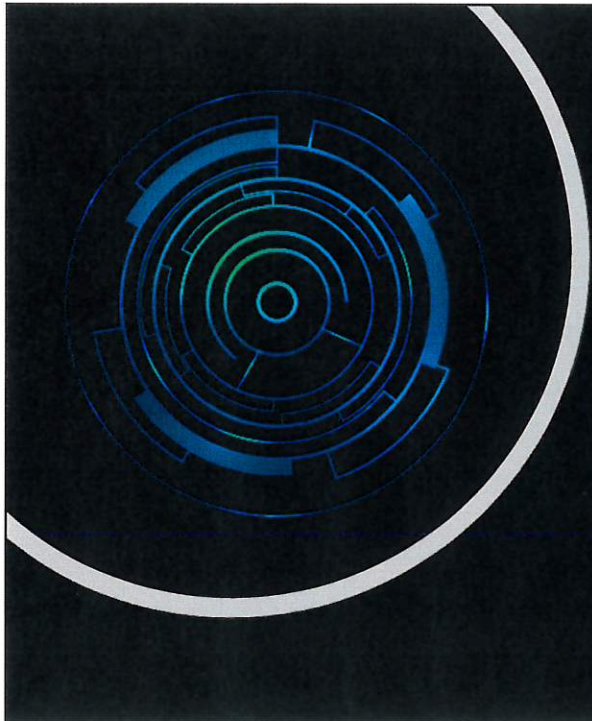
- Narratives have a 250 character limit (including spaces).
- The narrative should include the basis for the stop.
- The narrative should include the basis for the search if one was conducted.
- The narrative should only include plain language as this information is available to the public.
- Acronyms/penal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

77



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

78




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

79

**But what about a traffic stop?**

Narrative example:

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



80

**Scenario 12:**

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

81

**Narrative #1:**

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

What is wrong with this narrative?

82

**Answer:**

It lists the residence location

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

Uses inappropriate language.

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

83

**Narrative #2:**

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

What is wrong with this narrative?

84

**Answer:**

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

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



85

**Better Narrative:**

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

Narrative is short but thorough.

No PII or UII

Paints a clearer picture of the encounter.



86

**Scenario 13:**

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

What would be the narrative?

87

**Answers:**

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

88

### Scenario 13:

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

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

89

### Answers:

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

Actions Taken:

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

Basis for search: **Vehicle inventory**

Basis for property seizure:

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

90

**Scenario 13:**

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

What would be the search narrative?

91

**Answers:**

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

92

**Scenario 14:**

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

What is the reason for the stop?

93

**Answers:**

Reason for stop: **Traffic violation**  
(moving violation)

94

**Scenario 14:**

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

What is the narrative?

95

**Answers:**

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

96

**Scenario 14:**

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

What were the actions taken?

97

**Answers:**

Actions taken:

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

98

**Scenario 14:**

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

What is the basis for the search?

99

**Answers:**

Basis for search:

Incident to arrest

Officer Safety/Safety of others

100

**Scenario 14:**

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

What is the narrative for the search?

101

**Answers:**

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

102

**Scenario 14:**

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

What is the basis for the seizure?

103

**Answers:**

Basis for seizure:

Contraband  
Evidence

104

**Scenario 14:**

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

What is the type of property seized?

105

**Answers:**

Type of property seized: **Drug paraphernalia**

106

### Scenario 14:

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

What is the contraband or evidence?

