



State of California  
Office of the Attorney General

XAVIER BECERRA  
ATTORNEY GENERAL

June 5, 2020

The Honorable Nancy Pelosi  
Speaker of the House of Representatives  
U.S. House of Representatives  
H-232, The Capitol  
Washington, DC 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
H-204, The Capitol  
Washington, DC 20515

The Honorable Mitch McConnell  
Senate Majority Leader  
U.S. Senate  
S-230, The Capitol  
Washington, DC 20510

The Honorable Charles Schumer  
Minority Leader  
U.S. Senate  
S-221, The Capitol  
Washington, DC 20510

Re: Request to Expand the Violent Crime Control and Law Enforcement Act to Give State Attorneys General "Pattern-or-Practice" Authority

Dear Congressional Leaders:

George Floyd's unacceptable and tragic death has rocked our country to the core. As chief law officer of the State of California, it is all the more evident to me that all of law enforcement must engage with each other and our communities to develop and implement meaningful, systemic solutions to prevent needless loss of life. A core part of that work includes the ability of State Attorneys General to investigate and resolve patterns or practices ("pattern-or-practice" investigations) of unconstitutional policing by local police departments in our respective states.

Fortunately, the State of California has long provided that authority to the State's Attorney General. *See, e.g.*, Cal. Const. Art V, § 13; Cal. Civ. Code, § 52.3, subd. (a) and (b). The authority to engage in robust reviews of law enforcement practices is critical to redressing civil rights violations in the policing context, including the use of excessive or unnecessary force, countering implicit bias, and ensuring nondiscrimination in the hiring and promotion of officers to reflect the diversity of our state. I write to lend further support to the coalition of State Attorneys General who have requested that Congress expand the Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601 (§ 12601) to give all of us clear statutory authority



under federal law to investigate and conduct reviews of police practices in our jurisdictions, in addition to the authority we may already have under state law.

The California Department of Justice (“Cal DOJ”) has engaged in a wide range of matters concerning potential civil rights violations in just the past few years, reflecting not just the broad scope of my authority, but also the breadth of the need for holistic reform in our systems of law enforcement. These efforts include:

- As we announced today, entering into a formal agreement with the Vallejo Police Department to support effective policing through improvements in use-of-force procedures, anti-bias and community policing, and accountability by focusing on training, policy, and transparency in alignment with national standards, best practices, current and emerging research and community expectations;
- Leading in-depth pattern-or-practice reviews of the Kern County Sheriff’s Office, as well as the Bakersfield Police Department, regarding the use of excessive and unnecessary force;
- Following the United States Department of Justice’s abandonment of its collaborative reform process in San Francisco, reaching a formal agreement with the San Francisco Police Department to independently evaluate, complete, and publicly report on the department’s implementation of reforms previously recommended by US DOJ;
- Conducting a criminal review of the shooting of Stephon Clark in Sacramento in 2018 and a broader civil rights review of the Sacramento Police Department regarding its policies and practices that led to that shooting;
- Investigating and reviewing the Los Angeles Police Department’s process for designating individuals into a gang database; and
- In the critical juvenile context, tackling the disproportionate policing of minority students by the Stockton Unified School District and its police department, which led to a five-year comprehensive stipulated judgment.

This is just a snapshot of the policing work we are doing and have done throughout the years, including several additional law enforcement reform matters that are not yet public.

In short, because we have the authority under our constitution and the laws of our state, we have been able to deploy the resources of Cal DOJ to achieve reforms in policing across the state. I urge Congress to act to ensure that my fellow state attorneys general have all the tools needed to carry out this important work across the country.

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Thank you very much for considering these important issues.

Sincerely

A handwritten signature in blue ink, appearing to read "Tommy" or similar, with a large loop at the end.

California Attorney General