



PREVENTING VIOLENCE  
AND DEVELOPING  
YOUTH LEADERS

YOUTH ALIVE!  
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April 5, 2018

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

**HONORARY  
ADVISORY COUNCIL**

HON. DIANNE FEINSTEIN  
United States Senator  
  
EDWARD JAMES OLMOS  
Actor  
  
HON. BARBARA LEE  
United States Representative

**RE: SB 1421 (Skinner) — Support**

**BOARD OF DIRECTORS**

PHILLIP S. CHANG  
Principal  
Redondo Surgical  
Los Angeles, CA

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.

ALISA DEWYS  
Consultant  
Resources Global Professionals  
San Francisco, CA

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 Khadafy Washington Project.

ANGELA JENKINS  
Public Affairs Director  
East Bay Area  
Kaiser Permanente  
Oakland, CA

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.<sup>1</sup>

CAITLIN LANG  
Principal & Owner  
Liquid Form Design  
Oakland, CA

MICHAEL NIETO  
Assistant District Attorney  
Alameda County  
District Attorney’s Office  
Oakland, CA

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.<sup>2</sup>

KRISTA REINHARD  
Marketing Consultant  
Oakland, CA

ELIZABETH SEKERA  
Lead HEDIS RN  
San Francisco Health Plan  
San Francisco, CA

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

HON. NANCY SKINNER  
Senator  
California State Legislature  
Oakland, CA

SIARA SPRIGGS  
Claims Authorizer  
Social Security Administration  
Richmond, CA

LA'BAN WADE II  
Housing Coordinator  
UC Berkeley  
Berkeley, CA

STAN WEISNER, PH.D.  
Director  
Behavioral & Biological Sciences  
UC Berkeley Extension  
Berkeley, CA

ANNE C. MARKS  
Executive Director  
Youth ALIVE!  
Oakland, CA

<sup>1</sup> *Copley Press, Inc. v. Superior Court*, 39 Cal. 4th 1272, 1286–87 (2006); see also Wesley Lowery, *How many police shootings a year? No one knows*, WASHINGTON POST (Sept. 8, 2014), available at <http://www.washingtonpost.com/news/post-nation/wp/2014/09/08/how-many-police-shootings-a-year-no-one-knows/>.

<sup>2</sup> Lewis, R, N Veltman and X Landen, *Is police misconduct a secret in your state?* WNYC News (Oct. 15, 2015), available at <https://www.wnyc.org/story/police-misconduct-records/>.

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,

A handwritten signature in blue ink, appearing to read 'Anne Marks', with a long horizontal flourish extending to the right.

Anne Marks  
Executive Director

cc: Members, Senate Committee on Public Safety