107

### Answers:

Contraband or evidence: **Drug paraphernalia**

108

**Scenario 14:**

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

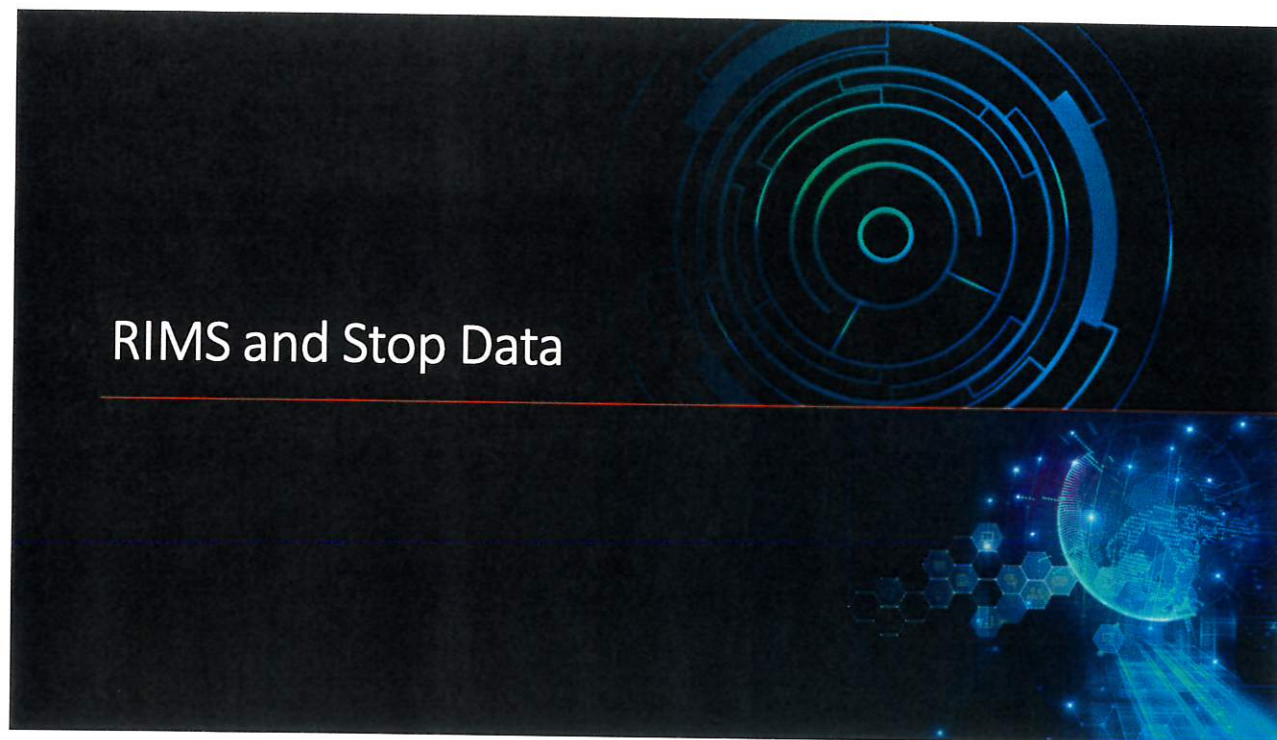
What is the result of the stop?

109

**Answers:**

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

110



# RIMS and Stop Data

111

Photo	Name	DOB	Sex	Race	Drivers License	Lic St	Stop Data?	Completed?	Badge	PID
	Jettson, June	12/02/1962	F	White			Yes	Yes	7630	1
	Petatohed, Spud	02/04/1980	M	Other	PS498765	CA	Yes	Yes	7630	2

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

112

**Incident Person**  
 Requesting Unit if not Primary Unit: Z1

Name: JETSON, JANE  
 Name refused  Name Unknown

DOB: 12/02/1962 Sex: F

DL: [ ]

Race: White

Age: [ ] - [ ]

Connection: [ ]

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

Phone: [ ]  
 Cell: [ ]

Note: [ ]

Stop Data Required?

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

Buttons: Stop Data, Save, Cancel, Delete

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

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

113

Stop Data for Inc #202011240001

Name: Jane Jetson

Officer: WILLIAMSON, JOEY  K-12 School Student?

**Officer Assignment**

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

**Reason For Stop**

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

Buttons: Save, Cancel, Delete, Transfer

114

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

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

Violation Type

Equipment violation  Moving violation  Non-moving violation, including registration

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

115

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

Perceived Race (Check all that apply)

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

Perceived Gender

Female  
 Male  
 Transgender man/boy  
 Transgender woman/girl

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

Limited or No English Fluency

Perceived Age 45

Perceived Disabilities (Check all that apply)

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

116

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

**Actions**

Search

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

**Actions Taken (Check all that apply)**

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

117

Stop Data for Inc #202011240001

Jane Jetson

Page 1

Page 2

Perceptions

Actions

**Search**

Seized Property

Results

Transmit Log

Completed

Save Cancel Delete Transfer

**Search Basis (Check all that apply)**

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

Search Basis Narrative

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

**Evidence Discovered (Check all that apply)**

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

118

Stop Data for Inc #202011240001

Jane Jetson

**Page 1**

**Page 2**

Perceptions

Actions

Search

**Seized Property**

Results

Transmit Log

Completed

Save Cancel Delete Transfer

**Seized Property Basis (Check all that apply)**

Abandoned property  Impound of vehicle

Contraband  Safekeeping as allowed by law/statute

Evidence  Suspected of violation of school policy

**Seized Property (Check all that apply)**

Alcohol  Drugs/narcotics  Suspected stolen property

Ammunition  Firearms  Vehicle

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

Drug paraphernalia  Other contraband or evidence

119

Stop Data for Inc #202011240001

Jane Jetson

**Page 1**

**Page 2**

Perceptions

Actions

Search

**Seized Property**

**Results**

Transmit Log

Completed

Save Cancel Delete Transfer

**Result of Stop (Check all that apply)**

Citation for infraction  No action

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

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

Custodial arrest pursuant to outstanding warrant  Referral to school administrator

