

Date of Hearing: June 30, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

SB 494 (Dodd) – As Amended June 16, 2021

Policy Committee: Public Safety

Vote: 7 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires, commencing January 1, 2023, the Commission on Peace Officer Standards and Training (POST) to implement regular and periodic law enforcement training regarding the use of advanced interpersonal communication skills and requires POST to implement a course in science-based interviewing to be included at the Robert Presley Institute of Criminal Investigation (ICI).

FISCAL EFFECT:

- 1) One-time costs (General Fund (GF)) of approximately \$500,000 for POST to develop and implement a regular and periodic training course on advanced interpersonal communication skills. Costs include training for ICI instructors on science-based interviewing.
- 2) Costs (GF) possibly in the mid-hundreds of thousands of dollars annually for state agencies to cover overtime costs for officers participating in regular and periodic training regarding the use of advanced interpersonal communication skills. Costs will depend on how the training is integrated into existing POST learning domains already required and whether peace officers are required to attend additional training courses specifically focused on advanced interpersonal communication skills. For example, the California Department of Insurance estimates annual costs of \$54,000 for each training session depending on how often the training is required.

COMMENTS:

- 1) **Purpose.** According to the author:

SB 494 will help train law enforcement officers in their criminal investigations and public interactions, ensuring they uphold civil rights and treat people with dignity and respect. Everyone deserves to be treated fairly and humanely by police officers and should not fear having their rights trampled.

- 2) **Background.** The POST-certified Regular Basic Training Course is standard for police officers, deputy sheriffs, school district police officers and district attorney investigators, as well as other classifications of peace officers. The basic training includes a minimum of 664 hours of POST-developed training and testing in 42 separate “learning domains.” Most

POST-certified basic training academies exceed the 664 hour minimum by 200 or more hours with some academies presenting over 1000 hours of training and testing. Peace officers are also required to undergo periodic continuing education courses. This bill requires POST to develop training for all peace officers that focuses on “advanced interpersonal communication skills,” defined as the deliberate use of communication strategies to manage the dynamics of an interaction.

This bill also requires POST to incorporate science-based interviewing techniques into the ICI course. The ICI training course is largely directed at detectives and criminal investigators. Science-based interviewing techniques are defined as an interview process that is supported by empirical research and evaluated by scientific standards of reliability and validity. POST is funded in part through penalties, fees and assessments for traffic violations and the POST Training Fund balance has been steadily decreasing over the past several years. The Budget Act of 2019 allocated \$20 million dollars to POST for use of force training and approximately \$15 million dollars to restore funding lost to declining revenue from fines and fees. POST currently has an annual operating budget of \$83 million dollars for training and infrastructure. The 2021-22 May Revision to the Governor’s Budget retains funding at the current level. Depending on existing resources and obligations, POST may seek additional funding from the GF to implement the training required by this bill or for other obligations if POST relies on existing funds for this mandate.

- 3) **Related Legislation.** AB 57 (Gabriel) requires POST, commencing on or after June 1, 2022, to incorporate the November 2017 video course entitled “Hate Crimes: Identification and Investigation” or any successor video thereto into the basic course curriculum. AB 57 is pending hearing in the Senate Committee on Public Safety.

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