

§ 12525.3. Definitions; Investigation of officer-involved shooting by Attorney General

(a) For purposes of this subdivision, the following definitions apply:

(1) "Deadly weapon" includes, but it not limited to, any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, pilum ballistic knife, metal knuckle knife, dagger, billy, blackjack, plastic knuckles, or metal knuckles.

(2) "Unarmed civilian" includes anyone who is not in possession of a deadly weapon.

(b)

(1) A state prosecutor shall investigate incidents of an officer-involved shooting resulting in the death of an unarmed civilian. The Attorney General is the state prosecutor unless otherwise specified or named.

(2) The state prosecutor is authorized to do all of the following:

(A) Investigate and gather facts in an incident involving a shooting by a peace officer that results in the death of an unarmed civilian.

(B) For all investigations conducted, prepare and submit a written report. The written report shall include, at a minimum, the following information:

(i) A statement of the facts.

(ii) A detailed analysis and conclusion for each investigatory issue.

(iii) Recommendations to modify the policies and practices of the law enforcement agency, as applicable.

(C) If criminal charges against the involved officer are found to be warranted, initiate and prosecute a criminal action against the officer.

(3) The state prosecutor shall post and maintain on a public internet website each written report prepared by the state prosecutor pursuant to this subdivision, appropriately redacting any information in the report that is required by law to be kept confidential.

(c)

(1) Commencing on July 1, 2023, the Attorney General shall operate a Police Practices Division within the Department of Justice to, upon request of a local law enforcement agency, review the use of deadly force policies of that law enforcement agency.

(2) The program described in paragraph (1) shall make specific and customized recommendations to any law enforcement agency that requests a review pursuant to paragraph (1), based on those policies identified as recommended best practices.

(d) This section does not limit the Attorney General's authority under the California Constitution or any applicable state law.

(e) Subject to an appropriation for this purpose by the Legislature, the department shall implement this section.