

2.18.2022

AB 2557 Fact Sheet

AB 2557 amends California Penal Code Section 832.7 to specify that records and information obtained from records of civilian law enforcement oversight agencies are subject to the disclosure requirements of the Public Records Act (Government Code Section 6250 et seq.) and not considered confidential pursuant to Penal Code Section 832.7.

PROBLEM

Because of a 2006 state supreme court decision, *Copley Press, Inc. v. Superior Court* (2006) 39 Cal.4th 1272), records and information obtained from records of civilian law enforcement oversight agencies are treated as if they were confidential personnel records held by police departments. Accordingly, those agencies have been required since 2006 to withhold from the public most if not all investigations of law enforcement officer misconduct. This is in stark contrast to the operation of civilian law enforcement oversight agencies prior to the *Copley Press* decision, which, until that decision, operated with full transparency.

SOLUTION

The remedy is a direct legislative repeal of *Copley Press*, including specific legislative language allowing civilian law enforcement oversight agencies to operate openly and transparently, as was the practice prior to 2006.

COST

There are no costs related to this proposal, or the need for any funding with respect to this proposal. This proposal will save jurisdictions money by avoiding countless hours of redactions and costly settlements resulting from non-compliance with CPRA requests for documents since the passage of SB 1421 and SB 16.

ORGANIZATIONAL SUPPORT

California Newspaper Publishers Association, Secure Justice, Brotherhood of Elders Network, Coalition for Police Accountability, Latino Task Force, Wellstone Democratic Renewal Club, Block by Block Organizing Network Faith In Action (political arm of PICO), the First Amendment Coalition are among the organizations that will endorse this proposal.

For more information, please contact:

Haydee Dominguez, Legislative Assistant

Office of Assemblymember Mia Bonta

(916) 319-2018 | Haydee.Dominguez@asm.ca.gov