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REIMAGINING COMMUNITY SAFETY IN CALIFORNIA

From Deadly and Expensive Sheriffs to Equity and
Care-Centered Wellbeing

OCTOBER 2022

ACKNOWLEDGMENTS

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This report was jointly produced by Catalyst California (formerly Advancement Project California), and the American Civil Liberties Union of Southern California.

Catalyst California

Catalyst California (formerly Advancement Project California), alongside partners, dismantles racial injustice and redesigns systems for access and equity. We do this by shifting and building power with movement leaders in communities of color who are making real change. With the collective impact of community, data, and policy, we make the California Dream inclusive and available to all.

With a mix of audacity, analysis, and action, we foster justice and create equitable futures for everyone in our state. We translate complex ideas about communities into narratives that inspire action with the racial equity movement. To achieve our vision of a world where justice thrives, we uphold the truth through deep research, turn policies into actionable change, and shift money and power back into our communities.

We are a catalyst for systems transformation, ensuring that community-driven action, research, and policy foster an equitable future. We are willing to venture into the unknown for a cause, because to get to where we need to go, we need to do things in ways we have never done before.

ACLU of Southern California

The American Civil Liberties Union of Southern California defends the fundamental rights outlined in the United States Constitution and the Bill of Rights. These include the right to freedom of speech and assembly, the right to religious freedom, due process of law, equality before the law, and the right to privacy. The ACLU SoCal also relies on state constitutional provisions and federal and state laws that further these and similar rights.

The ACLU SoCal is committed to helping re-envision an approach to public safety that is fair and free of racial bias, keeps communities safe and respects the dignity and rights of all who come into contact with it. We strive to end overcriminalization; ensure fair and constitutionally sound treatment of all people; remove barriers to reentry; and increase government transparency and accountability. The ACLU of SoCal works with community and organizational partners to reform California's community safety approaches to end harsh policies that result in mass incarceration; achieve effective community-based solutions and opportunities; and prioritize rehabilitation and transformative justice over punishment.

PARTNER ORGANIZATIONS THAT PROVIDED INSIGHT THROUGH REGIONAL AND STATEWIDE STAKEHOLDER MEETINGS

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ACLU of Northern California

Decarcerate Sacramento

Sacramento Area Congregations Together

Starting Over, Inc.

Promoting Unity, Safety & Health – Los Angeles (PUSH LA)

Alliance for Community Transit – Los Angeles (ACT LA)

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I. EXECUTIVE SUMMARY

Fundamentally transforming California's approach to safety is long overdue. Communities disproportionately impacted by racist law enforcement practices—including violence, economic extraction, and dehumanization—have demanded that policymakers shift toward safety approaches that prioritize care and equity without harm reproduction. This report aims to contribute to those ends. Specifically, both lived experience and data continuously show that people of color are disproportionately profiled by law enforcement. In addition to confirming that problem, this report explains how patrol activities undermine safety and waste tremendous public dollars. It does so by analyzing Racial & Identity Profiling Act (RIPA) stop data from a sample of four sheriff's departments (Los Angeles, Riverside, Sacramento, and San Diego) that collectively account for nearly 20% of the state's sworn law enforcement personnel,¹ have jurisdiction over counties that represent 44% of California's population, and patrol areas covering approximately 17% of the state population.² RIPA data analysis is combined with county budget estimates to show the tremendous cost of unproductive patrol activities.

Key Findings

- Sheriff's departments dedicate significant patrol time (and, in turn, public resources) to racially biased pretextual stops that undermine community safety.
- The impact of sheriff's departments' patrol activities is extremely detrimental to people of color because they are far more likely to experience numerous harms as a result of pretextual stops.
- Such unproductive and harmful law enforcement activities annually cost individual counties hundreds of millions to over one-billion dollars.

Recommendations

- **Justice Reinvestment:** Research and demands from community partners show that redirecting government spending from the criminal legal system (i.e., law enforcement, district attorneys, and prisons) to investments that help people fulfill basic needs improves safety, and that doubling down on criminal legal system spending entrenches inequities.
- **Care-Centered Community Safety:** The general thrust of the community safety landscape increasingly trends toward community-connected approaches of harm prevention, such as increasing the capacity of organizations that provide violence intervention services, behavioral health support, homeless outreach, youth development, jobs, and housing.
- **Limit Enforcement of Minor Traffic Violations Used for Racially Biased Pretextual Stops:** Throughout California and around the U.S., there has been growing movement toward innovative approaches to roadway safety that do not rely on armed law enforcement. Policymakers should follow this trend by shifting away from armed law enforcement for minor traffic violations,

investing in preventive roadway design upgrades that alleviate the need for enforcement, improving public transportation, and decriminalizing numerous low-level traffic violations that have little to no tangible connection to true safety.

II. THE RACIST HISTORY AND EXPANSIVE ROLE OF SHERIFFS

Historical Context

Sheriff's departments are rooted in racism. Their predecessors, "[s]lave patrols, America's first system of organized, civilian-based law enforcement, were charged with suppressing potential insurrection by raiding slave dwellings, dispersing gatherings, and patrolling the areas around plantations and towns" during the 1700s.³ After emancipation, slave patrols became local white militia groups that enforced "Black codes"—severe conduct restrictions that aimed to preserve racial hierarchy and ensure that Black people served as cheap, indentured labor.⁴ During the post-reconstruction era, local white militias evolved into formal sheriff's departments that enforced recast Black code provisions and other laws designed to maintain racial hierarchy.⁵

According to the California Task Force on Reparations, numerous county sheriffs and deputies throughout the state (including Los Angeles, Riverside, Kern, and Alameda) were members and recruiters of the Ku Klux Klan.⁶

While sheriff's departments' ostensible purpose is no longer to oppress Black people, the practical effects of their policies and practices continue to devastate communities of color (see Part V). Beyond racial hierarchy, sheriff's departments are now tasked with an array of duties that they are neither well-qualified nor suited to effectively manage. This expansive role includes, among other things, providing outreach services to unhoused people, resolving behavioral health emergencies, mediating interpersonal conflicts, traffic enforcement, investigations and detective work, "community relations," general surveillance, and contracted services (e.g., for large private events, schools and universities, and nearby localities without their own law enforcement agency).⁷ With this expansive role has come great opportunity for potentially harmful interactions with people of color in nearly all aspects of life.

"I often feel that law enforcement is put in a position to do a job that they are not trained to do. Law enforcement is often put into situations of social service versus doing the law enforcement element of it."

~ Sacramento Community Member⁸

There are many reasons why sheriff's departments have been tasked with doing more than they can effectively handle—including, for example, narrow dominant perceptions of what safety means and can look like, normative deference to law enforcement assertions concerning nearly any matter related to safety,⁹ and extensive political power held by law enforcement associations and elected sheriffs.¹⁰ In addition, for many counties, the largest (or near largest) public workforce group is made up of sheriff's department personnel. As a result, when added capacity to address a social problem is needed, law enforcement agencies are viewed as an efficient means of filling the void. Lastly, it is not uncommon to see sheriff's departments actively scale-up by obtaining new funding sources.

Present-day Sheriff's Departments

1. Racial Bias

Examples of law enforcement's long history of racism in current sheriff's departments are endless. For instance, a 2022 report by the California State Auditor found that law enforcement agencies across the state, including the Los Angeles Sheriff's Department, failed to adequately guard against biased conduct by officers.¹¹ Among other things, ***the State Auditor concluded that officers publicly promoted and defended white supremacist hate groups, and that agencies failed to implement anti-bias best practices.***¹²

To add, a 2021 report, "50 Years of Deputy Gangs in the Los Angeles County Sheriff's Department," details a history of ***"deputies forming secret groups at [patrol] stations in minority communities" that operate like street gangs "by encouraging and even celebrating aggressive tactics and excessive uses of force against minority communities."***¹³ And, in terms of impacted community perspectives, in 2021, nearly 30 community and advocacy organizations submitted a letter to the state attorney general requesting an investigation of the Riverside Sheriff's Department because of "a pattern of racist policing practices, rampant patrol and jail deaths, and a refusal to comply with recommendations from oversight agencies and a court-mandated consent decree."¹⁴

2. Operational Structure

Sheriff's departments are county-level agencies (as opposed to city or other municipal jurisdiction). They are primarily tasked with providing law enforcement services to unincorporated areas and contract cities by conducting stops, making arrests, responding to calls for service, investigating crimes, operating jails, and providing court services. Unlike other county agencies (which are run by hired or appointed directors), a sheriff's department is run by an elected official—the county sheriff. This arrangement provides significant power because a local sheriff is one of only a few elected officials with county-wide jurisdictions—along with, for example, district attorneys and assessors.¹⁵ It also gives a sheriff considerable independence from oversight by other elected officials, such as a board of supervisors—which appoints and removes local agency heads.¹⁶ As a result of this structure, ***the L.A. Board of Supervisors (which runs the county and determines its sheriff's department's budget) found that a "[l]ack of accountability has been an enduring feature of county sheriffs." And, one former L.A. County sheriff told his compatriot: "You were elected sheriff. You are the sheriff. You and your colleagues will run this department without interference from the outside."***¹⁷



Sheriff's department personnel are organized into units based on function, such as administration and human resources, correctional services, investigative services, patrol, contract services, and coroner. While each unit has its own budget category, sometimes personnel work across units. A typical sheriff's department has hundreds if not thousands of full-time equivalent (FTE) positions.



Across numerous job classifications, patrol duties are the primary responsibility of deputy sheriffs. Among other things, deputy sheriffs patrol geographic areas, respond to calls for service, enforce traffic laws, and investigate crimes.¹⁸ Deputies assigned to patrol are essentially front-line “beat” officers who conduct routine stops. Patrol units within a sheriff's department typically have the most personnel because they are tasked with covering large geographic areas.

III. COUNTIES SPEND BILLIONS OF DOLLARS ON RACIALLY BIASED SHERIFF'S DEPARTMENTS

Since the late 1960s, law enforcement spending has increased exponentially.¹⁹ It now consumes the largest share of many localities' discretionary revenues—crowding out the possibility of funding other government functions that are better suited to address social problems.²⁰

California's 58 counties and 482 cities annually spend over \$25 billion on law enforcement, compared to only \$3.7 billion on public health.²¹ And, counties specifically spend more general fund revenue on sheriff's departments than on social services by a substantial margin.²² This is both troubling and harmful because numerous studies show that doubling down on law enforcement does not improve safety, while investing in social services, health, and education does so.²³

Agency-wide and Patrol Unit Costs

For each of the sampled counties, the figures below provide the total county budget, sheriff's department budget, and sheriff's department patrol unit budget. The patrol (rather than other) unit figures are highlighted because patrol units carry primary responsibility for routine interactions with community members through officer-initiated stops, and responding to calls for service (see Part IV). Patrol unit budgets cover time spent conducting stops, as well as related indirect costs—such as patrolling in between stops, logging reports, supervisor's time, and situations in which multiple officers participate in a stop. For each of the sheriff's departments, the patrol unit budget ranges between 32% and 53% of the department's overall budget, and costs anywhere from hundreds of millions of dollars to over \$1 billion. In the tables below, "FTE" stands for "full-time equivalent." It is the unit of measurement equivalent to an individual employee who works full-time.

