

AMENDED IN ASSEMBLY MARCH 27, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2449

Introduced by Assembly Member Wildman
(Principal coauthor: Assembly Member Hertzberg)

February 24, 2000

An act to amend Sections 13500, 13503, and 13506 of the Penal Code, relating to crime prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 2449, as amended, Wildman. Law enforcement: peace officer training.

Existing law provides for the 14-member Commission on Peace Officer Standards and Training appointed by the Governor, after consultation with, and with the advice of, the Attorney General, who is an ex officio member, and with the advice and consent of the Senate. Included among the commission members are 4 peace officers of the rank of sergeant or below with a minimum of 5 years experience, as specified.

Existing law additionally provides the commission with specified powers for carrying out its duties and responsibilities and authorizes the commission to adopt regulations necessary to carry out the purposes of the provisions governing its operation.

This bill would ~~provide that the Attorney General is a nonvoting member, except in the case of a tie vote, as specified. The bill would add an additional member to the~~

class of peace officers described above, thereby increasing the commission to 15 members. The bill also would provide that, with specified exceptions, the commission is prohibited from withdrawing or cancelling any certificate issued to any peace officer pursuant to its provisions. The bill likewise would prohibit the commission from adopting any regulation authorizing the withdrawal or cancellation of peace officer certificates.

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

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

1 SECTION 1. Section 13500 of the Penal Code is
 2 amended to read:
 3 13500. There is in the Department of Justice a
 4 Commission on Peace Officer Standards and Training,
 5 hereafter referred to in this chapter as the commission.
 6 The commission consists of 15 members appointed by the
 7 Governor, after consultation with, and with the advice of,
 8 the Attorney General and with the advice and consent of
 9 the Senate. Racial, gender, and ethnic diversity shall be
 10 considered for all appointments to the commission.
 11 The commission shall be composed of the following
 12 members:
 13 (1) Two members shall be (i) sheriffs or chiefs of
 14 police or peace officers nominated by their respective
 15 sheriffs or chiefs of police, (ii) peace officers who are
 16 deputy sheriffs or city policemen, or (iii) any
 17 combination thereof.
 18 (2) Three members shall be sheriffs or chiefs of police
 19 or peace officers nominated by their respective sheriffs or
 20 chiefs of police.
 21 (3) Five members shall be peace officers of the rank of
 22 sergeant or below with a minimum of five years'
 23 experience as a deputy sheriff, city police officer, marshal,
 24 or state-employed peace officer for whom the
 25 commission sets standards. These members shall have
 26 demonstrated leadership in their local or state peace
 27 officer association or union.



1 (4) One member shall be an elected officer or chief
2 administrative officer of a county in this state.

3 (5) One member shall be an elected officer or chief
4 administrative officer of a city in this state.

5 (6) Two members shall be public members who shall
6 not be peace officers.

7 (7) One member shall be an educator or trainer in the
8 field of criminal justice.

9 The Attorney General shall be ~~a nonvoting, an ex officio~~
10 member of the commission ~~except in case of a tie vote on~~
11 ~~any matter before the commission for determination, the~~
12 ~~Attorney General or his or her designee may cast a vote~~
13 ~~to break the tie.~~

14 Of the members first appointed by the Governor, three
15 shall be appointed for a term of one year, three for a term
16 of two years, and three for a term of three years. Their
17 successors shall serve for a term of three years and until
18 appointment and qualification of their successors, each
19 term to commence on the expiration date of the term of
20 the predecessor.

21 The additional member provided for by the
22 Legislature in its 1973-74 Regular Session shall be
23 appointed by the Governor on or before January 15, 1975,
24 and shall serve for a term of three years.

25 The additional member provided for by the
26 Legislature in its 1977-78 Regular Session shall be
27 appointed by the Governor on or after July 1, 1978, and
28 shall serve for a term of three years.

29 The additional members provided for by the
30 Legislature in its 1999-2000 Regular Session shall be
31 appointed by the Governor on or before July 1, 2000, and
32 shall serve for a term of three years.

33 SEC. 2. Section 13503 of the Penal Code is amended
34 to read:

35 13503. In carrying out its duties and responsibilities,
36 the commission shall have all of the following powers:

37 (a) To meet at times and places that it may deem
38 proper.



1 (b) To employ an executive secretary and, pursuant to
2 civil service, the clerical and technical assistants that may
3 be necessary.

4 (c) To contract with other agencies, public or private,
5 or persons that it deems necessary, for the rendition and
6 affording of the services, facilities, studies, and reports to
7 the commission that will best assist it to carry out its duties
8 and responsibilities.

9 (d) To cooperate with and to secure the cooperation
10 of county, city, city and county, and other local law
11 enforcement agencies in investigating any matter within
12 the scope of its duties and responsibilities, and in
13 performing its other functions.

14 (e) To develop and implement programs to increase
15 the effectiveness of law enforcement and when those
16 programs involve training and education courses to
17 cooperate with and secure the cooperation of state-level
18 officers, agencies, and bodies having jurisdiction over
19 systems of public higher education in continuing the
20 development of college-level training and education
21 programs.

22 (f) To cooperate with and secure the cooperation of
23 every department, agency, or instrumentality in the state
24 government.

25 (g) To do any and all things necessary or convenient
26 to enable it fully and adequately to perform its duties and
27 to exercise the power granted to it. However, except as
28 provided in subdivision (f) of Section 13510.1, or
29 subdivision (a) of Section 1029 of the Government Code,
30 the commission shall not have the power to withdraw or
31 cancel any certificate or certificates previously issued to
32 any peace officer pursuant to this chapter.

33 SEC. 3. Section 13506 of the Penal Code is amended
34 to read:

35 13506. The commission may adopt such regulations as
36 are necessary to carry out the purposes of this chapter.
37 However, except as specifically provided in subdivision
38 (f) of Section 13510.1, or subdivision (a) of Section 1029
39 of the Government Code, the commission shall not have
40 the power to adopt any regulation that authorizes the



- 1 withdrawal or cancellation of any certificate previously
- 2 issued to any peace officer pursuant to this chapter.

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