



President
Ms. Rachel Ancheta
City of Dixon

Vice President
Mr. Spencer Morrison
City of Yuba City

Treasurer
Ms. Jen Lee
City of Rio Vista

Secretary
Ms. Jennifer Styczynski
City of Marysville

NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND POLICE RISK MANAGEMENT COMMITTEE MEETING AGENDA

DATE/TIME: Thursday, November 2, 2023
Meeting at 10:00 a.m. – 11:00 a.m.
Informational Session at 11:15 a.m.- 11:30 a.m.

A - Action
I - Information

LOCATION: Zoom Teleconference
Call-in Number (669)-900-6833
Meeting ID: 984 5327 5393 Passcode: 308388

1 - Attached
2 - Hand Out
3 - Separate Cover
4 - Verbal

ZOOM LINK:

<https://alliantinsurance.zoom.us/j/98453275393?pwd=N3FqaDV3cGoxRldMYXQyNE1qeDREdz09>

MISSION STATEMENT

The Northern California Cities Self Insurance Fund, or NCCSIF, is an association of municipalities joined to protect member resources by stabilizing risk costs in a reliable, economical and beneficial manner while providing members with broad coverage and quality services in risk management and claims management.

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENTS

This time is reserved for members of the public to address the Police Risk Management Committee on NCCSIF matters that are of interest to them.

pg. 4 **D. CONSENT CALENDAR**

A 1

All matters listed under the consent calendar are considered routine with no separate discussion necessary. Any member of the public or the Police Risk Management Committee may request any item to be considered separately.

- pg. 5 1. Police Risk Management Committee Meeting Minutes – February 2, 2023
pg. 9 2. Police Risk Management Committee Meeting Minutes- May 4, 2023
pg. 12 3. Police Risk Management Committee Meeting Minutes – August 3, 2023

E. RISK MANAGEMENT



President
Ms. Rachel Ancheta
City of Dixon

Vice President
Mr. Spencer Morrison
City of Yuba City

Treasurer
Ms. Jen Lee
City of Rio Vista

Secretary
Ms. Jennifer Styczynski
City of Marysville

pg. 15	1. Police Risk Management Grant Funds <i>Jenna Wirkner will provide an update on the Police Risk Management Grant funds.</i>	I	1
pg. 19	2. Legislative Update <i>The Committee members will receive an update on eight bills introduced in 2022-2023 California Legislature that are of interest to police agencies and signed by Governor Newsom.</i>	I	1
pg. 87	3. Technology Discussion <i>New technologies continue to affect police operations in many areas. It is important for law enforcement agencies to be aware of the latest available technologies which may improve their operations.</i>	I	1
pg. 90	4. Wellness Discussion <i>The Committee will review and provide feedback on wellness initiatives and suggestions for future training or services.</i>	I	1
pg. 105	5. Lexipol Grant Finder Update <i>Members will receive information about a service provided by Lexipol to identify, apply for, and manage grant opportunities.</i>	I	1
pg. 108	6. Round Table Discussion <i>There will be a round table discussion by the NCCSIF Police Risk Management Committee for any topics or ideas that members would like to address including future training sessions.</i>	I	4
	F INFORMATION ITEMS	I	1
pg. 119	1. NorCal Cities FY 23/24 Organizational Chart		
pg. 120	2. NorCal Cities FY 23/24 Meeting Calendar		
pg. 121	3. Applied Risk Management: Tips Tricks and Lessons Learned - November 28 th , 2023		
pg. 123	4. Your Black Swan is Someone Else's Grey Rhino – January 25 th , 2024		

G. ADJOURNMENT

UPCOMING MEETING

Police Risk Management Committee Meeting - Thursday, February 1, 2024

pg. 112 **TRAINING SESSION at 11:15a.m – 11:30 a.m.**
This virtual informational session will be provided by Benchmark Analytics.



President
Ms. Rachel Ancheta
City of Dixon

Vice President
Mr. Spencer Morrison
City of Yuba City

Treasurer
Ms. Jen Lee
City of Rio Vista

Secretary
Ms. Jennifer Styczynski
City of Marysville

Per Government Code 54954.2, persons requesting disability related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact Jenna Wirkner at Alliant Insurance Services at (916) 643-2741.

The Agenda packet will be posted on the NCCSIF website at www.nccsif.org. Documents and materials relating to an open session agenda item that are provided to the NCCSIF Police Risk Management Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 2180 Harvard Street, Suite 460, Sacramento, CA 95815.

Access to some buildings and offices may require routine provisions of identification to building security. However, NCCSIF does not require any member of the public to register his or her name, or to provide other information, as a condition to attendance at any public meeting and will not inquire of building security concerning information so provided. See Government Code section 54953.3.



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item D.

CONSENT CALENDAR

ACTION ITEM

ISSUE: The Police Risk Management Committee (PRMC) reviews items on the Consent Calendar, and if any item requires clarification or discussion a member should ask that it be removed for separate action. The PRMC should then consider action to approve the Consent Calendar excluding those items removed. Any items removed from the Consent Calendar will be placed on the agenda later in the meeting in an order determined by the Chair.

RECOMMENDATION: Adoption of the Consent Calendar after review by the PRMC.

FISCAL IMPACT: None.

BACKGROUND: The following items are placed on the Consent Calendar for approval. The PRMC may approve the Consent Calendar items as presented, or any individual may request that an item be removed for discussion and separate action may be taken during the meeting.

ATTACHMENT(S):

1. Police Risk Management Committee Meeting Minutes- February 2, 2023
2. Police Risk Management Committee Meeting Minutes- May 4, 2023
3. Police Risk Management Committee Meeting Minutes – August 3, 2023



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN COMMUNITY CENTER – SPRINGVIEW HALL
FEBRUARY 2, 2023**

MEMBERS PRESENT

Chief Ryan Kinnan, City of Auburn
Chief Robert Thompson, City of Dixon
Chief Brian Kalinowski, City of Galt
Chief Matt Alves, City of Lincoln
Captain Quintan Ortega, City of Red Bluff
Chief Brian Baker, City of Yuba City

Chief Jeremiah Fears, City of Corning
Sergeant Jason Jacobo, City of Elk Grove
Chief Rodney Harr, City of Gridley
Chief Eric Reinbold, Town of Paradise
Lt. Scott Horrillo, City of Rocklin

OTHER MEMBERS PRESENT

Commander Sam Escheman, City of Yuba City Lt. Adrian Passadore, City of Rocklin

GUESTS & CONSULTANTS

Jenna Wirkner, Alliant Insurance Services
Tom Kline, Sedgwick

Summer Simpson, Sedgwick
Dori Zumwalt, Sedgwick

A. CALL TO ORDER

Chief Kinnan called the meeting to order at 10:04a.m.

B. ROLL CALL

The above members listed were present.

C. PUBLIC COMMENTS

There were no public comments.

D. CONSENT CALENDAR

1. Police Risk Management Committee Meeting Minutes – November 3, 2022

A motion was made to approve the Consent Calendar as presented.

MOTION: Robert Thompson **SECOND:** Brian Kalinowski

**MOTION CARRIED
UNANIMOUSLY**

Ayes: Kinnan, Fears, Thompson, Jacobo, Kalinowski, Harr, Alves, Reinbold, Ortega, Horrillo, Baker

Nays: None

E. RISK MANAGEMENT

E.1. Workers' Compensation Claims Analysis for Police

A Public Entity Joint Powers Authority



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN COMMUNITY CENTER – SPRINGVIEW HALL
FEBRUARY 2, 2023**

Ms. Dori Zumwalt from Sedgwick gave an analysis for Police Workers' Compensation claims.

E.2. Police Risk Management Grant Funds

Members discussed eliminating the body worn camera requirement from the Police Risk Management Grant Funds. Members would like to continue using the grant funds.

A motion was made to recommend approving the PRMC Grant Funds and eliminating the Body Worn Camera requirement to the Board of Directors.

MOTION: Robert Thompson **SECOND:** Brian Kalinowski **MOTION CARRIED
UNANIMOUSLY**
Ayes: Kinnan, Fears, Thompson, Jacobo, Kalinowski, Harr, Alves, Reinbold, Ortega, Horrillo, Baker
Nays: None

E.3. Wellness Discussion

Members discussed what departments are doing relating to wellness. Examples were gym memberships, EAPs and peer support groups.

