



March 6, 2018

Senator Steven Bradford  
State Capitol, Room 2062  
Sacramento, CA 95814  
**Phone:** (916) 651-4035  
**Fax:** (916) 651-4935

**Re: S.B. 978 – SUPPORT**

Dear Senator Bradford,

I am writing today on behalf of the Electronic Frontier Foundation, a non-profit organization based in San Francisco that protects civil liberties in the digital world. Founded in 1990, EFF has over 44,000 members, including thousands in California.

EFF lends our strong support to S.B. 978, the legislation you have introduced to require law enforcement agencies to post their current standards, practices, policies, operating procedures, and education and training materials online.

We believe that the resulting enhanced transparency from the passage of this bill will lead to greater accountability and better relations between law enforcement agencies and the communities they serve. It will help address the increased public interest and concern about police policies in recent years, including around the issues of use of force, less-lethal weapons, body-worn cameras, anti-bias training, biometric identification and collection, and surveillance (such as social media analysis, automated license plate recognition, cell-site simulators, and drones).

Additionally, policies governing police activities should be readily available for review and scrutiny by the public, policymakers, and advocacy groups. Not only will this transparency measure result in well-informed policy decisions, but it will also provide the public with a clearer understanding of what to expect and how to behave during police encounters. In addition, this information will help the public to better identify when officers have

violated policies, which will facilitate the filing of complaints with oversight bodies, potentially reducing the number of unfounded complaints.

EFF commends you for introducing this legislation. We do, however, have three suggestions to improve the bill:

- 1) Please move the deadline for publishing these policies from January 1, 2020 to January 1, 2019.
- 2) Please require that the materials posted online in compliance with S.B. 978 be done in a text-searchable format.
- 3) Please add language allowing a member of the public to bring a legal action to compel law enforcement agencies to post these documents online if they fail to comply with these statutory requirements.

Please do not hesitate to contact me to discuss how we may further lend our assistance to passing S.B. 978. I may be reached by email at [amul@eff.org](mailto:amul@eff.org) or by phone at 415-436-9333 ext. 159.

Sincerely,

A handwritten signature in black ink that reads "Amul Kalia". The signature is stylized with a large, looping "A" and a long horizontal stroke at the bottom.

Amul Kalia  
Analyst  
Electronic Frontier Foundation