



CaliforniaCivilLiberties.org

California Civil Liberties Advocacy
1242 Bridge Street, #65
Yuba City, CA 95991
(916) 741-2560

Monday, June 26, 2017

Emailed to bryan.singh@asm.ca.gov

Assemblymember Kevin McCarty
c/o Bryan Singh
California State Capitol
Room 2136
Sacramento, CA 95814

RE: Assembly Bill 284

Dear Assemblymember McCarty,

The California Civil Liberties Advocacy (CCLA) is writing to express its **SUPPORT** for AB 284.

The CCLA strongly believes in the necessity of law enforcement. Nonetheless, like the majority of reasonable people in recent times, our supporters have become very concerned about the number of police shootings which have been shrouded in questionable circumstances leading up to the event. Without trying to sound overly repetitive, we do not need to exhaustively point out the number of shootings of people of color in recent years that have failed to result in a conviction even where video footage revealed conclusively that some officers have used excessive force. Of course, people are shot or brutalized by police on a regular basis regardless of race, ethnicity, or color. This is not merely an issue of race, though recent studies have definitely revealed that people of color are tragically overrepresented in the proportion of police shootings throughout the United States. (Lowery, *Aren't more white people than black people killed by police? Yes, but no.*, Washington Post (July 11, 2016).)

Our leadership also feels it is necessary to clarify that the CCLA does not believe that all law enforcement is bad. However, we do believe that just because the majority of police officers conduct themselves in way that is upstanding and exemplary for the community, this does not somehow outweigh the cost of human lives at the hands of officers who fail to act reasonably. On that note, we also have deep concerns regarding bias among prosecutors bringing charges (or failing to) against officers for misconduct, whether intentional or unconscious. Since prosecutors have the duty to bring such cases, they are also endowed with a great amount of

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

discretion as to what sort of evidence is presented to a grand jury or whether a complaint is even filed. Since prosecutors rely on law enforcement personnel to conduct investigations and gather evidence, we feel that even the most neutral prosecuting attorney may suffer from an unconscious bias in favor of the officer. If this is true, then appointing an independent review panel should serve as an effective remedy. On the other hand, even if prosecutors are completely free of bias (which is humanly impossible) then having an independent unit still closes the possibility for such an accusation and can help ease the public's mind as to whether a matter was fairly resolved. Such a policy may also reinforce the public's trust and confidence in both the officers and the prosecuting attorneys. We strongly feel that AB 284 will accomplish these goals.

Due to all of the foregoing reasons, the CCLA strongly **SUPPORTS** AB 284.

Respectfully,



Matty Hyatt
Legislative Advocate for CCLA
(916) 741-2565
m.hyatt@caliberty.net

Cc:

Senate Public Safety Committee
Room 2031
Sacramento, CA 95814
*Emailed to zandra.chavez@sen.ca.gov;
sarah.loftin@sen.ca.gov.*

Senator Nancy Skinner
Senator Joel Anderson
Senator Steven Bradford
Senator Hannah-Beth Jackson
Senator Holly Mitchell
Senator Jeff Stone
Senator Scott Wiener