Los Angeles County

	FY 2019 Actuals	FTEs	FY 2020 Actuals	FTEs
Total County Budget	\$32.8 Billion		\$36.1 Billion	
Sheriff's Budget	\$3.4 Billion	18,246	\$3.5 Billion	8,300
Patrol Unit Budget	\$1.1 Billion	5,985	\$1.1 Billion	5,646
Patrol Unit's Percentage of Sheriff's Budget	32%		32%	

Riverside County

	FY 2019 Actuals	FTEs	FY 2020 Actuals	FTEs
Total County Budget	\$5.6 Billion		\$6.1 Billion	
Sheriff's Budget	\$719,144,388	5,200	\$795,311,294	5,171
Patrol Unit	\$352,081,858	2,080	\$392,991,903	2,051
Patrol Unit's Percentage of Sheriff's Budget	49%		49%	

Sacramento County

	FY 2019 Adopted	FTEs	FY 2020 Adopted	FTEs
Total County Budget	\$4.3 Billion		\$4.4 Billion	
Sheriff's Budget	\$346,091,502	1,984.5	\$372,719,287	2,084
Patrol Unit Budget	\$181,739,522	667 ²⁴	\$193,764,274	547.5
Patrol Unit's Percentage of Sheriff's Budget	53%		51%	

San Diego County

	FY2019 Actuals	FTEs	FY 2020 Actuals	FTEs
Total County Budget	\$6.27 Billion		\$6.25 Billion	
Total Sheriff's Budget	\$873,280,341	4,404	\$931,743,949	4,415
Sheriff's Patrol Unit Budget	\$276,773,917	1,432	\$299,724,963	1,438
Patrol Unit's Percentage of Sheriff's Budget	31%		32%	

Costs of Settlements and Judgements

Counties are exposed to staggering indirect costs from settlements and judgements for sheriff's department misconduct.²⁵ Obtaining disaggregated costs for settlements and judgments arising specifically from patrol activity misconduct is difficult to obtain because counties are not transparent with such information (e.g., failing to publicly report or reporting under budget items outside of law enforcement), and often prevent public access through non-disclosure agreements in settlements.²⁶ However, *as one example, in 2019, Los Angeles County paid nearly \$52 million for settlements and judgments on cases arising from sheriff deputies' misconduct toward members of the public, and approximately \$9.6 million to defend the deputies who caused those harms.*²⁷ Beyond Los Angeles, the actual budgeted costs for other analyzed counties was unavailable. However, research indicates that a general trend of significant impact on local budgets applies across jurisdictions. Riverside County, for instance, paid \$77 million for police misconduct (\$63 million for excessive force and \$12 million for false arrests) between 2010 and 2020.^{28,29}

Revenue Sources

Sheriff's departments are funded through numerous sources—including property and sales taxes, state and federal grants, and local fines and fees. Notably, they also obtain funding through “inmate welfare funds” by charging families of incarcerated people fees for phone usage and by marking up prices for commissary items like food, health products, and other basic necessities.³⁰ Most of their funding comes from county discretionary funds, which are accounts that hold locally generated revenues from, among other things, property taxes, sales taxes, and service charges.³¹ Law enforcement is typically a county's largest spending category. In addition to significant local contributions, sheriff's departments receive funding through state sources, such as Proposition 172 (1994),³² Public Safety Realignment (AB 118 – 2011),³³ and the Realignment Act of 2011 (AB 109).³⁴ The federal government also provides billions to sheriff's departments, but—given the number and scale of local law enforcement agencies across the U.S. that receive funds—it typically accounts for a relatively smaller portion of their individual budgets.³⁵



IV. SHERIFFS WASTE THOUSANDS OF HOURS AND MILLIONS OF DOLLARS ON RACIALLY BIASED PRETEXTUAL STOPS THAT UNDERMINE SAFETY

A common, long-held belief is that communities need to greatly invest in law enforcement—rather than other potential safety solutions—to prevent serious violence from occurring.³⁶ This “tough on crime” approach views law enforcement as *the* primary (if not sole) solution to protect community members from heinous harms like homicide, robbery, and assault.³⁷ It presumes that law enforcement agencies significantly focus their efforts on responding to calls for help (e.g., to 911) from community members in imminent danger, and that their actions are an effective means of harm prevention.³⁸

However, sheriff’s department stop data for the sampled jurisdictions indicate that patrol activities are not greatly dedicated to responding to calls for service from community members. Rather, as explained below, the data show that agencies spend a significant amount of time and public resources stopping people for minor traffic violations—such as a broken taillight, driving without valid registration, or incorrectly displaying a license plate—that pose non-imminent and relatively little to no safety risks (i.e., pretextual stops).

For years people of color have had to disproportionately endure degrading pretextual stops and the attendant dehumanizing trauma, harassment, and unjustified uses of force that all too often

arise as a result.³⁹ ***Both experts and data show that pretextual stops are racially biased, harmful, and an inefficient use of public resources because they are not an effective means of preventing serious harms from occurring.⁴⁰ Pretextual stops are a “repackaged and sanitized version of the ways age-old ‘vagrancy’ laws,”⁴¹ Black codes, and Jim Crow were enforced to maintain racialized hierarchy and economic stratification under the guise of “safety”*** (see Part II).

Methodology in Brief⁴²

The analysis below is based on stop data reported pursuant to the Racial and Identity Profiling Act (RIPA) of 2015, population figures from the U.S. Census, and county budget information. Because RIPA’s law enforcement data reporting mandate began in April 2019 (for data collected the preceding year), and the COVID-19 pandemic greatly affected public safety in numerous, atypical ways in 2020 and 2021, the analysis below focuses on 2019—which was also the most recent year of data available at the time this study began. For each issue discussed below, we identify two examples amongst the sampled jurisdictions that best illustrate the main point. Data for all jurisdictions is in the Appendix. In addition, the cost for each issue below is approximate and assumes that an issue’s share of stop time is the same as its share of total patrol costs (we calculate patrol costs as including the direct costs of patrol duty officers as well as indirect costs for administration, supervision, and other tasks that make patrol operational). It is not spending specifically allocated by a county for the patrol activity at issue.

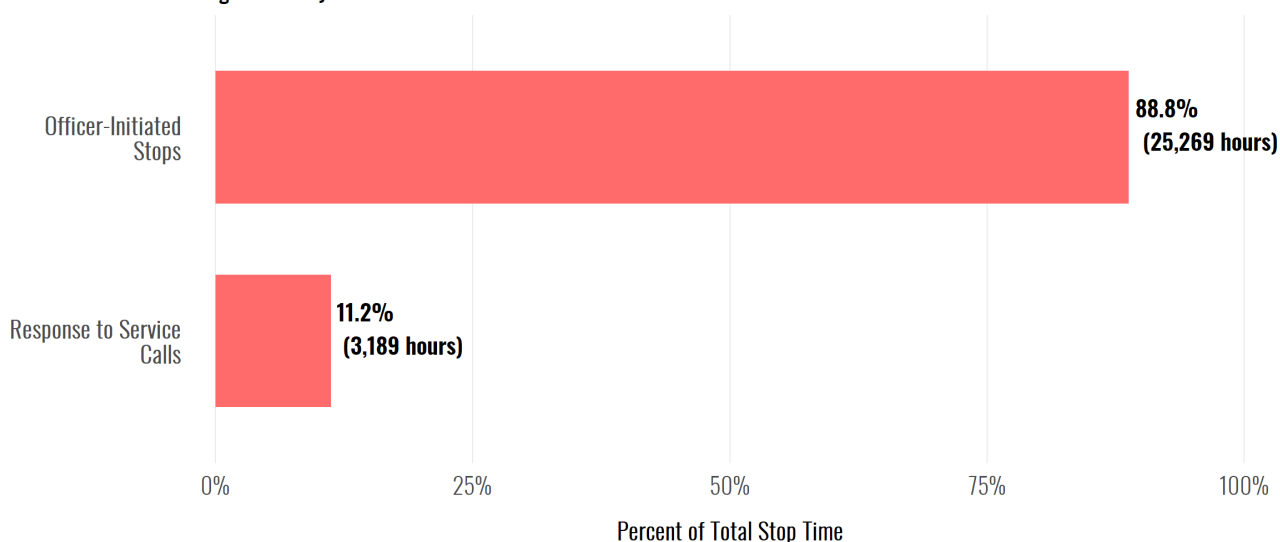
Significant Time and Public Resources Are Spent on Officer-Initiated Stops Rather Than Responding to Calls for Service

An officer-initiated stop occurs when an officer stops a member of the public based on the officer’s belief that the person may be connected to a criminal offense. In contrast, a stop made in response to a call for service occurs when an officer stops a person pursuant to an external request, such as from a community member.⁴³

For the Los Angeles Sheriff’s Department, 88.8% of officer time spent on stops (25,269 hours) was for officer-initiated stops rather than in response to a call for service, which accounted for only 11.2% (3,189 hours) of officer time spent on stops. Stated differently, nearly 9 out of 10 of the department’s hours spent on stops were for officer-initiated stops. This disparity is even more compelling when considering that the median amount of time the department spent on a call for service (approximately 15 minutes) was greater than for officer-initiated stops (8 minutes).⁴⁴

Percent of Time Spent on Officer-initiated Stops vs. Calls for Service

Los Angeles County Sheriff



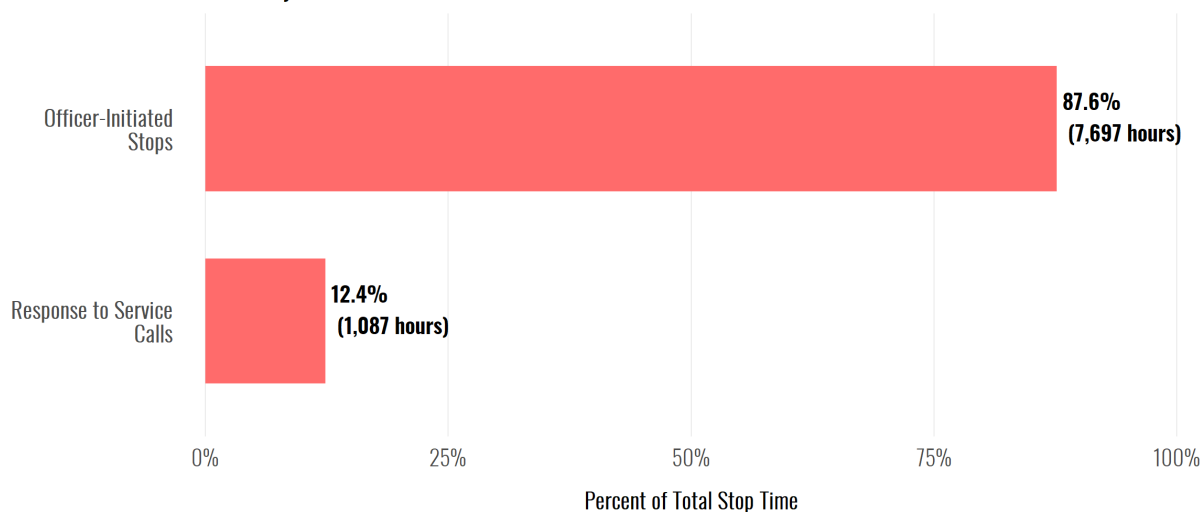
Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Please see methodology for more information on time spent calculations.

