



October 3, 2022

**RACIAL AND IDENTITY PROFILING ACT
DATA ANALYSIS & REPORT**

**Detention Data for the
Mill Valley Police Department
June 1, 2021 – May 31, 2022**

**MVFREE Police Team
Tammy Edmonson
Celimene Pastor
Frank Leidman
Ginna Fleming
Edward Rusky
Helen Bruner
Frank Shinneman**

action@mvfree.org

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RIPA DATA ANALYSIS AND REPORT

EXECUTIVE SUMMARY

For more than a year, the MVFREE Police Team has met regularly with Mill Valley Police Chief Navarro and his leadership team in a Police Working Group to explore and implement anti-bias measures and other law enforcement best practices at the Mill Valley Police Department (MVPD). The Chief has generally taken a collaborative approach and shown a readiness to adapt to rapidly evolving laws, standards and practices for safe and equitable policing in California. We are disappointed, however, by the failure in the Chief's October 3 Staff Report ("Staff Report") to acknowledge or meaningfully address the deep racial disparities reflected in the MVPD data collected under the Racial and Identity Profiling Act of 2015 (RIPA).

RIPA prohibits racial and identity profiling by police and requires data collection and reporting to "eliminate racial and identity profiling and improve diversity and racial and identity sensitivity in law enforcement."¹ RIPA data makes it possible to accurately measure racial impacts of police detentions and other police practices. In this way, RIPA enables police agencies to conduct evidence-based self-assessments, to develop targeted strategies for continuous improvement, and to measure their progress over time. In addition, each year, the State RIPA Board² analyzes available detention data, conducts research and prescribes new policies, training and best practices that represent the leading edge of bias-free policing.

This Report uses the formula prescribed by the RIPA Board to analyze MVPD RIPA data provided by the MVPD on all detentions from June 1, 2021, through May 30, 2022. Unfortunately, the data analysis reveals large and persistent racial disparities in Mill Valley police practices. These disparities appear at every stage of the process, from who gets detained to how individuals are treated during a detention:

- Black people are detained by Mill Valley police at 6.5 times the rate of White people.
- Latinx people are detained by Mill Valley police at 3.02 times the rate of White people.
- The evidence shows no correlation between the greatly elevated Black and Latinx detentions in Mill Valley and increased criminality.
- Mill Valley community members call the police about Black people at nearly 20 times the rate they do about White people, yet a community member's call for service about a White person in Mill Valley is nearly twice as likely to result in an arrest as a call for service about a Black person.
- Black people are searched at 3.12 times the rate of Whites, though White people are equally likely to be found in possession of contraband.
- Black people are held in a police car during their detention at 3.25 times the rate of White people and at the curbside at 3.14 times the rate of White people.
- MVPD detentions of Black people last an average of 36% longer than detentions of White people.
- Detentions of Latinx people last 20% longer than those of White people.

¹ AB 953 (2015) Leg. Counsel Digest.

² As required by law, the RIPA Board is established by the Attorney General. The RIPA Board oversees five subcommittees focused on Stop Data Analysis, Civilian Complaints, POST Training and Recruitment, State & Local Policies and Accountability, and Calls for Service. Current [RIPA Board Members](#) include leaders in law enforcement (CA Police Chiefs Association, Commissioner of the CA Highway Patrol, Peace Officers Research Association, Ventura County Sheriff); legal experts in the fields of civil rights, criminal justice, police practices, and immigration; distinguished professors and researchers in the areas of public policy, incarceration, racial disparities in criminal justice outcomes, sociology, and mathematics; and organizational leaders representing the ACLU of Southern California, the Human Rights Institute, Equality Alliance of San Diego County, Justice for Murdered Children, Asian Pacific Policy and Planning Council, AAPIs for Civic Empowerment, Anti-Recidivism Coalition, Mt. Zion Baptist Church of Ontario, and the California Public Defender's Association.

MVFREE shared this data analysis with the Police Working Group on August 10, 2022, and invited the Chief and his leadership team to ask questions and to propose any corrections, clarifications or additions they felt would be appropriate. The Chief indicated that he found the data “disturbing” but offered no objections to our analysis or conclusions. Unfortunately, the approach to the RIPA data that we now see reflected in the Staff Report is strikingly at odds with the candor and cooperation that has tended to characterize the efforts of the Police Working Group.

Nowhere does the Staff Report directly address the core RIPA concern: the magnitude of racial disparities in Mill Valley policing. The Staff Report neglects to mention either MVFREE’s data analysis or its “disturbing” findings. The Staff Report does not reference or use the ratio of disparity formula prescribed by the RIPA Board, though it is set forth and fully discussed in the MVFREE analysis. Nor does the Staff Report identify any anti-bias measures or appropriate corrective actions for the MVPD. Indeed, the tone of the Staff Report appears to be that there are no relevant data and therefore can be no cause for concern.

The conclusions of the Staff report consist of two administrative observations: (1) “Overall, the first-year data has helped our agency identify and clarify reporting errors”; and (2) “Staff also has identified the need to research and locate outside entities that could assist in data analysis.” Staff Report, p. 15. Rather than use the RIPA data as intended—to measure and address racial profiling—the Staff Report stunningly recommends suspending regular data analysis and limiting public disclosure of RIPA data to a once-a-year report for the sake of “accuracy.” Id. p. 8.

Over the past year and a half, the MVPD has worked with the MVFREE Police Team to identify and implement aspects of the RIPA Board’s anti-bias recommendations. We were surprised and disappointed to see no mention in the Staff Report of these efforts or any of the in-progress initiatives of the Police Working Group such as our nearly ready-to-launch public education campaign to prevent race-based calls by community members to the police, and our planned revision of the MVPD’s anti-bias training policies and practices.

We understand that the RIPA data came as unwelcome news to the MVPD—as to us all. But the answer cannot be to bury our heads and try to wish away the painful reality. In accordance with RIPA, and with our own good consciences, there is far more that we can and must do to overcome the deep racial disparities in Mill Valley policing. We hope and expect that the Police Working Group will now pursue anti-bias initiatives with renewed urgency and will do so with the strong cooperation and support from Council and from the community.

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I.
Data Collection & Analysis

A. RIPA Data Collection

RIPA requires law enforcement agencies to collect and report a variety of specified data on all vehicle and pedestrian detentions.³ An officer must record the perceived race and gender of each detainee as well as detailed information about the officer’s own conduct during the detention. For example, did the officer relocate the detainee to the curb or a patrol car? Was the detainee handcuffed, searched, or photographed? Did the officer employ force and, if so, what kind? Was the detainee warned, cited, arrested or released with no action taken? The spreadsheet containing RIPA data for the MVPD contains over 100 columns reflecting the required data categories.

B. Method of Analysis

This Analysis and Report is based on MVPD RIPA data for every Mill Valley police detention from June 1, 2021, through May 31, 2022. Each calculation employs the “Ratio of Disparity” formula used and prescribed by the RIPA Board to measure racial disparities in policing. The formula—set forth in Appendix A—enables meaningful, weighted comparisons of data pertaining to racial groups of varying sizes. All data upon which our analyses are based are contained in Data Tables in Appendix A.

We note that the Staff Report relies entirely on direct numerical and percentage comparisons rather than the prescribed disparity ratio formula. See *Staff Report, Perceived Race/Ethnicity on All Stops*, p. 3; *Perceived Race/Ethnicity Stopped by Time of Day*, p. 6; *Officer Initiated Stops by Race*, pp. 7-8. The Staff Report’s direct numerical and percentage comparisons are virtually meaningless as a measure of racial disparity when dealing with racial groups of vastly different sizes. If, as in Mill Valley, more than 80% of the population is White and less than 1% is Black, what does it mean to say that 70% of police detentions involve White people and 5% involve Black people? The RIPA measure allows us to compare rates of detention for each racial group. It is that comparison which demonstrates that Black people are detained by Mill Valley police at 6.5 times the rate of White people.

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³ A person is “detained” by police if he or she is not free to leave. RIPA does not require police to collect data on “consensual encounters”. The question of whether an encounter is “consensual” for reporting purposes is left to the officer’s discretion and does not take into account a person’s perception of the encounter as voluntary or involuntary. Police may detain a person for investigative purposes if they have a “reasonable suspicion” that the person may be engaged in criminal conduct. A “reasonable suspicion” is a lower standard than the “probable cause” required for an arrest.

