

**ASSEMBLY BILL**

**No. 1669**

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**Introduced by Assembly Member Chu**

February 21, 2003

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An act to amend Sections 2902 and 2903 of, and to add Section 2932 to, the Business and Professions Code, and to add Section 832.05 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1669, as introduced, Chu. Peace officers: police psychologists.

(1) Existing law regulates the professions of peace officers and psychologists. A violation of the provisions regulating psychologists is a misdemeanor.

This bill would provide that each department or agency in this state that employs peace officers shall utilize certified police psychologists, as defined, when the department or agency is engaged in the screening or training of peace officer recruits or the evaluation of peace officers to determine their fitness for duty. The bill would require the Board of Psychology, in conjunction with the Commission on Peace Officer Standards and Training, to establish education, training, and continuing education requirements for the certification of a person as a police psychologist. The bill would require the board to certify a police psychologist after receiving an application and payment of a fee if the police psychologist meets the established requirements. A person would not be able to engage in the practice of, or represent himself or herself to be, a police psychologist without being granted that certification. By creating new crimes relating to the profession of psychology and by requiring local law enforcement to utilize certified

police psychologists under certain conditions, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2902 of the Business and Professions
- 2 Code is amended to read:
- 3 2902. As used in this chapter, unless the context clearly
- 4 requires otherwise and except as in this chapter expressly
- 5 otherwise provided:
- 6 (a) (1) “Licensed psychologist” means an individual to whom
- 7 a license has been issued pursuant to the provisions of this chapter,
- 8 which license is in force and has not been suspended or revoked.
- 9 (2) *‘Police psychologist’ means a licensed psychologist who*
- 10 *engages in the screening or training of peace officer recruits or the*
- 11 *evaluation of peace officers to determine their fitness for duty and*
- 12 *who meets the certification requirements of the board as specified*
- 13 *in subparagraph (B).*
- 14 (b) “Board” means the Board of Psychology.
- 15 (c) A person represents himself or herself to be a psychologist
- 16 when the person holds himself or herself out to the public by any
- 17 title or description of services incorporating the words
- 18 “psychology,” “psychological,” “psychologist,” “psychology
- 19 consultation,” “psychology consultant,” *“police psychologist,”*
- 20 “psychometry,” “psychometrics” or “psychometrist,”



1 “psychotherapy,” “psychotherapist,” “psychoanalysis,” or  
2 “psychoanalyst,” or when the person holds himself or herself out  
3 to be trained, experienced, or an expert in the field of psychology.

4 (d) “Accredited,” as used with reference to academic  
5 institutions, means the University of California, the California  
6 State University, an institution accredited under Section 94761 of  
7 the Education Code, or an institution located in another state that  
8 is accredited by a national or an applicable regional accrediting  
9 agency recognized by the United States Department of Education.

10 (e) “Approved,” as used with reference to academic  
11 institutions, means approved under Section 94777 of the  
12 Education Code.

13 SEC. 2. Section 2903 of the Business and Professions Code  
14 is amended to read:

15 2903. (a) (1) No person may engage in the practice of  
16 psychology, or represent himself or herself to be a psychologist,  
17 without a license granted under this chapter, except as otherwise  
18 provided in this chapter. The practice of psychology is defined as  
19 rendering or offering to render for a fee to individuals, groups,  
20 organizations or the public any psychological service involving  
21 the application of psychological principles, methods, and  
22 procedures of understanding, predicting, and influencing  
23 behavior, such as the principles pertaining to learning, perception,  
24 motivation, emotions, and interpersonal relationships; and the  
25 methods and procedures of interviewing, counseling,  
26 psychotherapy, behavior modification, and hypnosis; and of  
27 constructing, administering, and interpreting tests of mental  
28 abilities, aptitudes, interests, attitudes, personality characteristics,  
29 emotions, and motivations.

30 (2) *No person may engage in the practice of, or represent*  
31 *himself or herself to be, a police psychologist, as defined in*  
32 *subdivision (a) of Section 2902, without a certification granted*  
33 *under this chapter, except as otherwise provided in this chapter.*

34 (b) The application of these principles and methods includes,  
35 but is not restricted to: diagnosis, prevention, treatment, and  
36 amelioration of psychological problems and emotional and mental  
37 disorders of individuals and groups.

38 (c) (1) Psychotherapy within the meaning of this chapter  
39 means the use of psychological methods in a professional  
40 relationship to assist a person or persons to acquire greater human



1 effectiveness or to modify feelings, conditions, attitudes and  
2 behavior which are emotionally, intellectually, or socially  
3 ineffectual or maladjustive.

4 (2) As used in this chapter, “fee” means any charge, monetary  
5 or otherwise, whether paid directly or paid on a prepaid or  
6 capitation basis by a third party, or a charge assessed by a facility,  
7 for services rendered.

8 SEC. 3. Section 2932 is added to the Business and Professions  
9 Code, to read:

10 2932. The board shall, in conjunction with the Commission  
11 on Peace Officer Standards and Training, establish education,  
12 training, and continuing education requirements for the  
13 certification of a person as a police psychologist. The board shall  
14 certify police psychologist upon receiving an application and  
15 payment of a certification fee, as determined by the board, if the  
16 applicant meets the requirements of this section.

17 SEC. 4. Section 832.05 is added to the Business and  
18 Professions Code, to read:

19 832.05. Each department or agency in this state that employs  
20 peace officers shall utilize certified police psychologists, as  
21 provided in Sections 2902 and 2903 of the Business and  
22 Professions Code, when the department or agency is engaged in  
23 the screening or training of peace officer recruits or the evaluation  
24 of peace officers to determine their fitness for duty.

25 SEC. 5. No reimbursement is required by this act pursuant to  
26 Section 6 of Article XIII B of the California Constitution for  
27 certain costs that may be incurred by a local agency or school  
28 district because in that regard this act creates a new crime or  
29 infraction, eliminates a crime or infraction, or changes the penalty  
30 for a crime or infraction, within the meaning of Section 17556 of  
31 the Government Code, or changes the definition of a crime within  
32 the meaning of Section 6 of Article XIII B of the California  
33 Constitution.

34 However, notwithstanding Section 17610 of the Government  
35 Code, if the Commission on State Mandates determines that this  
36 act contains other costs mandated by the state, reimbursement to  
37 local agencies and school districts for those costs shall be made  
38 pursuant to Part 7 (commencing with Section 17500) of Division  
39 4 of Title 2 of the Government Code. If the statewide cost of the  
40 claim for reimbursement does not exceed one million dollars



- 1 (\$1,000,000), reimbursement shall be made from the State
- 2 Mandates Claims Fund.

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