



This workshop is being recorded.

June 10, 2021

And Justice for All

*How to Make a Difference in Your Community through
Criminal Justice Reform*

Presenters

(in order of appearance)



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LWVC Deputy Director of Social
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LWVC Area Director of
Social Policy

AB 392

*What is a police use-of-force policy
and why does it matter?*



Ashley Raveche

What is AB 392?

The United States Supreme Court in *Graham v. Connor* (1989) 490 U.S. 386 held that an officer's use of force must be **objectively reasonable** under the **totality of circumstances** known to the officer at the time.

AB 392 (Weber, 2019) elevated the standard for deadly force from “**reasonable**” to only when “**necessary**” to protect the sanctity of human life.

- creating criminal liability

The legislature, Courts, AG and POST training have adopted “**necessary**”

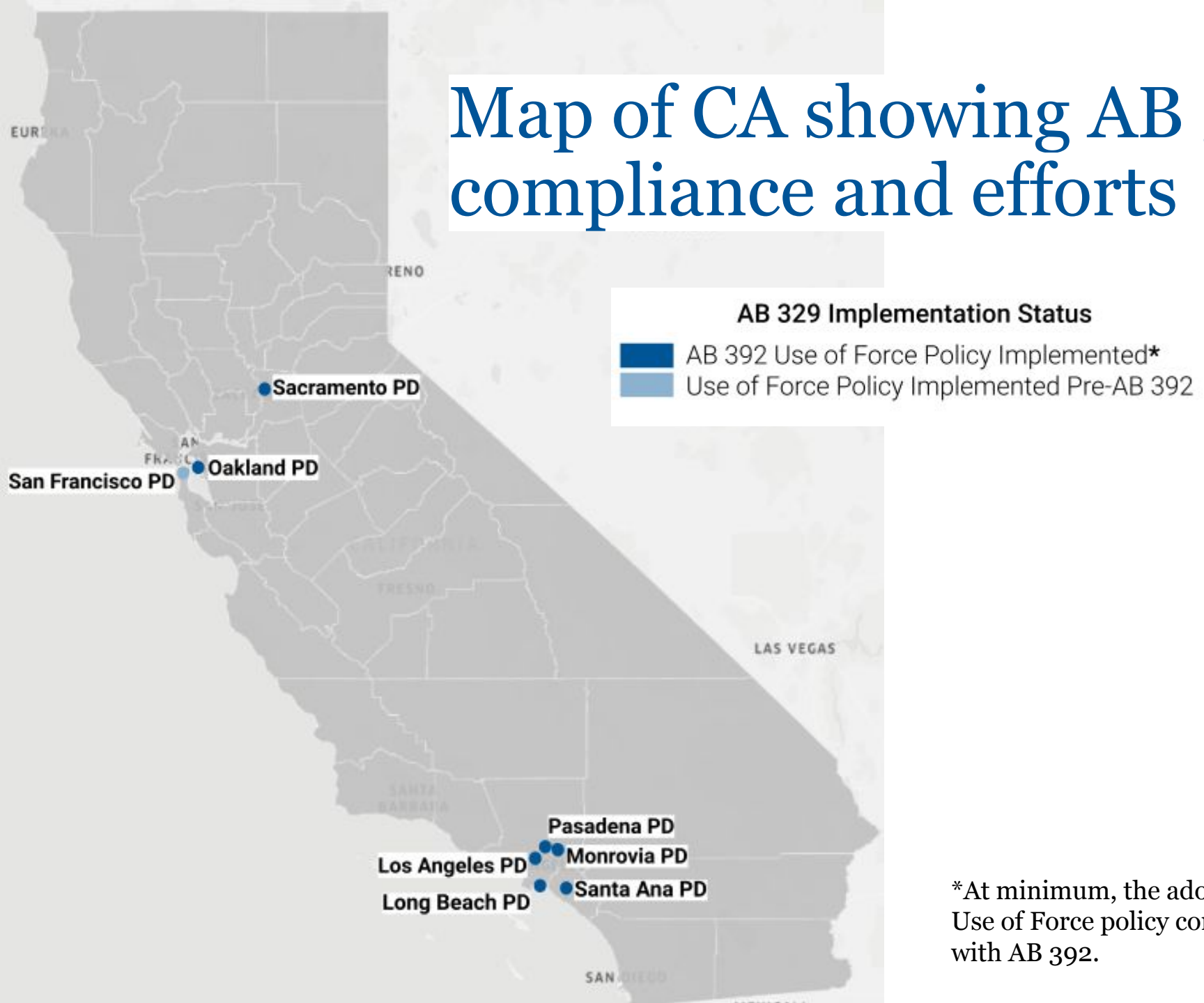


Imminent threat - defined by AB 392

- Definition of “**imminent threat**” limits the likelihood that officers can claim there was a need to use deadly force simply because a person refused to follow commands.
- Makes clear that officers must use other techniques to resolve situations without using deadly force, such as **de-escalation** (time, distance, and critical mindset)
- Ensures officers are **accountable for their conduct leading up to a shooting**. Decision makers must assess whether an officer de-escalated.



