

GOVERNOR'S VETO
AB 15 (Gipson)
As Enrolled September 11, 2025
2/3 vote

SUMMARY

Requires a law enforcement agency ("LEA"), as specified, to perform a review of any open homicide investigation case file, upon written application by a designated person, as defined, to determine if reinvestigation would result in probative investigative leads.

Senate Amendments:

- 1) Changed the term "murder" to "homicide," and defines homicide as first and second degree homicide and voluntary, involuntary, and vehicular manslaughter.
- 2) Makes other technical, non-substantive changes.

Governor's Veto Message

This bill requires law enforcement agencies to review case files regarding open unsolved homicides, upon application of a victim's immediate family member, to determine if reinvestigation would result in probative investigative leads.

I strongly support the author's goal of resolving these cases and ensuring justice and peace for survivors. However, unsolved cases are more often the result of a lack of evidence than a lack of diligence. To meet the timelines mandated under this bill, most law enforcement agencies would have to hire new personnel for case file review. Those that could not afford to do so would have to divert law enforcement personnel away from investigating active cases, including active homicides, to instead review case files. Diverting resources from active cases could lead to more unsolved crimes, not fewer, inadvertently undermining the intent of this bill.

COMMENTS

According to the Author

According to the author, "AB 15, the California Homicide Victims' Families' Right Act, would create a procedure for family members of homicide victims to request that law enforcement conduct a review of an open unsolved homicide case file to determine whether a full reinvestigation would result in new, probative investigative leads. This legislation is essential for the countless families that have lost a loved one to unlawful violence.

"Engaging with families of homicide victims in the review of an open unsolved homicide case is not only a step towards helping families heal. It can be a useful tool in addressing the impacts of gun violence on homicide case clearance rates and improving demographic disparities in case clearance rates.

"Homicides involving firearms are 22.1% less likely to be solved than homicides with other weapons.¹ A 10% increase in the proportion of firearm homicides decreases the clearance rate by 2.3%.² When the victim of gun violence is Black, the case is less likely to be cleared. Statistics vary slightly on the exact amount:

Fagan and Geller: Homicides with Black victims are 23.2% less likely to be cleared³

DeCarlo: Homicides with Black victims are 14.5% less likely to be cleared⁴

Korosec: Homicides with Black victims are 21.1% less likely to be cleared.⁵

"According to Cal DOJ's OpenJustice database, California's homicide case clearance rates have been at or below 65.7% for the last decade. Local department clearance rates are available on the FBI Crime Data Explorer page and reflect disparities across locations around the state. Many of California's cities that are being hit the hardest by increases in gun violence also have homicide clearance rates well below the state average. Grieving families often want more information about the status of their loved one's case, but there is no uniform process around the state for families to request further review of an unsolved case.

"AB 15 also brings a critical component of communication between law enforcement and homicide victims' family members by requiring that the agency consult with the family member who requests a case file review, provide periodic updates to them, and meet with them to discuss the evidence and decision regarding whether to conduct a full reinvestigation. While communication touchpoints and transparency may be routine in some jurisdictions, there is no assurance they will occur in areas where there is mistrust between law enforcement and the community. This bill seeks to improve inequities in case clearance rates and the experiences of grieving families."

Arguments in Support

According to *Youth ALIVE*, "Too many families in California have lost their loved ones to homicide. Far too many wait year after year never getting answers, even though having closure is incredibly important for healing and breaking cycles of violence. Family members of homicide

¹ Lauren Korosec, "The Changing Nature of Homicide and Its Impact on Homicide Clearance Rates: A Quantitative Analysis of Two Trends From 1984-2009," Electronic Thesis and Dissertation Repository, April 4, 2012, <https://ir.lib.uwo.ca/etd/422>.

² Graham C. Ousey and Matthew R. Lee, "To Know the Unknown: The Decline in Homicide Clearance Rates, 1980—2000," *Criminal Justice Review* 35, no. 2 (June 1, 2010): 141–58, <https://doi.org/10.1177/0734016809348360>.

