

File No. 150690

Committee Item No. \_\_\_\_\_

Board Item No. 26

### COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: July 7, 2015

#### Cmte Board

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#### OTHER (Use back side if additional space is needed)

- California Assembly Bill No. 953 - February 26, 2015
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: John Carroll

Date: July 2, 2015

Completed by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Supporting California State Assembly Bill 953 (Weber) - Racial and Identity Profiling Act]

2  
3 **Resolution supporting California State Assembly Bill 953, the Racial and Identity**  
4 **Profiling Act of 2015, authored by Assembly Member Shirley Weber, which promotes**  
5 **equal justice and fairness to address the problem of racial and identity profiling, and**  
6 **enhances public safety.**

7  
8 WHEREAS, 55% of Californians and 85% of African-Americans in California believe  
9 that blacks and other minorities do not receive equal treatment in the criminal justice system;  
10 and

11 WHEREAS, Figures from the San Francisco Police Department show that black drivers  
12 make up 17% of all traffic stops, despite comprising 6% of the City's population; and

13 WHEREAS, Profiling by law enforcement is ineffective because stopping or searching  
14 people based on race or other identity characteristics, rather than evidence of criminal activity,  
15 misdirects limited resources away from evidenced-based policing; and

16 WHEREAS, The State Legislative Analyst's Office has found that California's current  
17 law prohibiting profiling by law enforcement is over vague, fails to account for identity  
18 characteristics beyond race, and that law enforcement agencies have resisted following it due  
19 to its vagueness; and

20 WHEREAS, The President Obama's Task Force on 21st Century Policing and U.S.  
21 Department of Justice recommend that profiling be prohibited not only based on race, but also  
22 gender, national origin, religion, and sexual orientation; and

23 WHEREAS, Assembly Bill 953, the Racial and Identity Profiling Act of 2015, authored  
24 by Assembly Member Shirley Weber, would modernize California's definition of profiling to  
25 account for identity characteristics beyond race, create a system for collecting and reporting

1 basic information on police-community interactions, enhance training on fair and impartial  
2 policing, and establish an advisory board that develops solutions to curb profiling; now,  
3 therefore, be it

4           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
5 hereby urges the California State Legislature to pass Assembly Bill 953, the Racial and  
6 Identity Profiling Act of 2015; and, be it

7           FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
8 Francisco directs the Clerk of the Board to communicate this resolution to California State  
9 legislators, urging them to support California Assembly Bill 953.

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AMENDED IN ASSEMBLY JUNE 1, 2015  
AMENDED IN ASSEMBLY APRIL 16, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 953**

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**Introduced by Assembly Member Weber**

February 26, 2015

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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.

LEGISLATIVE COUNSEL'S DIGEST

AB 953, as amended, Weber. Law enforcement: racial profiling.

Existing law creates the Commission on Peace Officer Standards and Training and requires it to develop and disseminate guidelines and training for all law enforcement officers, as described. Existing law prohibits a law enforcement officer from engaging in racial profiling and requires the training prescribe patterns, practices, and protocols that prevent racial profiling, as defined. Existing law requires the Legislative Analyst's Office to conduct a study of the data that is voluntarily collected by jurisdictions that have instituted a program of data collection with regard to racial profiling.

This bill, which would be known as the *Racial and Identity Profiling Act of 2015*, would, among other changes, revise the definition of racial profiling to instead refer to racial or identity profiling, would make a conforming change to the prohibition against law enforcement officers engaging in that practice, and would make the prohibition specifically applicable to probation and parole officers. The bill would

also require a law enforcement officer who is the subject of a complaint of racial or identity profiling that is sustained to participate in training to correct racial and identity profiling at least every 6 months for 2 years, starting from the date a complaint is found to have been sustained.

The bill would require, beginning July 1, 2016, the Attorney General to establish the Racial and Identity Profiling Advisory Board (RIPA) to eliminate racial and identity profiling and improve diversity and racial and identity sensitivity in law enforcement. The bill would specify the composition of the board. The bill would require the board, among other duties, to investigate and analyze state and local law enforcement agencies' racial and identity profiling policies and practices, to annually make publicly available its findings and recommendations, to hold public meetings annually, as specified, and to issue the board's first annual report no later than January 1, 2018.