**II.
Findings & Recommendations**

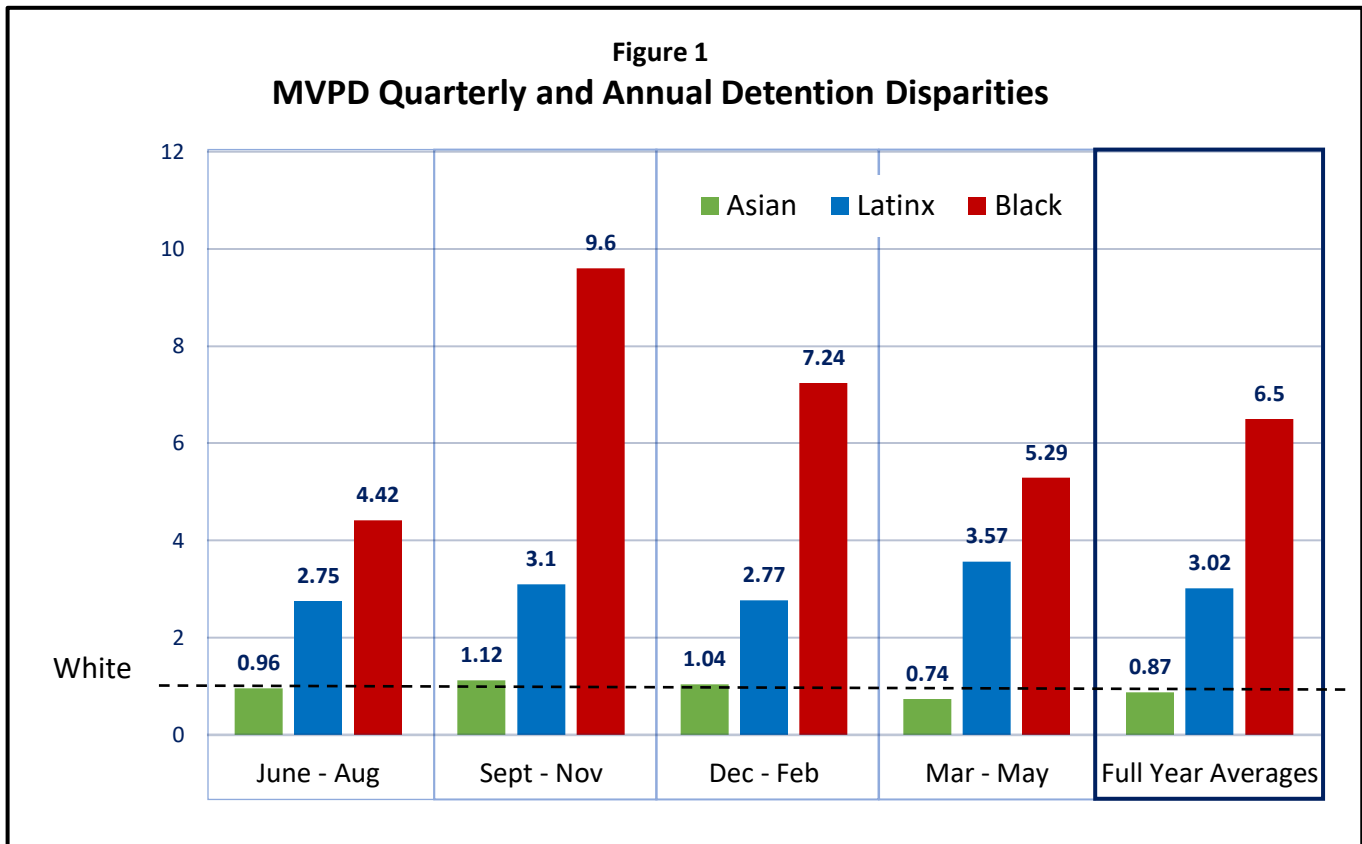
The point of this analysis is not to condemn the MVPD or any of its officers. Statewide RIPA data show that racial inequity is a systemic problem in law enforcement—as it is in many industries and professions—and is often the result of implicit (unconscious) bias.⁴ The unprecedented statewide data collection and analysis mandated by RIPA reflect the Legislature’s determination to develop and implement evidence-based tools that will help put California police agencies at the forefront of bias-free 21st Century Policing.⁵ It is in this spirit that we offer this Report.

A. Racial Disparities in MVPD Practices

MVPD RIPA data reveal large and persistent racial disparities in Mill Valley police practices.

1. Detention Disparities

Black people are detained by Mill Valley police at 6.5 times the rate of White people. Figure 1. For comparison purposes, we reviewed disparity ratios for the 18 reporting California law enforcement agencies reflected in the 2022 RIPA Report. [2022 RIPA Appendices](#), p. 59. The average Black/White disparity ratio for these agencies (2.79) is less than half that of Mill Valley, and none of the reporting agencies had a Black/White disparity ratio as high as Mill Valley’s ratio of 6.5.⁶



From Data Tables B - F, Appendix A

⁴ “In the context of criminal justice and community safety, implicit bias has been shown to have significant influence in the outcomes of interactions between police and citizens. While conscious, ‘traditional’ racism has declined significantly in recent decades, research suggests that ‘implicit attitudes may be better at predicting and/or influencing behavior than self-reported explicit attitudes.’” [National Initiative for Building Trust & Justice](#) (an initiative of the U.S. Department of Justice).

⁵ See President’s Task Force on 21st Century Policing, [Final Report](#).

⁶ The agencies with the highest Black/White disparity ratios are the SFPD (6.36); Davis PD (6.25); and LAPD (5.25). [2022 RIPA Appendices](#), pp. 59-67.

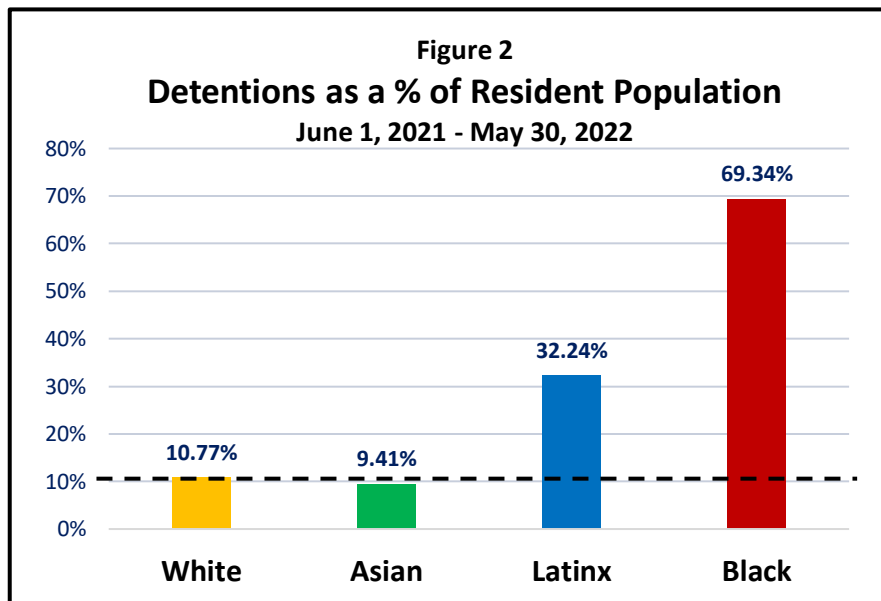
Latinx people are detained by Mill Valley police at significantly lower rates than Black people (a pattern that is also reflected in the average RIPA data for reporting agencies), but still at a far higher rate than White people (3.02 times the rate of Whites). Figure 1. Mill Valley’s Latinx/White detention disparity of 3.02 also exceeds that of every reporting agency in the 2022 RIPA Report,⁷ and is more than twice the average of reporting agencies for Latinx people (1.16). The persistence of these disparities throughout our quarterly analysis reflects an ongoing pattern of racial profiling by police in Mill Valley to which many people of color have attested in documents and comments at Council meetings.

The Staff Report spends a good deal of time setting out the 2020 detention numbers for the 18 police agencies whose data is included in the 2022 RIPA Report. Staff Report, p. 9. Because RIPA reporting requirements are being phased in according to the size of the police agency,⁸ the cohort of reporting agencies in the 2022 RIPA report is made up of larger police agencies. But the Staff Report offers no evidence to support the counterintuitive proposition that large urban police departments should have *lower* detention disparity rates on average than smaller suburban departments.

We offer the average disparity rates for these early reporting departments as one concerning indicator of where Mill Valley’s disparities fit on the spectrum of available data. It is important to recall, however, that *any* unexplained racial detention disparity is indicative of racial profiling that must, under RIPA, be addressed. This is true whether the data shows Black people are stopped at two times the rate of White people or, as in Mill Valley, six-and-a-half times the rate of Whites.