Map of CA showing AB 392 compliance and efforts



*At minimum, the adopted Use of Force policy complies with AB 392.

SFPD - Use of Force Implementation

U.S. Dept of Justice issued **272 recommendations** to SFPD to comply with constitutional policing:

- **Policy** - SFPD elevated the deadly force standard to “necessary”, created a duty to report all force incidents, adopted a duty to intercede, and created a proportional force paradigm (DGO 5.01, 2016);
- **Data** - 96A reports track use of force incidents, including un-holstered guns and pat searches;
- **Transparency** - Online access to all DGO and public access to filing commendations/complaints;
- **Oversight** - D.A. lead investigator for all Use of Force;
- **Accountability** - Dept of Police Accountability reports to SF Police Commission -determines if policy was violated, rather than Internal Affairs/Police Unions.

LWV California Criminal Justice Toolkit

<https://my.lwv.org/california/criminal-justice-reform-position/criminal-justice-local-league-toolkit>

Search for: “LWVC CJ Toolkit”



Jennifer “JDub” Waggoner
(They or She)

Question in Chat:

- How have you used the toolkit?
- If you haven't used it, why not?



Making democracy work!

★ CALIFORNIA

★ ABOUT

★ LWVC MEMBERS ONLY

★ ACTION ALERTS

★ DIVERSITY, EQUITY, AND
INCLUSION

★ PROGRAM & ADVOCACY

★ ARTICLES

★ DONATE

★ ISSUES

Studies

Criminal Justice Reform
Position

○ [Criminal Justice Local
League Toolkit](#)

○ LWV Convention 2020
Caucus Criminal Justice

Homelessness

Housing Toolkit

★ JOIN

★ VOTING

Criminal Justice Local League Toolkit

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This **toolkit** will assist your League in identifying high priority criminal justice projects specific to your local communities in California. It includes resources for education, advocacy and voter service. Our committee is eager to support you in this work. We want to hear what you're up to, so please communicate with us: [criminaljustice <at> lwvc.org](mailto:criminaljustice@lwvc.org).

Start Here

We have an inclusive, open approach to organizing -- calling people into this work rather than creating barriers to participation -- so if you are new to these issues, begin by educating yourself. Learn from people who are most impacted by the criminal justice system. Be a good community member, by finding out who is already active, what they're prioritizing, and why. Support their work.

- [Diversity, Equity and Inclusion \(DEI\) in the League](#) and the [LWVUS DEI Lens](#)
- [Suggested Reading on Criminal Justice](#)
- [Definition of Criminal Justice Terms](#)
- [Terms / Statements to Avoid](#)

Essential Connections

1. Members of the League in California are strongly encouraged to join the [**California Criminal Justice Reform GoogleGroup**](#). This is a peer-to-peer forum to discuss League positions, advocacy, education, voter service, resources, events, concurrence and studies.
2. We have a **monthly Criminal Justice call** the fourth Tuesday of every month at either noon or 5:30 Pacific (join the GoogleGroup above for more information).
3. Sign up for our workshop at LWVC Convention on **Thursday, June 10 from 5-6:30pm** (\$25 for access to *all* workshops for anyone - you don't need to be a delegate or even a member!). It is titled "And Justice for All: How to Make a Difference in Your Community through Criminal Justice Reform." [**Register now for the workshop**](#).

Eight Local Projects for Your League

The most important item for any League, and often the starting point of local education and advocacy, is the [**LWV California Criminal Justice Position**](#). LWV California used a process called “[**concurrence**](#)” to establish this position. It was designed to be comprehensive but flexible. Learning about it, and discussing how it is relevant in your community, is highly recommended.