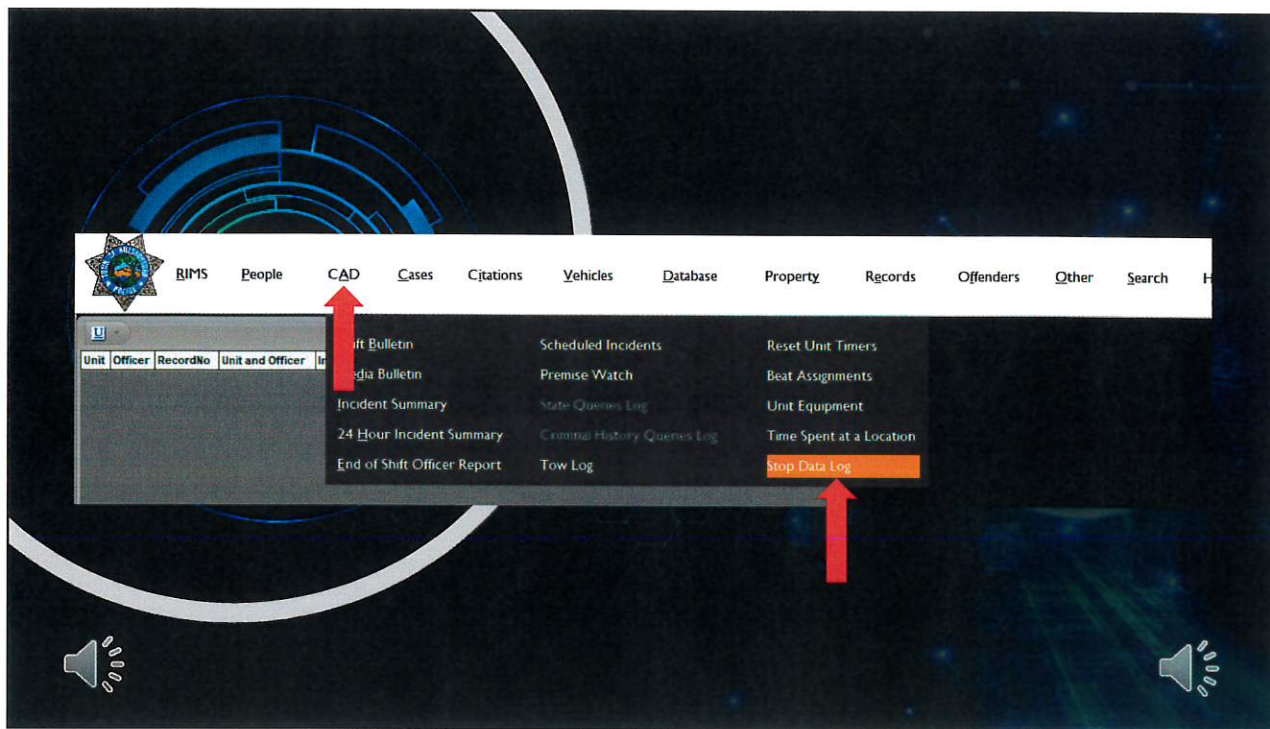
Custodial arrest without warrant  Referral to school counselor or other support staff

Field interview card completed  Warning (verbal or written)

