



# CONSUMER ATTORNEYS OF CALIFORNIA

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## Assembly panel backs bill on police civil rights abuses

SB 731 strengthens key civil rights law, allows decertification of bad cops

**SACRAMENTO (August 26, 2020)** – A bill to allow decertification of bad officers and bolster California’s key civil rights law to better target police brutality won approval today from a key Assembly panel despite stiff resistance from law enforcement groups.

The Assembly Judiciary Committee gave its blessing to Senate Bill 731 by Sen. Steven Bradford (D-Gardena) and backed by a coalition that includes the American Civil Liberties Union, Black Lives Matter, Consumer Attorneys of California and other groups.

It would remove California from the list of just five states that do not allow the decertification of wrongdoing police officers. Without a state structure for decertification, an officer who is fired for misconduct can easily be hired at another police department, commit more transgressions and further destroy community trust in law enforcement.

Bradford’s bill also would bolster the Tom Bane Civil Rights Act. In the more than three decades since its adoption, the Bane Act has been undercut by court rulings that run counter to the intent of the Legislature, greatly impairing its reach and effectiveness at the same time that the federal civil rights laws have been weakened.

When it was adopted, the Bane Act was intended to forbid anyone from interfering by force or threat of violence with a citizen’s constitutional rights. But as the law now stands, a victim of police brutality has to prove “specific intent” – in short, by somehow getting into the mind of an officer to show they specifically intended to violate a victim’s civil rights, an insurmountable barrier in most cases.

SB 731 will clarify that the Bane Act doesn’t require a showing of specific intent by an officer, allow the act to be utilized when a citizen is killed during a civil rights violation, and exempt it from legal immunities often used to thwart officer accountability.

“This legislation will make critical changes to promote accountability and generate cultural change in police departments all over the state,” said Micha Star Liberty, CAOC president. “Police performance will improve, and the public will ultimately be safer for it.”

*Consumer Attorneys of California is a professional organization of plaintiffs’ attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.*

### **For more information:**

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