Here are our top recommendations of projects your local League can undertake in for education, advocacy and voter service for criminal justice:

1. Use of Force: Protect & Monitor Local Implementation of AB392

- [ACLU information](#)
- [LWV Pasadena Area sample letter](#)
- [Find the policy for your area](#) or make a [formal request for public records](#)

2. Observer Corps

This is an excellent way to learn about criminal justice if you're new to the issue. First step: find out if your local League has an Observer Corps. If they do, join! To help you understand Observer Corps more, you can:

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Search for:

LWVC CJ Toolkit

Local Implementation in Sacramento

*Story of the steps taken in Sacramento:
being effective by working in coalition
and community groups*



Norma Nelson,
Criminal Justice Chair,
LWV Sacramento County



Marshal Arnwine, Jr.,
Criminal Justice Advocate.
ACLU of Northern
California

LOCAL IMPLEMENTATION

- AB 392 - Use of Deadly Force Policy
- AB 1185 - Sheriff Oversight & Accountability

WHERE DO WE START???

STEP 1: Before local leagues can take any action, there must be a League Position (National, State and Local)

STEP 2: Adopt Criminal Justice as a relevant local program priority or issue for emphasis i.e. killing of Stephon Clark by Sacramento Police and Sheriff shooting of Mikel McIntyre (both unarmed Black men)

STEP 3: Establish a Local Criminal Justice Committee. **August 2019**

What does the Criminal Justice Committee do?

STEP 4: Access the LWVC Criminal Justice Committee's Toolkit - starting with **Observer Corps**

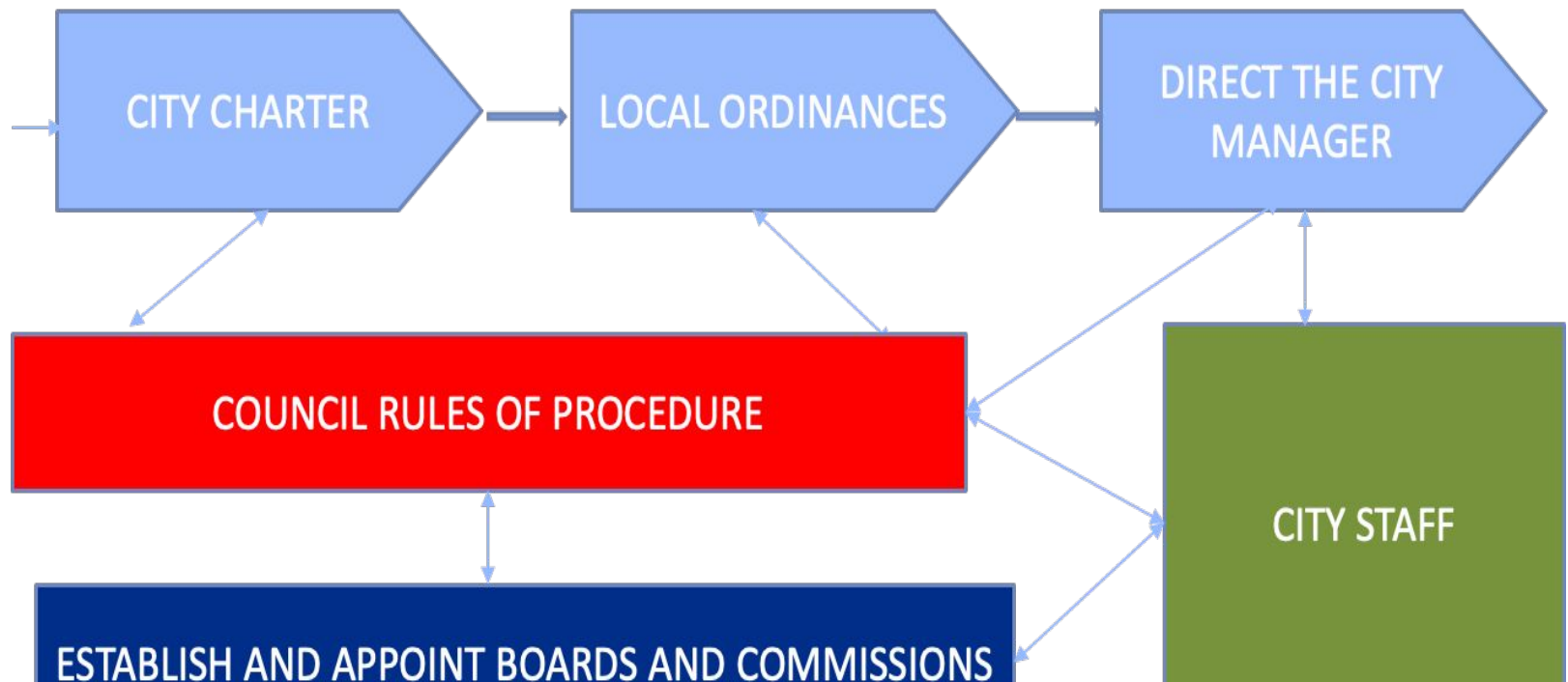
STEP 5: Identify the key stakeholders; organizations and people for networking and observing; (Note: we sent a letter to the City and County introducing ourselves and letting them know that we would start observing their meetings)

