



C A L I F O R N I A

DEPARTMENT of JUSTICE

D I V I S I O N O F C R I M I N A L L A W

VICTIMS' SERVICES UNIT PROTOCOLS

ASSEMBLY BILL 1506
GOVT. CODE § 12525.3(A)

JULY 2021



AB 1506 VICTIMS' SERVICES UNIT PROTOCOLS

VICTIMS' SERVICES UNIT

The mission of the Department of Justice Victims' Services Unit (VSU) is governed by Marsy's Law. (Cal. Const., art. I, § 28, subd. (b).) In cases governed by Government Code section 12525.3 (AB 1506), trained VSU Advocates will act as a Family Liaison and provide support, information, resources, and assistance to a decedent's family at every stage of the investigative and prosecutorial process. VSU Family Liaisons will provide for a process where decedent's families are informed of their rights and how to seek assistance from other state agencies.

A. POLICY

For each officer-involved shooting that results in the death of an unarmed civilian ("incident") that the Department of Justice determines falls within Government Code section 12525.3 and conducts an investigation, VSU will contact the decedent's family and provide public informational services, as soon as possible after the incident.

B. ASSIGNED SPECIAL AGENT AND/OR DEPUTY ATTORNEY GENERAL'S RESPONSIBILITY

The Coroner's officer or some other law enforcement agency will notify the decedent's family of the incident. Within 24 hours of that notification, DLE will notify VSU and a Supervising Deputy Attorney General (in the Criminal Law Division) of the following details:

1. *Decedent's Name*
2. *Decedent's Address (if known)*
3. *Decedent's Family Members (names/contact information if known)*

NOTE: The notifications are to occur regardless of the state of the investigation or charging decision.

C. ASSIGNED VSU FAMILY LIAISON RESPONSIBILITY

Within 48 hours of receiving the decedent's family contact information, VSU will contact the decedent's family and provide the following services directly:

1. Point of contact for decedent's family

During the investigation, a VSU Family Liaison will provide the decedent's family an orientation of the criminal justice process, what to expect, investigation status updates, regular check-ins, and emotional support.

2. Provide Resources and Information

The VSU Family Liaison will provide decedent's family with appropriate resources, crisis intervention, information on emergency assistance and applicable reimbursements, if any,, counseling referrals, , translator services, returning of personal property when applicable, and any other services as needed.

3. Facilitator

The VSU Family Liaison will act as a facilitator between decedent's family and the Department of Justice and arrange necessary meetings with DOJ Special Agents, Deputy Attorneys General, and any other DOJ officials.

4. Attend Meetings

The VSU Family Liaison will attend meetings between the decedent's family and other DOJ personnel. These meetings may occur as early as the initial notification of the incident and will always include meetings when family is being notified of investigation outcome. Having the VSU Family Liaison in attendance ensures the decedent's family will be given appropriate resources, emotional support, and crisis intervention.

a. Prosecution Authorized

If a prosecution has been authorized, a decedent's family will convert to victims within the meaning of Marsy's Law. At that point, VSU will provide mandated victim advocacy in a multitude of areas within the judicial system as required by Marsy's Law. This includes information, resources, court notification, court escort, restitution assistance, victim compensation, returning of property when applicable, etc.

b. No Prosecution Authorized

If no prosecution is authorized for any reason (e.g., incident was justified, no crime can be shown by relevant standards), VSU will remain a Family Liaison to the decedent's family and facilitate contact with the Department of Justice. However, additional victim advocacy services will not apply.