

SESSION #1

HIRING AND SELECTION

*California Commission
on Peace Officer
Standards and Training*

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DISCLAIMER

This presentation is intended as a broad overview of the major certification requirements of Senate Bill No. 2 (SB 2). Many details have necessarily been omitted for brevity. Important additional information may not be fully covered during this presentation.

This presentation should not be construed as legal advice. Questions about the specific provisions of SB 2, including the applicability to given circumstances, should be discussed with the advice and assistance of competent legal counsel.

Goals of Presentation



BROAD OVERVIEW OF SB
2 FOCUSED ON POST
ACTIONS



DISPEL MYTHS ABOUT
THE ROLE OF POST



ANSWER LINGERING
QUESTIONS

Questions



Submit questions via chat



Website FAQs after presentation

Upvote Questions



Upvote Questions you would like answered

Upvoted Q&A

You can upvote a question by clicking the thumbs up icon.

Open (3)

Answered

Dismissed

John Peterson 03:14 PM

How do I upgrade my plan?



Answer live

Type answer

Lisa Robins 03:04 PM

Can I join a Zoom meeting by phone?



Answer live

Type answer

Lisa Robins 03:25 PM

What's the difference between meeting and webinar?



Answer live

Type answer

OVERVIEW

SB 2 and a Career

Definition of Serious Misconduct

Hiring and Selection Standards- Effective
2022

Hiring and Selection Standards- Effective
2023

Proposed Regulatory Changes

SB 2 IMPACT

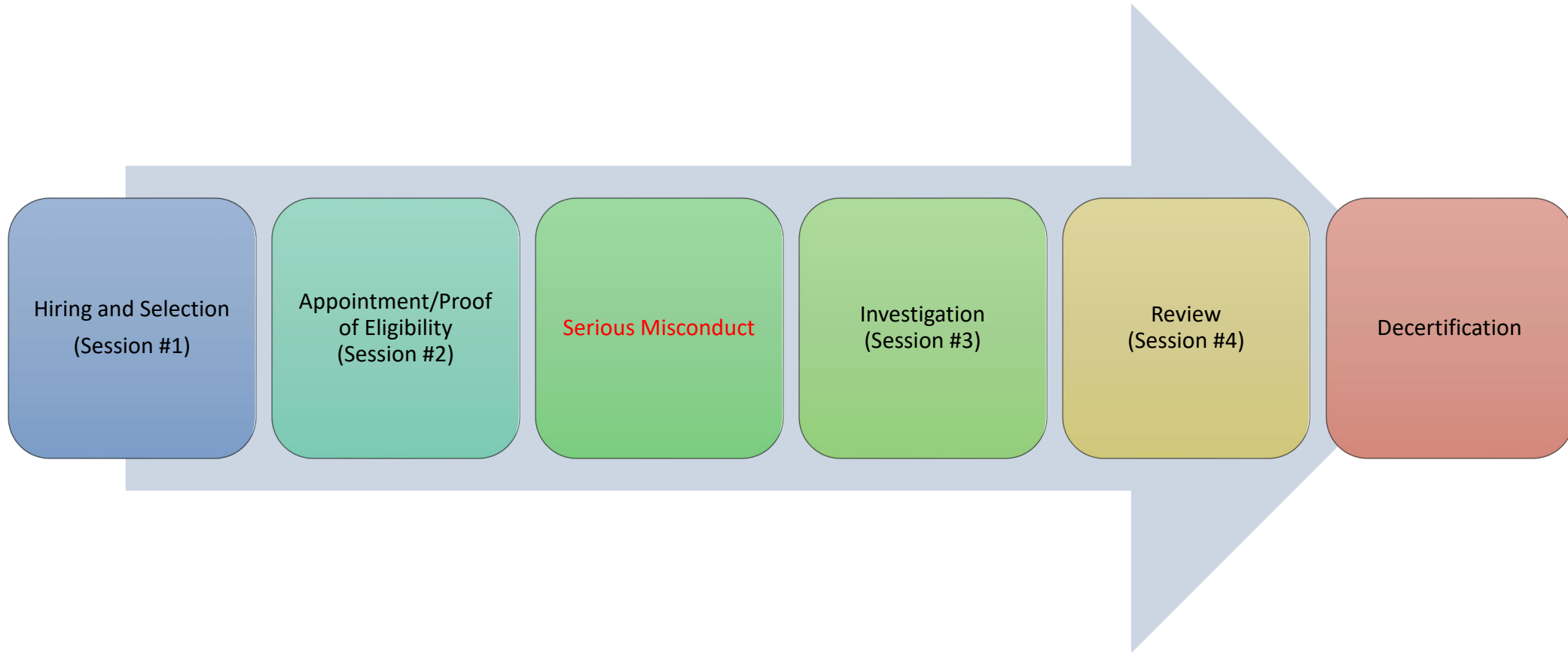
What is SB 2?