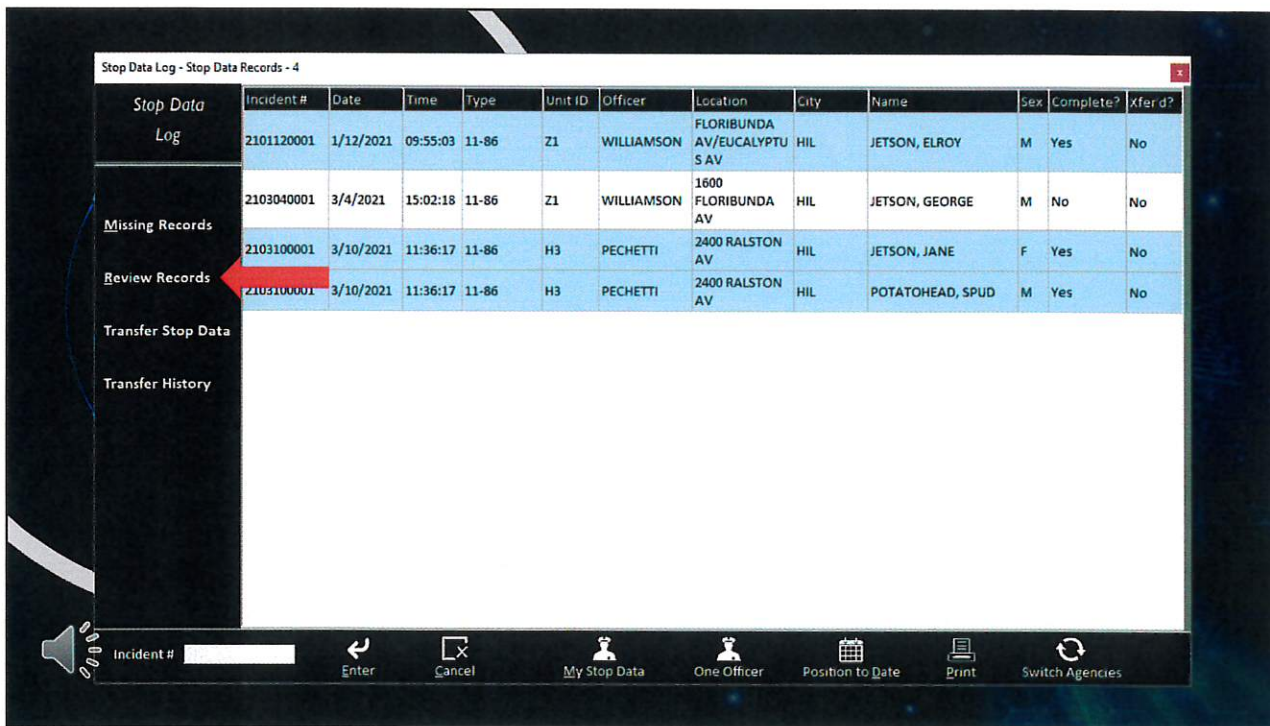
In-field cite and release

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

120



121



122


Stop Data Log - Review Record - 3

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

Missing Records  
Review Records  
Transfer Stop Data  
Transfer History

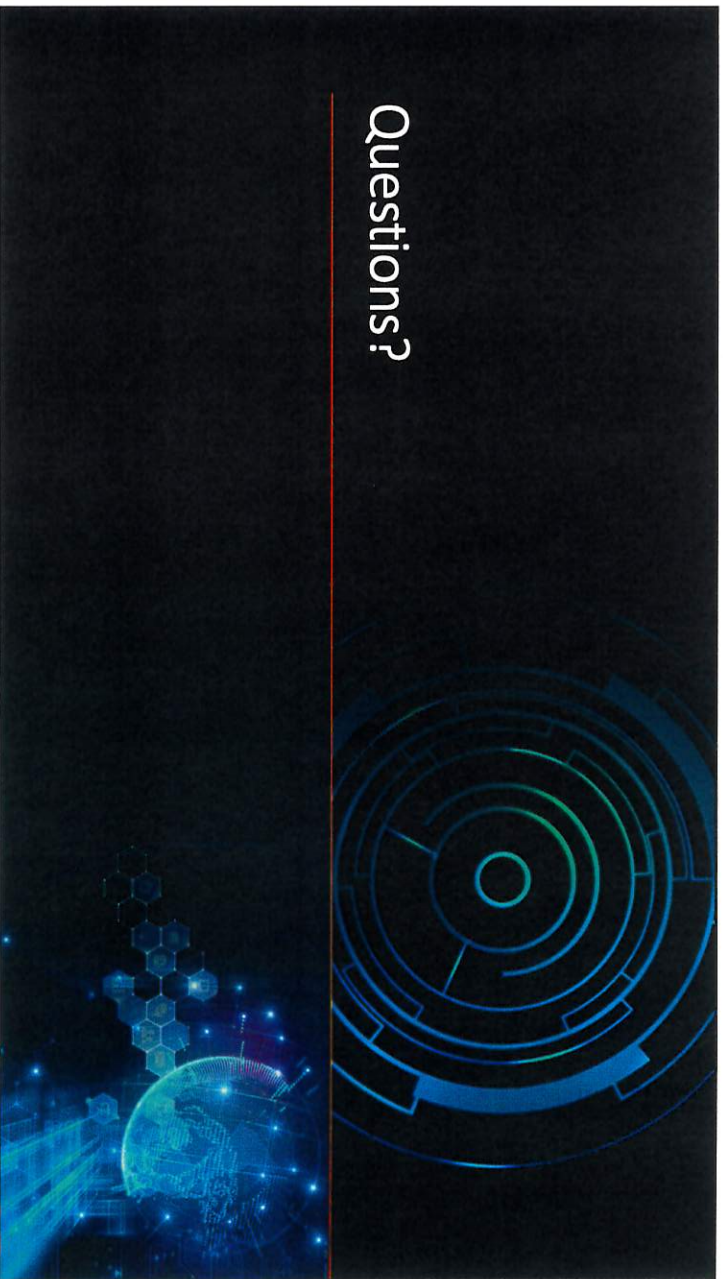
Incident #  Enter Cancel M. Stop Data One Officer Position to Date Print Switch Agencies

