

AMENDED IN ASSEMBLY APRIL 19, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2361

Introduced by Assembly Member Santiago

February 18, 2016

An act to add Section 830.75 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2361, as amended, Santiago. Peace officers: ~~independent institutions of higher education.~~ *University of Southern California security officers.*

Existing law designates all persons who meet specified standards as peace officers. Existing law requires any sheriff, undersheriff, deputy sheriff or police officer, as specified, to successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer.

This bill would ~~authorize an independent institution of higher education, as defined, to designate a person regularly employed as a security officer as a peace officer during the course of and within the scope of his or her employment, as specified, provided that the person successfully completes the course of training described above.~~ *make a person regularly employed as a security officer of the University of Southern California a peace officer during the course and within the scope of his or her employment with the University of Southern California. The bill would require the University of Southern California to enter into a memorandum of understanding with the local law enforcement agency to implement the authority granted by the bill. The bill would require peace officers designated pursuant to its provisions*

to complete the course of training prescribed by the Commission on Peace Officer Standards and Training. The bill would allow a peace officer designated pursuant to its provisions to carry a firearm if authorized by his or her employer.

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. Section 830.75 is added to the Penal Code, to
 2 read:
 3 830.75. (a) Notwithstanding subdivision (b) of Section 830.7,
 4 a person regularly employed as a security officer for the University
 5 of Southern California is a peace officer during the course and
 6 within the scope of his or her employment with the University of
 7 Southern California, provided that these peace officers shall not
 8 exercise their powers or authority except upon the campuses of
 9 the University of Southern California and an area within one mile
 10 of the exterior boundaries of each, and in or about other grounds
 11 and properties owned, operated, controlled, or administered by
 12 the University of Southern California.
 13 (b) In order to implement the authority of the state to grant
 14 police powers pursuant to subdivision (a), the local law
 15 enforcement agency and the University of Southern California
 16 shall enter into a memorandum of understanding pursuant to all
 17 of the following:
 18 (1) The memorandum of understanding shall implement the
 19 exercise of the authority granted by the state pursuant to this
 20 section.
 21 (2) The local law enforcement agency, or the chief or head of
 22 the department of public safety of the University of Southern
 23 California, shall designate security officers of the University of
 24 Southern California as peace officers under this section.
 25 (3) The memorandum of understanding shall be recognized and
 26 duly enforced.
 27 (c) Before exercising the powers of a peace officer, a person
 28 designated as a peace officer pursuant to this section shall
 29 successfully complete a regular basic course of training certified
 30 by the Commission on Peace Officer Standards and Training as

1 *prescribed in Section 832 and shall undergo a background*
2 *investigation pursuant to Section 1031 of the Government Code.*

3 *(d) Persons designated as peace officers pursuant to this section*
4 *shall maintain the same continuous professional training, including*
5 *perishable skills training, as required by the Commission on Peace*
6 *Officer Standards and Training with respect to duties involving*
7 *responsibility for the prevention and detection of crime and the*
8 *general enforcement of the criminal laws of this state, provided,*
9 *however, that the persons designated as peace officers pursuant*
10 *to this section shall not be reimbursed with state funds for any*
11 *training they receive.*

12 *(e) A person designated as a peace officer pursuant to this*
13 *section shall have all the authority, rights, powers, duties,*
14 *responsibilities, and status afforded to peace officers under any*
15 *other law, whether or not this section is specifically referenced*
16 *therein, with the exception of retirement, workers' compensation,*
17 *or similar injury or death benefits, or other employee benefits for*
18 *which peace officers in this state are eligible. Vehicles owned by*
19 *the University of Southern California that are specifically*
20 *designated for use by persons designated as peace officers pursuant*
21 *to this section shall be deemed authorized emergency vehicles for*
22 *all purposes of the law within the institution's jurisdiction.*

23 *(f) A person designated as a peace officer pursuant to this*
24 *section may carry a firearm in the course of his or her duties only*
25 *if authorized by, and under the terms and conditions of, his or her*
26 *employer.*

27 ~~SECTION 1. Section 830.75 is added to the Penal Code, to~~
28 ~~read:~~

29 ~~830.75. (a) A person regularly employed as a security officer~~
30 ~~for an independent institution of higher education as defined in~~
31 ~~subdivision (b) of Section 66010 of the Education Code, may be~~
32 ~~designated as a peace officer during the course and within the~~
33 ~~scope of his or her employment, if the institution has, with the~~
34 ~~sheriff or chief of police of within whose jurisdiction the institution~~
35 ~~is located, entered into a memorandum of understanding that~~
36 ~~permits the exercise of that authority.~~

37 ~~(b) Before exercising the powers of a peace officer, a person~~
38 ~~designated as a peace officer pursuant to subdivision (a) shall~~
39 ~~successfully complete a course of training prescribed by the~~

1 Commission on Peace Officer Standards and Training pursuant to
2 Section 832.3:

3 ~~(e) A person designated as a peace officer pursuant to~~
4 ~~subdivision (a) shall not be reimbursed with state funds for any~~
5 ~~training he or she receives, and shall not be eligible to participate~~
6 ~~in any state or municipal retirement system based on his or her~~
7 ~~designation as a peace officer pursuant to subdivision (a).~~

8 ~~(d) A person designated as a peace officer pursuant to~~
9 ~~subdivision (a) may carry a firearm in the course of his or her~~
10 ~~duties only if authorized by and under the terms and conditions of~~
11 ~~his or her employing agency.~~