STEP 6: Research to understand the **local governance structure** and status of Use of Deadly Force policies

What We Learn from Observing

- The Sacramento Police Review Commission (SCPRC) was not effective in its charge to review SPD policies and practices to make recommendations to the City Council; thus no community confidence
- A lack of trust between the community and police still existed in spite of the Black Police Chief
- The governance process was dysfunctional

MAYOR/CITY COUNCIL –CITY MANAGER FORM OF GOVERNMENT (CITY OF SACRAMENTO)



The Importance of Community Engagement and Coalition Building

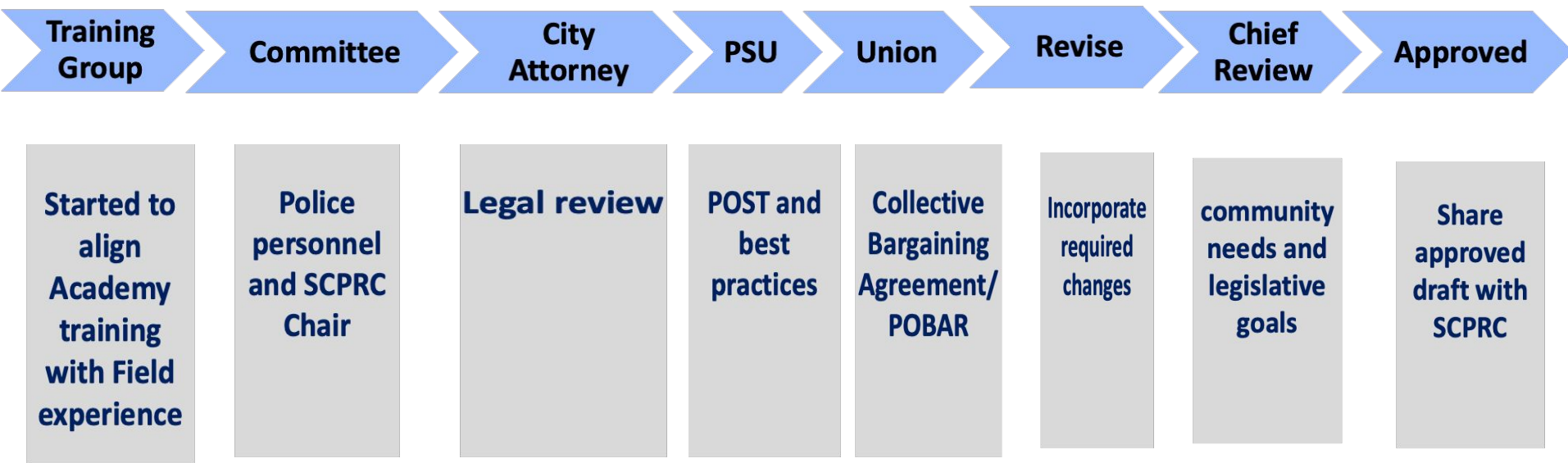
THIS WORK CAN NOT BE DONE ALONE!!!

STEP 7: We invited other local organizations and stakeholders to our meetings to get to know them and what we were about, did outreach to get involved with organizations already working in the same community space and support their efforts;

STEP 8: We connected with the Statewide ACLU group that was meeting to see what other local AB 392 advocacy implementation was taking place; (This led to me meeting **Marshal Arnwine** the first time.)

STEP 9: Conducted meetings with the SPD to understand their perspective - in a supportive way.

SPD USE OF FORCE POLICY DEVELOPMENT: SPD 2018-19



The Stephon Clark police shooting was instrumental in securing some pre-AB 392 changes like body worn cameras and foot pursuit policies

NOTE: In September/October of 2019 the City signed a contract with Lexipol

Completing Our Policing Policy Report

WE COULD NOT MAKE THIS STUFF UP!!!

STEP 10: RESEARCH and DOCUMENT FINDINGS.

