

INITIAL STATEMENT OF REASONS

Amend Commission Regulation 1005

The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulation 1005 – Minimum Standards for Training:

- The amended language provides the POST Executive Director the authority to identify POST-constructed informational videos of high priority, or urgency due to their impact on the law enforcement community and incentivize the viewing of the video by providing a minimum of one-hour Continued Professional Training (CPT).

Justification for Proposed Revisions

Currently, the POST Executive Director, or designee, does not have the ability to identify POST constructed videos of high priority or urgency, due to their impact on the law enforcement community, and provide CPT credit for viewing the video. POST regulation 1005(d) identifies the purpose of CPT is to “maintain, update, expand, and/or enhance an individual’s knowledge and/or skills.” POST staff believe these videos, produced by POST and identified as being of high priority or urgency, qualify as CPT and the Executive Director, or designee, should have the regulatory authority to grant CPT for viewing the video.

One recent example of a POST constructed video that would qualify for CPT credit is titled “AB 392: California’s New Use of Force Standards: What You Need to Know.” The video was created in response to a substantial legislative change in the use of force standards for California law enforcement. The POST Executive Director, or designee, was unable to incentivize the viewing of this video to maintain, update, expand or enhance law enforcement officers knowledge on the topic by providing CPT credit for viewing the video. This regulatory change provides the POST Executive Director, or designee, that authority.

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 amended language will provide the POST Executive Director the authority to identify POST-constructed informational videos of high priority, or urgency due to their impact on the law enforcement community and incentivize the viewing of the video by providing a minimum of one-hour Continued Professional Training (CPT).

Additionally, the Commission’s main function to select and maintain training standards for law enforcement has no effect financially on either California businesses competing with other businesses in other states and small businesses.

Cost Impacts on Representative Private Persons or Businesses

The Commission on POST 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

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The Commission determined 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 that 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.

Benefits Anticipated

The specific benefits anticipated by the proposed amendment to the regulations would eliminate confusion and add clear and concise communication to the presenters and POST staff.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on 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 regulatory revisions will provide the POST Executive Director the authority to identify POST-constructed informational videos of high priority, or urgency due to their impact on the law enforcement community and incentivize the viewing of the video by providing a minimum of one-hour Continued Professional Training (CPT). Thus, the regulatory change 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 regulation will increase the efficiency of the state of California in delivering services to stakeholders. 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.