

POST Legislative Committee Meeting

Action Summary

Double Tree by Hilton San Diego Mission Valley
7450 Hazard Center Drive
San Diego, CA 92108

Thursday, October 22, 2015, @ 8:30 a.m.



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL

CALL TO ORDER

Chair Jeff Moore called the meeting to order at 8:35 a.m.

ROLL CALL

Commissioner Members Present

Robert Doyle
Joyce Dudley
Jeff Moore, Chair
Larry Wallace

Commissioner Members Absent

Rick Braziel
Lai Lai Bui

A. APPROVAL OF THE MINUTES

MOTION – Dudley, **SECOND** – Wallace carried unanimously to approve the Action Summary and Meeting Minutes of the June 25, 2015, at the Sheraton Universal Hotel, 333 Universal Hollywood Drive, Universal City, California.

B. REPORT ON REQUEST FOR APPROVAL OF PROPOSED LEGISLATION

Alexis Blaylock began with the introduction of POST newest Assistant Executive Director Dave Cornejo, Administrative Services Division. She invited Dave to the table to discuss the request for approval of proposed legislation to allow an individual to designate on his or her state tax return that a specified amount be deducted for deposit into the Peace Officer Training Account fund. The proposal has potential for increasing POST revenues and is supported by Strategic Plan Strategy B.11.1 – Analyze and identify additional funding sources.

MOTION – Dudley, **SECOND** – Wallace, carried unanimously to authorize the Executive Director to seek legislation to add peace officer training Account Fund to the voluntary contributions tax check-off state tax forms.

C. BILLS OF INTEREST (oral report)

1. AB 65 (Alejo) – Local law enforcement body-worn cameras: grant program.

Alexis Blaylock reported that this bill would require the Board of State and Community Corrections to develop a grant fund program to assist local law enforcement in the purchase of body-worn cameras, delete the transfer requirement for the Driver Training Penalty Assessment Fund and instead require a transfer to the Body-worn Camera Fund.

Blaylock reported that the bill would result in revenue losses to POST of \$14 million annually and POST services to law enforcement would be significantly reduced. Blaylock said this bill has stalled in Assembly Appropriations and is held in submission. Blaylock advised that this bill may resurface in 2016.

2. AB 334 (Cooley) – Peace officers: profiling of motorcycle riders.

Blaylock advised that this bill would require POST to develop training to ensure that the profiling of motorcycle riders is addressed in basic and in-service training. It would require local law enforcement agencies to adopt written policy designed to condemn and prevent the profiling of motorcycle riders.

Blaylock stated that this bill would make motorcycle riders a protected class. She commented that this bill has stalled in Assembly Appropriation and is held in submission. Blaylock advised the Committee that this bill may resurface in 2016.

3. AB 546 (Gonzalez) – Peace officers: basic training requirements.

Blaylock reported that this bill would require the Commission to deem existence of an identified unmet training need for the PC 832 course when evaluating a course certification request from a probation department for presenting the course. She mentioned that there is no significant impact on POST and that the bill has been Chaptered.

4. AB 953 (Weber) – Law enforcement: racial profiling.

Blaylock reported that this bill would establish the Racial and Identity Profiling Act of 2015, revise the definition of racial profiling to instead refer to racial or identity profiling, require agencies that employ peace officers to collect specified data and issue annual reports to the Attorney General, and require the Attorney General to establish the Racial and Identity Profiling Advisory Board (RIPA). This bill has been Chaptered.

5. AB 1168 (Salas) – Peace officers: basic training requirements.

Blaylock explained this bill extends the 3-year requalification requirement to five years for a deputy sheriff assigned as a PC 830.1(c) custodial peace officer when being reassigned from custodial assignments to PC 830.1(a) general law enforcement duties

with the responsibility for the prevention and detection of crime, provided that certain conditions are met. This bill has a sunset of January 1, 2019, and has been Chaptered.