STEP 11: Meet with SPD/OPSA Executives, SCPRC Chair and Liaison to SCPRC to clarify and present some of our findings;

STEP 12: FINALIZE OUR REPORT FINDINGS (Consensus)

Completing Our Policing Policy Report

May 2020 Murder of George Floyd

(Our reSponse - Joint Press Release with BWOPA & City response)

STEP 13: Figure out a strategy to effect the changes recommended in our report findings (The City still was not in compliance with AB 392 as wordsmithing made the 9/20 UOF policy more risky to the public and confusing to officers)

STEP 14: Started scheduling meetings with City Council members to discuss our findings and present recommendations/”asks”

Finished our “Policing Policy Report”

(Available on our website)

ACLU TO THE RESCUE

STEP 15: Help to engage the community and get the City Council’s attention on our recommendations.

STEP 16: Meetings with City Council members on our report **Marshal’s legal perspective explained as to why the City was not in compliance with AB 392**

STEP 17: Engaging the community to show up for public comments at the City Council meetings and Board of Supervisor meetings (Daisy Beamon & Stephon Clark’s grandmother.)

Importance of Having Legal Expertise

- Why is it important to have legal expertise?
- Resources to consider for legal expertise.
 - Consider ACLU as a resource: <https://www.acluca.org/>
 - ACLU of Northern California.
 - ACLU of Southern California.
 - ACLU of San Diego & Imperial Counties.
- Document your advocacy journey in writing.

Importance of Collaboration

- If you want to go fast, go alone. If you want to go far, go together.
- Learn who your allies are in the advocacy.
 - Community advocates.
 - Local police review commissions.
 - Attorneys or Policy Advocates.
 - Politicians.
 - What are other jurisdictions doing?
- Consider not creating a traditional coalition if it is not necessary.

Importance of Commitment

- Stay committed to the process without being emotionally attached to the results.
- Constant repetition is the path to progression.
- Small gains, great distances.

AB 392 Implementation Lessons Learned

- Make sure you have a foundational understanding of your local government power dynamics.
- Create a written timeline of your advocacy.
- Save your law enforcement's use-of-force policy documents.

Assembly Bill 1185: Sheriff Oversight

- Brief Overview of Assembly Bill 1185.
- Why Sheriff Oversight is important.
- Process of Implementation in Sacramento.
 - Understand the law to know what it does and does not do.
 - Gauge the interest of your Board of Supervisors.
 - Learn what community stakeholders have been working on this issue in the past.
 - Learn what other jurisdictions are doing.
- Resources to consider.
 - <https://www.nacole.org/> Website on civilian oversight.

WHERE WE STAND TODAY

IT WAS A HARD FIGHT!!!!

- * **In December of 2020**, the Sacramento County Sheriff's Department adopted AB 392 as a part of its Use-of-Force Policy
- * **On May 4, 2021**, the Sacramento County Board of Supervisors voted to establish a Community Review Commission
- * **On June 1, 2021**, the City of Sacramento City Council finally voted to adopt AB 392 verbatim as its Use-of-Deadly-Force Policy, in addition to a last resort higher standard for Use of Deadly Force (as recommended by the SCPRC)

ACLU & LWV Dialogue

WHERE DO WE GO FROM HERE?

**THERE IS SO MUCH MORE WORK
TO BE DONE!**

- **Observing and monitoring operational implementation**
- **On-going Community Engagement & Coalition**
- **Public Comments on the City and County Budgets as a regular advocacy item for transparency and accountability**

Observer Corps

A Rich League Tradition



Jennifer “JDub” Waggoner
(They or She)

SAFE

Observer Corps

Training

if someone is watching,
gov't behaves better

Just show up

start off not speaking
- watch a few meetings to learn more

↳ often very confident about wrong information about when meetings are actually happening
check with SF Safe

profoundly confusing

in person

Police community

meetings

could be pretty

scary

online is less

intimidating.

but tough to

find and often late to start with no explanation

is policing

being open

and transparent?

are they building

relationships

and trust?

League roles often

to support organizations



J Dub Waggoner






Observer Corps in League



Shelly Lewis

March 31 · 



We are in the process of creating Observer Corps badges to be worn at meetings (see below in comments). Wondering whether to include the observer's name? First initial, last name.

Design ideas welcome!



Natalya Zernitskaya and 2 others

8 Comments Seen by 79



Like



Comment

[View 3 more comments](#)

[All Comments](#) ▼



Sharon M. Ailslieger

I have several pins that already say "Observer" Have had them for some time. Mentioned to Nancy that I have them.

Like · Reply · 10w



Gayla Keesee

I like the purple/gold color scheme. Never thought about how red, white, and blue could be misconstrued. I would also include the first name.



