



CaliforniaCivilLiberties.org

California Civil Liberties Advocacy
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Tuesday, April 5, 2016

Assemblymember Jim Cooper
P.O. Box 942849
Room 5158
Sacramento, CA 94249-0009

RE: Assembly Bill 1940

Dear Assemblymember Cooper:

The California Civil Liberties Advocacy (CCLA) **OPPOSES** Assembly Bill 1940 (AB 1940).

The California Civil Liberties Advocacy (CCLA) desires to see an AMENDMENT made to AB 1940. We believe it is in the interest of the public and peace officers to remove language allowing footage of body-worn cameras to be seen prior to a police officer issuing a report.

As the general reputation of peace officers within our nation has been harmed by the works of the few, it is sadly the case that the public at large is wary of peace officers. In particular is the fear that abuses of power will become excused. The issuance of body-worn cameras, is a definitive step towards returning the public at large into a body without anxiety. However, the CCLA fears that in allowing a peace officer to review their captured footage before making a report this effort will be greatly stymied.

There is a deeply rooted, and not entirely unjustified, concern that in allowing peace officers to review their footage, we allow them to craft a better lie before making their report. As the Washington Post reported October 8th of last year, the promise of transparency among peace officers to prevent abuses of power comes off as insincere when there is such large oversight in the measures made to prevent them.

(<http://www.washingtonpost.com/sf/national/2015/10/08/police-withhold-videos-despite-vows-of-transparency>.)

Newsweek, in November, issued an article on this very matter.

(<http://www.newsweek.com/police-body-cameras-do-not-guarantee-accountability-393940>.)

Within the article it cited a website named *Police Body Worn Cameras Scorecard: A Policy Scorecard* which lists public concerns for the use of body-worn cameras.

(www.bwccscorecard.org.) The article then extrapolates how the policy decisions listed could undermine the value that body-worn cameras has to the public at large.

The CCLA believes that without limiting peace officers' ability to review their footage ahead of any reporting the public shall now grow confidence in the officers of peace who swear to protect them. Many will see just another wall separating officers from themselves, just another tool to give the actions of corrupt peace officers the veneer they desire, and just another tool to

"Indifference to personal liberty is but the precursor of the state's hostility to it."

— Justice Kennedy, U.S. Supreme Court

alienate the people to be protected from their protectors.

We don't need that. We need the public at large and peace officers to trust each other again. No one protects the citizenry of California like its peace officers. No one could protect California's peace officers like citizens that wish to offer eager support. We won't find trust if peace officers are allowed to review their footage before making a report.

For all of the aforementioned reasons, the CCLA is strongly opposed to AB 1940.

Respectfully,

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Cc: Assembly Public Safety Committee