

INITIAL STATEMENT OF REASONS
Commission Regulation 1005 (a)
Airport Peace Officer Basic Training Requirements

Effective in July 1973, the California legislature enacted Penal Code § 832.1, which mandated POST-approved airport security training for airport peace officers. The Commission on Peace Officer Standards and Training (POST) subsequently approved the 20-hour course curriculum for the Aviation Security course. It then approved an increase to 40 hours and an updating of the course curriculum in August 2001. The course curriculum for this mandated training course currently appears in POST Regulation 1081 (a); however, POST never established the mandated airport security training for airport peace officers in its regulations.

POST is proposing to amend Regulation 1005(a) to specify clearly in regulation that airport peace officers must complete two basic training requirements – Aviation Security and the Regular Basic Course (RBC). First, pursuant to California Penal Code § 832.1, airport peace officers must complete a POST-approved course of instruction relative to airport security within 90 days of the date of first appointment. After the 90-day period, the officer shall not continue to have the powers of a peace officer until the officer satisfactorily completes an Aviation Security course. Second, Regulation 1005(a) (1) specifies that every peace officer, with certain exceptions, must attend the RBC before the officer is assigned duties that include the exercise of peace officer powers. Pursuant to California Penal Code § 830.33(d), airport law enforcement officers are defined as peace officers. Consequently, these officers must complete the RBC.

Staff has determined that as a means of clarification for entry-level peace officers assigned to airport security, the required Airport Security training should be included in Regulation 1005(a). As a matter of practice, POST checks for completion of the Regular Basic Course and the Aviation Security course when performing compliance checks of POST program departments that employ airport peace officers. Adoption of the changes proposed here will formally express and clarify the entry-level training standard for airport peace officers with POST regulation 1005 (a), which addresses entry-level training standards. This amendment was presented and approved at the February 4, 2004 Commission meeting.

Justification - Regulation 1005 (a)(6) (new): New language confirms and clarifies that a peace officer who is employed by an airport police department must complete a POST-certified Aviation Security Course within 90 days of the date of first appointment in addition to in addition to the Regular Basic Course requirement set forth in Regulation 1005 (a)(1).

Justification for Regulation 1005(a)(67): The section number changed from six to seven for format consistency.

Justification for Regulation 1005(a)(78): The section number changed from seven to eight for format consistency.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses

The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

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Cost Impacts on Representative Private Persons or Businesses

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Considerations of Alternatives

To take this action, the Commission must determine that no reasonable alternative considered by the Commission or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.