E.4. Active Bystandership for Law Enforcement (ABLE)

Mr. Tom Kline discussed Active Bystandership for Law Enforcement.

ABLE is a research-backed training program designed to provide practical active bystandership strategies and tactics to law enforcement officers, focusing on fostering a healthy culture that encourages officers to both give and accept intervention to prevent harm or acts of wrongdoing.

E.5. Legislative Spotlight

Mr. Tom Kline gave an update on new California laws that impose new requirements on police agencies or bills that may affect them.

Enforcement Procedures

- AB 2537 – Driver Education for Stops
- AB 2644 – Minor Custodial Interrogation
- AB 2773 – Reason for Stop
- SB 1359 – Vehicle Registration
- AB 485 - Hate Crime Reporting



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN COMMUNITY CENTER – SPRINGVIEW HALL
FEBRUARY 2, 2023**

Hiring & Termination of Officers

- AB 655 – Hate Group Background
- AB 2229 – Bias Evaluation
- SB 960 – Citizenship

ATTACHMENTS:

1. AB 2537 – Driver Education for Stops
2. AB 2644 – Minor Custodial Interrogation
3. AB 2773 – Reason for Stop
4. SB 1359 – Vehicle Registration
5. AB 485 - Hate Crime Reporting
6. AB 655 – Hate Group Background
7. AB 2229 – Bias Evaluation
8. SB 960 – Citizens

E.6. TECHNOLOGY DISCUSSION

Mr. Kline gave an update on technologies we have discussed at previous meetings and new technology.

1. *Artificial Intelligence (AI) – *Flock Safety*
2. Automatic License Plate Recognition (ALPR)
3. Biometrics
4. Body-Worn Cameras and In-Car Video Systems
5. *Body Worn Camera Auditing – *Frontline Public Safety Solutions*
6. *Communication – *Tango Tango*
7. DeleteMe
8. Drones - Unmanned Aircraft Systems (UAS)
9. Gunshot Detection Systems (GDS)
10. Handheld Lasers
11. True Narc
12. Robots
13. Robotic Cameras
14. Smarter Police Cars
15. Tablets
16. Thermal Imaging
17. *Vehicle Pursuit Dart – *Starchase demonstration*
18. Video Doorbells
19. *Video Redaction Software – *Veritone*
20. *RIPA Compliance Software – *Veritone*



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN COMMUNITY CENTER – SPRINGVIEW HALL
FEBRUARY 2, 2023**

Members discussed utilizing DeleteMe and having DeleteMe host an informational training session.

E.7. Round Table Discussion

Mr. Tom Kline discussed a possible Workers' Compensation Presumptions for Police Leadership training.

F. INFORMATION ITEMS

1. NCCSIF 2022-23 ORGANIZATIONAL CHART
2. NCCSIF 2022-23 MEETING CALENDAR

G. ADJOURNMENT

The meeting was adjourned at 11:00a.m.

Next Meeting Date: May 4, 2023

Respectfully Submitted,

Jennifer Styczynski, Secretary

Date: _____



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN EVENT CENTER – GARDEN ROOM
MAY 4, 2023**

MEMBERS PRESENT

Chief Jeremiah Fears, City of Corning
Chief Robert Thompson, City of Dixon
Chief Jon Alfred, City of Ione
Chief Kyle Sanders, City of Red Bluff
Chief Rustin Banks, City of Rocklin

Chief Robert Thompson, City of Dixon
Chief Rodney Harr, City of Gridley
Chief Eric Reinbold, Town of Paradise
Chief Jon Mazer, City of Rio Vista
Chief Brian Baker, City of Yuba City

OTHER MEMBERS PRESENT

Commander Sam Escheman, City of Yuba City Lt. Adrian Passadore, City of Rocklin

GUESTS & CONSULTANTS

Jenna Wirkner, Alliant Insurance Services
Tom Kline, Sedgwick

Marcus Beverly, Alliant Insurance Services

A. CALL TO ORDER

Chief Sanders called the meeting to order at 10:00 a.m.

B. ROLL CALL

The above members listed were present.

C. PUBLIC COMMENTS

There were no public comments.

D. CONSENT CALENDAR

1. Police Risk Management Committee Meeting Minutes – February 2, 2023

No motion was made.

E. RISK MANAGEMENT

E.1. Police Risk Management Grant Funds

Mr. Beverly discussed the Police Risk Management Grant Funds for FY23/24. Members are encouraged to use the fund for body worn camera programs or other risk management products or services.

E.2. Legislative Spotlight

A Public Entity Joint Powers Authority



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN EVENT CENTER – GARDEN ROOM
MAY 4, 2023**

Mr. Tom Kline discussed the legislative spotlight for Law Enforcement. Twenty-seven bills related to law enforcement were listed in the agenda packet and discussed, including the following:

AB 21 – Peace officers: training

AB 360: Excited delirium

AB 443: Peace officers: determination of bias

AB 449: Hate crimes: law enforcement policies.

AB 742: Law enforcement: police canines

AB 807: Police use of force

AB 856: Peace officers: active shooter and rescue training

AB 994: Law enforcement: social media

AB 1034: Law enforcement: facial recognition and other biometric surveillance

E.3. Technology Discussion

Mr. Tom Kline gave an update on Law Enforcement Technology.

The City of Oroville recently approved a contract with Flock Safety to install and maintain 40 cameras for monitoring criminal activity in the city. Discussion included two articles regarding the installation, one citing the purpose and one expressing some privacy concerns. Members discussed their experience with using the cameras and impact on crime in their jurisdictions.

Members discussed PRA software and guardian for background checks.

E.4. Wellness Discussion

Mr. Marcus Beverly discussed wellness and the use of Chaplaincy programs for departments.

Members are using Cordico for wellness. Member discussed the Cal Chiefs Wellness Training Event.

Members discussed UC Davis Sports Medicine and creating an incentive if employees go.

E.5. Training Topics

Members discussed potential training topics for meetings.

Chief Baker from the City of Yuba City discussed the CIRA Training Day. Mindbase is a wellness app that some departments are using. You can see how many people are using the app and for what. Chief Baker also discussed the First Responder Resiliency Center.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN EVENT CENTER – GARDEN ROOM
MAY 4, 2023**

Lt. Passadore from the Rocklin Police Department attended the Placer County Training and mentioned the Eugene Ramirez training regarding the impact of officer feedback during arrests and how that can make defense of a claim more difficult.

E.6. Round Table Discussion

Members discussed the Sacramento Police Department rifle resistant armor and City of Alameda Police Department Special Order #22-02.

F. INFORMATION ITEMS

1. NCCSIF 2022-23 ORGANIZATIONAL CHART
2. NCCSIF 2022-23 MEETING CALENDAR
3. Training Announcement

G. ADJOURNMENT

The meeting was adjourned at 11:25 a.m.

Next Meeting Date: August 3, 2023

Respectfully Submitted,

Jennifer Styczynski, Secretary

Date: _____



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN EVENT CENTER – GARDEN ROOM
AUGUST 3, 2023**

MEMBERS PRESENT

Chief Ryan Kinnan, City of Auburn
Lt. Brian Schopf, City of Elk Grove
Chief Rodney Harr, City of Gridley
Chief Matt Alves, City of Lincoln
Captain Scott Horrillo, City of Rocklin

Chief Robert Thompson, City of Dixon
Chief Brian Kalinowski, City of Galt
Chief Jon Alfred, City of Ione
Lt. Gil Zarate, City of Oroville
Chief Jon Mazer, City of Rio Vista

GUESTS & CONSULTANTS

Jenna Wirkner, Alliant Insurance Services
Evan Washburn, Alliant Insurance Services
Summer Simpson, Sedgwick

Marcus Beverly, Alliant Insurance Services
Tom Kline, Sedgwick
Sergeant Jeff Daigle, City of Rocklin

A. CALL TO ORDER

Chief Kinnan called the meeting to order at 10:02 a.m.

B. ROLL CALL

The above members listed were present.

C. PUBLIC COMMENTS

There were no public comments.

D. CONSENT CALENDAR

1. Police Risk Management Committee Meeting Minutes – February 2, 2023
2. Police Risk Management Committee Meeting Minutes May 4, 2023

No quorum. Minutes will be moved to the November 3, 2022, Meeting Agenda.