In terms of dollars, as mentioned under Part II above, the overall cost of the L.A. Sheriff's Department patrol unit was approximately \$1.1 billion. *Using a one-to-one correlation between budget and patrol time estimates, L.A. Sheriff's Department officer-initiated stops cost over \$981 million, and calls for service cost approximately \$124 million.*

Similarly, for the Riverside Sheriff's Department, 87.6% (7,697 hours) of officer time spent on stops was for officer-initiated stops, and only 12.4% (1,087 hours) was for calls for service. Such figures reflect considerable prioritization of officer-initiated stops because calls for service tended to take longer (median time of 30 minutes) to complete than officer-initiated stops (median time of 6 minutes).⁴⁵

Percent of Time Spent on Officer-initiated Stops vs. Calls for Service

Riverside County Sheriff



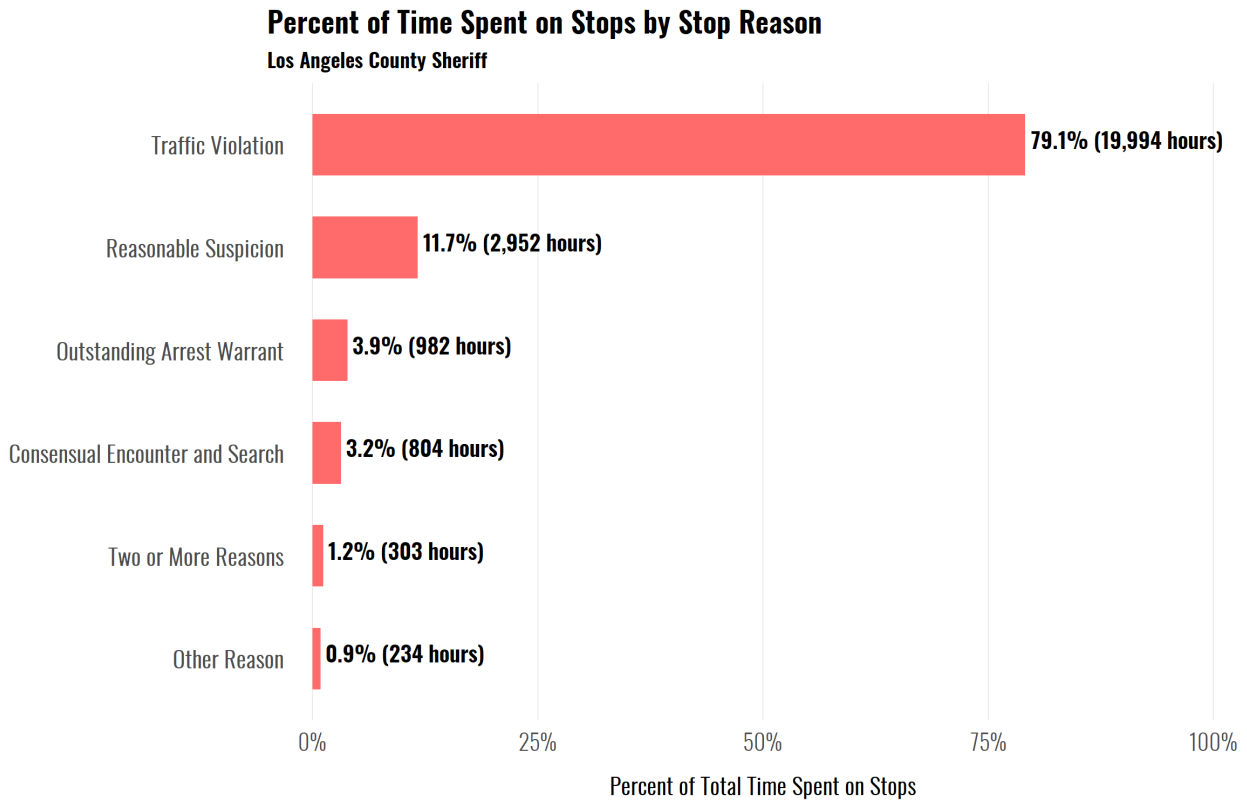
Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Please see methodology for more information on time spent calculations.

Within the Riverside Sheriff's patrol unit budget (over \$350 million), time spent on officer-initiated stops cost about \$308 million, and time spent on calls for service cost approximately \$43.7 million.⁴⁶ *Thus, together, stop and budgetary data show that sheriff's departments dedicate significant time and public dollars to officer-initiated stops. This is extremely problematic because doubling down on officer-initiated stops is an outdated and misplaced form of "proactive" policing that has repeatedly been shown to be an ineffective safety strategy and devastating to communities of color.*⁴⁷

Within the Context of Officer-initiated Stops, Departments Spend Significant Time and Public Resources Enforcing Traffic Violations

Another common assumption is that officer-initiated stops—as opposed to stops in response to calls for service—are necessary to prevent people from engaging in crimes that pose a serious threat to communities.⁴⁸ In light of this view, we evaluated officer-initiated interactions by the amount of time spent on stops based on the reasons stops occurred. Under RIPA, primary stop reasons include a traffic violation, reasonable suspicion of a crime, a stop made pursuant to a warrant for an arrest, a consensual encounter and search, a parole or probation check, or investigating youth for truancy. We categorized stops based on more than one reason as “two or more reasons.” A very small portion of other individual stop reasons reported—but that do not fit within any of the above categories—were collectively categorized as “other reason” because, when aggregated, they account for less than 1% of total time spent on officer-initiated stops.

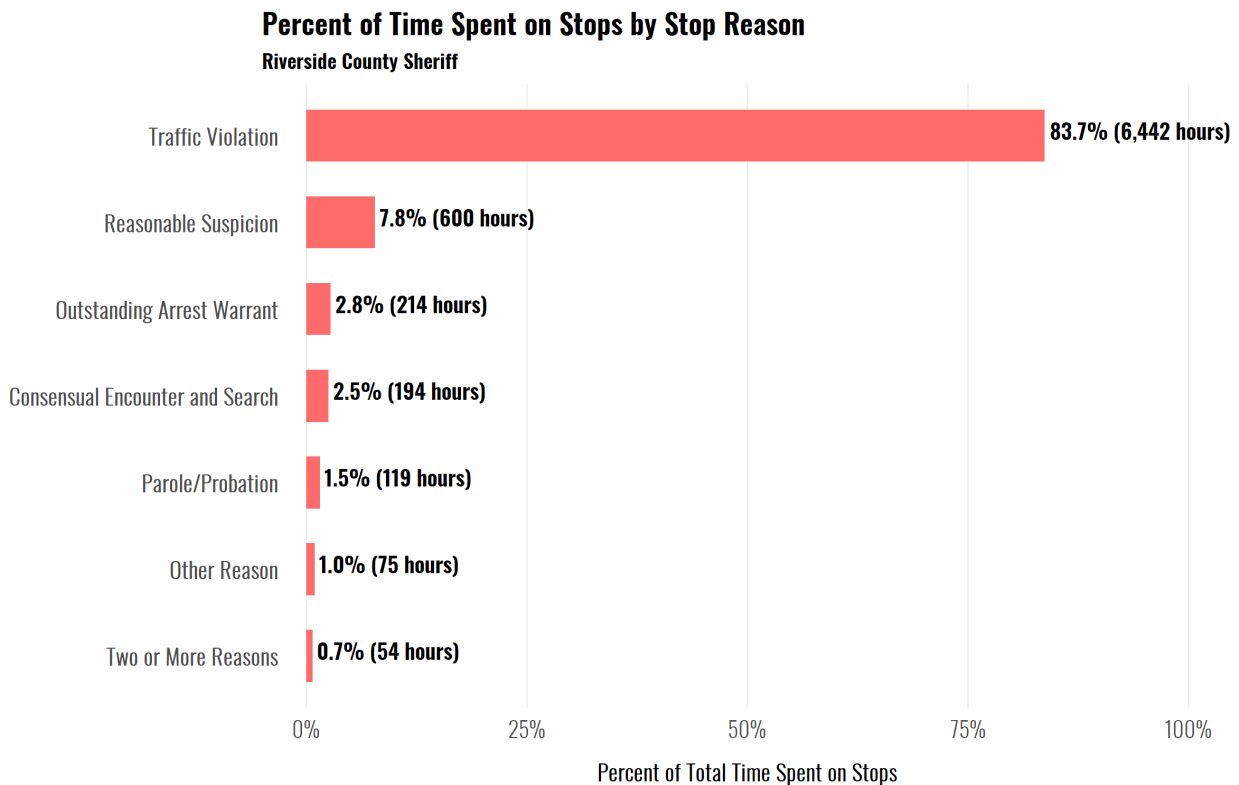
The data show that time spent on officer-initiated stops is largely for the purpose of enforcing traffic violations. For the L.A. Sheriff's Department, for instance, data show that 79.1% of hours (19,994) spent conducting officer-initiated stops were for traffic violations. By contrast, officer-initiated stops based on a reasonable suspicion accounted for 11.7% (or 2,952) of hours, and those made pursuant to an arrest warrant comprised only 3.9% (or 982) of hours.



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Excludes request for service calls. Please see methodology for more information on time spent calculations.

Combined with the overall cost of the L.A. Sheriff's Department patrol unit identified above (over \$1.1 billion), time spent on officer-initiated stops for traffic violations annually amounts to over \$776.6 million. The figures for reasonable suspicion and arrest warrant are \$114.9 million and \$38.3 million, respectively.

Similarly, in Riverside, approximately 83.7% (6,442 hours) of deputies' time spent on officer-initiated stops went toward traffic violations. Stops for reasonable suspicion comprised the second highest percentage, 7.8% (600 hours), and all other reason categories each accounted for less than 3%.



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Excludes request for service calls. Please see methodology for more information on time spent calculations.

Combined with the overall cost of the Riverside Sheriff's patrol unit identified above (\$352 million), time spent on officer-initiated stops for traffic violations amounted to approximately \$258.2 million. The figures for stops based on reasonable suspicion and arrest warrant were \$24.1 million and \$8.6 million, respectively.

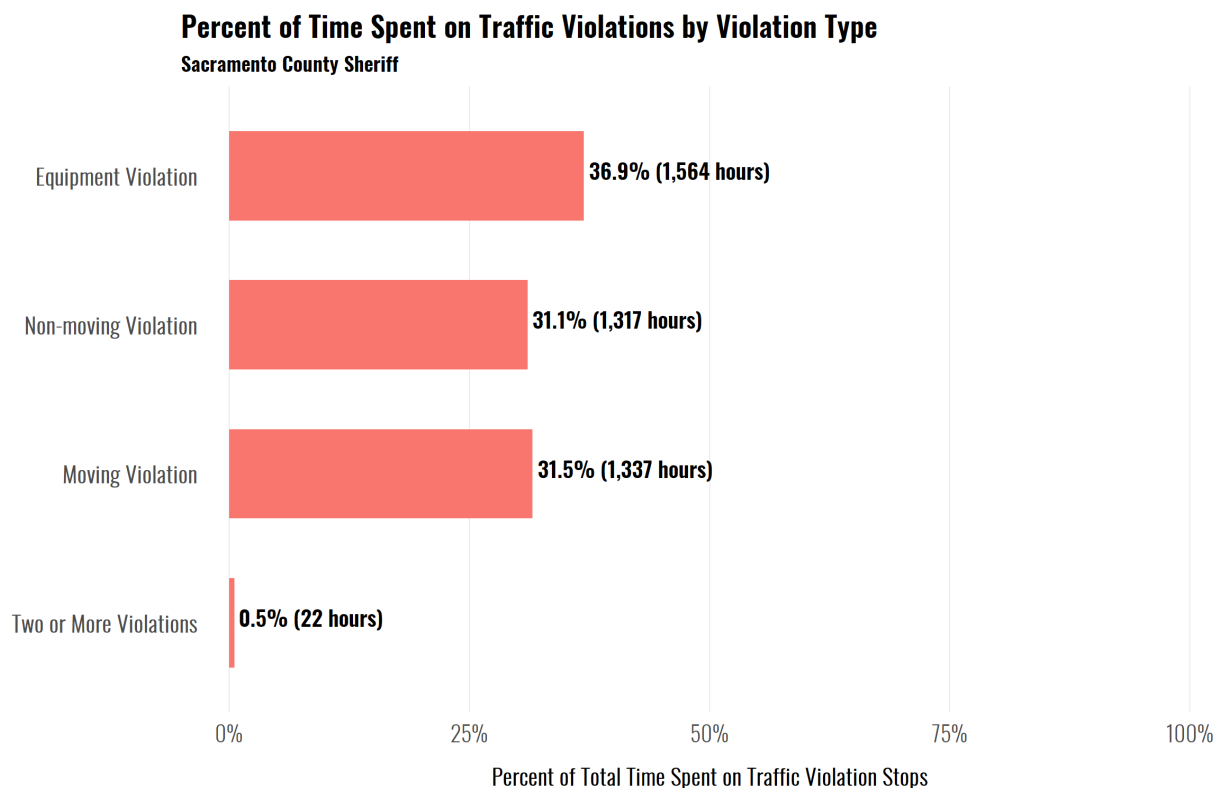
Among Officer-initiated Stops for Traffic Violations, a Substantial Amount of Time and Resources Are Spent on Stops Indicative of Pretext

As mentioned above, pretextual stops are a "repackaged and sanitized version of the ways age-old 'vagrancy' laws,"⁴⁹ Black codes, and Jim Crow were enforced to maintain racialized hierarchy and economic stratification under the guise of "safety." The analysis below examines whether agencies' patrol activities are indicative of pretextual stops or geared more toward preventing violations that pose imminent and serious traffic safety risks. The analysis evaluates (i) the time spent on traffic violations by violation type, and (ii) the time spent on stops that result in a warning or no action. Data on both issues indicate that a substantial amount of time spent on officer-initiated stops for traffic violations is for pretextual stops.

1. A Substantial Amount of Time and Resources Are Spent Enforcing Equipment and Non-Moving Violations (Basis for Pretextual Stops)

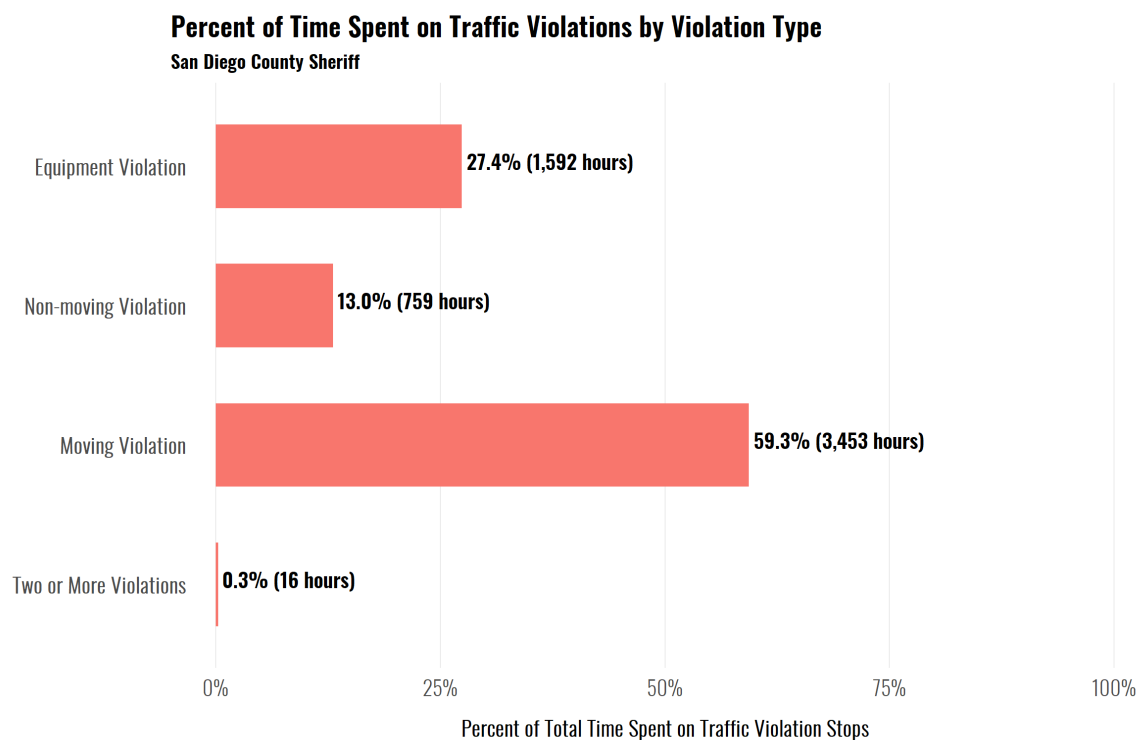
Below is an analysis of traffic stops pursuant to the three primary types of traffic violations—moving violations, equipment violations, and non-moving violations. In addition, instances in which more than one violation type is identified are categorized as “two or more violations.” Equipment violations (e.g., a broken taillight) pose relatively low and non-imminent risks, along with non-moving or technical violations (e.g., invalid registration). Equipment and non-moving (technical) violations are often used as bases for pretextual stops.⁵⁰ Stated differently, they are relatively minor violations that do not necessarily require a stop, but if an officer has a “hunch” or intuition that a driver possess evidence of a crime, such minor violations can be identified to permit an otherwise illegitimate investigation.⁵¹

As an example, a little under two-thirds of Sacramento Sheriff’s Department time spent on stops (62.5% or 4,242 hours) was for traffic violations. Within that, just over two-thirds (68%, or 2,881 hours) of time spent on traffic violations was for equipment and non-moving violations, and about one-third (31.5% or 1,337 hours) was for moving violations. Combining such figures with the total expenditures on the department’s patrol unit (over \$181 million), the cost of equipment and non-moving violations (i.e., basis for pretext) was over \$32.2 million, compared to approximately \$15 million for moving violations.



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Excludes request for service calls. Please see methodology for more information on time spent calculations.

For the San Diego Sheriff's Department, approximately 40.4% (2,351 hours) of time spent enforcing traffic violations was for equipment and non-moving violations, and 59.3% (3,453 hours) was for moving violations. Converted to dollars, this amounts to over \$47.7 million for equipment and non-moving violations, and \$70 million for moving violations.



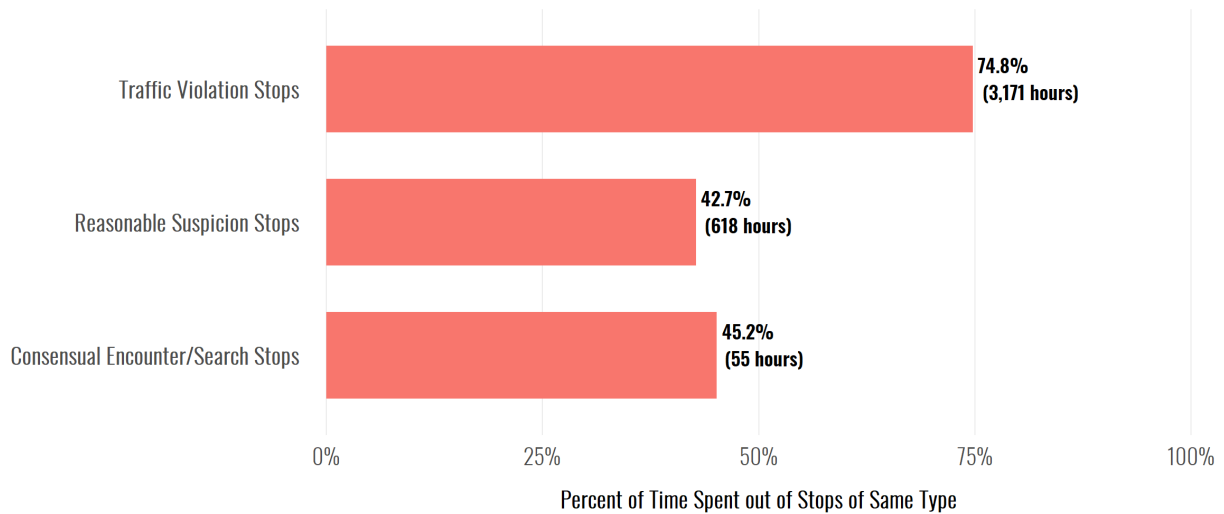
Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Excludes request for service calls. Please see methodology for more information on time spent calculations.

