



## CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

**Lili Bosse, Mayor**

September 26, 2022

The Honorable Gavin Newsom  
Governor, State of California  
1021 O Street, Suite 9000  
Sacramento, CA 95814

Re: **AB 2644 (Holden) Custodial Interrogation**  
City of Beverly Hills – **REQUEST FOR VETO**

Dear Governor Newsom,

On behalf of the City of Beverly Hills, I write to respectfully request that you take action to **VETO AB 2644** when it comes before you for final action. This measure would, commencing July 1, 2024, prohibit the use of threats, physical harm, deception, or psychologically manipulative tactics by law enforcement during an interrogation of a young person who is 17 years of age or younger.

Prior versions of this bill would have applied to persons 25 years or younger. **AB 2644** was amended to limit the bill's applicability to persons 17 years of age or younger and delay implementation until July 1, 2024. We remain opposed to this measure, notwithstanding these recent amendments.

Peace officers must follow training standards that are overseen by the State Commission on Peace Officer Standards and Training (POST). Instead of relying upon POST standards and guidelines developed by experts and stakeholders based on best practice, this bill imposes rigid legislative mandates from one perspective as to how interrogations of persons aged 17 years or younger should be conducted.

Courts have long established that physical abuse of the suspect, threats of harm, denial of rights, and making false guarantees of leniency are unacceptable and can render a confession inadmissible. We are also concerned that many of the definitions in **AB 2644** are unclear and could prevent law enforcement from following longstanding standards for reasonable methods of investigation. It will be difficult to determine what is allowable under this bill and as a result, it is likely that valuable information will go undiscovered or be withheld.

**AB 2644** establishes definitions for terms that may already be established through relevant case law or federal law. This may lead to confusion, litigation, or both. The courts have

long established that physical abuse of the suspect, threats of harm, denial of rights, and making false guarantees of leniency are unacceptable and can render a confession inadmissible. Placing further limitations on law enforcement will only interfere with timely resolutions of investigations.

Further, **AB 2644** may be internally inconsistent or at best hard to follow. AB 2644 states that these limitations do not apply to interrogations where the officer believes the information sought is necessary to protect life or property from imminent harm and the questions are limited to those necessary to obtain information related to that imminent threat. This could invite litigation depending on how these provisions are interpreted by law enforcement agencies across the state.

For these reasons, we must request that you **VETO** AB 2644.

Sincerely,

A handwritten signature in black ink that reads "Lili Bosse". The signature is written in a cursive, flowing style.

Lili Bosse,  
Mayor, City of Beverly Hills

Cc: The Honorable Chris Holden, Assemblymember, 41<sup>st</sup> Assembly District  
The Honorable Ben Allen, Senator 26<sup>th</sup> District  
The Honorable Richard Bloom, Assemblymember, 50<sup>th</sup> District  
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange