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OAKLAND

22 APR 19 PM 1:06

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 89107 C.M.S.

INTRODUCED BY COUNCILMEMBER KALB AND COUNCILMEMBER REID

RESOLUTION IN SUPPORT OF CALIFORNIA STATE ASSEMBLY BILL 2557 (BONTA) THAT SPECIFIES THAT RECORDS AND INFORMATION OBTAINED FROM CIVILIAN LAW ENFORCEMENT OVERSIGHT AGENCIES ARE SUBJECT TO THE DISCLOSURE REQUIREMENTS OF THE PUBLIC RECORDS ACT AND NOT CONSIDERED CONFIDENTIAL

WHEREAS, in *Copley Press, Inc. v. Superior Court* (2006) 39 Cal. 4th 1272, the California Supreme Court held that records and information obtained from civilian law enforcement oversight agencies are confidential personnel records under California Penal Code, section 837.2; and

WHEREAS, as these records are considered confidential, agencies have been required to withhold almost all such records involving public complaints against officers and investigations of officer misconduct; and

WHEREAS, the *Copley Press* decision prevents the public from learning the extent of any discipline, but for some minimal exceptions, that may have been imposed as a result of public complaints of officer misconduct; and

WHEREAS, the ability for the public to have access to information regarding complaints about police misconduct and the response to any such complaints builds public confidence in the ability of government to hold police officers who engage in misconduct accountable; and

WHEREAS, AB 2557 is a direct legislative repeal of the *Copley Press* decision; and

WHEREAS, AB 2557 will allow civilian law enforcement oversight agencies to operate transparently; now, therefore be it

RESOLVED: that the City Council hereby endorses AB 2557 (Bonta) and urges the California State Legislature and Governor Gavin Newsom to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 29 2022

PASSED BY THE FOLLOWING VOTE:

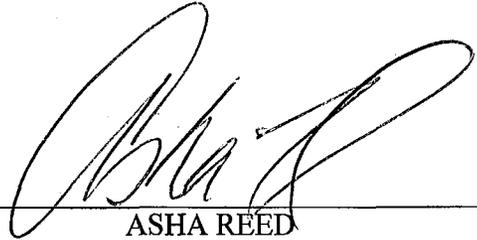
AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT
FORTUNATO BAS -- 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

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