



**Commission on Peace Officer Standards and Training**

860 Stillwater Road, Suite 100  
West Sacramento, CA 95605-1630  
[www.post.ca.gov](http://www.post.ca.gov)

Date: May 22, 2018

Bulletin: No. 2018-15

Subject: **Notice of Proposed Regulatory Action – Amend Commission Regulations 1004 Field Training Program, 1005 Minimum Standards for Training, 1081 Minimum Standards for Legislatively Mandated Courses, and Commission Procedure D-13 Field Training**

At the June 23, 2016 meeting, the Commission approved proposed changes to Regulations 1004 Field Training Program, 1005 Minimum Standards for Training, 1081 Minimum Standards for Legislatively Mandated Courses, and Commission Procedure D-13 Field Training.

The proposed changes pertain to crisis intervention behavioral health training as per Senate Bill 11 (Beall) and Senate Bill 29 (Beall).

The attached notice describes the proposed changes, includes an invitation for written input on this proposal, the deadline for written comments, and information about requesting a public hearing. The following related information is available on the [POST Website](#).

- POST Bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons

Questions regarding this proposed regulatory action may be directed to Janna Munk, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, by email at [Janna.Munk@post.ca.gov](mailto:Janna.Munk@post.ca.gov) or by phone at (916) 227-4829. General questions regarding the regulatory process may be directed to Christy Correa at (916) 227-4847, [Christy.Correa@post.ca.gov](mailto:Christy.Correa@post.ca.gov), or by FAX at (916) 227-4547.

MANUEL ALVAREZ, JR.  
Executive Director

Attachment: Notice of Proposed Regulatory Action

## **NOTICE OF PROPOSED REGULATORY ACTION**

Amend and Update the Field Training Officer Course and Field Training Program,  
Regulation 1005 and Commission Procedure D-13

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Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

### **Public Comments Due by July 16, 2018**

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-4011 or by letter to:

Commission on POST  
Attn: Janna Munk  
860 Stillwater Road, Suite 100  
West Sacramento, CA 95605-1630

### **Authority and Reference**

This proposal is made pursuant to the authority vested by Penal Code §13503 (authority of Commission on POST) and Penal Code §13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific Penal Code §13503(e) which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

### **Informative Digest/Policy Statement Overview**

On October 3, 2015, Governor Brown, signed into law Senate Bill 11 (Beall) mandating POST to make available a 3 hour crisis intervention behavioral health course to law enforcement personnel and Senate Bill 29 (Beall) mandating crisis intervention behavioral health training for field training officers.

Senate Bill 11 added Penal Code § 13515.27(a), requiring POST to establish and keep updated a classroom based continuing training course that includes instructor-led active learning, relating to behavioral health and law enforcement interaction with persons with mental illness, intellectual disability, and substance use disorders. The course shall be made available to each law enforcement officer with a rank of supervisor or below assigned to patrol duties or who supervises officers who are assigned to patrol duties.

Senate Bill 29 added Penal Code § 13515.28(a)(1), requiring field training officers (FTOs) receive a minimum of 8 hours of crisis intervention behavioral health training within 180 days of assignment. The crisis intervention behavioral health training must be classroom based, delivered in 4 hour segments or longer, and include active learning.

The proposed changes to, Regulation 1004, 1005, 1081 and Commission Procedure D-13 will make the Field Training Program compliant with the requirements of Penal Code § 13515.27(a) and Penal Code § 13515.28(a)(1).

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The benefit anticipated by the proposed amendments to the regulations will be the increased effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California.

During the process of developing these regulations and amendments, POST has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

### **Adoption of Proposed Regulations**

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digests. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

### **Estimate of Economic Impact**

Fiscal impact on Public Agencies including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Non-Discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Costs to any Local Agency or School District Affecting Government Code § 17500-17630 requires reimbursement: None

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: 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 not affect California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement which does not impact California businesses, including small businesses.

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 the proposed action.

Affect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulations would have no affect on housing costs.

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### **Results of Economic Impact Assessment per Government Code § 11346.3(b)**

The adoption of the proposed amendments of regulations will neither create, nor eliminate, jobs in the State of California, nor result in the elimination of existing businesses or create, or expand, businesses in the State of California.

The proposed amendments of the regulations will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. Additionally, the proposed amendments make the regulations compliant with Penal Code § 13515.29 and § 13515.295. There would be no impact that would affect worker safety or the state's environment.

### **Cost Impact on Representative Private Persons or Businesses**

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **Consideration 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 Commission, would be more effective in carrying out the purpose for which the action is proposed; or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposed action.

### **Contact Person**

Questions regarding this proposed regulatory action may be directed to Janna Munk, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at [Janna.Munk@post.ca.gov](mailto:Janna.Munk@post.ca.gov) (916) 227-4827. General questions regarding the regulatory process may be directed to Christy Correa [Christy.Correa@post.ca.gov](mailto:Christy.Correa@post.ca.gov), (916) 227-4847, or by FAX at (916) 227-5271.

### **Text of Proposal**

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the [POST Website](#).

### **Availability and Location of the Rulemaking File and the Final Statement of Reasons**

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above.

To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person(s) named above.