



PORAC Sponsor, Active Support and Active Oppose Bills

Bill No.	Author	Subject	Position	Location
AB 38	Lackey (R)	Crimes: serious and violent felonies.	Active Support	A. Public Safety
AB 63	Rodriguez (D)	Loitering with intent to commit prostitution.	Active Support	A. Public Safety
AB 237	Patel (D)	Crimes: threats	Active Support	A. Appropriations
AB 271	Hoover (R)	Crimes: looting.	Active Support	A. Public Safety
AB 284	Alanis (R)	RIPA Amendments	Co-Sponsor	A. Public Safety
AB 288	McKinnor (D)	Public employment: labor relations: employee information	Active Support	A. Labor and Employment
AB 340	Ahrens (D)	Employer-employee relations: confidential communications	Sponsor	A. Appropriations
AB 400	Pacheco (D)	Law enforcement: police canines.	Co-Sponsor	A. Appropriations
AB 568	Lackey (R)	Serious felonies: furnishing fentanyl to a minor.	Active Support	A. Appropriations
AB 572	Kalra (D)	Criminal procedure: interrogations.	Active Oppose	A. Appropriations
AB 814	Schiavo (D)	Personal Income Tax Law: exclusions: law enforcement retirement.	Active Support	A. Appropriations
AB 847	Sharp-Collins (D)	Peace officers: confidentiality of records.	Active Oppose	A. Public Safety
AB 868	Carrillo (D)	Primary elections: county officers: top two candidates.	Active Oppose	A. Elections
AB 992	Irwin (D)	Peace Officer Education Standards	Co-Sponsor	A. Public Safety
AB 1333	Zbur (D)	Crimes: homicide.	Active Oppose	A. Public Safety
AB 1383	McKinnor (D)	PEPRA Amendments	Co-Sponsor	A. Public Employment and Retirement
SB 385	Seyarto (D)	Peace Officers: AB 89 Clean-up	Co-Sponsor	S. Appropriations



Bill No.	Author	Subject	Position	Location
SB 459	Grayson (D)	Peace officers: confidential communications: group peer support services.	Sponsor	S. Judiciary
SB 734	Caballero (D)	Criminal procedure: discrimination.	Sponsor	Senate Appropriations
SB 758	Umberg (D)	Juries: peremptory challenges.	Sponsor	Two-Year Bill



March 13, 2025

The Honorable Nick Schultz, Chair
Assembly Public Safety Committee
1021 O Street, Room 5150
Sacramento, CA 95814

AB 38 (Lackey) - ACTIVE SUPPORT

Dear Assemblymember Schultz,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We are pleased to support AB 38 relating to crimes: serious and violent felonies.

AB 38 expands the definition of "violent felonies" to include the rape or sexual assault of a minor with a developmental disability. This critical change ensures that these heinous crimes are met with stricter sentencing enhancements, reinforcing the justice system's commitment to protecting our most vulnerable populations.

Currently, California law classifies rape by force or threats as a violent felony but does not extend the same designation to cases where the victim is unable to consent due to a disability or deception. AB 38 corrects this inconsistency, strengthening legal protections for minors with developmental disabilities and ensuring that offenders are held fully accountable.

Again, PORAC supports AB 38 and believes this bill is essential in improving sentencing consistency and safeguarding those who are most at risk. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Cc: The Honorable Tom Lackey
Members, Assembly Public Safety Committee
Consultant, Assembly Public Safety Committee

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



April 1, 2025

The Honorable Buffy Wicks, Chair
Assembly Appropriations Committee
1021 O Street, Room 8140
Sacramento, CA 95814

AB 237 (Patel) – ACTIVE SUPPORT

Dear Assemblymember Wicks,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We are pleased to support AB 237 relating to crimes: threats.

Existing law considers it a crime to threaten another person with the intent that the threat be perceived as genuine, causing sustained fear for personal safety or that of immediate family members. This crime is punishable by up to one year in a county jail for a misdemeanor or in state prison for a felony.

