



CITY OF MURRIETA

March 9, 2021

The Honorable Steven Bradford
Chair, Senate Public Safety Committee
State Capitol Building, Room 2059
Sacramento, CA 95814

**RE: SB 16 (Skinner) Peace Officers. Release of Records
Notice of OPPOSITION**

Dear Senator Bradford,

The City of Murrieta must respectfully oppose Senate Bill 16. This measure is excessive in the types of personnel records it makes subject to disclosure, overly punitive in the imposition of civil fines and other monetary damages levied on local agencies when records are not disclosed, and unnecessarily burdensome in requiring local agencies to indefinitely retain all records.

The City of Murrieta supports maintaining the confidentiality of personnel matters and protecting public safety personnel discipline records from public disclosure, as appropriate.

As written, SB 16 would unjustifiably expand SB 1421 by providing for the disclosure of police personnel records for every incident involving use of force, regardless of whether the officer was exonerated or if a complaint was not sustained. This provision is neither practical from an administrative standpoint nor helpful toward the objective of fostering trust between law enforcement and the communities they serve. In fact, the release of officer records for every single incident involving any use of force, especially those in which the officer is entirely within departmental policy, will generate the misperception that there was “something wrong” with the officer’s conduct.

As a means of enforcing this far-reaching disclosure policy, SB 16 would impose a \$1,000 civil fine per day, for each day beyond 30 days that records subject to disclosure are not disclosed. This provision is overly punitive, as it does not account for the practical challenges of complying with the required timelines of this measure, particularly for smaller cities and police departments with limited personnel who are already facing the prospect of cutting services and staff in the wake of the COVID-19 pandemic.

Aside from the measure’s proposed expansive disclosure requirements, SB 16 would additionally force local law enforcement agencies to retain, indefinitely, all complaints currently in their possession. Cities would have to pay for local police departments’ additional data storage space, as well as hire additional staff to sort through the numerous complaints exempt from disclosure under the California Public Records Act, but mandated to be retained under SB 16 in order to respond to these requests. Such a change will only exacerbate the budget crisis facing cities as a result of the COVID-19 pandemic.

In order to encourage and facilitate compliance with new transparency and ethics requirements, state laws should be consistent, avoid redundancy, and be mindful of the practical challenges associated with implementation.



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Unfortunately, this measure is not limited in how it would open police officer personnel records to the public. This policy imbalance that prioritizes public disclosure of records over an officer's privacy, regardless of whether they were proven to have exhibited proper conduct, is disconcerting.

For these reasons, City of Murrieta opposes SB 16. If you have any questions, or need more information, about the City's position, please contact Louie Lacasella, City Manager's Office at (951) 461-6008 or llacasella@MurrietaCA.Gov.

Sincerely,

Scott Vinton
Mayor

Cc: Murrieta City Council
Senator Melissa Melendez
Assemblyman Kelly Seyarto
Erin Sasse, League of California Cities