April 5, 2018

Senator Nancy Skinner
State Capitol, Room 2059
Sacramento, CA 95814

RE: SB 1421 (Skinner) — Support

Dear Senator Nancy Skinner:

Youth ALIVE! is pleased to support your SB 1421, which will improve law enforcement transparency and accountability by honoring the public’s right to know about how agencies handle deadly uses of force and proven, serious misconduct by peace officers.

Youth ALIVE! is a violence prevention and intervention organization that helps young people become leaders and advocates for the change they would like to see in their communities through our Teens on Target Program, mentors and supports healing for young people who have been violently injured through our Caught in the Crossfire program, and works with families grieving in the wake of a homicide through our Khadaffy Washington Project.

California is one of the most secretive states in the nation when it comes to officer misconduct and serious and deadly uses of force. Sections 832.7 and 832.8 of the Penal Code make all records relating to police discipline secret, prohibiting public disclosure through the Public Records Act. Courts have interpreted these provisions broadly, blocking access to any records that could be used to assess discipline, including civilian complaints, incident reports, internal investigations, and any other records related to uses of force or misconduct.¹

California thus deprives the public of basic information on how law enforcement policies are applied, even in critical incidents like officer-involved shootings and when an officer has been found to have committed sexual assault or fabricated evidence. In contrast, many other states recognize that disclosure of records of critical incidents is a basic element of police oversight. Police disciplinary records are generally available to the public in 12 states, including Florida, Ohio, Wisconsin, and Washington, while they are available to the public under limited circumstances in another 15, including Texas, Massachusetts, Louisiana, and Illinois.²

SB 1421 will pierce the secrecy that shrouds deadly uses of force and officer misconduct by providing public access to information about deadly or serious uses of force and cases of proven sexual assault against civilians, and proven dishonesty related to the reporting, investigation, and

prosecution of crimes, including perjury and destroying evidence. Access to records of how
departments handle these critical incidents will allow the public to make informed judgements
about whether existing processes and infrastructures are adequate. To account for privacy or
safety interests, SB 1421 permits withholding these records if there is a risk or danger to an
officer or someone else, or if disclosure would represent an unwarranted invasion of an officer's
privacy.

The public has the right to know how police departments deal with officer shootings, beatings,
and cases of serious and proven sexual assault and corruption. The public must be able to
determine whether they apply standards consistent with community values, and that they hold
officers who violate those standards accountable. Communities need to be able to see systems
of accountability at work.

California deserves accountable and transparent decision-making by all government officials,
particularly those with the state-sanctioned ability to kill civilians. Youth ALIVE! strongly
supports the enactment of SB 1421.

Sincerely,

Anne Marks
Executive Director

cc: Members, Senate Committee on Public Safety