


2010 MAY 16 PM 4: 34

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION NO. 87201 C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB

RESOLUTION IN SUPPORT OF SENATE BILL 1421 (SKINNER) THAT WOULD REQUIRE CERTAIN RECORDS OF PEACE OFFICER OR CUSTODIAL OFFICER PERSONNEL AND RECORDS RELATING TO SPECIFIED INCIDENTS, COMPLAINTS, AND INVESTIGATIONS INVOLVING PEACE OFFICERS AND CUSTODIAL OFFICERS TO BE MADE AVAILABLE FOR PUBLIC INSPECTION PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT

WHEREAS, California is one of the most secretive states in the nation when it comes to public access to law enforcement personnel records, including prohibiting public access to disciplinary records related to matters such as improper use of force or on-the-job misconduct; and

WHEREAS, many states recognize that disclosure of critical incidents is a basic aspect of police oversight, with 28 allowing some access to internal investigation records and 15 allowing access to a limited set of disciplinary records; and

WHEREAS, providing more transparency can create a better level of trust between peace officers and the communities they serve; and

WHEREAS, Senate Bill (SB) 1421 (Skinner) would allow public access for law enforcement personnel records relating to (1) law enforcement discharge of a firearm, electronic control weapon or conducted energy device at a person, (2) law enforcement use of force that causes death or serious bodily injury, or involves striking a person's head or neck with an impact weapon or projectile, and (3) completed investigations with sustained findings of (i) sexual assault involving a member of the public or (ii) dishonesty including perjury, false statements, false reports, and evidence tampering by law enforcement; and

WHEREAS, SB 1421 is supported by numerous groups and organizations, including the ACLU, Black Lives Matter – California, Cal-Aware, California Public Defenders Association, Ella Baker Center, Oakland Privacy, PolicyLink, Youth Alive, and many others; now, therefore be it

RESOLVED: That the Oakland City Council hereby endorses SB 1421 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 15 2018

PASSED BY THE FOLLOWING VOTE:

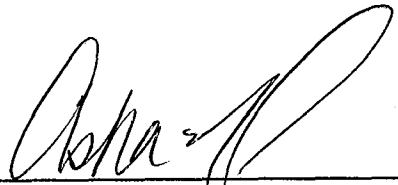
AYES - ~~Brooks~~, CAMPBELL WASHINGTON, ~~Winters~~, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, ~~ANDERSON~~ - 5

NOES - 0

ABSENT - 2 Brooks, Gallo

ABSTENTION - 0

1 Excused - Reid

ATTEST: 

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California