- Establishes a requirement that peace officers be certified by POST
- A mechanism to revoke or suspend that certification due to serious misconduct
- Applies to both POST and non-POST participating

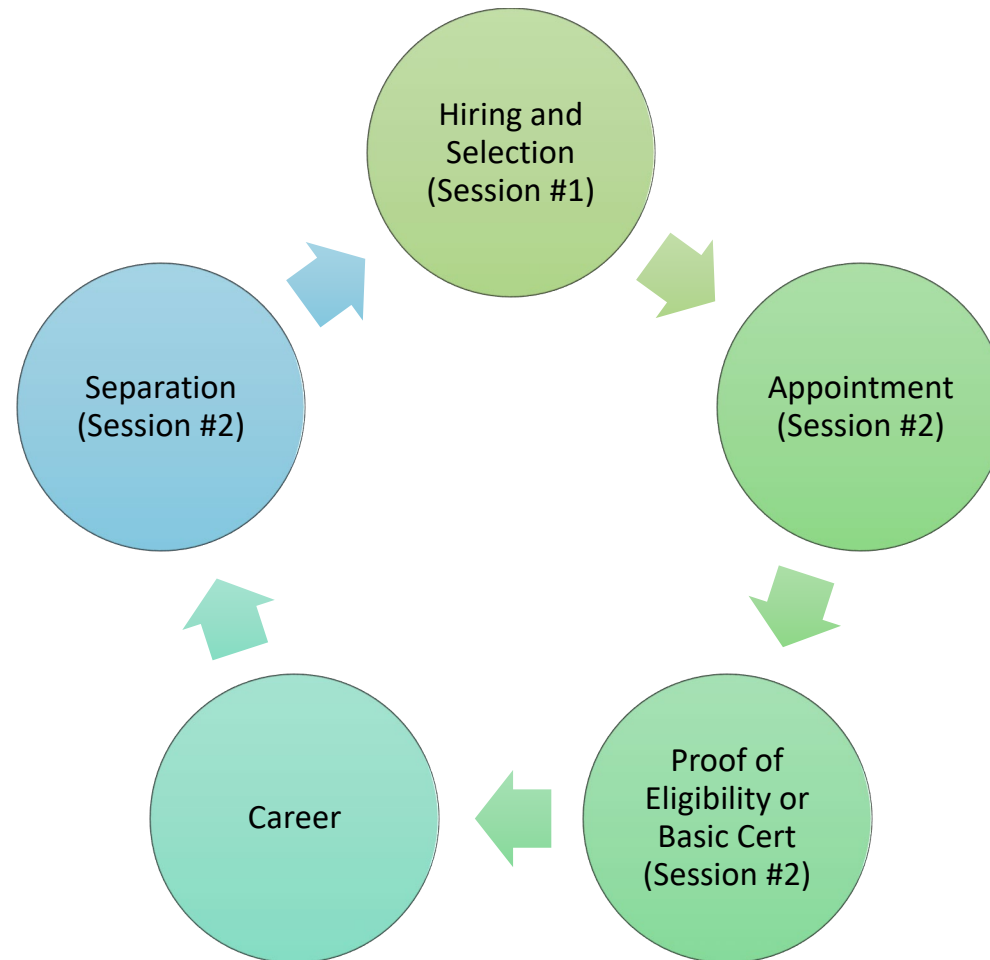
Who falls under SB 2?