Select All ✓ Send Mark Reviewed → Show All ✓



123

# Questions?



124

## **Revised Policy for Racial and Identity Profiling Act (RIPA)**

### **403.1 PURPOSE AND SCOPE**

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

### **403.2 POLICY**

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

### **403.3 BACKGROUND**

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

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

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

### **403.4 GOVERNMENT CODE 12525.5.**

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **403.5 WHEN STOP DATA INFORMATION IS REQUIRED**

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

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

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

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

#### **403.6 INFORMATION REQUIRED**

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

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

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

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

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

#### **403.7 ADMINISTRATIVE REQUIREMENTS**

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

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

#### **403.8 PROCEDURE FOR STOP DATA ENTRIES**

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

### **403.9 GUIDELINES FOR STOP DATA ENTRIES**

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

### **403.9 SPECIAL CIRCUMSTANCES AND SETTINGS**

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

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

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

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

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

#### **403.10 MULTIPLE OFFICER OR OFFICERS FROM MULTIPLE AGENCIES**

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

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

#### **403.11 RIPA ENTRY REVIEW PROCESS**

##### **Sergeants**

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

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

#### **403.12 RIPA COORDINATOR**

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

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

# Revised Policy on BIAS-FREE POLICING

---

## 402.1 PURPOSE AND SCOPE

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

### 402.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

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

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

**"Disability"** includes mental disability and physical disability.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **402.2 POLICY**

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

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

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

#### **402.3 Bias-Based Policing Prohibited**

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

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

#### **402.4 Religious Freedom**

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

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

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

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

#### **402.5 Bias-by-Proxy**

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

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

#### **402.6 Member Responsibility**

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

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

#### 402.6.1 Reasons for Voluntary Contact

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

#### 402.6.2 For Stops/Arrests

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

#### 402.6.3 Reporting of Stops

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

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

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

#### 402.6.4 No Retaliation/Discipline

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

#### 402.7 Supervisor Responsibility

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

#### 402.8 Administration

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

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

#### **402.9 Training**

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

Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community in performing their duties.

- (c) All members will to attend initial implicit bias training and regularly scheduled updated training.
- (d) Each sworn member of this Department who received initial racial - or bias - based profiling training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).
- (e) Dispatchers will receive periodic training in identifying biased calls and on operating procedures for how biased calls should be dispatched.

#### **402.10 Reporting to California Department of Justice**

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



## TOWN OF COLMA

1198 El Camino Real • Colma, California • 94014-3212  
Tel 650.997.8300 • Fax 650.997.8308

September 22, 2021

Honorable Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center; 8<sup>th</sup> Floor  
Redwood City, CA 94063-1655

Re: Grand Jury Report: "Building Greater Trust Between the Community & Law Enforcement via the Racial Identity and Profiling Act"

Dear Judge Lee,

The City Council received the July 27, 2021 San Mateo Civil Grand Jury report titled, "Building Greater Trust Between the Community & Law Enforcement via the Racial Identity and Profiling Act."

The Town of Colma was requested to submit comments regarding the findings and recommendations no later than October 27, 2021.

The City Council of the Town of Colma has reviewed the recommendations in the Grand Jury Report that affect the Town and approved the responses at its public meeting on September 22, 2021.

