



2024 Additional RIPA Reporting Requirements

Effective January 1, 2024, there will be several mandated changes required under AB 953 - Racial and Identity Profiling Act (RIPA). The purpose of this Training Bulletin is to address the new applicable data fields that are required to be completed at the conclusion of a RIPA qualifying stop. The following definitions relate to terms used within Policy 403, as applicable to RIPA stops only, which have been taken directly from the California Code of Regulations (11 CCR § 999.224):

Detention: "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."

Stop: "(1) Any detention, as defined above in these regulations, by a peace officer of a person; or (2) any peace officer interaction with a person in which the officer conducts a search, as defined in these regulations."

Search: For the purpose of RIPA, "means a search of a person's body or property in the person's possession or under his or her control and includes a pat-down search of a person's outer clothing as well as a consensual search, as defined in these regulations."

Custodial Setting: "Correctional institutions, juvenile detention facilities, and jails, including parking lots and grounds within the perimeter of these enumerated facilities. 'Custodial setting' does not include home detention or any circumstances where persons are under house arrest outside of correctional institutions, juvenile detention facilities, or jails. "Peace officers shall not report stops that occur in a custodial setting. Peace officers who work in a custodial setting are subject to this chapter of stops that occur in non-custodial settings" (11 CCR § 999.224 (d)(3)).

In addition to the previous data required to be collected at the conclusion of a RIPA stop, the following additional information will need to be recorded in their respective fields: (*Refer to TITLE 11. LAW DIVISION 1. ATTORNEY GENERAL CHAPTER 19. RACIAL AND IDENTITY PROFILING ACT OF 2015 for all RIPA required data to be collected.*) <https://www.oag.ca.gov/system/files/media/ripa-subcom-text-w-proposed-changes.pdf>

1. **Type of Stop:**

- Vehicular Stop, Bicycle Stop, or Pedestrian Stop

2. **Reason for the stop:**

Reasonable suspicion that the person was engaged in criminal activity, which can include, but is not limited to the following:

- Witness or victim identified stopped person as a suspect of a crime





- Matched description of a suspect's vehicle or vehicle observed at the scene of a crime
- Other reasonable suspicion or probable cause that a crime has occurred.
- Probable cause to arrest or search
- Probable cause to take into custody under Welfare and Institutions Code section 5150

3. Perceived attributes:

a. Race or ethnicity of person stopped (Asian, Black/African American, Hispanic/Latine(x), Middle Eastern or South Asian, Native American, Pacific Islander, White)

- “**Asian**” refers to a person having origins in any of the original peoples of the Far East or Southeast Asia, including for example, Cambodia, China, Japan, Korea, Malaysia, the Philippine Islands, Thailand, and Vietnam, but who does not fall within the definition of “Middle Eastern or South Asian” or “Pacific Islander.”
- “**Black/African American**” refers to a person having origins in any of the Black racial groups of Africa.
- “**Hispanic/Latine(x)**” refers to a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- “**Middle Eastern or South Asian**” refers to a person of Arabic, Israeli, Iranian, Indian, Pakistani, Bangladeshi, Sri Lankan, Nepali, Bhutanese, Maldivian, or Afghan origin.
- “**Native American**” refers to a person having origins in any of the original peoples of North, Central, and South America.
- “**Pacific Islander**” refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands, but who does not fall within the definition of “Middle Eastern or South Asian” or “Asian.”
- “**White**” refers to a person of Caucasian descent having origins in any of the original peoples of Europe and Eastern Europe.
 - Sexual orientation (Cisgender man/boy, Cisgender woman/girl, Transgender man/boy, Transgender woman/girl, Nonbinary person)
- “**Cisgender**” means a person whose gender identity and gender expression align with the person's assigned sex at birth.
- “**Transgender man/boy**” means a person who was assigned female at birth but who currently identifies as a man, or boy if the person is a minor.
- “**Transgender woman/girl**” means a person who was assigned male at birth but who currently identifies as a woman, or girl if the person is a minor.
- “**Nonbinary**” means a person with a gender identity that falls somewhere outside of the traditional conceptions of strictly either female or male. People with nonbinary gender identities may or may not identify as transgender, may or may not have been born with intersex traits, may or may not use gender-





neutral pronouns, and may or may not use more specific terms to describe their genders, such as agender, genderqueer, gender fluid, Two Spirit, bigender, pangender, gender nonconforming, or gender variant.

- LGB+ (an acronym that refers to lesbian, gay, bisexual and all other sexual orientations other than heterosexual)
- Unhoused

4. **Stop made in response to a call for service**

5. **Stop made during the course of performing a welfare check or a peace officer' community caretaking function**

6. **Race or ethnicity of peace officer**

7. **Gender of peace officer**

8. **Reason Given to the Stopped Person**

9. **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 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 property.

Data Collection Reminders...

- For motor vehicle stops, data collection only applies to the driver, unless any actions specified listed in subsection 13 of Policy 403.3 applies in relation to a passenger. If applicable, the characteristics specified in subsection 13 of Policy 403.3 shall also be reported for the passenger.
- Stops involving multiple peace officers shall only require reporting by one peace officer. This shall be completed by the peace officer with the highest level of engagement with the person stopped for all data elements, regardless of whether that peace officer performed the specific action(s) reported.
- Collecting RIPA data for all “stops” is a legal obligation and required by Department policy. Therefore, it is imperative to provide true and accurate reporting based on your initial perception of the subject(s) being contacted and the factual information surrounding the stop. The truthful and accurate reporting of RIPA data by members of the Department is not just a mandate; it is as important as submitting an accurate police report.

If you have any questions regarding RIPA data collection and reporting requirements, please refer to Department Policy 403 – Racial and Identity Profiling Act (RIPA) or contact your immediate supervisor.