E. RISK MANAGEMENT

E.1. Police Risk Management Grant Funds

Mr. Beverly discussed the Police Risk Management Grants for members. Members are encouraged to use funds for Body Worn Cameras. If members have cameras, they can use the funds for other Risk Management items.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN EVENT CENTER – GARDEN ROOM
AUGUST 3, 2023**

E.2. General Liability Claims Analysis for Police

Ms. Summer Simpson gave an overview on the General Liability Claims Analysis for Police. Police Liability claims are the highest in severity. Policy Liability is the 3rd in Frequency and Severity by claim.

E.3. Legislative Update

Mr. Tom Kline provided a legislative update related to Law Enforcement.

AB 21 - Peace officers: training
AB 44 - California Law Enforcement Telecommunications System: tribal police
AB 79 - Weapons: robotic devices and unmanned aircrafts
AB 93 - Criminal procedure: consensual searches
AB 355- Firearms: assault weapons: exception for peace officer training
AB 360 - Excited Delirium
AB 390 - Commission on POST: assessment of training requirements
AB 443 - Peace officers: determination of bias
AB 449- Hate crimes: law enforcement policies
AB 458 - Peace officers
AB 462 - Overdose response teams
AB 742 - Law Enforcement: police canines
AB 750 - Menace to public health: closure by law enforcement
AB 797 - Local government: police review boards
AB 807 - Police Use of Force
AB 856 - Peace officers: active shooter and rescue training
AB 994 - Law Enforcement: social media
AB 1034 - Law Enforcement: facial recognition and other biometric surveillance
AB 1090 - County officers: sheriffs
AB 1133 - Firearms: concealed carry licenses
AB 1299 - School safety: school resource officers, school police officers, school safety plans
AB 1435- Department of the California Highway Patrol: officers: age limit
SB 50 - Vehicles: enforcement
SB 400 - Peace officers: confidentiality of records
SB 449 - Peace officers: Peace Officer Standards Accountability Advisory Board
SB 719 - Law enforcement agencies: radio communications
SB 852 - Searches: supervised persons

E.4 Technology Discussion

Members discussed their experiences with their departments emerging technologies.
Members discussed RTIC and Tazer Ten.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ROCKLIN EVENT CENTER – GARDEN ROOM
AUGUST 3, 2023**

E.5 Wellness Discussion

Lt. Schopf discussed the Elk Grove Police Department Wellness program. Lt. Schopf discussed the use of the Pinnacle Training System. Pinnacle offers blood tests for cancer markers and functional medicine for knees, back, and shoulders. Lt. Schopf also discussed my steady mind, a 10 week cognitive fitness course.

Other members discussed the environment around nutrition and exercise. Members are bringing in healthy meals for officers to purchase and offering discounts for gym memberships or incentives for health screenings.

E.6. Lexipol Grant Finder

Mr. Beverly discussed Lexipol Grant Finder. The Board of Directors approved a 2-year MOU with a 50% discount for grant writing and additional services. Members are encouraged to register on the website.

E.7. Round Table Discussion

F. INFORMATION ITEMS

1. NCCSIF 2022-23 ORGANIZATIONAL CHART
2. NCCSIF 2022-23 MEETING CALENDAR

G. ADJOURNMENT

The meeting was adjourned at 11:26a.m.

Next Meeting Date: November 2,2023

Respectfully Submitted,

Jennifer Styczynski, Secretary

Date: _____



**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item E.1.

POLICE RISK MANAGEMENT GRANT FUNDS

INFORMATION ITEM

ISSUE: Over the last ten years the Board has approved a total of \$500,000 in grant funds for Police Risk Management. The Grant Funds Historic Usage Report is included to ensure members are aware of the available grants for their agencies.

RECOMMENDATION: Review grant funding and uses – information only.

FISCAL IMPACT: None expected from this item.

BACKGROUND: The Board approved a FY 14/15 budget of \$50,000 for the purchase of body cameras for NCCSIF's police agencies. The funds were initially used to purchase a total of 58 cameras directly from VieVu at a quantity discount. The FY 15/16 and FY 16/17 budgets of \$50,000 were allocated to the members to fund their body camera programs. In FY 17/18 members with a body camera program in place were first able to use the funds for other safety and risk management uses such as data storage, protective equipment, load-bearing vests, and wellness services. Each year since then \$50,000 has been allocated to member police agencies for safety and risk management uses.

ATTACHMENT(S):

1. Risk Management Grant Funds Historic Usage Report
2. Police Risk Management Grant Request Form

NCCSIF POLICE RISK MANAGEMENT GRANT FUNDS HISTORIC USAGE REPORT

Member	FY 14/15 \$50,000 Grant Camera Allocation	FY 15/16 \$50,000 Grant Fund Allocation	FY 16/17 \$50,000 Grant Fund Allocation	FY 17/18 \$50,000 Grant Fund Allocation	FY 18/19 \$50,000 Grant Fund Allocation	FY 19/20 \$50,000 Grant Fund Allocation	FY 20/21 \$50,000 Grant Fund Allocation	FY 21/22 \$50,000 Grant Fund Allocation	FY 22/23 \$50,000 Grant Fund Allocation	FY 23/24 \$50,000 Grant Fund Allocation	FY 21/22 Member Specific Police Fund	FY 22/23 Member Specific Police Fund	TOTAL GRANTS	YTD Reimbursements Made	REMAINING FUNDS 10/26/23	Reimbursement Notes/Plan Usage
1 Anderson	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635		\$13,635	
2 Auburn	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030			\$27,270	\$20,689	\$6,581	4/25/17 \$6,280.56 (12 VieVu LE4 mini body worn cameras) 9/8/17 \$3,029.18 (4 VieVu LE4mini & 1 multi-dock LE4) 2/5/19 \$2,810.26 portion of invoice (16 VieVu LE5 body worn cameras) 3/24/21 \$5,998.49 Body Cameras 9/29/22 VIEVU Bodyworn Camears
3 Colusa	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$8,360	\$21,995	\$3,030	\$18,965	7/27/17 \$3,030 (concealable vests with load bearing carriers)
4 Corning	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$5,592	\$8,043	9/6/16 \$3,291.26 (4 VieVu LE4 body cameras) 2/15/19 \$2,301.12 firewall
5 Dixon	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$5,000		\$32,270	\$23,846	\$8,424	4/20/17 \$6,060 (30 Wolfcom Vision 1080p body camera with rotatable camera head and 32GB memory) 6/1/18 \$2,934.38 (3 Wolfcom Vision 1080p body camera + training cost for force options simulator) 3/6/20 \$2,631.63 (5 Wolfcom Body Camera + 1 docking port) 8/26/20 IA PRO Program 2/7/23 DeleteMe App - Removes officers personal information from the internet
6 Elk Grove*	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030			\$27,270	\$27,210	\$60	1/11/18 \$9,090 (WatchGuard Vista HD body cameras) 3/20/19 \$3,030 (portion of Cordico Wellness Program) 11/4/19 \$3,030 (portion of 2019 BWC purchase/Vista HD) 5/6/22 \$6,060 (portion of Cordico Wellness Program) 10/17/23 \$6,000 My Steady Mind
7 Folsom	5	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$3,788	\$400,000		\$434,088	\$22,725	\$411,363	10/5/16 \$7,576 (8 VieVu LE4 body camera and 1 multi-dock network station) 12/16/20 \$15,150 Iapro software
8 Galt	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030		\$65,000	\$92,270	\$21,210	\$71,060	1/25/18 Plan to use fund /BWC program under consideration 2/28/22 AXON Body Worn Cameras
9 Gridley	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$4,543	\$9,092	9/6/16 \$3,291.26 (4 VieVu LE4 body cameras) 3/28/18 \$1,252 (one VieVu LE5 camera and seven Public Safety Vests) 8/7/20 \$2,700.41 (load bearing vests and flashlights) 11/2/16 \$1,655.23 (2 VieVu LE4 body camera) 9/8/17 \$1,736.24 balance (2 VieVu LE4 body cameras and 2 LE4 Coads) 5/21/18 \$1,234.14 (2 VieVu LE5 body camera and license for Veripatrol Software) 5/28/21 Lava Dog Fire and Police Supply (Riot helmets, batons, gas masks and filters) 3/7/22 LENSLOCK Cameras
10 Lone	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515		\$7,331	\$20,966	\$10,605	\$10,361	
11 Jackson	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$9,090	\$4,545	4/20/20 Jackson PD in process of acquiring new body cams. 1/7/2021 \$9,090 Vista HD Wearable Camera User Guide
12 Lincoln	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030			\$27,270	\$18,181	\$9,090	10/5/16 \$6,060 (8 VieVu LE4 body cameras) 2/25/21 \$11,632 (14 Watchguard body worn cameras)
13 Marysville	3	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273			\$20,453	\$20,453	(\$0)	8/18/17 \$4,919.87 (6 VieVu LE4 body cameras)
14 Nevada City	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$7,575	\$6,060	2/6/18 \$4,545 (Body Camera Storage and Equipment cost for 2015-2017) 7/15/19 \$1,515 (Axon Body Camera Storage) 4/17/20 \$1,515.00 (Body Camera Storage Fees) 3/31/21 \$1,515.00 (Body Camera Storage Fees)
15 Oroville	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030			\$27,270	\$12,120	\$15,150	9/23/16 \$3,010 (Video Storage Buffalo Terastation) 10/5/16 \$3,050 (5 VieVu LE4 body cameras) 11/20/17 \$1,174.00 (1 Tactical Armor-Ballistic Vest) 9/4/18 \$4,886 (20 VieVu LE5s body cameras)
16 Paradise	3	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273			\$20,453	\$18,180	\$2,273	dock station) 3/14/17 \$2,305.58 (Ballistic Vests) 5/3/19 \$1,895.50 (five load bearing vests) 8/7/20 \$2,700.41 (load bearing vests and flashlights) 7/27/22 \$9,039 Body Worn Cameras
17 Placerville*	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$10,105	\$3,530	12/28/17 \$3,970.32 (4 Tactical Armor-Ballistic Vests) 10/3/19 \$3,674.75 (Fitness Equipment) 11/18/20 \$1,077.49 (Treadmill) 9/29/21 \$1,382.87 (Kettlebell, Resistance bands, under desk bike pedal, weight bench, battle rope)