Like · Reply · 10w

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Voting in California Jails, A Community Toolkit

How local Leagues can engage people impacted by the criminal legal system



ELIGIBLE

TO REGISTER AND VOTE WHEN:

- In county jail awaiting trial
- In county jail serving a misdemeanor sentence
- In county jail as a condition of probation (felony or misdemeanor)
- In county jail serving a felony jail sentence¹⁷
- On probation (felony or misdemeanor)
- On mandatory supervision
- On post-release community supervision
- On federal supervised release
- Finished with parole

NOT ELIGIBLE

TO REGISTER AND VOTE WHEN:¹⁸

- In federal prison serving a felony sentence¹⁹
- In state prison serving a felony prison sentence²⁰
- On parole

A. Voter Registration

1. *Advocate Registration with Assistance from Elections Office and/or Sheriff's Department*

B. Voting from Jail

Once a voter in a local jail is registered, they must then navigate the process of actually casting their ballot in time for it to be counted for an election. Without assistance, people in custody will typically receive their ballots and return them to the elections office through the jail's general mail system (i.e., the non-legal mail system) - in some jails, this system can be slow or unreliable. Jail staff can help make this process smoother by working with the local elections office to track registered voters within the jail system, distribute

Post-Release Community Supervision (PRCS): A period of supervision in the community by a county probation officer after release from state prison for a person who was incarcerated for a "non-violent, non-serious, or non-sexual" felony. Otherwise-eligible adults on PRCS have their voting rights restored once they leave prison and begin the PRCS portion of their sentence.

Pens: Pens can be difficult to obtain in jails, and your county's voter registration form or ballots may say to use blue or black ink. Nonetheless, some elections offices - such as the Los Angeles County Registrar - will accept registration forms filled out with pencil. We recommend confirming with your local elections office whether forms completed with pencil will be accepted and making this information clear to your volunteers. If you are engaging in a mail-based in-reach effort, we also recommend enclosing a notice to inform incarcerated people that pencil is acceptable because the registration form itself does not make this clear.

Building Your Jail Voter Engagement Program

- Do your research
- Get connected
- Join our listserv(s)

Jail Voting Resource Bank

Jail voting program information and sample materials
Jail voting policies of county elections offices' and sheriffs' departments
Contact information for county elections offices and sheriffs' departments
California jail voting listserv – sign up here!

LetMeVoteCA.org/toolkit/

Personal Advocacy for Criminal Justice Reform while Speaking with One Voice

Susan F. Rice
Area Director, Social Policy
sfrice@sfrconsulting.com
310-286-0606 (landline)



Volunteering as an Advocate— What works for

You?



The Basics to LWVC Advocacy -- One Voice

<https://sites.google.com/view/lwvc-advocacy-dashboard/learn>

- There is no question that League members can speak as individuals on any issue. A few members are limited of, as serving on a board, the nonpartisanship appearance is compromised.
- Once a League position on a particular bill, proposition, or ballot measure has been announced at any level, it applies for all Leagues within the jurisdiction. A local League may choose to remain silent, but it may not take a position opposing a state, national or regional League position. The League ***speaks with one voice.***

The Basics to LWVC Advocacy -- One Voice

[https://sites
.google.co
m/view/lw
vc-advocac
y-dashboar
d/learn](https://sites.google.com/view/lwvc-advocacy-dashboard/learn)

