

Date of Hearing: April 25, 2023

ASSEMBLY COMMITTEE ON HIGHER EDUCATION  
Mike Fong, Chair  
AB 458 (Jones-Sawyer) – As Amended March 7, 2023

**SUBJECT:** Peace officers

**SUMMARY:** Requires specified educational standards to become a peace officer. Specifically, **this bill:**

- 1) Requires an officer to attain either of the following degrees prior to receiving a basic certificate beginning on January 1, 2028:
  - a) A modern policing degree from a California Community College (CCC); or,
  - b) A bachelor's degree or other advanced degree from an accredited college or university.
- 2) Provides that any person who is employed as peace officer or is currently enrolled in basic academy as of December 31, 2027, does not need to obtain a degree.

**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:** *Double-referral.* AB 458 (Jones-Sawyer) was heard in the Assembly Committee on Public Safety on March 28, 2023, where it passed with an 8-0 vote. Policy issues under the purview of the Committee on Public Safety can be found in their analysis.

*Purpose.* According to the author, “data shows that officers with a previous shooting record, also known as high-rate offices, are more than 51% more likely to be engaged in a shooting than officers without a prior shooting history. The majority of high-rate officers who use excessive force more often tend to be younger than their counterparts. Further, studies show that officers with no more than a high school education made up 75% of all disciplinary violations. Additionally, college 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. As such, it is imperative we codify the enhanced education standards of incoming officers to both train them to the present-day responsibilities of modern policing as well as better community trust in law enforcement...the enactment of this bill codifies the requirement that all incoming law enforcement officers hold either a California Community College modern policing degree or a bachelor's degree in the discipline of their choosing. In doing so, AB 458 will not only increase diversity amongst the ranks but also minimize excessive force against community members.”

*Forthcoming report.* Existing law requires the CCCCO to report recommendations to the Legislature outlining a plan to implement the modern policing degree program on, or by, June 1, 2023. The CCCCO's "AB 89 Task Force" has met six times since November of 2022, and has two additional meetings before the final report will be presented on June 1<sup>st</sup>, 2023. The March 10, 2023 meeting included discussions regarding the minimum qualifications for faculty and how diversity, equity, inclusion, and accessibility (DEIA) can be incorporated into the Modern Policing Degree program. This meeting focused on recommendations that will be used to support the student graduate profile and other legislative requirements. Task Force members revisited the AB 89 legislation and conversations around Task Force recommendations and were introduced to the California Community Colleges apprenticeship model, for further discussions to be held in the next meeting.

*Committee staff notes* that the Task Force is still at work constructing recommendations as to exactly how the Modern Policing Degree program will look. *Moving forward, the author may wish to incorporate the findings of the AB 89 Task Force report into the provisions AB 458 following publication in June of 2023. This will ensure that implementation deadlines and relevant academic guidance is consistent with the Task Force's work, and that the final implementation date can align with common academic calendars.*

*Arguments in support.* Smart Justice California wrote in support of AB 458 (Jones-Sawyer), noting that "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."

*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.

AB 2229 (L. Rivas), Chapter 959, Statutes of 2022, reenacts the requirement that peace officers be found to be free from any physical, emotional, or mental condition that might adversely affect the exercise of their powers, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation.

AB 655 (Kalra), Chapter 854, Statutes of 2022, required background checks to determine whether a person seeking to be employed as a peace officer exhibits unlawful bias by engaging in a hate group.

SB 960 (Skinner), Chapter 825, Statutes of 2022, removed provisions of existing law requiring peace officers to either be a citizen of the United States or be a permanent resident who is eligible for and has applied for citizenship.

AB 846 (Burke), Chapter 322, Statutes of 2020, provided that evaluations of peace officers shall include an evaluation of bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Los Angeles Brotherhood Crusade - Black United Fund  
Peace Officers Research Association of California (PORAC)  
Smart Justice California

**Opposition**

None on file.

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