

1 HEATHER FERBERT, City Attorney
JEAN JORDAN, Assistant City Attorney
2 STACY J. PLOTKIN-WOLFF, Senior Chief Deputy City Attorney
California State Bar No. 174793
3 Office of the City Attorney
1200 Third Avenue, Suite 1100
4 San Diego, California 92101-4100
Telephone: (619) 533-5800
5 Facsimile: (619) 533-5856

6 Attorneys for Respondent
CITY OF SAN DIEGO

Exempt from fees per Gov't Code § 6103
To the benefit of the City of San Diego

8
9 **SUPERIOR COURT OF CALIFORNIA**
10 **COUNTY OF SAN DIEGO**

11 FIRST AMENDMENT COALITION,

12 Petitioner,

13 v.

14 CITY OF SAN DIEGO,

15 Respondent.

Case No. 25CU033245C

**CITY OF SAN DIEGO'S REQUEST
FOR JUDICIAL NOTICE IN
SUPPORT OF ITS OPPOSITION TO
MOTION FOR JUDGMENT
GRANTING VERIFIED PETITION
FOR DECLARATORY RELIEF AND
WRIT OF MANDATE**

I/C Judge: Hon. Terrie E. Roberts
Date: June 12, 2026
Time: 10:30 a.m.
Dept.: 68
Complaint filed: June 25, 2025
Trial: Not Set

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21 Respondent City of San Diego asks this Court to take judicial notice of the legislative
22 history materials identified below, consisting of Senate and Assembly committee analyses
23 concerning AB 748 under California Evidence Code sections 452, 453, and 459, and California
24 Rules of Court, rule 3.1113(l). These materials are relevant to the Court's interpretation of the
25 Statute and the Legislature's intent.

26 This Request is made in connection with the City's Opposition to Motion for Judgment
27 Granting Verified Petition for Declaratory Relief and Writ Of Mandate.

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I. Matters to Be Judicially Noticed

The City requests that the Court take judicial notice of the following matters:

Exhibit 1: Senate Judiciary Analysis of AB 748 dated June 25, 2018 (2017-2018 Reg. Sess.); and

Exhibit 2: Assembly Committee on Privacy and Consumer Protection Analysis of AB 748 dated August 29, 2018 (2017-2018 Reg. Sess.)

Evidence Code 452(c) provides authorization to take judicial notice of these items.

II. Legal Authority and Argument

Evidence Code section 452 authorizes the Court to take judicial notice of specified matters, including "[o]fficial acts of the legislative, executive, and judicial departments of the United States and of any state of the United States." Cal. Evid. Code § 452(c). Senate and Assembly committee analyses are official legislative materials and fall within this category. Where a matter is within Evidence Code section 452, the Court must take judicial notice if a party: (i) requests it, (ii) gives each adverse party sufficient notice, and (iii) furnishes the Court with sufficient information to enable it to take judicial notice. Cal. Evid. Code § 453.

California courts recognize that legislative history materials, including committee analyses, may be judicially noticed and considered to ascertain legislative intent and interpret statutory language, including where ambiguity exists. In *Heckart v. A-1 Self-Storage, Inc.*, 4 Cal.5th 749, 767 n.8 (2018), the California Supreme Court took notice of the legislative history of Assembly Bill 2520 (2003-2004 Reg. Sess.) under Evidence Code section 452(c). The Court also recognized the propriety of considering legislative history materials (including committee reports/analyses) in construing statutes and discerning legislative intent in *Quelimane Co. v. Stewart Title Guar. Co.*, 19 Cal.4th 26 (1998). In *Wade v. Superior Court*, 33 Cal. App. 5th 694 (2019), the Court of Appeal relied on legislative history materials, including committee analyses, in interpreting statutory provisions and recognized their relevance to legislative intent.

This Request is submitted as a separate document as required by California Rules of Court, Rule 3.1113(l). True and correct copies of the materials for which judicial notice is requested are

1 attached as Exhibits 1 and 2, are provided to the Court and all parties as required by applicable
2 rules, including California Rules of Court, Rule 3.1306(c), to the extent applicable.

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4 **III. RELIEF REQUESTED**

5 Respondent City respectfully requests that the Court take judicial notice of the matters
6 identified in Section II above pursuant to Evidence Code section 453, which provides that judicial
7 notice of the matters set forth in section 452 is mandatory if properly requested by a party.

8 Dated: March 16, 2026

HEATHER FERBERT, City Attorney

9 By 

10 Stacy J. Plotkin-Wolff
11 Senior Chief Deputy City Attorney

12 Attorneys for Respondent/Defendant
13 CITY OF SAN DIEGO
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EXHIBIT 1

SENATE JUDICIARY COMMITTEE
Senator Hannah-Beth Jackson, Chair
2017-2018 Regular Session

AB 748 (Ting)
Version: June 14, 2018
Hearing Date: June 26, 2018
Fiscal: Yes
Urgency: No
MEC

SUBJECT

Peace officers: video and audio recordings: disclosure

DESCRIPTION

This bill would expand the public's access to video and audio recordings where those records relate to a "critical incident," as specified. This bill would define a video or audio recording as relating to a "critical incident" if it depicts an incident involving a peace officer's use of force or a violation of law or agency policy by a peace officer. This bill would define "use of force" as a peace officer's application of force that is likely to or does cause death or serious bodily injury, and includes, without limitation, the discharge of a firearm or a strike to a person's head with an impact weapon. This bill would allow for the temporary denial of the release of recordings, as specified. The bill contains provisions to protect the privacy of people depicted in recordings.

BACKGROUND

The California Constitution provides that the "people have the right of access to information concerning the conduct of the people's business, and therefore... the writings of public officials and agencies shall be open to public scrutiny..." (Cal. Const., art. I, Sec. 3.) The California Public Records Act (CPRA), enacted in 1968, requires public disclosure of public agency documents. The CPRA gives every person the right to inspect and obtain copies of all state and local government documents not exempt from disclosure. (Gov. Code Sec. 6253.) Generally, all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code Sec. 6254.) There are 30 general categories of documents or information that are exempt from disclosure, essentially due to the character of the information. However, a public agency can justify withholding any record by demonstrating that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. (Gov. Code Sec. 6255(a).)