AB 237 expands the law to include threats made by any means, such as online posts, and specifically addresses threats targeting locations like daycare centers and workplaces. Even if the person making the threat does not intend to carry it out, the law applies if the threat is deemed serious and immediate, causing reasonable fear. This new crime is classified as a "wobbler," meaning it can be charged as either a misdemeanor or a felony, with varying penalties including up to three years in jail.

PORAC believes this will strengthen protections for public safety by addressing the increasing threat of violence and intimidation, particularly in locations where vulnerable individuals may be present. Law enforcement officers regularly respond to threats that, even if not acted upon, cause real fear and disrupt communities. Expanding the law to cover threats made through any means, including online platforms, ensures that law enforcement can intervene before situations escalate. Additionally, classifying this crime as a wobbler allows prosecutors the flexibility to assess each case individually and pursue appropriate charges. By closing gaps in the law, this bill provides law enforcement with necessary tools to hold individuals accountable and better protect public safety.

Again, PORAC supports AB 237. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Cc: The Honorable Darshana Patel
Members, Assembly Appropriations Committee
Consultant, Assembly Appropriations Committee

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



April 1, 2025

The Honorable Nick Schultz, Chair
Assembly Public Safety Committee
1021 O Street, Room 5150
Sacramento, CA 95814

AB 271 (Hoover) – ACTIVE SUPPORT

Dear Assemblymember Schultz,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We are pleased to support AB 271 relating to crimes: looting.

Existing law defines burglary as entering a location with the intent to commit theft or a felony. Burglary is divided into two degrees: first-degree burglary involves inhabited buildings and is punishable by 2, 4, or 6 years in prison, while second-degree burglary applies to all other cases and can result in up to a year in county jail or a felony charge. Theft is classified as petty theft if the property value is \$950 or less and grand theft if it exceeds \$950, with corresponding penalties. Looting is defined as second-degree burglary or grand theft committed during a declared emergency, carrying either jail time or a felony charge. Impersonating specific officials is currently a misdemeanor offense. This bill strengthens consequences for looting by classifying all looting offenses as felonies, reclassifying petty theft during an emergency as looting with stricter penalties, and introducing enhanced penalties for impersonating officials during looting incidents.

PORAC supports this bill because it provides law enforcement with stronger tools to deter and respond to crimes that often escalate during emergencies. Looting poses a significant threat to public safety, especially during natural disasters and civil unrest when communities are most vulnerable. By ensuring all looting offenses are treated as felonies, this bill holds offenders accountable and discourages opportunistic crimes that exploit emergency situations. Additionally, increasing penalties for impersonation of officials protects public trust by preventing bad actors from misleading or exploiting residents in crisis. By reinforcing consequences for these offenses, this bill enhances law enforcement's ability to maintain order and protect communities during times of emergency.

Again, PORAC supports AB 271. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Cc: The Honorable Josh Hoover
Members, Assembly Public Safety Committee
Consultant, Assembly Public Safety Committee

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 31, 2025

The Honorable Juan Alanis
California State Assembly
1021 O Street, Room 4640
Sacramento, CA 95814

AB 284 (Alanis) – Co-Sponsor

Dear Assemblymember Alanis,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for your authorship of AB 284, which brings much-needed clarity and balance to the Racial and Identity Profiling Act (RIPA).

Originally passed in 2015, RIPA (AB 953, Weber) was designed to help identify bias in law enforcement by requiring officers to collect demographic information during stops and report it for analysis. Over time, this reporting mandate has grown to include more than 10 million stop data reports annually, each one detailing the officer's perceived view of a person's race, gender, sexual identity, age, housing status, and more. These reports are sent to the California Department of Justice and compiled into an annual report overseen by the RIPA Board, a civilian-majority body tasked with reviewing findings and making policy recommendations.

