



**Commission on Peace Officer Standards and Training**

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Date: May 8, 2020  
Bulletin: No. 2020-22  
Subject: **Emergency Background Protocol for Returning Peace Officers**

The Coronavirus (COVID-19) has created staffing challenges for law enforcement agencies. Disease transmission resulting in the need for self-isolation or quarantine for groups of staff has caused a cascading negative impact on staffing for the field, jails, and other operational and administrative areas, with a potential to significantly degrade law enforcement service delivery capability.

In order to assist agencies in meeting these extraordinary challenges, the Governor has granted POST emergency authority pursuant to the Emergency Services Act (Government Code section 8550 et seq.), under Executive Order N-63-20, to establish an expedited pathway for re-employment of qualified former California peace officers (POST Regulations 1950-1955) to **temporarily** fill staffing gaps created by the COVID-19 pandemic. Accordingly, effective May 7, 2020, the following section of the California Code of Regulations is hereby temporarily modified as provided herein:

**RETURNING PEACE OFFICERS:**

POST Regulation 1950 (c):

*“(c) Exceptions*

*For purposes of these regulations, peace officers described in this section are not considered “candidates” and are therefore exempted from Regulations 1951-1955.*

1. *The department has sole responsibility for determining what, if any, assessments are necessary for a peace officer who:*
  - (A) *Changes peace officer classifications, such as from reserve officer to regular officer, within the same POST-participating department if documentation is available for inspection verifying that all current minimum selection requirements were previously met, and the peace officer has worked continuously for the department since the time of initial appointment.*
  - (B) *Is employed by a department that, through reorganization, is merged with another department within the same city, county, state or district, if documentation is available for inspection verifying that the officer was hired in accordance with the POST requirements in effect at the time of hire.*
  - (C) ***Is reappointed to the same POST-participating department within 180 days of voluntary separation.” [emphasis added]***

The foregoing regulation is hereby modified to provide that individual law enforcement agencies seeking to temporarily re-employ peace officers who retired or separated in good standing from the requesting agency may reappoint an individual to a position in which he/she has the minimum training qualifications within **one (1) year** of voluntary separation from the same agency where the person was last employed (existing regulation states that reappointment must be within 180 days).

Agencies desiring to re-hire individuals, prior to appointment, shall make a written request to the POST Executive Director requesting an exemption for the individual. Upon issuance of an exemption, agencies must advise POST via the standard Notice of Appointment/Termination (NOAT – POST form 2-114).

**Pursuant to Executive Order N-63-20, the term of any such temporary peace officer re-employment shall expire no later than May 7, 2021.**

Agencies shall have until May 7, 2021, to either separate the individual or bring the continuing individual into full compliance. Continuing individuals must be brought into compliance with all existing POST hiring mandates by no later than May 7, 2021 (i.e. completing a full background investigation and medical screening or completion of the Requalification Course). A NOAT will be required when an individual's services are discontinued, and the person separates from the agency.

Under this discretionary authority, agencies reappointing individuals who have a break in service beyond 180 days must conduct the two records checks (CA DOJ/FBI fingerprints and CA DMV check) referenced in Regulation 1950(c)(2)(B) and (D), if applicable, prior to appointment. Agencies will be responsible for ensuring the competency of peace officers hired under this temporary emergency, and for ensuring these individuals do not exercise peace officer powers beyond the authorized period.

This protocol is for the temporary emergency appointment of qualified peace officers. Agencies should seek appropriate guidance from their legal counsel for any other employment-related matters.

Questions regarding this bulletin should be directed to the appropriate [Regional Consultant](#).

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Executive Director

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