The CPRA requires each public agency, upon a request for a copy of records and within 10 days from receipt of the request, to determine whether the request, in whole or in

part, seeks copies of disclosable public records in the possession of the agency and requires the agency to promptly notify the person making the request of the determination and the reasons therefor. The CPRA provides that when it appears to a superior court that certain public records are being improperly withheld from a member of the public, the CPRA requires the court to order the officer or person charged with withholding the records to disclose the public record or show cause why he or she should not do so. The CPRA requires the court to award court costs and reasonable attorney fees to the plaintiff if the plaintiff prevails in litigation filed pursuant to these provisions, and requires the court to award court costs and reasonable attorney fees to the public agency if the court finds that the plaintiff's case is clearly frivolous.

Law enforcement records are subject to disclosure under the CPRA. However, there are limitations in statute to the disclosure of law enforcement records. Specifically, a law enforcement entity is entitled to deny disclosure to the public of records of investigations if disclosure would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation. Proponents of this bill argue that there should be more liberal release of recordings that depict incidents involving a peace officer's use of force or a peace officer's violation of law or a peace officer's violation of agency policies.

Video recordings, whether those from police dash cameras, police body cameras, or cell phones, are increasingly capturing footage of law enforcement interactions with people. In the wake of deaths of black and brown men from guns used by law enforcement, there has been increased pressure on law enforcement to video record what goes on in the field. Various law enforcement entities throughout the state have body cameras on their officers and/or dash cameras on their cars. Presently there is no uniformity regarding whether, when, and how to release recordings. Recordings are often withheld from the public through a justification that they qualify for the investigation exemption to mandatory disclosure under the CPRA. There are some who argue for complete sunshine of police recordings, regardless of who is on the recording. There are others who highlight the importance of protecting the privacy of those in recordings. This bill seeks to strike a balance between the competing interests of privacy, public safety, and the people's right to know what is happening in their government.

This bill passed the Senate Committee on Public Safety on July 11, 2017 with a vote of 5 to 2 vote.

CHANGES TO EXISTING LAW

Existing law, the California Constitution, declares the people's right to transparency in government. ("The people have the right of access to information concerning the conduct of the people's business, and therefore, the meetings of public bodies and the

writings of public officials and agencies shall be open to public scrutiny....”) (Cal. Const., art. I, Sec. 3.)

Existing law, the California Public Records Act (CPRA), governs the disclosure of information collected and maintained by public agencies. (Gov. Code Sec. 6250 et seq.) Generally, all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code Sec. 6254.) There are 30 general categories of documents or information that are exempt from disclosure, essentially due to the character of the information.

Existing law, for purposes of the CPRA, defines: “public agency” as any state or local agency; “state agency” to include every state office, officer, department, division, bureau, board, and commission or other state body or agency, except for the Legislature and the Judiciary; and “person” to include any natural person, corporation, partnership, limited liability company, firm, or, association. (Gov. Code Sec. 6252(c),(d)&(f).)

Existing law provides that except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, is required to make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. (Gov. Code Sec. 6253(b).)

Existing law requires each agency, upon a request for a copy of records and within 10 days from receipt of the request, to determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and requires the agency to promptly notify the person making the request of the determination and the reasons therefor. (Gov. Code Sec. 6253(c).)

Existing law provides that in unusual circumstances, as defined, the 10-day time limit may be extended by written notice from the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension of more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. (Gov. Code Sec. 6253(c).)

Existing law prohibits construing the CPRA to permit an agency to delay or obstruct the inspection or copying of public records. (Gov. Code Sec. 6253(d).)

Existing law provides that the agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of the CPRA, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. (Gov. Code Sec. 6255(a).)

Existing law provides that any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Gov. Code Sec. 6253(a).)

Existing law provides that a response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing. (Gov. Code Sec. 6255(b).)

Existing law provides that any person may institute proceedings for injunctive or declarative relief or writ of mandate in any court of competent jurisdiction to enforce his or her right to inspect or to receive a copy of any public record or class of public records under the CPRA. The times for responsive pleadings and for hearings in these proceedings shall be set by the judge of the court with the object of securing a decision as to these matters at the earliest possible time. (Gov. Code Sec. 6258.)

Existing law provides that whenever it is made to appear by verified petition to the superior court of the county where the records or some part thereof are situated that certain public records are being improperly withheld from a member of the public, the court shall order the officer or person charged with withholding the records to disclose the public record or show cause why he or she should not do so. The court shall decide the case after examining the record in camera, if permitted by subdivision (b) of Section 915 of the Evidence Code, papers filed by the parties, and any oral argument and additional evidence as the court may allow. (Gov. Code Sec. 6259(a).)

Existing law provides that if the court finds that the public official's decision to refuse disclosure is not justified under Section 6254 or 6255, he or she shall order the public official to make the record public. If the judge determines that the public official was justified in refusing to make the record public, he or she shall return the item to the public official without disclosing its content with an order supporting the decision refusing disclosure. (Gov. Code Sec. 6259(b).)

Existing law provides that the court shall award court costs and reasonable attorney fees to the plaintiff should the plaintiff prevail in litigation filed pursuant to this section. The costs and fees shall be paid by the public agency of which the public official is a member or employee and shall not become a personal liability of the public official. If the court finds that the plaintiff's case is clearly frivolous, it shall award court costs and reasonable attorney fees to the public agency. (Gov. Code Sec. 6259(d).)

Existing law requires specified information regarding the investigation of crimes to be disclosed to the public unless disclosure would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation, as specified. (Gov. Code Sec. 6254(f).)

This bill would provide that notwithstanding any other provision of the subdivision (dealing with public safety records), a video or audio recording that relates to a critical incident, as defined may be withheld as provided.

This bill would provide that a video or audio recording relates to a “critical incident” if it depicts an incident involving a peace officer’s use of force or a violation of law or agency policy by a peace officer.

