



AB 953 (Weber) – Preventing Racial and Identity Profiling by Law Enforcement

What will AB 953 do?

AB 953 (Weber) will help eliminate the harmful and unjust practice of racial and identity profiling, and improve law enforcement transparency and accountability. AB 953 promotes equal protection and prevents unreasonable searches and seizures. AB 953 will:

1. Clarify and modernize California's prohibition against profiling by law enforcement to better account for the ways in which profiling occurs.
2. Modernize law enforcement training to ensure that it is evidenced-based and covers implicit bias.
3. Establish an advisory board to investigate and analyze law enforcement profiling policies and practices and provide recommendations on how to curb profiling.
4. Create a uniform statewide system for collecting and reporting data on stops, searches, and seizures.
5. Require that the CA Department of Justice routinely analyze and publicly report data on profiling.

Why do we need AB 953?

Racial and identity profiling is unconstitutional and it undermines public safety by eroding community trust in law enforcement.

A recent poll shows that 55% of Californians and 85% of African-Americans in California believe that “blacks and other minorities do not receive equal treatment in the criminal justice system.”ⁱ Racial and identity profiling significantly contributes to this lack of confidence in our justice system.

Racial and identity profiling occurs when law enforcement personnel stop, search, seize property from, or interrogate a person without evidence of criminal activity. Studies show that profiling often occurs due to unconscious biases about particular demographic identities.ⁱⁱ

In California, many people have been victims of the humiliating and frightening experience of identity profiling. A 2015 report by a police department in California found that blacks were stopped twice as often as their driving age demographic representation, and that blacks and Latinos were searched at three and two times the rate of whites, respectively. However, those searches showed that blacks and Latinos were *less likely* to be arrested.ⁱⁱⁱ

In 2000, the CA legislature found that “racial profiling is a practice that presents a great danger to the

fundamental principles of a democratic society,” and declared that “it is abhorrent and cannot be tolerated.”^{iv} Subsequently, the Legislative Analyst's Office found that California's current prohibition against such profiling is too vague and that law enforcement agencies have resisted following it.^v

Racial and identity profiling violates the constitutional rights to equal protection, and be free from unreasonable searches and seizures. It also misdirects limited resources away from evidenced-based policing and the pursuit of individuals who actually pose a threat to public safety.

AB 953 will improve public safety, protect the rights of all Californians, and advance police-community relations.

For more information about AB 953, co-sponsor contacts include:

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ⁱ Mark Aaldassare et al., *Californians & their government*, (PPIC Jan. 2015).

ⁱⁱ Tracey G. Gove, Captain, *Implicit Bias and Law Enforcement*, Police Chief Magazine (Oct. 2011), available at http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=disp_lay_arch&article_id=2499&issue_id=102011.

ⁱⁱⁱ <http://www.utsandiego.com/documents/2015/feb/25/san-diego-police-traffic-stops-report/>.

^{iv} http://leginfo.ca.gov/pub/99-00/bill/sen/sb_1101-1150/sb_1102_bill_20000926_chaptered.html.

^v http://www.lao.ca.gov/2002/racial_profiling/8-02_racial_profiling.pdf.