Dr. LaShae Sharp- Collins
79th Assembly District

AB 847: Law Enforcement Oversight Commissions

SUMMARY

AB 847 extends existing confidential access to officer personnel files for grand juries, district attorney's, the Attorney General and the Commission on Peace Officer Standards and Training (POST) to law enforcement oversight commissions.

BACKGROUND

The Legislature granted counties throughout California the authority to establish civilian oversight commissions to oversee sheriff's departments. If a county decides to establish an oversight commission, state law authorizes the commission to issue subpoenas to investigate matters within their jurisdiction.

These commissions are tasked with providing increased transparency into the policies and practices of police and sheriff departments and to ensure that department leadership and officers are held accountable for misconduct. As an example, these commissions are able to determine if investigations of misconduct or poor behavior take place in a timely matter and if discipline was appropriate. Unfortunately, departments are not providing the necessary documents to exercise this statutory authority by stating that documents related to investigations are part of the officer's personnel file.

Access to confidential personnel files already exists for multiple entities with oversight powers into departments including grand juries, district attorney's, the Attorney General, and POST.

The Legislature created law enforcement oversight commissions and explicitly gave them subpoena power and oversight authority. Further, voters in counties that approve the creation of a commission are further requesting true oversight authority. This can only happen if personnel records are accessible just as they are with similar oversight bodies.

THIS BILL

AB 847 will allow law enforcement oversight commissions to access otherwise confidential personnel information in order to carry out their statutory duty to provide oversight into department misconduct.

SUPPORT

CONTACT

CAPITOL OFFICE
SWING SPACE, ROOM 4130
SACRAMENTO, CA 95814
TEL: 916.319.2079
FAX: 916.319.2179

DISTRICT OFFICE
4700 SPRING STREET, SUITE 301
LA MESA, CA 91942
TEL: 619.456.7903
FAX: 619.465.7909