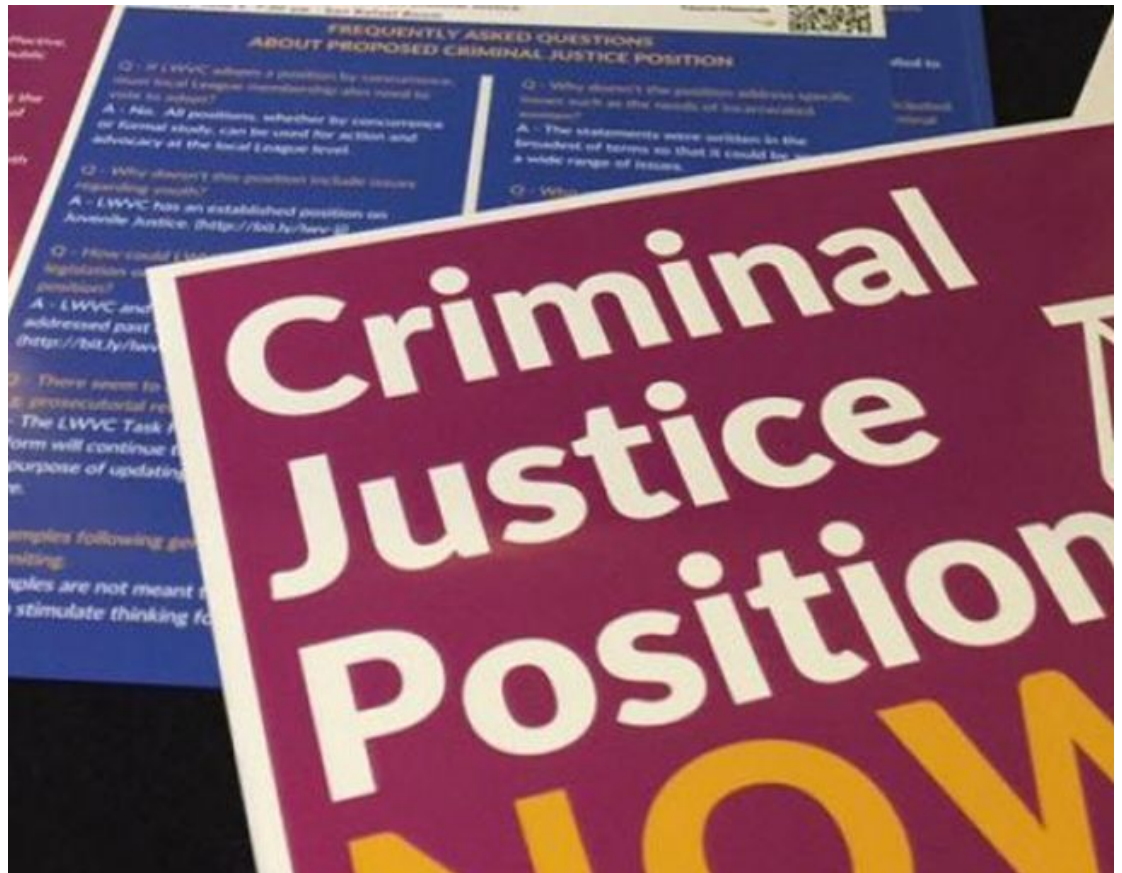


Diversity Equity Inclusion

<https://sites.google.com/view/lwvc-advocacy-dashboard/learn>



- ☐ Death Penalty
- ☐ Juvenile Justice
- ☐ Dependency
- ☐ Gun Safety
- ☐ Immigration
- ☐ Police
- ☐ Other



Advocacy on the state level

bit.ly/LWVCOneVoice

- If you want action done on the state level, the state League has the final say. See bit.ly/LWVCOneVoice
- If a local League would like the LWVC to act on a specific bill, the League should send a message to advocacy@lwvc.org, citing the bill and the reason for the request. This could be a state bill that applies specifically to the local area, or it could be on an issue that is of particular interest to the local League. Similarly, if a local League has an interest in a statewide coalition, the state League must approve membership and would join as the state League.
- If a statewide or national coalition wants you to sign on to a letter, check with “state” -- LWVC. You never know whether LWVC has already been approached or has experiences with them. Trust the League leaders
- <https://sites.google.com/view/lwvc-advocacy-dashboard/learn>

Advocacy – With and for your local league?

Contact League members on the Advocacy team
[\(link\)](#)

Research your local community

- If your local league or your county league does not have a task force, or working group, check your community – city, county, district
- Check whether local or county ordinances, laws are being enforced or implemented the way you think they should
- Check whether there are Districts representing several government entities that address the issue

Resources on the Advocacy Dashboard

You can also find the
Advocacy Dashboard by
going to MyLo
<https://my.lwv.org/california/lwvc-members-only>
and go to “Program and
Advocacy”

A webinar takes you through it.
<https://sites.google.com/view/lwvc-advocacy-dashboard/learn>

The Legislative Process

Life Cycle of Legislation (Diagram)

The Budget Process (with video)
(LOTS)

LWVC Advocacy Workshop
Presentations

Advocacy Team Overview and Job
Descriptions

The Trudy Schafer Fellowship for
Public Policy

How We Form Positions & Take
Action

Legislation Committee Policies
Calendars

Assembly, Senate

LWVC Legislation Committee

The Path of a League
study

How Local Leagues
Take Action

LWVC Coalition Advice
and Policies

LWVC Analysis 201
(video)

RESOURCE
DIRECTORY

[Current Advocacy
Team](#)

[Policies & Procedures](#)