This pattern, with Black people experiencing the greatest disparities followed by Latinx people, appears throughout our analysis of the MVPD data. Yet the evidence shows no correlation between the greatly elevated Black and Latinx detentions and increased criminality. In more than half of these detentions police found no basis for citation or arrest (66.3% of Black detentions and 54.52% of Latinx detentions). RIPA Columns DR, DS, DT & DU. These rates are substantially similar to the 63.1% of White detainees who were released without citation or arrest.

Of course, the numbers of annual detentions for Black and Latinx people in Mill Valley pale in comparison to those in large urban areas. But the impact of the rate of those detentions on our local communities of color is profound. The number of Black people detained annually by the MVPD (95) is equal to 69% of Mill Valley’s total Black population; the 277 annual Latinx detentions are equal to 32% of the City’s Latinx population. By contrast, 1252 White detentions are equal to just over 10% of the City’s White population. Figure 2



From Table G, Appendix A

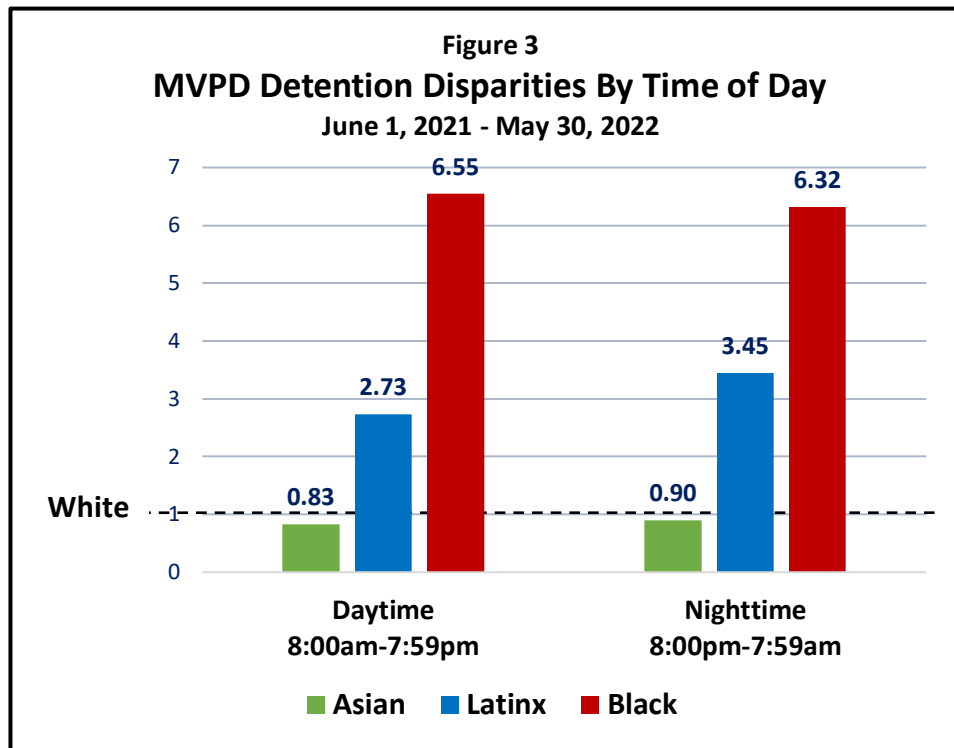
⁷ The highest Latinx detention disparity for all reporting agencies was reported by the Oakland PD at 2.18 times the rate of Whites. Id. at p. 63.5.

⁸ Agencies must present their first annual RIPA report as follows: 1000+ officers, April 2019; 667-999 officers, April 2020; 334-666 officers, 2022; 1-333, April 2023. Cal. Gov. Code Sec. 12525.5(a). Currently, over 550 law enforcement agencies of all sizes collect and report RIPA data to the Department of Justice. It is unknown at this time whether or how State average disparity ratios will be affected as this data is added to the analysis.

2. Detentions by Time of Day

We analyzed and compared MVPD detention disparity rates by time of day to test the premise—presented at an earlier Council meeting—that an influx of daytime visitors to Mill Valley might so alter the City’s demographics as to undermine the validity of population comparisons as a measure of disparity. The time-of-day detention analysis directly refutes this premise.

If daytime visitation significantly raised the proportion of any racial group within the City, we would expect to see a commensurate increase in daytime detentions, and therefore in the daytime disparity ratio, for that group. The data show otherwise. The day and night disparity ratios for Black and Asian people showed no significant differential. For Latinx people, the disparity ratio was somewhat *lower* during the day when—it was postulated—daytime visitation might swell the proportion of Latinx people in Mill Valley. Figure 3.



From Data Tables H and I, Appendix A

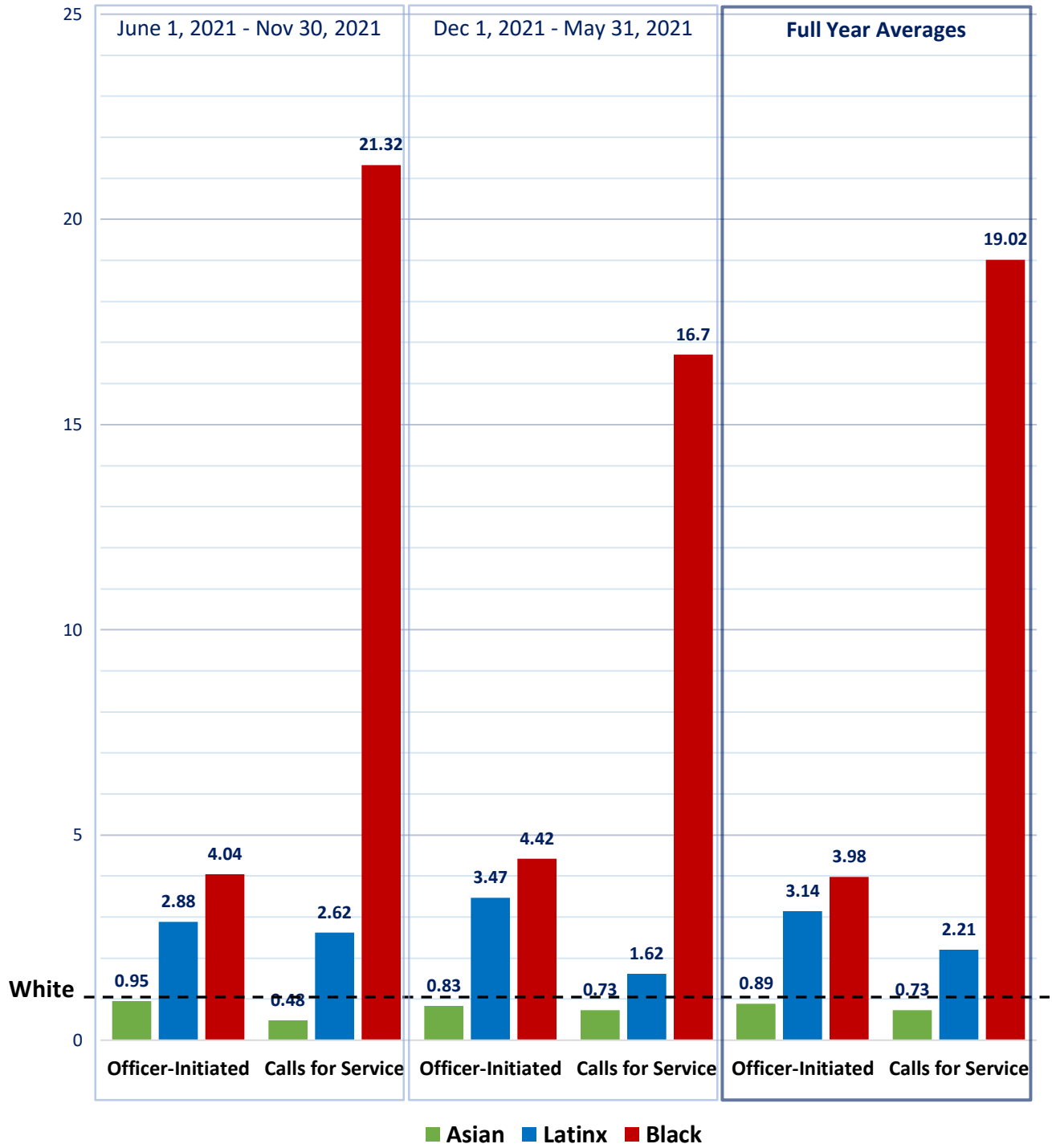
Let’s be clear, the tables in the Staff Report at pages 10-12 purporting to reflect the residences of a sample of MVPD detainees (250 out of 1786) are not probative on the question of visitor demographics or any other pertinent question. Similarly, the Staff Report offers a table purporting to reflect the number of stops per racial group on an hour-by-hour basis but attributes no particular significance to the table. Staff Report, p. 6. Whatever its purpose, this table again appears to reflect a direct (though approximate) numerical comparison rather than a meaningful disparity analysis. Neither the table nor the Staff Report provides sufficient data to support such an analysis.