- PC 830.1
- PC 830.2, with some exceptions
- PC 830.3
- PC 830.32
- PC 830.33
- Or any other peace officer from POST agency

SB 2 AND A CAREER



SB 2 IMPACTS ON A CAREER





UNDERSTANDING SERIOUS MISCONDUCT


DEFINITIONS

UNDERSTANDING SERIOUS MISCONDUCT

- By January 1, 2023, SB 2 requires the POST Commission to adopt by regulation a definition of serious misconduct.
- Two groups of subject matter experts

SERIOUS MISCONDUCT

- Dishonesty relating to reporting, investigation, prosecution of a crime or misconduct
- Abuse of power, including intimidating witnesses, false confessions and arrests
- Physical abuse, including excessive or unreasonable use of force
- Sexual Assault, pursuant to PC §832.7
- Demonstrating bias, in violation of law, policy, or inconsistent with peace officer duties
- Acts that violate the law and are sufficiently egregious or repeated
- Participation in a law enforcement gang
- Failure to cooperate with an investigation into potential police misconduct
- Failure to intercede in use of force

A spiral-bound desk calendar is shown at an angle, with the months of March, July, and November visible. The calendar has a light-colored background with days of the week and dates printed in various colors. A white rectangular overlay is positioned in the lower-left corner, containing the text 'EFFECTIVE JANUARY 1, 2022' and 'HIRING AND SELECTION STANDARDS'.

EFFECTIVE
JANUARY 1, 2022

**HIRING AND
SELECTION
STANDARDS**

HIRING AND SELECTION

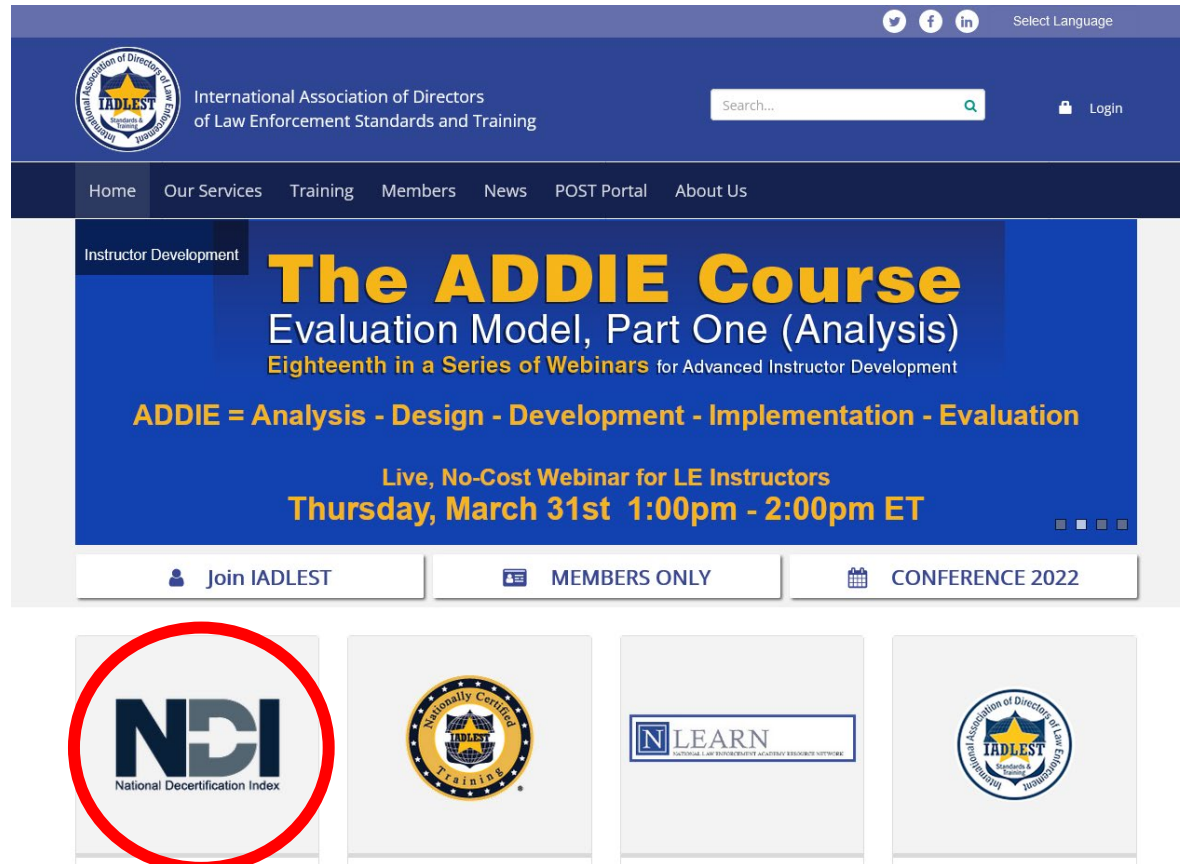
New Disqualifiers

- Government Code §1029
- Military discharge for behavior that would be felony if committed in this state
- Cannot regain eligibility for peace officer employment based on the court setting aside, vacating, withdrawing, expunging or otherwise dismissing or reversing a conviction
- Administrative, military, or civil judicial process for specified Penal Code violations, including some misdemeanors
- Previously revoked/surrendered certification
- Listed in the National Decertification Index or committed serious misconduct while employed as a peace officer that would have resulted in decertification in California

Who?

