

## **INITIAL STATEMENT OF REASONS**

### ***Amend Commission Regulation 1055 Requirements for Course Presentation – Required Documents to Submit Upon Completion of Presentation***

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The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulation 1055 to address the following changes:

- Clarify that course rosters must include all individuals attending POST-certified trainings and the number of hours completed, whether or not successful completion was achieved.
- Update from using the term “trainee” to “individual” to include individuals not defined in Regulation 1001.

The Commission approved the above changes at the October 24, 2019, Commission meeting, subject to the Notice of Proposed Regulatory Action process.

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#### **Justification**

Commission Regulation 1055 requires that course rosters be submitted to POST no later than 10 calendar days following the ending date of the presentation. The proposed changes clarify the intent of existing regulation and is pursuant to Penal Code Section 13510.05(a)(1)(A)(i) which requires POST to submit a report to the Governor and the Legislature that includes all of the following: data on the number of individuals who attend an academy, number and percentage of individuals who successfully complete an academy, and the number and percentage of students who failed to successfully complete an academy. Some presenters incorrectly list individuals who successfully complete the course only. If an individual was unsuccessful in attendance and completing POST-certified course requirements, the individual's training record would not accurately reflect their training history. If the individual were to make another attempt at completing the same course with a different presenter, POST and that presenter would not be privy to the previously failed attempt(s). Therefore, the course roster shall include all attendees in the course and the number of hours completed. The proposed changes to Commission Regulation 1055 would require the presenter to submit the completed roster for all individuals whether or not successful completion was achieved, and the number of hours completed by each individual.

Current regulation uses the term "trainee" and is defined in Regulation 1001 as an employee of a department who attends a POST-certified course. However, this term does not encompass non-affiliated individuals who attend a POST-certified course, such as self-sponsored academy recruits as they are not employed by a department. The proposed changes would include updating the term "trainee" to "individual" to include anyone attending a course.

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#### **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.

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#### **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.

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#### **Considerations of Alternatives**

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

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#### **Benefits Anticipated**

The specific benefits anticipated by the proposed amendments to the regulations will be to increase the accuracy of law enforcement training records for peace officers in 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.

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#### **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 across the State.

##### *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.