



California Civil Liberties Advocacy
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Friday, September 18, 2015

The Honorable Jerry Brown
Governor of the State of California
Sacramento, CA 95814

Re: Assembly Bill 953 (Weber) — Request for Signature

Dear Governor Brown,

The California Civil Liberties Advocacy (“CCLA”) respectfully urges you to sign Assembly Bill 953.

The mistreatment of minorities and people of color in the United States has left a glaring, hypocritical stain on a nation that boasts itself to set the example of liberty, freedom, and “justice for all.” Unfortunately, the bloody war that tore this nation apart a century and a half ago was not enough to settle the ugly problem of discrimination. And here we are today, still fighting a battle that so many choose to flagrantly ignore. Such ignorance is without excuse.

According to a 2013 report issued by the Judicial Council of California, “[b]lacks were arrested for felony-level offenses at rates significantly higher than their proportion in California’s population and Hispanics at rates slightly greater than their share of the population as a whole. Conversely, Asians and Whites were arrested at lower rates compared to their proportions in California’s population.” (Jud. Council of Cal., 2013 Rep. to the California legislature as required by Penal Code Section 1170.45, Disposition of Criminal Cases According to the Race and Ethnicity of the Defendant (2013) p. 13.) Whether or not this phenomenon is intentional or cavalier, the fact is that the problem exists and will not go away by choosing to ignore it.

Unless our state government implements programming to track the defining characteristics of persons subject to a police encounter, there is no way to objectively study or quantify any sort of racial, ethnic, cultural, or any other type of profiling that may or may not be involved. Surely, the requirements of AB 953 imposed upon law enforcement when engaging members of the public will hold them more accountable. Law enforcement claims that this legislation will make their jobs more difficult, but if statistics such as those cited above did not exist, then perhaps the necessity of these requirements would be futile and their arguments viable. The issue is not to make an officer’s job more difficult, but rather to hold him or her more accountable when they arbitrarily pull some one over or stop them on the street, in order to reduce the disparate impact seen in our criminal justice system.

“Indifference to personal liberty is but the precursor of the state’s hostility to it.”
— Justice Kennedy, U.S. Supreme Court

It is therefore crucial that California—once considered one of the most progressive states in the union—enact laws and policies that set an example for the rest of the country to follow. California must signify that it is unwilling to gloss over the evidence and confront this ugly problem directly and begin seeking solutions.

For the aforementioned reasons, the CCLA strongly but respectfully urges you to sign Assembly Bill 953.

Respectfully,



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