Law enforcement fully supports efforts to eliminate bias in policing and has embraced training, transparency, and accountability reforms across the board. However, the current implementation of RIPA is not meeting its intended goals. Instead, the process has become burdensome, expensive, and often misleading.

A major concern is the requirement to report non-discretionary stops—those where officers have no choice in how they respond, such as calls for service or incidents they witness in real time. Including these in the data pool distorts the findings and creates significant administrative costs without advancing our understanding of biased policing.

In addition, the analysis and reporting process lacks the academic rigor and independent review needed to produce credible conclusions. At present, a single academic institution reviews the data, and there's no mechanism for dissenting opinions to be included in the official report. This is particularly concerning given the flawed population comparison methods currently used. Agencies' stop data is being compared to census populations of cities or counties, even though a significant percentage of those stopped—especially in high-commuter areas—do not live in the jurisdiction being evaluated.

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



The structure of the RIPA Board itself also limits meaningful dialogue, with only four of its 18 members required to represent law enforcement. As a result, frontline perspectives are often overlooked or excluded from final recommendations.

AB 284 provides common-sense solutions. It removes the requirement to collect data for non-discretionary stops; requires peer review by multiple academic institutions with independent analysis; ensures dissenting RIPA Board opinions can be formally included in reports; mandates better comparison methods using local census tract data; and balances the Board's composition to include more law enforcement representation.

If California is going to invest millions of dollars and countless hours of law enforcement time into this effort, the result should be credible, actionable insights that guide us forward. Unfortunately, the current process produces more disagreement about the data than progress on the issue it was meant to address. AB 284 is a chance to course-correct and ensure RIPA delivers on its promise to reduce bias in policing—without undermining the people who serve on the frontlines.

Again, PORAC thanks you for authoring AB 284. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



February 27, 2025

The Honorable Patrick Ahrens
California State Assembly
1021 O Street, Room 6110
Sacramento, CA 95814

AB 340 (Ahrens) – Sponsor

Dear Assemblymember Ahrens,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for authoring PORAC's sponsored bill, AB 340 which establishes the confidentiality of communications between union representatives and union-members relating to representational matters.

This bill would codify existing decisions of the California Public Employment Relations Board which prohibit public employers from coercing union representatives and interfering in the representation of union members by questioning union representatives and members regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. The prohibition on such questioning is limited to public employers, so it would not affect criminal investigations conducted by separate and independent third parties, but employers could not compel disclosure of communications or order disclosure to third parties connected to or acting on behalf of the public employer.

This bill amends collective bargaining statutes to make clear that public employers and those acting on their behalf commit an unfair labor practice by questioning union members or their labor representatives about communications between represented employees and their union representatives about matters within the scope of union representation. In short, this bill would recognize the confidentiality of those communications and preclude public employers from interfering with union representation, which benefits every public sector union and public employee in California.

The bill would also provide that communications between an employee and their employee representative would not be confidential if the representative was a witness or party to any of the events forming the basis of a potential administrative disciplinary or criminal investigation. This exception is limited to disciplinary investigations and criminal investigations and is consistent with the peace officer and firefighter bill of rights. This exception does not apply to representation in grievances and unfair practice cases.

The bill does not create a privilege equal to attorney/client or doctor/patient privileges. No privilege would exist in a civil or criminal proceeding where someone other than the employing agency or its agents sought evidence regarding those communications. For example, if an employee brought a sexual harassment lawsuit, this prohibition against employer interrogations would not prevent the

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



plaintiff from being able to force the union representative to testify to their communications. The bill also does not preclude public employers from questioning union representatives about things they personally observed as percipient witnesses when those observations are distinct from confidential communications with union members about union representation and union matters.

Our bill is modest and balanced. It prevents public agencies from interfering in union representation matters and communications in a host of circumstances, but it does not create a statutory privilege. In fact, the prohibited conduct would merely constitute an unfair labor practice to be adjudicated by PERB.