This bill would provide that “use of force” means a peace officer’s application of force that is likely to or does cause death or serious bodily injury, and includes, without limitation, the discharge of a firearm or a strike to a person’s head with an impact weapon.

This bill would provide that a video or audio recording that relates to a critical incident may be withheld only as follows:

- During an active criminal or administrative investigation, disclosure of a recording related to a critical incident may be delayed for no longer than 45 calendar days from the date of the incident, if, based on the facts and circumstances depicted in the recording, disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. If an agency delays disclosure pursuant to the above paragraph, the agency shall provide in writing to the requester the specific basis for the agency’s determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure.
- After 45 days from the date of the incident, the agency may continue to delay disclosure of a recording if the agency demonstrates by clear and convincing evidence that the interest in preventing interference with an active investigation outweighs the public interest in disclosure. If an agency delays disclosure pursuant to this clause, the agency shall promptly provide in writing to the requester the specific basis for the agency’s determination that the interest in preventing interference with an active investigation outweighs the public interest in disclosure and provide the estimated date for the disclosure. The agency shall reassess withholding and notify the requester every 15 days. A recording withheld by the agency shall be disclosed promptly when the specific basis for withholding is resolved.

This bill would provide that if the agency demonstrates, on the facts of the particular case, that the public interest in withholding a video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would, based on the facts and circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject depicted in the recording, the agency shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served by withholding the recording and may use redaction technology, including blurring or distorting images or audio, to obscure those specific portions of the recording that protect that interest. However, the redaction shall not interfere with

the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording and the recording shall not otherwise be edited or altered.

This bill would specify that except as provided in the subsequent paragraph regarding an active investigation, if the agency demonstrates that the reasonable expectation of privacy of a subject depicted in the recording cannot adequately be protected through redaction as described above and that interest outweighs the public interest in disclosure, the agency may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following:

- the subject of the recording whose privacy is to be protected, or his or her authorized representative;
- if the subject is a minor, the parent or legal guardian of the subject whose privacy is to be protected; or
- if the subject whose privacy is to be protected is deceased, a member of his or her immediate family, as defined in paragraph (3) of subdivision (b) of Section 422.4 of the Penal Code.

This bill would provide that disclosure pursuant to the above paragraph would substantially interfere with an active criminal or administrative investigation, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation, and provide the video or audio recording. Thereafter, the recording may be withheld by the agency for 45 calendar days, subject to the 15 day extensions detailed above.

This bill would provide that an agency may provide greater public access to video or audio recordings than the minimum standards set forth above.

This bill would provide that the above provisions do not alter, limit, or negate any other rights, remedies, or obligations with respect to public records regarding an incident other than a "critical incident."

COMMENT

1. Stated need for the bill

According to the author:

Transparency between law enforcement and the communities they protect is critical to establishing and maintaining good relationships. Current law does not require law enforcement agencies to maintain a policy on how it does or does not release recordings made by body cameras. As a result, the public may not know how or if such recordings may be requested, which adds confusion and controversy to already sensitive situations, like the days following an incident of violence involving law enforcement. AB 748 seeks to remedy this

issue by setting a floor for law enforcement agencies to comply with so that both the public and the agencies have transparency on when the recordings should be released.

According to the California News Publishers Association, sponsors of the bill:

The public's interest in public access to information about law enforcement activity is "particularly great" when there is a violation of law or agency policy, and when an officer uses force that may lead to serious bodily injury or death. [citation omitted]

Video footage which depicts an officer's serious use of force, or a violation of law or policy, often provides the best evidence of the "facts and circumstances" of an incident of high public concern between a member of the public and a police officer. [citation omitted] Regular disclosure of this footage reassures the public that law enforcement is not suppressing facts to support its version of events in critical incidents.

AB 748 would establish a minimum, enforceable, statewide standard that affords the public access to audio and video footage of critical incidents. This follows a trend among local police agencies that have established their own policies for disclosure. The bill is modeled in part on the policy recently implemented by the Los Angeles Police Department, which established a rule to generally require disclosure of records of a critical incident within 45 days.

Like the LAPD policy, AB 748 gives agencies the flexibility to withhold records of critical incidents for longer than 45 days if necessary to protect the due process interests of an individual or an active investigation. AB 748 also adds to the privacy protections related to the disclosure of body camera footage as established in AB 459 (Chau), which was signed into law last year.

AB 748 is a balanced approach that takes into account the various interests in nondisclosure while ultimately mandating the release of body camera footage and other similar files when there is a paramount interest in public disclosure.

2. Efforts to pass legislation regarding disclosure of police video recordings

In an effort to build trust between law enforcement and the communities they serve, many communities and departments have employed officer-worn body cameras so that the public may have a realistic account of police work. Yet, despite this climate, under the CPRA the police maintain largely unfettered discretion to withhold records that are relevant to the public interest. Most recordings will arguably fall under the investigatory exemption, and records that do not fall within an exemption can be withheld under a "catchall" provision which requires only a balancing test (*see* Comment 3 below).

In 2015, AB 66 (Weber) sought to tackle the issue of access to body-camera recordings by requiring that law enforcement agencies comply with set guidelines, including a mandate that policies be posted conspicuously on the agency's website, and a prohibition on the copying of camera files for personal use. The bill also provided a list of suggested guidelines that law enforcement agencies must consider in adopting their own policies. That bill failed passage in the Assembly Committee on Appropriations. Another bill from 2015, AB 1246 (Quirk), aimed to prohibit the disclosure of a recording made by a body-worn camera, except to the person whose image is recorded by the camera. That bill failed passage in the Assembly Committee on Public Safety. SB 175 (Huff and Gaines, 2015), sought to require each police department using body-worn cameras to adopt a policy relating to the use of those cameras. It also required that the policies were developed in accordance with specified acts governing employee organizations, with designated representatives of nonsupervisory officers. That bill failed on the Assembly Floor.

