TEXT OF PROPOSED REGULATORY ACTION
Amend Definitions, Minimum Standards for Training, and Basic Course Waiver and Requalification Requirements – Jail Deputies
Regulation(s) 1001, 1005, and 1008

1001. Definitions

[**"Academy Coordinator"** through **"High School"** continued]

"Jail Deputy" is a deputy sheriff, regularly employed and paid as such, of a county, to be a peace officer as described in Penal Code section 830.1(c), and is employed to perform duties exclusively or initially related to custodial assignments.

[**"Lateral Entry"** through **"Legislatively Mandated Training"** continued]

"Limited Function Peace Officer" is a deputy sheriff, regularly employed and paid as such, of a county, a police officer of a city, a police officer of a district authorized by statute to maintain a police department, who is designated on or prior to June 30, 1985, to be a peace officer as described in Penal Code section 830.1~~(c)~~, and is employed to perform duties other than the prevention and detection of crime and the general enforcement of the criminal laws of the state.

Note: Authority cited: Sections 13506 and 13510.3, Penal Code. Reference: Sections 13503, 13507, 13510, 13510.1, 13510.3, 13510.5, and 13523, Penal Code

Regulation 1005

Minimum Standards for Training (Refer to Regulation 1007 and PAM Section H for **reserve peace officer** training standards**).**

(a) **Minimum Entry-Level Standards (Required)**

(1) **Basic Course Requirement**

Every peace officer, except Reserve Levels II and III, those peace officers listed in subsections 1005(a)(3) [peace officers whose primary duties are investigative], ~~and~~ 1005(a)(4) [coroners or deputy coroners], and 1005(a)(7) [jail deputies] shall complete the Regular Basic Course before being assigned duties which include the exercise of peace officer powers. Requirements for the Regular Basic Course are set forth in PAM Section D-1-3.

(A) **Field Training Program Requirement**

Every peace officer, except Reserve Levels II and III, jail deputies, and those officers listed in subsections 1005 B)1-5, following completion of the Regular Basic Course and before being assigned to perform general law enforcement uniformed patrol duties without direct and immediate supervision, shall complete a POST-approved Field Training Program as set forth in PAM Section D-13.

[1005(a)(1)(B) through 1005(a)(6) continued]

(7) Every jail deputy [Penal Code section 830.1(c)] shall satisfactorily meet the training requirements of the PC 832 Arrest and Firearms Course, PAM Section D-1-7; and within 120 days after the date of appointment, shall complete the training required by the Board of State and Community Corrections for custodial personnel pursuant to Section 6035, and the training required for custodial personnel of local detention facilities pursuant to Division 1 (commencing with Section 100) of Title 15 of the California Code of Regulations.

(~~7~~8) Every limited function peace officer shall satisfactorily meet the training requirements of the PC 832 Arrest and Firearms Course, PAM Section D-1-7; however training in the carrying and use of firearms shall not be required when an employing agency prohibits limited function peace officers the use of firearms.

(~~8~~9) Every peace officer prior to exercising peace officer powers shall complete the requirements of Penal Code section 832, which may be part of the minimum basic training standard or a separately certified course.

(b) **Supervisory Course (Required)**

(1) Every peace officer (except jail deputies) promoted, appointed, or transferred to a first-level supervisory position shall satisfactorily complete a certified Supervisory Course prior to promotion or within 12 months after the initial promotion, appointment, or transfer to such position. An officer who will be appointed within 12 months to a first-level supervisory position or an officer assigned to a quasi-supervisory position may attend a Supervisory Course, if authorized by the department head. Requirements for the Supervisory Course are set forth in PAM Section D-3.

(2) Every department participating in the POST reimbursement program may be reimbursed for completion of the Supervisory Course by an officer as described in (b)(1) above, provided that the officer is full time and has been awarded or is eligible for the award of the Basic Certificate.