NCCSIF POLICE RISK MANAGEMENT GRANT FUNDS HISTORIC USAGE REPORT

Member	FY 14/15 \$50,000 Grant Camera Allocation	FY 15/16 \$50,000 Grant Fund Allocation	FY 16/17 \$50,000 Grant Fund Allocation	FY 17/18 \$50,000 Grant Fund Allocation	FY 18/19 \$50,000 Grant Fund Allocation	FY 19/20 \$50,000 Grant Fund Allocation	FY 20/21 \$50,000 Grant Fund Allocation	FY 21/22 \$50,000 Grant Fund Allocation	FY 22/23 \$50,000 Grant Fund Allocation	FY 23/24 \$50,000 Grant Fund Allocation	FY 21/22 Member Specific Police Fund	FY 22/23 Member Specific Police Fund	TOTAL GRANTS	YTD Reimbursements Made	REMAINING FUNDS 10/26/23	Reimbursement Notes/Plan Usage
18 Red Bluff	3	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273	\$2,273			\$20,453	\$14,052	\$6,400	2/17/17 \$1,473.74 (Apex Body cam storage remediation) 10/18/17 \$3,071.26 (5 VieVu LE4 body cameras) 1/25/18 Plan to use to purchase more BWC & future funds to replace old cameras. 3/27/20 Red Bluff PD BWC is fully funded; plan to use funds for fitness equipment. 5/26/20 \$6,814.17 (Fitness Slam Balls, ball rack, cable machine, dumbbell rack, kettlebell racks, kettlebells and bumper rack) 10/29/21 \$2,692.86 (3 Body Cameras, 12 Clip Lock Metal Clips)
19 Rio Vista	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$12,120	\$1,515	11/16/17 \$4,241.15 (9 VieVu LE5 body cameras)
20 Rocklin	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030			\$27,270	\$18,180	\$9,090	10/5/16 \$6,516.24 (4 VieVu LE4 body cameras, 1 LE4 multi-dock, 1 LE3 multi-dock) 1/3/19 \$5,603.76 (58 Lenslock bwc cameras and 25 in car dash cameras) 11/9/20 \$6,060 (Lenslock software)
21 Willows	2	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515	\$1,515			\$13,635	\$10,605	\$3,030	6/18/18 \$2,130 for 18/19 Lexipol-Fire Policy Service annual fee 7/2/19 \$2,130 for 19/20 Lexipol-Fire Policy Service annual fee 7/1/20 \$2,157 for 20/21 Lexipol-Fire Policy Service annual fee 6/15/21 \$2,178 21/22 Lexipol-Fire Policy Service annual fee 6/15/21 \$2,010 Lexipol Fire Policy Service
22 Yuba City	4	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030	\$3,030			\$27,270	\$9,759	\$17,511	5/5/17 \$6,060 (Data911 body-worn cameras) 7/12/21 \$3,699.05 (Treadmill)
TOTAL	58	\$49,995	\$49,995	\$49,995	\$49,995	\$49,995	\$49,995	\$49,995	\$49,995	\$49,995	\$405,000	\$80,691	\$935,646	\$299,871	\$635,775	

*Opted for Cash Allocation to purchase other than VieVu Camera
Fund Allocation is based on cost of camera at \$757.50 each



POLICE RISK MANAGEMENT GRANT REQUEST FORM

Member Entity Name: _____

Submitted by: _____ Submission Date: _____

Available Funds: _____ Requested Funds: _____

Please use the following lines to describe the proposed use for your funds, and be sure to attach any applicable backup data such as purchase order, receipts, etc.

(If additional room is needed, please attach separate sheet.)

Check Payable to: _____

Mail Check to: _____

Signature: _____ Date: _____

Please e-mail the completed form to: Jenna Wirkner at Jenna.Wirkner@alliant.com

STAFF USE ONLY

Program Administrator Approval: _____

Total Amount Subject to Reimbursement: \$ _____



**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item E.2.

LEGISLATIVE UPDATE

INFORMATION ITEM

ISSUE: There are many bills from the 2022-23 Legislative Session that were signed into law. These new laws will impact law enforcement. The new laws are listed below and are also attached as pdf files.

RECOMMENDATION: Information only.

FISCAL IMPACT: None

BACKGROUND: The Program Administrators continue to monitor and report on the new bills affecting law enforcement that were recently signed into law by the Governor.

[Status of Current Legislation \(ca.gov\)](#)

- | | |
|--------|---|
| AB 355 | Firearms: assault weapons: exception for peace officer training |
| AB 360 | Excited Delirium |
| AB 443 | Peace officers: determination of bias |
| AB 449 | Hate crimes: law enforcement policies |
| AB 750 | Menace to public health: closure by law enforcement |
| AB 994 | Law enforcement: social media |
| SB 2 | Firearms |

ATTACHMENT(S): Current Legislation

Assembly Bill No. 355

CHAPTER 235

An act to add Section 30631 to the Penal Code, relating to firearms.

[Approved by Governor September 26, 2023. Filed with
Secretary of State September 26, 2023.]

legislative counsel's digest

AB 355, Alanis. Firearms: assault weapons: exception for peace officer training.

Existing law requires the loan of a firearm to be processed through a licensed firearm dealer. Existing law exempts from this requirement the loan of a firearm to a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, for purposes of participation in the course.

Existing law prohibits the sale, transfer, or possession of a large-capacity magazine, as defined. Existing law exempts from this prohibition the sale or transfer to, or the possession by, a peace officer or retired peace officer, as specified, or to or by a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the commission, for purposes of participation in the course, as specified.

Existing law prohibits the sale, transfer, or possession of an assault weapon, as specified. Existing law exempts from this prohibition the sale or transfer of an assault weapon to, or the possession of an assault weapon by, a peace officer, as specified.

