

**Introduced by Senator Galgiani**February 27, 2015

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An act to add Chapter 10.2 (commencing with Section 13893) of Title 6 of Part 4 of the Penal Code, relating to local law enforcement, and making an appropriation therefor.

## LEGISLATIVE COUNSEL'S DIGEST

SB 735, as introduced, Galgiani. Postretirement Law Enforcement Officer Cold Case Grant Program.

Existing law creates various programs designed to award funds to local government entities to provide assistance with law enforcement, including programs that aid in the apprehension of career criminals and the prosecution of high technology theft. Existing law limits the service and compensation of retired public employees, including local law enforcement officers, upon reemployment by public agencies.

This bill would establish the Postretirement Law Enforcement Officer Cold Case Grant Program for the purpose of funding the hiring of a retired law enforcement officers whose employment would be dedicated to work on unsolved cases, as specified. The program would require the Department of Justice to administer the program and to establish the guidelines it deems necessary for this purpose. The bill would require funds received by applicants to be used to fund officer positions. The bill would also prohibit these funds from supplanting local funds and require local administrative costs associated with a position funded by the grant program to be absorbed by the applicant. The bill would prohibit a single grant award from exceeding an unspecified amount. The bill would except a law enforcement officer whose position is funded by a grant from specified limitations on postretirement activities and compensation, as specified. The bill would appropriate an

unspecified amount from the General Fund for the purpose of supporting the grant program.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Chapter 10.2 (commencing with Section 13893)  
2 is added to Title 6 of Part 4 of the Penal Code, to read:

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4 CHAPTER 10.2. POSTRETIREMENT LAW ENFORCEMENT OFFICER  
5 COLD CASE GRANT PROGRAM  
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7 13893. The Legislature finds and declares that retired law  
8 enforcement officers are an invaluable resource for the  
9 investigation and solution of unsolved cases, but these officers are  
10 frequently unable to serve in this capacity because of lack of  
11 available funding for local law enforcement agencies for this  
12 purpose and because of state limits on postretirement service by  
13 public employees. In enacting this program, the Legislature  
14 recognizes the particular expertise that retired law enforcement  
15 officers bring to solving serious crimes that might otherwise go  
16 unresolved.

17 13894. (a) There is hereby established the Postretirement Law  
18 Enforcement Officer Cold Case Grant Program. A local law  
19 enforcement agency may apply to the Department of Justice for a  
20 grant to fund the hiring of a retired law enforcement officer or  
21 officers for the purposes listed in subdivision (b).

22 (b) A law enforcement officer position funded by this chapter  
23 shall be dedicated to work on unsolved cases, including, but not  
24 limited to, the following:

- 25 (1) Collection and recovery of evidence, including DNA
- 26 samples.
- 27 (2) Interviewing witnesses and people of interest.
- 28 (3) Researching unsolved cases to determine potential
- 29 connections and leads.
- 30 (4) Providing knowledge and expertise in evaluating criminal
- 31 behavior relevant to particular cases.
- 32 (5) Data entry and analysis.

1 13895. (a) The Department of Justice shall administer the  
2 grant program established by this chapter and shall establish the  
3 guidelines it deems necessary for the administration of the program.  
4 The guidelines shall set forth the terms and conditions upon which  
5 the department is prepared to offer grant of funds. All applications  
6 shall be reviewed and evaluated by the Department of Justice and  
7 grants shall be awarded on the basis of need, consistency with the  
8 requirements of this chapter, and department rules and guidelines.

9 (b) All grant funds received by applicants shall be used to fund  
10 officer positions and shall not supplant local funds. Administrative  
11 costs associated with a position funded by the grant program shall  
12 be absorbed by the applicant.

13 (c) A grant award to a particular local law enforcement agency  
14 shall not exceed \_\_\_\_ dollars (\$\_\_\_\_).

15 (d) The service, compensation, or any other limits described by  
16 Section 7522.56 of the Government Code that are imposed on a  
17 person receiving a pension benefit shall not apply to a law  
18 enforcement officer whose position is funded by a grant awarded  
19 pursuant to this chapter.

20 SEC. 2. There is hereby appropriated from the General Fund  
21 to the Department of Justice the amount of \_\_\_\_ dollars (\$\_\_\_\_)  
22 for the purpose of implementing the Postretirement Law  
23 Enforcement Officer Cold Case Grant Program.