



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

SACRAMENTO LEGISLATIVE OFFICE

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July 19, 2024

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

ASSEMBLY BILL 3021 (KALRA) SUPPORT

Dear Assembly Member Kalra:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 3021.

AB 3021 requires a peace officer, a prosecuting attorney, or an investigator for the prosecution, prior to commencing any interview, questioning, or interrogation of a family member of a person who has been killed or seriously injured by a peace officer, to do both of the following:

- Clearly identify themselves, including their full name and the agency they work for and whether they represent, or have been retained by, the prosecution. If the interview takes place in person, the person shall also show the person a business card, official badge, or other form of official identification before commencing the interview or questioning.
- State all of the following to the person being interviewed, questioned, or interrogated:
 - a) "You have the right to ask about the status of your family member prior to answering any questions, and that information is not conditional on answering any questions."
 - b) "You are not being detained. You may leave at any time. You are not required to be taken to the police station. If you are detained at a later time, you will receive a Miranda warning."
 - c) "You do not have to talk to the police. You have the right to remain silent."
 - d) "Anything you say can be used as evidence in civil or criminal court."
 - e) "You have the right to refuse to be recorded, photographed, or searched."
 - f) "Before speaking with law enforcement, the prosecution, or any investigator, you can consult with a trusted support person, attorney, or legal advocate, and you can have that person with you while you speak to the police."

According to a recent Los Angeles Times report:

For years, law enforcement agencies across California have been trained to quickly question family members after a police killing in order to collect information that, among other things, is used to protect the involved officers and their department, an investigation by the Los Angeles Times and the Investigative

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Reporting Program at UC Berkeley's Graduate School of Journalism has found.

Police and prosecutors routinely incorporate the information into disparaging accounts about the people who have been killed that help justify the killings, bolster the department's defense against civil suits and reduce the amount of money families receive in settlements and jury verdicts, according to police reports, court records and interviews with families and their attorneys.

The Times and the Investigative Reporting Program documented 20 instances of the practice by 15 law enforcement agencies across the state since 2008. Attorneys specializing in police misconduct lawsuits say those cases are just a fraction of what they describe as a routine practice.

The tactics that would be prohibited by AB 3021 not only inflict harm upon the family of individuals killed or seriously injured by a peace officer, but also erode trust in law enforcement. The relatives of individuals affected by police violence have a reasonable expectation to transparency about the circumstances surrounding their loved ones' condition.

The elimination of the tactics prohibited by this bill will likely improve relations between law enforcement and the communities they serve.

For this reason, our Office is pleased to support Assembly Bill 3021.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

A handwritten signature in blue ink, appearing to read "George Gascón", written in a cursive style.

GEORGE GASCÓN
District Attorney