Racial Profiling Expert Finds Serious Flaws in California's Racial & Identity Profiling Board 2022 Annual Report

Unsound Statistical Analysis Misleads the Public, Misrepresents Racial Profiling in California Police Stop Data

Sacramento, CA — Today, the Peace Officers Research Association of California (PORAC) – representing 75,000 of California's approximately 121,000 full-time law enforcement officers – released a critical analysis of the California Department of Justice's Racial & Identity Profiling Advisory (RIPA) Board's 2022 Annual Report. As a non-partisan advisory board, the RIPA Board has an obligation to the public to maintain neutrality in the presentation of facts and figures. Unfortunately, the Board's methodology in analyzing police stop data from 2020 as contained in the 2022 Annual Report is seriously flawed. The report fails to achieve the professional statistical rigor that is necessary to draw meaningful conclusions from which California's policy and decision makers can reasonably rely on. The conclusions therefore misrepresent the state of racial profiling in California. Now, as the RIPA Board prepares to publish its 2023 report, PORAC is releasing this analysis to bring to light the significant statistical inaccuracies in how stop data was quantified – urging the Board to review its methodology and revise their reporting criteria before misleading the public again.

"PORAC fully acknowledges that racial bias exists and supports efforts to address it. But that does not mean we can manipulate information to prove a point," said **PORAC President Brian R. Marvel**. "We were disappointed to see the RIPA Board release a report with such flawed methodology and misrepresented data, which is why we commissioned one of the nation's leading experts on racial profiling to develop this critical analysis. Our collective goal should be to improve the profession of law enforcement to best protect and serve all Californians – not play political games that will cause serious harm to police-community relations."

This critical analysis shows several instances where widely adopted statistical best practices were blatantly disregarded throughout the RIPA Board's 2022 report, including:

- **RIPA Board Chose Not to Include Data on 57.7% of All Stops**: California Highway Patrol data, which accounts for 57.7% of all stops in the state, was not included uniformly throughout all analyses in the report – meaning that the analysis only considered 42.3% of possible stops yet made sweeping generalizations.

- **RIPA Board Distorts Definition of Racial Profiling:** California defines racial profiling as requiring an officer to initiate a stop based on race – i.e., the officer must know the race or ethnicity of the driver *prior* to the stop. However, the data collected in this report was collected *after* the stop already occurred.

- **RIPA Board Employs Fundamentally Flawed Statistical Analysis**: The study includes only one independent variable – the driver's race or ethnicity – meaning that race or ethnicity is *the only* attributable explanation for why an officer initiated a stop. This fails to consider vitally important contextual information and a myriad of other potential motivations or justifications for the enforcement action.

- **RIPA Fails to Conduct a Thorough Literature Review**: The report cherry picks print and TV news articles as "sources" to support RIPA's stance – neglecting to provide a literature review of pre-existing studies.

"The underlying assumption that forms the basis for RIPA's report itself is incredibly flawed," said **Dr. Brian L. Withrow, Professor of Criminal Justice at Texas State University**. "It is simply not possible – legally or scientifically – to allege racial profiling as defined by California law using the data available to the RIPA Board. The report fails to adequately address or at the very least acknowledge these limitations to the methodology. The numbers must speak for themselves."

As one of the nation's most forward-thinking and innovative public safety organizations, PORAC has a long history of working with organizations and lawmakers to chart a new path forward for policing in California. PORAC remains committed to improving the profession of law enforcement and public safety – including addressing and mitigating unconscious biases. However, the overly broad and inaccurate conclusions that the RIPA Board's 2022 report puts forward will ultimately do more harm than good.

"As a non-partisan advisory board, our charge it is to put forward accurate, neutral information to provide a fair and objective analysis of what is happening on the street to inform policymakers – not using data to confirm pre-existing bias," said **Rich Randolph, RIPA Board Member**. "The more we cherry-pick what numbers to include and what sources to cite, the less we appear as a neutral body interested in truly improving policing outcomes. We owe it to the people of California to do better."

The conclusions and recommendations section at the end of PORAC's analysis articulates the statistical inaccuracies and misrepresentations that take place throughout the RIPA Board's 2022 report. In advance of the release of their next report, PORAC urges the RIPA Board to at a minimum revise the reporting criteria, reassess the included variables, and reconsidering the types – and consistency – of their analyses.

PORAC's full analysis of the RIPA 2022 Annual Report can be found here: https://www.dropbox.com/s/zyri78c4gtlel4s/PORAC%202022%20RIPA%20Report%20Analysis_FINAL.pdf?dl=0

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About the Peace Officers Research Association of California:

The Peace Officers Research Association of California (PORAC) was incorporated in 1953 as a professional federation of local, state, and federal law enforcement agencies. PORAC represents over 75,000 public safety members and over 940 associations, making it the largest law enforcement organization in California and the largest statewide association in the nation.

About Dr. Brian L. Withrow:

Dr. Withrow is one of the nation's leading experts on the racial profiling. He has authored three books and numerous articles and reports on this over the past 22 years. As such, he is regularly asked to provide technical and litigation assistance on racial profiling issues to police departments throughout the nation. Dr. Withrow's research methods textbook (Research Methods in Crime and Justice, Second Edition (2016), Routledge Publishing) is used extensively throughout the United States and in other countries. Dr. Withrow joined the Texas State faculty in 2009 and is currently a Professor in Texas State University's School of Criminal Justice and Criminology. Dr. Withrow earned his Bachelor of Arts degree in Criminal Justice from Stephen F. Austin State University in 1981, his Master of Public Administration from Southwest Texas State University in 1993, and his Doctor of Philosophy in Criminal Justice from Sam Houston State University in 1999.