- All peace officers

NATIONAL DECERTIFICATION INDEX



The screenshot shows the homepage of the International Association of Directors of Law Enforcement Standards and Training (IADLEST). The header includes the IADLEST logo, social media icons, a language selector, a search bar, and a login link. The main navigation menu lists Home, Our Services, Training, Members, News, POST Portal, and About Us. A large blue banner advertises 'The ADDIE Course' as the 'Eighteenth in a Series of Webinars for Advanced Instructor Development'. The banner text reads: 'The ADDIE Course Evaluation Model, Part One (Analysis)', 'ADDIE = Analysis - Design - Development - Implementation - Evaluation', and 'Live, No-Cost Webinar for LE Instructors Thursday, March 31st 1:00pm - 2:00pm ET'. Below the banner are three buttons: 'Join IADLEST', 'MEMBERS ONLY', and 'CONFERENCE 2022'. At the bottom, there are four logos in a row: the NDI logo (circled in red with an arrow pointing to it), the 'Nationally Certified Trainer' seal, the 'N LEARN' logo, and the IADLEST logo.

The NDI currently contains **31906** actions reported by **46** certifying agencies.

[Request Access To The NDI](#)

CALIFORNIA applicants begin here:

[CALIFORNIA Applicants](#)

[Log Into NDI](#)

NATIONAL DECERTIFICATION INDEX

MUST have a POST ID

MUST be listed on the agency roster

MUST request access from a governmental email account (Gmail, Yahoo, Hotmail, etc., are not acceptable)

MUST provide supervisor and contact information

PEACE OFFICER ELIGIBILITY

New Hiring Standard

- Government Code §1031.4
- Effective January 1, 2022, a peace officer must be 21 years of age at time of appointment.
- Exception: Does not apply to any person who, as of December 31, 2021, is currently enrolled in a basic academy or is employed as a peace officer by a public entity in California.
- Does not apply to PC 830.1(c) Jail Deputies.

Who?

- Peace officers designated under SB 2.

PEACE OFFICER ELIGIBILITY

New Hiring Standard

- Penal Code §832.12
- Prior to employing any peace officer, each department or agency **shall** request and review any records made available pursuant to Penal Code Section 832.12, subdivision (a).

Who?

- Peace officers with previous law enforcement experience



EFFECTIVE
JANUARY 1, 2023



HIRING & SELECTION STANDARDS

HIRING AND SELECTION

Previous Peace Officer Employment

- The agency shall contact the commission to inquire as to the facts and reasons a peace officer became separated from any previous employing agency.
- The commission shall maintain reports of serious misconduct, and other related information, and will make it available to any law enforcement agency that is performing a preemployment background investigation.

How?

- Inquiries will be made through POST's Electronic Data Interchange, known as EDI.
- Records will be accessible through an IT platform.



PROPOSED REGULATORY CHANGES

- **REGULATION 1953**
- **REGULATION 1955**

PROPOSED

Not yet adopted

- Regulation 1953- Background Investigation
 - Incorporation of new SB 2 requirements into PHS and sample forms
 - New requirement for complete review of hiring package by agency
- Regulation 1955- Psychological Screening
 - Bias Assessment Framework (AB846)
 - New targeted constructs:
 - Bias Behaviors
 - Bias Attitudes
 - Bias-Relevant Traits and Attributes

Important Points

- Social media searches must be documented in the background narrative report
- New Verification of Peace Officer Eligibility
- Investigator shall provide psychological screening evaluator with narrative report and “other relevant background information”
- Evaluator shall provide department with findings from the bias assessment
- Updates to Background Investigator Manual and Course will be forthcoming