3. Disparities in Calls for Service & Officer-Initiated Calls

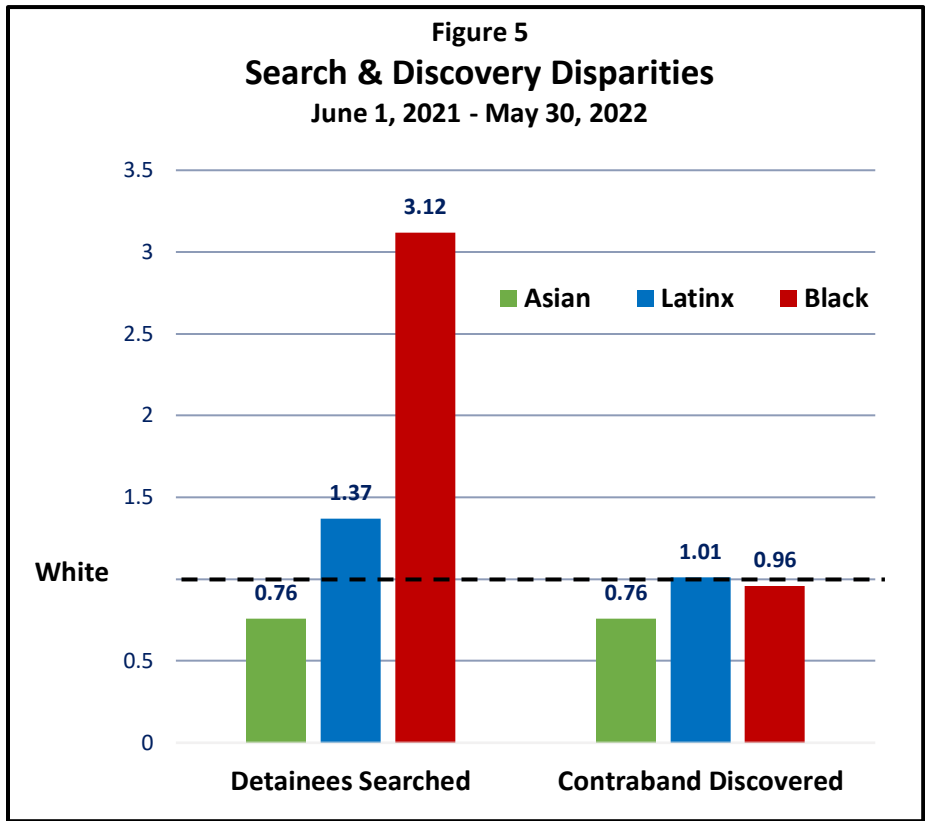
The most alarming racial disparities in the MVPD RIPA data appear in detentions of Black people in response to community members’ calls for service. On average, Mill Valley community members call the police about Black people resulting in a police detention at *nearly 20 times* the rate they do about White people. Figure 4. (Race-based calls for service by community members are known as “bias by proxy.” The RIPA Board has devoted considerable research and recommendations to this phenomenon, which has also been a focus of the Police Working Group.)

Although calls for service amount to just 16% of all MVPD detentions, half of all MVPD detentions of Black people result from a community member’s call for service. In most of these detentions police are unable to substantiate the caller’s suspicion: in 58% of calls-for-service detentions of Black people, police found nothing to warrant citation or arrest (RIPA columns DR, DS, DT &DU). In fact, a call for service about a White person in Mill Valley is nearly twice as likely to result in an arrest (27% of calls) as a call for service about a Black person (15%). Id.

Figure 4
MVPD Detention Disparities by Type of Call
 June 1, 2021 -- May 31, 2022

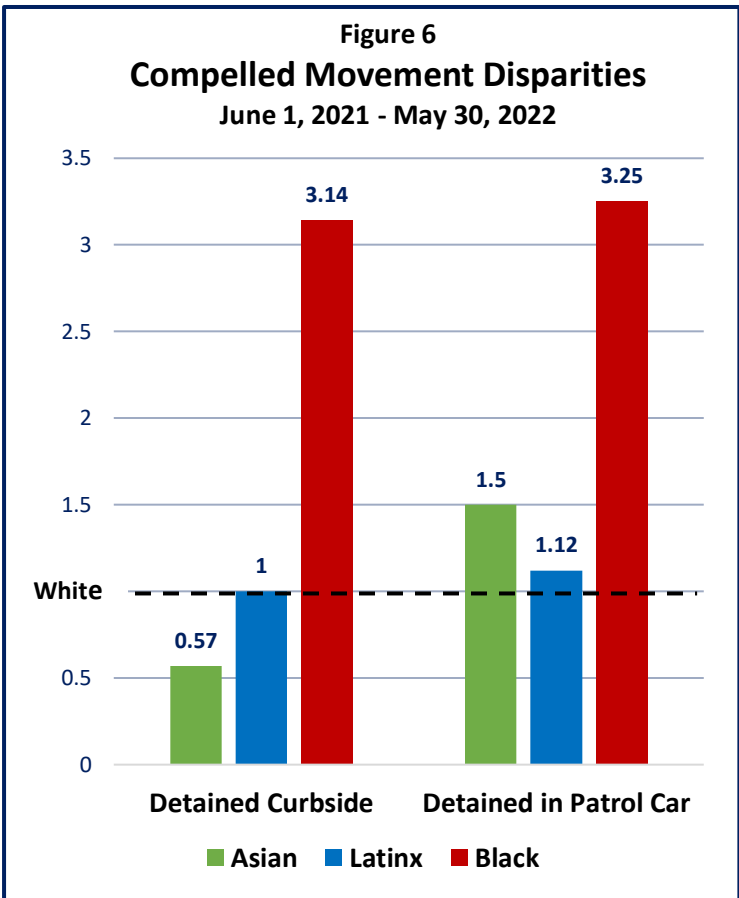


From Data Tables J - O, Appendix A



From Data Tables P and Q, Appendix A

When it comes to compelled movement during detention, Black people are far more likely to experience these potentially humiliating modes of detention. Black people are held in a police car during their detention at 3.25 times the rate of White people and at the curbside at 3.14 times the rate of White people. Figure 6.

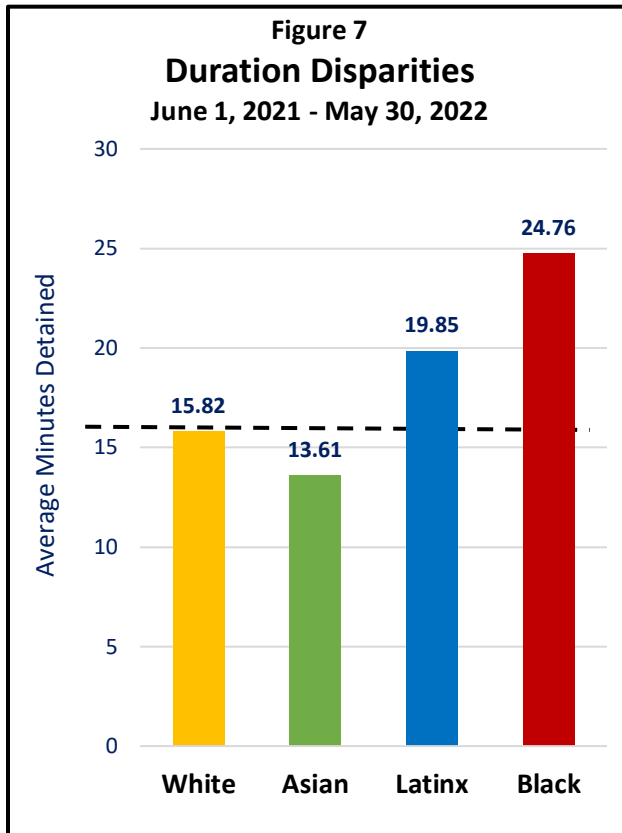


From Data Table R, Appendix A

4. Police Actions During Detention

Once detained by Mill Valley police Black people, and to a lesser extent Latinx people, continue to experience disparate treatment. Unlike overall detention disparities, these disparities are measured without reference to population data. See Appendix A, Part I.

Black people are searched at 3.12 times the rate of Whites, and Latinx people are searched at 1.37 times the rate of Whites. Yet, when searched, White people are equally likely to be found in possession of contraband as Black and Latinx people. Figure 5.



From Data Table S, Appendix A

MVPD detentions of Black people last an average of 36% longer (about 9 minutes longer) than detentions of White people, while detentions of Latinx people last 20% longer (about 4 minutes longer) than those of White people. Figure 7.

