

SB 1421 (Skinner)

Right to Know About Serious Uses of Force and Proven Police Misconduct



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When a police officer shoots or sexually assaults a member of the public, the community deserves to know what happened. More importantly, we deserve to know how the department responded so we can determine whether the systems to hold officers accountable for their actions are working.

But California law keeps all investigations and discipline of police officers secret, even for deadly shootings or when an officer's own department concludes that they committed sexual assault or planted evidence. The majority of other states recognize that disclosure of records of critical incidents is a basic element of peace officer oversight — peace officer disciplinary records are available to the public in some form in 27 states. In California, there is a complete shroud of secrecy over these records that is unique to police officers — complaints against all other types of government employees aren't kept confidential if the complaint is well-founded or there's a strong public interest in disclosure.

Senate Bill 1421, introduced by Sen. Nancy Skinner, will help make police transparent and accountable to the communities they serve. The legislation will make available critical information on how the police departments handle the most serious use of force incidents and confirmed cases of misconduct.

Keeping records of police misconduct and serious uses of force secret prevents the public from ensuring that law enforcement officers are held accountable for their actions. This disproportionately harms communities of color and others who suffer the most from police harassment and brutality. A recent Pew Research Center poll found that only 30% of Americans, and just 10% of African Americans, believe law enforcement agencies are doing a good or excellent job of holding officers accountable for misconduct. The solution is clear to the people of California: Separate polling data show that nearly 80% of Californians believe the public should have access to the findings of police misconduct.

We've seen far too many people killed at the hands of law enforcement to allow police agencies to keep judging those



killings in secret. **Police have the power to take a life based on a split-second decision. The public deserves information about how that power has been used and abused.** SB 1421 is long overdue.

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What SB 1421 will do:

1. Allow public access to police investigations, findings, and discipline relating to deadly and serious uses of force.
2. Allow public access to police investigations, findings, and discipline relating to proven sexual assault against a civilian, and proven dishonesty in the investigation, reporting, and prosecution of crimes, such as perjury and planting and destroying evidence.