Updates to Background Requirements



QUESTION AND ANSWER



SB 2 FIELD WORKSHOPS

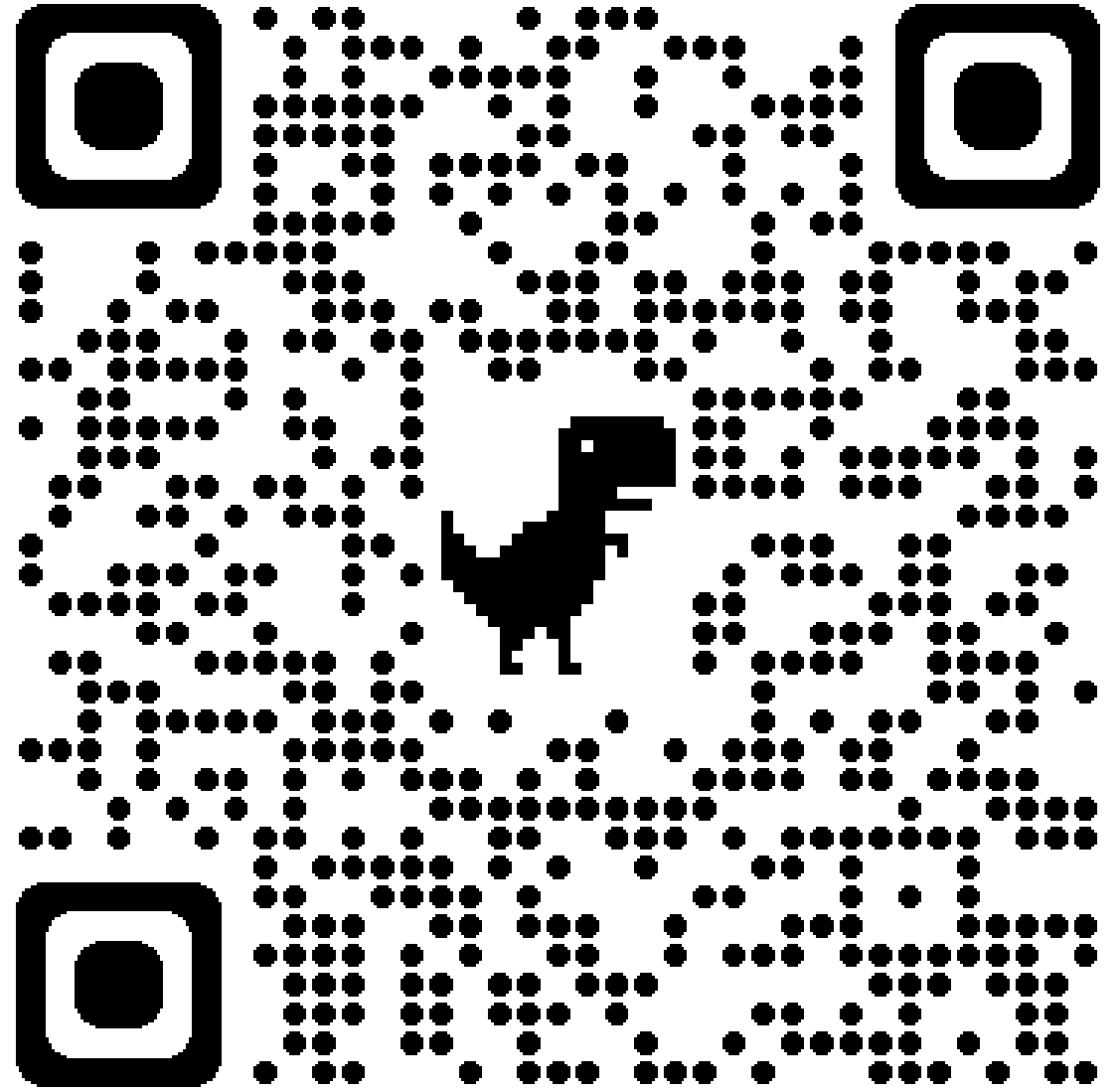


CAREER OPPORTUNITIES AT POST

- LAW ENFORCEMENT CONSULTANTS
 - BUREAU CHIEFS
 - ANALYSTS
 - MANAGERS
 - HR PROFESSIONALS
 - LEGAL STAFF
-
- [HTTPS://POST.CA.GOV/JOB-OPPORTUNITIES-AT-POST](https://post.ca.gov/job-opportunities-at-post)

5 Question Survey

<https://post.ca.gov/SB-2-Informational-Workshop-Survey>



More Questions?

Website: www.post.ca.gov/sb-2

Email: SB2@post.ca.gov or
andrew.mendonsa@post.ca.gov

Session #2- Certificates and Proofs of Eligibility

Tuesday, April 12, 2022

1:00 p.m. - 2:00 p.m.