



YOUTH LEADERSHIP INSTITUTE

Use Your Voice

April 4th, 2024

Assemblymember Kevin McCarty, Chair
Assembly Public Safety Committee
1020 N Street (LOB), Room 111
Sacramento, CA 95814

RE: SUPPORT FOR AB2065(Kalra)

Dear Chair McCarty,

On behalf of Youth Leadership Institute, I write in strong support of AB 2065 (Kalra). This important bill will allow access to better publicly available criminal justice data and require law enforcement agencies to share probation and police reports with attorneys investigating a California Racial Justice Act (RJA) claim.

yli partners with thousands of youth across the state, the majority of whom are low-income youth of color. Many of these young people and their families have direct experiences of racial profiling and criminalization, and we are staunch advocates of policies that support our communities in seeking justice.

In 2020, the Legislature passed AB 2542 (Kalra), the California Racial Justice Act (RJA), to address racial discrimination and bias in criminal proceedings. Acting upon the promise to ensure all Californians have access to the protections of the RJA, AB 256 (Kalra, 2021) made the law retroactive with a phased-in timeline for individuals to file petitions. Under existing law, the RJA allows petitioners two paths to relief: 1) show bias directed at the individual or use of "racially discriminatory language" in court or 2) demonstrate a statistical showing of disparate treatment between similarly situated people, as defined in law, from different racial groups, but in the same county where the individual was sentenced.

The information needed to establish an RJA violation can be challenging to obtain, and data requests are time-consuming for state and local agencies. This is partly due to data collection and sharing practices varying by county and agency, with reports only containing aggregate information or breaking down offenses into broad categories that do not provide the required details for an RJA claim. For example, while the Judicial Council is required to report data on criminal case dispositions according to the race and ethnicity of the defendant, they only report statewide information. As a result, individuals repeatedly file records requests with Judicial Council seeking county-specific data to use in RJA litigation.

AB 2065 improves access to critical data that would aid individuals seeking relief under the Racial Justice Act and reduces the burden of records production for state and local agencies. Specifically, this bill requires the California Department of Corrections and Rehabilitation, the Judicial Council, and the Department of Justice to report disaggregated data by county annually. Furthermore, this bill would require law enforcement agencies to release all arrest records and probation reports, regardless of the date they were prepared, to a licensed attorney investigating a claim under the RJA. The bill also includes provisions to protect confidential, privileged, and sensitive information. By improving meaningful data access and removing institutional barriers, AB 2065 will ensure legitimate, statistics-based RJA claims can be brought in court and reduce the burden on agencies.

For these reasons, Youth Leadership Institute supports AB 2065 (Kalra).

Sincerely,

A handwritten signature in black ink, appearing to read 'PB', with a long horizontal flourish extending to the right.

PATRICIA BARAHONA
CHIEF EXECUTIVE OFFICER
Youth Leadership Institute

cc: Erika Ngo, erika.ngo@asm.ca.gov