

INITIAL STATEMENT OF REASONS
Peace Officer and Public Safety Dispatcher Selection Standards
Regulation(s) 1951, 1953, 1954, 1955, 1956, 1957, 1959, and 1960

At the October 26, 2017 meeting, the Commission approved the proposed amendments to Commission Regulations 1951, 1953, 1954, 1955, 1956, 1957, 1959 and 1960 - Peace Officer and Public Safety Dispatcher Selection Standards.

Justification for Proposed Revisions

Proposed changes to the regulations provide clarification and consistency with current requirements. Currently the medical/psychological suitability documentation required to be included in the background file is called an “evaluation report.” The terminology is being changed to “suitability declaration” to clarify the purpose of the documentation. Obsolete date references are being removed from the continuing professional education (CPE) section of the psychological evaluator requirements and the language is being modified to provide further clarification of the CPE requirements. A provision permitting a background update rather than a complete new background for interim chiefs, is being added to regulation to assist departments with stream-lining the hiring process for this temporary, short-term position. The dispatcher selection requirements are being modified to provide continued consistency with peace officer requirements.

Justification – Regulation 1951: Peace Officer Reading and Writing Ability Assessment

This regulation is being updated to further clarify that the Reading and Writing requirement can be met by any of the three outlined options and to update the revision date of the required Test Use and Security Agreement form. All changes are non-substantive.

Justification – Regulation 1953: Peace Officer Background Investigation

This regulation is being modified to provide departments with the discretion of allowing an updated background for interim chiefs of police who have been employed as interim chiefs with another department within the last two years and have undergone a complete background within the last five years. An updated background can only be conducted on the interim chief if the department has access to the complete background from the initial hiring department. This provision is intended to assist departments with meeting POST requirements when hiring these generally short-term interim chiefs often with little notice, but with immediate departmental need. Other changes to the referenced guidance documents are non-substantive.

Justification – Regulation 1954 and 1955: Peace Officer Medical and Psychological Evaluations and Regulation 1960: Public Safety Dispatcher Medical Evaluation

These regulations are being revised to clarify the purpose of the documentation that is required to be in the background file. Currently, the regulation identifies the required suitability letter as an “evaluation report.” This has led departments to believe that the report contains medical information, when, in fact, it solely acknowledges the candidate’s suitability to be a peace officer or public safety dispatcher. To clarify the intent of the documentation, it will now be referred to as a “suitability declaration,” which is in line with its sole purpose. The content of the form consisting of the candidate’s name, date of the evaluation, declaration that the evaluation was conducted in accordance to POST requirements, and the contact information of the screening physician or psychologist will remain the same apart from adding a requirement for the physicians/psychologists printed name. POST guidance and forms referenced in the regulations will be updated to reflect these changes.

INITIAL STATEMENT OF REASONS
Peace Officer and Public Safety Dispatcher Selection Standards
Regulation(s) 1951, 1953, 1954, 1955, 1956, 1957, 1959, and 1960

Justification – Regulation 1955: Peace Officer Psychological Evaluation

Regulation 1955(a)(3) is being revised to remove unnecessary date references and to provide a more concise and thorough detailing of the continuing professional education (CPE) requirements for screening psychologists. Only the language and formatting of this section is changing, the requirements remain the same.

Justification – Regulation 1956: Public Safety Dispatcher Selection Requirements

In continuing with the aligning of peace officer and public safety dispatcher standards, this regulation is being updated to provide for an exemption from POST requirements for dispatchers returning to the same POST-participating department within 180 days of voluntary separation. The department is responsible for determining the appropriate assessments for their returning dispatchers, if any. This proposed change is necessary to make clear to the hiring authority that they have the authority to determine appropriate screening assessments for public safety dispatchers returning to their department after a limited period of separation.

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 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

The Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission 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 than 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 the law.

INITIAL STATEMENT OF REASONS
Peace Officer and Public Safety Dispatcher Selection Standards
Regulation(s) 1951, 1953, 1954, 1955, 1956, 1957, 1959, and 1960

Economic Impact Analysis

Impact of Jobs/New Business:

Because the Commission on Peace Officer Standards and Training sets selection and training standards for law enforcement, 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.

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.

Benefits of the Regulation:

The benefits of proposed amendments to the regulations will provide the hiring department authority in determining the appropriate assessments for their returning officers, resulting in potential cost savings to the department. The hiring authority would ensure that standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will not benefit the worker safety or the State's environment.