~~The bill would require, on and after July 1, 2017, require each state and local agency that employs peace officers to annually report to the Attorney General, on at least a quarterly basis, General on or before March 1, 2018, and each March 1 thereafter, data on all traffic, public transportation, and pedestrian stops stops, as defined, conducted by the agency's peace officers, and require that data to include specified information, including the time, date, and location of the stop, search, or seizure, stop, and the characteristics of each peace officer involved. reason for the stop. The bill would require the agencies to retain that data for a minimum of 5 years. The bill would require the Attorney General, no later than January 1, 2017, to issue regulations for the collection and reporting of data. The bill would also require the Attorney General to analyze the data collected, report its findings from the first analysis by July 1, 2018, January 1, 2019, issue reports each year July 1, January 1, thereafter, and make the reports available to the public by posting them on the Department of Justice's Internet Web site.~~

By imposing a higher level of service on local entities that employ peace officers, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. This act shall be known and may be cited as the~~  
2     ~~Racial and Identity Profiling Act of 2015.~~

3     ~~SECTION 1.~~

4     ~~SEC. 2. Section 12525.5 is added to the Government Code, to~~  
5     ~~read:~~

6     ~~12525.5. (a) On and after July 1, 2017, each Each state and~~  
7     ~~local agency that employs peace officers shall annually report to~~  
8     ~~the Attorney General, on at least a quarterly basis, General data~~  
9     ~~on all traffic, public transportation, and pedestrian stops "stops,"~~  
10    ~~as defined in subdivision (j), conducted by that agency's peace~~  
11    ~~officers. officers for the preceding calendar year. Each agency's~~  
12    ~~annual report shall be submitted to the Attorney General no later~~  
13    ~~than March 1 of the following calendar year. The first round of~~  
14    ~~the annual reports shall be issued on or before March 1, 2018.~~

15    ~~(b) The data collection and reporting shall include, at a~~  
16    ~~minimum, the following information for each stop, search, or~~  
17    ~~seizure: stop:~~

18    ~~(1) The time, date, and location of the stop, search, or seizure.~~  
19    ~~stop.~~

20    ~~(2) The characteristics of each peace officer involved in the~~  
21    ~~stop, including, but not limited to, his or her badge or identification~~  
22    ~~number, race or ethnicity, gender, age, assignment, division or~~  
23    ~~station, and shift, and whether he or she was in uniform.~~

24    ~~(3)~~

25    ~~(2) The basis reason for the stop, including, but not limited to,~~  
26    ~~the offense suspected, and whether the action was initiated in~~  
27    ~~response to a call for service, and, if the action was initiated in~~  
28    ~~response to a call for services, the incident identifier. stop.~~

29    ~~(4)~~

30    ~~(3) The result of the stop, such as stop, such as, no action,~~  
31    ~~warning, citation, property seizure, or arrest.~~

32    ~~(5)~~

33    ~~(4) If a warning or citation was issued, the warning provided or~~  
34    ~~violation cited. warning provided or violation cited.~~