In 2016, AB 1940 (Cooper) again attempted to require police departments which use body-worn cameras to adopt a policy pertaining to the use of the cameras. Among its objectives was to require law enforcement agencies to have a policy to prohibit a peace officer from making a video or audio recording in a health facility or medical office when a patient may be in the view of the body-worn camera, or when a health care practitioner is providing care to an individual. However, that bill required that officers be permitted to view body camera footage prior to the drafting of police reports. That bill, like its predecessors, did not become law. It failed passage in the Senate Committee on Public Safety. AB 2533 (Santiago, 2016) would have provided that a public safety officer shall be entitled to a minimum of three business days' notice before a public safety department or other public agency releases on the Internet any audio or video of the officer recorded by the officer. The bill failed passage in the Senate Committee on Public Safety. Finally, AB 2611 (Low, 2016) sought to amend the CPRA to prohibit disclosure of any audio or video recording depicting the death of a peace officer unless authorized by the officer's immediate family. That bill failed in the Assembly Judiciary Committee.

AB 748 is the latest legislative attempt to strike the right balance between protecting the integrity of investigations and ensuring transparency of video and audio recordings that relate to a "critical incident," defined as depicting an incident involving a peace officer's use of force or a violation of law or agency policy by a peace officer. This bill would define "use of force" as a peace officer's application of force that is likely to or does cause death or serious bodily injury, and includes, without limitation, the discharge of a firearm or a strike to a person's head with an impact weapon. This bill contains provisions to protect the privacy of those depicted in the recordings and that allow for the protection of the recordings during investigations, as specified.

These provisions could benefit from technical amendments to ensure that the provisions are not misinterpreted.

Amendment 1

On page 7, line 37, after: force
Insert: ,

Amendment 2

On page 7, line 37, after: law
Insert: by a peace officer

Amendment 3

On page 7, line 37, before: agency policy
Insert: a violation of

3. Bill affects records that fall under the investigatory exemption

The California Public Records Act (CPRA) provides that public records are open to inspection at all times during the office hours of a state or local agency, and that every person has a right to inspect any public record, unless otherwise exempted from disclosure. Existing law further provides, that in the event that a record contains non-disclosable information, "any reasonably segregable portion of the record shall be available" to the requestor. (Gov. Code Sec. 6253.)

Notably, records of complaints and investigations conducted by the police, or any investigatory or security files compiled by the police are exempted from disclosure under the CPRA. (Gov. Code Sec. 6254(f).) With regard to records that are not covered by an exemption, police agencies may withhold any record if "on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by the disclosure of the record." (Gov. Code Sec. 6255.) Furthermore, while public records laws may have been passed to promote good governance and public accountability, the CPRA does not "allow limitations on access to a public record based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure." (Gov. Code Sec. 6257.5.) Thus, public records may be used for any purpose, including for commercial purposes, and custodians of public records are advised to not inquire into the motives behind the request.

This bill would require the disclosure of certain audio or visual records that a law enforcement agency would otherwise be able to withhold under the investigatory exemption. However, the expansion of records that would now be available is a very small universe. The expansion only applies to video or audio recordings that relate to an incident involving a peace officer's use of force or a violation of law or agency policy by a peace officer. A law enforcement agency could withhold a recording for a period of 45 days from the incident, and subsequent 15 day periods of time, under specified

circumstances. To ensure that there is a legitimate justification for the withholding, the law enforcement entity would have to provide the reasons for the withholding in writing to the requester.

In opposition, the California Police Chiefs Association writes:

Under AB 748, law enforcement agencies would have only 45 days to withhold investigative footage from the time a critical incident takes place, which is broadly defined by the measure as ANY violation of law or internal department policy, use of force LIKELY to cause death or serious bodily injury or discharge of a firearm or strike to person's head with an impact weapon. Under this definition, minor policy violations and minor use of force incidents would result in the same disclosure requirements as a deadly office-involved shooting – clearly those are vastly different scenarios that do not necessarily merit the same level of public scrutiny.

After 45 days, this measure would require the agency to request a 15-day extension upon proof, by clear and convincing evidence (which is our highest civil standard), that disclosure would interfere with an active investigation. The agency must then reassess withholding the investigative footage every 15 days AND provide notifications to each requester.

The California State Sheriffs' Association, in opposition, writes:

Local agencies should maintain the authority to determine when and how such recordings should be released including whether they will be released at all. Even if an investigation is ongoing, the language specifies that a recording may be withheld, but only for 45 days unless the agency notifies the requester of the recording every 15 days after the first 45 days as to the reason for non-disclosure. Ultimately, however, AB 748 provides that the recording must be disclosed thereby mandating the public release of information that could be crucial evidence in a pending criminal case.

4. Offers privacy protections for those depicted in the recordings

On a daily basis, police interact with individuals whose identities are sensitive, such as confidential informants and witnesses, and with people at very low or vulnerable points in their lives, including individuals being arrested and victims giving emotional or graphic statements. Public disclosure of many of these interactions could violate a person's privacy without serving any legitimate public interest. If constantly recording, body camera footage may also compromise the privacy of the officers wearing a camera.

Thus, depending on the circumstances, police camera footage may be intrusive for both police officers and members of the public. However, such devices have been shown to

reduce violence, improve evidence gathering, and increase police legitimacy. The use of cameras ensures that both the police and the public they interact with are “on their best behavior.” Ultimately, the goal of equipping police officers with body cameras is to provide a record of police conduct, which should improve public trust in the police. That being said, failing to protect the privacy of individuals may have the unintended consequence of chilling the public’s willingness to engage with the police investigations, and thus limit the agency’s ability to adequately serve the community.