### **Findings:**

The Town agrees with findings F1, F2, F3, F4, F6 and F8. The Town partially agrees with findings F5 as follows:

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

**Response:** The Town of Colma partially agrees with this finding. The Town of Colma is aware that the County Dispatch System will not handle its RIPA data collection, but currently the Town does not have specific information regarding the collection expectations of other municipalities who utilize San Mateo County Communications.

### **Recommendations:**

**R1.** Each LEA must have a fully developed implementation plan for complying with RIPA. The plan should include data collection and reporting, training methods, policies and procedures,

Diana Colvin, Mayor

Helen Fiscaro, Vice Mayor

Raquel P. Gonzalez, Council Member • Joanne F. del Rosario, Council Member • John Irish Goodwin, Council Member • Brian Dossey, City Manager

roll-out plans, personnel allocation, systems testing and data auditing. The plan should be reviewed and approved by October 30, 2021.

**Response:**

The recommendation has been implemented. As of July 7, 2021, the entire Colma Police Department, including police officers, supervisors, dispatchers, command, and executive staff have been trained in the implementation and collection of RIPA data. The collection of data is currently in the testing processes with the expectation that all officers are currently collecting data. The Town therefore has a fully developed implementation plan for RIPA compliance which has been reviewed and approved in advance of the October 30, 2021 deadline.

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

**Response:**

The recommendation has been implemented. The Colma Police Department currently utilizes the RIMS Management System by Sun Ridge Systems, Inc. in conjunction with the South San Francisco Police Department. Upgrades to the information management system have been implemented by Sun Ridge Systems to allow for the collection, storage, and dissemination of data. The Town therefore has all necessary software and hardware required to comply with RIPA in advance of the January 1, 2022 deadline.

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

**Response:**

The recommendation has been implemented. As stated above the Colma Police Department began collecting data and testing the system since early July, 2021.

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

**Response:**

The recommendation has been implemented. The City Council is to be informed via the City Manager who will be given updates from the Colma Chief of Police.

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

**Response:**

The recommendation requires further analysis. At this time, it is the Town's understanding that all data is going to be collected and disseminated by the California Department of Justice. Once the Town of Colma can visualize / understand the manner in which the DOJ will make RIPA data available, we will in turn make a determination on whether to forward the data and report to DOJ via the Town's website, or create our own method of reporting the data, along with its utilization.

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

**Response:**

The recommendation has not yet been implemented. The Town of Colma has every intention of utilizing the insights gained through the RIPA data to improve the operations of the police department. The Town of Colma will need to evaluate the data once obtained to proceed with any substantial change to policy or procedure. The uniqueness of the Town of Colma, having under 2000 residents but as many as 30,000 people a day coming into the town, creates a challenge as to how to set a baseline for statistical analysis. The demographics of people coming into the Town of Colma may be different than the demographics of the Town. For this reason, the Town of Colma may be looking at regional demographics as opposed to strictly Town of Colma resident demographics to make an evaluation on policy. Nevertheless, the Town is committed to implementing this recommendation and plans to comply by beginning to consider using insights gained from RIPA data to improve its police department's operation by February 1, 2022.

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

**Response:**

The recommendation has not yet been implemented. The Town of Colma agrees with the recommendation and once the data is collected, looks forward to working with a multitude of entities who can give us insight into the meaning of our data.

The Town appreciates the efforts of the Grand Jury. Please contact City Manager Brian Dossey should you require any additional information. He can be reached at (650) 997-8318 or by email: [brian.dossey@colma.ca.gov](mailto:brian.dossey@colma.ca.gov).

Sincerely,



Diana Colvin  
Mayor



**TOWN OF HILLSBOROUGH**  
*California*

October 12, 2021

Honorable Amara A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

Re: Grand Jury Report “Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act”

Honorable Judge Lee:

Thank you for the opportunity to review and comment on the above referenced Grand Jury Report issued on July 27, 2021. The Town of Hillsborough’s response to both the findings and recommendations are listed below.