This bill would also exempt from this prohibition the loaning of an assault weapon to, or the possession of an assault weapon by, a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, while engaged in firearms training and being supervised by a firearms instructor. The bill would also prohibit the loaned assault weapon from leaving the training facility and would require the enrollee to be currently employed by a law enforcement agency, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 30631 is added to the Penal Code, to read:

30631. Sections 30600 and 30605 do not apply to the loan of an assault weapon to, nor the possession of an assault weapon by, a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, or any other course certified by the

commission, while engaged in firearms training and being supervised by a firearms instructor, if the following requirements are met:

- (a) The loaned assault weapon does not leave the training facility.
- (b) The enrollee has met the minimum peace officer hiring standards as stated in Sections 1029, 1030, and 1031 of the Government Code prior to entry to the course and is currently employed by any of the following:
 - (1) A police department or sheriff's office.
 - (2) A marshal's office.
 - (3) The Department of Justice.
 - (4) The Department of the California Highway Patrol.
 - (5) The Department of Fish and Wildlife.

O

Assembly Bill No. 360

CHAPTER 431

An act to add Section 1156.5 to the Evidence Code, and to add Chapter 3.5 (commencing with Section 24400) to Division 20 of the Health and Safety Code, relating to excited delirium.

[Approved by Governor October 8, 2023. Filed with Secretary of State October 8, 2023.]

legislative counsel's digest

AB 360, Gipson. Excited delirium.

(1) Existing law specifies the content of a certificate of death and sets forth the persons responsible for completing the certificate of death. Existing law requires certain medical and health content on the certificate.

This bill would prohibit “excited delirium,” as defined, from being recognized as a valid medical diagnosis or cause of death in this state. The bill would prohibit a coroner, medical examiner, physician, or physician assistant from stating on the certificate of death or in any report that the cause of death was excited delirium.

(2) Existing law designates specified employees and appointees of certain public entities to be peace officers. Existing law grants certain powers to peace officers and prescribes certain requirements and responsibilities for peace officers and their employing or appointing entities.

The bill would prohibit a peace officer from using the term “excited delirium” to describe an individual in an incident report, but would not prohibit the peace officer from describing an individual’s behavior, as specified.

(3) Existing law governs the rules of evidence in every action before the Supreme Court or a court of appeal or superior court, including rules relating to judicial notice, evidentiary burdens, witnesses, opinion testimony and scientific evidence, privileges, evidence affected or excluded by extrinsic policies, hearsay evidence, and writings.

This bill would deem evidence that a person experienced or suffered an excited delirium inadmissible in a civil action, but would not prohibit a party or witness from testifying as to the factual circumstances surrounding the case, including a person’s demeanor, conduct, and physical and mental condition, provided it is not attributed to excited delirium.

The people of the State of California do enact as follows:

SECTION 1. Section 1156.5 is added to the Evidence Code, to read:

1156.5. (a) Evidence that a person suffered or experienced excited delirium shall not be admitted in any civil action.

(b) A party or witness may describe the factual circumstances surrounding the case, including a person's demeanor, conduct, and physical and mental condition at issue, including, but not limited to, a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain, but shall not describe or diagnose such demeanor, conduct, or condition by use of the term excited delirium, or attribute such demeanor, conduct, or physical and mental condition to that term.

(c) For the purposes of this section, "excited delirium" means a term used to describe a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain that is not listed in the most current version of the Diagnostic and Statistical Manual of Mental Disorders, or for which the court finds there is insufficient scientific evidence or diagnostic criteria to be recognized as a medical condition. Excited delirium also includes excited delirium syndrome, excited delirium, hyperactive delirium, agitated delirium, and exhaustive mania.

SEC. 2. Chapter 3.5 (commencing with Section 24400) is added to Division 20 of the Health and Safety Code, to read:

Chapter 3.5. Excited Delirium

24400. For the purposes of this chapter, "excited delirium" means a term used to describe a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain that is not listed in the most current version of the Diagnostic and Statistical Manual of Mental Disorders, or for which the court finds there is insufficient scientific evidence or diagnostic criteria to be recognized as a medical condition. Excited delirium also includes excited delirium syndrome, excited delirium, hyperactive delirium, agitated delirium, and exhaustive mania.

24401. (a) Excited delirium shall not be recognized as a valid medical diagnosis or cause of death in this state.

(b) A state or local government entity, or employee or contractor of a state or local government entity, shall not document, testify to, or otherwise use in any official capacity or communication excited delirium as a recognized medical diagnosis or cause of death.

(c) A coroner, medical examiner, physician, or physician assistant shall not state on the certificate of death, or in any report, that the cause of death was excited delirium. The term excited delirium and terms inclusive of excited delirium defined in Section 24400 shall not be listed anywhere on the death certificate.

24402. A peace officer shall not use the term excited delirium to describe an individual in an incident report completed by a peace officer. A peace officer may describe the characteristics of an individual's conduct, but shall not generally describe the individual's demeanor, conduct, or physical and mental condition at issue as excited delirium.

24403. Pursuant to Section 1156.5 of the Evidence Code, evidence that a person suffered or experienced excited delirium is inadmissible in any civil action. A party or witness may describe the factual circumstances surrounding the case, including a person's demeanor, conduct, and physical and mental condition at issue, including, but not limited to, a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain, but shall not describe or diagnose such demeanor, conduct, or condition by use of the term excited delirium, or attribute such demeanor, conduct, or physical and mental condition to that term.

O

Assembly Bill No. 443

CHAPTER 439

An act to add Section 13510.6 to the Penal Code, relating to peace officers.

[Approved by Governor October 8, 2023. Filed with Secretary
of State October 8, 2023.]

legislative counsel's digest

AB 443, Jackson. Peace officers: determination of bias.

Existing law establishes the Commission on Peace Officer Standards and Training (POST) to set minimum standards for the recruitment and training of peace officers, to establish a certification for peace officers, and to develop training courses and curriculum for the training of peace officers. Existing law, commencing January 1, 2023, authorizes POST to suspend or revoke the certification of a peace officer if the person has been terminated for cause from employment as a peace officer, or has, while employed as a peace officer, otherwise engaged in serious misconduct, which includes demonstrating bias on the basis of race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status. Existing law requires each law enforcement agency to be responsible for completing investigations of allegations of serious misconduct of a peace officer.

This bill would, commencing January 1, 2026, require POST to establish a definition of "biased conduct," as specified, and would require law enforcement agencies to use that definition in any investigation into a bias-related complaint or an incident that involves possible indications of officer bias, and to determine if any racial profiling occurred, as defined. The bill would also require POST to develop guidance for local law enforcement departments on performing effective internet and social media screenings of officer applicants.

The people of the State of California do enact as follows:

SECTION 1. Section 13510.6 is added to the Penal Code, to read:

13510.6. (a) The commission shall establish a definition of "biased conduct" that, at a minimum, includes all of the following:

(1) Biased conduct includes any conduct, including, but not limited to, conduct online, such as social media use, engaged in by a peace officer in any encounter with the public, first responders, or employees of criminal justice agencies, as defined in Section 13101, motivated by bias toward any person's protected class or characteristic, whether actual or perceived, that is described in subdivision (b) of Section 51 of the Civil Code.

(2) Biased conduct may result from implicit and explicit biases.

(3) Conduct is biased if a reasonable person with the same training and experience would conclude, based upon the facts, that the officer's conduct resulted from bias towards that person's membership in a protected class described in paragraph (1).

(4) An officer need not admit biased or prejudiced intent for conduct to be determined to be biased conduct.

(b) When investigating any bias-related complaint or incident that involves possible indications of officer bias, a law enforcement agency shall determine whether the conduct being investigated constitutes "biased conduct," using the definition developed by the commission in accordance with subdivision (a).

(c) The commission shall develop guidance for local law enforcement departments on performing effective internet and social media screenings of officer applicants. The guidance shall include, at minimum, strategies for identifying applicant social media profiles and for searching for, and identifying, content indicative of potential biases, such as affiliation with hate groups.

(d) In the investigation of any complaint involving any law enforcement activity described in subdivision (e) of Section 13519.4, the investigating law enforcement agency shall determine if racial profiling, as defined in that section, occurred.

(e) This section shall become operative on January 1, 2026.

O

Assembly Bill No. 449

CHAPTER 524

An act to amend Sections 422.87, 13023, and 13519.6 of the Penal Code, relating to hate crimes.

[Approved by Governor October 8, 2023. Filed with Secretary of State October 8, 2023.]

legislative counsel's digest

AB 449, Ting. Hate crimes: law enforcement policies.

