

INITIAL STATEMENT OF REASONS

Commission Regulations 1081 and 1004 and Commission Procedure D-13

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Amend Commission Regulations 1081 Minimum Standards for Legislatively Mandated Courses, 1004 for Field Training Program, and Commission Procedure D-13 for POST Field Training Program Requirements

At the June 23, 2016 meeting, the Commission approved proposed amendments to the POST Administrative Manual (PAM), Section B – Regulation 1081 Minimum Standards for Legislatively Mandated Courses, Regulation 1004 Field Training Program, and Commission Procedure D-13 Field Training.

POST is proposing changes to meet legislative mandates because of Senate Bill 11 and Senate Bill 29 passing into law.

Justification for Proposed Adoptions

On October 3rd, 2015, Governor Brown, signed into law Senate Bill 29 (Beall), which mandated 8 hours of crisis intervention behavioral health training for field training officers in addition to the currently mandated 40-hour Field Training Officer Course, and Senate Bill 11(Beall), which mandated the Commission on POST to create and maintain a 3-hour (minimum) crisis intervention behavioral health training course for law enforcement personnel assigned to patrol functions.

Senate Bill 29 added section 13515.28(a)(1) to the Penal Code, requiring field training officers assigned prior to January 1, 2017 to receive a minimum of 8 hours of crisis intervention behavioral health training before June 1, 2017, and all field training officers assigned starting January 1, 2017 to receive a minimum of 8 hours of crisis intervention behavioral health training within 180 days of assignment.

Senate Bill 11 added section 13515.27(a) to the Penal Code, requiring the California Commission on POST to develop and make available to supervisors and below assigned to patrol functions a 3-hour course on crisis intervention behavioral health training.

Justification – Section B – Regulation 1004 Field Training Program

Commission Regulation 1004 must be amended to include the requirements mandated by 13515.28(a) (1) PC;

Benefits of the Regulation:

The benefits of proposed amendments to the regulation make the regulations compliant with Penal Code § 13515.29 and § 13515.295. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the State's environment.

Business Impact/Small Businesses

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code section 11342.610, because the Commission sets selection and training standards for law enforcement, which are

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government entities, and does not have an impact on 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 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.

Consideration of Alternatives

No reasonable alternatives considered by this agency or that was otherwise identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons and the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on Peace Officer Standards and Training (POST) sets law enforcement selection and training standards for its member law enforcement agencies. Participation in POST programs, and adherence to POST regulations, is voluntary and limited to law enforcement agencies that are governmental entities. 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.

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.