
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 15 (Gipson) - Open unsolved homicide: review and reinvestigation

Version: July 16, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: PUB. S. 5 - 0

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: AB 15 requires law enforcement agencies to review and reinvestigate open unsolved homicides at the request of the victim's family member, as specified.

Fiscal Impact: Unknown, potentially significant reimbursable costs (local funds, General Fund) to state and local law enforcement agencies, possibly in the millions to tens of millions of dollars annually, to conduct the required case file reviews, reinvestigations, communications with requesting parties, and other duties required by this bill. Actual workload will depend on the number of open cases that meet the criteria for review, the number of requests for reinvestigation, and the amount of time needed to handle each request. For illustration, if 50 law enforcement agencies statewide must each hire an additional peace officer due to increased workload, at an average annual salary of \$100,000, total annual costs would be about \$5 million. Agencies may incur additional costs in processing and testing evidence during reinvestigations. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates.

Background: Generally, under existing state law, the law enforcement agency has discretion over when and how to investigate an open criminal case, and members of the public are not entitled to access investigative files and information while an investigation is ongoing. According to the Department of Justice's most recent data, California's homicide clearance rate in 2023 was 61.6%, meaning that 38.4% of homicide cases remained open and unsolved that year.

Proposed Law:

- Defines all of the following:
 - "Agency" as a law enforcement entity in California;
 - "Applicable agency" as a law enforcement agency that is investigating or has investigated the homicide of the victim;
 - "Designated person" as an immediate family member, or their designated legal representative, who is a member in good standing with the State Bar of California;
 - "Immediate family member" as a parent, parent-in-law, legal guardian, grandparent, grandparent-in-law, sibling, spouse, domestic partner, child, or stepchild of a homicide victim or any person who exercised in loco parentis control over a victim under 18 years of age;

- “Open unsolved homicide” as a homicide, as specified, that meets all of the following requirements:
 - The homicide was committed more than three years prior to the date of the application for a case review by a designated person;
 - The homicide was previously investigated by the applicable agency;
 - All probative investigative leads have been exhausted;
 - No suspect has been identified; and,
 - The homicide was committed after January 1, 1990;
- “Victim” as the person against whom an open unsolved homicide was committed.
- Requires an applicable agency to review the case file regarding an open unsolved homicide upon written application by a designated person to determine if a reinvestigation would result in probative investigative leads.
- Provides that the case file review may include, but is not limited to, all of the following:
 - An analysis of the investigative steps or follow up steps that may have been missed in the initial investigation;
 - An assessment of whether witnesses should be interviewed or reinterviewed;
 - An examination of physical evidence to see if all appropriate forensic testing and analysis was performed in the first instance or if additional testing might produce information relevant to the investigation; and,
 - An update of the case file to bring it up to current investigative standards to the extent that doing so may help develop probative leads.
- Requires the applicable agency to confirm receipt of a request made under subdivision in writing and provide notice of the applicant’s rights.
- Provides that only one case file review shall be undertaken at any one time with respect to the same open unsolved homicide case. If there is more than one investigative agency, each investigative agency shall coordinate its case file review such that there is only one case file review occurring at any given time.
- Requires, no later than 120 days after the receipt of the written application, the applicable agency shall conclude its case file review and reach a conclusion whether a reinvestigation is warranted. The agency may extend the time limit for a period not to exceed 60 days if the agency makes a finding that the number of case files to be reviewed makes it impracticable to comply with said limit without unreasonably taking resources from other law enforcement activities. For cases for which the time

limit is extended, the agency shall provide notice and an explanation of its reasoning to the designated person who filed the written application.

- Requires each agency to develop a written application for designated persons to request a case file review.
- Requires each agency to assign an individual or department responsible for receiving and processing applications for case file reviews and ensuring that the agency meets all deadlines and obligations within this chapter generated by the application receipt.
- Requires the agency to conduct a reinvestigation of the open unsolved homicide at issue if the review of the case determines that a reinvestigation of the open unsolved homicide would result in probative investigative leads.
- Provides that a reinvestigation may include analyzing all evidence regarding the open unsolved homicide at issue for the purpose of developing probative investigative leads as to the suspect or suspects. If there is more than one investigative agency, each investigative agency shall coordinate its reinvestigation such that there is only one reinvestigation occurring at any given time.
- Requires the applicable agency to provide the designated person who filed the written application with periodic updates during the case file review and reinvestigation and a written statement of the agency's decision on whether or not to engage in a reinvestigation at the conclusion of the case review. The agency may meet with the designated person to explain the agency's decision.
- Provides that, if a case file review is completed and a conclusion is reached not to conduct a reinvestigation, no additional case file review shall be undertaken for a period of five years, unless there is newly discovered, materially significant evidence. An agency may continue an investigation absent a designated person's application for a new case file review.
- Provides that, if a reinvestigation is done and a suspect is not identified at its conclusion, no additional case file review or reinvestigation needs to be conducted for a period of five years, unless there is newly discovered, materially significant new evidence.

Related Legislation: AB 2913 (Gipson), of the 2023-24 Legislative Session, was substantially similar to this bill. AB 2913 was held on the Assembly Appropriations Committee's suspense file.

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