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June 24, 2021

Honorable Reginald B. Jones-Sawyer
Chair, Public Safety Committee
California State Assembly
Capitol Building, Room 2117
Sacramento, CA 95814

RE: SB 16 (SKINNER) as amended May 20, 2021 – SUPPORT

Dear Assembly Member Jones-Sawyer:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, **supports SB 16**. This bill is scheduled for hearing before Assembly Public Safety committee on June 29, 2021.

SB 16 would provide access to records of law enforcement officers who have engaged in racist or biased behavior, regularly used excessive force, or have a history of unlawful arrests or searches.

In 2018, SB 1421 gave Californians, for the first time in 40 years, access to a limited set of records related to an officer's use of force, sexual misconduct, or on-the-job dishonesty. However, under current law, Californians have no right to know about officers who use excessive, but non-deadly, force or have a history of engaging in racist or biased actions. Such public access to information on officer conduct is essential to build trust between law enforcement and the communities they serve.

While SB 1421 was an important breakthrough, it did not go far enough. For example, Californians would not have been able to access records about the past misconduct of Derek Chauvin, the Minneapolis officer who

murdered George Floyd, unless his past use of force complaints were classified as “causing great bodily injury” or “deadly.” SB 16 remedies this by opening access to additional records, bringing California much closer to states like New York, Florida, Georgia, Kentucky, Ohio, and Washington. Opening access to additional categories of officer conduct provides communities with the tools to identify officers with a history of misconduct and hold local police agencies accountable.

Almost half of the people killed by law enforcement have a disability. Many of these situations could have been addressed with emergency services instead of law enforcement. Unfortunately, law enforcement has become the default for mental health calls. The presumption has been that people with mental health disabilities, in particular, are dangerous. Some police departments, including in Oakland, Eugene, Oregon, and Phoenix, Arizona are looking into alternatives when crisis intervention is more likely to be helpful.¹

Many of the disabled people who have been harmed or killed by law enforcement also intersect with the African American, Latinx, Native American and Asian and Pacific Islander communities. Freddie Gray, Laquan MacDonald, Kevin Matthews, Tamir Rice, Eric Garner, Charleena Lyles, Sandra Bland, Quintonio LeGrier, Stephon Watts, Korryn Gaines, Natasha McKenna, Eric Smith, and Daniel Prude are all Black, disabled victims of state violence. America’s history of policing Black disabled people has a mostly tragic and problematic history.²

SB 16 also includes provisions to ensure that officers with a history of misconduct can’t just quit their jobs, keep their records secret, and move on to another jurisdiction with their past actions not disclosed.

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.

¹ Half of the People Killed by Police Have a Disability: Report. <https://namiillinois.org/half-people-killed-police-disability-report/> “Return to Main Document”

² Understanding the Policing of Black Disabled Bodies. February, 2021. <https://www.americanprogress.org/issues/disability/news/2021/02/10/495668/understanding-policing-black-disabled-bodies/> “Return to Main Document”

Sincerely,

A handwritten signature in black ink, appearing to read "E. Harris", with a horizontal flourish extending to the right.

Eric Harris
Director of Public Policy
Disability Rights California

cc: Honorable Members, Assembly Public Safety Committee
Honorable Nancy Skinner, California State Senate
Diego Emilio J. Lopez, Legislative Aide, Office of Senator Skinner