



City Manager's Office
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Item # 24

City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
April 18, 2023

TOPIC: Resolution Opposing Assembly Bill 742

AGENDA TITLE

Resolution Declaring Opposition to Assembly Bill 742 (Jackson)

RECOMMENDED ACTION

Adopt a resolution declaring opposition to California Assembly Bill 742.

DISCUSSION

Introduction

On April 11, 2023, Mayor Amezcua requested that staff add the following agenda item to the April 18, 2023 City Council meeting: A Resolution of the City Council of the City of Santa Ana Opposing California Assembly Bill 742 (Jackson). Assembly Bill 742 involves a policy matter that is not specifically addressed within the City's legislative priorities. However, the City Council may wish to consider taking a position on this bill as it would prohibit the use of an unleashed police canine by law enforcement to apprehend a person and any use of a police canine for crowd control. Staff from the City Manager's Office prepared the attached resolution (Exhibit 1) for consideration by the City Council.

Summary of Assembly Bill 742

Assembly Bill 742 ("AB 742") would prohibit the use of an unleashed police canine by law enforcement to apprehend a person, and any use of a police canine for crowd control. The bill would prohibit law enforcement agencies from authorizing any use or training of a police canine that is inconsistent with this bill.

Background and Existing Law

Existing law authorizes a peace officer to use reasonable force to effect the arrest, to prevent escape, or to overcome resistance of an individual. Existing law requires law enforcement agencies to maintain a policy on the use of force. Existing law also prohibits the use of kinetic energy projectiles or chemical agents by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards. According to the author's fact sheet, the California

Department of Justice Use of Force Data from 2021, injuries caused by police canines accounted for nearly 12 percent of cases that resulted in severe injury or death. The report also shows that 35 percent of those contacted by a canine were armed. The types of incidents with K-9 contact included “calls for service,” crimes in progress, pre-planned activities such as serving a warrant, and vehicle/pedestrian stops

Status of Legislation

AB 742 was heard in the Assembly Public Safety Committee on March 21, 2023 and passed. The bill is currently being referred to the Assembly Appropriations Committee for their consideration.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Resolution

Submitted By: Kristine Ridge, City Manager

Approved By: Kristine Ridge, City Manager