Existing law, recognizing the need for a balance between transparency and privacy, requires that even when a record contains information or material that is non-disclosable, “any reasonably segregable portion of a record shall be made available.” Similarly, this bill would provide that if the agency demonstrates, on the facts of the particular case, that the public interest in withholding a video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would, based on the facts and circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject depicted in the recording, the agency shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served by withholding the recording and may use redaction technology, including blurring or distorting images or audio, to obscure those specific portions of the recording that protect that interest. However, the redaction shall not interfere with the viewer’s ability to fully, completely, and accurately comprehend the events captured in the recording and the recording shall not otherwise be edited or altered. The bill would also specify that, except in the context of active investigations, if the agency demonstrates that the reasonable expectation of privacy of a subject depicted in the recording cannot adequately be protected through redaction and that interest outweighs the public interest in disclosure, the agency may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following:

- the subject of the recording whose privacy is to be protected, or his or her authorized representative;
- if the subject is a minor, the parent or legal guardian of the subject whose privacy is to be protected; or
- if the subject whose privacy is to be protected is deceased, a member of his or her immediate family, as defined in paragraph (3) of subdivision (b) of Section 422.4 of the Penal Code.

This provision ensures that the agency does not invoke a requester’s own reasonable expectation of privacy in order to deny that person a recording of the critical incident.

This bill is intended to prevent law enforcement from delaying the release of video and audio of law enforcement use of force, law enforcement breaking the law and law enforcement violating agency policy. Simply put, the goal of this bill is to prevent law enforcement from hiding behind the investigation exception and privacy exception in order to justify not releasing video and audio recordings.

The provisions of this bill arguably strike the right balance between withholding recordings to protect the integrity of investigations, shining light on police misconduct, and protecting the privacy of those who are depicted in recordings.

Support: American Civil Liberties Union; California Attorneys for Criminal Justice; California Broadcasters Association; California Civil Liberties Advocacy; California Newspaper Publishers Association; California Public Defenders Association; Motion Picture Association of America, Inc.; Oakland Privacy;

Opposition: Association of Orange County Deputy Sheriffs; California Association of Highway Patrolmen; California District Attorneys Association; California Law Enforcement Association of Records Supervisors; California Police Chiefs Association; California Police Protective League; California State Association of Counties; California State Sheriffs' Association; City of Palmdale; Fraternal Order of Police; League of California Cities; Long Beach Police Officers Association; Peace Officers Research Association of California; Police Officers Research; Riverside Sheriffs' Association; Sacramento County Deputy Sheriffs; San Joaquin County Hispanic Chamber of Commerce

HISTORY

Source: American Civil Liberties Union of California; California News Publishers Association

Related Pending Legislation: SB 1421 (Skinner, 2018)

Prior Legislation:

AB 459 (Chau, Ch. 291, Stats. 2017) provides that public agencies are not required to disclose video or audio created during the commission or investigation of the crimes of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording. This bill requires the agency to justify withholding such a video or audio recording by demonstrating that the public interest served by not disclosing the recording clearly outweighs the public interest served by disclosure of the recording. This bill provides factors for the agency to consider in making such a determination. This bill requires public agencies to permit a victim of a crime depicted in such videos to inspect the recording and obtain a copy.

AB 2533 (Santiago, 2016), *See Comment 2.*

AB 1957 (Quirk, 2016), *See Comment 2.*

AB 1940 (Cooper, 2016), 2016, *See Comment 2.*

AB 748 (Ting)
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SB 175 (Huff, Gaines, 2015) *See Comment 2.*

AB 66 (Weber), 2015, *See Comment 2.*

Prior Vote:

Senate Public Safety Committee (Ayes 5, Noes 2)
Assembly Floor (Ayes 77, Noes 0)
Assembly Appropriations Committee (Ayes 16, Noes 0)
Assembly Judiciary Committee (Ayes 11, Noes 0)
Assembly Public Safety Committee (Ayes 7, Noes 0)

EXHIBIT 2

Date of Hearing: August 31, 2018

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Ed Chau, Chair

AB 748 (Ting) – As Amended August 23, 2018

PURSUANT TO RULE 77.2

SUBJECT: Peace officers: video and audio recordings: disclosure

SUMMARY: This bill, commencing July 1, 2019, would authorize a law enforcement agency to withhold an audio or video recording that relates to a critical incident, as defined, for a specified period of time if disclosure would substantially interfere with an active investigation, as specified. Specifically, **this bill would:**

- 1) Provide that a video or audio recording that relates to a critical incident may be withheld only as follows:
 - During an active criminal or administrative investigation, disclosure of a recording related to a critical incident may be delayed for no longer than 45 calendar days after the date the agency knew or reasonably should have known about the incident, if disclosure would substantially interfere with the investigation, as specified. Would require the agency to provide in writing the specific basis for the agency's determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure.
 - After 45 days from the date the agency knew or reasonably should have known about the incident, and up to one year from that date, the agency may continue to delay disclosure of a recording if the agency demonstrates that disclosure would substantially interfere with the investigation. After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation, and the agency would be required to promptly provide in writing the specific basis for the agency's determination, as specified. The agency would be required to reassess withholding and notify the requester every 30 days.
- 2) Provide that if the agency demonstrates, on the facts of the particular case, that the public interest in withholding a video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would violate the reasonable expectation of privacy of a subject in the recording, as specified, the agency must provide in writing to the requester the specific basis for the expectation of privacy and the public interest served by withholding the recording. Would authorize the agency to use redaction technology to obscure specific portions of the recording to protect that privacy interest, so long as the redaction does not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording.
- 3) Provide that if the agency demonstrates that a subject's reasonable expectation of privacy in the recording cannot adequately be protected through redaction, and that the subject's privacy interest outweighs the public interest in disclosure, the agency may withhold the

recording from the public, except that the recording, either unredacted or redacted, as specified above, shall be disclosed promptly, upon request, to the subject of the recording whose privacy is to be protected, or his or her authorized representative, parent (in the case of a minor), or an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased subject whose privacy is to be protected.

- 4) Provide that if disclosure pursuant to the paragraph above would substantially interfere with an active criminal or administrative investigation, the agency must provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation, and provide the video or audio recording. Thereafter, the recording may be withheld by the agency for 45 calendar days, subject to extensions detailed above.
- 5) Authorize an agency to provide greater public access to video or audio recordings than the minimum standards set forth above.
- 6) Provide that the above provisions do not alter, limit, or negate any other rights, remedies, or obligations with respect to public records regarding an incident other than a critical incident.
- 7) Exempt any peace officer employed by the Department of Corrections and Rehabilitation from the provisions above.
- 8) Define a "critical incident" to mean an incident involving the discharge of a firearm at a person by a peace officer or custodial officer, in which the use of force by a peace officer or custodial officer against a person resulted in death or in great bodily injury.