Again, PORAC thanks you for authoring AB 340. Should you have any questions, please do not hesitate to call me at PORAC Headquarters (916) 928-3777 or contact our legislative advocate, Randy Perry at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 3, 2025

The Honorable Blanca Pacheco
California State Assembly
1021 O Street, Room 4510
Sacramento, CA 95814

AB 400 (Pacheco) – Co-Sponsor

Dear Assemblymember Pacheco,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for authoring PORAC's co-sponsored bill, AB 400, which establishes standardized training, accountability, and operational guidelines for law enforcement K9 programs statewide.

Police K9s are invaluable public safety partners, assisting officers in search and rescue missions, de-escalation efforts, and the apprehension of dangerous suspects. AB 400 will ensure that all law enforcement agencies with K9 units maintain policies that align with or exceed the latest guidelines established by the Commission on Peace Officer Standards and Training (POST).

These standards, developed with input from law enforcement professionals, K9 trainers, and legal experts, establish clear parameters for:

- Use of force policies
- Minimum training requirements
- Essential skills for K9s and handlers

By standardizing K9 policies statewide, the bill enhances accountability, ensures best practices, and reinforces the critical role police K9s play in public safety. It reflects law enforcement's commitment to maintaining high standards in K9 operations while promoting transparency and proper training.

PORAC believes AB 400 represents a proactive approach to improving public safety and strengthening trust between law enforcement and the communities we serve.

Again, PORAC thanks you for your authorship of AB 400. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 13, 2025

The Honorable Nick Schultz, Chair
Assembly Public Safety Committee
1021 O Street, Room 5150
Sacramento, CA 95814

AB 568 (Lackey) - ACTIVE SUPPORT

Dear Assemblymember Schultz,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We are pleased to support AB 568, which classifies the act of supplying fentanyl to minors as a serious felony under California's three-strikes law.

Under existing law, certain offenses—including the supply of specific controlled substances to minors—are classified as serious felonies, subject to enhanced sentencing provisions under California's three-strikes law. However, despite fentanyl's potency and high fatality rate, current statutes do not explicitly include its distribution to minors in this category. AB 568 closes that gap, ensuring that those who endanger children by supplying fentanyl face the most serious legal consequences.

Given the devastating impact of fentanyl on communities across the state, PORAC believes this bill is a necessary step in holding offenders accountable and deterring the distribution of this deadly drug to vulnerable youth.

Again, PORAC supports AB 568. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Cc: The Honorable Tom Lackey
Members, Assembly Public Safety Committee
Consultant, Assembly Public Safety Committee

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 11, 2025

The Honorable Ash Kalra
California State Assembly
1021 O Street, Room 4610
Sacramento, CA 95814

AB 572 (Kalra) – ACTIVE OPPOSE

Dear Assemblymember Kalra,

On behalf of the Peace Officers Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations, I am writing to express our strong opposition to Assembly Bill 572. This bill, which seeks to add Section 13654 to the Penal Code, would impose significant and detrimental restrictions on law enforcement's ability to conduct timely and thorough investigations of officer-involved shootings and other critical incidents.

PORAC is deeply concerned that AB 572 will impede the pursuit of truth and justice by hindering the ability of investigators to gather accurate information from immediate family members of individuals involved in deadly force or serious injury incidents involving peace officers. By requiring these warnings and creating opportunities for family members to consult with attorneys before providing statements, AB 572 will result in witnesses declining to provide immediate interviews or statements, thereby inviting legal obstruction and the withholding of crucial information. Investigators rely on prompt interviews to capture spontaneous, detailed accounts before narratives solidify and external influences intervene to prevent the disclosure of or misrepresentation of critical details involving the actions of the suspect and the officer leading up to the shooting. For example, after consulting with a lawyer, a spouse who feared her husband would stab her may refuse to disclose her husband was wielding a knife or downplay her fear he would stab her.