³ Jeffrey Fagan and Amanda Geller, "Police, Race, and the Production of Capital Homicides," *Berkeley Journal of Criminal Law* 23, no. 3 (2018): 261–313.

⁴ Alonzo DeCarlo, "A Reason for Reasonable Doubt in Social Justice: The Weight of Poverty, Race and Gender in Lopsided Homicide Case Clearances Outcomes," *Contemporary Social Science* 11, no. 4 (October 1, 2016): 362–72, <https://doi.org/10.1080/21582041.2014.997275>.

⁵ Lauren Korosec, "The Changing Nature of Homicide and Its Impact on Homicide Clearance Rates: A Quantitative Analysis of Two Trends From 1984-2009," Electronic Thesis and Dissertation Repository, April 4, 2012, <https://ir.lib.uwo.ca/etd/422>. See also: <https://www.theguardian.com/us-news/2024/feb/21/black-homicide-clearance-rate-lower-than-white>

victims should have the right to request that law enforcement conduct an unsolved homicide case file review to determine whether a full reinvestigation could result in new leads.

"Under AB 15, a law enforcement agency would be required to review an unsolved homicide case file when they receive a request from an immediate family member of a homicide victim. The case file review will be conducted by a different person than the original investigator to bring a "fresh set of eyes" to the case. If the case reviewer decides that reinvestigation of the case would result in probative new leads, the law enforcement agency must conduct that reinvestigation. Importantly, the bill also requires updates to the families. Facing barriers to getting basic information about the status of a loved one's case compounds grief and sorrow.

"With the procedures in AB 15, law enforcement can instead be part of victims' families' path towards healing and these procedures will improve trust between law enforcement and the communities they serve. The bill is largely based on the bipartisan federal Homicide Victims' Families' Rights Act, which President Biden signed into law in 2022. As the federal law only applies to homicides investigated by federal agencies, we need a state law to extend these rights to grieving families in California."

Arguments in Opposition

According to the *California State Sheriffs' Association*, "We certainly appreciate the desire to solve cold cases, especially unsolved homicides. That said, this bill creates a rigid process in statute with little room for flexibility to address the particular realities of any specific case or investigating agency. Specifically, the bill triggers what would effectively be an automatic review if an immediate family member or a "similarly situated person" files an application. Notwithstanding the lack of clarity around the term "similarly situated person," the bill effectively moves this case review to the front of the line, without regard to available staff and fiscal resources and other law enforcement priorities, and requires that it be completed within 90 days, with the possibility of only a single 45-day extension. Further, designated persons could ask for this type of case review every five years, thereby compounding the challenges this bill creates.

"It is also worth noting a particular feature of the case review; specifically, the bill provides that the person or persons performing the case file review required by this bill shall not have previously investigated the homicide. This will be exceedingly problematic for small agencies who may not have multiple staff members who could complete such a review and for larger agencies who may have more staff resources, but when all relevant staff members participated in the original investigation."

FISCAL COMMENTS

According to the Senate Appropriations Committee, "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."

VOTES

ASM PUBLIC SAFETY: 9-0-0

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ASM APPROPRIATIONS: 11-1-3

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache

NO: Dixon

ABS, ABST OR NV: Sanchez, Ta, Tangipa

ASSEMBLY FLOOR: 70-2-7

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Connolly, Davies, DeMaio, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: Dixon, Irwin

ABS, ABST OR NV: Calderon, Castillo, Chen, Hadwick, Macedo, Michelle Rodriguez, Tangipa

SENATE FLOOR: 30-0-10

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Stern, Strickland

ASSEMBLY FLOOR: 72-0-8

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, DeMaio, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Castillo, Chen, Dixon, Hadwick, Irwin, Johnson, Macedo, Tangipa

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CONSULTANT: Kimberly Horiuchi / PUB. S. / (916) 319-3744

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