

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 100.3

REVISED OCTOBER 2025

### REPORTING AND INVESTIGATING THREATS AGAINST STATE PUBLIC OFFICIALS

1. GENERAL. Protective Services Division (PSD), Dignitary Protection Section, Threat Assessment Unit, is responsible for the investigation and management of threats directed toward California state-elected officers, state officials, and others. A significant aspect of the PSD mission is the responsibility to engage in ongoing threat assessments by gathering information and conducting investigations related to potential threats against the Governor and other state public officials. This task is assigned to the PSD, Dignitary Protection Section, Threat Assessment Unit, located in Sacramento and Los Angeles. Continuous collection, analysis, and investigation of threat information are critical to the success of the PSD mission.
  
2. PURPOSE. The purpose of this General Order is to emphasize the employee's responsibility and legal requirement to report any information related to an actual or perceived threat against a state public official as described in §76 of the California Penal Code (PC).
  
3. POLICY.
  - a. Dignitary Protection Section, Threat Assessment Unit, is responsible for the collection and analysis of threat information data, and the investigation and management of threats directed toward state public officials as described in §76 PC.
  
  - b. Threat Assessment Unit (TAU) has the primary responsibility to investigate and manage threats and related matters concerning state public officials. Any action taken in response to a report of a threat directed toward a state public official beyond initial reporting or response to an emergency situation shall be coordinated through TAU.
  
  - c. Any California Highway Patrol (CHP) employee, upon becoming personally aware of an actual or perceived threat directed toward a state public official; becoming aware of circumstances that may have an adverse effect upon the safety of such state public official; or, receiving information from another law enforcement

agency pursuant to §76 PC regarding a possible threat directed against such state official, shall ensure that the incident is immediately reported to TAU.

#### 4. GENERAL INFORMATION AND DEFINITIONS.

a. Penal Code §76 makes it a felony to knowingly and willingly threaten the life of, or threaten serious bodily harm to, any elected public official, county public defender, county clerk, exempt appointee of the Governor, judge, or the staff or immediate family of any of the above, with the specific intent that the statement is to be taken as a threat, and there is apparent ability to carry out that threat by any means.

b. When a law enforcement agency has knowledge of a violation of this section, specifically involving the Governor, a constitutional officer of the state, a member of the legislature, or a member of the judiciary, the law enforcement agency is required to report the information to CHP.

c. The following definitions of terms apply to §76 PC:

(1) **“Apparent ability to carry out that threat”** includes the ability to fulfill the threat at some future date if the suspect is incarcerated and has a stated release date.

(2) **“Serious bodily harm”** includes serious physical injury or serious traumatic condition.

(3) **“Immediate family”** means a spouse, parent, child, or anyone who has regularly resided in the household for the past six months.

(4) **“Threat”** means a verbal or written threat or threat implied by a pattern of conduct or a combination of verbal or written statements and conduct made with the intent and the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his/her safety or the safety of his/her immediate family.

(5) **“Threats against staff”** must relate directly to the official duties of the staff of the official in order to constitute a public offense.

d. Circumstances requiring reporting may not always be in the form of an actual verbal or written threat. Situations compromising the safety of state public officials may come in the form of demonstrations, inappropriate contacts, unusual letters or phone calls, or evidence of any suspicious acts directed toward the public official or a member of his/her staff concerning an actual or perceived threat.

## 5. PROCEDURES.

a. Whenever a member of this Department receives information from a reporting party regarding a threat against a state public official or becomes aware of circumstances that may have an adverse effect upon the safety of such state public official, the following minimum information should be obtained:

- (1) Name, address, and telephone number of reporting party.
- (2) Brief nature and description of the threat or circumstances threatening the official's safety.
- (3) Name of the official against whom the threat was made or whose safety is jeopardized.

b. Initial information received from a reporting party by telephone should be provided to the appropriate CHP Communications Center and an officer dispatched as soon as possible to contact the reporting party and begin a preliminary investigation, and/or evaluate the situation. When the reporting party is providing the information in person at an Area office, an officer at the Area may conduct the preliminary investigation. If sufficient information is available, the Area officer shall forward the information as described below.

c. The office conducting the preliminary investigation, or the initial evaluation of the circumstances, shall contact TAU with preliminary information as soon as possible so a detailed threat assessment can be initiated:

- (1) During normal business hours, contact TAU via telephone or e-mail at [TAU@chp.ca.gov](mailto:TAU@chp.ca.gov).
- (2) After normal business hours, contact the Capitol Communications Center at (916) 445-2895.

d. The preliminary investigation shall be documented on a CHP 216, Arrest Investigation Report, and include the following information:

- (1) Summary of Facts. A brief chronological account of when, where, how and by whom the threat was received. Include statements of all reporting parties/witnesses. Identify the public official against whom the threat was directed.
- (2) Evidence. Describe and preserve any physical or factual evidence, such as written notes, tape recordings, photographs, etc. Ensure appropriate seizure and preservation of evidence, with special attention to items that may provide fingerprint identification (e.g., letters, notes, envelopes). If answering

machine tapes or voice mail recordings are available, take steps to obtain the tapes or record the voice mail message(s).

(3) Analysis and Opinion. Summarize the elements of the offense or describe the nature of circumstances based on facts that may pose a threat to the state public official.

(4) Recommendation. Indicate who and when TAU was contacted. Make notation that the report is being forwarded for necessary follow-up investigation and will be handled to conclusion by TAU.

OFFICE OF THE COMMISSIONER

OPI: 023

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