June 14, 2017

Senator Steven Bradford  
State Capitol, Room 4085  
Sacramento, CA 95814  
Phone: (916) 651-4035  
Fax: (916) 651-4935  

Re: SB 345 – SUPPORT

Dear Senator Bradford,

The National Association for Public Defense (NAPD) stands in strong support for Senate Bill 345, a law which 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 15,000+ 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. AB 345 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, who 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” (Kyle v. Whitley) to impeach an officer’s biases under Alaska v. Davis.

AB 345 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, AB 345 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 345.

Sincerely,

Mark Stephens  
Chair, NAPD Steering Committee

Ernie Lewis  
Executive Director, NAPD