

1 [Supporting California State Senate Bill No. 299 (Leyva) - Victim Compensation: Use of Force
2 by a Peace Officer]

3 **Resolution supporting California State Senate Bill No. 299, authored by Senator Connie**
4 **Leyva (SD-20) and introduced on February 3, 2021, to remove barriers faced by victims**
5 **and families of peace officer violence with the California Victim Compensation Board**
6 **Fund.**

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8 WHEREAS, 2020 was a tumultuous year for the United States of America regarding
9 race relations and criminal justice reform; and

10 WHEREAS, Thousands of San Franciscans marched in support of greater
11 accountability for peace officers; and

12 WHEREAS, Victim compensation is an important pathway for survivors to access
13 support, as it can cover specific expenses such as medical bills, funeral burial expenses,
14 counseling and overall economic devastation; and

15 WHEREAS, Compensation of these services and support can only be received when a
16 survivor has no other avenue for covering these costs; and

17 WHEREAS, Existing law requires the California Victim Compensation Board (CALVCB)
18 to verify that a crime occurred based on the police report and denies applications if it finds that
19 the victim was involved in the events that gave rise to the application, which gives significant
20 deference and height to peace officers prior to a thorough investigation; and

21 WHEREAS, Countless survivors and/ or derivative victims are denied access to the
22 California Victim Compensation Board because of this requirement; and

23 WHEREAS, Senate Bill 299 (SB 299) would ensure that the definition of “crime” and
24 “victim” for the purpose of compensation presumptively include victims who are seriously
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1 injured or compensation to the family if the victim is killed by a peace officer due to use of
2 force, regardless of whether an officer is arrested or charged; and

3 WHEREAS, SB 299 would bar exclusions based on a victim's alleged actions leading
4 to the injury, or on whether the victim or their family cooperates with police following the
5 crimes and therefore ensuring no survivor is denied coverage for mental healthcare based on
6 these restrictions; and

7 WHEREAS, SB 299 would prohibit denial of California Victim Compensation based
8 solely on the contents of a police report in cases of peace officer violence; and

9 WHEREAS, SB 299 would also clarify the California Victim Compensation Board's
10 decisions regarding compensation eligibility are not admissible in any other civil or criminal
11 proceeding, or, for cases of police use of force, in related employment proceedings; and

12 WHEREAS, During the height of Black Lives Matter movement, San Francisco State
13 Senator Wiener and Assembly Member Chiu were in the forefront on an unsuccessful push of
14 a similar bill, AB 767 during the 2019-2020 legislative session; and

15 WHEREAS, The San Francisco District Attorney's office now allows victims of peace
16 officer violence medical and mental health coverage and funeral burial expenses at the local
17 level; now, therefore, be it

18 RESOLVED, That the City and County of San Francisco supports Senate Bill No. 299
19 which would ensure that the definition of "crime" and "victim" for the purpose of compensation
20 presumptively include victims who are seriously injured or killed by peace officer use of force,
21 regardless of whether an officer is arrested or charged; and, be it

22 FURTHER RESOLVED, That the San Francisco Board of Supervisors supports Senate
23 Bill No. 299 and the removal of barriers faced by victims of police violence and other violent
24 crimes with California Victim Compensation Board; and, be it

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1 FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and
2 County of San Francisco distribute this Resolution to San Francisco’s State Legislative
3 Delegation and to California Governor Gavin Newsom.

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