The Staff Report table on Average Detention Time gives the general (and inaccurate) impression that MVPD detentions of White people tend to last longer than those of Black people and people of other races. Staff Report, p. 14. We were unable to locate the source for this data. The actual durations and numbers of detentions upon which our calculations are based are set forth in Table S in Appendix A of this Report.

The Staff Report table breaks detentions into five categories and then urges that the number of detentions in any given category is too small for meaningful comparison. The Staff Report further suggests that the circumstances of detentions vary and therefore are not susceptible to comparisons.

This misses the point of the data collection and statistical analysis mandated by RIPA. Of course, no two detentions are the same. This is why RIPA looks to statistical patterns

rather than individual disparities to identify and measure racial differences in policing. The racial disparities in the duration of detentions in Mill Valley shown in Figure 7 are based on averages across a full year of over 1700 MVPD detentions. Black and Latinx averages are based on 95 and 277 detentions, respectively.

This pattern—Black people being subjected to the longest detentions followed by Latinx people—is consistent with the pattern of deep disparities in the rates of detention that persists across every quarter of the year and at all times of day. It is the same pattern we see in search rates and patrol car detentions, in officer-initiated calls and in community members’ calls for service. The pattern prevails in data assessments that employ a comparison to population demographics (Figures 1-4 and Appendix A, Part IA) and in those that do not (Figures 5-7 and Appendix A, Part IB).

We have heard about racial profiling in Mill Valley from communities of color and now the compelling empirical evidence of enormous racial disparities is in. Let us not waste any more time in wishful denial or in quest of the perfect proof. We must act immediately, decisively and collectively to achieve safe and equitable policing in Mill Valley.

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B. Initiatives & Recommendations

1. Addressing Bias Within the MVPD

The MVPD has collaborated with the MVFREE Police Team to identify and implement important aspects of the RIPA Board's anti-bias recommendations that we hope will help, over time, to reduce racial disparities in Mill Valley policing. The Police Working Group has developed policies on bias-free policing and strengthened MVPD anti-bias training requirements. We are in the process of making further improvements to align MVPD anti-bias training policies and practices with RIPA Board recommendations. But the persistent and striking detention disparities for Black and Latinx people shown in the RIPA data underscore the fact that far more must be done. Some of the ongoing and anticipated next steps for the Police Working Group include the following.

- a. **Emerging Anti-Bias Best Practices**—The Police Working Group will continue to prioritize and advance the RIPA Board's annual evidence-based recommendations for eliminating racial disparities and profiling by the MVPD. Areas of focus should include, among other things, officer recruitment and hiring, oversight and accountability measures, crisis response, and complaint procedures.
- b. **Department Culture**—The MVPD should continue to prioritize elimination of racial disparities in Mill Valley policing and should ensure that MVPD leadership and all sworn staff have frequent access to the information, training and support they need to understand, promote and implement the Department's equity goals. The Working Group should also identify appropriate areas for a more granular analysis to pinpoint circumstances, activities and individual behaviors by officers, detainees and/or community members that may be contributing to the disparities.
- c. **Anti-Bias Training**—The Police Working Group will complete revisions to MVPD anti-bias training policies and practices including identifying and making available frequent high-quality, evidence-based training options. Anti-bias training should include a special focus on disparities reflected in MVPD RIPA data and the impact of officers' discretionary decisions on those disparities (e.g., the decision to detain, the manner, location and duration of the detention, whether to search or restrain a detainee, etc.)
- d. **Data Analysis**—The Police Working Group will continue to analyze MVPD RIPA data on a regular (quarterly) basis to assess the effectiveness of existing anti-bias measures and to identify and address problem areas, patterns and trends. Council must reject the suggestion in the Staff Report (p. 8) to restrict the Working Group's access to RIPA data to solely an annual report. There is no rational justification for such a restriction which defies the purpose and function of the RIPA data collection and is inconsistent with the City and the Department's commitment and responsibility to transparency.
- e. **Community Engagement**—The MVPD should continue its outreach to communities of color both within and outside the City limits to increase mutual trust and understanding. The Department should consider hosting periodic community forums and surveys that include affected communities of color outside the City limits to understand and respond to community concerns, gather input and assess progress.
- f. **Report to Council & Community**—Representatives of the Police Working Group from both the MVPD and MVFREE should continue to report regularly and publicly at City Council meetings on emerging RIPA data and the effectiveness of anti-bias measures. The Police Working Group and Council should provide meaningful opportunities for community input and recommendations for promoting safe and equitable policing.

2. Addressing Bias Within the Community

The nearly twenty-fold Black/White disparity in community members' calls for service demands our immediate attention. The Police Working Group recently developed a new "Bias by Proxy" policy informed by RIPA Board recommendations in this area. Among other things, the policy provides methods for identifying bias-based calls by community members, protects the subjects of those calls from unwarranted police interference, and provides for outreach to educate callers regarding the proper uses of 911. The Chief has indicated that the policy has been adopted and is being implemented. Since the policy does not appear on the Department's website, we are attaching a copy of the final draft agreed upon by the Police Working Group. Appendix B. We understand that, consistent with Working Group discussions, the Department has drafted more detailed Standard Operating Procedures for officers designed to implement this policy. We look forward to reviewing and commenting on the SOPs in a future meeting of the Police Working Group. In addition, Chief Navarro spearheaded the implementation of a system to identify and track bias-based calls at the Sheriff's dispatch center which we understand is already operating.

Unlike detention disparities that arise from discretionary police actions, detention disparities in community members' calls for service reflect *community* bias that cannot be addressed effectively solely through MVPD training, policies, practices or other measures within the Department. Critical next steps therefore include the following.

- a. **Public Education**—The Police Working Group has been discussing the outlines of a joint MVPD/MVFREE public education campaign that would: (1) raise community awareness and sensitivity to the issue of bias by proxy; (2) provide practical guidance on when it is and is not appropriate to call the police; and (3) provide contact information on a range of emergency and community service providers. To the right is a current draft of the flier the group has been working on and expects to roll out in the next month. (The reverse of the flier lists contact information for over a dozen service providers in the categories of Police & Fire, Mental & Behavioral Health, Domestic Abuse & Sexual Assault, and Animal Emergencies & Abuse.
- b. **Call Tracking**—The Police Working Group should regularly review the dispatch and MVPD records of bias-based calls to ensure that the system is operating effectively. The records should be considered together with future RIPA data to monitor and hone remedial strategies.

RESEARCH SHOWS...

Mill Valley community members call the police about Black people at nearly 20 times the rate they do about White people.

Based on MVPD call data June 2021 – May 2022

In most of these calls police find no unlawful conduct.

Three things to consider before calling the police:

1. **CONSIDER THE BEHAVIOR:** Do I see behavior that makes me think somebody is committing a crime or endangering someone?
2. **CONSIDER YOUR ASSUMPTIONS:** If a friend or neighbor were behaving in that way, would I think someone should call the police?
3. **CONSIDER YOUR REACTION:** Are police the most appropriate service providers for the situation?

If the answer to any of these questions is "NO," consider other Emergency and Community Service Providers

[listed on reverse]

A person's race or appearance is NEVER a good reason to call the police



A JOINT MESSAGE FROM THE MVPD AND MVFREE, mvfree.org

SEE REVERSE FOR EMERGENCY AND COMMUNITY SERVICE CONTACT NUMBERS

3. Building Trust & Legitimacy: The Need for Independent Oversight

The release of the RIPA data will, as it should, increase community concerns about police practices in Mill Valley. Now more than ever, the MVPD needs a credible system of transparency and accountability to build the community trust and legitimacy that is essential to effective policing. This is exactly what independent civilian oversight of police is meant to accomplish. Given the long history and severity of racial disparities in Mill Valley, the need for such oversight is manifest. Chief Navarro and the City Council can powerfully demonstrate their commitment to safe and equitable policing by acknowledging the disparities shown in the RIPA data and supporting and establishing independent police oversight.

We know that Council decided a year or so ago not to implement civilian oversight of the Police Department. Instead, Council chose to create a subcommittee of councilmembers that meets periodically with the Chief in private session. Apparently, the subcommittee does not independently review or analyze MVPD RIPA data, does not accept or investigate civilian complaints, and does not seek to engage or report regularly to the community. This subcommittee may provide a valuable means for Council to inform itself about the functioning of the Police Department, but it does not amount to meaningful civilian oversight of police. Nor does MVFREE's participation in the Police Working Group transform that body into a de facto civilian oversight board.

