

AMENDED IN ASSEMBLY APRIL 25, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2626

Introduced by Assembly Members Jones-Sawyer and Bonta

February 19, 2016

An act to add Section 13519.45 to the Penal Code, relating to peace officer standards and training.

LEGISLATIVE COUNSEL'S DIGEST

AB 2626, as amended, Jones-Sawyer. Commission on Peace Officer Standards and Training: procedural justice training.

Existing law establishes the Commission on Peace Officer Standards and Training and requires it to develop and disseminate guidelines and training for law enforcement officers, as described.

This bill would require the commission to develop and disseminate ~~guidelines and~~ training for peace officers on principled policing, which would include the subjects of procedural justice and implicit bias, as defined. The bill would require this training ~~as part of the basic training course for~~ *for specified* peace officers. The bill would also require the commission to ~~develop and disseminate guidelines and training~~ *certify and make training available* to train peace officers to teach the course of ~~basic~~ training on principled policing to other officers in their agencies. The bill would require the commission to offer the ~~basic~~ principled policing course and the training course ~~semiannually~~ *quarterly* commencing in June 2017. *The bill would require the commission, no later than June 1, 2018, to evaluate its current course of basic training and promulgate a plan to incorporate the concepts of principled policing into its course of basic training and would require each peace officer to complete a refresher course no less than every 5 years.*

By requiring additional—basic training for peace officers, this bill would impose a state-mandated local program.

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.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *The relationship between law enforcement and the*
4 *communities they are sworn to protect must be grounded in trust*
5 *in order to ensure safety and protection for all.*

6 (b) *Despite the ongoing challenges to fostering strong*
7 *relationships of trust between law enforcement and communities,*
8 *the practice of principled policing, specifically procedural justice*
9 *and implicit bias, is one strategy shown to improve*
10 *police-community relationships.*

11 (c) *It is in the interest of California’s communities and the*
12 *thousands of men and women who are sworn to serve and protect*
13 *the public that the State of California support evidence-based*
14 *strategies to improve the relationship of trust between law*
15 *enforcement and communities.*

16 (d) *Understanding and implementing the practice of principled*
17 *policing, specifically procedural justice and implicit bias, offers*
18 *an opportunity for law enforcement and communities to*
19 *collaboratively build trust and improve safety for all.*

20 ~~SECTION 1.~~

21 SEC. 2. Section 13519.45 is added to the Penal Code, to read:

22 13519.45. (a) (1) The commission shall develop and
23 disseminate—guidelines—and training on principled policing,
24 specifically procedural justice and implicit bias, for all peace
25 officers described in subdivision (a) of Section 13510.

1 (2) “Procedural justice” means ~~the procedures used by police~~
2 ~~officers where citizens are treated fairly and with proper respect~~
3 ~~as human beings. an approach to policing based on giving people~~
4 ~~the opportunity to tell their side of the story, remaining neutral in~~
5 ~~decisionmaking and behavior, treating people with respect, and~~
6 ~~explaining actions in a way that communicates caring for people’s~~
7 ~~concerns so as to demonstrate trustworthiness.~~

8 (3) “Implicit bias” means thoughts or feelings about people of
9 ~~which one is unaware and can influence one’s own and others’~~
10 ~~actions. social groups that can influence people’s perceptions,~~
11 ~~decisions, and actions without awareness.~~

12 (4) The course or courses of instruction ~~and the guidelines~~ shall
13 stress procedural justice as a strategy for improving the relationship
14 of trust between law enforcement and communities and how
15 implicit bias can be a barrier to procedural justice.

16 (b) The course of ~~basic~~ training for peace officers shall include
17 adequate instruction on procedural justice and implicit bias in order
18 to foster mutual respect and cooperation between law enforcement
19 and communities. The curriculum shall be evidence-based and
20 shall be developed in consultation with appropriate groups and
21 individuals who have expertise in procedural justice or implicit
22 bias, including, but not limited to, law enforcement agencies that
23 have demonstrated experience in procedural justice or implicit
24 bias training, university professors who specialize in addressing
25 and reducing racial and identity bias towards individuals and
26 groups, and community organizations or members who specialize
27 in civil or human rights and criminal justice. The course of
28 instruction shall include, but not be limited to, consideration of
29 each of the following subjects:

30 (1) Procedural justice as a strategy for improving the relationship
31 of trust between law enforcement agencies and the communities
32 they are sworn to serve.

33 (2) Implicit bias as a barrier to procedural justice.

34 (3) Historical and generational effects of policing.

35 (4) Interactive nature of policing goals, procedural justice, and
36 implicit bias.

37 (c) The commission shall also ~~develop and disseminate~~
38 ~~guidelines and training~~ *certify and make training available* to train
39 peace officers to be able to effectively teach the course of ~~basic~~
40 training on principled policing. The training course shall be

1 structured so that experts on procedural justice and implicit bias
2 train ~~small groups from~~ law enforcement agencies to be able to
3 effectively teach the concepts, principles, and research behind
4 procedural justice and implicit bias to colleagues within their
5 departments. Participating law enforcement agencies ~~shall are~~
6 *encouraged to* send at least one police executive *or manager* and
7 one training officer to the training course. Law enforcement
8 agencies are encouraged to attend the training course with at least
9 one community member. Upon completion of the training course,
10 peace officers from participating law enforcement agencies shall
11 be ~~certified~~ *qualified* by the commission to conduct the course ~~of~~
12 ~~basic training~~ on principled policing for colleagues in their
13 respective agencies.

14 (d) The commission shall offer the course ~~of basic training~~ on
15 principled policing and the training ~~course~~ on a ~~semiannual~~
16 *quarterly* basis in regional training centers across the state
17 commencing in June 2017.

18 (e) *No later than June 1, 2018, the commission shall evaluate*
19 *its current course of basic training and promulgate a plan to*
20 *incorporate the concepts of principled policing, as set forth in this*
21 *section, into its course of basic training and shall require each*
22 *peace officer described in subdivision (a) of Section 13510 to*
23 *complete a refresher course no less frequent than every five years.*

24 ~~SEC. 2.~~

25 *SEC. 3.* If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.