
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

Bill No: AB 458 **Hearing Date:** June 6, 2023
Author: Jones-Sawyer
Version: March 7, 2023
Urgency: No **Fiscal:** No
Consultant: AB

Subject: *Peace officers*

HISTORY

Source: Author

Prior Legislation: AB 2229 (L. Rivas, Ch. 959, Stats. of 2022)
AB 655 (Kalra, Ch. 854, Stats. of 2022)
SB 960 (Skinner, Ch. 825, Stats. of 2022)
AB 89 (Jones-Sawyer, Ch. 405, Stats. of 2021)
AB 846 (Burke, Ch. 322, Stats. of 2020)

Support: Los Angeles Brotherhood Crusade – Black United Front; Peace Officers Research Association of California; Smart Justice California

Opposition: None known

Assembly Floor Vote: 70 - 0

PURPOSE

The purpose of this bill commencing January 1, 2028, is to require a peace officer to obtain a modern policing degree, or a bachelor's or other advanced degree from an accredited college or university prior to receiving a basic certificate from the Commission on Peace Officer Standards and Training.

Existing law establishes the Commission on Peace Officer Standards and Training (POST) to set minimum standards for the recruitment and training of peace officers, develop training courses and curriculum, and establish a professional certificate program that awards different levels of certification based on training, education, experience, and other relevant prerequisites. (Pen. Code, §§ 830-832.10; 13500 et seq.)

Existing law establishes the powers of POST, including among others, to develop and implement programs to increase the effectiveness of law enforcement, to secure the cooperation of state-level peace officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs. (Pen. Code, §§ 830-832.10; 13500 et seq.)

Existing law provides that each class of public officers or employees declared by law to be peace officers shall meet specified minimum standards, including that they be a high school graduate, pass the General Education Development Test or other high school equivalency test, as specified. (Gov. Code § 1031.)

Existing law requires any person designated as a peace officer, notwithstanding designated exceptions, or any peace officer employed by an agency that participates in a POST program must be at least 21 years of age at the time of appointment. (Gov. Code, § 1031.4, subd. (a).)

Existing law provides that any person, who as of December 31, 2021, is currently enrolled in a basic academy or is employed as a peace officer by a public entity in California is not subject to the age requirement of 21 years of age. (Gov. Code, § 1031.4, subd. (b).)

Existing law requires representatives from POST, stakeholders from law enforcement, the California State University, and community organizations to serve as advisors to the office of the Chancellor of the Community Colleges to develop a modern policing degree program. (Pen. Code, § 13511.1, subd (a).)

Existing law requires the office of the Chancellor of the Community Colleges to report recommendations to the Legislature outlining a plan to implement the modern policing degree program on, or by, June 1, 2023. (Pen. Code, § 13511.1, subd (a).)

Existing law requires the report above to include the following:

- Focus on courses pertinent on law enforcement including, but not limited to, psychology, communications, history, ethnic studies, law, and courses determined to develop necessary critical thinking skills and emotional intelligence;
- Allowances for prior law enforcement experience, appropriate work experience, postsecondary education experience, or military experience;
- Both the modern policing degree program and bachelor's degree program in the discipline of their choosing as minimum education requirements for employment as a peace officer.
- Recommendations to adopt financial assistance for students of historically underserved and disadvantaged communities with barriers to higher education access to fulfill the minimum requirements to be adopted for employment as a peace officer. (Pen. Code, § 13511.1, subd (a)(1-4).)

Existing law requires POST to approve and adopt the education criteria for peace officers within two years from the submission of the report to the Legislature. (Pen. Code, § 13511.1, subd (c).)

Existing law requires POST to adopt rules establishing minimum standards relating to the recruitment, training and fitness of state and local law enforcement officers. (Pen. Code, §§ 13510 & 13510.5.)

This bill, commencing on January 1, 2028, requires a peace officer to attain one of the following degrees prior to receiving a basic certificate from POST:

- A modern policing degree from a California Community College, as defined.
- A bachelor's degree or other advanced degree from an accredited college or university.

This bill specifies that the requirement above does not apply to any person who, as of December 31, 2027, is currently enrolled in a basic academy or is employed as a peace officer by a public entity in California.