EXISTING LAW:

- 1) Provides that all people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy. Provides that the right to privacy was specifically designed to "prevent government ... from collecting and stockpiling unnecessary information about us and misusing information gathered for one purpose in order to serve another purpose." (Cal. Const., art. I, Sec. 1; *White v. Davis* (1975) 13 Cal.3d 757, 774.)
- 2) Declares, under the California Constitution, the people's right to transparency in government. Specifically, the people have the right of access to information concerning the conduct of the people's business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny. (Cal. Const., art. I, Sec. 3.)
- 3) Governs the disclosure of information collected and maintained by public agencies under the California Public Records Act (CPRA). (Gov. Code Sec. 6250 et seq.) Generally, all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code Sec. 6254.) There are 30 general categories of documents or information that are exempt from disclosure, essentially due to the character of the information, and unless it is shown that the public's interest in disclosure outweighs the public's interest in non-disclosure of the information, the exempt information may be withheld by the public agency with custody of the information. (Gov. Code Sec. 6254 et seq.)

- 4) Provides that if a state or local agency discloses a public record that is otherwise exempt under the CPRA, to a member of the public, the disclosure constitutes a waiver of otherwise applicable exemptions, as specified. (Gov. Code Sec. 6254.5.)
- 5) Provides that public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as specified. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Gov. Code Sec. 6253(a).)
- 6) Authorizes any person to institute proceedings for injunctive or declarative relief or writ of mandate in any court of competent jurisdiction to enforce his or her right to inspect or to receive a copy of any public record or class of public records, and authorizes an award of court costs and reasonable attorney fees to the plaintiff should the plaintiff prevail in litigation, and those costs and fees are required to be paid by the public agency, as specified. (Gov. Code Secs. 6258, 6259(d).) The test for determining whether a record may be withheld from public access is whether the public's interest in disclosure is outweighed by the public's interest in withholding disclosure of the record. (Gov. Code Sec. 6255.)

FISCAL EFFECT: According to the Senate Appropriations Committee:

- Ongoing costs of approximately \$520,000 annually to the California Highway Patrol for 2.0 new sergeant positions within the department's Office of Internal Affairs to review, redact where appropriate, and determine if video and audio recordings of critical incidents that are requested can be disclosed to the public. (Special fund*)
- Ongoing costs of approximately \$412,000 annually to the Department of Justice for 2.0 new Audio Visual Specialists and 1.0 new Associate Governmental Program Analyst within the department's Division of Law Enforcement to review, redact where appropriate, and determine if video and audio recordings of critical incidents that are requested can be disclosed to the public. (General Fund)
- Unknown, potentially-major non-reimbursable costs in the aggregate to local law enforcement agencies to review video and audio recordings, redact when appropriate and possible, and release pursuant to record requests. (Local funds)

*Motor Vehicle Account, State Transportation Fund

COMMENTS:

- 1) **Purpose of the bill:** this bill seeks to create a standard for the release of body-worn camera footage captured by law enforcement agencies by balancing privacy interests with the public's interest in the footage. This bill is co-sponsored by the American Civil Liberties Union of California (ACLU) and the California News Publishers Association (CNPA).
- 2) **Author's statement:** According to the author, "Transparency between law enforcement and the communities they protect is critical to establishing and maintaining good relationships. Current law does not require law enforcement agencies to maintain a policy on how it does or does not release recordings made by body cameras. As a result, the public may not know how or if such recordings may be requested, which adds confusion and controversy to already

sensitive situations, like the days following an incident of violence involving law enforcement. AB 748 seeks to remedy this issue by setting a floor for law enforcement agencies to comply with so that both the public and the agencies have transparency on when the recordings should be released.”

- 3) **The California Public Records Act and police-worn body cameras:** The CPRA governs the disclosure of information collected and maintained by public agencies. Generally, all public records are accessible to the public upon request, unless the record requested is exempt from disclosure. (Gov. Code Sec. 6254 et seq.) There are 30 general categories of documents or information that are exempt from disclosure, essentially due to the character of the information, and unless it is shown that the public’s interest in disclosure outweighs the public’s interest in non-disclosure of the information, the exempt information may be withheld by the public agency with custody of the information.

Under the CPRA, audio and video recordings constitute “writings” that are generally subject to public disclosure, unless otherwise exempted. (See Gov. Code Secs. 6252(e) and 6252(g).) Over the last several years, such recordings and public access to such recordings have become particularly controversial in light of various critical incidents involving law enforcement and the public they serve. On August 9, 2014, Michael Brown was shot by Officer Darren Wilson in Ferguson, Missouri during the course of an arrest for an alleged robbery. While Wilson was not indicted for his actions, the incident demonstrated the tremendous difficulties in determining crucial facts related to use of force by police against members of the public. In the wake of Ferguson and other incidents involving allegations of police misconduct, communities across the country are outfitting police forces with body cameras. In fact, the use of body cameras has emerged as a rare point of agreement between reform advocates and law enforcement officials. At the same time, body cameras also pose a substantial threat to privacy. With an activated camera constantly documenting everything a police officer sees and does, sensitive content, such as the interior of private residences, interviews with victims, and discussions with confidential informants, may be recorded and potentially preserved for public inspection.