The prompt questioning of witness family members best serves the public by providing investigators with more truthful, accurate, and complete statements. First, fresh memories are more reliable. Statements obtained closer to the event reduce the risk of memory distortion or loss. Consultation with an attorney may result in significant delay, degrading their ability to vividly recall details like the officer and the suspect's actions prior to the shooting, the sequence of events, or environmental factors.

Second, consultation with a lawyer will result in strategic framing tailored to legal strategies (e.g., minimizing the suspect's culpability to support a wrongful death claim). Attorneys may encourage selective recall aligned with civil litigation goals rather than a comprehensive account. For example, a sibling might initially recall the suspect reaching for a weapon but, post-attorney, focus only on the officer's actions, skewing their statement. Witnesses do not need a *Miranda-like* warning because they have no risk of self-incrimination or criminal exposure.

Statements obtained contemporaneously are inherently more reliable because the emotional state of the witness can enhance the recall of vivid details and reduce the risk of deception, for similar reasons to the excited utterances exception to hearsay. An emotional outpouring often leads to unfiltered statements, potentially revealing details they'd later suppress or alter after legal advice.

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



In high-profile cases, family members might face pressure from activists, the media, other family members, or civil rights lawyers to align with a false narrative to maximize the recovery on meritless claims. Prompt interviews might reflect raw emotion, but delayed ones after counsel could balance personal truth with external influences.

In addition, this bill is predicated on the false notion that family members are inherently vulnerable and require special protections to prevent coercion. In reality, family members are often the individuals with the most direct knowledge of the deceased or injured person's state of mind, potential threats they posed, and relevant circumstances surrounding the incident. Preventing investigators from obtaining truthful statements from these individuals before they can be coached or advised to remain silent undermines the pursuit of justice.

Not only will this bill impede investigations, but it will also inflict significant liability and litigation costs on the state and local agencies by frustrating their ability to dispose of meritless lawsuits at an early stage by suppressing the ability to obtain truthful statements from witnesses regarding the conduct of the suspect leading up to the use of force. This bill imperils justice by facilitating concealment and false statements of fact to enrich unscrupulous lawyers at the expense of the public. "[T]here is no constitutional value in false statements of fact." *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964)

PORAC believes that AB 572 will undermine public safety by making it more difficult to investigate critical incidents and hold individuals accountable for their actions. This bill will also impose unwarranted liability risks and costs on public budgets throughout California.

For these reasons, PORAC strongly opposes AB 572. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 14, 2025

The Honorable Pilar Schiavo
California State Assembly
1021 O Street, Room 4140
Sacramento, CA 95814

AB 814 (Schiavo) – ACTIVE SUPPORT

Dear Assemblymember Schiavo,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We are pleased to support AB 814 relating to personal Income Tax Law: exclusions: law enforcement retirement.

The bill would amend the Personal Income Tax Law, aligning it with federal income tax rules. For taxable years from January 1, 2025, to January 1, 2030, it seeks to exclude from gross income specific "qualified payments." These qualified payments include amounts received from a pension plan by a taxpayer as a beneficiary for services performed as a peace officer, or amounts received by the surviving spouse or dependent of a deceased peace officer from an annuity plan. The bill mandates that new tax expenditure bills include specific goals, performance indicators, and data collection requirements. Additionally, it requires the Franchise Tax Board to supply data to the Legislative Analyst's Office, with protections on taxpayer information.

PORAC believes AB 814 provides much-needed financial relief to retired peace officers and the families of those who have made the ultimate sacrifice in the line of duty. By excluding pension and survivor annuity payments from gross income, this bill helps ease the financial burden on officers who have dedicated their careers to protecting public safety, as well as the surviving spouses and dependents of fallen officers. Just as critical, this tax break signals to recruits that California values its officers long-term—boosting retention and hiring in a depleted profession when we need it most. Recognizing these benefits as tax-exempt acknowledges the sacrifices made by law enforcement personnel and ensures their families receive the full support they deserve.

