

\*\*\*\*UPDATE APRIL 2021\*\*\*\*

## Racial and Identity Profiling Act (RIPA)

### APRIL 2021 UPDATE:

Under the statute and according to agency size, Fairfax Police Department is required to begin collecting data related to perceived demographic and other detailed data on all stops by January 1, 2022. We are further required to submit the data (Annually) to the Department of Justice (DOJ) by April 1, 2023.

The Fairfax Police Department has been working on implementing RIPA prior to our mandates. This has been on-going for a year. It has required first getting Department of Justice approval to begin early and also working with our Records Management System vendor to update our software to collect the required data.

As of March 2021, our computer system is ready. As of April 2021, we received approval from the Department of Justice to begin collecting data in "TEST" mode as early as June 1, 2021.

Our records supervisor, administrative staff and I have gone through a number of training sessions and are now training the patrol officers. While we intended on being able to begin on June 1<sup>st</sup>, we found some issues and have notified the Department of Justice that we should be ready to begin collecting in Test mode on July 1<sup>st</sup>, 2021.

We will remain in test mode for approximately 4-8 weeks. Once the Department of Justice approves our collection data we will then be in "Live" collection data mode.

While reporting collected data to the Department of justice is only required annually, our plan and goal is to submit data at least quarterly and possibly more frequently.

Read below for an explanation of the Racial Identity Profiling Act (RIPA)

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# Racial and Identity Profiling Act (RIPA)

## Assembly Bill (AB) 953

### Impact on Law Enforcement Agencies

#### Background

The Racial and Identity Profiling Act (RIPA) was formed as part of AB953 (Weber, 2016). The [Racial and Identity Profiling Advisory Board \(RIPA Board\)](#) is a diverse group of members that represent the public, law enforcement and educators. At the direction of the Legislature, their charge was to eliminate racial and identity profiling, and improve diversity and racial and identity sensitivity in law enforcement. The RIPA Board goal is to strengthen law enforcement-community relations in California through collaboration, transparency, and accountability. The California Department of Justice, Office of the Attorney General, has the primary oversight of the RIPA Board.

One of the responsibilities of the RIPA Board has been to develop the stop-data collection process

#### When does this take effect?

In July 1, 2018, the eight largest police agencies in California were required to begin collecting stop data and reporting the information to the DOJ.

#### Who has to report when?

- The bill requires each state and local agency that employs peace officers to annually report to the Attorney General data on all stops.
- The bill required an agency that employs 1,000 or more peace officers to issue its first annual report by April 1, 2019.
- The bill required an agency that employs 667 or more but less than 1,000 peace officers to issue its first annual report by April 1, 2020.
- The bill requires an agency that employs 334 or more but less than 667 peace officers to issue its first annual report by April 1, 2022.
- **The bill requires an agency that employs one or more but less than 334 peace officers to issue its first annual report by April 1, 2023. (Fairfax Police falls into this time table)**

**The Bill has a phased in approach starting with the largest agencies and working its way down to smaller agencies. While the bill will require that Fairfax Police submit the first annual report by April 1, 2023, we are required to begin capturing data by Jan- 2022. We anticipate being able to begin capturing this data before the mandated due date of Jan 2022. We must first get Department of Justice approval to begin early and work with our Records Management System vendor to update our records management system software to collect the required data.**

### **Who is required to report the stop-data?**

- Only peace officers, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, as set forth below: This is the category Fairfax Police Officers fall under

### **What data do we need to collect?**

1. Agency ORI number
2. Date, time, and duration of the stop
3. Location of stop
4. Perceived race or ethnicity of person stopped
5. Perceived gender of person stopped
6. Person stopped perceived to be LGBT
7. Perceived age of person stopped
8. Person stopped has limited or no English fluency
9. Perceived or known disability or person stopped
10. Reason for stop
11. Stop made in response to a call for service
12. Actions taken by officer during stop
13. Results of stop
14. Officer's Identification (ID) Number
15. Officer's years of experience
16. Type of assignment of officer