

## Comparison of DOJ & BSCC Use of Force Incident Reporting Requirements

No.	Reporting Requirement	Department of Justice (DOJ)	Board of State and Community Corrections (BSCC)
1	Statutory Authority <sup>1</sup>	Government Code, section 12525.2 (Assem. Bill No. 71 (2015-2016 Reg. Sess.) § 1.)	Budget Act of 2015, section 2, item 5227-102-0001, provision 2 (Sen. Bill No. 97 (2015-2016 Reg. Sess.) § 67.)
2	Application	Any law enforcement agency that employs a peace officer. (Gov. Code, § 12525.2, subd. (a).) <sup>2</sup>	Any front-line law enforcement agency that receives grant funding from BSCC pursuant to this budget item. ( <i>BSCC Requirements</i> at Q11.)
3	Reporting Frequency	Annually. (§ 12525.2, subd. (a).) <sup>3</sup>	Quarterly. ( <i>BSCC Requirements</i> at Q10.)
4	Reporting Period Start Date	January 1, 2017. (§ 12525.2, subd. (a).)	October 1, 2015. ( <i>BSCC Requirements</i> at Q10.)
5	Duration of the Regulation	Ongoing. (§ 12525.2, subd. (a).)	July 1, 2015 - June 30, 2016. ( <i>BSCC Requirements</i> at Q10.)
6	Reportable Event	Shooting <sup>4</sup> or use of force incidents by law enforcement officers or by civilians. (§ 12525.2, subs. (a)(1)-(4).)	Use of force by law enforcement only. ( <i>BSCC Requirements</i> at Q3, Q8.)
7	Reportable Result	Any shooting, or use of force resulting in serious bodily injury <sup>5</sup> or death. (§ 12525.2, subs. (a)(1)-(4).)	Incidents resulting in hospitalization <sup>6</sup> or death of civilians. ( <i>BSCC Requirements</i> at Q3.)
8	Information Required to Report	1) Gender, race, and age of the victim 2) Date, time, and location of the incident 3) Whether the civilian was armed 4) Type of force used, including weapons 5) Number of officers/civilians involved 6) Brief description of the incident (§ 12525.2, subs. (b)(1)-(7).)	Number of incidents only. ( <i>BSCC Requirements</i> at Q3.)
9	To Whom the Data is Published	DOJ will publish the information on its public website. <sup>7,8</sup> DOJ will also provide an annual summary of the information to the Governor. (§ 12525.2, subd. (c).)	BSCC will publish the information on its public website. BSCC will also provide it to the Legislature. ( <i>BSCC Requirements</i> at Q10.)
10	Contact for further information	Ursus@doj.ca.gov	Megan.Barber-Brancamp@bscc.ca.gov

<sup>1</sup> Both DOJ and BSCC published explanatory material on these statutory requirements. All of the information regarding the BSCC requirements was obtained from this source, which shall be referred to as the “*BSCC Requirements*.” See *DOJ Information Bulletin No. DLE-2015-05: Use of Force Incident Reporting* (Dec. 28, 2015) <[https://oag.ca.gov/system/files/attachments/press\\_releases/DOJ%20-%20DLE-2015-05%20-%20USE%20OF%20FORCE%20INCIDENT%20REPORTING%20-%20IB%20AND%20INSTRUCTIONS.pdf](https://oag.ca.gov/system/files/attachments/press_releases/DOJ%20-%20DLE-2015-05%20-%20USE%20OF%20FORCE%20INCIDENT%20REPORTING%20-%20IB%20AND%20INSTRUCTIONS.pdf)> (as of Jan. 20, 2016). See also *BSCC CITY LAW ENFORCEMENT FUNDING: Reporting Requirements on Use-of-Force Incidents* <[http://www.bscc.ca.gov/s\\_bseccitylawenforcementfundingfaqs](http://www.bscc.ca.gov/s_bseccitylawenforcementfundingfaqs)> (as of Jan. 20, 2016).

<sup>2</sup> All references in this DOJ column are to the Government Code.

<sup>3</sup> Incidents must be reported in the “close-out” period for the calendar year in which the incident occurred.

<sup>4</sup> Any discharge of a weapon is reportable; injury is not required.

<sup>5</sup> “Serious bodily injury” is defined here as “a bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.” (Gov. Code, § 12525.2, subd. (c).)

<sup>6</sup> “Hospitalization” is defined here as “patient admission to any hospital bed for treatment,” excluding “evaluation and treatment by a Hospital Emergency Department.” (*BSCC Requirements* at Q5.)

<sup>7</sup> (*Attorney General Kamala D. Harris Announces New Law Enforcement Reporting Requirements for Officer Involved Shootings and Use of Force* (Dec. 28, 2015) <<https://oag.ca.gov/news/press-releases/attorney-general-kamala-d-harris-announces-new-law-enforcement-reporting>> (as of Jan. 20, 2016).)

<sup>8</sup> Identifying information of involved peace officers will not be published. (§ 12525.2, subd. (c).)