October 13, 2020

To:         Honorable Mayor and Members of the City Council

From:    *DWR* Dee Williams-Ridley, City Manager

Re:         Berkeley Police Department now collecting
            Racial and Identity Profiling Act (RIPA) Data


On January 26, 2015, the Berkeley Police Department (BPD) began collecting stop data pursuant to General Order B-4 (issued December 31, 2014).  Under that Order, officers were required to provide certain data after making any detention (vehicle, bicycle, pedestrian, suspicious auto).  These data provide limited basic information about stops, including the race, sex, age range of the person detained, a limited list of reasons for the stop; a limited list of the type of enforcement taken (if any); and whether or not a search was conducted.  Also collected are the date, time, location of the stop, as well as the incident number and call for service type.  All of this information is currently available to the public on City's Open Data Portal.

In 2015 the state legislature approved, and the Governor signed into law, Assembly Bill 953, the Racial and Identity Profiling Act of 2015 (RIPA).  RIPA's intent is to eliminate racial and identity profiling and improve and understand diversity in law enforcement through training, education, and outreach. The law requires all state and local law enforcement agencies to collect data on the following items and report the data to the Department of Justice (DOJ):

- Officer years of experience and assignment.
- Time, date and location of the stop.
- Reason for the stop, and whether the stop was in response to a call for service.
- Actions taken during the stop.
- Basis of a search, if one was conducted.
- Contraband or evidence recovered during the stop.
- Result of the stop, e.g. warning, citation, arrest, property seizure, etc.
- If a warning or citation was issued, the warning provided or violation cited.
- If an arrest was made, the offense charged.

- The perceived race or ethnicity, gender, approximate age, LGBT status, English fluency, and perceived or known disability of the person stopped based on the observation and perception of the peace officer.
- Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.
- If a search was performed, provide the basis for the search and the type of contraband or evidence recovered, if any.
- If any property was seized, provide the type of property and the basis for seizing it.
- No Personal Identifying Information (PII) will be collected for the purposes of RIPA and PII will not be reported to the DOJ.
- In addition to collecting all RIPA-mandated data, BPD is collecting additional data for our own use, including type of stop (vehicle, bicycle, or pedestrian), city of residence of person stopped, and if race/ethnicity was perceived prior to the stop.

The Berkeley Police Department surveyed available software options for collecting RIPA data, and ultimately developed its own solution to collect these data.  BPD is using ArcGIS Survey123, a simple and intuitive form-centric data gathering application. Survey123 is part of the ArcGIS suite of products, for which the City is already licensed, thereby making it a cost-effective solution.  Officers are utilizing a custom survey to collect RIPA data and to report the data to the DOJ.  Officers can submit stop data either through their department-issued iPhone or through any desktop computer.

On October 1, 2020, the Department started using Survey123 to collect RIPA data, over one year ahead of schedule.  The Berkeley Police Department is required by statute to report to the DOJ by April 1, 2023.  According to the DOJ, the Berkeley Police Department is one of only four departments (out of over four hundred California law enforcement agencies) which have begun to collect RIPA data this far in advance of their mandatory reporting date.  City staff is working closely with DOJ, which is interested in our software solution. DOJ maintains a RIPA Board website[1], where their reports are published.  BPD RIPA data will also be available to the public through the City's Open Data Portal on a monthly basis starting no later than December 1, 2020.


cc:    Paul Buddenhagen, Deputy City Manager
        David White, Deputy City Manager
        Andrew Greenwood, Chief of Police
        Jenny Wong, City Auditor
        Mark Numainville, City Clerk
        Matthai Chakko, Assistant to the City Manager

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[1] https://oag.ca.gov/ab953/board