2. A Considerable Amount of Time and Resources Are Spent on Stops That Result in No Action or Warning (Indicating Pretext)

Data show that a considerable amount of time is spent on stops that result in a warning or no enforcement action. As above, here, this indicates that time is spent on stops that pose minimal to no imminent risk to traffic safety, and amount to a routine practice of pretextual stops. For example, *among officer-initiated stops for traffic violations by the Sacramento Sheriff's Department, approximately 3 out of every 4 hours (74.8% or a total of 3,171 hours) are spent on stops that result in a warning or no action. Converted, this amounts to approximately \$35.5 million annually dedicated to traffic violation stops that result in a warning or no action and are indicative of pretext.*

Percent of Time Spent on Stops That Result in Warning or No Action

Sacramento County Sheriff

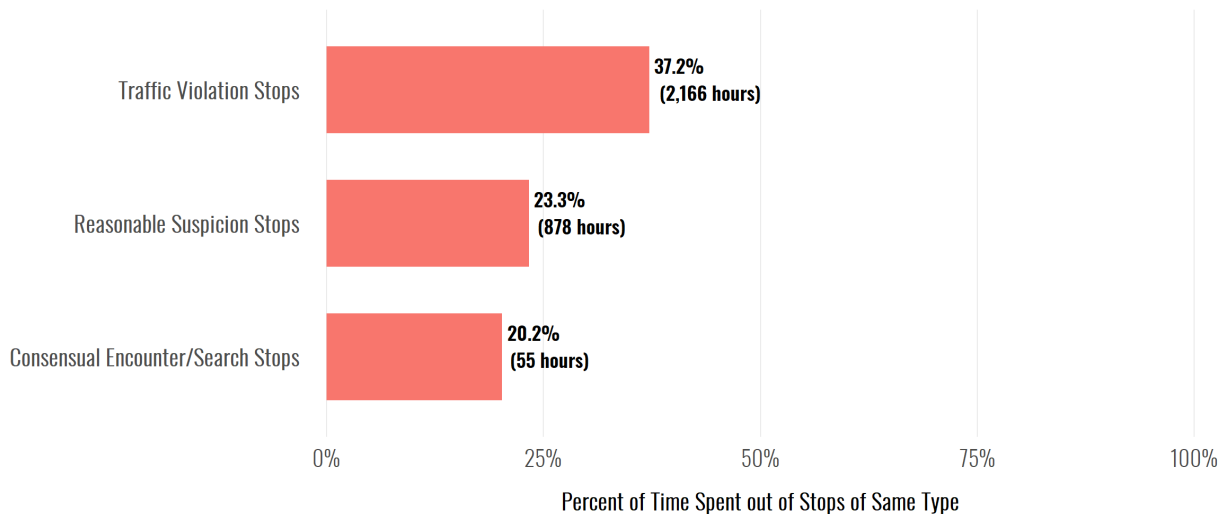


Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Excludes request for service calls. Please see methodology for more information on time spent calculations.

For the San Diego Sheriff's Department, looking at officer-initiated stops for traffic violations, over 1 out of every 3 hours spent was for a stop that resulted in a warning or no action (2,166 total hours). Converted to dollars, this annually amounts to over \$43.9 million on traffic stops that result in a warning or no action and are indicative of pretext.

Percent of Time Spent on Stops That Result in Warning or No Action

San Diego County Sheriff

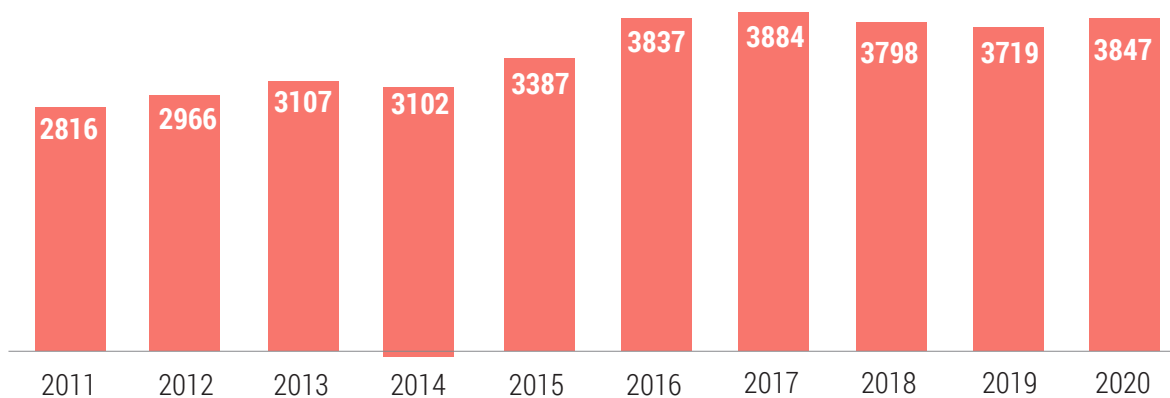


Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019).
Data Note: Excludes request for service calls. Please see methodology for more information on time spent calculations.

Research Suggests That Law Enforcement Patrol Activities Are Not Effective Harm Prevention Strategies

Despite a significant amount of time and public resources spent on stops for low-level traffic violations—and, more specifically, pretextual stops—traffic fatality trends indicate that roadway safety is not substantially improving. For example, data from the National Highway Traffic Safety Administrations provides the number of traffic fatalities in California from 2011 to 2020.⁵² Despite enormous growth in law enforcement budgets over time,⁵³ data show that safety outcomes have become worse—increasing from 2,816 fatalities in 2011 to 3,847 in 2020, with a high of 3,884 in 2017.⁵⁴

Fatal Crashes in California 2011-2020⁵⁵



In 2021, a National Institute of Health report titled “Traffic Stops Do Not Prevent Traffic Deaths” compared over 150 million traffic stops in 33 states to vehicle collision death rates in the same geographic areas between 2004 to 2016.⁵⁶ It was the first nation-wide evaluation of its kind—preceding comparables focused on more localized effects.⁵⁷ Notably, the **study found that, in aggregate, there was no significant correlation between high stop rates and vehicle collision death rates. Stated differently, the data did not show that traffic stops decreased fatal crashes.**⁵⁸ Similarly, a 2021 RACE COUNTS report, “Reimagining Traffic Safety & Bold Political Leadership in Los Angeles,” evaluated the relationship between arrests for vehicle code violations and vehicle collisions. It found that, in numerous L.A. city council districts, higher arrest rates for vehicle code violations did not translate to lower collision rates.⁵⁹

Beyond traffic, and considering the impact of patrol activities more generally, a 2020 evaluation of the landscape on violence reduction strategies by the John Jay College of Criminal Justice found that **“few if any studies reporting net positive effects from policing actually show it is specifically the police that reduce crime. Instead, results indicate that having someone present reduces crime and the police can be that someone, but not that the police must be that someone.”**⁶⁰ In addition, research indicates that, rather than relying on law enforcement, perceptions of safety can be improved by satisfying needs in communities that experience greater socioeconomic inequities—and police violence—through programs that even the playing field with quality jobs, income, built environment, and education.⁶¹ (see Part VI).

V. SHERIFFS' PATROL ACTIVITIES DEVASTATE COMMUNITIES OF COLOR

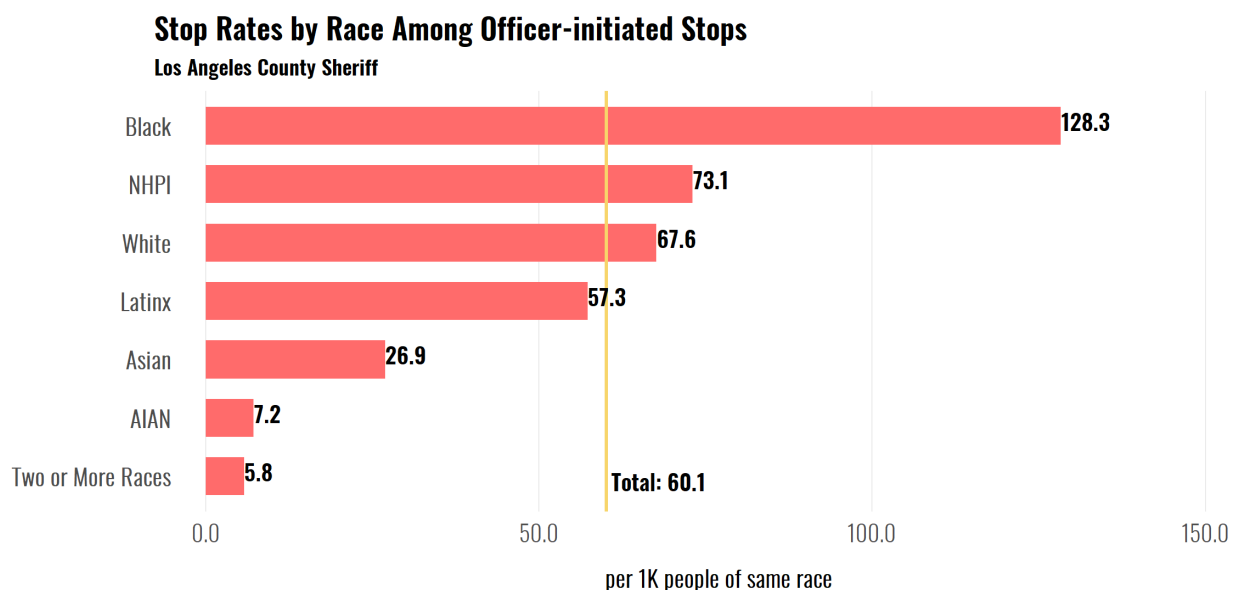
Collectively, stop data racial disparities, research on the impact of law enforcement practices, and stories from the field show that the unproductive and expensive patrol activities explained above inflict extremely detrimental harms on communities of color.

