

AMENDED IN SENATE APRIL 8, 1999

SENATE BILL

No. 66

Introduced by Senator Murray

December 7, 1998

An act to amend Section 13519.4 of the Penal Code, relating to crime prevention.

LEGISLATIVE COUNSEL'S DIGEST

SB 66, as amended, Murray. Crime prevention: racial profiles.

Existing law requires that the Commission on Peace Officer Standards and Training, develop and disseminate specified guidelines and training including adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups.

This bill additionally would ~~require the commission to develop uniform, minimum guidelines that California law enforcement agencies would be required to adopt for the purpose of establishing race neutral criminal profiles. The bill would prescribe a course of instruction and specified subjects to be considered in complying with~~ *included in this requirement training. The bill also would require each California law enforcement officer to complete a refresher course every 3 years, as specified, once the initial basic training is completed.* Because the bill would require local agencies to perform increased duties, it 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, 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. Section 13519.4 of the Penal Code is
 2 amended to read:
 3 ~~13519.4. (a) On or before August 1, 1993, the~~
 4 13519.4. (a) The commission shall develop and
 5 disseminate guidelines and training for all law
 6 enforcement officers in California as described in
 7 subdivision (a) of Section 13510 and who adhere to the
 8 standards approved by the commission, on the racial and
 9 cultural differences among the residents of this state. The
 10 course or courses of instruction and the guidelines shall
 11 stress understanding and respect for racial and cultural
 12 differences, and development of effective, noncombative
 13 methods of carrying out law enforcement duties in a
 14 racially and culturally diverse environment.
 15 (b) The course of basic training for law enforcement
 16 officers shall, ~~no later than August 1, 1993,~~ include
 17 adequate instruction on racial and cultural diversity in
 18 order to foster mutual respect and cooperation between
 19 law enforcement and members of all racial and cultural
 20 groups. In developing the training, the commission shall
 21 consult with appropriate groups and individuals having
 22 an interest and expertise in the field of cultural awareness
 23 and diversity.



1 ~~(c) As part of the training described in subdivision (b),~~
2 ~~the commission shall develop uniform, minimum~~
3 ~~guidelines that shall be adopted by California law~~
4 ~~enforcement agencies to be employed in establishing~~
5 ~~race neutral criminal profiles. The course of instruction~~
6 ~~for law enforcement officers and the guidelines in~~
7 ~~establishing these profiles shall include adequate~~
8 ~~consideration of each of the following subjects:~~

- 9 ~~(1) Examination and evaluation of racial stereotypes.~~
- 10 ~~(2) Examination and evaluation of criminal~~
11 ~~stereotypes.~~
- 12 ~~(3) Comparative evaluation of racial and criminal~~
13 ~~stereotypes.~~
- 14 ~~(4) Development of methodologies for establishing~~
15 ~~race neutral profiles.~~

16 ~~(d)~~
17 *(c) As part of the training described in subdivision (b),*
18 *the course of instruction shall include, but not be limited*
19 *to, adequate consideration of each of the following*
20 *subjects:*

- 21 *(1) Identification of key indices and perspectives that*
22 *make up cultural differences among residents in a local*
23 *community.*
- 24 *(2) Negative impact of biases, prejudices, and*
25 *stereotyping on effective law enforcement, including*
26 *examination of how historical perceptions of*
27 *discriminatory enforcement practices have harmed*
28 *police-community relations.*
- 29 *(3) The history and role of the civil rights movement*
30 *and struggles and their impact on law enforcement.*
- 31 *(4) Specific obligations of officers in preventing,*
32 *reporting, and responding to discriminatory or biased*
33 *practices by fellow officers.*
- 34 *(5) Perspectives of diverse, local constituency groups*
35 *and experts on particular cultural and police-community*
36 *relations issues in a local area.*

37 *(d) Once the initial basic training is completed, each*
38 *law enforcement officer in California as described in*
39 *subdivision (a) of Section 13510 who adheres to the*
40 *standards approved by the commission shall be required*



1 to complete a refresher course every three years
2 thereafter, or on a more frequent basis if deemed
3 necessary, in order to keep current with changing racial
4 and cultural trends.

5 (e) For the purposes of this section, “culturally
6 diverse” and “cultural diversity” include, but are not
7 limited to, gender and sexual orientation issues.

8 SEC. 2. Notwithstanding Section 17610 of the
9 Government Code, if the Commission on State Mandates
10 determines that this act contains costs mandated by the
11 state, reimbursement to local agencies and school
12 districts for those costs shall be made pursuant to Part 7
13 (commencing with Section 17500) of Division 4 of Title
14 2 of the Government Code. If the statewide cost of the
15 claim for reimbursement does not exceed one million
16 dollars (\$1,000,000), reimbursement shall be made from
17 the State Mandates Claims Fund.

18 ~~Notwithstanding Section 17580 of the Government~~
19 ~~Code, unless otherwise specified, the provisions of this act~~
20 ~~shall become operative on the same date that the act~~
21 ~~takes effect pursuant to the California Constitution.~~

