

Date of Hearing: March 12, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 1839 (Alanis) – As Introduced January 16, 2024

**[Note: This bill is doubled referred to the Assembly Committee on Public Safety and will be heard by that Committee as it relates to issues under its jurisdiction.]**

**SUBJECT:** Peace officers: education and hiring grants

**SUMMARY:** Establishes the Law Enforcement Officer Grant Program (LEOGP) provide one-time grant funds to students who commit to working as a peace officer and completes the modern policing degree program. Also requires the Board of State and Community Corrections to award grants to local law enforcement agencies that are significantly understaffed in order for the agency to provide hiring bonuses for peace officers employed by that agency. Specifically, **this bill:**

- 1) Specifies that, subject to appropriation, the California Student Aid Commission (CSAC) shall administer the Law Enforcement Officer Grant Program (LEOGP). Under the program, CSAC will provide one-time grant funds of up to \$6,000 per year to each student enrolled, or who has applied for enrollment, on or after January 1, 2026, in a modern policing degree program at a California community college (CCC) if the student commits to working as a peace officer at a qualifying agency for four years within the six years following the date the student completes the modern policing degree program.
  - a) Defines, for purposes of this section, “qualifying agency” to a California state agency, county sheriff’s department, local police department, or other California public entity employing peace officers, as specified; and,
  - b) Requires CSAC, in coordination with the Commission on Peace Officer Standards and Training (POST), to publish a list of qualifying agencies employing peace officers by April 15 of each year.
- 2) Specifies that LEOGP funds will be used to supplement and not supplant other sources of grant financial aid, and may be disbursed in more than one academic year, provided that the total amount of funds granted to an applicant does not exceed \$18,000.
- 3) Requires that a LEOGP recipient will agree to serve as a peace officer at a qualifying agency for four years and will have six years, upon completion of the recipient’s modern policing degree, to meet that obligation. Except as provided in paragraph (2), a grant recipient shall agree to repay the state 25% of the total received grant funds annually, up to full repayment of the received grant funds, for each year the recipient fails to do one or more of the following:
  - a) Be enrolled in or have successfully completed a modern policing degree program from a California community college;

- b) While enrolled in the modern policing degree program, maintain good academic standing; and,
  - c) Serve as a peace officer at a qualifying agency for four years, which shall be certified by the commission.
- 4) Specifies that any exceptions to the requirement for repayment shall be defined by the commission, and may include, but shall not be limited to, counting a year towards the required four-year service requirement at a qualifying agency if any of the following occur:
- a) The grant recipient has completed at least two years of the service requirement;
  - b) The qualifying agency deems the grant recipient to have fulfilled the grant recipient's contractual requirement, as applicable, for purposes of salary increases, probationary or permanent status, and retirement;
  - c) The grant recipient was not able to serve due to the financial circumstances of the qualifying agency, including a decision to not continue the employment of the grant recipient;
  - d) The grant recipient has a condition covered under the federal Family and Medical Leave Act of 1993 or similar state law;
  - e) The grant recipient was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States;
- 5) Specifies that CSAC may use up to 1.5 % of funding appropriated for purposes of this section for outreach and administration.
- 6) Establishes that priority for grants shall be afforded to students of historically underserved and disadvantaged communities with barriers to higher education access.
- 7) Authorizes CSAC to adopt regulations, including any amendments to regulations, necessary for the implementation of the LEOGP. CSAC may adopt emergency regulations it deems necessary for the implementation of this program, in accordance with the rulemaking provisions, as specified.
- a) Notwithstanding any other law and without further compliance as specified, any emergency regulations and amendments to the emergency regulations adopted pursuant to 7) shall remain in force and effect until June 30, 2031; and
  - b) No rule, policy, or standard of general application issued by CSAC in implementing this CSAC shall be subject to the requirements of the Administrative Procedure Act, as specified.
- 8) Requires CSAC to conduct, in partnership with the POST, an evaluation of the LEOGP to determine the effectiveness of the program in recruiting peace officers. The commission is encouraged to use qualitative and quantitative measures to quantify the number of peace officer candidates the program recruited, disaggregated by agency type, and the number of

peace officers employed, and to describe the effects of the program on the decisions of candidates to enter and remain in the law enforcement field. CSAC will provide, with respect to the evaluation, a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 31, 2031, and every two years thereafter.