Existing law defines a "hate crime" as a criminal act committed, in whole or in part, because of actual or perceived characteristics of the victim, including, among other things, race, religion, disability, and sexual orientation. Existing law requires state law enforcement agencies and authorizes local law enforcement agencies to adopt a framework or other formal policy on hate crimes created by the Commission on Peace Officer Standards and Training. Existing law requires any local law enforcement agency that adopts or updates a hate crime policy to include specified information in that policy, including the content of the model policy framework developed by the commission.

This bill would make adoption of a hate crimes policy by a state and local law enforcement agency mandatory by July 1, 2024. The bill would require those policies to include the supplemental hate crime report in the model policy framework developed by the commission and a schedule of hate crime or related trainings the agency conducts. By imposing requirements on local agencies, this bill would impose a state-mandated local program.

Existing law requires the Department of Justice to collect specified information from law enforcement agencies relative to hate crimes, including formal hate crimes policies, and requires the Department of Justice and local law enforcement agencies to post that information on their internet websites.

This bill would require the Attorney General to review the submitted materials from those that law enforcement agencies submit and would require the Department of Justice to instruct agencies that did not submit materials or submitted noncompliant materials to submit compliant materials. The bill would require law enforcement agencies to submit the specified materials by a specified date. The bill would also require the Department of Justice to post the names of agencies that submitted compliant materials on its internet website. By imposing these requirements on law enforcement agencies, this bill would impose a state-mandated local program.

Existing law requires the Commission on Peace Officer Standards and Training to develop guidelines for instruction and training of law enforcement officers addressing hate crimes.

This bill would require the commission to consult with specified subject matter experts if the commission updates the guidelines, and would state that the guidelines and course of instruction are not regulations for purposes of the Administrative Procedures Act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 422.87 of the Penal Code is amended to read:

422.87. (a) Each state and local law enforcement agency shall, by July 1, 2024, adopt a hate crimes policy that shall include, but not be limited to, all of the following:

(1) The definitions in Sections 422.55 and 422.56.

(2) The content of the model policy framework that the Commission on Peace Officer Standards and Training developed pursuant to Section 13519.6, and any content that the commission may revise or add in the future, including any policy, definitions, response and reporting responsibilities, training resources, the supplemental hate crime report, and planning and prevention methods.

(3) (A) Information regarding bias motivation.

(B) For the purposes of this paragraph, “bias motivation” is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 422.55. Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, discriminatory selection of victims, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one’s “own kind,” or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including, but not limited to, disability or gender.

(C) (i) In recognizing suspected disability-bias hate crimes, the policy shall instruct officers to consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as, but not limited to, dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore “deserving victims,” a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

(ii) In recognizing suspected disability-bias hate crimes, the policy also shall instruct officers to consider whether there is any indication that the

perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in antidisability bias. This includes, but is not limited to, if a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those circumstances could be evidence that the perpetrator's motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

(D) In recognizing suspected religion-bias hate crimes, the policy shall instruct officers to consider whether there were targeted attacks on, or biased references to, symbols of importance to a particular religion or articles considered of spiritual significance in a particular religion. Examples of religions and such symbols and articles include, but are not limited to:

- (i) In Buddhism, statues of the Buddha.
- (ii) In Christianity, crosses.
- (iii) In Hinduism, forehead markings, known as bindis and tilaks, Aum/Om symbols, and images of deities known as murtis.
- (iv) In Islam, hijabs.
- (v) In Judaism, Stars of David, menorahs, and yarmulke.
- (vi) In Sikhism, turbans, head coverings, and unshorn hair, including beards.

(4) Information regarding the general underreporting of hate crimes and the more extreme underreporting of antidisability and antigender hate crimes and a plan for the agency to remedy this underreporting.

(5) A protocol for reporting suspected hate crimes to the Department of Justice pursuant to Section 13023.

(6) A checklist of first responder responsibilities, including, but not limited to, being sensitive to effects of the crime on the victim, determining whether any additional resources are needed on the scene to assist the victim or whether to refer the victim to appropriate community and legal services, and giving the victims and any interested persons the agency's hate crimes brochure, as required by Section 422.92.

(7) A specific procedure for transmitting and periodically retransmitting the policy and any related orders to all officers, including a simple and immediate way for officers to access the policy in the field when needed.

(8) The title or titles of the officer or officers responsible for ensuring that the department has a hate crime brochure as required by Section 422.92 and ensuring that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons.

(9) A requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the chief, sheriff, director, or other chief executive of the law enforcement agency or other command-level officer to whom the chief executive officer formally delegates this responsibility.

(10) A schedule of the hate crime training required by Section 13519.6 and any other hate crime or related training the agency may conduct.

(b) A law enforcement agency that updates an existing hate crimes policy or adopts a new hate crimes policy may include any of the provisions of a model hate crime policy and other relevant documents developed by the International Association of Chiefs of Police that are relevant to California and consistent with this chapter.

SEC. 2. Section 13023 of the Penal Code is amended to read:

13023. (a) This section shall be subject to the availability of adequate funding.

(b) (1) The Attorney General shall direct state and local law enforcement agencies to report to the Department of Justice, in a manner to be prescribed by the Attorney General, any information that may be required relative to hate crimes.

(2) The Attorney General shall review state and local agencies' formal policies on hate crimes required by Section 422.87 and the hate crime brochure required pursuant to Section 422.92. The department shall review the policies and brochures for compliance with law. The department shall instruct any agency that did not submit a policy or brochure, or that submitted a legally noncompliant policy or brochure, to submit compliant documents.

(c) (1) Law enforcement agencies are required to submit the hate crime documents required by the Attorney General as follows:

(A) On or before January 1, 2025, each law enforcement agency in the Counties of Los Angeles, Orange, San Luis Obispo, Santa Barbara, and Ventura shall produce their hate crime materials to the Department of Justice.

(B) On or before January 1, 2026, each law enforcement agency in the Counties of Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma shall produce their hate crime materials to the Department of Justice.

(C) On or before January 1, 2027, each law enforcement agency in the Counties of Colusa, Glenn, Lassen, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Yuba, Alpine, Amador, Calaveras, El Dorado, Placer, Sacramento, San Joaquin, Stanislaus, Tuolumne, and Yolo and the special districts of the San Francisco Bay Area Rapid Transit District, the Department of the California Highway Patrol, the Department of State Hospitals, and the state park system shall produce their hate crime materials to the Department of Justice.

(D) On or before January 1, 2028, each law enforcement agency in the Counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, Tulare, Imperial, Inyo, Mono, Riverside, San Bernardino, and San Diego shall produce their hate crime materials to the Department of Justice.

(2) The production of hate crime materials pursuant to paragraph (1) shall proceed on a four-year schedule and shall be ongoing. All law enforcement agencies, including special districts, shall produce to the Attorney General's office their hate crime materials on the specified date listed above, and then every four years thereafter in perpetuity.

(d) On or before July 1 of each year, the Department of Justice shall update the OpenJustice Web portal with the information obtained from law

enforcement agencies pursuant to this section. The information shall include the names of agencies that submitted compliant policies and brochures, including any agency that submitted revised compliant documents. The department shall submit its analysis of this information to the Legislature in the manner described in subdivision (g) of Section 13010.

(e) Law enforcement agencies shall additionally post the information required in paragraph (1) of subdivision (b) to their internet websites on a monthly basis.

(f) For purposes of this section, “hate crime” has the same meaning as in Section 422.55.

SEC. 3. Section 13519.6 of the Penal Code is amended to read:

13519.6. (a) (1) The commission, in consultation with subject-matter experts, including, but not limited to, law enforcement agencies, civil rights groups, and academic experts, and the Department of Justice, shall develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as a peace officer but are enrolled in a training academy for law enforcement officers, addressing hate crimes. “Hate crimes,” for purposes of this section, has the same meaning as in Section 422.55.

(2) The commission shall consult with the subject-matter experts in paragraph (1) if the guidelines or course of instruction are updated.

(3) The guidelines and course of instruction developed pursuant to this section are not regulations as that term is used in the Administrative Procedure Act (Chapter 3.5 commencing with Section 11340 of Part 1 of Division 3 of the Government Code). This paragraph is declaratory of existing law.

(b) The course shall make maximum use of audio and video communication and other simulation methods and shall include instruction in each of the following:

(1) Indicators of hate crimes.

(2) The impact of these crimes on the victim, the victim’s family, and the community, and the assistance and compensation available to victims.