6. AB 1194 (Eggman) – Mental health: involuntary commitment.

Blaylock advised that when designated persons (including peace officers) make a determination to involuntarily commit a person with a specified mental disorder for the protection of the person to a facility for 72-hour treatment and evaluation, must consider available relevant information about the historical course of the person’s mental disorder, as specified, if that information has a reasonable bearing on the determination described above. This bill would provide that the person making that determination shall consider available relevant information about the historical course of the person’s mental disorder if the individual concludes that the information has a reasonable bearing, and that the individual shall not be limited to consideration of the danger of imminent harm.

Current law requires the admitting facility to require an application in writing stating the circumstances under which the person’s condition was called to the attention of those persons authorized to make the determination of probable cause, and stating that he or she has probable cause, as specified. The bill would require the application to include whether the historical course of the person’s mental disorder was considered in the determination of probably cause. This bill has been chaptered.

7. SB 11 (Beall) – Peace officer training: mental health.

Blaylock reported this bill would require POST to increase the mental health training in the Regular Basic Course from six hours to at least fifteen hours without increasing the total hours of the Regular Basic Course (RBC). The bill would also require the Commission to establish and keep updated a three-hour classroom-based continuing training course relating to behavioral health and law enforcement interaction with persons with mental illness intellectual disability, and “substance use disorders.” Blaylock stated that there is no supplemental funding for POST to develop or provide training. This bill has been Chaptered

8. SB 29 (Beall) – Peace officer training: mental health.

Blaylock reported this bill would require the Commission to require all field training officers to have at least eight hours of crisis intervention behavioral health training; update the existing field training officer course to include at least four hours of classroom instruction regarding persons with mental illness or intellectual disability; and update the existing field training guide to include specified topics relating to mental illness and intellectual disability. This bill has been chaptered.

9. SB 795 – (Committee on Public Safety) – Public Safety Omnibus.

Blaylock advised that this is an Omnibus Bill that adds or amends several unrelated public safety matters. The portion of the bill sponsored by POST would amend

Government Code section 1031(e) to add another entity that is recognized as an accrediting association of high school equivalency testing for the purpose of satisfying the minimum high school educational or equivalency requirement to become a peace officer. This bill has been Chaptered.

10. ABX2-15 (Eggman) – End of life.

Blaylock commented that this bill was formerly introduced as SB 128 (Wolk), enacts the End of Life Option Act authorizing an adult who meets certain qualifications, and who has been determined by his or her attending physician to be suffering from a terminal disease, as defined, to make a request for a drug prescribed for the purpose of ending his or her life. Blaylock commented that this would create new crimes, making it a felony to knowingly alter or forge a request for medication to end an individual's life without his or her authorization or to conceal or destroy a rescission of a request for medication, if it is done with the intent or effect of causing the individual's death. It would also be a felony to knowingly coerce or exert undue influence on an individual to request medication for the purpose of ending his or her life or to destroy a rescission of a request.

Blaylock said the bill creates significant considerations for law enforcement and prosecutors. It also will require POST to address substantial training requirements in basic, coroner, homicide investigation, and in-service training of patrol officers and supervisors. This bill has been Chaptered.

11. 2016 Omnibus Bill Proposal

Blaylock addressed the issues in which POST staff intends to request authorization from the Administration to seek an amendment to PC 33220(b) that extends the existing short-barrel training requirements for shot-guns and rifles to include the use of long-barreled rifles and long-barreled shotguns by on duty peace officers when the use is authorized by the agency and is within the course and scope of their duties. The statute only requires training for short-barreled rifles and short-barreled shotguns. Blaylock commented that currently, long-barreled shotguns and long-barreled rifles are addressed in POST regulations.

ADJOURNMENT

MOTION – Doyle, **SECOND** – Dudley carried unanimously to accept and forwards the staff Legislative Report to the Commission.

Chair Jeff Moore adjourns the meet at 9:25 a.m.

Respectfully Submitted,

MARIE BOUVIA
Executive Assistant

Attachment – Transcript