

INITIAL STATEMENT OF REASONS
Commission Regulations 1005, 1007, and 1008 Amend *Training and Testing Specifications for Peace Officer Basic Courses*

The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulations 1005, 1007, and 1008, and sections of the document *Training and Testing Specifications for Peace Officer Basic Courses* (rev 2/1/19) to address the following changes:

- Make additional updates to curriculum as part of an ongoing review

All changes to basic academy curriculum begin with recommendations from law enforcement practitioners or, in some cases, via legislative mandates. POST then facilitates meetings with curriculum advisors and subject matter experts (SMEs) who recommend changes to existing academy curriculum. The Commission approved them at the June 21, 2018, Commission meeting, subject to the Notice of Proposed Regulatory Action process.

Additional Curriculum Updates

As part of the ongoing curriculum review, the following domains have been revised to either reflect emerging training needs, improve student learning and evaluation, or to comply with legislative mandates:

LD 20, Use of Force

Penal Code Section 13510.5 specifies the Commission will “adopt, and may, from time to time amend, rules establishing minimum standards for training of peace officers” for the “purpose of maintaining the level of competence of state law enforcement officers.” The proposed changes, removes a scenario test that assesses impact weapon techniques. As currently written only those circumstances legally justifying the use of deadly force (i.e., “The test will result in the student making a deadly force option decision”) and those circumstances where not force is legally justified (i.e., “during the detention of a verbally uncooperative individual.”) are tested. The proposed change will clarify this confusion and result in testing to verify the decision-making ability of all regular basic course students in less-than-deadly force circumstances.

Justification – Regulation 1005, 1007 and 1008

New effective date updates the incorporation by reference statements for historical accuracy.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Businesses

The Commission on Peace Officer Standards and Training has made a determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

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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.

Considerations of Alternatives

The Commission determined that there were no reasonable alternatives to the proposed regulation.

Benefits Anticipated

The specific benefits anticipated by the proposed amendments to the regulations will be to increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. There would be no effect in regards to the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

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. These proposed regulations will set standards for consistency in testing across the State. This prevents an academy from making the test harder or easier.

Benefits of Proposed Regulation:

The proposed amendments of 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.