



April 30, 2018

Senator Steven Bradford
State Capitol, Room 4085
Sacramento, CA 95814
Fax: (916) 651-4935

Re: SB 978- SUPPORT

Dear Senator Bradford,

The National Association for Public Defense (NAPD) stands in strong support of your Senate Bill 978, a law that would require state and local law enforcement to release their manuals and policies, which are not exempt from disclosure, online. This measure is critical to achieving meaningful police reform and transparency.

Our nearly 17,000+ practitioner-members across the country seek to bring justice to a broken criminal system. We believe that when it comes to police misconduct, sunlight is the best disinfectant. Having police department rules publicly accessible allows both citizens and defense attorneys to hold officers accountable when they stray from the safeguards implemented by their own departments.

Public defenders represent the most vulnerable members of society. Many are people of color. All are low income. SB 978 would help close the gap between justice for the rich and justice for the poor by allowing public defenders to do their jobs more efficiently and effectively.

As defenders, we know that a criminal conviction is only as good as the integrity of the police work behind it. In order to prevent wrongful conviction, it is the duty of public defenders to scrutinize police conduct and investigation. We may use evidence of "slovenly police work" under *Kyles v. Whitley*, 514 US 419 (1995) to impeach an officer's biases under *Alaska v. Davis* 415 US 308 (1974).

SB 978 would allow frequently overburdened public defenders to better defend their clients by allowing more time to focus on the case and less time tracking down and requesting police policies and procedures.

The posting of policy manuals on police websites is a common sense measure that is firmly in line with the 2015 President's Commission on 21st Century Policing, which states, "to embrace a culture of transparency, law enforcement agencies should make all department policies available for public review..."

Finally, SB 978 serves a tangible public benefit, allowing citizens to stay informed and offer feedback on policies like use of force, sexual assault, domestic violence, and

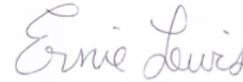
vehicle pursuits. These policies affect public safety and should be transparent to the public.

For these reasons, NAPD strongly supports SB 978.

Sincerely,



Paul DeWolfe
Chair, NAPD Steering Committee



Ernie Lewis
Executive Director, NAPD

ON BEHALF OF THE NAPD STEERING COMMITTEE

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