

AMENDED IN SENATE JUNE 15, 2016

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: ~~University of Southern California security officers:~~ *independent institutions of higher education: 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. *Under existing law, a person regularly employed as a security officer for an independent institution of higher education is not a peace officer but may exercise the powers of arrest of a peace officer during the course and within the scope of their employment if the employing institution of higher education has concluded a memorandum of understanding, permitting the exercise of authority, with the sheriff or the chief of police within whose jurisdiction the institution lies.*

~~This bill would 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.

This bill would allow a person regularly employed as a security officer for an independent institution of higher education to be deputized or appointed as a reserve deputy or officer by a sheriff or chief of police if he or she has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training, and the institution of higher education and the appropriate local law enforcement agency have entered into a memorandum of understanding. The bill would make the authority of a person designated as a peace officer pursuant to these provisions applicable only while he or she is engaged in the performance of his or her assigned duties.

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 an
 5 independent institution of higher education recognized under
 6 subdivision (b) of Section 66010 of the Education Code may be
 7 deputized or appointed by the sheriff or the chief of police of the
 8 jurisdiction in which the institution is located as a reserve deputy
 9 or officer pursuant to Section 830.6, notwithstanding that he or
 10 she is compensated by the institution of higher education or that
 11 the assigned specific law enforcement functions and duties may
 12 be of a recurring or continuous nature, if both of the following
 13 requirements are met:
 14 (1) The person meets the requirements specified in paragraph
 15 (1) of subdivision (a) of Section 832.6.

1 (2) *The institution of higher education and the appropriate local*
2 *law enforcement agency have entered into a memorandum of*
3 *understanding.*

4 (b) *The authority of a person designated as a peace officer*
5 *pursuant to this section applies only while he or she is engaged*
6 *in the performance of his or her assigned duties pursuant to this*
7 *section.*

8 (c) *Vehicles owned by an independent institution of higher*
9 *education that are specifically designated for use by persons*
10 *designated as peace officers pursuant to this section shall be*
11 *deemed authorized emergency vehicles for all purposes of the law*
12 *within the institution's jurisdiction.*

13 ~~SECTION 1. Section 830.75 is added to the Penal Code, to~~
14 ~~read:~~

15 ~~830.75. (a) Notwithstanding subdivision (b) of Section 830.7,~~
16 ~~a person regularly employed as a security officer for the University~~
17 ~~of Southern California is a peace officer during the course and~~
18 ~~within the scope of his or her employment with the University of~~
19 ~~Southern California, provided that these peace officers shall not~~
20 ~~exercise their powers or authority except upon the campuses of~~
21 ~~the University of Southern California and an area within one mile~~
22 ~~of the exterior boundaries of each, and in or about other grounds~~
23 ~~and properties owned, operated, controlled, or administered by the~~
24 ~~University of Southern California.~~

25 ~~(b) In order to implement the authority of the state to grant~~
26 ~~police powers pursuant to subdivision (a), the local law~~
27 ~~enforcement agency and the University of Southern California~~
28 ~~shall enter into a memorandum of understanding pursuant to all~~
29 ~~of the following:~~

30 ~~(1) The memorandum of understanding shall implement the~~
31 ~~exercise of the authority granted by the state pursuant to this~~
32 ~~section.~~

33 ~~(2) The local law enforcement agency, or the chief or head of~~
34 ~~the department of public safety of the University of Southern~~
35 ~~California, shall designate security officers of the University of~~
36 ~~Southern California as peace officers under this section.~~

37 ~~(3) The memorandum of understanding shall be recognized and~~
38 ~~duly enforced.~~

39 ~~(e) Before exercising the powers of a peace officer, a person~~
40 ~~designated as a peace officer pursuant to this section shall~~

1 ~~successfully complete a regular basic course of training certified~~
2 ~~by the Commission on Peace Officer Standards and Training as~~
3 ~~prescribed in Section 832 and shall undergo a background~~
4 ~~investigation pursuant to Section 1031 of the Government Code.~~

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

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

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