For these reasons, PORAC strongly supports AB 814. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



April 1, 2025

The Honorable Nick Schultz, Chair
Assembly Public Safety Committee
1021 O Street, Room 5150
Sacramento, CA 95814

AB 1333 (Zbur) – ACTIVE OPPOSE

Dear Assemblymember Schultz,

On behalf of the Peace Officers Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations, I am writing to express our opposition to AB 1333 relating to the justification of homicide.

Current law establishes certain circumstances in which homicide is justifiable including when attempting to lawfully suppress a riot or to keep the peace. This bill would eliminate that provision. AB 1333 would also specify certain circumstances in which homicide is not justifiable, including when a person was outside their habitation or property and did not retreat when they could have safely done so, when a person used more force than a reasonable person would to defend against a danger, and when the person was the initial aggressor.

While we understand the importance of ensuring the appropriate use of force in all circumstances, we had serious concerns with the legislation as originally introduced because it would have altered the retreat standard for all citizens, including peace officers, potentially compromising their ability to act in life-threatening situations.

In an effort to address these concerns while preserving the bill's intent, PORAC engaged in discussions with the author's office and submitted amendments that would have more narrowly tailored the legislation to its stated objective—penalizing individuals who bring dangerous weapons to riots or unlawful assemblies. Unfortunately, the author's office rejected these amendments.

Although we understand the author does not plan to advance this bill at this time, PORAC remains firmly opposed to AB 1333 and wishes to be on record with this opposition. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Cc: The Honorable Rick Chavez Zbur
Members, Assembly Public Safety Committee
Consultant, Assembly Public Safety Committee

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 18, 2025

The Honorable Kelly Seyarto
California State Senate
1021 O Street, Room 7120
Sacramento, CA 95814

SB 385 (Seyarto) – Co-Sponsor

Dear Senator Seyarto,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for authoring PORAC's co-sponsored bill, SB 385 regarding peace officer education standards.

AB 89 (Jones-Sawyer, 2021) established minimum educational standards for peace officers in California. While well-intended, the final language of AB 89 inadvertently created a requirement that peace officers obtain both a two-year degree AND a four-year degree, rather than one or the other. This unintended outcome presents an unnecessary burden on prospective officers and creates confusion in the hiring and training process.

SB 385 corrects this drafting error by clarifying that peace officers must obtain only one of the specified degrees—either an associate degree, a bachelor's degree, or an advanced degree—ensuring that the intent of AB 89 is properly implemented without imposing excessive educational requirements.

SB 385 provides a necessary legislative fix while maintaining the integrity of the education and training standards established under AB 89.

Again, PORAC thanks you for authoring SB 385. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 3, 2025

The Honorable Timothy Grayson
California State Senate
1021 O Street, Room 7650
Sacramento, CA 95814

SB 459 (Grayson) – Sponsor

Dear Senator Grayson,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for authoring PORAC's sponsored bill, SB 459 which seeks to strengthen confidentiality protections for law enforcement personnel utilizing peer support services.

Law enforcement personnel face unique challenges in the line of duty, including frequent exposure to critical incidents and traumatic events. These experiences can lead to significant mental health impacts, making access to peer support services vital for officer wellness and resilience. While existing law provides confidentiality protections for one-on-one peer support interactions and crisis hotlines, it does not extend those same protections to group peer support settings.

Group peer support sessions are a proven and increasingly utilized tool that allows officers to process their experiences in a collective, supportive environment. Unfortunately, the absence of explicit confidentiality protections for group sessions creates hesitation among officers to fully participate, undermining the effectiveness of these critical services.

SB 459 addresses this gap by ensuring that communications made during group peer support sessions are treated with the same level of confidentiality as one-on-one interactions. Additionally, the bill prevents group participants from being compelled to disclose information shared by others without consent. These changes will bolster officer trust in peer support programs, encourage participation in group settings, and ultimately improve the mental health and overall well-being of California's law enforcement community.

