

INITIAL STATEMENT OF REASONS

Standardized Content for Electronic Weapons Courses - Regulation 1084

The Commission on Peace Officer Standards and Training (POST) currently certifies numerous electronic weapons training courses with mixed topics or varying curriculum content, course hours ranging from four to nine hours, and varying course titles, i.e., TASER Operator. At least two other brands of electronic weapons exist.

According to survey data published by the California Police Chiefs Association in June 2005, the majority of California law enforcement agencies authorize the use of electronic weapons (more than 72% of police departments surveyed). However, the use of electronic weapons as a force option has brought unwanted publicity and controversy to law enforcement. Some deaths have occurred following the use of electronic weapons. These deaths have been the result of other factors, such as drug use, an existing medical condition(s), and other factors, with the electronic weapon suspected as a contributing factor.

The controversy surrounding the use of electronic weapons by law enforcement and the fact that the majority of agencies are now equipped with electronic weapons prompts the standardization of this training. Therefore, POST staff, in conjunction with subject matter experts, developed a proposal to set minimum standards for electronic weapons operator training courses. POST will certify all courses with the title Electronic Weapons, and will limit the course content to electronic weapons curriculum. At its October 27, 2005, meeting, POST Commissioners voted unanimously to adopt minimum hours and curriculum requirements for electronic weapons operator training courses.

Regulation 1084 - new

The wording of the regulation title and the location of this regulation within POST regulations establishes consistency with the title and location of a related topic. POST regulations 1081- 1083 establish minimum standards and minimum content requirements for types of POST training.

Regulation 1084(a) – new

Section (a) addresses the purpose of this regulation section, which is location for those instances when POST establishes content standards via regulation for non-mandated courses.

Regulation 1084(b) - new

Section (b) specifies the minimum hours and curriculum requirements for Electronic Weapons. The recommended minimum of four hours resulted from the input of subject matter experts (SMEs) and an analysis of hours currently devoted to existing TASER and other electronic weapons training courses. The recommended curriculum is the result of POST staff working with the SMEs to ensure that the training addresses critical issues without infringing upon department policy.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, Including Small Business

The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses

The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

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Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California, and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Consideration of Alternatives

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.