Recognizing the need to both increase police accountability and protect privacy rights, the Legislature has considered a number of bills in the past few years seeking to strike an appropriate balance between what footage should be available for public review versus the footage that should be kept confidential. Specifically, AB 66 (Weber, 2015) would have required law enforcement agencies to comply with set guidelines, including a mandate that policies be posted conspicuously on the agency’s website, and a prohibition on the copying of camera files for personal use. That bill failed passage in the Assembly Committee on Appropriations. That same year, AB 1246 (Quirk, 2015), aimed to prohibit the disclosure of a body-worn camera footage, except to the person whose image is recorded by the camera. That bill failed passage in the Assembly Committee on Public Safety. SB 175 (Huff and Gaines, 2015) would have required each police department using body-worn cameras to adopt a policy relating to the use of those cameras. It also would have required that the policies were developed in accordance with specified acts governing employee organizations, with designated representatives of nonsupervisory officers. That bill failed on the Assembly Floor.

More recently, in 2016, AB 1940 (Cooper, 2016) again attempted to require police departments that use body-worn cameras to adopt a policy pertaining to the use of the

cameras. Among its objectives was to require law enforcement agencies to have a policy to prohibit a peace officer from making a video or audio recording in a health facility or medical office when a patient may be in the view of the body-worn camera, or when a health care practitioner is providing care to an individual. However, that would have authorized officers to view body camera footage prior to the drafting of police reports. AB 1940 failed passage in the Senate Public Safety Committee. AB 2533 (Santiago, 2016) would have required that a police officer be provided notice before the release of any audio or video of the officer recorded by the officer. That bill also failed passage in the Senate Public Safety Committee. Finally, AB 2611 (Low, 2016) sought to amend the CPRA to prohibit disclosure of any audio or video recording depicting the death of a peace officer unless authorized by the officer's immediate family. That bill failed in the Assembly Judiciary Committee.

Taking a seemingly different approach than the previous attempts to regulate disclosure of police footage under the CPRA, this bill seeks to balance the privacy interests of individuals captured on police body camera footage against the interest of the public in having access to those recordings. In support, the co-sponsor ACLU writes, "AB 748 recognizes that despite the important goal of transparency, police cameras also have the potential to intrude on personal privacy. The bill appropriately balances these interests by authorizing law enforcement agencies to redact a recording to protect an individual's reasonable expectation of privacy, as well as to entirely withhold all public release of the recording if redaction is not adequate to protect personal privacy."

- 4) **Law enforcement uses an investigatory exemption to the CPRA:** The CPRA provides that public records are open to inspection at all times during the office hours of a state or local agency, and that every person has a right to inspect any public record, unless otherwise exempted from disclosure. Existing law further provides that in the event that a record contains non-disclosable information, "any reasonably segregable portion of the record shall be available" to the requestor. (Gov. Code Sec. 6253.)

Notably, records of complaints and investigations conducted by the police, or any investigatory or security files compiled by the police are exempted from disclosure under the CPRA. (Gov. Code Sec. 6254(f).) With regard to records that are not covered by a specific exemption, police agencies still may withhold any record if "on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by the disclosure of the record." (Gov. Code Sec. 6255.) While public records laws may have been passed to promote good governance and public accountability, the CPRA does not "allow limitations on access to a public record based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure." (Gov. Code Sec. 6257.5.) Thus, public records may be used for any purpose, including for commercial purposes, and custodians of public records are advised to not inquire into the motives behind the request.

This bill would amend the investigatory exemption to provide specific guidelines to govern the disclosure and withholding of certain video and audio recordings held by law enforcement.

- 5) **Balancing competing constitutional rights:** On a daily basis, police interact with individuals whose identities are sensitive, such as confidential informants and witnesses, and with people at very low or vulnerable points in their lives, including individuals being

arrested and victims giving emotional or graphic statements. Public disclosure of many of these interactions could violate a person's privacy without serving any legitimate public interest. If constantly recording law enforcement's interactions, body camera footage may also compromise the privacy of the officers wearing a camera. Thus, depending on the circumstances, police camera footage may be intrusive for both police officers and members of the public. However, such devices have been shown to improve evidence gathering and increase police legitimacy. Ultimately, the goal of equipping police officers with body cameras is to provide a record of police conduct, which should improve public trust in law enforcement. That being said, failing to protect the privacy of individuals may have the unintended consequence of chilling the public's willingness to engage with police investigations, and thus limit the agency's ability to adequately serve the community. It may also cause undue harm to victims and their survivors, civilians and law enforcement alike.

Privacy is a fundamental right enshrined in our state's constitution, which provides that "all people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy." (Cal. Const., art. I, Sec. 1.) It should be noted that, as a general matter, rights do not exist in a vacuum, and in addition to privacy, the California constitution equally protects "the right of access to information concerning the conduct of the people's business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny." (Cal. Const, art. I, Sec. 3.) Here, these two fundamental rights overlap, and thus each must be balanced against the other so that each may be given effect.

To that end, the author has included a number of provisions in this bill to reasonably protect individuals' privacy while simultaneously giving the public reasonable access to police body camera footage. Specifically, this bill would allow a video or audio recording that relates to a critical incident to be withheld for 45 days if disclosure would substantially interfere with an active investigation, subject to certain extensions. The bill would also allow a recording depicting a critical incident to be withheld if the public interest in withholding video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would violate the reasonable expectation of privacy of a subject in the recording. In the event that a subject's privacy would be violated by release of the video, the bill would require redaction of the subject, if possible, prior to releasing the footage. If redaction would not protect the subject of the video, this bill would allow the agency to withhold the video from the public, but would require that the footage be given to the subject, upon request.

The CPNA, co- sponsor, writes in support:

AB 748 would create a statewide, minimum standard to require disclosure of important footage captured and gathered by police. Requiring actual records be disclosed under AB 748 provides the public the official government record of the "facts and circumstances" of an incident—something a summary does not do and which is all that state law requires be disclosed under the investigatory record exemption in Gov. Code 6254(f).

The public's interest in public access to information about law enforcement activity is "particularly great" when an officer fires a gun, or uses force that results in serious bodily injury or death. Regular disclosure of this footage reassures the public that law enforcement is not suppressing facts to support its version of events in critical incidents.

AB 748 would establish a minimum, enforceable, statewide standard that affords the public access to audio and video footage of critical incidents. This follows a trend among local police agencies that have established their own policies for disclosure. [...] AB 748 also adds to the privacy protections related to the disclosure of body camera footage as established in AB 459 (Chau), which was signed into law last year.

