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California

## Senate Committee Passes Leyva Bill Allowing Victims of Police Violence to Access Compensation

written by ECT | Apr 14, 2021



### *SB 299 Would Help Survivors Better Recover From Physical and Emotional Injuries Caused by Police*

SACRAMENTO – The Senate Public Safety Committee today approved the **“Equal Access for Victims of Police Violence Act”** authored by Senator Connie M. Leyva (D-Chino), which will remove unjust barriers faced by victims of police violence and other violent crimes in accessing California’s Victim Compensation program.



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“It is unacceptable that in order to receive assistance through the Victim Compensation program, police reports and the opinion of police would carry such heavy weight in the application for compensation when the injuries were sustained as a result of police actions,” Senator Leyva said. “SB 299 will improve access to vital resources for victims of police violence as they recover from the physical and emotional injuries caused due to the actions of police or—in the cases of individuals killed by police—be able to bury their loved ones with dignity and respect. Just as the state’s Victims Compensation program can use evidence beyond police reports for victims of sexual assault, domestic violence and human trafficking, so too do victims of police violence deserve similar recognition of their circumstances so that they can get fair access to the help they need.”

Jointly sponsored by California State Controller Betty Yee, Californians for Safety and Justice, Crime Survivors for Safety and Justice, Prosecutors Alliance of California, San Francisco District Attorney Chesa Boudin and You ALIVE!, SB 299 eliminates existing eligibility restrictions that can prevent victims of police violence and their families from accessing necessary and important support services. Currently, the California Victim Compensation Board (CalVCB) can deny applications if it determines that the victim’s involvement in the event gave rise to the application, giving significant weight to the opinion of law enforcement. Survivors may be denied for noncooperation with police and—for most victims—CalVCB cannot approve an application for assistance without a police report. People do not report crimes for various reasons, including fear of retaliation or negative past interactions with law enforcement and, if the police officer committed the crime, it may be impossible to get a police report. CalVCB may use other evidence to establish that a crime occurred for victims of sexual assault, domestic violence, and human trafficking, but other victims—such as those whose injuries resulted from police violence—are currently not afforded the same flexibility.

Under the “Equal Access for Victims of Police Violence Act”, assistance would be available only when a survivor has no other avenue—such as insurance or Medi-Cal—for covering these costs. There are also limits on how much can be paid for each crime related expense, and expenses must result directly from the crime.

The American Civil Liberties Union of California, Asian Americans Advancing Justice – California, Black Lives Matter – California, Black Lives Matter – Los Angeles, Broken by Violence, California Alliance for Youth and Community Justice, California Partnership to End Domestic Violence, California Public Defenders Association, Californians United for a Responsible Budget, Drug Policy Alliance, Ella Baker Center for Human Rights, Farouk Hamer Institute, Fresno Barrios Unidos, Futures Without Violence, Giffords Law Center to Prevent Gun Violence, Health Alliance for Violence Intervention, Initiate Justice, Integral Community Solutions Institute, Jewish Shalom Foundation, Life After Uncivil Ruthless Acts (LAURA), Legacy Alliance Outreach, Mid-City Community Advocacy Network, Mollie’s House, Peace Over Violence, Public Health Advocates, Rafiki Coalition for

Alliance, We the People – San Diego and Young Women’s Freedom Center have additionally joined in support of the rightful treatment of victims of police violence in accessing assistance from the CalVCB.

*Release issued by Senator Connie Leyva.*



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