35    ~~(6)~~

- 1 (5) If an arrest was made, the offense charged.  
 2 ~~(7)~~
- 3 (6) ~~A description of all persons detained during the stop. The~~  
 4 ~~description—The perceived race or ethnicity, gender, and~~  
 5 ~~approximate age of the person stopped, provided that the~~  
 6 ~~identification of these characteristics shall be based on the~~  
 7 ~~observation and perception of the peace officer making the stop,~~  
 8 ~~and the information shall not be requested from the person stopped,~~  
 9 ~~unless otherwise required by law. The description shall include,~~  
 10 ~~but not be limited to: stopped. For motor vehicle stops, this~~  
 11 ~~paragraph only applies to the driver, unless any actions specified~~  
 12 ~~under paragraph (7) apply in relation to a passenger, in which~~  
 13 ~~case the characteristics specified in this paragraph shall also be~~  
 14 ~~reported for him or her.~~
- 15 ~~(A) The number of persons stopped.~~  
 16 ~~(B) The race or ethnicity, gender, and age of all persons stopped.~~  
 17 ~~(C) The sexual orientation and religious affiliation, if any was~~  
 18 ~~perceived.~~
- 19 ~~(D) Whether the person stopped had limited English proficiency.~~  
 20 ~~(E) Any mental or physical disability of a person stopped.~~  
 21 ~~(F) Whether the peace officer previously stopped the person.~~  
 22 ~~(G) For traffic stops, whether the person was a driver or~~  
 23 ~~passenger.~~
- 24 (8)  
 25 (7) Actions taken by the peace officer during the ~~stop, stop,~~  
 26 including, but not limited to, the following:
- 27 (A) Whether the peace officer asked for consent to ~~frisk or~~  
 28 ~~search any the person, and and,~~ if so, whether consent was  
 29 provided.
- 30 (B) Whether the peace officer searched ~~any the person or any~~  
 31 ~~property, and if so, which persons were searched and what property~~  
 32 ~~was searched, so the basis for the search, and the type of contraband~~  
 33 ~~or evidence discovered, if any.~~
- 34 (C) Whether the peace officer seized any property and, if so,  
 35 the type of property that was seized, ~~the person from whom the~~  
 36 ~~property was seized, seized~~ and the basis for seizing the property.
- 37 (9) ~~Whether the peace officer used force during the encounter,~~  
 38 ~~and if so, the type of force used and reason for using the force.~~
- 39 (A) ~~A description of any person upon whom force was used.~~

1 (B) The description required pursuant to subparagraph (A) shall  
2 be based on the observation and perception of the peace officer  
3 who used force, and the information shall not have been obtained  
4 by requesting it from the person upon whom force was used, unless  
5 otherwise required by law. The description shall include, but not  
6 be limited to, the following:

7 (i) The race or ethnicity, gender, and age of the person.

8 (ii) The sexual orientation and religious affiliation of the person,  
9 if any was perceived.

10 (iii) Whether the person had limited English proficiency.

11 (iv) Any perceived mental or physical disability or preexisting  
12 injury or medical condition of the person.

13 (v) Whether the person was homeless.

14 (10) Whether any other governmental or nongovernmental  
15 agency or service provider was called to respond to the scene, and  
16 if so, what agency or service provider, and the reason the agency  
17 or service provider was called to respond.

18 (11) Whether any person sustained any injuries during the  
19 encounter, and if so, which person, and the nature of the injuries  
20 and medical treatment provided, if any.

21 (c) *If more than one peace officer performs a stop, only one*  
22 *officer is required to collect and report to his or her agency the*  
23 *information specified under subdivision (b).*

24 (e)

25 (d) State and local law enforcement agencies shall not report  
26 the name, address, social security number, or other unique personal  
27 identifying information of persons stopped, searched, or subjected  
28 to a property seizure, for purposes of this section. Notwithstanding  
29 any other law, the data reported shall be available to the public,  
30 except for the badge number or other unique identifying  
31 information of the peace officer involved, which shall be released  
32 to the public only to the extent the release is permissible under  
33 state law.

34 (d)

35 (e) Not later than January 1, 2017, the Attorney General, in  
36 consultation with stakeholders, ~~including~~ *including the Racial and*  
37 *Identity Profiling Advisory Board (RIPA) established pursuant to*  
38 *paragraph (1) of subdivision (j) of Section 13519.4 of the Penal*  
39 *Code, federal, state, and local law enforcement agencies and*  
40 *community, professional, academic, research, and civil and human*



1 rights organizations, shall issue regulations for the collection and  
2 reporting of data required under subdivision (b). The regulations  
3 shall specify all data to be reported, and provide standards,  
4 definitions, and technical specifications to ensure uniform reporting  
5 practices across all reporting agencies. To the best extent possible,  
6 such regulations should be compatible with any similar federal  
7 data collection or reporting program.

8 ~~(e)~~

9 *(f)* Each year, on an annual basis, each state and local law  
10 enforcement agency shall make publicly available a report that  
11 lists the agency's total results for each data collection criteria  
12 required under subdivision (b). The reports shall include the data  
13 collected during the preceding calendar year. The first round of  
14 the annual reports shall be issued by each agency on or before July  
15 1, 2018. The Attorney General, in consultation with RIPA, shall  
16 determine the form in which agencies make the information  
17 publicly available. Each state and local law enforcement agency  
18 shall post the reports on the Internet Web site for that agency, ~~or~~  
19 *or*, if an agency does not have an Internet Web site, the Department  
20 of Justice shall post the agency's reports on its Internet Web site.

21 ~~(f)~~

22 *(g)* Data reported pursuant to this section shall be retained by  
23 the reporting agency for a minimum of five years.

24 ~~(g)~~

25 *(h)* Each year, on an annual basis, the Attorney General shall  
26 analyze the data collected. The Attorney General shall report its  
27 findings from the first analysis by ~~July 1, 2018, January 1, 2019,~~  
28 and shall issue reports on the first day of each ~~July~~ *January*  
29 thereafter. The reports shall be available to the public by posting  
30 those reports on the Department of Justice's Internet Web site.

31 ~~(h)~~

32 *(i)* All data and reports made pursuant to this section are public  
33 records within the meaning of subdivision ~~(d)~~ *(e)* of Section 6252,  
34 and are open to public inspection pursuant to Sections ~~6253, 6256,~~  
35 ~~6257, 6253~~ and 6258.

36 *(j) (1)* For purposes of this section, "peace officer," as defined  
37 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part  
38 2 of the Penal Code, is limited to members of the California  
39 Highway Patrol, a city or county law enforcement agency, except

1 probation officers and officers in a custodial setting, and California  
2 state or university educational institutions.

3 (2) For purposes of this section, "stop" means any detention  
4 by a peace officer of a person, or any peace officer interaction  
5 with a person in which the peace officer conducts a search,  
6 including a consensual search, of the person's body or property  
7 in the person's possession or control.

8 ~~SEC. 2.~~

9 SEC. 3. Section 13012 of the Penal Code is amended to read:

10 13012. (a) The annual report of the department provided for  
11 in Section 13010 shall contain statistics showing all of the  
12 following:

13 (1) The amount and the types of offenses known to the public  
14 authorities.

15 (2) The personal and social characteristics of criminals and  
16 delinquents.

17 (3) The administrative actions taken by law enforcement,  
18 judicial, penal, and correctional agencies or institutions, including  
19 those in the juvenile justice system, in dealing with criminals or  
20 delinquents.

21 (4) The administrative actions taken by law enforcement,  
22 prosecutorial, judicial, penal, and correctional agencies, including  
23 those in the juvenile justice system, in dealing with minors who  
24 are the subject of a petition or hearing in the juvenile court to  
25 transfer their case to the jurisdiction of an adult criminal court or  
26 whose cases are directly filed or otherwise initiated in an adult  
27 criminal court.

28 (5) (A) The total number of each of the following:

29 (i) ~~Citizens~~ *Citizen* complaints received by law enforcement  
30 agencies under Section 832.5.

31 (ii) ~~Citizens~~ *Citizen* complaints alleging criminal conduct of  
32 either a felony or misdemeanor.

33 (iii) ~~Citizens~~ *Citizen* complaints alleging racial or identity  
34 profiling, as defined in subdivision (e) of Section 13519.4. These  
35 statistics shall be disaggregated by the specific type of racial or  
36 identity profiling alleged, such as *based on a consideration of* race,  
37 color, ethnicity, national origin, religion, gender identity or  
38 expression, sexual orientation, or mental or physical disability.

39 (B) The statistics reported under this paragraph shall provide,  
40 for each category ~~of category~~ of complaint identified under

1 subparagraph (A), the number of complaints within each of the  
2 following disposition categories:

3 (i) "Sustained," which means that the investigation disclosed  
4 sufficient evidence to prove the truth of allegation in the complaint  
5 by preponderance of evidence.

6 (ii) "Exonerated," which means that the investigation clearly  
7 established that the ~~action~~ actions of the personnel that formed the  
8 basis of the complaint are not a violation of law or agency policy.

