



AB48 (Lorena Gonzalez): Protecting Californians against Excessive Use of Force at Protests



CAIR-CA Position: SUPPORT

Summary:

Assembly Bill 48 would set clear, minimum statewide standards on law enforcement's use of rubber bullets and tear gas for crowd control at protests and individuals practicing their 1st Amendment right of assembly.

Background & Problem:

Rubber bullets – also called kinetic energy projectiles or kinetic impact projectiles (KIPs) – along with chemical agents such as tear gas are considered “less lethal” weapons by law enforcement when used for crowd control of protests. Although the U.S. stopped using rubber bullets for crowd control after a fatality in 1971, they were re-introduced in the early 1980 while tear gas, a chemical agent banned in warfare in 1997 by the Chemical Weapons Convention, is still allowed to be used by law enforcement. There have been numerous reports of peaceful protestors, bystanders, health care professionals, and reporters, seriously injured using rubber bullets and tear gas by law enforcement. The U.S. Crisis Monitor found that 93% of racial justice protests were peaceful, yet police were five times more likely to respond with force to these protests than the anti-lockdown protests. Many have lost their eyesight or required serious medical attention after being hit in the head, neck, or eyes by rubber bullets and tear gas canisters.

While law enforcement labels these weapons as “less lethal,” they can cause serious injuries, including but not limited to, the breaking of bones, traumatic brain injuries, and in some cases the blindness. Medical professionals and policy advocates have been calling for the end of use for these lethal weapons because of the many deaths and permanent disabilities that have been caused by their usage.

Solution:

To protect the safety of Californians exercising their right to assemble and protest, a statewide guideline on the usage of these weapons is necessary. Assembly Bill 48 would set clear standards for the use of these weapons *only* if there is a clear threat to life or serious

injury. Furthermore, it prohibits the use of these weapons on Californians practicing their right to assemble, unless these clear standards are met. Doing this ensures that Californians can exercise their first amendment rights without fear of being attacked by law enforcement with weapons like tear gas classified as “weapons of war.”

Support:

California Attorneys for Criminal Justice
California Nurses Association
California Teachers Association
Consumer Attorneys of California
California Broadcasters Association
California State PTA
CAIR-CA
National Association of Social Workers, California Chapter (NASW-CA)
County of Los Angeles Board of Supervisors
California Public Defenders Association
SEIU California
California Faculty Association
San Francisco Public Defender
California Black Media
First Amendment Coalition
Alliance San Diego
Pillars of the Community
Oakland Privacy
Think Dignity
California News Publishers Association
Change for Justice
We The People - San Diego
Asian Solidarity Collective
Showing Up for Racial Justice San Diego
Team Justice
Ethnic Media Services
Showing Up for Racial Justice North County

Opposition:

California State Sheriffs' Association
Los Angeles County Sheriff
Riverside Sheriffs' Association
California Peace Officers' Association
California Statewide Law Enforcement Association
Southwest California Legislative Council
Santa Ana Police Officers Association
Los Angeles School Police Officers Association
California Coalition of School Safety Professionals
Palos Verdes Police Officers Association