(3) Knowledge of the laws dealing with hate crimes and the legal rights of, and the remedies available to, victims of hate crimes.

(4) Law enforcement procedures, reporting, and documentation of hate crimes.

(5) Techniques and methods to handle incidents of hate crimes in a noncombative manner.

(6) Multimission criminal extremism, which means the nexus of certain hate crimes, antigovernment extremist crimes, anti-reproductive-rights crimes, and crimes committed in whole or in part because of the victims’ actual or perceived homelessness.

(7) The special problems inherent in some categories of hate crimes, including gender-bias crimes, disability-bias crimes, including those committed against homeless persons with disabilities, anti-immigrant crimes, and anti-Arab and anti-Islamic crimes, and techniques and methods to handle these special problems.

(8) Preparation for, and response to, possible future anti-Arab/Middle Eastern and anti-Islamic hate crimewaves, and any other future hate crime waves that the Attorney General determines are likely.

(c) The guidelines developed by the commission shall incorporate the procedures and techniques specified in subdivision (b) and shall include the model hate crimes policy framework for use by law enforcement agencies in adopting a hate crimes policy pursuant to Section 422.87. The elements of the model hate crimes policy framework shall include, but not be limited to, all of the following:

(1) A message from the law enforcement agency's chief executive officer to the agency's officers and staff concerning the importance of hate crime laws and the agency's commitment to enforcement.

(2) The definition of "hate crime" in Section 422.55.

(3) References to hate crime statutes including Section 422.6.

(4) A title-by-title specific protocol that agency personnel are required to follow, including, but not limited to, the following:

(A) Preventing and preparing for likely hate crimes by, among other things, establishing contact with persons and communities who are likely targets, and forming and cooperating with community hate crime prevention and response networks.

(B) Responding to reports of hate crimes, including reports of hate crimes committed under the color of authority.

(C) Accessing assistance, by, among other things, activating the Department of Justice hate crime rapid response protocol when necessary.

(D) Providing victim assistance and followup, including community followup.

(E) Reporting.

(5) A list of all requirements that Section 422.87 or any other law mandates a law enforcement agency to include in its hate crime policy.

(d) (1) The course of training leading to the basic certificate issued by the commission shall include the course of instruction described in subdivision (a).

(2) Every state law enforcement and correctional agency, and every local law enforcement and correctional agency to the extent that this requirement does not create a state-mandated local program cost, shall provide its peace officers with the basic course of instruction as revised pursuant to the act that amends this section in the 2003–04 session of the Legislature, beginning with officers who have not previously received the training. Correctional agencies shall adapt the course as necessary.

(e) (1) The commission shall, subject to an appropriation of funds for this purpose in the annual Budget Act or other statute, for any basic course, incorporate the November 2017 video course developed by the commission entitled "Hate Crimes: Identification and Investigation," or any successor video, into the basic course curriculum.

(2) The commission shall make the video course described in paragraph (1) available to stream via the learning portal.

(3) Each peace officer shall, within one year of the commission making the course available to stream via the learning portal, be required to complete the November 2017 video facilitated course developed by the commission entitled “Hate Crimes: Identification and Investigation,” the course identified in paragraph (4), or any other commission-certified hate crimes course via the learning portal or in-person instruction.

(4) The commission shall develop and periodically update an interactive course of instruction and training for in-service peace officers on the topic of hate crimes and make the course available via the learning portal. The course shall cover the fundamentals of hate crime law and preliminary investigation of hate crime incidents, and shall include updates on recent changes in the law, hate crime trends, and best enforcement practices.

(5) The commission shall require the course described in paragraph (3) to be taken by in-service peace officers every six years.

(f) As used in this section, “peace officer” means any person designated as a peace officer by Section 830.1 or 830.2.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

Assembly Bill No. 750

CHAPTER 17

An act to amend Section 409.5 of the Penal Code, relating to law enforcement.

[Approved by Governor June 29, 2023. Filed with Secretary of State June 29, 2023.]

legislative counsel's digest

AB 750, Rodriguez. Menace to public health: closure by law enforcement.

Existing law authorizes specified law enforcement and public safety officers and professionals to close an area where a menace to the public health or safety is created by a calamity, including flood, storm, fire, earthquake, explosion, accident, or other disaster, and makes it a misdemeanor for a person to enter an area closed by law enforcement for this purpose. Existing law specifies that these provisions do not prevent a duly authorized representative of a news service, newspaper, or radio or television station or network from entering the areas closed.

This bill would further specify that, unless for the safety of a person, a duly authorized representative of a news service, newspaper, or radio or television station or network is not authorized to facilitate the entry of a person into, or facilitate the transport of a person within, an area closed as specified, if that person is not a duly authorized representative of a news service, newspaper, or radio or television station or network.

The people of the State of California do enact as follows:

SECTION 1. Section 409.5 of the Penal Code is amended to read:

409.5. (a) When a menace to the public health or safety is created by a calamity including a flood, storm, fire, earthquake, explosion, accident, or other disaster, officers of the Department of the California Highway Patrol, police departments, marshal's office or sheriff's office, an officer or employee of the Department of Forestry and Fire Protection designated a peace officer by subdivision (g) of Section 830.2, an officer or employee of the Department of Parks and Recreation designated a peace officer by subdivision (f) of Section 830.2, an officer or employee of the Department of Fish and Wildlife designated a peace officer under subdivision (e) of Section 830.2, and a publicly employed full-time lifeguard or publicly employed full-time marine safety officer while acting in a supervisory position in the performance of their official duties, may close the area where the menace exists for the duration of the menace by means of ropes, markers, or guards to all persons not authorized by the lifeguard or officer to enter

or remain within the enclosed area. If the calamity creates an immediate menace to the public health, the local health officer may close the area where the menace exists pursuant to the conditions set forth in this section.

(b) Officers of the Department of the California Highway Patrol, police departments, marshal's office or sheriff's office, officers of the Department of Fish and Wildlife designated as peace officers by subdivision (e) of Section 830.2, or officers of the Department of Forestry and Fire Protection designated as peace officers by subdivision (g) of Section 830.2 may close the immediate area surrounding any emergency field command post or any other command post activated for the purpose of abating a calamity enumerated in this section or a riot or other civil disturbance to all unauthorized persons pursuant to the conditions set forth in this section whether or not the field command post or other command post is located near the actual calamity or riot or other civil disturbance.

(c) An unauthorized person who willfully and knowingly enters an area closed pursuant to subdivision (a) or (b) and who willfully remains within the area after receiving notice to evacuate or leave shall be guilty of a misdemeanor.

(d) (1) This section shall not prevent a duly authorized representative of a news service, newspaper, or radio or television station or network from entering the areas closed pursuant to this section.

(2) This subdivision does not authorize a duly authorized representative of a news service, newspaper, or radio or television station or network to facilitate the entry of a person into, or facilitate the transport of a person within, an area closed, unless for the safety of the person, pursuant to this section if that person is not a duly authorized representative of a news service, newspaper, or radio or television station or network.

(e) This section shall not prevent an individual who holds a valid livestock pass identification document, pursuant to Section 2350 of the Food and Agricultural Code, from entering the areas closed pursuant to this section, unless a peace officer identified in subdivision (a) finds that the disaster is of such a nature that it would be unsafe for the documentholder to enter or that the presence of the documentholder would interfere with disaster response.

O

Assembly Bill No. 994

CHAPTER 224

An act to amend Section 13665 of the Penal Code, relating to law enforcement.

[Approved by Governor September 23, 2023. Filed with
Secretary of State September 23, 2023.]

legislative counsel's digest

AB 994, Jackson. Law enforcement: social media.

Existing law requires law enforcement agencies, departments, or entities to consider specified best practices regarding the downloading and storage of body-worn camera data, including prohibiting agency personnel from uploading recorded data onto public and social media internet websites, when establishing policies and procedures for the implementation and operation of a body-worn camera system.

Existing law prohibits a police department or sheriff's office from sharing, on social media, booking photos of an individual arrested on suspicion of committing a nonviolent crime, as defined, unless specified circumstances exist. Existing law requires a police department or sheriff's office that shares, on social media, a booking photo of an individual arrested for the suspected commission of a nonviolent crime to remove the information from its social media page, upon request, unless the same specified circumstances exist. Existing law also requires a police department or sheriff's office to remove the booking photo of a person who has committed any other crime from social media if the individual's record has been sealed, the individual's conviction has been dismissed, expunged, pardoned, or eradicated, the individual has been issued a certificate of rehabilitation, the individual is found not guilty of committing the crime for which they were arrested, or the individual was ultimately not charged with the crime or the charges were dismissed.