9 (iii) "Not sustained," which means that the investigation failed  
10 to disclose sufficient evidence to clearly prove or disprove the  
11 allegation in the complaint.

12 (iv) "Unfounded," which means that the investigation clearly  
13 established that the allegation is not true.

14 (C) The reports under subparagraphs (A) and (B) shall be made  
15 available to the public and disaggregated for each individual law  
16 enforcement agency.

17 (b) It shall be the duty of the department to give adequate  
18 interpretation of the statistics and so to present the information  
19 that it may be of value in guiding the policies of the Legislature  
20 and of those in charge of the apprehension, prosecution, and  
21 treatment of the criminals and delinquents, or concerned with the  
22 prevention of crime and delinquency. The report shall also include  
23 statistics which are comparable with national uniform criminal  
24 statistics published by federal bureaus or departments heretofore  
25 mentioned.

26 (c) Each year, on an annual basis, the Racial *and* Identity  
27 Profiling Board (RIPA), established pursuant to paragraph (1) of  
28 subdivision (j) of Section 13519.4, shall analyze the statistics  
29 reported pursuant to subparagraphs (A) and (B) of paragraph (5)  
30 of subdivision (a) of ~~Section 13012. this section.~~ RIPA's analysis  
31 of the complaints shall be incorporated into its annual report as  
32 required by paragraph (3) of subdivision (j) of Section 13519.4.  
33 The reports shall not disclose the identity of peace officers.

34 ~~(d) Not later than July 1, 2017, the Attorney General, in  
35 consultation with stakeholders, including RIPA, federal, state, and  
36 local law enforcement agencies and community, professional,  
37 university academic, research, and civil and human rights  
38 organizations, shall issue regulations for the reporting of  
39 information pursuant to this section.~~

1 SEC. 3.

2 SEC. 4. Section 13519.4 of the Penal Code is amended to read:

3 13519.4. (a) The commission shall develop and disseminate  
4 guidelines and training for all peace officers in California as  
5 described in subdivision (a) of Section 13510 and who adhere to  
6 the standards approved by the commission, on the racial and  
7 cultural differences among the residents of this state. The course  
8 or courses of instruction and the guidelines shall stress  
9 understanding and respect for racial, identity, and cultural  
10 differences, and development of effective, noncombative methods  
11 of carrying out law enforcement duties in a diverse racial, identity,  
12 and cultural environment.

13 (b) The course of basic training for peace officers shall include  
14 adequate instruction on racial, identity, and cultural diversity in  
15 order to foster mutual respect and cooperation between law  
16 enforcement and members of all racial, identity, and cultural  
17 groups. In developing the training, the commission shall consult  
18 with appropriate groups and individuals having an interest and  
19 expertise in the field of racial, identity, and cultural awareness and  
20 diversity.

21 (c) For the purposes of this section the following shall apply:

22 (1) "Disability," "gender," "nationality," "religion," and "sexual  
23 orientation" have the same meaning as in Section 422.55.

24 (2) "Culturally diverse" and "cultural diversity" include, but  
25 are not limited to, disability, gender, nationality, religion, and  
26 sexual orientation issues.

27 (3) "Racial" has the same meaning as "race or ethnicity" in  
28 Section 422.55.

29 (4) "*Stop*" has the same meaning as in paragraph (2) of  
30 subdivision (j) of Section 12525.5 of the Government Code.

31 (d) The Legislature finds and declares as follows:

32 (1) The working men and women in California law enforcement  
33 risk their lives every day. The people of California greatly  
34 appreciate the hard work and dedication of peace officers in  
35 protecting public safety. The good name of these officers should  
36 not be tarnished by the actions of those few who commit  
37 discriminatory practices.

38 (2) Racial or identity profiling is a practice that presents a great  
39 danger to the fundamental principles of our Constitution and a  
40 democratic society. It is abhorrent and cannot be tolerated.

1 (3) Racial or identity profiling alienates people from law  
2 enforcement, hinders community policing efforts, and causes law  
3 enforcement to lose credibility and trust among the people whom  
4 law enforcement is sworn to protect and serve.

