TEXT OF PROPOSED REGULATORY ACTION
Peace Officer Selection Standards
Regulation 1953 and 1955

11 CCR § 1953

§ 1953. Peace Officer Background Investigation.

[Regulation 1953(a)-(e) continued]

(f) Background Investigation Updates

[Regulation 1953 (f)(1)(A) continued]

(B) At the discretion of the hiring authority, if an interim police chief was initially investigated by a California POST participating department in accordance with all current requirements and the background file has been determined compliant by POST, an updated background investigation, as opposed to a complete new background investigation, may be conducted provided the following three conditions are met:

1. The results of the initial background investigation are available and have been reviewed by the hiring authority,
2. The initial background investigation was conducted within the past five years, and
3. The individual has served as an interim police chief within the last 24 months.

The retention of all background investigation records, including the initial and updated background investigations, shall be the responsibility of the hiring authority.

(2) Update Requirements

(A) A new personal history statement [Regulation 1953(c)] with updated information covering the period from the last personal history statement to the current date shall be completed by the peace officer candidate.

(B) The department shall conduct investigations of all new information reported by the candidate on the new personal history statement.

1. For candidates reappointed to the same department per Regulation 1953(f)(1)(A)1., the new background investigation shall cover the period since the candidate separated from the department.

2. For candidates transferring, without a separation, to a different department within the same city, county, state, or district per Regulation 1953(f)(1)(A)2.<u>, or interim chiefs who meet the requirements of Regulation 1953(f)(1)(B),</u> the new background investigation shall cover the period since the date the previous background investigation was completed.

(C) Any area of investigation for which there is updated information shall be addressed in the updated background investigation. This shall minimally include a new: 1) Local Criminal Record Check, 2) State and National Criminal Check, unless there is written attestation that the candidate was never removed from the department's peace officer files of the DOJ or FBI, 3) Driving Record Check, and 4) Credit Record Check.

(D) Updated background investigation documentation shall be maintained with the initial background investigation documents.

(E) If the original background investigation was conducted within one year from the date of reappointment, it is not necessary to update criminal record checks, driving record check, or credit check.

[Regulation 1953 (g) continued…]

11 CCR § 1955

§ 1955. Peace Officer Psychological Evaluation.

[Regulation 1955(a) – (a)(2) continued…]

(3) The evaluator must complete a minimum of 12 hours biennially of POST-approved continuing professional education per Commission Regulation 1955(b).

[Regulation 1955(a)(4) – (b)(2) continued…]

(3) Evaluator CPE Requirement

(A) All evaluators must complete ~~an initial six (6) hours of POST-approved CPE~~ the POST-developed Peace Officer Psychological Screening Manual on-line exam prior to conducting preemployment psychological screening. Incumbent evaluators must meet this requirement within six months of the implementation of this section or no later than July 1, 2019.

(B) Effective September 1, 2014, evaluators must complete 12 hours of POST-approved CPE every license renewal cycle. For partial cycles, CPE hours are prorated at .5 hours per month, based on the evaluator's license renewal date. The POST CPE requirement must be met no later than the evaluator's license renewal date. Additional CPE hours above the 12 hour minimum do not count toward the next two-year cycle.

(C) Evaluators must complete mandatory POST-developed on-line CPE update training, if available, within two years of the training implementation date. The mandatory update training will count toward the required CPE hours [Regulation 1955(b)(3)(B)].

(D) The evaluator may satisfy no more than 75% [up to nine (9) hours] of the POST CPE requirement through independent learning that meets Regulation 1955(b)(1). Independent learning includes, but is not limited to, courses delivered via the Internet, CD-ROM, satellite downlink, correspondence, and home study.

[Regulation 1955(b)(4) – (g) continued…]