

CALIFORNIA ASSEMBLY COMMITTEE ON APPROPRIATIONS

HEARING:
Public Hearing on A.B. 807

DATE OF TESTIMONY:
April 26, 2023

TESTIMONY OF THE POLICING PROJECT IN SUPPORT OF A.B. 807

This testimony is on behalf of the [Policing Project](#), a national organization that believes that the best way to ensure transparent, effective, and equitable policing is for the public to be democratically involved in setting expectations for police practices before police act, instead of after something has gone wrong. My testimony is in part based on the Policing Project's research and model state statutes on [police use of force](#), [decertification](#), and [data collection and transparency](#). The Policing Project vetted these statutes with an advisory committee, consisting of law enforcement officials, academics, police reform experts, and affected community members.

We write in support of A.B. 807, which would require the Attorney General to investigate any incident in which a peace officer uses force and kills a civilian. Existing law only requires the state prosecutor to investigate those incidents of a shooting by a peace officer that results in the death of an *unarmed* civilian. Thus, the bill makes two major changes. First, it ensures that the fact that a civilian was carrying a firearm at the time when they were killed by a police officer does not obscure their death from investigation. Second, it mandates investigations regardless of whether or not the killing was carried out via shooting or another type of force. The moment when a peace officer takes a life is the moment when oversight is most important, and this bill will extend that oversight to every police killing of a civilian.

By expanding the scope of the mandatory investigation requirement, A.B. 807 also expands its efficacy. This important change also brings California in line with the investigatory practices of the numerous other jurisdictions where use of force investigations are not limited to cases where the civilian killed was unarmed.

For instance, the [NYPD has created a use of force investigations division](#) that investigates all deadly incidents, including the use of deadly force, deaths in custody, and pre-custody deaths. [Wisconsin](#) and [Connecticut](#) similarly mandate an investigation in the case of deadly uses of force, regardless of whether the person killed by police was armed.

[New Jersey](#) similarly requires investigation into serious use of force incidents and death in custody incidents. Additionally, in New Jersey, in the case of a deadly use of force incident, the Attorney General must present the matter to a grand jury to determine whether any of the

responsible officers should be prosecuted criminally. Neither of these requirements depends on whether or not the civilian in question was armed.

In conclusion, it is deeply important to community trust and the families and loved ones of those killed by police officers that officer-involved killings are investigated. This bill will allow these important investigations to take place, bringing the death of every civilian killed by a police officer into the light. Therefore, we support A.B. 807 and urge this committee to do so as well.

Thank you for considering our testimony.