5 (4) Pedestrians, users of public transportation, and vehicular  
6 occupants who have been stopped, searched, interrogated, and  
7 subjected to a property seizure by a peace officer for no reason  
8 other than the color of their skin, national origin, religion, gender  
9 identity or expression, housing status, sexual orientation, or mental  
10 or physical disability are the victims of discriminatory practices.

11 (5) It is the intent of the Legislature in enacting the changes *to*  
12 this section made by the act that added this paragraph that ~~more~~  
13 ~~than~~ additional training is required to address the pernicious  
14 practice of racial or identity profiling and that enactment of this  
15 section is in no way dispositive of the issue of how the state should  
16 deal with racial or identity profiling.

17 (e) "Racial or identity profiling," for purposes of this section,  
18 is the consideration of, or reliance on, to any degree, actual or  
19 perceived race, color, ethnicity, national origin, age, religion,  
20 gender identity or expression, sexual orientation, or mental or  
21 physical disability in deciding which persons to subject to officer  
22 activities following an initial contact: *a stop or in deciding upon*  
23 *the scope or substance of law enforcement activities following a*  
24 *stop*. The activities include, but are not limited to, traffic or  
25 pedestrian stops, or actions during a stop, such as asking questions,  
26 frisks, consensual and nonconsensual searches of a person or any  
27 property, seizing any property, removing vehicle occupants during  
28 a traffic stop, issuing a citation, and making an arrest.

29 (f) A peace officer shall not engage in racial or identity profiling.

30 (g) Every peace officer in this state shall participate in expanded  
31 training as prescribed and certified by the Commission on Peace  
32 Officers Standards and Training.

33 (h) The curriculum shall ~~utilize the Tools for Tolerance for Law~~  
34 ~~Enforcement Professionals framework~~ *be evidence-based* and shall  
35 include and examine evidence-based patterns, practices, and  
36 protocols that make up racial or identity profiling, including  
37 implicit bias. This training shall prescribe evidenced-based patterns,  
38 practices, and protocols that prevent racial or identity profiling. In  
39 developing the training, the commission shall consult with the  
40 Racial and Identity Profiling Advisory Board established pursuant

1 to subdivision (j). The course of instruction shall include, but not  
2 be limited to, significant consideration of each of the following  
3 subjects:

4 (1) Identification of key indices and perspectives that make up  
5 racial, identity, and cultural differences among residents in a local  
6 community.

7 (2) Negative impact of intentional and implicit biases,  
8 prejudices, and stereotyping on effective law enforcement,  
9 including examination of how historical perceptions of  
10 discriminatory enforcement practices have harmed  
11 police-community relations and contributed to injury, death,  
12 disparities in arrest, detention and incarceration rights, and  
13 wrongful convictions.

14 (3) The history and role of the civil and human rights movement  
15 and struggles and their impact on law enforcement.

16 (4) Specific obligations of peace officers in preventing,  
17 reporting, and responding to discriminatory or biased practices by  
18 fellow peace officers.

19 (5) Perspectives of diverse, local constituency groups and  
20 experts on particular racial, identity, and cultural and  
21 police-community relations issues in a local area.

22 (6) The prohibition against racial or identity profiling in  
23 subdivision (f).

24 (i) Once the initial basic training is completed, each peace officer  
25 in California as described in subdivision (a) of Section 13510 who  
26 adheres to the standards approved by the commission shall be  
27 required to complete a refresher course every five years thereafter,  
28 or on a more frequent basis if deemed necessary, in order to keep  
29 current with changing racial, identity, and cultural trends. In  
30 addition to any remedies provided in law or equity, any peace  
31 officer who is the subject of a complaint of racial or identity  
32 profiling that is sustained shall participate in training to correct  
33 racial or identity profiling at least every six months for two years,  
34 starting from the date a complaint is found to have been sustained.

35 (j) (1) Beginning July 1, 2016, the Attorney General shall  
36 establish the Racial and Identity Profiling Advisory Board (RIPA)  
37 for the purpose of eliminating racial and identity profiling, and  
38 improving diversity and racial and identity sensitivity in law  
39 enforcement.