Law enforcement, generally, opposes this bill arguing that the process provided by the bill is too strict and does not take into account the needs of law enforcement agencies. Specifically, the California Police Chiefs Association writes in opposition that the “requirements set forth in this measure fail to adequately protect ongoing investigations or active prosecutions and place incredible burdens on individual departments through an unfunded statewide-mandate.” The League of California Cities and California State Association of Counties similarly argue in opposition that “the disclosure process outlined by this measure irrationally removes local authority over the determination to release footage to the public. Specifically, this bill suffers from the same timeframe deficiencies of past legislative efforts. While there may be a legitimate public interest in disclosure of the audio and video recordings covered by this bill, there is an equal, if not more compelling, public interest in the successful completion of impartial investigations and the pursuit of justice.”

That being said, the current version of the bill appears to reasonably protect the investigatory exemption that law enforcement currently utilizes by giving police the ability to withhold footage of critical incidents for up to 45 days if the agency determines that disclosure would substantially interfere with an active investigation. Moreover, this 45-day period under the bill can be extended. It would not be until after one year of withholding footage, that an agency would be required to show by clear and convincing evidence that disclosure would substantially interfere with an active investigation. At that point the agency would arguably be able to withhold the footage indefinitely. Furthermore, as a matter of public policy, it may prove beneficial to provide a degree of consistency and uniformity across the state in how such recordings are to be disclosed or withheld under the CPRA.

To these points, Alliance San Diego writes in support:

AB 748 recognizes that despite the important goal of transparency, police cameras also have the potential to intrude on personal privacy. [This] bill balances these interests by authorizing law enforcement agencies to redact a recording to protect an individual’s reasonable expectation of privacy, as well as to entirely withhold all public release of the recording if redaction is not adequate to protect personal privacy, while still allowing release to the victims or their families.

Public disclosure of government records is a core tenet of democracy; without it, the public cannot exercise oversight and control of public officials, particularly in situations where government actors have been entrusted with the enormous power wielded by police officers. AB 748 strikes the right balance between policy accountability, the investigatory needs of police agencies, and individual privacy rights. Moreover, it ensures that law enforcement recordings are treated uniformly under a single statewide standard, consistent with the purpose of the CPRA.

- 6) **Recent amendments narrow the bill to address oppositions’ concerns:** In seeking to address a number of concerns raised by the opposition, the author has agreed to a variety of

amendments. Specifically, law enforcement raised concerns that the timelines provided under the bill were too strict or overly burdensome. In response, the author extended the requirement to update the requestor on the status of their request from 15 days to 30 days, and delayed the implementation of the bill by six months, so that its provisions would become effective on July 1, 2019.

Notably, the author also limited this bill to “critical incidents,” defined as an incident involving the discharge of a firearm at a person by a peace officer or custodial officer, or an incident in which the use of force by a peace officer or custodial officer against a person resulted in death or in great bodily injury. The author also exempted the Department of Corrections and Rehabilitation from the bill, and applied the “clear and convincing” standard required to continue withholding footage to recordings that had not been disclosed after a year, instead of 45 days.

Despite these improvements, staff notes that the current version of the bill contains a drafting error in proposed Section 6254(f)(4)(B)(iii) which could serve to undermine the intent of the bill, and would likely be disfavored by law enforcement and privacy advocates alike. In relevant part the bill provides, “(iii) If disclosure pursuant to clause (ii) would substantially interfere with an active criminal or administrative investigation, the agency shall provide in writing to the requestor the specific basis for the agency’s determination that disclosure would substantially interfere with the investigation, *and provide the video or audio recording*. Thereafter, the recording may be withheld by the agency for 45 calendar days, subject to extensions as set forth in clause (ii) of subparagraph (A).” (Emphasis added.)

This error, which is the result of language added to the bill with the July 14, 2018 amendments, would result in a recording being provided to a requestor despite potentially violating the privacy of a subject in the recording and interfering with an active criminal or administrative investigation. However, because the bill’s implementation would be delayed by six months, if approved, there is arguably time for the author to bring an urgency measure next year to address this error prior to the effective date of this bill. On the other hand, should that error not be fixed or if such future legislation fails to garner the requisite two-thirds vote, the consequences would be significant for both law enforcement and individuals alike.

- 7) **Prior legislation:** AB 459 (Chau, Ch. 291, Stats. 2017) provides that public agencies are not required to disclose video or audio created during the commission or investigation of the crimes of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording, as specified.

AB 2611 (Low, 2016) *see* Comment 3.

AB 2533 (Santiago, 2016) *see* Comment 3.

AB 1957 (Quirk, 2016) *see* Comment 3.

AB 1940 (Cooper, 2016) *see* Comment 3.

AB 66 (Weber, 2015) *see* Comment 3.

REGISTERED SUPPORT / OPPOSITION:**Support**

American Civil Liberties Union of California (co-sponsor)
California News Publishers Association (co-sponsor)
California Attorneys for Criminal Justice
California Broadcasters Association
California Civil Liberties Advocacy
California Public Defenders Association
Climate Action Campaign
First Amendment Coalition
McElfresh Law, Inc.
Motion Picture Association of America, Inc.
Oakland Privacy
San Diego LGBT Community Center
San Francisco No Injunctions Coalition
Think Dignity

Opposition

Association for Los Angeles Deputy Sheriffs
Association of Deputy District Attorneys
California Association of Code Enforcement Officers
California Association of Highway Patrolmen
California College and University Police Chiefs Association
California Correctional Supervisors Organization
California District Attorneys Association
California Narcotic Officers Association
California Peace Officers' Association
California State Association of Counties
California State Sheriffs' Association
League of California Cities
Los Angeles County Probation Officers Union AFSCME Local 685
Los Angeles District Attorney's Office
Los Angeles Police Protective League
Los Angeles Professional Peace Officers Association
Peace Officers Research Association of California

Analysis Prepared by: Nichole Rapier / P. & C.P. / (916) 319-2200