Top Bills Heard in Committee this Week

On Tuesday, committees in both the Senate and the Assembly heard a plethora of key public safety bills, passing many that are averse to public safety.

In the Senate, the Public Safety Committee passed SB 1286 (Leno) on a 5-1 vote. SB 1286 would amend Penal Code section 832.7 to provide sweeping and unwarranted exceptions to the confidentiality of peace officer personnel files. The bill would allow PRA access to the full investigative file, all evidence gathered, and the specific discipline imposed for several categories of internal investigations. As a result of the vote, which was expected given that Senator Leno is a member of the Senate Public Safety Committee, representatives from the law enforcement contingency met with the Pro Tem of the Senate, Kevin de Leon, to express concerns with the bill gaining traction in the Senate.

The committee also passed SB 813 (Leyva) or “the Bill Cosby bill,” which removes the statute of limitations for rape prosecutions. The committee heard from multiple women who have accused Bill Cosby of sexual violence and representatives of law enforcement. In opposition was the ACLU, who argued against the bill. After an hour and a half of emotional testimony, the committee passed the bill 5-0.

In the Assembly, the Public Safety Committee passed AB 1957 (Quirk). Among other provisions, the bill would require a state or local law enforcement agency to make footage from a law enforcement body-worn camera available 60 days after the commencement of an investigation into misconduct that uses or involves that footage. Despite hearing case law that has established that the nature of investigatory evidence does not change after the termination of an investigation, the bill garnered enough votes to pass out of committee. The bill will now be heard by the Assembly Judiciary Committee. The Committee also passed AB 2298 (Weber), which would require notice to individuals prior to designating the individual as a suspected gang member on CalGang. At the same time, the committee declined to hear AB 1940 (Cooper), which would have allowed for local flexibility in body worn camera policies, but also had a provision removing managerial discretion over when an officer can or cannot review their personal camera footage.

In the Assembly Privacy Committee, AB 1681 (Cooper), which would have required smartphones sold in California to be capable of decryption, met strong opposition from California’s technology providers and failed to get out of the committee.

As these bills proceed through the Legislature, we’d like to remind you that Cal Chiefs’ Legislative Day is June 1st in Sacramento. Chiefs are urged to attend with their second-in-command’s and discuss these bills with their Legislators in meetings scheduled by the Cal Chiefs office. Information and registration can be found here.