

Senate Bill No. 1800

CHAPTER 226

An act to add Chapter 9.8 (commencing with Section 3400) to Division 4 of Title 1 of the Government Code, relating to public safety.

[Approved by Governor August 15, 2002. Filed with Secretary of State August 16, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1800, Johannessen. Public Safety Officer Medal of Valor Act.

Existing law authorizes the Governor to make awards each year to employees or groups of employees who distinguish themselves by outstanding service to the state during the preceding year and to present a Medal of Valor to each member of the National Guard, State Military Reserve, and the Naval Militia who, while an officer or enlisted member of these services, distinguishes himself or herself by courageous conduct at the risk of life, above and beyond the call of duty, while in the service of the state or the United States.

This bill would enact the Public Safety Officer Medal of Valor Act and create the Medal of Valor Review Board with a specified membership. The board would serve without compensation or reimbursement for expenses. The bill would authorize the Governor to award a Medal of Valor to one, or more, in extraordinary cases, public safety officer each year cited by the Attorney General, from among candidates recommended by the board, for extraordinary valor above and beyond the call of duty. The bill would authorize the board to conduct meetings, select candidates, hold one annual hearing, take testimony, call witnesses, and secure information directly from state departments and local agencies necessary to carry out its duties.

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

SECTION 1. Chapter 9.8 (commencing with Section 3400) is added to Division 4 of Title 1 of the Government Code, to read:

CHAPTER 9.8. PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT

3400. This chapter shall be known and may be cited as the Public Safety Officer Medal of Valor Act.

3401. The following definitions govern this chapter:

(a) "Board" means the Medal of Valor Review Board.



(b) “Public safety officer” means a person serving a public agency, with or without compensation, as a firefighter, law enforcement officer, or emergency services officer, as determined by the Attorney General. “Law enforcement officer” includes a person who is a corrections or court officer or a civil defense officer.

3402. The Governor annually may award, and present in the name of the State of California, a Medal of Valor of appropriate design, with ribbons and appurtenances, to one public safety officer who is cited by the Attorney General, upon the recommendation of the Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. In exceptional circumstances, the Governor may award more than one Medal of Valor in a year. The Public Safety Medal of Valor shall be the highest state award for valor awarded to a public safety officer.

3403. (a) There is established a Medal of Valor Review Board, which shall be comprised of representatives of the organizations named in subdivision (b) and shall conduct its business in accordance with the provisions of this chapter. The members of the board shall serve without compensation or reimbursement for travel, per diem, or other expenses. The board shall minimize travel and expenses and utilize technology to the greatest extent possible by teleconferencing, digital transmission of data, electronic mail, and other communication methods.

(b) The board shall consist of a representative, or his or her designee, selected by each of the following organizations:

- (1) The California Peace Officers’ Association.
- (2) The California Correctional Peace Officers Association.
- (3) The California State Firefighters’ Association.
- (4) The Peace Officers Research Association of California.
- (5) The California Police Chiefs’ Association.
- (6) The California Association of Highway Patrolmen.
- (7) The California State Sheriffs’ Association.
- (8) The California Union of Safety Employees.

(9) A group, selected by the board, that represents emergency medical technicians and paramedics.

(c) The term of a board member shall be four years.

(d) Any vacancy in the membership of the board shall not affect the powers of the board and shall be filled in the same manner as the original appointment.

(e) The chair of the board shall be elected by a majority of the members of the board at the first official meeting of the board at a time and place designated by the Attorney General.

3404. (a) The board shall conduct its first meeting not later than 90 days after the appointment of the last member appointed of the initial group of members appointed to the board. Thereafter, the board shall



meet at the call of the chair of the board. The board shall meet not more than once each year.

(b) A majority of the members of the board shall constitute a quorum to conduct business, but the board may establish a lesser quorum for conducting hearings scheduled by the board. The board may establish by majority vote any other rules for the conduct of the board's business, if the rules are not inconsistent with this chapter or other provisions of law.

(c) The board shall recommend candidates for the Medal of Valor from among the applications received by the board. Not more often than once each year, the board may present to the Attorney General the name or names of those it recommends as candidates for the Medal of Valor. In a given year, the board shall not be required to recommend any candidates but may not recommend more than five candidates. The Attorney General in extraordinary cases may increase the number of candidates in a given year. The board shall set an annual timetable for fulfilling its duties under this chapter.

(d) The board may hold one annual hearing, sit and act at a designated time and place, administer oaths, take testimony, and receive evidence as the board considers advisable to carry out its duties.

(e) Witnesses requested to appear before the board may be paid the same fees as are paid to witnesses pursuant to the Code of Civil Procedure. The per diem and mileage allowances for witnesses shall be paid from funds donated to the board.

(f) The board may secure directly from any state department or other state or local agency information as the board considers necessary to carry out its duties. Upon the request of the board, the head of a department or agency may furnish information to the board.

(g) The board shall not disclose any information that may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

3405. (a) The board is authorized to receive donations which shall be used to pay any costs associated with holding its annual meeting and having witnesses. If no donated funds are available to the board, the board may not hold hearings and have witnesses.

(b) The costs of production of the medals shall be funded from existing resources within the Department of Justice.