Racially Disproportionate Stops

Below are three analyses of stops for racial disparity: (1) all officer-initiated stops; (2), amongst officer-initiated stops, disaggregation by stop reason; and (3) violation type. As mentioned above in Part III, stop reasons include traffic violation, reasonable suspicion, and consensual encounter and search. Violation types include moving, non-moving (or technical), and equipment. **Notably, research indicates that stop rates for Latinx people identified below are considerably underinclusive compared to non-RIPA data sources. As an example, an Inspector General evaluation of stops conducted by the L.A. Sheriff's Department in 2019 found that the department underreported over 50,000 officer-initiated stops, and that Latinx people represented 66% of those underreported stops.**⁶²

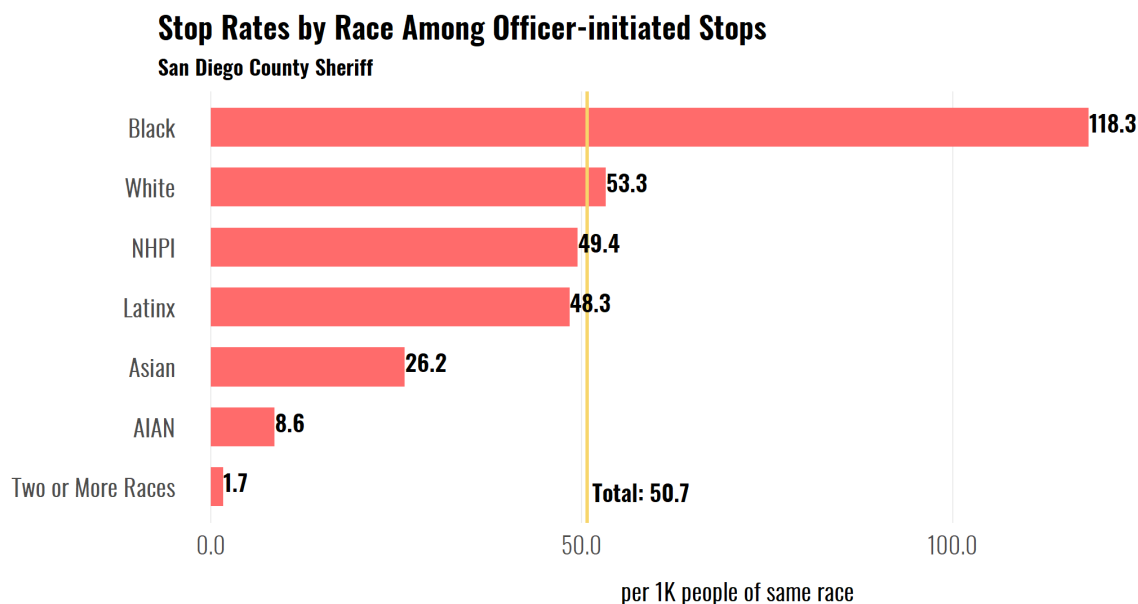
1. Disparities in All Officer-initiated Stops

Black people experience far higher stop rates for officer-initiated stops than other groups. Stop rate patterns for officer-initiated stops often follow the same patterns as stop rates for traffic violations in terms of the racial groups most impacted. This is unsurprising because stops for traffic violations make up most officer-initiated stops. In L.A. County, for example, for every 1,000 Black people, approximately 128 were subjected to an officer-initiated stop—a rate 22 times higher than the lowest rate (approximately 6 per 1000).



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019); U.S. Census 2020.
Data Note: AIAN=American Indian or Alaska Native, alone or in combination. NHPI=Native Hawaiian or Pacific Islander, alone or in combination.

Similarly, in San Diego County, for every 1,000 Black people, approximately 118 were subjected to an officer-initiated stop. This translates to a rate nearly 70 times higher than the lowest rate (approximately 2 per 1000).



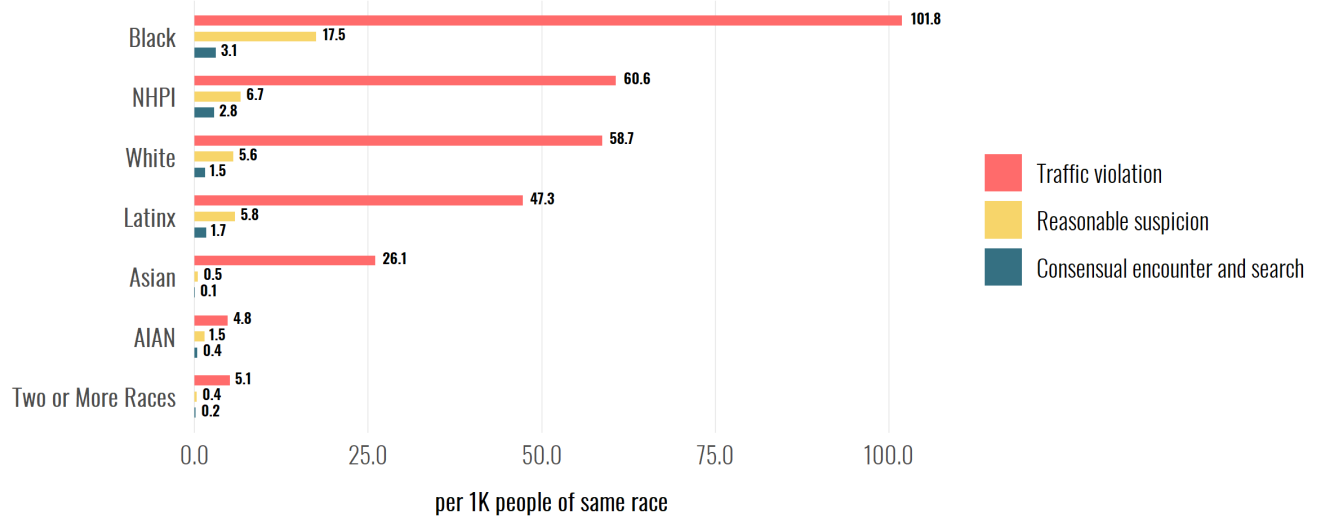
Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019); U.S. Census 2020.
Data Note: AIAN=American Indian or Alaska Native, alone or in combination. NHPI=Native Hawaiian or Pacific Islander, alone or in combination.

2. Disparities Across Stop Reasons

Data show that the L.A. Sheriff's Department disproportionately stops Black people in each stop reason category (i.e., traffic violation, reasonable suspicion, or consensual encounter and search). For example, for every 1,000 Black people in Los Angeles, approximately 102 were stopped for traffic violations, 18 were stopped based on reasonable suspicion, and 3 pursuant to consensual encounter and search. People identified as Native Hawaiian or Pacific Islander (NHPI) experienced the second-highest rates for stops across stop reason categories. Specifically, for every 1000 NHPI Angelenos, approximately 61 were stopped for a traffic violation, 7 were stopped for reasonable suspicion, and 3 were stopped for consensual encounter and search.

Stop Rates by Race and Stop Reason

Los Angeles County Sheriff

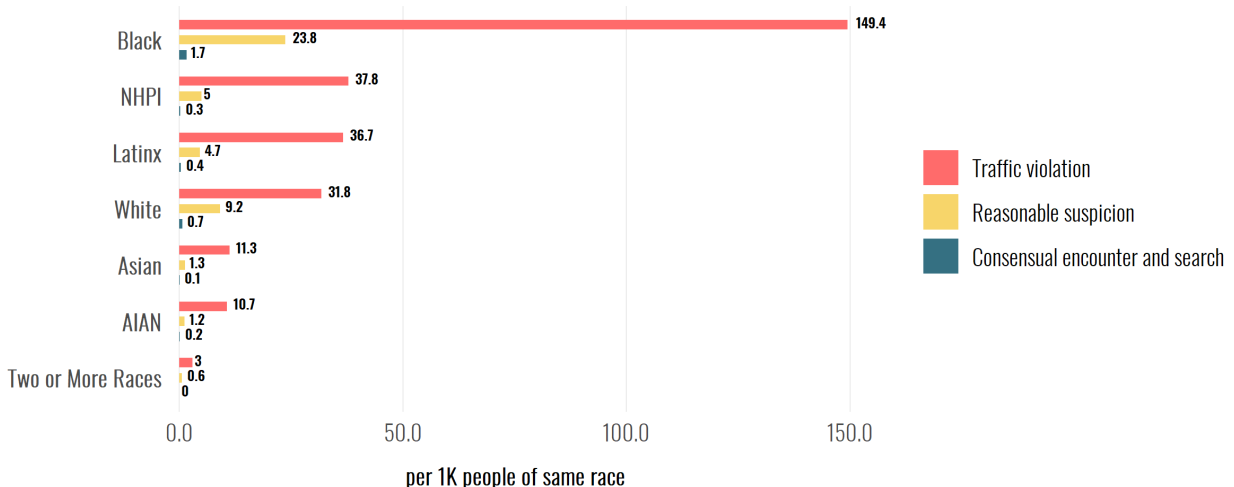


Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019); U.S. Census 2020.
Data Note: AIAN=American Indian or Alaska Native, alone or in combination. NHPI=Native Hawaiian or Pacific Islander, alone or in combination.
Excludes request for service calls.

In Sacramento, Black people experience the highest stop rates across reasons. For example, **approximately 149 out of every 1,000 Black people were stopped for traffic violations by the Sacramento County Sheriff's Department—a rate nearly 50 times greater than the group with the lowest rate and 4 times greater than the group with the second highest rate.** People identified as NHPI experienced the second highest rates for stops when the reason for the stop was either traffic violation or reasonable suspicion. Specifically, for every 1,000 NHPI people in Sacramento, approximately 38 were stopped for a traffic violation, and 5 were stopped based on reasonable suspicion. Such figures amount to roughly 13 and 8 times greater than the group with the lowest rates, respectively.

Stop Rates by Race and Stop Reason

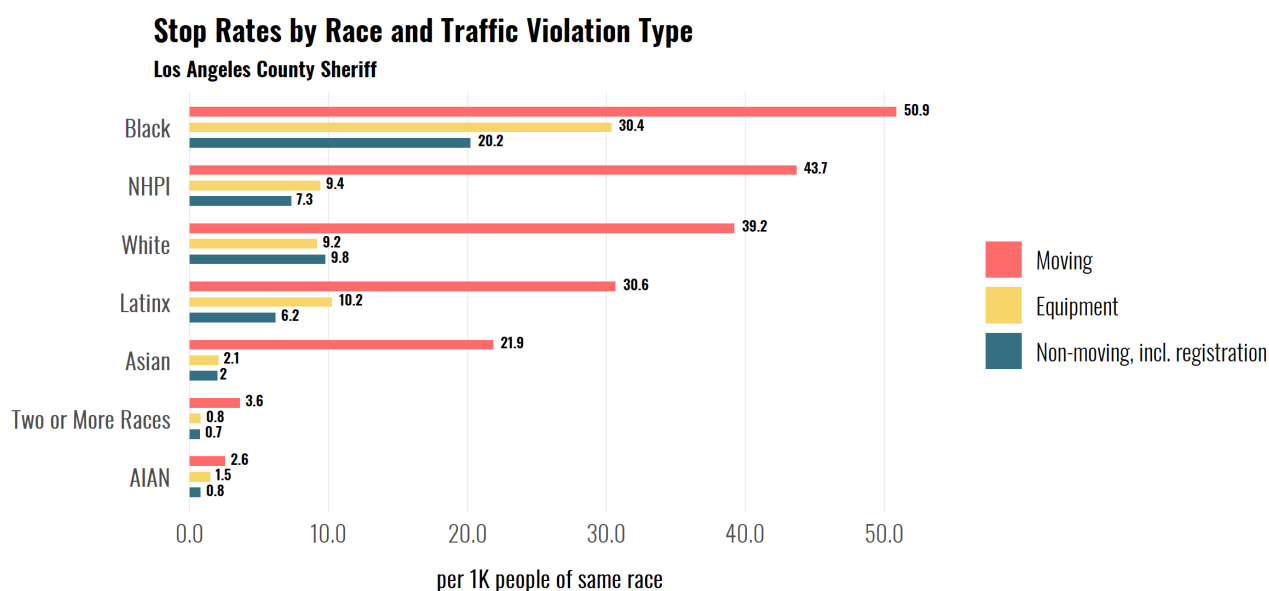
Sacramento County Sheriff



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019); U.S. Census 2020.
Data Note: AIAN=American Indian or Alaska Native, alone or in combination. NHPI=Native Hawaiian or Pacific Islander, alone or in combination.
Excludes request for service calls.

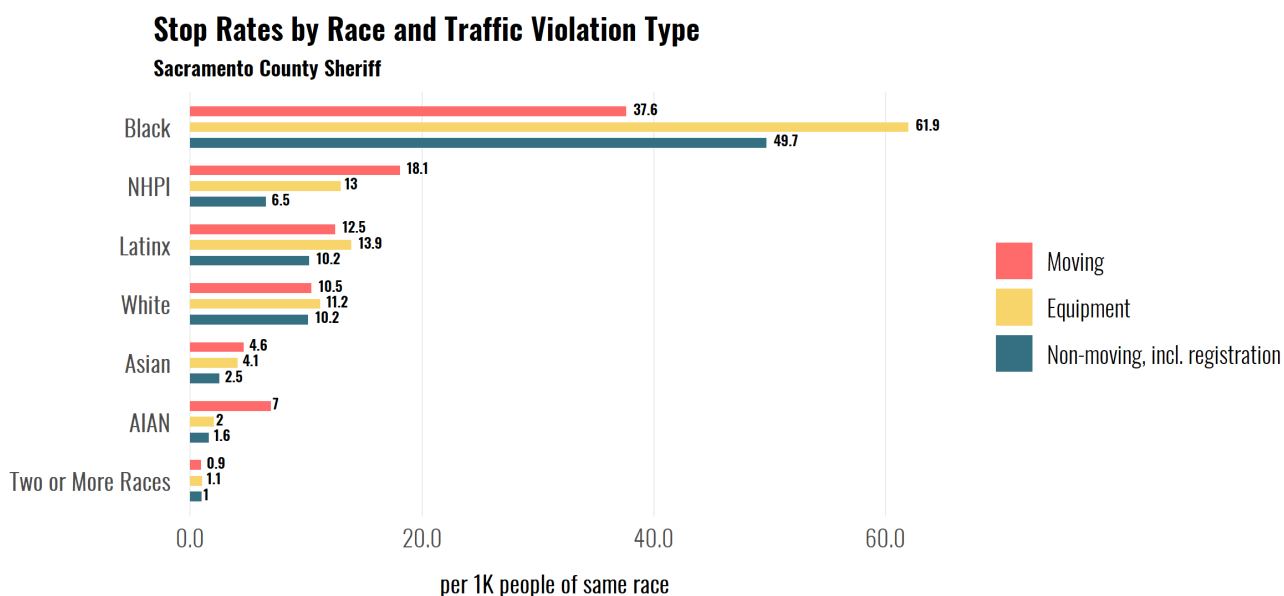
3. Disparities Across Traffic Violation Types

In Los Angeles County, Black people experienced the highest stop rates across stops for traffic violations regardless of violation type. For example, an estimated 30 Black people were stopped for equipment violations for every 1,000 Black people—roughly 3 times higher than the group with the second highest rate, Latinx. People identified as NHPI experienced the second-highest rate of stops for moving violations, at 44 out of every 1,000 NHPI people.



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019); U.S. Census 2020.
Data Note: AIAN=American Indian or Alaska Native, alone or in combination. NHPI=Native Hawaiian or Pacific Islander, alone or in combination.
Stop rates only include stops for traffic violations and exclude request for service calls.

In Sacramento, Black people experienced the highest stop rates across all stops for traffic violations regardless of traffic violation type. As an example, for every 1,000 Black people, an estimated 50 were stopped for non-moving violations—a rate nearly 5 times higher than second highest. In addition, people identified as NHPI experienced the second highest rate of stops for moving violations. And, Latinx, followed by NHPI people, experienced the second highest stop rate for equipment violations.



Data Source: Catalyst California's calculations based on AB 953 data requested by ACLU of Southern California (2019); U.S. Census 2020.
Data Note: AIAN=American Indian or Alaska Native, alone or in combination. NHPI=Native Hawaiian or Pacific Islander, alone or in combination.
Stop rates only include stops for traffic violations and exclude request for service calls.

Harms Resulting from Racially Disproportionate Stops⁶³

The patrol activities discussed above are not only unproductive, costly, and racially biased, but also extremely harmful. To illustrate, below is an overview of harms people of color are forced to endure. It is not all-inclusive.

- **Dehumanization:** All too often, when cruelty is inflicted upon a mass of people, the devastation begins with dehumanization. Through social norms, people evolve to not see others as comparable, fully human beings, such that when harms are inflicted, it fails to register any meaningful response.⁶⁴ When sheriff's departments systematically subject people of color to unnecessary pretextual stops, uses of force, or even death, over the course of time, it sends the message that people of color are less than human—that they can essentially be subjected to harm without concern for repercussion. This practice is not new. There have been numerous genocides throughout our country and the world for generations. The pattern is all too familiar, yet societies remain willfully blind to their existence until long after they have concluded.⁶⁵
- **Degradation of Public Health:** The harmful treatment that people of color experience at the hands of law enforcement negatively affects health in communities of color. For example, in addition to well-known racial disparities in homicides by law enforcement, studies show that racial profiling causes post-traumatic stress and fears of being arrested. Law enforcement presence around hospitals has also been found to discourage men of color on post-release supervision from visiting hospitals.ⁱ To add, for many youths of color, experiences with law enforcement function as a persistent form of psychological trauma.ⁱⁱ
- **Fees and Fines:** Racially biased stops inflict daunting economic burdens on Californians of color—especially for those who are low-income—by subjecting them to tickets for minor traffic offenses that they cannot afford to pay. To illustrate, “a base fine for speeding, for example, can amount to \$100. On top of that, numerous fees and penalties are added—to fund a variety of



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government services and projects—that increase the actual citation costs to nearly \$500. If a person gets sick, cannot miss work, or is unable to make it to court for another reason, an added \$300 civil assessment may be imposed to bring the total cost to over \$800. And, on top of that, the person’s driver’s license can be suspended until all of the fines and fees are paid.”⁶⁶

“I am the mother of six boys and two of my boys in particular have had interactions with law enforcement. As an activist, I have had interaction with law enforcement. And so when I think about trying to achieve stability, and housing, health care, mental health, and any other life needs, I know, in particular, those who either have been put in compromising situations when they lose those things, it is so much harder to gain those things back. So if you lose housing, how much harder it is to re-establish yourself to secure sustainable housing, it can be a challenge for folks who have experienced these touches in interactions with law enforcement.”

~Sacramento Community Member⁶⁷

- **Physical Harm (Uses of Force):** Perhaps more than any other harm since the founding of law enforcement agencies, we have continuously seen that they inflict devastating physical violence on people of color through uses of force. Countless lawsuits, stories of lived experience, bystander video, and media coverage have repeatedly made this reality clear, and led to landmark protests, civil uprisings, and transformative movements throughout California.
- **Devaluation of Life:** The pretextual stops that resulted in the unnecessary deaths of George Floyd, Sandra Bland, Oscar Grant, Philando Castile, and countless others show that law enforcement all too often serves as judge, jury, and executioner when it comes to deciding whether a person of color has committed a criminal offense. The persistence of such brutality against people of color indicates that, from a systemic perspective, the value of their lives is viewed as less significant than that of whites in our society.⁶⁸

VI. RECOMMENDATIONS

Meaningfully addressing the issues discussed above requires looking at community safety from a holistic perspective that no longer presumes that law enforcement is an institution that makes communities safe, but rather sees how law enforcement undermines our collective wellbeing and opportunities for communities of color to thrive. Provided below are a set of recommendations that, taken together, would place California on a path to better protect communities of color from racially biased harms, and ensure that public funds utilized for safety are allocated more resourcefully. The recommendations include (1) justice reinvestment, (2) limiting enforcement of minor traffic violations used for racially biased pretextual stops, and (3) decriminalization.

Justice Reinvestment

State and local approaches to public budgets greatly affect how the criminal legal system operates. For example, if a board of supervisors decides to spend funds to build or expand a jail, those cells will eventually be filled with bodies—disproportionately of color—regardless of whether doing so actually makes communities safer. To ensure that such spending is not wasted, an impetus to fill those cells arises—which, in turn drives increased law enforcement and (as discussed above) numerous harms to communities of color.⁷⁰ Across California, many justice reinvestment campaigns have advocated for reallocating public spending from law enforcement and punishment to care- and community-centered harm reduction strategies.⁷¹ For example, the People’s Budget LA identifies three investment priority areas: (1) universal needs (e.g., housing security, health care and food security), (2) reimagined community safety (e.g., mental health, wellness, and community investments), and (3) built environment (e.g., public transportation, green spaces, parks, and recreation).⁷² Below are examples of how dollars currently wasted on harmful and unproductive law enforcement activities can be invested in solutions that make communities safer.

“We’re talking about a lot of our organizations working with community members, and having ideas for things to really move the needle on quality of life. If the county or the city is able to invest in us, in our programs, as community-based organizations, maybe we’d be able to do quite a bit more than they’re able to do with these bigger, high contract, low accountability programs. These neighborhood-focused efforts could be a nice model.”

