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June 29, 2021

Honorable Steven Bradford
Chair, Public Safety
California State Senate
Capitol Building, Room 2059
Sacramento, CA 95814

RE: AB 48 (Gonzalez) as amended March 16, 2021 – SUPPORT

Dear Senator Bradford:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports AB 48**. This bill is scheduled for hearing before Senate Public Safety Committee on July 6, 2021.

While most police departments have their own policies on their use of force of these “less lethal” weapons, there are no statewide or national standards. Over the past several years, we have seen numerous reports of peaceful protestors, bystanders, and reporters seriously injured by projectiles fired by law enforcement and chemical agents used against protestors.

The use of these “less-lethal” weapons can cause serious injury and long-term health impacts when used improperly by law enforcement. When fired at a closer range, as seen in many protests, rubber bullets can penetrate the skin, break bones, fracture the skull, explode the eyeball, cause traumatic brain injuries, serious abdominal injury, internal bleeding and spleen, bowel, and major blood vessel injuries. At longer distances, they can unintentionally injure bystanders and non-violent demonstrators instead. “Less lethal” does not mean not lethal. In fact, a 2017 British

Medical Journal study found that 3% of people hit by rubber bullets died of their injuries, and 15% were permanently disabled.¹

In 2020, San Jose Mayor, city council and police chief tried to move forward with a ban on the use of rubber bullets by police officers in their city's police department. San Jose is one of the largest cities in the state and has taken a step forward to making sure that those who are peacefully exercising their First Amendment rights are safe.² The city council of San Jose shut down this approach by the mayor.³

Chemical agents also have significant health impacts. Tear gas irritates cells, but also activates pain receptors, which leads to intense burning pain in the eyes, throat, lungs, skin and mucous membranes. In addition, a 2014 study from the U.S. Army found that recruits who were exposed to tear gas as part of a training exercise were more likely to get sick with respiratory illnesses like the common cold and flu. People with certain disabilities can react differently to the chemicals from tear gas exposure. The damage to people with disabilities can even be life threatening.⁴

People with disabilities are especially at risk for severe injury from “less-lethal” force. People with multiple chemical sensitivity, sensory disabilities, and mental health disabilities, in particular can have devastating reactions to being tear gassed or hit with rubber bullets. California needs to be a leader and protect people by eliminating the use of rubber bullets, tear gas and other “non-lethal” force by law enforcement. This would help protect people with disabilities in California who could be severely harmed when this type of force is used.

Disability Rights California was a strong supporter of AB 66 (Gonzalez) and continues to advocate so that people will not be harmed by rubber bullets, tear gas, and other “non-lethal” force by law enforcement.

¹ Haar RJ, Iacopino V, Ranadive N, et al. Death, injury and disability from kinetic impact projectiles in crowd-control settings: a systematic review. *BMJ Open* 2017.

² San Jose Mayor Moves Rubber Bullet Ban Forward. <https://www.sanjoseca.gov/Home/Components/News/News/1431/4699>

³ San Jose City Council Shuts Down Ban. <https://www.sanjoseinside.com/news/san-jose-council-shoots-down-mayors-rubber-bullet-ban/>

⁴ Tear-Gassing Protesters During An Infectious Outbreak Called 'A Recipe For Disaster' <https://www.npr.org/sections/health-shots/2020/06/05/870144402/tear-gassing-protesters-during-an-infectious-outbreak-called-a-recipe-for-disast>

For these reasons, DRC supports this bill. Please contact me if you have any questions about our position or if I can provide any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Harris". The signature is fluid and cursive, with a prominent "E" and "H".

Eric Harris
Director of Public Policy
Disability Rights California

cc: Honorable Members, Senate Public Safety Committee
Honorable Lorena Gonzalez, California State Assembly
Jazmin Marroquin, Office of Lorena Gonzalez