

## ***Threats Against Peace Officers***

Adopted March 26, 1998

Penal Code Section 832.9  
Chapter 1249, Statutes of 1992  
Chapter 666, Statutes of 1995

### **Mandate Summary**

#### **Eligible Claimants**

Any city, county, city and county, special district, or school district

#### **Basis for Mandate**

The subject provision requires governmental entities employing peace officers to pay certain actual and necessary moving expenses incurred by peace officers or members of their immediate family if there are credible threats against the safety of either the peace officer or immediate family members as a result of the peace officer's employment.

#### **Reimbursable Mandated Activities**

The Commission on State Mandates determined that, for each eligible claimant, the following state mandated activities are reimbursable:

1. From July 1, 1995 through December 31, 1995
  - a. Review and approval of claims for actual and necessary moving and relocation expenses incurred when it is necessary to move because the officer has received a threat that a life threatening action may be taken against the officer or his or her immediate family as a result of the peace officer's employment. Costs incurred both before and after the change of residence, including costs of moving household effects either by a commercial household goods carrier or by the employee, are reimbursable.
  - b. Payment of the approved reimbursement to the peace officer or member of his or her immediate family residing with the officer for actual and necessary moving and relocation expenses.
2. From January 1, 1996 through Present
  - a. Receipt of notification of a "credible threat." (Pen. Code, § 832.9, subs. (b)(5) & (c).)
  - b. Approval of relocation plans and if necessary, verification of residency of immediate family member. (Pen. Code, § 832.9, subs. (a), (b)(3), & (d).)
  - c. Review and approval of claims for actual and necessary moving and relocation expenses incurred when it is necessary to move because the officer has received a threat that a life threatening action may be taken against the officer or his or her immediate family as a result of the peace officer's employment. Costs incurred both before and after the change of residence, including costs of moving household effects either by a commercial household goods carrier or by the employee, are reimbursable. Approval of "actual and necessary relocation costs" is subject to the limitations set forth in Penal Code section 832.9, as amended by Chapter 666, Statutes of 1995.

- d. Payment of the approved reimbursement to the peace officer or member of his or her immediate family for actual and necessary moving and relocation expenses.

**Statewide Cost Estimate**

The following is a breakdown of the statewide costs by fiscal year:

<b>Fiscal Year</b>	<b>Estimated Total Cost</b>
1995/96	\$1,000
1996/97	\$2,559
1997/98	\$7,137
<u>1998/99 (est.)</u>	<u>\$4,848</u>
Total	\$15,544
<b>Total(r)</b>	<b>\$16,000</b>