CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

Lester J. Friedman, Mayor

August 6, 2020

The Honorable Chris Holden
California State Assembly, 41st District
State Capitol, Room 5132
Sacramento, CA 95814

Re: AB 1022 (Holden) Peace officer: used of force
City of Beverly Hills – Support

Dear Assemblymember Holden,

On behalf of the City of Beverly Hills, I am please to write to you in SUPPORT of your AB 1022, which would establish clear guidelines for police accountability and responsibility while demonstrating a duty to intervene and report when witnessing an excessive use of force by another member of law enforcement.

Existing law requires each law enforcement agency to maintain a policy that provides a minimum standard for the use of force. That policy must, among other things, require officers report the potential use of excessive force to a superior officer when present and observing another officer using force that the officer believes to be unnecessary.

However, under current law, there are no specific or clear guidelines for an officer who is witnessing another officer use excessive force on how they should intercede and document that they did intercede. In the case of George Floyd, a lawyer for one of the accused junior officers argues that because the junior officer asked the supervising officer if they should turn Mr. Floyd on his side, which qualifies as an intervention on the part of that junior officer.

AB 1022 creates clear guidelines for police accountability and responsibility while demonstrating a duty to intervene and report when witnessing the use of excessive force by another member of law enforcement. This bill specifies that a peace officer’s “Duty to Intercede” shall include, but is not limited to, physically stopping the excessive use of force, recording the excessive use of force, and reporting the incident in real time to dispatch or the watch commander on duty in order to establish the officer attempted to intervene.
For these reasons, the City of Beverly Hills is pleased to SUPPORT your AB 1022. Thank you for authoring this important measure.

Sincerely,

[Signature]

Lester J. Friedman
Mayor, City of Beverly Hills

cc: Members and Consultants, Senate Public Safety Committee
    The Honorable Ben Allen, 26th Senate District
    The Honorable Richard Bloom, 50th Assembly District
    Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange