



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

Lili Bosse, Mayor

August 18, 2022

The Honorable Chris Holden
Assemblymember, 41st District
1021 O Street, Room 5650
Sacramento, CA 95814

Re: AB 2644 (Holden) Custodial Interrogation
City of Beverly Hills – OPPOSE

Dear Assemblymember Holden,

I write to inform you that the City of Beverly Hills has adopted a position of respectful **OPPOSITION** to AB 2644, your measure to prohibit the use of threats, physical harm, deception, or psychologically manipulative tactics by law enforcement during an interrogation of a young person who is 25 years of age or younger, commencing January 1, 2024.

Peace officers must follow training standards that are overseen by the State Commission on Peace Officer Standards and Training (POST). Instead of relying upon POST standards and guidelines developed by experts and stakeholders based on best practice, this bill imposes rigid legislative mandates from one perspective as to how interrogations of persons aged 25 years or younger should be conducted. Further, it is not clear that the case has been sufficiently made to raise the maximum age from 18 to 25 with respect to these interrogation rules.

Courts have long established that physical abuse of the suspect, threats of harm, denial of rights, and making false guarantees of leniency are unacceptable and can render a confession inadmissible. We are also concerned that many of the definitions in AB 2644 are unclear and could prevent law enforcement from following longstanding standards for reasonable methods of investigation. It will be difficult to determine what is allowable under this bill and as a result, it is likely that valuable information will go undiscovered or be withheld.

AB 2644 establishes definitions for terms that may already be established through relevant case law or federal law. This may lead to confusion, litigation, or both. The courts have long established that physical abuse of the suspect, threats of harm, denial of rights, and making false guarantees of leniency are

unacceptable and can render a confession inadmissible. Placing further limitations on law enforcement's means to question suspects will only interfere with timely resolutions of investigations.

Further, AB 2644 may be internally inconsistent or at best hard to follow. AB 2644 states that these limitations do not apply to interrogations where the officer believes the information sought is necessary to protect life or property from imminent harm and the questions are limited to those necessary to obtain information related to that imminent threat. This could invite litigation depending on how these provisions are interpreted by law enforcement agencies across the state. For these reasons, we must **OPPOSE** AB 2644 and request a **NO** vote.

Sincerely,

A handwritten signature in black ink, appearing to read "Lili Bosse", with a long horizontal flourish extending to the right.

Lili Bosse,
Mayor, City of Beverly Hills

cc: The Honorable Ben Allen, Senator 26th District
The Honorable Richard Bloom, Assemblymember, 50th District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange