
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2337 (Lackey) - Peace officers: theft

Version: April 23, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 6 - 0

Mandate: No

Consultant: Bob Franzoia

Bill Summary: AB 2337 would authorize the Commission on Peace Officer Standards and Training (POST) to suspend or revoke the certification of a peace officer who commits specified theft under color of authority where the peace officer acted with specific intent to permanently deprive the owner of the property.

Fiscal Impact: Ongoing costs of approximately \$500,000 annually to POST for additional law enforcement consultant positions to investigate decertification cases under the new tenth definition of serious misconduct, based on an estimated 100 to 150 cases per year. The Peace Officer Training Fund (POTF) has a structural deficit, and POST's operations are increasingly supported by General Fund appropriations. (POTF, General Fund)

Background: POST may suspend or revoke the certification of a peace officer if the person has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct. The POST definition of serious misconduct has nine items which serve as the criteria to be considered for ineligibility for, or revocation of, certification. The first item, is as follows:

- (1) Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct.

Proposed Law: This bill would add a tenth item, theft, to the definition of serious misconduct. (Specifically: *Theft, pursuant to subdivision (a) of Section 484, committed by a peace officer under color of authority, where the peace officer acted with specific intent to permanently deprive the owner of the property and the conduct was not the result of mere negligence, administrative oversight, or good-faith error in evidence handling.*)

Staff Comments: This cost estimate reflects POST's assessment that the new definition would capture single-instance, non-egregious theft cases that do not meet the "sufficiently egregious or repeated" threshold and would therefore expand the universe of decertification investigations beyond what POST currently conducts. Reports received by POST may not rise to the threshold of serious misconduct but will have to be analyzed regardless. To revoke a certification POST applies a clear and convincing evidence standard.