March 31, 2016

Senator Loni Hancock, Chair
Senate Public Safety Committee
State Capitol, Room 2031
Sacramento, CA 95814

RE: SB 1286 (Leno) — Support

Dear Senator Loni Hancock:

Youth ALIVE! is pleased to support SB 1286, authored by Senator Mark Leno. SB 1286 will improve accountability and trust in law enforcement by providing public access to information about serious uses of force and proven misconduct by peace officers.

California law currently makes peace officer misconduct and discipline confidential. This means law enforcement agencies cannot tell the public whether an officer engages in misconduct, discipline is imposed on officers who violate a laws, department policies or community norms, nor meaningfully inform the public about officer-involved shootings or other serious uses of force.

More specifically, California is among the most restrictive states in the U.S. on public access to information about police misconduct and investigations into critical police community incidents. Texas, Florida, Kentucky, Utah, and nearly a dozen other states, provide public access to such information when misconduct is confirmed. In addition, at least 10 other make records related to complaints against officers publicly available regardless of whether misconduct is found to have occurred.

SB 1286 will resolve the deficit in California law by allowing the public access information about serious uses of force and misconduct by peace officers. It would also allow people who file complaints about officer misconduct to find out what happened in response, permit cities and counties to hold public hearings and appeals on allegations of misconduct, and allow governmental bodies to review officer personnel files while keeping them confidential. Addressing police secrecy is critical to improving the lack of community trust in our system of justice, especially in communities of color, where people are killed by police at alarming rates.

As an example, a recent Pew Research Center poll found that only 30 percent of Americans, and just 10 percent of African Americans, believe law enforcement agencies are doing a good or excellent job of holding officers accountable for misconduct. Another poll shows that nearly 80 percent of Californians believe the

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1 To account for any privacy or safety interests, SB 1286 permits nondisclosure whenever either is shown to outweigh the taxpayer's significant interest in government transparency.