

Racial and Identity Profiling Act (RIPA)

403.1 PURPOSE AND SCOPE

On or before January 1, 2019, the Department is required to begin collecting data on all stops conducted by peace officers within the Department. Commencing on or before April 1, 2020, the Department is required to annually report to the California Attorney General data on all stops conducted by peace officers within the Department during the preceding calendar year (Government Code § 12525.5).

403.1.1 DEFINITIONS

The following definitions relate to terms used within this policy:

Peace officer: Any sworn Department Member working outside a custodial setting.

Stop: Any detention of a person and/or search, including a consensual search, of the person's body or property in the person's possession or control.

403.2 DATA COLLECTION

Peace officers within the Department shall complete all applicable data fields in the Department's AB 953 RIPA Stop Application for each stop. The data fields include, but are not limited to, the following:

1. The time, date, duration and location of the stop.
2. The reason for the stop.
3. The result of the stop, such as, no action, warning, citation, property seized or arrest.
4. If a warning or citation was issued, the warning provided or violation cited.
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, and the information shall not be requested from the person stopped. When reporting the required data elements, the peace officer shall make his or her determination based on personal observation only. For motor vehicle stops, this section only applies to the driver, unless any actions specified under subsection 7 apply in relation to a passenger, in which case the characteristics specified in this section shall also be reported for him or her.
7. Actions taken by the peace officer during the stop, including, but not limited to, the following:
 - (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.

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Stops involving multiple peace officers shall only require reporting by one peace officer. In most cases, this shall be the peace officer making initial contact.

403.3 REPORTING TO THE CALIFORNIA ATTORNEY GENERAL

The Director of Records & Property Division is the custodian of all data collected. The Director of Records & Property Division or his/her authorized designee shall ensure data is collected and reported in accordance with Government Code section 12525.5 and that all data collected is used strictly within the scope of compliance with this policy. The data provided to the California Attorney General shall not include the name, address, social security number or other unique personal identifying information of persons stopped, searched or subjected to a property seizure, and shall not include any unique identifying information of the peace officer collecting the data.

All RIPA data collected is public record and open to public inspection. No identifying information about the peace officers collecting the data shall be publicly disclosed.

Department Members, other than the Director of Records & Property Division, or his/her designee, may not access the Department's server to view RIPA data without authorization from the Sheriff. The RIPA data collected shall not be used for disciplinary purposes or for use in performance evaluations.