- 9) Specifies that CSAC will accept applications for the LEOGP beginning on September 1 for the following academic year and shall establish a process and timeline that allows the CCC to provide applicants with grant eligibility determinations before the deadline for enrolling.
- 10) Requires the Office of the Chancellor of the CCC (CCCCO), subject appropriation, develop written and online materials to be distributed to counselors' offices in California public and private schools serving grades 9 to 12, inclusive. The materials shall inform high school students about all of the following:
  - a) The existence of the modern policing degree;
  - b) The LEOGP, as specified;
  - c) The existence of hiring bonuses in many California police and sheriffs' departments, including bonuses for significantly understaffed agencies as specified; and,
  - d) The personal and community benefits of a career as a police officer or sheriff's deputy, including average pay, benefits, and the role of law enforcement in creating safer communities.
- 11) Requires the CCCCCO to target the materials described in this section for students of historically underserved and disadvantaged communities with barriers to higher education access.
- 12) Requires the CCCCCO to consult with representatives of law enforcement administration and law enforcement employees, and community organizations in the development of the materials as specified.
- 13) Requires, commencing January 1, 2026, and subject to appropriation, the Board of State and Community Corrections (the board) to award grants to local law enforcement agencies that are significantly understaffed in order for the agency to provide hiring bonuses for peace officers employed by that agency.
  - a) A hiring bonus may be up to \$15,000 per eligible peace officer hired.
- 14) Specifies that the board will require any agency receiving funds for hiring bonuses to require the peace officer receiving these funds to agree to work for that agency for at least four years.
  - a) The board will require any agency receiving funds for hiring bonuses pursuant as specified to use these moneys to supplement, not supplant, existing funds used to recruit and employ peace officers;

- b) The board may establish additional guidelines for the allocation of these hiring bonuses to qualifying agencies; and,
  - c) The board may use up to 5% of the funds appropriated for the program each year for the costs of administering the program.
- 15) Except as specified, a peace officer who receives hiring bonus funds will agree to repay the state 25% of the total received grant funds annually, up to full repayment of the received hiring bonus funds, for each year the recipient fails to do one or both of the following:
- a) Be employed by the local law enforcement agency that awarded the hiring bonus or be employed by another agency employing peace officers that is significantly understaffed until the person has been employed for four years or more with agencies that meet, or met at the time of the person's initial employment, the definition of significantly understaffed; and,
  - b) Maintain certification as a peace officer.
- 16) Specifies that the nonperformance of the commitment to serve at a qualifying agency employing peace officers for four years will be certified by the POST.
- 17) Establishes that any exceptions to the requirement for repayment will be defined by the board, and may include, but will not be limited to, counting a year toward the required four-year service requirement at a qualifying agency employing peace officers if a grant recipient is unable to fulfill the four-year employment obligation when any of the following occur:
- a) The hiring bonus recipient has completed at least two years of employment;
  - b) The employer deems the hiring bonus recipient to have fulfilled the grant recipient's contractual requirement, as applicable, for purposes of salary increases, probationary or permanent status, and retirement;
  - c) The hiring bonus recipient was not able to serve due to the financial circumstances of the employer, including a decision to not continue the employment of the grant recipient;
  - d) The hiring bonus recipient has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601 et seq.) or similar state law; and,
  - e) The hiring bonus recipient was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.
- 18) Specifies that for purposes of (13-17) above, the following definitions apply:
- a) "Agency" means a department or agency of a local government, special district, or other political subdivision that employs a peace officer, as specified;
  - b) "Eligible peace officer" means a person who has met all requirements as specified and all additional training and background requirements imposed by POST to be hired as a peace officer and who has not previously been employed as a California peace officer; and,

- c) “Significantly understaffed” means the agency has advertised vacancies for peace officer positions, is ready and willing to hire peace officers, and has had a peace officer employment rate of 10 percent or more below the number of budgeted peace officer positions for at least two calendar years.

**EXISTING LAW:**

- 1) 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. (Penal Code (PEN), Sections 830-832.10; 13500 et seq.)
- 2) States 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 Sections 830-832.10; 13500, et seq.)
- 3) 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. (Government Code (GOV) Section 1031.4(a).)
- 4) 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 Section 1031.4(b).)
- 5) Requires representatives from POST, stakeholders from law enforcement, the California State University (CSU), and community organizations to serve as advisors to the office of the Chancellor of the CCC (CCCCO) to develop a modern policing degree program. (PEN Section 13511.1(a).)
- 6) Requires the CCCCCO to report recommendations to the Legislature outlining a plan to implement the modern policing degree program on, or by, June 1, 2023. (PEN Section 13511.1 (a).)
- 7) Requires the report to the Legislature to include the following:
  - a) 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;
  - b) Allowances for prior law enforcement experience, appropriate work experience, postsecondary education experience, or military experience;

- c) 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; and,
  - d) 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 Section 13511.1 (a)(1-4).)
- 8) 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 Section 13511.1, (c).)
- 9) Requires POST to adopt rules establishing minimum standards relating to the recruitment, training and fitness of state and local law enforcement officers. (PEN Sections 13510 & 13510.5)

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Purpose.* According to the author, “For years, California has been on a slow march toward a higher minimum standard for peace officer eligibility. The enactment of AB 89 (Jones-Sawyer, Chapter 405, Statutes of 2021) helped focus this goal by giving California’s community colleges the authority to create a degree program on Modern Policing. This higher threshold of eligibility will reduce the pool of peace officer candidates thus impacting law enforcement agencies already struggling with recruitment and retention.”