(c) **Management Course (Required)**

(1) Every peace officer (except all jail deputies) promoted, appointed, or transferred to a middle management position shall satisfactorily complete a certified Management Course prior to promotion or within 12 months after the initial promotion, appointment, or transfer to such position. An officer who will be appointed within 12 months to a middle management or higher position or an officer who is assigned to a first-level supervisory position may attend a Management Course, if authorized by the department head. Completion of the Supervisory Course is a prerequisite to attending the Management Course. Requirements for the Management Course are set forth in PAM Section D-4.

[1005(c)(2) through 1005(c)(4)(2) continued]

(d) **Continuing Professional Training (CPT) (Required)**

CPT is required for certain peace officer and dispatcher personnel who are employed by POST participating departments. The purpose of CPT is to maintain, update, expand, and/or enhance an individual's knowledge and/or skills. CPT is training that exceeds the training required to meet or requalify in entry-level minimum standards. Qualifying and non-qualifying courses are described in subsection (d)(3) below.

(1) **Requirement**

Every peace officer (other than a Level III Reserve Peace Officer), every Public Safety Dispatcher, and every Public Safety Dispatch Supervisor shall satisfactorily complete the CPT requirement of 24 or more hours of POST-qualifying training during every two-year CPT cycle, based on the statewide CPT Anniversary Date as specified in subsection (d)(2) below. <u>Completion by jail deputies of in-service training required by Standards and Training for Corrections (STC) for custodial officers is considered to meet the POST CPT requirement.</u>

Effective January 1, 2009, certain peace officers in specific duty assignments must satisfy a portion of the CPT requirement by completing Perishable Skills and Communications training as specified in (d)(4) below.

[1005(d)(2) through 1005(d)(3) continued]

(4) **Perishable Skills/Communications Requirement for CPT**

Effective January 1, 2002, all peace officers (except reserve officers <u>and jail deputies</u>) below the middle management position and assigned to patrol, traffic, or investigation who routinely effect the physical arrest of criminal suspects are required to complete Perishable Skills and Communications training. In-lieu of completing the training, the requirement may be met by successfully passing a presenter-developed test that measures the approved training objectives.

[1005(d)(A) through to the end]

Note: Authority cited: Sections 832.1, 832.2, 832.3, 832.6, 13503, 13506, 13510.3, 13510.5, and 13519.8, Penal Code. Reference: Sections 830.33, 832, 832.1, 832.3, 832.6,13506, 13510, 13510.3, 13510.5,13511, 13513, 13514, 13516, 13517, 13519.8, 13520, and 13523, Penal Code

1008. Basic Course Waiver and Requalification Requirement

[1008(a) through 1008(b)(3)(B) continued]

(4) Jail Deputy Exemption

An individual who successfully completed a Regular Basic Course or the Basic Course Waiver Process **on or after January 1, 2013** and has been appointed as a jail deputy [Penal Code section 830.1(c)], but has not previously served in a California peace officer/Level I reserve officer position with qualifying service* is eligible for an exemption of the requalification requirement.

(A) The individual shall have:

1. Been continuously employed as a jail deputy with the same agency
2. Maintained ongoing Perishable Skills training as specified by POST, and
3. Been appointed as a deputy sheriff [Penal Code section 830.1(a)] within five years of the date of completion of the Regular Basic Course or the Basic Course Waiver.

(B) Documentation of Exemption

1. Written documentation determined by the department head as satisfying the exemption listed in 1008(b)(4)(A) above shall be retained by the employing agency for at least the duration of the individual's employment with the department. This retention period is recommended so that the employing agency can provide supporting documentation of the exemption, if it is requested during a POST inspection.

NOTE: This section shall remain in effect only until January 1, 2019 [Penal Code section 832.3(i)].

[1008(c) continued to the end]

Note: Authority cited: Sections 832.3, 13503, 13506, and 13510, Penal Code. Reference: Sections 832.3, 13505, 13510, 13510.5, and 13511, Penal Code