COMMENTS

1. Need for This Bill

According to the Author:

Decades of data showcases more mature and better educated officers perform better in the academy, receive higher supervisor evaluations, have fewer disciplinary problems and accidents, are assaulted less often, and miss fewer days of work than their counterparts. With the support of law enforcement, community advocates, and higher education experts, Assemblymember Jones-Sawyer's AB 89, the PEACE Act (2021), was signed into law. This established a Task Force of higher education experts, law enforcement, and advocates to develop the framework for a modern policing degree program and financial aid program for low-income students from underrepresented, disadvantaged communities. This vital work ensures the modern policing profession is accessible and that the workforce reflects the communities they serve. As such, this bill, AB 458, incorporates the AB 89 Task Force's recommendations on the degree program, financial aid, and credits for prior learning, thus enhancing implementation of the PEACE Act.

2. Academic Requirements for Law Enforcement and Effect of This Bill

Law enforcement education requirements vary by jurisdiction and depending on the type and level of peace officer position. In California, prospective officers are required to have no more than a high school diploma or GED and complete a certain number of training hours through POST. However, California law enforcement officers are already much more likely to have some college education or an associate degree compared to full-time workers in other occupations, and California has more college-educated officers than all but three states.¹ Though with recent increases in and public focus on incidents of excessive force by peace officers, there have been growing efforts to establish higher baseline educational requirements for officers. Studies have shown that officers with education beyond a GED or high school diploma use force less often, use lower levels of force, and receive fewer complaints and disciplinary actions than their non-college educated counterparts.²

¹ "New Law Raises Standards for Police Officers." *Public Police Institute of California*. 26 January 2022. [New Law Raises Standards for Police Officers - Public Policy Institute of California \(ppic.org\)](https://ppic.org) ; "Mandate Higher Education for California Police Officers." *CalMatters*. 26 March 2021. [Mandate higher education for California police officers - CalMatters](https://calmatters.org)

² *Ibid*; Rydberg, Jason et. al. "The Effect of Higher Education on Police Behavior." *Police Quarterly*: Volume 13, Issue 1. 10 January 2010. [The Effect of Higher Education on Police Behavior - Jason Rydberg, William Terrill, 2010 \(sagepub.com\)](https://sagepub.com) ; Mcelvain, James and Augustine Kposowa. "Police Officer

In 2021, multiple bills were introduced which would have increased educational requirements for prospective California peace officers. Senate Bill 387 (Portantino) would have required peace officer applicants to complete at least some college courses in order to obtain a basic certificate from POST, but was never taken up on the Senate Floor.³ AB 89 (Jones-Sawyer, Ch. 405, Stats. of 2021) as originally introduced would have required prospective peace officers to be at least 25 years of age or, if the prospective officer is under 25, to have a bachelor's degree. However, that measure was ultimately amended to change the age requirement from 18 to 21 years of age, and to require the Office of the Chancellor of California Community Colleges to develop a modern policing degree program with POST and other stakeholders. AB 89 also required that stakeholder group to submit a report to the Legislature outlining a plan to implement that program by June 1, 2023.

Although this analysis was finalized just prior to the publication of that report, AB 89 specified that the report's recommendations must include both the modern policing degree program and bachelor's degree in the discipline of the work group's choosing as minimum education requirements for employment as a peace officer. This bill merely codifies that expected recommendation, and will likely be amended after it is heard in this committee to include any additional criteria or requirements recommended by the work group. Specifically, this bill provides that beginning January 1, 2028, prospective peace officers must obtain a modern policing degree or bachelor's degree prior to receiving their basic certificate from POST, unless that peace officer, as of December 31, 2027, is already employed by a public agency or is enrolled in a basic academy.

3. Argument in Support

According to Smart Justice California:

Studies show that college educated officers perform better in the academy, receive higher supervisor performance evaluations, have fewer accidents and disciplinary problems, use force less often, and miss fewer work days. Existing law requires the Chancellor of the California Community Colleges, in consultation with other entities, to develop a modern policing degree program and to prepare and submit a report to the Legislature by no later than June 1, 2023, outlining a plan to implement the program.

AB 458 would require (commencing January 1, 2028) that incoming recruits are equipped with the present-day responsibilities of law enforcement by ensuring they either hold a California Community College modern policing degree or a bachelor's degree in the discipline of their choosing. AB 458 will increase diversity amongst the ranks, professionalize community policing, enhance public safety, and transform department culture across California.

-- END --

Characteristics and the Likelihood of Using Deadly Force." Criminal Justice and Behavior: Vol. 35, No 4. <https://heinonline.org/HOL/Page?handle=hein.journals/crmjusbhv35&id=486&collection=journals&index=>
³ The police-related contents of SB 387 were ultimately removed and new language was inserted related to pupil health.