“A student financial aid grant program specifically tailored for prospective peace officers will help ensure that the ‘school to law enforcement’ pipeline is sufficiently supported to meet California’s goal of a better educated and better trained law enforcement workforce.”

*Background.* According to information provided by the author, between 2019 and 2022 there was a net decrease of 4,076 peace officers in California. The number of POST regular basic certificates (required for employment as a peace officer for most agencies) fell from a high of 4,551 awarded in 2020 to 2,761 in 2022. Many agencies, but not all, have significant recruitment problems. The Los Angeles Police Department had a net loss of 749 peace officer positions between 2019 and 2022. The Los Angeles Sheriff’s Department had a net loss of 315 positions. The Richmond Police Department had a net loss of 58 positions, but based on its current staffing level of 98 peace officer position, this was an astounding reduction in law enforcement capacity for that city.

*Modern policing degree.* Assemblymember Jones-Sawyer’s AB 89 (Chapter 405, Statutes of 2021) established a minimum hiring age of 21 and education requirement for peace officers. The CCCCCO was tasked with producing a report with recommendations to the Legislature outlining a plan to implement a modern policing degree program. That report was published on November 8<sup>th</sup>, 2023.

The Taskforce was comprised of 14 members representing a diversity of community college faculty and administrators, law enforcement professionals, and stakeholders including representatives from the Academic Senate for CCC (ASCCC), the Student Senate for California Community Colleges (SSCCC), POST, student services leaders, and non-profit/community-

based organizations to generate recommendations for developing the degree program. The Taskforce held nine public meetings between November 2022 and June 2023.

The report identified that the courses in a Modern Policing Degree should include those listed below that are outlined in AB 89:

- 1) Psychology.
- 2) Communications.
- 3) History.
- 4) Ethnic Studies.
- 5) Law.
- 6) Those determined to develop necessary critical thinking skills and emotional intelligence.

Additionally, the report recommended the development of the qualities, competencies, values, and desirable characteristics identified in the AB 89 Taskforce's Student Graduate Profile should be incorporated into either existing or new courses that are part of the degree.

In addition to the content identified in AB 89, the numerous courses and topics were recommended to be considered for incorporation into a Modern Policing Degree curriculum and contextualized to the profession as contributing to an officer's critical thinking skills, emotional intelligence, and lowered use of force.

The CCCCO, in conjunction with the ASCCC, was directed in the report to convene subject matter experts to develop the Modern Policing Degree curriculum pattern and requirements as necessary, utilizing the existing C-ID (Course Identification Number) process to facilitate development of model curriculum templates and—where courses for the Modern Policing Degree do not already exist—course descriptors to ensure consistency in AA/AS in Policing.

The report also recommended requiring colleges offering a Modern Policing Degree to be prescriptive in determining which courses within a general education category are mandatory and encouraging colleges, whenever feasible, to allow for double-counting of core degree requirements with general education coursework to help facilitate degree completion. The report also encourages colleges to offer courses asynchronously and in other modalities, scheduling types, and competency-based education approaches where appropriate to the content, activities, and outcomes of a course to maximize flexible learning opportunities for students.

*Impact of higher education in policing.* According to a survey conducted by Christine Gardiner, Associate Professor of Criminal Justice at Cal State Fullerton, a nation-wide survey of 958 agencies found that about 30.2% of peace officers in the U.S. have a four-year college degree, 51.8% have a two-year degree, while 5.4% have a graduate degree.

According to a 2016 study by the Center on Juvenile and Criminal Justice, found that increased employment screening tests, high education requirements and augmented training hours lowers departmental use of force complaints. The study cited numerous examinations of college

educated officers that indicated that college educated officers have less authoritarian beliefs, exhibit enhanced communication skills, have overall heightened job performance, and tend to receive fewer complaints.

*Arguments in support.* The California Statewide Law Enforcement Association wrote that, “Between 2021 and 2022, California law enforcement agencies lost approximately 1,500 members of sworn staff and 100 members of civilian staff. Losses experienced between 2020 and 2021 were even greater, with a reduction of approximately 2,100 sworn staff and 1,100 civilian staff. To further underscore these staffing deficiencies, the Public Policy Institute of California reports that the number of patrol officers per 100,000 is at its lowest since 1991. Something must be done to address these decreasing numbers. In order to recruit well trained, educated individuals to the law enforcement profession, incentives such as the Law Enforcement Officer Grant Program must be created. Such an investment in the law enforcement profession will create greater support for peace officers and help fortify the recruitment and retention of such important roles.”

*Prior Legislation.* AB 89 (Jones-Sawyer), Chapter 405, Statutes of 2021, raised the minimum age for peace officers to 21 and requires the Commission on POST and educational stakeholders develop a modern policing degree program.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

California Association of Highway Patrolmen  
California Contract Cities Association  
California Statewide Law Enforcement Association

##### **Opposition**

None on file

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