



PREVENTING VIOLENCE
AND DEVELOPING
YOUTH LEADERS

April 22, 2015

Chair Bill Quirk and Committee Members
Assembly member Shirley Weber, Ph.D.
1020 N Street, Room 111
Sacramento, California 95814

Re: AB 953 - Weber

Dear Assembly Member Quirk:

Youth ALIVE!, an Oakland-based violence prevention and youth leadership organization, is pleased to support AB 953. Introduced by Assemblymember Shirley Weber, Ph.D., AB 953 aims to prevent the harmful and unjust practice of racial and identity profiling, and foment greater transparency and accountability with law enforcement agencies.

Racial and identity profiling occurs when law enforcement personnel stop, search, property seize, or interrogate a person in absence of evidence of criminal activity. Studies show that profiling often occurs pursuant to unconscious and implicit biases about particular demographic identities, rather than a harboring of ill-intent.¹ In March 2015, the *President’s Task Force on 21st Century Policing* recommended that profiling based on race, color, ethnicity, national origin, religion, gender, sexual orientation, or mental or physical disability, and other demographic characteristics, be prohibited.² The U.S. Department of Justice recently adopted an analogous standard.³

Here in California, people throughout our state have long been plagued by the humiliating and frightening act of racial and identity profiling. In 2000, for example, the 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.”⁴ Subsequently, the Legislative Analyst’s Office concluded that California’s current prohibition against such acts is overvague and that law enforcement agencies have resisted following it.⁵

As one of numerous examples, a 2015 report by a police department in California found that blacks were stopped twice as often as their driving age demographic

¹ Tracey G. Gove, Captain, *Implicit Bias and Law Enforcement*, Police Chief Magazine (Oct. 2011), available at http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2499&issue_id=102011.

² http://www.cops.usdoj.gov/pdf/taskforce/Interim_TF_Report.pdf.

³ <http://www.justice.gov/sites/default/files/ag/pages/attachments/2014/12/08/use-of-race-policy.pdf>.

⁴ http://leginfo.ca.gov/pub/99-00/bill/sen/sb_1101-1150/sb_1102_bill_20000926_chaptered.html.

⁵ http://www.lao.ca.gov/2002/racial_profiling/8-02_racial_profiling.pdf.

Youth ALIVE is a 501c3 nonprofit organization. Our Tax ID is 94-3143254.

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representation, and that blacks and Latinos were respectively searched at three and two times the rate of whites. To add, those searches showed that blacks and Latinos were *less likely* to be arrested.⁶

The persistence of profiling in our state violates the U.S. and California Constitutions by betraying the fundamental promise of equal protection, and infringing upon the guarantee that all people shall be free from unreasonable searches and seizures. It also misdirects limited resources away from evidenced-based policing and the efficient pursuit of individuals who actually pose a threat to public safety, thus making all Californians less safe. Accordingly, to improve public safety, protect the fundamental rights of all Californians, and advance police-community relations, Youth ALIVE! strongly supports the enactment of AB 953.

Thank you for your leadership in this matter. Please do not hesitate to contact us.

Sincerely,

Anne Marks
Executive Director

⁶ <http://www.utsandiego.com/documents/2015/feb/25/san-diego-police-traffic-stops-report/>.