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Submitted via Fax to 916-445-4688

Senate Committee on Public Safety
State Capitol, Room 2031
Sacramento, CA 95814

RE: **Opposition to Senate Bill 230 (Caballero)**

Dear Committee Members:

The California Civil Liberties Advocacy is writing to express **opposition** to SB 230 (Caballero). According to the language of the bill, it appears that SB 230 will merely codify current practice of law enforcement use of deadly force. The bill will allow law enforcement officers to use deadly force even if they have other available options or when the suspect does not even pose a threat. We normally would applaud such training and policy requirements as are contained in SB 230, but in the case such requirements appear to lack any real substance in light of current practice.

One of the bill's sponsors, the Peace Officers Research Association (PORAC) states on their website that "SB 230 protects the right of officers to choose from a range of objectively reasonable force options without being stripped of their constitutional self-defense rights simply because some for-hire police practice expert conjures up a less intrusive alternative."[i] Whose rights are we concerned with here? The right of law enforcement officers to "choose from a range of objectively [ostensible] reasonable force options," or the right of citizens to be safe and secure from the very legitimate fear of being gunned down by officers? Law enforcement in California kill people at significantly higher rates than the national average, disproportionately killing people of color, and those who are unarmed.[ii]

SB 230 requires all law enforcement agencies to maintain use of force policies. Current practice by law enforcement agencies already fulfills this requirement and the bill utterly fails to establish any substantive requirements for such policies, other than merely providing "guidelines," which are vague and overbroad. SB 230 would thus authorize agencies to issue policies that directly conflict with the California Attorney General's recommendations, which emphasize needed clarity and specificity of deadly force policies.[iii] The Attorney General's report actually criticizes the very type of ambiguities provided by SB 230.

Over all, SB 230 practically codifies current practice, allowing officers to continue killing people who pose no threat to law enforcement personnel or others. The bill will also allow

officers to use deadly force even if it safe and reasonable alternatives existed at the time of the incident.

For all of the abovementioned reasons, the CCLA strongly **opposes** AB 137.

Very truly yours,

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[i] https://porac.org/tag/sb-230/
[ii] California DOJ, URSUS – Use of Force dataset (2018).
[iii] California DOJ, Sacramento Police Department: Report and Recommendations (2019).