

POST Legislative Committee Meeting

Action Summary

Museum of Tolerance
9786 W. Pico Boulevard
Los Angeles, CA 90035

Thursday, February 25, 2016, @ 8:30 a.m.

CALL TO ORDER

Chair Jeff Moore called the meeting to order at 8:47 a.m.

ROLL CALL

Commissioner Members Present

Rick Braziel
Lai Lai Bui
Robert Doyle
Joyce Dudley
Jeff Moore, Chair
Larry Wallace

A. APPROVAL OF THE MINUTES

MOTION – Dudley, **SECOND** – Bui, carried unanimously to approve the Action Summary and Meeting Minutes of the October 22, 2015, at the Doubletree by Hilton San Diego Mission Valley, 7450 Hazard Center Drive, San Diego, California.

B. BILLS OF INTEREST (Oral Report)

1. AB 34 (Cooley) - Medical cannabis.

Legislative Consultant Ralph Brown reported this bill would amend sections of the Business and Professions Code and Vehicle Code, relating to medical cannabis. Among others, this bill would require the California Highway Patrol to establish protocols to determine if a driver is operating a vehicle under the influence of cannabis, and set best practices to assist law enforcement agencies. This bill has died in Assembly Appropriations.



EDMUND G. BROWN JR.
GOVERNOR

KAMALA D. HARRIS
ATTORNEY GENERAL

2. AB 334 (Cooley) - Peace officers: training: profiling of motorcycle riders.

Brown reported that this bill would ensure profiling of motorcycle riders is addressed in the Regular Basic Course and is offered to law enforcement officers during annual in-service training. Currently, Penal Code Section 13519.4 already mandates training in the area of racial profiling, and abiding by the 14th Amendment of the United States Constitution. This proposed bill provided redundant training. This bill would impose additional requirements and would impose a state-mandated local program that is currently unfunded in the proposal. This bill died in Assembly Appropriations.

3. AB 829 (Nazarian) - Gangs: shared gang databases.

Brown stated this bill would require law enforcement to make notification and allow a parent to contest the adding of a juvenile/adult to a shared gang database. This bill would impose additional requirements and would impose a state-mandated local program that is currently unfunded in the proposal. This bill died in Assembly Appropriations.

4. AB 1227 (Cooper) - Peace officer training: mental health training.

Brown reported that this bill would require POST, in collaboration with relevant stakeholders, to study and submit a report to the Legislature, on or before December 31, 2017. The report would assess the status of the mental illness/developmental illness training courses outlined in Penal Code sections 13515.30 and 13519.2 assessing whether the courses cover all appropriate topics, and identifies areas where additional training may be needed. This bill died in Assembly Appropriations.

5. SB 823 (Block) - Criminal procedure: human trafficking.

Brown reported this bill would amend Penal Code Section 1203.49 to create a presumption that if a defendant were committing any offense while he or she was a victim of human trafficking, the defendant is entitled to a presumption that the requirements for relief have been met (among other considerations), the guilty verdict will be set aside. This bill is in the Senate Public Safety Committee.

6. SB 752 (Nielsen) - Crimes.

Brown reported that this bill would amend Penal Code sections 146e, 148, and 244.5, to make convictions against defendants for malicious obstruction punishable by imprisonment in a county jail not to exceed one year; however, removing an officer's firearm is a felony punishable by imprisonment in a state prison. This bill died in the Senate Public Safety Committee.

7. SB 821 (Block) - Crimes: criminal threats.

Brown said this bill would amend Penal Code Section 422, to include threats to commit a crime against another person or location or event. The conviction would be punishable by one year in a county jail. This bill is in the Senate Public Safety Committee.

8. AB 2626 (Jones-Sawyer) - Commission on Peace Officer Standards and Training: procedural justice training.

Brown explained that this bill would create Penal Code Section 13519.45 requiring the commission to develop and disseminate guidelines and training for all peace officers on principled policing, which include the subjects of procedural justice and implicit bias. The bill would require the commission to deploy the training course semiannually by June 2017. This bill is in the Assembly for a first reading.

C. CHAPTERED BILLS

ABX2-15 (Eggman) - End of life.

Brown reported the Governor signed the “The End of Life” legislation during the current Extraordinary Session. This bill does not become law until the Extraordinary Session has concluded sometime in 2016. As a reminder, this bill authorizes adults who meet certain qualifications, and have had their physician diagnose them as suffering from a terminal disease, to request a drug prescribed for ending their own life. The bill also creates a new felony to knowingly alter or forge a request for medication to end an individual’s life without the patient’s authorization. Brown also noted that the passage of this legislation will affect curricula in the Institute of Criminal Investigation Course, causing revisions to the expanded course outline, down to the third and fourth levels of detail. Other “Investigative” courses certified by POST will also require review to ensure congruence with the changes in current law. Additional staff hours have not been budgeted.

D. PROPOSED TRAILER BILL – Commission Chair

Brown reported that the Governor’s Office has proposed bill language to amend Penal Code Section 13501. This bill would require the Governor to designate the chair of the commission from among the members of the commission. The bill would provide that the chair serve at the pleasure of the Governor. This bill would also require the commission to annually select a vice chair from among its members. Brown said that POST is communicating with the Governor’s Deputy Legislative Secretary, June Clark, to amend a few points: 1) to include a two-year term on the chair position, and 2) to place a cap on the chair vacancy at 60 days.

E. MISCELLANEOUS

Brown mentioned that in recent years, POST staff have monitored 15-20 bills per legislative session. This year, due to a general and national election cycle, POST is monitoring more than 140 bills; if passed, this would influence POST law enforcement partners, or directly affect POST programs and operations.

ADJOURNMENT

Chair Jeff Moore adjourns the meet at 9:09 a.m.

Respectfully Submitted,

MARIE BOUVIA
Executive Assistant

Attachment – Transcript