


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER KALB

RESOLUTION IN SUPPORT OF CALIFORNIA STATE SENATE BILL 776 (SKINNER) TO EXPAND AND STRENGTHEN POLICE TRANSPARENCY BY EXPANDING PUBLIC ACCESS TO POLICE RECORDS REGARDING USE OF FORCE, WRONGFUL ARRESTS OR WRONGFUL SEARCHES AND RECORDS THAT SHOW AN OFFICER HAS ENGAGED IN BIASED OR DISCRIMINATORY BEHAVIOR.

WHEREAS, some law enforcement agencies throughout California have stalled or attempted to circumvent the release of records; and

WHEREAS, SB 776 would expand access to records of every incident involving police use of force not just incidents that result in death or great bodily injury; and

WHEREAS, SB 776 would provide access to records relating to officers who have engaged in racist, homophobic, anti-Semitic behavior or prejudice or discrimination on the basis of other specified protected classes; and

WHEREAS, SB 776 would require access to records even if an officer resigns prior to the completion of an investigation; and

WHEREAS, SB 776 would provide access to records related to sustained findings of wrongful arrests and wrongful searches; and

WHEREAS, SB 776 mandates that an agency, before hiring any candidate who has prior law enforcement experience, to inquire and review the officer's prior history of complaints, disciplinary hearings and uses of force; and

WHEREAS, SB 776 adds civil fines of \$1000 a day for agencies that fail to release records and punitive damages when an agency is sued for not releasing records or improperly redacting them; now, therefore, be it

RESOLVED: That the City Council hereby endorses SB 776 and urges the California State Legislature and Governor Gavin Newsom to support its enactment into law.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the Council
of the City of Oakland, California