

**Introduced by Senator Hughes**

February 12, 1998

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An act to amend Sections 830.32 and 832.3 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 1627, as introduced, Hughes. Peace officers: school police safety officer.

(1) Under existing law, members of a community college police department and persons employed as members of a police department of a school district are designated as peace officers.

This bill would instead designate these officers as police officers if they have completed prescribed training.

(2) Existing law requires any sheriff, undersheriff, or deputy sheriff of a county, who is first employed after January 1, 1975, to successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except as specified.

This bill, in addition, would require any school police officer first employed by a K-12 school district or California community college district to complete a prescribed course of training before exercising the powers of a peace officer, except as specified. The bill also would require the Commission on Peace Officer Standards and Training to prepare a specialized course of training for school police officers.

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 830.32 of the Penal Code is  
 2 amended to read:  
 3 830.32. The following persons are—~~peace~~ *police*  
 4 officers whose authority extends to any place in the state  
 5 for the purpose of performing their primary duty or when  
 6 making an arrest pursuant to Section 836 as to any public  
 7 offense with respect to which there is immediate danger  
 8 to person or property, or of the escape of the perpetrator  
 9 of that offense, or pursuant to Section 8597 or 8598 of the  
 10 ~~Government~~ *Government* Code. Those—~~peace~~ *police*  
 11 officers may carry firearms only if authorized and under  
 12 terms and conditions specified by their employing  
 13 agency.

14 (a) Members of a community college police  
 15 department appointed pursuant to Section 72330 of the  
 16 Education Code, if the primary duty of the ~~peace~~ *police*  
 17 officer is the enforcement of the law as prescribed in  
 18 Section 72330 of the Education Code.

19 (b) Persons employed as members of a police  
 20 department of a school district pursuant to Section 39670  
 21 of the Education Code, if the primary duty of the—~~peace~~  
 22 *police* officer is the enforcement of the law as prescribed  
 23 in Section 39670 of the Education Code.

24 (c) *Any peace officer employed by a K-12 public*  
 25 *school district or California community college district*  
 26 *who has completed training as prescribed by subdivision*  
 27 *(f) of Section 832.3, shall be designated a school police*  
 28 *officer.*

29 SEC. 2. Section 832.3 of the Penal Code is amended to  
 30 read:  
 31 832.3. (a) Except as provided in subdivisions (b) and  
 32 (e), any sheriff, undersheriff, or deputy sheriff of a  
 33 county, any police officer of a city, and any police officer  
 34 of a district authorized by statute to maintain a police  
 35 department, who is first employed after January 1, 1975,



1 shall successfully complete a course of training prescribed  
2 by the Commission on Peace Officer Standards and  
3 Training before exercising the powers of a peace officer,  
4 except while participating as a trainee in a supervised  
5 field training program approved by the Commission on  
6 Peace Officer Standards and Training. The training  
7 course for an undersheriff and deputy sheriff of a county  
8 and a police officer of a city shall be the same.

9 (b) For the purpose of standardizing the training  
10 required in subdivision (a), the commission shall develop  
11 a training proficiency testing program, including a  
12 standardized examination which enables (1)  
13 comparisons between presenters of the training and (2)  
14 development of a data base for subsequent training  
15 programs. Presenters approved by the commission to  
16 provide the training required in subdivision (a) shall  
17 administer the standardized examination to all graduates.  
18 Nothing in this subdivision shall make the completion of  
19 the examination a condition of successful completion of  
20 the training required in subdivision (a).

21 (c) Notwithstanding subdivision (c) of Section 84500  
22 of the Education Code and any regulations adopted  
23 pursuant thereto, community colleges may give  
24 preference in enrollment to employed law enforcement  
25 trainees who shall complete training as prescribed by this  
26 section. At least 15 percent of each presentation shall  
27 consist of nonlaw enforcement trainees if they are  
28 available. Preference should only be given when the  
29 trainee could not complete the course within the time  
30 required by statute, and only when no other training  
31 program is reasonably available. Average daily  
32 attendance for these courses shall be reported for state  
33 aid.

34 (d) Prior to July 1, 1987, the commission shall make a  
35 report to the Legislature on academy proficiency testing  
36 scores. This report shall include an evaluation of the  
37 correlation between academy proficiency test scores and  
38 performance as a peace officer.

39 (e) (1) Any deputy sheriff described in subdivision  
40 (c) of Section 830.1 shall be exempt from the training



1 requirements specified in subdivision (a) as long as his or  
2 her assignments remain custodial related.

3 (2) Deputy sheriffs described in subdivision (c) of  
4 Section 830.1 shall complete the training for peace  
5 officers pursuant to subdivision (a) of Section 832, and  
6 within 120 days after the date of employment, shall  
7 complete the training required by the Board of  
8 Corrections for custodial personnel pursuant to Section  
9 6035, and the training required for custodial personnel of  
10 local detention facilities pursuant to Division 1  
11 (commencing with Section 100) of Title 15 of the  
12 California Code of Regulations.

13 (3) Deputy sheriffs described in subdivision (c) of  
14 Section 830.1 shall complete the course of training  
15 pursuant to subdivision (a) prior to being reassigned from  
16 custodial assignments to duties with responsibility for the  
17 prevention and detection of crime and the general  
18 enforcement of the criminal laws of this state.

19 *(f) Any school police officer first employed by a K-12*  
20 *public school district or California community college*  
21 *district after July 1, 2000, shall successfully complete a*  
22 *basic course of training as prescribed by subdivision (a)*  
23 *of Section 832.3 before exercising the powers of a peace*  
24 *officer. A school police officer shall not be subject to this*  
25 *subdivision while participating as a trainee in a*  
26 *supervised field training program approved by the*  
27 *Commission on Peace Officer Standards and Training.*

28 *(g) The commission shall prepare a specialized course*  
29 *of instruction for the training of school police officers to*  
30 *meet the unique safety needs of a school environment.*  
31 *This course shall be optional and is intended to*  
32 *supplement any other training requirements.*