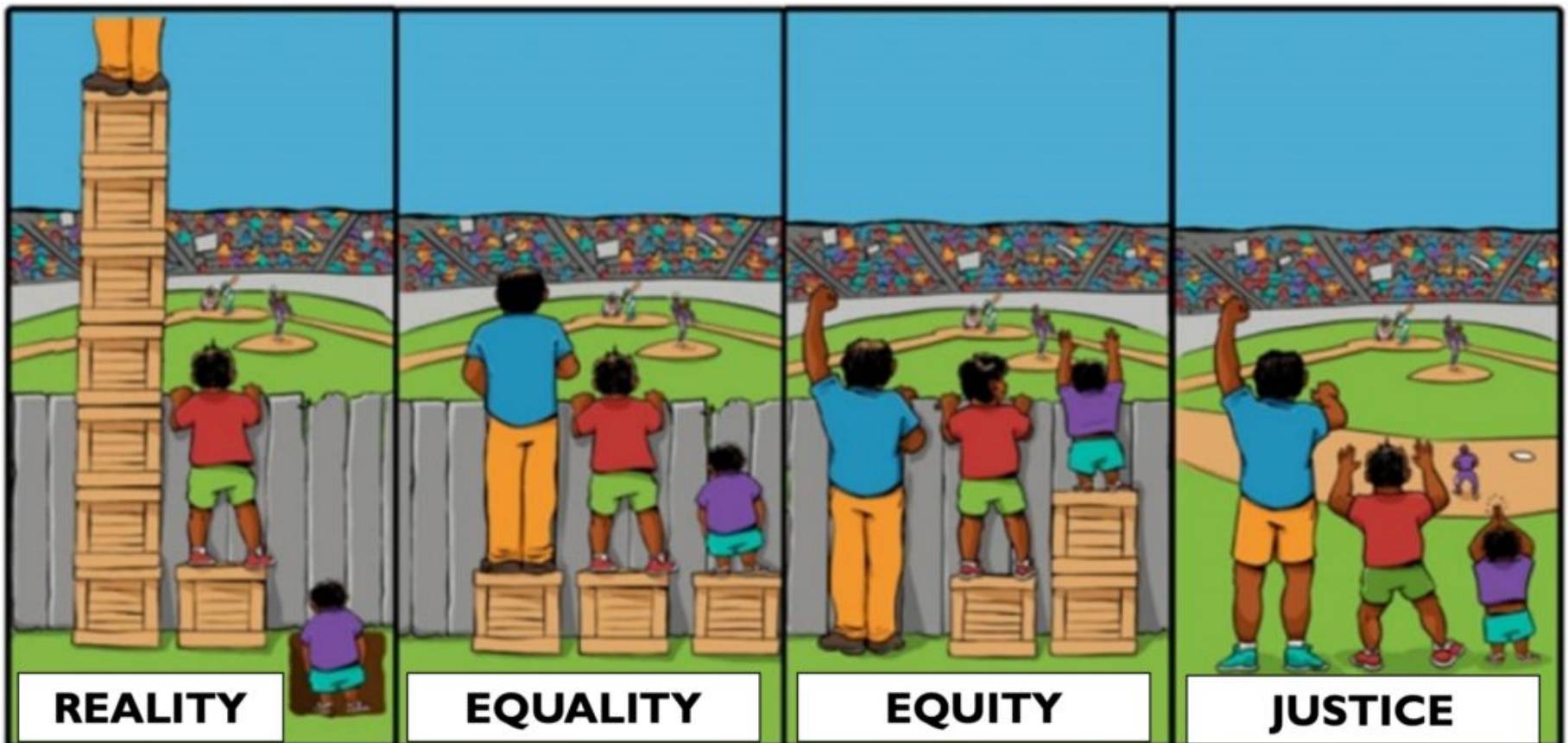
[Developing and
Implementing a
Nonpartisan Policy](#)

Legislative Priorities

- Set annually
- Priorities only in Legislature
- Based on priorities set at Convention
- Determined by what's "hot"

See LWVC ["Bill Status Report"](#)
or MyLO for ["Bills of Interest"](#)





REALITY

One gets **more than** is needed, while the other gets **less than** is needed. Thus, a huge disparity is created.

EQUALITY

The assumption is that **everyone benefits from the same supports**. This is considered to be equal treatment.

EQUITY

Everyone gets the support they need, which produces equity.

JUSTICE

All 3 can see the game without supports or accommodations because **the cause(s) of the inequity was addressed**. The systemic barrier has been removed.

Speaking with One Voice

Susan F. Rice Area Director, Social Policy
310-286-0606 sfrice@sfrconsulting.com



Q&A

Thank you!

- [LWVC's criminal justice position](#)
- [Criminal Justice Toolkit](#)
- [signing up for action alerts](#)
- [LWVC Criminal Justice Google Discussion Group](#)

criminaljustice@lwvc.org

