

AMENDED IN ASSEMBLY APRIL 14, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1494

Introduced by Assembly Member Wildman

February 26, 1999

An act to amend Section 830.1 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1494, as amended, Wildman. Peace officers: Los Angeles Unified School District.

Under existing law, any member of specified law enforcement entities, including any sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county, or any port warden or special officer of the Harbor Department of the County of Los Angeles, is a peace officer whose authority extends to any place in the state, as specified.

This bill would apply this provision to any police officer of the Los Angeles Unified School District. By conferring peace officer status on a group of persons employed by a local entity, this bill would impose a state-mandated local program.

The bill also would provide findings of the Legislature in support of conferring peace officer status on these police officers.

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, including the creation of a State

Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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. (a) *The Legislature finds that the Los*
 2 *Angeles Unified School District Police Department*
 3 *(LAUSD P.D.) has maintained a complete full-service*
 4 *police department, as certified by the Peace Officers*
 5 *Standards and Training Commission (POST) of*
 6 *California since 1984, and that all sworn personnel of the*
 7 *LAUSD P.D. meet or exceed the selection process,*
 8 *including background examinations and psychological*
 9 *testing, regular police academy, and professional training*
 10 *standards, as mandated by POST, of all municipal and*
 11 *county police agencies. The LAUSD P.D. participates in*
 12 *the regular POST program with its officers awarded*
 13 *basic, immediate, advanced, supervisory, and advanced*
 14 *police management certificates.*
 15 (b) *The Legislature also finds that the LAUSD P.D.*
 16 *provides 24-hour a day police services in the Los Angeles*
 17 *community. The Los Angeles Unified School District is*
 18 *the second largest district in the United States. The*
 19 *LAUSD P.D. is the only school district police department*
 20 *in the country that functions as a full-service police*
 21 *agency.*
 22 (c) *The Legislature also finds that the LAUSD P.D.*
 23 *serves approximately 900 schools and educational centers*
 24 *throughout the 708 square miles of Los Angeles County*
 25 *in multiple jurisdictions. The LAUSD police officers are*
 26 *responsible for the protection and safety of a student*
 27 *population of over 850,000 attending K-12 schools. There*



1 is an additional population of approximately 55,000
2 employees at LAUSD sites.

3 (d) The Legislature also finds that the LAUSD P.D.
4 has made over 35,000 juvenile and adult felony or
5 misdemeanor arrests over the past five years. Adding to
6 the risk level of a LAUSD P.D. police officer position is the
7 high number of crimes and weapons seizures each year
8 on or about school campuses. Each year, over 1,000
9 weapons crimes are committed, with over 500 weapons
10 confiscated, approximately 20 percent of which are
11 firearms.

12 (e) The Legislature further finds that in order to
13 ensure that students are able to attend the safest schools
14 possible, it is in the best interest of students, teachers,
15 parents, and the Los Angeles community that the LAUSD
16 P.D. and its sworn personnel be accorded the peace
17 officer status conferred pursuant to Section 830.1 of the
18 Penal Code.

19 SEC. 2. Section 830.1 of the Penal Code is amended to
20 read:

21 830.1. (a) Any sheriff, undersheriff, or deputy sheriff,
22 employed in that capacity, of a county, any chief of police
23 of a city or chief, director, or chief executive officer of a
24 consolidated municipal public safety agency which
25 performs police functions, any police officer, employed in
26 that capacity and appointed by the chief of police or chief,
27 director, or chief executive of a public safety agency, of
28 a city, any chief of police, or police officer of a district
29 (including police officers of the San Diego Unified Port
30 District Harbor Police) authorized by statute to maintain
31 a police department, any marshal or deputy marshal of a
32 municipal court, any port warden or special officer of the
33 Harbor Department of the City of Los Angeles, any police
34 officer of the Los Angeles Unified School District Police
35 Department, or any inspector or investigator employed
36 in that capacity in the office of a district attorney, is a
37 peace officer. The authority of these peace officers
38 extends to any place in the state, as follows:



1 (1) As to any public offense committed or which there
2 is probable cause to believe has been committed within
3 the political subdivision which employs the peace officer.

4 (2) Where the peace officer has the prior consent of
5 the chief of police or chief, director, or chief executive
6 officer of a consolidated municipal public safety agency,
7 or person authorized by him or her to give consent, if the
8 place is within a city or of the sheriff, or person authorized
9 by him or her to give consent, if the place is within a
10 county.

11 (3) As to any public offense committed or which there
12 is probable cause to believe has been committed in the
13 peace officer's presence, and with respect to which there
14 is immediate danger to person or property, or of the
15 escape of the perpetrator of the offense.

16 (b) Special agents and Attorney General investigators
17 of the Department of Justice are peace officers, and those
18 assistant chiefs, deputy chiefs, chiefs, deputy directors,
19 and division directors designated as peace officers by the
20 Attorney General are peace officers. The authority of
21 these peace officers extends to any place in the state
22 where a public offense has been committed or where
23 there is probable cause to believe one has been
24 committed.

25 (c) Any deputy sheriff of a county of the first class who
26 is employed to perform duties exclusively or initially
27 relating to custodial assignments with responsibilities for
28 maintaining the operations of county custodial facilities,
29 including the custody, care, supervision, security,
30 movement, and transportation of inmates, is a peace
31 officer whose authority extends to any place in the state
32 only while engaged in the performance of the duties of his
33 or her respective employment and for the purpose of
34 carrying out the primary function of employment
35 relating to his or her custodial assignments, or when
36 performing other law enforcement duties directed by his
37 or her employing agency during a local
38 state-of-emergency.

39 ~~SEC. 2.~~



1 *SEC.* 3. Notwithstanding Section 17610 of the
2 Government Code, if the Commission on State Mandates
3 determines that this act contains costs mandated by the
4 state, reimbursement to local agencies and school
5 districts for those costs shall be made pursuant to Part 7
6 (commencing with Section 17500) of Division 4 of Title
7 2 of the Government Code. If the statewide cost of the
8 claim for reimbursement does not exceed one million
9 dollars (\$1,000,000), reimbursement shall be made from
10 the State Mandates Claims Fund.

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