A credible police oversight body must, among other things—

- Be independent of the police department and the government entity that it serves;
- Provide a trusted, accessible place for community members to voice concerns and complaints about police where they know they will be taken seriously;
- Have the power and responsibility to investigate and to issue public findings and recommendations on issues of concern to the community;
- Have a voice in setting police policies, priorities and remedial strategies; and
- Operate transparently and report regularly to the community.

CONCLUSION

The deep racial disparities shown in the MVPD RIPA data should be a painful wake-up call for all of us. This is not what Mill Valley, the MVPD or any of us wants to be known for. A problem so long in the making will not be solved overnight, but the RIPA Board is lighting a path toward safe and equitable policing. Let's make it a top priority for the MVPD, for Council and for our community to act with urgency at the forefront of this State-wide effort.

The MVFREE Police Team appreciates the opportunity we are being afforded to meet and work with Chief Navarro and his leadership team. We have worked together effectively on some important anti-bias initiatives and we know that we have a great deal of work ahead of us. We also welcome the opportunity to engage with Council, its Police Subcommittee and members of the community to reverse the patterns of inequity revealed by the RIPA data. We are a small town with a small police force; it is up to us.

APPENDIX A

Disparity Analysis Methodology,
MVPD Data Tables & Key Findings

I.
Disparity Analysis Methodology

This Report analyzes MVPD RIPA data from June 1, 2021, through May 30, 2022, using the “Ratio of Disparity” formula prescribed and employed by the RIPA Board to measure racial disparities in policing. The formula enables meaningful (weighted) comparisons of data pertaining to racial groups of varying sizes. As shown below, different variables are used to measure disparities in different contexts, but the formula remains the same.

A. Measuring Detention Disparities

RIPA is concerned, first and foremost, with racial (and other) disparities in rates of police detention. For this determination, the Ratio of Disparity formula calculates and compares the rates at which White people and people of another specified race were detained by police relative to their respective proportions in the population. [2022 RIPA Appendices](#), Appendix D.1, pp. 59-84. The RIPA Board is cognizant of the variety of factors that can influence this comparison⁹ but finds local demographics as shown in Census data to be a highly probative benchmark. The most accurate and current demographic data for Mill Valley is from the 2020 Census (Table A) so we have used these figures for our analysis of detention disparities. The population numbers in the Staff Report (p. 2) appear to be based on estimates from the American Community Survey which shows Mill Valley’s population to be even more heavily White (89.1%). These differences do not significantly alter the analysis or its conclusions.

Table A
Mill Valley Demographics

MV 2020 Census Data		
	Population #	Population %
Total Pop	14231	
White	11621	81.66%
Asian	860	6.04%
Latinx	859	6.03%
Black	137	0.96%

The formula and variables for calculating the Ratio of Disparity in detentions (Tables B – O, *infra.*) is—

[(An / Bn) / (Aw / Bw)] where:

- An = % of detentions (or other primary activity) for an identified nonwhite racial group
- Bn = % of population for the identified nonwhite racial group
- Aw = % of detentions (or other primary activity) for Whites
- Bw = % of population for Whites

B. Measuring Disparities in Police Practices During Detention

The robust data collection pursuant to RIPA also allows us to measure racial disparities in police practices during detentions (e.g., rates of search, handcuffing, etc.). These measurements are also made using the Ratio of Disparity formula, but do not involve a comparison to residential demographics. Rather, the formula calculates and compares the number of White people and people of another specified race who were searched (handcuffed, etc.) by police, relative to the number of that racial group who were detained. (The formula can be used for numeric or percentage comparisons, so long as there is consistency within the formula.)

The formula and variables for calculating the Ratio of Disparity in other police practices (Tables P – S, *infra.*) is—

[(An / Bn) / (Aw / Bw)] where:

- An = # of searches (or other secondary activity) for an identified nonwhite racial group
- Bn = # of detentions (or other primary activity) for the identified nonwhite racial group
- Aw = # of searches (or other secondary activity) for Whites
- Bw = # of detentions (or other primary activity) for Whites

⁹ “These factors include, but are not limited to, potential differences in exposure to criminogenic factors, where law enforcement resources are allocated, elements that draw large populations of non-residents to congregate in a jurisdiction (e.g., retail sectors, employment centers, tourist attractions, etc.), and officer bias.” [2022 RIPA Report](#), p. 49.

C. Analytical Notes

1. Compound Disparities

Each instance of racial disparity for a particular racial group compounds previous disparities experienced by that group. For example, MVPD RIPA data show that Black people were detained at 6.5 times the rate of White people (Table B), and that Black detainees were searched at 3.12 times the rate of White detainees (Table N). But the rate at which Black people experience both detention and search is 18.96 times the rate of White people. The compounding of disparate treatment means that the combined detention/search disparity is greater than the sum of the separate disparity ratios.

2. Racial Groups Included

All Tables in this Report include MVPD RIPA data for White, Asian, Latinx and Black detainees. The Report does not address detention data pertaining to Native American, Pacific Islander or Middle Eastern/South Asian people for the following reasons: (1) None of the detentions in the MVPD RIPA data involved a person perceived to be Native American and Mill Valley Census data reflect no Native American residents; (2) Only 12 MVPD detentions involved a person perceived to be a Pacific Islander and Mill Valley Census data reflects just 13 Pacific Islander residents; (3) A significant number of detainees are identified in the RIPA data as Middle Eastern/South Asian (80), but the 2020 Census data available for Mill Valley contains no Middle Eastern or comparable category that would enable us to calculate detention disparity ratios for this group.

3. Significance of Group Size

Population Size—Mill Valley’s population is predominantly White (81.66%). Black people make up just .96% of the population and no other racial group comprises more than 6.4%. These wide differences in the size of racial groups make *direct numerical or percentage* comparisons virtually meaningless as a measure of racial equity or disparity in police detentions.

Our analysis shows, for example, that Black people accounted for just 5.31% of all MVPD detentions during the year, while White people accounted for 70.1%. It is evident, based on population data, that White people are underrepresented, and Black people are overrepresented among detainees, but further analysis is necessary to determine the significance of that difference. *The weighted comparisons of the RIPA Board’s Ratio of Disparity formula enable us to quantify that impact: Black people are detained at 6.5 times the rate of White people.* Another way of understanding the impact of such a disparity on a given racial group is to compare the number of detentions in that group with the number of residents within that group: the number of MVPD detentions of Black people is equal to more than two-thirds of the City’s total Black population while the number of White detentions equals just 0.1% of the City’s White population.

Size of Affected Group—When the number of people of a given race affected by a particular police activity is extremely small, a point in time analysis may be insufficient to accurately reflect a pattern of police practices. For example, the Ratio of Disparity formula shows that Pacific Islanders were detained by the MVPD at more than 9 times the rate of White people. However, the 12 Pacific Islander detentions on which this calculation is based are arguably too few and far between over the course of the year to reliably reflect a pattern of disparate treatment of Pacific Islanders by the MVPD. The finding is nevertheless concerning and should be tested in further analysis as more RIPA data becomes available; *the more consistency we see over time, the more reliable the findings* (and vice versa).

4. Variations in Datasets

As noted in the Staff Report (p. 8) there are small discrepancies between the numbers reflected in the Staff Report and the MVFREE Analysis (e.g., Staff Report reflects a total 1776 detentions while the MVFREE analysis reflects 1786 detentions.) The differences appear to be the result of changes to the dataset by the MVPD after it was delivered to MVFREE. For example, the MVPD eliminated eleven detentions from the racial groups to which they were assigned by officers and reclassified these as “multiracial,” a category that does not exist in the data we were provided. We agree that the differences have no significant impact on the relevant calculations. We do not, however, endorse the analytical methodology or conclusions of the Staff Report.

II.
MVPD Racial Disparity Test Data Tables

A. Detention Disparities

1. All Detentions

Table B
MVPD Detentions
June 1, 2021 – May 31, 2022

MVPD Detentions	Detentions Number*	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity	RIPA Average Disparity Ratio**
Total	1786				
White	1252	70.10%	81.65%		
Asian	81	4.53%	6.04%	0.87***	0.41***
Latinx	277	15.50%	6.03%	3.02	1.16
Black	95	5.31%	0.96%	6.5	2.79

* Sum of subgroups does not equal total detentions due to omission of smaller racial groups and those for which Census data was not available.

** RIPA average disparity ratios are offered for comparison purposes and are drawn from cumulative statistics for all 18 reporting agencies reflected in the 2022 RIPA Report. [2022 RIPA Appendices](#), p. 59 (These 18 represent larger police agencies that were required to collect and report RIPA data in advance of smaller agencies. Currently, over 550 law enforcement agencies collect and report RIPA data to the Department of Justice. That data will be available in future RIPA reports.)