~ Sacramento Community Member⁷³

Care-Centered Community Safety

In California and across the nation, community-based organizations, policymakers, and public agency leaders have increasingly recognized a growing need for comprehensive ecosystems of care-centered safety that do not rely on law enforcement to address social problems that pose relatively little to no safety risk. For example, following the death of George Floyd and the ensuing national uprising calling for public safety reforms in 2020, the City of Minneapolis adopted numerous programs to improve responses to community problems without reliance on law enforcement, including the implementation of mobile behavioral health crisis response teams comprised of medical professionals and behavioral health providers, and training non-law enforcement city employees to take theft and property damage reports and collect evidence.⁷⁵



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Partner Highlight: *The work of **Alliance for Community Transit – Los Angeles (ACT-LA)** shows how prioritizing supportive services, care-based design and infrastructure, and the presence of community members creates safety without reliance on law enforcement. ACT-LA is a coalition of organizations that advance justice and equity in local transportation, housing, environment, and public health—and serve low-income people targeted by law enforcement, especially on public transit. ACT-LA has worked to prevent hundreds of millions of dollars from being given to the Los Angeles Sheriff’s Department (and other law enforcement agencies) for contracted services, and to instead shift those funds to community-based support and services.⁷⁶ ACT-LA’s recent victories include a \$122 million pilot program to establish new Transit Ambassador positions that decrease reliance on law enforcement,⁷⁷ as well as holding activations—which include street vendors, unarmed safety personnel, performances, and mobility and built environment upgrades—that show the public and policymakers reimaged approaches to safety for all.*



To ensure success, research indicates that care-centered first response programs should be autonomous from law enforcement, have adequate infrastructure and investment, be widely publicized and accessible, focus on harm-reduction, and center the interests of people most impacted by criminalization—especially people of color, unhoused people, and people in need of behavioral health support.⁷⁸

Place-based Violence Prevention

Research shows that environment and social contexts play significant roles in violence reduction. More specifically, revitalizing blighted areas—such as, for example, transforming vacant lots into playgrounds or green spaces, and filling abandoned buildings with tenants—is a viable violence reduction strategy.⁷⁹ In addition, instead of using a punitive approach to traffic safety through issuing fines (an ineffective deterrent) for speeding, urban design investments—such as more

speed bumps, stops signs, and clear street markings—could be added to prevent speeding in the first place, which would, in turn, minimize the overwhelming economic impact of excessive fees extracted from low-income people of color.⁸⁰

Economic Equity-centered Violence Prevention

Advancing long-term community safety requires addressing the root causes of crime. Amongst numerous factors, studies indicate that guaranteed basic income and robust social support programs that help people address unmet financial needs “are extremely effective policies for reducing homicide, assault, property crime, overdose deaths, and intimate partner violence.”⁸¹ As an example, in 2022, the California legislature passed SB 1304, which would raise the amount of money the state Department of Corrections and Rehabilitation gives people released from prison from \$200 (the amount provided since 1973) to \$1,300 per person.⁸² However, AB 1304 was ultimately not signed by the governor because of state fiscal constraints.⁸³

Just Transitions

Just Transitions (JT) is an environmental justice framework which provides that communities should shift away from harmful extractive systems—such as oil and gas production—and toward structures that are regenerative and empowering, especially for marginalized groups.⁸⁴ JT prioritizes helping workers shift to employment in non- or less-harmful sectors in an empowering manner. Key principles include equitable resource distribution and power dynamics, and ensuring that workforces impacted by the transformation of extractive systems have meaningful jobs and a sense of self-determination.⁸⁵ Recently, community stakeholders have advocated for the application of JT to justice reinvestment issues to ensure that officers’ livelihoods are meaningfully accounted for in shifting toward equity and care-centered safety.⁸⁶

Limit Enforcement of Minor Traffic Violations Used for Racially Biased Pretextual Stops

The data under Part IV above show that law enforcement agencies spend a significant amount time and resources stopping people for minor traffic violations rather than responding to community concerns about serious crimes. Because minor traffic offenses (e.g., infractions and misdemeanors) generally pose relatively little to no safety risks, they could be managed through non-law enforcement safety programs. This would be beneficial in numerous ways, such as alleviating public distrust regarding law enforcement, and preventing racially biased harms caused by pretextual stops. To achieve this, policymakers should both shift away from law enforcement stops for minor offenses, and limit the scope of offenses for which people can be stopped.

Partner Highlight: *The work of **Promoting Unity, Safety & Health – Los Angeles (PUSH LA)** illustrates how collaborative partnerships between a broad cross-sector of community and advocacy organizations focused on protecting low-income communities of color from police violence helps policymakers understand how to truly reimagine safety. In the wake of the murder of George Floyd, landmark uprisings, and data showing that Black Angelenos were 5 times more likely than whites to be stopped by the LAPD, PUSH LA spearheaded a strategic, grassroots campaign that led the City of Los Angeles to pass a motion establishing a task force and city evaluation of alternatives to traffic safety that do not rely on armed law enforcement.*



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Examples of this re-envisioned approach to public safety roles and responsibilities include the City of Berkeley which, in 2021, adopted a package of law enforcement reforms to address racial biases—including shifting traffic enforcement authority from law enforcement to the local department of transportation; deprioritizing stops for low-level offenses, such as seat belt or registration tag violations; and requiring written approval for consent searches.⁸⁸ Similarly, in March 2022, Philadelphia’s City Council passed an ordinance preventing people from being pulled over for eight minor traffic violations—including brake light, inspection sticker, registration display, headlight, and bumper issues.⁸⁹ And, in March 2022 the L.A. Police Commission approved an LAPD policy change limiting the use of pretextual stops.⁹⁰ In addition, action along the same lines has taken place in both San Francisco, C.A., and Pittsburgh, P.A.⁹¹



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Decriminalization

While the focus of this report concerns law enforcement’s role and practices, the data and cost analyses above indicate that policymakers should also consider decriminalizing minor offenses that pose limited public safety risks in order to prevent inequities and create space to shift toward care- and equity-based supports and services. Relatively recent examples of this approach include California’s 2016 legalization of marijuana and the approval of Proposition 47—a measure that reclassified numerous minor offenses from felonies to misdemeanors.⁹² In addition, some district attorneys have adopted charging policies which provide that many misdemeanors should not be charged, and that use of diversion programs should be expanded.⁹³

VII. CONCLUSION

Reimagining California’s approach to community safety is long overdue. Our state and local governments should recognize that outdated “tough-on-crime” approaches not only fail to meaningfully advance safety, but also disproportionately harm communities of color by annually funneling billions of dollars to sheriff’s departments that prioritize racially biased patrol activities. Rather than continuing to waste public resources, policymakers must rethink “public safety” by ensuring that our collective welfare is truly rooted in the public—i.e., community members, especially those of highest need—rather than law enforcement. Additionally, understandings of “safety” should go beyond equivocation to crime rates to include an overall sense of well-being and access to ample supports and services to thrive.⁹⁵ This vision means that California no longer needs to rely on law enforcement agencies to address numerous social problems that they are neither well-trained nor equipped to manage. Policymakers should work with communities disproportionately impacted by the criminal legal system to build and expand care-based policies and programs that equitably address the root causes of safety concerns.

VIII. ENDNOTES

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- 7 See Barry Friedman, *Disaggregating the Policing Function*, 169 U. PENN. L. REV. 925, 927 (2021), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3564469.
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- 9 See, e.g., Jared Knowles & Andrea J. Ritchie, *Cops Don't Stop Violence: Combating Narratives Used to Defend Police Instead of Defunding Them*, Community Resource Hub & Interrupting Criminalization (July 2021), <https://static1.squarespace.com/static/5ee39ec764dbd7179cf1243c/t/60ff3d8f0a0ef6473fbb6dbb/1627340186125/Cops+Don%27t+Stop+Violence>.
- 10 *Police Union Playbook*, Color of Change (accessed on Sep. 29, 22), <https://policeunionplaybook.org/#theplaybook>.
- 11 Michael S. Tilden, Acting California State Auditor, *Law Enforcement Departments Have Not Adequately Guarded Against Biased Conduct*, Auditor of the State of California (April 2022), <https://www.auditor.ca.gov/pdfs/reports/2021-105.pdf>.
- 12 *Id.*
- 13 Sean K. Kennedy, et al., *50 Years of Deputy Gangs in the Los Angeles County Sheriff's Department: Identifying the Root Causes and Effects to Advocate for Meaningful Reform*, LMU Loyola Law School Center for Juvenile Law & Policy (Jan. 2021), <https://lmu.app.box.com/s/h03rp9qdbmn9aip8fy8dmmukjgw5vyc>.
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- 21 *At What Costs? How Local Governments Shortchange the Health of Communities of Color*, California Pan-Ethnic Health Network (Nov. 2020), https://cpehn.org/assets/uploads/2020/12/atwhatcost-final_0.pdf.
- 22 Scott Graves & Chris Hoene, *How Much Does California Spend on Law Enforcement, the Criminal Legal System, and Incarceration?*, California Budget & Policy Center (June 23, 2020), https://calbudgetcenter.org/app/uploads/2020/06/CA_Budget_Center_Spending-on-Criminal-Justice_062320.pdf.
- 23 See, e.g., Jared Knowles & Andrea J. Ritchie, *Cops Don't Stop Violence: Combating Narratives Used to Defend Police Instead of Defunding Them*, Community Resource Hub & Interrupting Criminalization (July 2021), <https://static1.squarespace.com/static/5ee39ec764dbd7179cf1243c/t/60ff3d8f0a0ef6473fbb6dbb/1627340186125/Cops+Don%27t+Stop+Violence>; See also Sungwoo Cho, Felipe Goncalves & Emily Weisburst, *More Arrests Do Not Improve Public Safety*, Inst. of Labor Econ. (Dec. 2021), <https://docs.iza.org/dp14907.pdf>; Christopher M. Sullivan & Zachary P. O'Keefe, *Evidence that Curtailing Proactive Policing Can Reduce Major Crime*, NATURE HUMAN BEHAVIOUR 1, 730-737 (2017), <https://www.nature.com/articles/s41562-017-0211-5>; YongJei Lee, John E. Eck & Nicholas Coraso, *Conclusions from the History of Research into the Effects of Police Force Size on Crime—1968 through 2013: A Historical Systematic Review*, 1 J. OF EXPERIMENTAL CRIMINOLOGY 431-51 (2016), <https://link.springer.com/article/10.1007/s11292-016-9269-8>.

- 24 FTE figures not available in Sacramento County FY 2019 budget publication. However, 667 is the overall budgeted patrol positions for that year.
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