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# SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

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**Bill No:** SB 1020                      **Hearing Date:** April 16, 2024  
**Author:** Bradford  
**Version:** March 19, 2024  
**Urgency:** No                                      **Fiscal:** Yes  
**Consultant:** JD

**Subject:** *Law enforcement agency regulations: shooting range targets*

## HISTORY

**Source:** Author

**Prior Legislation:** None

**Support:** California Public Defenders Association; Council on American-Islamic Relations, California

**Opposition:** California Police Chiefs Association; California State Sheriffs' Association

## PURPOSE

*The purpose of this bill is to prohibit law enforcement agencies and basic course presenters from using ethnic shooting targets for range activities that are sponsored by the agency or presenter.*

*Existing law* generally regulates law enforcement training.

*Existing Law* defines biased conduct as conduct that “motivated by bias toward any person’s protected class or characteristic, whether actual or perceived” (Penal Code § 13510.6).

*Existing Law* asserts that biased conduct may result from implicit and explicit biases (Penal Code § 13510.6).

*Existing Law* requires that law enforcement training must stress understanding and respect for racial, identity, and cultural differences, and must be based in an evidence-based curriculum to prevent racial or identity profiling (Penal Code § 13519.4).

*Existing Law* requires that law enforcement use of force training courses shall include implicit and explicit bias and cultural competency components (Penal Code § 13519.10).

*Existing Law* acknowledges the important concern that both communities and law enforcement have for the use of force (Penal Code § 13519.10).

*Existing law* provides that a law enforcement officer exhibiting bias or animus towards a defendant because of their race, ethnicity, or national origin may be grounds to declare a mistrial, dismiss charges, or vacate a sentence, as specified. (Pen. Code, § 745, subd. (e).)

*Existing law* defines “bias motivation” for purposes of adopting law enforcement hate crimes policy as a preexisting negative attitude toward actual or perceived characteristics such as disability, gender, race, religion, and other enumerated traits. (Pen. Code, § 422.87.)

*This bill* prohibits law enforcement agencies and basic course presenters from using or providing ethnic shooting targets during range activities.

*This bill* prohibits agencies from providing peace officers and basic course attendees ethnic shooting targets for personal use.

*This bill* defines “ethnic shooting target” as a physical range target that depicts a human form or part of a human form that includes skin colors or facial features from which a person might reasonably discern a race or ethnicity of the person depicted.

*This bill* provides an exemption for realistic training simulators and video playbacks that use live actors.

## COMMENTS

### 1. Need For This Bill

According to the author:

In a multitude of studies published by the American Psychological Association, researchers established that participants would more quickly shoot an armed target if they were an African American compared to than if they were White. And that they were less likely to shoot an unarmed target if they were White compared to if they were African American. This response time indicates a subconscious racial bias not only for law enforcement officers but for the general public as well. This results in an increased risk of deadly harm towards certain ethnic groups and any law enforcement agency that utilizes shooting targets that represent specific ethnic groups only reinforces this bias.

The utilization of specific ethnic groups on shooting targets only reinforces the inherent racial bias present in law enforcement that White individuals are less dangerous than individuals from certain ethnic groups. SB 1020 would prohibit the use of ethnic shooting targets by law enforcement agencies. This will start the long process of correcting inherent racial bias that certain ethnic groups are more dangerous than others without any harm to the ability of a law enforcement officer to become more proficient with firearms.

### 2. Use of Ethnic Shooting Targets

Currently there is no knowledge of any California law enforcement agency using shooting targets similar to the aforementioned. However, there are accounts of police departments and federal agencies using shooting targets that resemble particular pictures of people and rubber

shooting targets that resemble certain racial groups. Last year, a social media post from a Georgia police department showed a firearms safety course using a shooting target depicting a Black man with a gun, the department subsequently apologized for the use of the target and claimed that it was a part of group of targets that depicted other races as well.<sup>1</sup> Another example of this practice came to light in the form of a General Services Administration (GSA) contract to a manufacturer of a rubber shooting target that critics claim resembles a Black person.<sup>2</sup> This contract provided \$500,000 worth of shooting targets to undisclosed federal agencies. This bill would prevent California from using similar targets.

