

Date of Hearing: March 19, 2024

ASSEMBLY COMMITTEE ON TRANSPORTATION

Lori D. Wilson, Chair

AB 2002 (Sanchez) – As Amended March 06, 2024

SUBJECT: Vehicles: public safety: Blue Envelope Program

SUMMARY: Requires the Department of Motor Vehicles (DMV) in consultation with relevant stakeholders, to develop a Blue Envelope Program to assist persons protected by the Americans with Disability Act (ADA) during law enforcement stops. Specifically, **this bill:**

- 1) Requires DMV to consult with a representative from the Association of Regional Center Agencies, representatives from law enforcement, including a representative from a sheriff's department, and an organization or individual with disability expertise in developing the blue envelope program.
- 2) Requires the blue envelope to contain the following printed information:
 - a) Traffic stop safety tips;
 - b) Printed recommendations to the responding law enforcement officer with interaction techniques to help promote enhanced communication and accommodations between law enforcement and community members;
 - c) A blank area where the individual, or their emergency contact, may add additional noteworthy comments pertaining to the individual's needs or requested accommodations; and,
 - d) A blank area where the individual may write down the contact information of their emergency contact.
- 3) Requires the blue envelope to be designed to hold a copy of the person's operator license, vehicle registration, and insurance card.
- 4) Authorizes a person who is protected by the ADA, a person who has a condition and may need additional accommodations with law enforcement, or a parent or other family member, legal guardian, conservator, or driver of a passenger with a disability to request a blue envelope from DMV.
- 5) Provides that nothing in this bill prevents a local law enforcement agency from developing its own blue envelope or other products.
- 6) Requires DMV to make the blue envelope available by January 1, 2026.

EXISTING LAW:

- 1) Authorizes DMV to issue driver's licenses and identification cards. (Vehicle Code Section 1652)
- 2) Requires the Commission on Peace Officer Standards and Training (POST) to establish a training course on law enforcement interactions with persons with mental illness and requires

a three-hour continuing education course on the same subject matter. (Penal Code Section 13515.26 and 13515.27)

FISCAL EFFECT: Unknown

COMMENTS:

A Blue Envelope Program was first developed in Connecticut in 2020 as a way to ease interactions between law enforcement and individuals with autism. It was modeled after the state's Green Envelope Program, which indicated to law enforcement that a person was deaf or hard of hearing.

According to the author, “Blue envelope programs have successfully been used in multiple states and localities to improve accessibility and communication between law enforcement and individuals with disabilities. I introduced AB 2002 to create a statewide blue envelope program that will work to promote inclusivity and help keep people safe.”

According to the 2024 Racial and Identity Profiling Advisory Board (RIPA) report, “Stopped individuals perceived as having a disability had a higher proportion of their stops involve officers taking actions towards them (69.6%) than individuals not perceived to have a disability (24.4%). Stopped individuals who officers perceived to have a disability were searched (42.7%), detained on the curb or in a patrol car (42.2%), and handcuffed (41.6%) at a much higher rate than individuals perceived not to have a disability (13.4% searched, 14.4% detained on the curb or in a patrol car, and 9.9% handcuffed). Individuals who officers perceived to have a disability had a lower rate of being removed from a vehicle by order (3.4%) compared to individuals who were not perceived as having a disability (4.8%). Officers took no action as a result of stops during a higher proportion of stops of people they perceived to have a disability (13.7%) than during stops of people they perceived not to have a disability (9.0%). Further, stopped individuals whom officers perceived as having a disability had much lower rates of being cited (7.9%) or warned (18.0%) and higher rates of being arrested (25.9%) than individuals perceived to not have a disability (42.9% cited, 31.8% warned, and 15.9% arrested).

In California, both the San Diego and Riverside sheriffs’ departments have created a Blue Envelope Program. The San Diego program was created in October of 2023. Unlike the Connecticut program, which limits the blue envelope only to individuals with autism, the San Diego program is available for anyone with a disability. Data provided to the committee showed that as of February 2024, San Diego has already distributed nearly 7,000 blue envelopes.

According to the San Diego County Sherriff’s Department, one of the co-sponsors of this bill, “The outreach material has been strategically designed, with community and stakeholder input, to assist individuals with a condition or disability which may impact communication or require additional accommodations or awareness during a law enforcement interaction. Being contacted by law enforcement can make anyone uncomfortable, and for individuals with a condition or disability, it could cause even greater stress. We look to expand this program throughout the State and create a more inclusive awareness tool that is voluntary, with the intent to lead to better-informed interactions and safer outcomes for all.”

The Legislature in recent years has taken several steps to try to improve interactions between people with disabilities and law enforcement. SB 11 (Beall), Chapter 468, Statutes of 2015 and SB 29 (Beall), Chapter 469, Statutes of 2015 required the Peace Officer Standards and Training to develop training courses and continuing education courses to improve interactions between law enforcement and individuals with disabilities.

According to CAL-TASH, a disability rights organization supporting this bill, “By being able to present a blue envelope, containing their license, registration, and pertinent information, individuals with disabilities and their families will be able to quickly and easily inform law enforcement about their disability. This will assist law enforcement personnel to better understand the individual’s behaviors, and why they may be responding differently and may not be able to follow directives. This legislation is a very important step in public safety, awareness, and understanding for individuals with disabilities.”

Committee Concerns: According to the Legislative Analyst Office (LAO), The Motor Vehicle Account (MVA), the primary funding source for DMV, is expected to fully exhaust its reserves and become insolvent in 2025-26. The LAO recommends the Legislature should consider MVA cost pressures when evaluating new proposals. LAO argues that “Until a plan is put in place to address MVA’s structural deficit, we recommend the Legislature set a high bar for considering approval of any proposals that create additional MVA cost pressures and accelerate the risk of insolvency.”

The development of a Blue Envelope Program may be better suited for a law enforcement agency instead of the DMV because it is intended to improve interactions between individuals with disabilities with law enforcement. The author may want to consider finding such a state agency that may be interested in developing this program.

While this bill intends to be voluntary, it may have unintended consequences. A conservator may require the use of a blue envelope, for example. It is also important for law enforcement officers to be properly trained to interact with people with disabilities, regardless of whether the person has a blue envelope.

Related Legislation:

SB 1285 (Laird) of 2024 requires DMV to develop an appropriate disability identifier symbol to be placed on a driver’s license or identification card that is discreet and represents all types of disability. That bill is pending before the Senate Transportation Committee.

Previous Legislation:

AB 971 (Gray of 2021) was similar to SB 1285. That bill was held in suspense in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Association of Regional Center Agencies (co-sponsor)
Riverside County Sheriff’s Office (co-sponsor)

San Diego County Sheriff's Department (co-sponsor)
Alta California Regional Center
Alzheimer's Los Angeles
Alzheimer's Orange County
Alzheimer's San Diego
Arcadia Police Officers' Association
Burbank Police Officers' Association
Cal-TASH
California Agencies for the Blind and Visually Impaired
California Coalition of School Safety Professionals
California Council of the Blind
California Dental Association
California Narcotic Officers' Association
California Reserve Peace Officers Association
California State Sheriffs' Association
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Deaf Community Services of San Diego
Decoding Dyslexia CA
Deputy Sheriffs' Association of Monterey County
Educate. Advocate.
Fullerton Police Officers' Association
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Novato Police Officers Association
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
San Diego Regional Center
Santa Ana Police Officers Association
Social Impact Services
Upland Police Officers Association
Valley Center for the Blind

Oppose

Doogri, INC.

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