



CaliforniaCivilLiberties.org

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

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To the Office of Governor Brown:

The California Civil Liberties Advocacy (CCLA) **SUPPORTS** Assembly Bill No. 90. The CCLA supports AB-90 because the State of California does a great harm to its citizens with the CalGangs system as is. The flaws have quickly become infamous as of the previous audit of the system and its failings (1). The report by the State Auditor's office identifies, among other issues, that the construct is not complying with its legal requirements in reporting and destruction of data and that data within it is unsupported.

The CCLA is most interested in this bill because it helps defeat improper use of a tool that shall endure within our state. By placing this under the purview of the Department of Justice and with input from agencies from all angles on the issues at hand, it has the greatest chance of becoming a tool that is an asset to our state, rather than a liability and a failing. Finding oneself on the registry for false information may cause immeasurable harm to an individual and their rights. When peace officers rely on information that has no substantive value, then they rely on information that could get them or others hurt. When a prosecutor relies on unsupported information, a person that is responsible for a crime may go free, or worse, a person that is innocent may be found guilty. The State of California must take action to reduce these errors.

The State of California has recently adopted in its policy that our Penal System shall include "Restorative Justice" and "Rehabilitation" to its goals. The third tenant of restorative justice is that "The responsibility of the government is to maintain order and of the community to build peace" (2). In the maintenance of said order, it is imperative that the government not itself create a harm to be later treated by restorative justice. The California Civil Liberties Advocacy believes that Dr. Weber's bill is a prime example of how to accomplish just that. For these reasons as well as many more, the CCLA **SUPPORTS** AB-90.

Respectfully,

Nicholas Gonzales  
Legislative Advocate for CCLA  
(916) 741-2560  
[n.gonzales@caliberty.net](mailto:n.gonzales@caliberty.net)

cc: Assembly Member Weber's office

[1] <https://www.auditor.ca.gov/pdfs/reports/2015-130.pdf>

[2] <http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/lesson-1-what-is-restorative-justice/#sthash.H3IQ7JuR.dpbs>

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