

2016 APR 21 PM 3:56

REVISED

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 86159 C.M.S.

INTRODUCED BY COUNCILMEMBER DESLEY BROOKS

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1957 (QUIRK) WHICH REQUIRES STATE OR LOCAL LAW ENFORCEMENT TO MAKE AVAILABLE, UPON REQUEST, FOOTAGE FROM LAW ENFORCEMENT BODY-WORN CAMERAS 60 DAYS AFTER THE COMMENCEMENT OF AN INVESTIGATION INTO MISCONDUCT THAT USES OR INVOLVES THAT FOOTAGE

WHEREAS, The Department of Justice recognizes body-worn cameras as a law enforcement strategy aimed at improving public safety, reducing crime, and improving public trust between police and the citizens they serve; and

WHEREAS, The California Public Records Act requires state and local agencies to make their records available for public inspection, except where provided, and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state; and

WHEREAS, The Oakland Police Department has used Portable Digital Recording Devices since 2010 and require patrol officers to wear the cameras during a number of outlined situations, including detentions, arrests, and serving a warrant; and

WHEREAS, Assembly Bill (AB) 1957 (Quirk) would require (1) the governing board of the law enforcement agency, to review the footage from a body-worn camera when an officer is involved in an incident that results in great bodily harm or death (2) a judge, if there is an indictment after an investigation, to determine the protocol for release of the footage from a body-worn camera and (3) a state or local law enforcement agency to make available, upon request, footage from a law enforcement body-worn camera 60 days after the commencement of an investigation into misconduct that uses or involves that footage; and

WHEREAS, The bill would also prohibit the public release of footage that relates to crimes of domestic violence or crimes that include minors or that includes statements of a witness at the scene of a crime.; now, therefore, be it

RESOLVED: That the Oakland City Council hereby endorses AB 1957 and urges the California State Legislature and Governor Jerry Brown to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 03 2016

PASSED BY THE FOLLOWING VOTE:

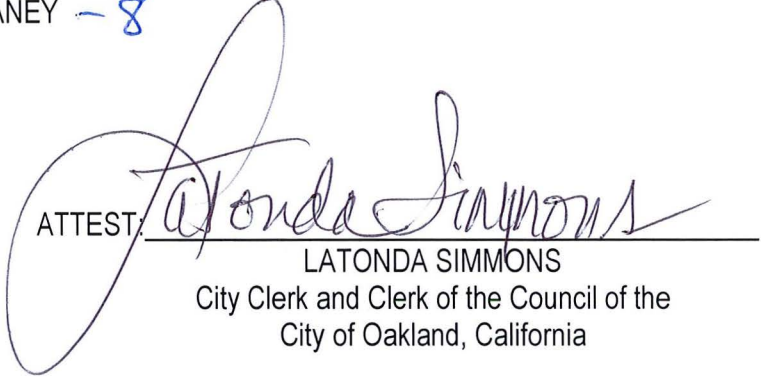
AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND
PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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