

1 [Supporting California State Senate Bill 411 (Lara) - The Right to Record Bill]

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3 **Resolution supporting California State Senate Bill 411, The Right to Record Bill,**  
4 **authored by Senator Ricardo Lara which states that anyone making an audio or video**  
5 **recording of a police or peace officer in a public place that the individual has a right to**  
6 **be in is not breaking the law.**

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8 WHEREAS, On April 2, 2015, the San Francisco Board of Supervisors held a hearing  
9 to address racial bias and inequality in the San Francisco Justice System in response to  
10 revealed racist and homophobic text messages among 12 San Francisco Police Officers and  
11 in response to local and national protests and demonstrations that have called for elected  
12 leaders to create policy and programs that address this inequality and injustice within our  
13 justice systems; and

14 WHEREAS, African-Americans accounted for 43% of the arrests in San Francisco from  
15 2009 to 2014 while decreasing to only 5% of the City's total population; and

16 WHEREAS, African American San Franciscans are arrested at a rate seven times  
17 greater than other races in other Cities in the California; and

18 WHEREAS, African Americans were arrested for felony drug crimes nineteen times  
19 more often than other races in San Francisco; and

20 WHEREAS, African American women in San Francisco face arrest rates thirteen times  
21 higher than women of other races in San Francisco; and

22 WHEREAS, Officer-involved shootings and homicides in any City seldom lead to a  
23 charges, and even much more rarely a conviction; and

24 WHEREAS, Many African American men are living in a society and culture in San  
25 Francisco in which staggering racial disparities exist at all levels of government not just within

1 the police department and has historically been the root of racial tensions in San Francisco  
2 and other cities; and

3 WHEREAS, The deaths of Oscar Grant, Eric Garner, Walter Scott, Tamir Rice, and  
4 other young African American men may have been overlooked if they had not been recorded  
5 by citizens with video cameras; and

6 WHEREAS, In the current climate of distrust, questions about how often such incidents  
7 are handled, San Francisco must take steps to rebuild the trust that the community has in our  
8 law enforcement departments by fully embracing a community policing model that works for  
9 both law enforcement and our citizenry; now, therefore, be it

10 RESOLVED, That San Francisco should continue to create policies, and establish clear  
11 priorities to ensure police accountability and to eradicate any racism, bias and inequities  
12 within our City by taking the following actions or requiring the following information:

13 1. Require SFPD to train officers more effectively in the use of force, especially lethal  
14 force. Such training should not only define conditions in which officers may use lethal force  
15 but also, more broadly, show them how to avoid it; and

16 2. Receive an Informational Report and Possible Action Adopting Officer reporting and  
17 disclosure requirements for both responding and on-scene officers in all use of force cases;  
18 mandatory firing and criminal prosecution for failure to report and/or disclose officer  
19 misconduct and for providing false information; and

20 3. Support State Senate Bill 411 The Right to Record bill introduced by Sen. Ricardo  
21 Lara, D-Long Beach, which states that anyone making an audio or video recording or taking a  
22 photograph of a police or peace officer in a public place that the individual has a right to be in  
23 is not breaking the law and adopt local Legislation establishing a Right to Record ordinance  
24 which states that anyone making an audio or video recording or taking a photograph of a  
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1 police or peace officer, in a public place that the individual has a right to be in, is not breaking  
2 the law within a sage distance; and

3 4. Establish policies on the release of criminal and personal information of officers  
4 involved in excessive Use of Force cases and officer involved shootings; and

5 5. Develop a bias-free 21<sup>st</sup> Century policing policy that makes clear that biased  
6 policing, including detaining someone based solely on racial and/or gender stereotypes, is  
7 prohibited. This also includes training on cultural competency and implicit bias; and

8 6. Require San Francisco to collect data regarding activities of the San Francisco  
9 Police Department including Use of Force data and Stop and Search practices, and to publicly  
10 report this data.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150657

Date Passed: June 23, 2015

Resolution supporting California State Senate Bill 411, The Right to Record Bill, authored by Senator Ricardo Lara which states that anyone making an audio or video recording of a police or peace officer in a public place that the individual has a right to be in is not breaking the law.

June 23, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150657

I hereby certify that the foregoing Resolution was ADOPTED on 6/23/2015 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

Mayor

7/3/15

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

7/3/15
Date