**FINDINGS:**

**RIPA Data Collecting and Reporting**

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

*Response: Respondent agrees with the finding. The Hillsborough Police Department has already implemented RIPA.*

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

*Response: Respondent agrees with the finding. The Hillsborough Police Department’s Communications Manager and Records Supervisor have been heavily involved in implementing RIPA within our agency and assisting others in San Mateo County. In doing so, they learned there were varying degrees of understanding of RIPA requirements and LEAs’ levels of preparedness to implement it.*

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

*Response: Respondent agrees with the finding. The Hillsborough Police Department agrees that publicly announcing plans for early implementation of RIPA should be commended as that contributes to building community trust and transparency. Our agency went live with RIPA on July 1, 2021.*

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

*Response: Respondent agrees with the finding. The RIPA Subcommittee provides a convenient forum and additionally, information has been largely exchanged through the San Mateo County Communications Managers Association and Records Group.*

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

*Response: Respondent agrees with the finding. While the Hillsborough Police Department understood that it would be responsible for its own RIPA data early on, it was reasonable to believe that some agencies were initially under the belief that County Dispatch would handle data collection.*

### **Using RIPA Data for Transparent Community Trust Building**

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

*Response: Respondent agrees with the finding. LEAs would have varying opinions regarding the Board recommendations on building greater trust, which could be based on the relationships that each agency has with its respective communities they serve.*

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

*Response: Respondent agrees with the finding. The Hillsborough Police Department is still trying to determine the most appropriate methods and frequency for analyzing the data with entities outside of the Department and identifying practices that have a disparate impact. The Hillsborough Police Department’s Communications Manager has been regularly attending meetings of the State RIPA Board and is actively seeking a position on the Board.*

### **RECOMMENDATIONS:**

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

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

*Response: The recommendation has been implemented. The Hillsborough Police Department has the necessary software with Sun Ridge Systems (RIMS Law Enforcement Records Management System) and went live with RIPA on July 1, 2021. Our agency followed the CA DOJ’s implementation checklist. Our personnel have been trained in-house by our Communications Manager and Records Supervisor. The Hillsborough Police Department is waiting for Lexipol to publish a policy for our agency’s use.*

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

*Response: The recommendation has been implemented. The Hillsborough Police Department has the necessary software with Sun Ridge Systems (RIMS Law Enforcement Records Management System) in place. Our agency went live with RIPA on July 1, 2021 and followed the CA DOJ's implementation checklist.*

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

*Response: The recommendation has been implemented. The Hillsborough Police Department has been live with RIPA since July 1, 2021. Our data collection has been checked, evaluated, and submitted to DOJ weekly since implementation. Our Communications Manager also performs daily checks of the data collection throughout the month before it is prepared for submission.*

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

*Response: The recommendation will not be implemented by the Hillsborough Police Department because it is not warranted since RIPA is already implemented with this agency.*

#### **Using RIPA Data for Transparent Community Trust Building – don't wait for the annual report**

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

*Response: The recommendation has not been implemented but will be in the future. Changes are still being made by Sun Ridge to programming user implementation. Since going live, agencies have identified certain areas where data collection needs more clarity or detail in order to provide the most accurate results. The Hillsborough Police Department plans to allow time for this issue to be addressed before providing quarterly reports on the Town's website and is planning to begin this starting the second quarter of 2022.*

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

*Response: The recommendation will be implemented by February 1, 2022. The Hillsborough Police Department plans to review and evaluate data, which we will use to identify potential issues and take corrective action if warranted. The data may also be utilized to demonstrate a lack of implicit bias in our agency's policing in pursuit of gaining greater community trust. This agency will continue monitoring the Board's list of policing best practices and evaluate how to implement their recommendations.*

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

*Response: The recommendation has not been implemented but will be in the future or by February 1, 2022. In January 2022, the Hillsborough Police Department plans to compile and evaluate data collected during the last quarter of 2021. This agency will share with our governing body and consider if there is a need to consult with "academics, police commissions, civilian review bodies, or advisory boards". This will be an on-going practice that can be implemented to monitor the need for greater community outreach to build trust and provide bias-free policing.*

October 12, 2021

Page 4

This response to the Grand Jury was approved by the Town of Hillsborough City Council at a public meeting on October 11, 2021.

Respectfully,

A handwritten signature in black ink, appearing to read "Al Royse". The signature is fluid and cursive, with the first name "Al" and last name "Royse" clearly distinguishable.

Al Royse  
Mayor, Town of Hillsborough



# TOWN of PORTOLA VALLEY

Town Hall: 765 Portola Road, Portola Valley, CA 94028 - Tel: (650) 851-1700 Fax: (650) 851-4677

October 13, 2021

Hon. Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center, 8<sup>th</sup> Floor  
Redwood City, CA 94063

Honorable Judge Lee,

Thank you for the opportunity to respond to the Grand Jury report entitled “Building Greater Trust between the Community & Law Enforcement via the Racial and Identify Profiling Act”.

Below are the Town’s responses to the report’s findings and recommendations. Please note that the Town contracts with the San Mateo County Sheriff’s Office for law enforcement services. The Town has discussed this report and its recommendations with the Sheriff’s Office and hereby incorporates the Sheriff’s responses to the Town’s responses below.

## Findings

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

### **Recommendations**

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

R4.Each LEA should provide regular updates to their governing entities, on their progress toward preparing for the required RIPA data collection starting on October 15, 2021. Using RIPA Data for Transparent Community Trust Building – don't wait for the annual report

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

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

*Response: The Town agrees with this finding.*

R7.By February 1, 2022, each LEA should consider community engagement and transparency, including the possible use of "academics, police commissions, civilian 2020-21 San Mateo County Civil Grand Jury Page 25 review bodies, or advisory boards" as a mechanism to build community trust and provide bias-free policing.

*Response: The Town agrees with this finding.*

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

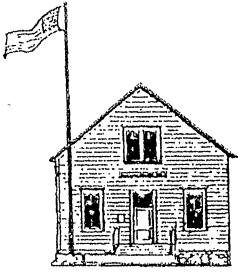
*Response: This recommendation has not been implemented, but the Town will begin requesting RIPA stop data in the second quarter of 2022.*

Thank you for the opportunity to respond to this Grand Jury report.



Maryann Moise Derwin  
Mayor, Town of Portola Valley

cc: Members of the Town Council  
San Mateo County Sheriff's Office



The Town of  
Woodside

October 26, 2021

Hon. Amarra A. Lee  
Judge of the Superior Court  
c/o Jenarda Dubois  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

Dear Judge Lee:

The Woodside Town Council has had an opportunity to review the 2021 Grand Jury report entitled "*Building Greater Trust between the Community & Law Enforcement via the Racial and Identity Profiling Act.*" The Council after reviewing the report and allowing for public comment at its Town Council meeting on October 12, 2021 offers the following responses:

P.O. Box 620005  
2955 Woodside Road  
Woodside CA 94062

### **Responses to Findings**

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

**Response:** The Town agrees with the finding.

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

**Response:** The Town agrees with the finding.

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

**Response:** The Town agrees with the finding.

650-851-6790  
Fax: 650-851-2195  
townhall@woodsidetown.org

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

**Response:** The Town agrees with the finding.

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

**Response:** The Town agrees with the finding.

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

**Response:** The Town agrees with the finding.

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

**Response:** The Town agrees with the finding.

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

**Response:** The Town agrees with the finding.

### **Response to Recommendations**

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

**Response:** The Sheriff's Office will implement this recommendation.

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

**Response:** The Sheriff's Office will implement this recommendation.

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

**Response:** The Sheriff's Office will implement this recommendation.

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

**Response:** The Sheriff's Office has implemented this recommendation and provided an update dated October 1, 2021.

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

**Response:** The Sheriff's Office will post the RIPA data quarterly. The posting of the data will begin after the close of the second quarter of 2022. However, this recommendation will not be fully implemented. It is not operationally feasible to evaluate the RIPA stop data and issue a report each quarter on how the data is being used to address potential identity biases. Because the Sheriff's Office provides law enforcement services to several areas throughout the County, the County will require more than three months of data to gain meaningful insights because the Sheriff's Office believes that at least three months is needed to allow enough datapoints to be collected across all of their jurisdictions to provide a more accurate reflection of contacts and detentions. The Sheriff's Office will evaluate the data on an ongoing basis to determine what insights can be gained and assess operational or procedural changes that are needed to address identity biases. Annual reports will be produced and posted on the Sheriff's Office website that will address how the data is being used. These reports will be posted each April, beginning in 2023.

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

**Response:** This recommendation will require further analysis. By February 1, 2022, the Sheriff's Office will have only one month of RIPA data to evaluate. The evaluation of the RIPA data and any insights gained will be an ongoing process. RIPA data will be reviewed beginning with the second quarter of 2022 to determine how to use any insights gained. However, the Sheriff's Office is currently pursuing ways to combat implicit bias and enhance community trust. Implicit Bias Training is currently in progress for all personnel in the agency. The RIPA Board's list of police practices will be evaluated and compared to our existing policies and training by February 1, 2022.

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

**Response:** The Sheriff's Office is currently considering ways of enhancing community engagement and transparency using academics as recommended by the Grand Jury.

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

**Response:** The Town will implement this recommendation and begin requesting RIPA stop data in the second quarter of 2022.

Respectfully submitted,



Brian Dombkowski  
Mayor, Town of Woodside

Cc: [grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org)