

Date of Hearing: May 10, 2017

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez Fletcher, Chair
AB 1199 (Nazarian) – As Introduced February 17, 2017

Policy Committee: Public Safety Vote: 6 - 1

Urgency: No State Mandated Local Program: Yes Reimbursable: Yes

SUMMARY:

This bill requires the Commission on Peace Officer Standards and Training (POST) to establish and keep updated a course for law enforcement officers, as defined, in safe encounters with dogs, and include this training in the basic course by January 1, 2019. Any law enforcement officer who receives the basic course by January 1, 2019, must receive supplementary training by January 1, 2021.

FISCAL EFFECT:

- 1) Moderate additional costs (GF) to POST. Adding one hour of mandated training in the basic academy costs approximately \$650,000 (not including curriculum development and implementation) across the 40 academies in the state. If POST were mandated to add two-hours of dog encounter training, for example to add the training in the regular basic academy, the cost would be approximately \$1.3 million. However, if POST merely developed an “on-the-field” training module, the cost POST would be reduced to \$150,000 (GF) for an hour of training, but it would result in a reimbursable state mandate to local law enforcement agencies in the hundreds of thousands of dollars to cover the training costs of local law enforcement personnel.

The State Penalty Fund (SPF) is the sole revenue source for the Peace Officers’ Training Fund (POTF -which is used to fund POST), and this revenue has decreased significantly over the last seven years. The SPF was created as a depository for assessments on specified fines, penalties, and forfeitures imposed and collected by the courts for criminal offenses. To compensate for the declining revenue, POST, in conjunction with the Department of Finance, implemented an 18-month budget reduction beginning in January 1, 2014, which was followed by an ongoing reduction of \$5.2 million included in the 2015 Budget Act. The continued decline of SPF revenues was mitigated by a one-time GF backfill of \$16.5 million in 2016-17. Unfortunately, the revenue decline has continued and POST continues to reduce its expenditures by reducing the services provided.

- 2) Unknown costs (GF and Special Funds) to state law enforcement agencies impacted by this bill, which include the California Highway Patrol, the Department of Parks and Recreation, and the police departments of the University of California and the California State University.

COMMENTS:

- 1) **Background.** Current law provides that POST is required to develop, and may update, guidelines and minimum standards, for local law enforcement officers in order to raise the level of competency among officers. Current law requires POST to establish a certification program for peace officers, which are considered professional certificates. Under current mandatory training standards, officers receive training regarding unusual occurrences, and this includes some information related to animal control problems in general. In addition, POST provides voluntary training materials for police encounters with dogs.
- 2) **Purpose.** The author believes the current voluntary POST training regarding dog encounters is not enough to ensure the safety of California's cherished pets. Requiring mandatory police officer training will help educate all officers to understand the behavior and body language of dogs. AB 1199 establishes more thorough training by requiring POST to meet certain requirements while developing a mandatory training program for encounters with dogs. By establishing mandatory training for safe encounters with dogs, AB 1199 will provide officers with additional tools and knowledge to avoid dangerous encounters while simultaneously addressing the concerns of California pet owners.
- 3) **Support.** According to People for the Ethical Treatment of Animals (PETA), "Peace officers encounter dogs in almost every type of interaction with the public, from traffic stops to interviewing witnesses to pursuing suspects. It is vital that they receive the proper training to protect themselves, the dogs, and the public from undue harm."
- 4) **Opposition.** The Peace Officers Research Association of California (PORAC), is generally opposed to additional mandatory training. PORAC believes law enforcement managers should send their peace officers to training based on that community's needs and agency's budget. In the long run, new training requirements generally replace specialized optional training modules.
- 5) **Prior Legislation:** SB 1321 (Calderon), of the 2013-2014 Legislative Session, would have stated the intent of the Legislature to enact legislation to require the commission to develop training requirements for peace officers in the humane treatment of canines when encountering canine behavior. SB 1321 died in the Rules Committee.