

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 979

Introduced by Assembly Member Weber

February 22, 2013

An act to add Section 13518.5 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 979, as amended, Weber. Peace officers: Maritime Peace Officer Standards Training Act of 2013.

Existing law establishes in the Department of Justice the Commission on Peace Officer Standards and Training. Existing law requires the commission to adopt, and authorizes the commission to amend, rules establishing minimum standards relating to physical, mental, and moral fitness that govern the recruitment of various peace officers, including city police officers and peace officer members of a county sheriff's office. Existing law also requires the commission to carry out various duties related to peace officer education and training, including, among other duties, establishing a certificate program for peace officers, making inquiries to ensure adherence to standards for the recruitment and training of peace officers, and implementing specified courses of instruction in procedures applicable in specific circumstances, such as domestic violence and child abuse or neglect. Existing law authorizes the commission to adopt those regulations as are necessary to carry out the purposes of these provisions relating to peace officer standards and training.

This bill would enact the Maritime Peace Officer Standards Training Act of 2013. The bill would require each peace officer who is assigned

~~to a jurisdiction that includes waterborne environments in a jurisdiction that includes navigable waters, serves as a crew member on a waterborne law enforcement vessel, and meets other specified criteria~~ to complete a course in basic maritime—law operations for law enforcement officers. The bill would require the course of instruction to include, among other things, boat handling, navigation rules, and comprehensive training regarding maritime boardings, arrest procedures, and counterterrorism practices and procedures. The bill would require that the curriculum be consistent with federal standards and tactical training. The provisions of the bill would become operative in a city, county, city and county, or district contingent upon the appropriation of federal funds for these purposes, as specified, and the adoption of a resolution by the governing body of that city, county, city and county, or district, as specified.

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

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

- 1 SECTION 1. This act shall be known and may be cited as the
- 2 Maritime Peace Officer Standards Training Act of 2013.
- 3 SEC. 2. The Legislature finds and declares all of the following:
- 4 (a) There is a need for legislation requiring that peace officers
- 5 in this state who serve in jurisdictions that include marine ports,
- 6 navigable lakes, and rivers be certified by the Commission on
- 7 Peace Officer Standards and Training (POST), based on completion
- 8 of a basic maritime law enforcement officer’s course of instruction.
- 9 (b) Local, state, and federal law enforcement agencies maintain
- 10 joint responsibility and authority within marine ports and territorial
- 11 and inland waters. Law enforcement officers who serve in
- 12 jurisdictions that include waterborne environments, such as ports,
- 13 navigable waters, dockside environments, or recreational areas
- 14 located near or on navigable waterways, have a unique set of
- 15 responsibilities. These officers perform tasks that are specific and
- 16 particular to these environments, and they are called upon to ensure
- 17 safety and security in light of the unique set of maritime laws and
- 18 regulations.
- 19 (c) As a result of post-9/11 homeland security and port security
- 20 missions, maritime training has not only evolved but become a
- 21 necessity among law enforcement agencies whose jurisdictions

1 include maritime areas. As agencies such as the United States
2 Coast Guard, sheriff’s departments, and police departments enhance
3 their maritime presence, adequacy and consistency of training is
4 critical. Cases where multiagency operations are taking place or
5 where agencies are assisting each other during routine operations
6 are of particular interest. This concern was highlighted in the
7 federal Coast Guard Authorization Act of 2010. Unlike other
8 requirements in the POST system, there are no statewide standards
9 for tactical training for state and local maritime officers.

10 (d) A POST-certified curriculum consistent with federal
11 standards and tactical training would benefit the growing number
12 of law enforcement agencies that have created specialized maritime
13 units, and achieve consistent adherence to the federal Department
14 of Homeland Security’s strategy for maritime security to combat
15 terrorism. Course curriculum would provide basic instruction for
16 ~~crew members~~ *crew members* on law enforcement and public safety
17 vessels operated by local authorities. Boat handling, chart reading,
18 and navigation rules are a necessity to personnel. Additionally,
19 students would receive comprehensive training on maritime
20 boardings, arrest procedures, vessel identification, searches, and
21 counterterrorism practices and procedures.

22 (e) Therefore, in order to ensure that maritime law enforcement
23 is conducted safely, effectively, and consistently throughout the
24 state, this type of training should be required by state law.

25 SEC. 3. Section 13518.5 is added to the Penal Code, to read:

26 13518.5. (a) *(1)* Each peace officer in California who ~~is~~
27 ~~assigned to a jurisdiction that includes a waterborne environment~~
28 ~~meets the criteria specified in subdivision (b)~~ shall complete a
29 course in basic maritime ~~law~~ *operations* for law enforcement
30 officers. The course of instruction shall include boat handling,
31 chart reading, navigation rules, and comprehensive training
32 regarding maritime boardings, arrest procedures, vessel
33 identification, searches, and counterterrorism practices and
34 procedures. The curriculum shall be consistent with applicable
35 federal standards and tactical training.

36 ~~(b) For purposes of this section, a “waterborne environment”~~
37 ~~includes, but is not limited to, any jurisdiction that includes a port,~~
38 ~~a navigable lake or river, or inland waters.~~

39 *(b) Subdivision (a) shall apply to a peace officer who meets all*
40 *of the following criteria:*

1 (1) *Is employed by a city, county, city and county, or district*
2 *that has adopted a resolution pursuant to paragraph (2) of*
3 *subdivision (c).*

4 (2) *Is within a classification identified in the resolution adopted*
5 *pursuant to paragraph (2) of subdivision (c).*

6 (3) *Is assigned in a jurisdiction that includes navigable waters.*

7 (4) *Serves as a crew member on a waterborne law enforcement*
8 *vessel.*

9 (c) This section shall become operative in a city, county, city
10 and county, or district when both of the following apply:

11 (1) The federal Department of Homeland Security has provided
12 funding to a law enforcement agency in a city, county, city and
13 county, or district to implement this section.

14 (2) The governing body of the city, county, city and county, or
15 district, such as the board of supervisors of a county or the city
16 council, has adopted a resolution agreeing to implement this section
17 *and identifying the specific classifications of peace officers in the*
18 *jurisdiction that will be subject to training pursuant to this section.*