

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 71**

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**Introduced by Assembly Member Rodriguez**

December 18, 2014

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An act to add Section 13022.5 to the Penal Code, relating to criminal justice.

LEGISLATIVE COUNSEL’S DIGEST

AB 71, as amended, Rodriguez. Criminal justice: reporting.

Existing law requires each sheriff and police chief to annually furnish a report to the Department of Justice on justifiable homicides.

This bill would require each sheriff and police chief to annually furnish a report to the Department of Justice on shootings that involve peace officers and result in the injury or death of an individual or a peace officer. *The bill would require the agency to report the number of cases that resulted in criminal prosecution for instances when an individual is injured or killed. The bill would require the department to include a summary of the annual reports in its annual crime report.* By imposing new duties on local agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 13022.5 is added to the Penal Code, to  
2 read:  
3 13022.5. (a) Each sheriff and chief of police shall annually  
4 furnish to the Department of Justice, in the manner prescribed by  
5 the Attorney General, a report of all instances when a peace officer  
6 is involved in shootings that occur in his or her jurisdiction where  
7 an individual or a peace officer is injured or killed. *In instances*  
8 *where an individual is killed or injured, the agency shall report*  
9 *the number of cases that resulted in criminal prosecution.* In cases  
10 where both a sheriff and chief of police would be required to report  
11 an officer involved shooting under this section, only the chief of  
12 police shall report the instance.  
13 (b) *Each year, the Department of Justice shall include a*  
14 *summary of information contained in the reports received pursuant*  
15 *to subdivision (a) in its annual crime report issued by the*  
16 *department pursuant to Section 13010. This information shall be*  
17 *classified according to the reporting law enforcement jurisdiction.*  
18 *In cases involving a peace officer who is injured or killed, the*  
19 *report shall list the officer's employing jurisdiction and the*  
20 *jurisdiction where the injury or death occurred, if they are not the*  
21 *same.*  
22 SEC. 2. If the Commission on State Mandates determines that  
23 this act contains costs mandated by the state, reimbursement to  
24 local agencies and school districts for those costs shall be made  
25 pursuant to Part 7 (commencing with Section 17500) of Division  
26 4 of Title 2 of the Government Code.

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