PORAC believes this measure is a necessary step to ensure officers can confidently seek the help they need. Again, PORAC thanks you for authoring SB 459. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 3, 2025

The Honorable Anna Caballero
California State Senate
1021 O Street, Room 7620
Sacramento, CA 95814

SB 734 (Caballero) – Sponsor

Dear Senator Caballero,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for authoring PORAC's sponsored bill, SB 734 relating to criminal procedure: discrimination.

In the years following George Floyd's death, Penal Code §745 (known as the Racial Justice Act) was passed with the goal of combatting systemic racism within the criminal justice system. The statute provides a procedural mechanism for a criminal defendant to claim, and eventually try to prove, that racism played a role in any stage of the criminal proceedings. As written, the statute allows the following:

- A criminal defendant can file a motion at any stage of the proceedings (including after a jury trial/conviction) alleging he or she has suffered racial bias at some point. The allegation need not be based on anything specific that someone did or said to this particular defendant; rather, the allegation can be based on a belief that there is some sort of systemic disparity at play within the system.
- The defendant must make a "prima facie" showing, which the courts have ruled is a low bar to meet. The prima facie showing empowers the defendant to demand discovery in much the same way a person would be able to do when filing a civil lawsuit. Our firm has seen defendants demand (and receive) years of police reports to support their efforts to show there was some sort of disparity in the way the police department conducts business.
- The court then holds a hearing to determine if any of the following occurred:
 - A judge, an attorney in the case, a law enforcement officer involved in the case, an expert witness, or juror exhibited bias or animus towards the defendant.
 - During the trial, someone used discriminatory language or exhibited bias.
 - The defendant was charged with or convicted of more serious offenses than defendants of other races.
 - The defendant received a more severe sentence than people of other races.
- If the court finds by a mere preponderance of the evidence (very low standard) that a judge, juror, police officer, expert witness, lawyer, or juror exhibited either actual or unconscious bias toward the defendant, many remedies can be imposed, including declaring a mistrial, dismissing or reducing charges, overturning a jury's verdict, and reducing sentences.

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



The problem, and one PORAC believes needs to be addressed immediately, is that the statute utterly fails to provide any due process rights to the people who can be accused of racism through the use of PC §745. As presently worded, the statute contains no requirement that “notice” be provided to the judge, juror, attorney, police officer, etc., accused of racism. Neither does it allow those accused persons to participate in the evidentiary hearing that will be held to determine whether they are a biased or racist person. PORAC believes these shortcomings result in a serious violation of constitutional due process rights.

Without an advocate in the room to represent the accused law enforcement officer (or judge, juror, or attorney as the case may be), the accused person may be forced to take the witness stand and suffer interrogation under oath about being a racist. Prosecutors do not represent the interests of the person, and of course neither does the defense attorney. With no advocate in the room to assist them with telling their side of the story, the accused is prevented from participating in their own defense against allegations of being a racist.

Perhaps even worse than being interrogated without an advocate in the room, as it stands, an entire evidentiary hearing on whether someone is a racist can be held without ever telling that person the hearing is happening. They need not even be invited into the room at all. It is totally possible for a judge to hold an evidentiary hearing and make a finding of racism without ever putting the accused person on the stand. The statute specifically allows for the admissibility of hearsay, so there is little-to-no need to even call witnesses to the stand. In the case of a peace officer, an adverse ruling of racism from such a hearing could lead to SB 2 decertification by the state and loss of that officer’s career. (“racist policing” is considered “serious misconduct” under SB 2 and is grounds for decertification.)

SB 734 simply affords a person accused of bias or racial animus the right to representation and notice. These basic rights are supported by historical case law and should be protected by Penal Code §745.

Again, PORAC thanks you for authoring SB 734. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



March 3, 2025

The Honorable Thomas J. Umberg
California State Senate
1021 O Street, Room 7510
Sacramento, CA 95814

SB 758 (Umberg) – Sponsor

Dear Senator Umberg,

I write to you today on behalf of the Peace Officers' Research Association of California (PORAC), representing over 83,000 public safety members and over 955 public safety associations. We want to thank you for authoring PORAC's sponsored bill, SB 758 relating to juries: peremptory challenges.

SB 758 proposes amendments to Code of Civil Procedure (CCP) §231.7 to state that the act does not apply when the defendant is a law enforcement officer.

Jury selection is a key part of every fair jury trial. It consists of three parts:

- 1) Voir Dire: prospective jurors are questioned by the judge as well as the attorneys from both sides of the case so that everyone can learn about who these people are (where do they work? Who do they live with? Do they have children? What is their stance on certain issues?)
- 2) Challenges for Cause: based on their answers during voir dire, the judge dismisses jurors who have expressed a bias or animus towards one side or the other which indicates they cannot be fair.
- 3) Preemptory challenges: after the judge has finished dismissing every juror who made it clear they cannot be fair in this particular trial, the lawyers take turns using "preemptory challenges" to dismiss jurors they do not believe will be good for their case. The number of preemptory challenges each side gets depends on the type of case.

Recently, CCP §231.7 was amended to add some new "presumptively invalid" reasons for an attorney to use as the basis for a preemptory challenge.

Some of the new invalid reasons include:

- 1) Expressing a distrust of or having a negative experience with law enforcement or the criminal legal system.
- 2) Expressing a belief that law enforcement officers engage in racial profiling or that criminal laws have been enforced in a discriminatory manner.
- 3) Having a close relationship with people who have been stopped, arrested, or convicted of a crime.

Prior to the most recent changes to CCP §231.7, "distrust and/or animus towards the police" was a common reason for prosecutors to dismiss jurors during the preemptory phase because police officer witnesses are always key witnesses for the prosecution. Proponents of the changes to CCP §231.7 argued that over time, this resulted in the systematic exclusion of black and brown people from the jury pool, under the theory that all or most jurors of color do not like law enforcement.

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary



PORAC feels that CCP §231.7, or at least the portions which forbid the exclusion of potential jurors who express distrust of the police (etc.) is unfair and unconstitutional when applied to a case in which a police officer is the defendant or victim.

CCP §231.7 contains no explicit exception for defendant-officers. In the case of a defendant-officer, a serious conflict arises between the new provisions of CCP §231.7 and other sections of the CCP (along with case law that interprets those sections). The new provisions of CCP §231.7, when applied to a police officer who is a criminal defendant, create conflicts with the defendant-officer's constitutional rights.

For example, CCP §225, subd. (b)(1)(C) states that prospective jurors are disqualified from a trial if they cannot act with "entire impartiality, and without prejudice to the substantial rights of any party." (Emphasis added.) That law dovetails nicely with the constitutional right to a fair trial: a trial cannot be fair unless the jurors are impartial and unbiased. Yet CCP §231.7 prohibits a defendant-officer from exercising a preemptory challenge against a prospective juror who "expresses distrust of law enforcement." For a defendant who is a police officer, a juror who (for example) admits they always assume the police officer did something wrong in a use-of-force situation has "expressed distrust of law enforcement" and has also indicated they cannot act with entire impartiality in a case involving a defendant-officer. Such a juror has admitted to harboring prejudice against police officers and, therefore, prejudice against the defendant-officer.

For these reasons, we believe SB 758 will not only safeguard the constitutional right to a fair trial for officers, whether as defendants or victims, but also preserve the integrity of the judicial process in cases involving law enforcement.

Again, PORAC thanks you for authoring SB 758. Should you have any questions, please do not hesitate to call me at PORAC Headquarters at (916) 928-3777 or contact our legislative advocate, Randy Perry, at (916) 716-3952.

Very Truly Yours,
BOARD OF DIRECTORS
Peace Officers Research Association of California

Brian R. Marvel
President

Brian R. Marvel
President

Benjamin Therriault
Vice President

Sean McKrell
Treasurer

Randy Beintema
Secretary