***Red entries reflect disparities of less than 1, signifying detention rates lower than those of White people.

Table C
First Quarter MVPD Detentions
June 1, 2021 – August 31, 2021

MVPD Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	459			
White	345	75.1%	81.65%	
Asian	19	4.1%	6.04%	.96
Latinx	67	14.5%	6.03%	2.75
Black	17	3.7%	0.96%	4.42

Table D
Second Quarter MVPD Detentions
September 1, 2021 – November 30, 2021

MVPD Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	474			
White	311	65.61%	81.65%	
Asian	26	5.48%	6.04%	1.12
Latinx	71	14.97%	6.03%	3.1
Black	35	7.38%	0.96%	9.6

Table E
Third Quarter MVPD Detentions
 December 1, 2021 – February 28, 2022

MVPD Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	367			
White	258	70.29%	81.65%	
Asian	20	5.44%	6.04%	1.04
Latinx	53	14.44%	6.03%	2.77
Black	22	5.99%	0.96%	7.24

Table F
Fourth Quarter MVPD Detentions
 March 1, 2021 – May 31, 2022

MVPD Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	486			
White	338	69.54%	81.65%	
Asian	16	3.29%	6.04%	.74
Latinx	86	17.69%	6.03%	3.57
Black	21	4.32%	0.96%	5.29

Table G
Detentions as a Percentage of Resident Population
 June 1, 2021 – May 31, 2022

All Detentions	Detentions Number	Population Number	Detentions as % of Residents
Total	1786	14231	12.55%
White	1252	11621	0.10%
Asian	81	860	9.41%
Latinx	277	859	32.24%
Black	95	137	69.34%

(a) Key Findings: Detention Disparities (from Tables A – G; see Report, Figures 1 and 2)

Black/White Disparities—During the data year, Black people were detained by police in Mill Valley at 6.5 times the rate of White people. Table B. None of the reporting agencies in the 2022 RIPA Report had a Black/White disparity ratio this high.¹⁰ Mill Valley’s Black/White disparity ratio is more than double the average Black/White detention disparity ratio for all California reporting agencies (2.79). Table B. The total number of Black detentions is equal to 69.34% of the City’s total Black population, while White detentions amount to just 0.1% of the City’s White population. Table G.

Mill Valley’s Black/White detention disparities were extremely high across all four quarters but still varied significantly from quarter to quarter. The MVPD quarterly Black/White detention disparity ratios were 4.42, 9.6, 7.24 and 6.5, respectively. Tables C – F. However, the variations do not appear to reflect a discernable pattern or trend apart from the persistence of significant disparities.

¹⁰ The agencies with the highest Black/White disparity ratios are the SFPD (6.36); Davis PD (6.25); and LAPD (5.25). [2022 RIPA Appendices](#), pp. 59-67.

Latinx/White Disparities—During the data year, Latinx people were detained by police in Mill Valley at 3.02 times the rate of White people. Table B. Mill Valley detention disparities are significantly lower for Latinx people than for Black people, a pattern that is also reflected in the average RIPA data for reporting agencies. Still, the Mill Valley Latinx/White detention disparity ratio of 3.02 exceeds that of every reporting agency in the 2022 RIPA Report,¹¹ and is more than twice the average of reporting agencies for Latinx people (1.16). Table G. The number of MVPD detentions of Latinx people equals 32.24% of the City’s Latinx population whereas White detentions equal just 0.1% of the White population. The quarterly White/Latinx disparity ratios range from a low of 2.75 to a high of 3.57 and, again, suggest no discernable pattern other than the persistence of disparities. Tables B – F.

Asian/White Disparities—Quarter by quarter, and for the entire data year, Asian people were detained by Mill Valley police at or near the same rate as White people. Tables B- F. The absence of prejudicial detention disparities for Asians in Mill Valley is consistent with the pattern of reporting agencies across the State that, on average, detain Asians less frequently than Whites or any other racial group. Table B.

2. Detentions by Time of Day

Table H
MVPD Daytime Detentions
 (8:00 a.m. – 7:59 p.m., RIPA Column D)
 June 1, 2021 – May 31, 2022

Daytime Detentions	Detentions Number	Detentions Percent	MV Population 2020 Census	MV Ratio of Disparity
Total	1112			
White	795	71.49%	81.65%	
Asian	50	4.49%	6.04%	0.83
Latinx	160	14.38%	6.03%	2.73
Black	61	5.48%	0.96%	6.55

Table I
MVPD Nighttime Detentions
 (8:00 p.m. – 7:59 a.m., RIPA Column D)
 June 1, 2021 – May 31, 2022

Nighttime Detentions	Detentions Number	Detentions Percent	MV Population 2020 Census	MV Ratio of Disparity
Total	674			
White	457	67.80%	81.65%	
Asian	31	4.59%	6.04%	0.90
Latinx	117	17.35%	6.03%	3.45
Black	34	5.04%	0.96%	6.32

(a) Key Findings: Detentions by Time of Day (from Tables H and I; see Report, Figure 3)

Daytime and nighttime detention disparities do not differ significantly in Mill Valley for any racial group.

¹¹ The highest Latinx detention disparity for all reporting agencies was reported by the Oakland PD at 2.18 times the rate of Whites. *Id.* at p. 63.5.

3. Detentions by Type of Call

Table J
One Year MVPD Calls for Service Detentions
 (RIPA Column K:Y)
 June 1, 2021 – May 31, 2022

Call for Service Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity	RIPA Average Disparity Ratio
Total	293				
White	202	68.94%	81.65%		
Asian	10	3.41%	6.04%	0.66	0.21
Latinx	32	10.92%	6.03%	2.15	0.99
Black	45	15.35%	0.96%	19.07	3.31

Table K
1st Six Months MVPD Calls for Service Detentions
 (RIPA Column K:Y)
 June 1, 2021 – November 30, 2022

Call for Service Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	155			
White	109	70.32%	81.65%	
Asian	5	3.22%	6.04%	0.61
Latinx	21	13.54%	6.03%	2.60
Black	27	17.41%	0.96%	21.08

Table L
2nd Six Months MVPD Calls for Service Detentions
 (RIPA Column K:Y)
 December 1, 2021 – May 31, 2022

Call for Service Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	129			
White	93	72.09%	81.65%	
Asian	5	3.87%	6.04%	.72
Latinx	11	8.52%	6.03%	1.60
Black	18	13.95%	0.96%	16.51

Table M
One Year MVPD Officer-Initiated Detentions
 (RIPA Column K:N)
 June 1, 2021 – May 31, 2022

Officer Initiated Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity	RIPA Avg. Disparity Ratio
Total	1494				
White	1050	70.28%	81.65%		
Asian	71	4.70%	6.04%	0.89	1.3
Latinx	245	16.30%	6.03%	3.14	1.2
Black	50	3.30%	0.96%	3.98	2.7

Table N
1st Six Months MVPD Officer-Initiated Detentions
(RIPA Column K:N)
June 1, 2021 – November 30, 2022

Officer Initiated Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	775			
White	547	70.58%	81.65%	
Asian	41	5.20%	6.04%	1
Latinx	117	15.09%	6.03%	2.90
Black	25	3.22%	0.96%	3.89

Table O
2nd Six Months MVPD Officer-Initiated Detentions
(RIPA Column K:N)
December 1 – May 31, 2022

Officer Initiated Detentions	Detentions Number	Percent of Detentions	MV Population 2020 Census	MV Ratio of Disparity
Total	725			
White	503	69.37%	81.65%	
Asian	30	4.13%	6.04%	.80
Latinx	128	17.65%	6.03%	3.47
Black	25	3.44%	0.96%	4.26

(a) Key Findings: Disparities by Type of Call (from Tables J – O; see Report, Figure 4)

Black/White Disparities—The greatest racial disparities in the MVPD RIPA data appear in detentions of Black people in response to community members’ calls for service. On average, Black people were detained in response to a community member’s call for service at 19.07 times the rate of White people. Table J. The rate dropped significantly from the first half of the year when the Black call for service detention rate was 21.08 times the rate of Whites (Table K), to the second half of the year when the rate for Blacks was 16.51 times the rate for Whites (Table L). In both time periods, however, the Black/White call for service disparity was far higher than the State average for RIPA reporting agencies (3.31, Table J) and more than double the highest rate of any California reporting agency.¹²

The Black/White disparity ratio for MVPD officer-initiated calls (3.98) was far lower than the call for service disparity, but still significantly higher than the State average Black/White disparity for officer-initiated calls of 2.7. Table M.

Latinx/White Disparities—For Latinx people in Mill Valley, the greatest detention disparities were in officer-initiated calls. Latinx people were detained at 3.14 times the rate of Whites in officer-initiated calls and 2.15 times the rate of Whites in community member calls for service. Tables J and M. MVPD Latinx/White disparities in both types of calls were higher than the average of State reporting agencies. Tables J and M.

Asian/White Disparities—Asian people were detained by Mill Valley police at slightly lower rates than White people in both calls for service and officer-initiated calls. Tables J and M. There does not appear to be any significant difference in the detention rates for Asian people between these two types of detentions.

¹² The highest Black/White disparity ratio for calls for service among RIPA reporting agencies was from the SFPD at 7.53. [2022 RIPA Appendices](#), p. 74.

B. Disparities Police Actions During Detentions

1. Search & Contraband Discovery

Table P
MVPD Warrantless Search
(RIPA Column X)
June 1, 2021 – May 31, 2022

Detainees Searched	Detentions Number	Searches Number	MV Ratio of Disparity
Total	1786	169	
White	1252	108	
Asian	81	5	0.75
Latinx	277	32	1.37
Black	95	24	3.12

Table Q
MVPD Contraband Discovery
(RIPA Columns X and CN)
June 1, 2021 – May 31, 2022

Search and Discovery	Searches Number	Discovery Number	MV Ratio of Disparity
Total	169		
White	108	57	
Asian	5	2	0.76
Latinx	32	17	1.01
Black	24	12	0.96

(a) Key Findings: Search & Discovery Disparities (from Tables P and Q; see Report, Figure 5)

Black/White Disparities—Mill Valley police conducted warrantless searches of Black detainees at 3.12 times the rate they did White detainees. Table P. However, of those detainees searched, Black people were no more likely than White people to be found in possession of contraband (roughly half of the searches of Blacks and Whites uncovered seizable property). Table Q.

Latinx/White Disparities—Latinx detainees were searched at somewhat higher rates than Whites (1.37 times the rate of White detainees) and were also equally likely as Whites to possess contraband. Tables P and Q.

Asian/White Disparities—The numbers of Asians searched is so low as to have little probative value standing on its own. Tables P and Q. However, the low search rate for Asians suggested by this data is consistent with findings throughout this Appendix that place Asians at or near the lowest rates of MVPD scrutiny and engagement. Though the number of Asians in any single analysis may be small, the absolute consistency of the findings warrants a high degree of confidence in this conclusion.

2. Compelled Movement

Table R
MVPD Curbside and Patrol Car Detentions
 (RIPA Columns BD and BF)
 June 1, 2021 – May 31, 2022

Curbside & Patrol Car	All Detentions Number	Curbside Number	MV Disp. Ratio Curbside	Patrol Car Number	MV Disp. Ratio Patrol Car
Total	1786				
White	1252	92		52	
Asian	81	4	0.57	5	1.5
Latinx	277	21	1	13	1.12
Black	95	21	3.14	13	3.25

(a) Key Findings: Compelled Movement (from Table R; see Report, Figure 6)

Black/White Disparities—Mill Valley police compel Black detainees to relocate at substantially higher rates than they do White detainees: Black detainees were subjected to curbside detention at 3.14 times the rate of Whites and were subjected to patrol car detention at 3.25 times the rate of Whites. Table R.

Latinx/White Disparities—Latinx detainees were subjected to patrol car detentions at a somewhat higher rate than White detainees and were detained curbside at the same rate as White detainees. Table R.

Asian/White Disparities—The numbers of Asians subjected to curbside or patrol car detention during the year are, again, too small to be indicative on their own of a pattern of MVPD practices.

3. Duration of Detentions

Table S
Average Duration of MVPD Detentions
 (RIPA Column E)
 June 1, 2021 – May 31, 2022

All Detentions	Detentions Number	Total Minutes Detained	Average Minutes Detained
Total	1786	29627*	
White	1252	19816	15.82
Asian	81	1103	13.61
Latinx	277	5499	19.85
Black	95	2353*	24.76

* Calculations exclude one apparently erroneous entry in the RIPA data that appears to reflect a detention of a Black female lasting 1215 minutes on February 15, 2022.

(a) Key Findings: Detention Duration Disparities (from Table S; see Report, Figure 7)

On average, Black people were detained nearly ten minutes longer than White people (36% longer); Latinx people were detained four minutes longer than White people (20% longer); and Asian people were detained roughly two minutes shorter (14% shorter) than White people. Table S.

APPENDIX B

Mill Valley Police Department Bias by Proxy Policy

This policy was developed by the Police Working Group
based on recommendations of the RIPA Board.

We understand from Chief Navarro that the policy
has been adopted and is being implemented by the MVPD.

We have provided this final draft copy of the policy
because the policy does not yet appear on the Department's website.

Bias by Proxy

403.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Mill Valley Police Department's commitment to fair and objective policing. The intent of this policy is to increase the department's effectiveness as a law enforcement agency and to build mutual trust with the City and County's diverse individuals and communities.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

403.1.1 DEFINITIONS

"Bias by Proxy" refers to when an individual calls the police and makes false or ill-informed claims of misconduct about persons they dislike or are biased against (either implicit or explicit bias)."

403.2 POLICY

1. Members should be aware of the potential for bias-based motivations behind calls for service.
2. Members should always aim to build community trust through all actions they take, especially in response to bias-based reports.
3. Members should exhibit critical decision-making, drawing on their training and awareness of implicit and explicit bias, to assess whether there is a legitimate law enforcement purpose before acting. Absent a legal duty to act, no member is obligated to take any discretionary action where bias-based motivation is behind a call for service.
4. For suspected bias-motivated calls, officers may use discretion informing the Dispatcher that a member will not respond to the call without a legitimate basis of there being potentially criminal conduct or when there is no legitimate law enforcement purpose for responding.
5. For suspected bias-motivated calls, when feasible, the officer should attempt to contact the reporting party to obtain further information as to the reason for requesting police assistance, response, or intervention prior to responding.

403.3 PROTOCOLS FOR SUSPECTED BIAS BASED CALLS FOR SERVICE

Members should be aware of the potential for bias-based motivations behind calls for service. Where a caller or reporting party reports a suspicion that is not connected to specific criminal activity or need for public safety (for example, a "suspicious person" or "suspicious vehicle") members should determine by further inquiry that there is reason to suspect specific criminal conduct or need for police services prior to responding.

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Bias by Proxy

403.3.1 PROTOCOL FOR SUSPECTED BIAS-BASED CALLERS

Any time a caller or a reporting party offers a vague allegation or suspicion without tying it to specific criminal activity or need for public safety (e.g., "suspicious person or "suspicious vehicle") dispatchers and responding officers should be on alert for a possible biased call. The same can be said for an officer who perceives someone as "suspicious" but is unable to point to conduct by the individual related to a specific crime or in need of police services.

403.3.2 PROTOCOL FOR INTERACTING WITH SUBJECT OF A BIAS-BASED CALL

Officers should seek to avoid or minimize unwarranted interference with an individual who is the subject of a bias-based call.

403.3.3 SUPERVISOR PROTOCOL FOR BIAS-BASED CALLS

When an officer determines that a call for service is bias-based, the shift supervisor should be dispatched to speak with the individual who made the bias-based call. When feasible, the shift supervisor should:

1. Let the caller know that no suspicious or criminal activity was found and advise the caller as to what is and is not an appropriate basis for calling 911
2. Explain that the agency does not respond to calls for service based on an individual's personal characteristics
3. Educate the caller on the agency's bias-free policy and philosophy, as well as explain that officers respond to behaviors and actions of individuals that appear suspicious, threatening, or is illegal, and not to hunches or situations based on an individual's personal characteristics.

403.3.4 PROMOTE A RESTORATIVE JUSTICE APPROACH TO BIAS-BASED CALLS

A restorative justice approach that addresses bias-based calls can be a tool to educate the bias-based caller and to reconcile their actions by acknowledging the harm done to the affected community or individual. The approaches can be as simple as an apology.

403.3.5 RECORD KEEPING FOR BIAS-BASED CALLS

Officers and shift supervisors shall document and maintain a record of all bias-based calls. The Marin County Sheriff's Office Dispatch Center will maintain a classification titled 'Bias by Proxy' for tracking these types of calls for service. The Department shall periodically assess the record to identify and address any patterns, systemic issues, or repeat bias-based callers. Bias-based calls should be recorded as the appropriate classification Bias by Proxy. If a report is necessary for documentation purposed, the class code BBPXY will be used.

403.4 REQUIRED TRAINING REGARDING BIAS-BASED CALLS

Training on fair and objective policing and review of bias by proxy shall be conducted as directed by the Operations Captain and Administrative Lieutenant. Training shall include a discussion of its bias-free policing policy with all sworn members and professional staff on an annual basis.