40 (2) RIPA shall include the following members:

- 1 (A) The Attorney General, or his or her designee.  
 2 (B) The President of the California Public Defenders  
 3 Association, or his or her designee.  
 4 (C) The President of the California Police Chiefs Association,  
 5 or his or her designee.  
 6 (D) The President of California State Sheriffs' Association, or  
 7 his or her designee.  
 8 (E) The President of the Peace Officers Research Association  
 9 of California, or his or her designee.  
 10 ~~(F) The President of the Chief Probation Officers of California;~~  
 11 *President of the California Association of Highway Patrolmen*, or  
 12 his or her designee.  
 13 (G) The Chair of the California Legislative Black Caucus, or  
 14 his or her designee.  
 15 (H) The Chair of the California Latino Legislative Caucus, or  
 16 his or her designee.  
 17 (I) The Chair of the California Asian and Pacific Islander  
 18 Legislative Caucus, or his or her designee.  
 19 (J) The Chair of the California Legislative Lesbian, Gay,  
 20 Bisexual, and Transgender Caucus, or his or her designee.  
 21 (K) A university professor who specializes in policing, and  
 22 racial and identity equity.  
 23 (L) Two representatives of human or civil rights tax-exempt  
 24 organizations who specialize in civil or human rights.  
 25 (M) Two representatives of community organizations who  
 26 specialize in civil or human rights and criminal justice, and work  
 27 with victims of racial and identity profiling.  
 28 (N) Two *religious* clergy members who specialize in addressing  
 29 and reducing *racial and identity* bias toward individuals and ~~groups~~  
 30 ~~based on religious beliefs or practices.~~ *groups.*  
 31 (O) Up to two other members that the Attorney General may  
 32 prescribe.  
 33 (3) Each year, on an annual basis, RIPA shall do the following:  
 34 (A) Analyze the data reported pursuant to Section 12525.5 of  
 35 the Government Code and Section ~~13012.~~ *13012 of the Penal*  
 36 *Code.*  
 37 (B) Analyze law enforcement training under Section ~~13519.4.~~  
 38 *13519.4 of the Penal Code.*

1 (C) ~~Investigate and analyze~~ *Work in partnership with state and*  
2 ~~local law enforcement agencies'~~ *agencies to review and analyze*  
3 racial and identity profiling policies and practices.

4 (D) Issue a report that provides RIPA's analysis under  
5 subparagraphs (A) to (C), inclusive, ~~including~~ detailed findings  
6 on the past and current status of racial and identity profiling, and  
7 makes recommendations for eliminating racial and identity  
8 profiling. RIPA shall post the ~~report's~~ *report* on its Internet Web  
9 site. The first annual report shall be issued no later than January  
10 1, 2018. The reports are public records within the meaning of  
11 subdivision (d) of Section 6252 of the Government Code and are  
12 open to public inspection pursuant to Sections 6253, 6256, 6257,  
13 and 6258 of the Government Code.

14 (E) Hold at least three public meetings annually to discuss racial  
15 and identity profiling, and potential reforms to correct racial and  
16 identity profiling. Each year, one meeting shall be held in northern  
17 California, one in central California, and one in southern California.  
18 RIPA shall provide the public with notice at least 60 days prior to  
19 each meeting.

20 ~~SEC. 4.~~

21 *SEC. 5.* If the Commission on State Mandates determines that  
22 this act contains costs mandated by the state, reimbursement to  
23 local agencies and school districts for those costs shall be made  
24 pursuant to Part 7 (commencing with Section 17500) of Division  
25 4 of Title 2 of the Government Code.



Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee:
- An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee:
- 4. Request for letter beginning "Supervisor  inquires"
- 5. City Attorney request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.**

**Sponsor(s):**

Mar, Kim, Campos, Avalos, Cohen

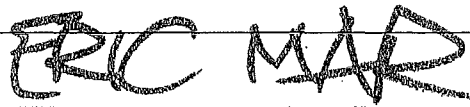
**Subject:**

Supporting California State Assembly Bill 953 (Weber) – Racial Identity & Profiling Act

**The text is listed below or attached:**

Please see attached.

Signature of Sponsoring Supervisor: \_\_\_\_\_



or Clerk's Use Only:

150690

