

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 971**

**Introduced by Assembly Member Jerome Horton**  
*(Coauthor: Assembly Member Bermudez)*

February 18, 2005

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An act to add Section 13604 to the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 971, as amended, Jerome Horton. Corrections: training.

Existing law requires that specified training be provided to certain correctional peace officers.

This bill would require ~~that each correctional peace officer employed by the Department of Corrections or the Department of the Youth Authority whose duties are not primarily managerial or supervisory receive at least 80 hours of job-related training each fiscal year, and that each correctional peace officer employed by the State Department of Mental Health whose duties are not primarily managerial or supervisory receive at least 40 hours of job-related self-defense training each fiscal year. The bill would require the Department of Corrections and the Department of the Youth Authority to use actual surveillance videos for training purposes, except as specified. It would prohibit a correctional peace officer position that is nonsupervisory and nonmanagerial from being left vacant to finance the training mandated by these provisions~~ *require these departments to provide training mandated by a collective bargaining agreement or as required by law.*

The bill would require that each person appointed as a warden within the Department of Corrections or a superintendent within the

Department of the Youth Authority undergo a psychological evaluation prior to assuming his or her duties, except as specified.

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

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

1 SECTION 1. Section 13604 is added to the Penal Code, to  
2 read:

3 13604. (a) The Legislature finds and declares that in order to  
4 improve the operations of the state correctional system, it is  
5 critical that additional training be provided to correctional peace  
6 officers whose primary duties are not managerial or  
7 supervisory.

8 ~~(b) Each correctional peace officer employed by the~~  
9 ~~Department of Corrections or the Department of the Youth~~  
10 ~~Authority whose duties are not primarily managerial or~~  
11 ~~supervisory shall receive at least 80 hours of job-related training~~  
12 ~~each fiscal year. The Department of Corrections and the~~  
13 ~~Department of the Youth Authority shall determine the best use~~  
14 ~~of any hours remaining from this requirement after a correctional~~  
15 ~~peace officer has completed training mandated by other~~  
16 ~~provisions of law.~~

17 ~~(c) Each correctional peace officer employed by the State~~  
18 ~~Department of Mental Health whose duties are not primarily~~  
19 ~~managerial or supervisory shall receive at least 40 hours of~~  
20 ~~job-related self-defense training each fiscal year.~~

21 ~~(d)~~

22 (b) The Department of Corrections and the Department of the  
23 Youth Authority shall use actual surveillance videos for training  
24 purposes, provided that the videos do not depict any incident that  
25 is the subject of pending litigation or an active criminal  
26 investigation. Any video used for training purposes shall be  
27 altered to protect the privacy of persons appearing in the videos.

28 ~~(e) No correctional peace officer position that is~~  
29 ~~nonsupervisory and nonmanagerial shall be left vacant to~~  
30 ~~finance the training mandated by this section. Any funds~~  
31 ~~appropriated to fill these positions that are not spent for that~~  
32 ~~purpose shall revert to the fund from which they were~~  
33 ~~appropriated.~~

1     ~~(f)~~

2     (c) *The Department of Corrections and the Department of the*  
3 *Youth Authority shall provide training mandated by a collective*  
4 *bargaining agreement or as required by law.*

5     (d) Each person appointed as a warden within the Department  
6 of Corrections or a superintendent within the Department of the  
7 Youth Authority shall undergo a psychological evaluation prior  
8 to assuming his or her duties. Any person who has undergone a  
9 psychological evaluation as a correctional peace officer or as a  
10 condition of his or her employment as a correctional peace  
11 officer shall be exempt from this requirement.

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