### 3. Exception of Realistic Simulator and Video Playback

This bill provides exceptions to the use of realistic training simulators and video playback that utilizes live actors from its prohibition of ethnic shooting targets. This allows law enforcement agencies and basic course presenters to continue using training simulators and video playbacks in its training curriculum.

Realistic training simulators are training tools used by law enforcement agencies that immerse trainees into real-world scenarios with live actors. The use of these simulators provides in depth training to reduce the misuse of force and practice de-escalation tactics. Training simulators use live actors from different ethnic backgrounds, providing the opportunity to participate in scenarios ranging from car break-ins to mental health crises. By allowing trainees the opportunity to repetitiously participate in a diverse range of scenarios with a diverse range of live actors, the simulators are intended to reduce the threat of implicit bias interfering during real world contacts with law enforcement. This is especially important during point of contacts where officers are required to make split-second decisions, most of which involves the consideration of whether to engage a use of force.

### 4. Argument in Support

According to the California Public Defenders Association:

SB 1020 requires law enforcement agencies and law enforcement training facilities to have policies prohibiting the use of ethnic shooting targets when conducting trainings, qualifications, competitions, or other range activities. It also prohibits the providing of ethnic shooting targets to peace officers and basic course attendees for their personal use.

Research demonstrates that when presented with Black targets, individuals are more likely to shoot targets depicting armed Black people compared to White people and less likely to shoot unarmed targets depicting White people compared to Black people.<sup>34</sup>

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<sup>1</sup> Burnside, T. (2023, June 23). *Georgia Police Department under investigation for allegedly using an image of a black man as a shooting target during a safety class*. CNN. <https://www.cnn.com/2023/06/23/us/georgia-police-black-man-shooting-target/index.html>

<sup>2</sup> Thomas, S. (2022, April 27). *The government is supplying federal agencies with a shooting target that resembles a black man*. The Trace. <https://www.thetrace.org/2022/04/rubber-dummie-target-racism-tracy-brown/>

<sup>3</sup> Correll, J., Park, B., Judd, C. M., & Wittenbrink, B. (2002). The police officer's dilemma: using ethnicity to disambiguate potentially threatening individuals. *Journal of Personality and Social Psychology*, 83(6), 1314–1329 doi:10.1037/0022-3514.83.6.1314

This research indicates a subconscious racial bias that results in an increased risk of deadly harm towards certain ethnic groups. By law enforcement agencies utilizing shooting targets that represent these ethnic groups, it only reinforces the bias that these ethnic groups are more dangerous than others and creates an increased risk of deadly harm towards these ethnic groups by law enforcement.

SB 1020 seeks to address inherent racial bias that certain ethnic groups are more dangerous than others by ensuring that implicit bias is not built into law enforcement shooting training. Addressing racial bias is key to ensuring that all people, regardless of ethnicity, are treated fairly by the criminal justice system. For these reasons, we urge you to support SB 1020.

For the above reasons, on behalf of CPDA, we respectfully urge your “YES” vote on SB 1020

## 5. Argument in Opposition

According to California State Sheriff’s Association:

On behalf of the California State Sheriffs’ Association (CSSA), I regret to inform you that we are opposed to your measure, Senate Bill 1020, which would prohibit the use of ethnic shooting targets for any training, qualification, competition, or other range activities that are sponsored by the agency or presenter, take place on any agency or presenter property, or involve the participation of any agency or presenter personnel or those attending a basic course.

The goal for range training and qualification is to ensure peace officers are best equipped to do their jobs safely and effectively. In order to accomplish this, training materials must be realistic. There is no real way to accomplish both the realism necessary for appropriate training and the restrictions against using targets that have some sort of skin color and/or facial feature, even if it is designed to be as “neutral” as possible.

The bill also overreaches by attempting to limit participation of presenters or course attendees in trainings or courses that are not under the direct control of the restricted agency. SB 1020 would also likely have a fiscal impact on agencies by requiring them to purchase new target materials that comply with the terms of the bill, including having to replace already acquired materials.

For these reasons, CSSA is respectfully opposed to SB 1020.

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<sup>4</sup> Correll, J., Park, B., Judd, C. M., Wittenbrink, B., Sadler, M. S., & Keesee, T. (2007). Across the thin blue line: Police officers and racial bias in the decision to shoot. *Journal of Personality and Social Psychology*, 92(6), 1006–1023. doi:10.1037/0022-3514.92.6.1006