With respect to an individual who has been arrested for any crime, this bill would require a police department or sheriff's office, upon posting a booking photo on social media, to use the name and pronouns given by the individual arrested. The bill would authorize a police department or sheriff's office to use other legal names or known aliases of an individual in limited specified circumstances. This bill would also require that a police department or sheriff's office remove any booking photo shared on social media after 14 days unless specified circumstances exist. Because the bill would impose higher duties on local law enforcement, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. Section 13665 of the Penal Code is amended to read:

13665. (a) A police department or sheriff's office shall not share, on social media, booking photos of an individual arrested on suspicion of committing a nonviolent crime unless any of the following circumstances exist:

(1) A police department or sheriff's office has determined that the suspect is a fugitive or an imminent threat to an individual or to public safety and releasing or disseminating the suspect's image will assist in locating or apprehending the suspect or reducing or eliminating the threat.

(2) A judge orders the release or dissemination of the suspect's image based on a finding that the release or dissemination is in furtherance of a legitimate law enforcement interest.

(3) There is an exigent circumstance that necessitates the dissemination of the suspect's image in furtherance of an urgent and legitimate law enforcement interest.

(b) With respect to an individual who has been arrested for any crime, including crimes defined in subdivision (c) of Section 667.5, a police department or sheriff's office that shares, on social media, an individual's booking photo shall do both of the following:

(1) Use the name and pronouns given by the individual. A police department or sheriff's office may include other legal names or known aliases of an individual if using the names or aliases will assist in locating or apprehending the individual or reducing or eliminating an imminent threat to an individual or to public safety or an exigent circumstance exists that necessitates the use of other legal names or known aliases of an individual due to an urgent and legitimate law enforcement interest.

(2) Remove the booking photo from its social media page within 14 days unless any of the circumstances described in paragraphs (1) to (3), inclusive, of subdivision (a) exist.

(c) Subdivision (b) shall apply retroactively to any booking photo shared on social media.

(d) For purposes of this section, the following terms have the following meanings:

(1) "Nonviolent crime" means a crime not identified in subdivision (c) of Section 667.5.

(2) “Social media” has the same meaning as in Section 632.01, except that social media does not include an internet website or an electronic data system developed and administered by the police department or sheriff’s office.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

Senate Bill No. 2

CHAPTER 249

An act to amend Sections 171b, 171d, 171.5, 171.7, 626.9, 25610, 25850, 26150, 26155, 26165, 26170, 26175, 26185, 26190, 26195, 26200, 26205, 26210, 26220, 26225, 29805, and 30370 of, to add Sections 25350, 26162, 26206, 26230, and 26235 to, and to repeal and add Section 26202 of, the Penal Code, relating to firearms.

[Approved by Governor September 26, 2023. Filed with
Secretary of State September 26, 2023.]

legislative counsel's digest

SB 2, Portantino. Firearms.

Existing law prohibits a person from carrying a concealed firearm or carrying a loaded firearm in public. Existing law authorizes a licensing authority, as specified, if good cause exists for the issuance, and subject to certain other criteria including, among other things, the applicant is of good moral character and has completed a specified course of training, to issue a license to carry a concealed handgun or to carry a loaded and exposed handgun, as specified. Under existing law, the required course of training for an applicant is no more than 16 hours and covers firearm safety and laws regarding the permissible use of a firearm.

This bill would require the licensing authority to issue or renew a license if the applicant is not a disqualified person for the license and the applicant is at least 21 years of age. The bill would remove the good character and good cause requirements from the issuance criteria. Under the bill, the applicant would be a disqualified person if they, among other things, are reasonably likely to be a danger to self, others, or the community at large, as specified. This bill would add the requirement that the applicant be the recorded owner, with the Department of Justice, of the pistol, revolver, or other firearm capable of being concealed upon the person. This bill would change the training requirement to be no less than 16 hours in length and would add additional subjects to the course including, among other things, the safe storage and legal transportation of firearms. The bill would require an issuing authority, prior to that issuance, renewal, or amendment to a license, if it has direct access to the designated department system to determine if the applicant is the recorded owner of the pistol, revolver, or other firearm. The bill would require an issuing authority without access to that system to confirm the ownership with the sheriff of the county in which the agency is located. By requiring local agencies to issue licenses for concealed firearms, this bill would create a state-mandated local program.

The bill would require a licensing authority to provide the applicant notice if a new license or license renewal is denied or revoked. If an application

is denied or a license is revoked based on a determination that the applicant is a disqualified person, the bill would permit the applicant to request a hearing to challenge the license denial or revocation, and require the licensing authority to inform the applicant of the ability to seek a hearing. If a new license or license renewal is denied or revoked for any other reason, the bill would authorize the applicant to seek a writ of mandate from a superior court within 30 days of receipt of notice of denial or revocation, and require the licensing authority to inform the applicant of the ability to seek a writ of mandate. By imposing new duties on local licensing authorities, this bill would create a state-mandated local program.

Existing law requires an agency issuing a license described above to set forth specified information on the license, including, among other things, the licensee's name, occupation, and reason for desiring a license to carry the weapon.

This bill would revise that information to include, among other things, the licensee's driver's license or identification number, fingerprints, and information relating to the date of expiration of the license, and would remove the requirement that the license detail the reason for desiring a license to carry the weapon.

Existing law requires an applicant for a license described above to provide fingerprints, as specified. Existing law exempts an applicant from this requirement if they have previously applied to the same licensing authority and the applicant's fingerprints have previously been forwarded to the department, as specified, and instead requires that authority to note data that would provide positive identification in the files of the department, on the copy of any subsequent license submitted to the department.

This bill would require the licensing authority to submit fingerprint images and related information to the department for each applicant applying for a new or renewal license. The bill would require the department to notify the licensing authority if the department is unable to ascertain, among other things, the final disposition of an arrest or criminal charge under state or federal law that would prohibit the person from possessing, receiving, owning, or purchasing a firearm. This bill would prohibit a license from being issued or renewed unless the department reports to a licensing authority that the applicant is eligible to possess, receive, own, or purchase a firearm.

Existing law requires a licensing authority to charge an additional fee in an amount equal to reasonable processing costs for a new license. Existing law also prohibits a licensing authority from imposing, among other things, a requirement or condition that an applicant pay additional funds or obtain liability insurance.

This bill would authorize a licensing authority to charge the additional processing cost fee for a license renewal and would permit the licensing authority to collect the first 50% of the fee upon filing of the application. The bill also removes the prohibition on licensing authority requirements for additional fees or liability insurance.

Existing law requires that licenses and applications for licenses be uniform throughout the state, and to be submitted upon forms prescribed by the

Attorney General. When revising the standard application form for licenses, existing law requires the Attorney General to convene a committee to review and revise the existing application form. Existing law requires the Attorney General to develop a uniform license that may be used as indicia of proof of licensure throughout the state. Existing law also requires the committee to convene to review and revise the design standard for a uniform license.

This bill would authorize the Attorney General to revise the standard form for licenses and the design standard if the committee does not revise the form or issue a design standard within a specified time period.

Under existing law, it is a crime to bring a firearm into a state or local building, and makes it a crime to bring a loaded firearm into, or upon the grounds of, any residence of the Governor, any other constitutional officer, or Member of the Legislature. Existing law exempts a licensee from that prohibition if, among other things, the licensee has a valid license to carry the firearm.

This bill would remove those exemptions, except as specified. The bill would make it a crime to bring an unloaded firearm into, or upon the grounds of, any residence of the Governor, any other constitutional officer, or Member of the Legislature. The bill would also prohibit a licensee from carrying a firearm to specified locations, including, among other places, a building designated for a court proceeding and a place of worship, as defined, with specific exceptions. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

Existing law prohibits a person from knowingly possessing a firearm in a sterile area of an airport, passenger vessel terminal, or public transit facility, as defined.

This bill would additionally prohibit a person from knowingly possessing a firearm in any building, real property, or parking area under the control of an airport or passenger vessel terminal, as specified. By expanding the scope of an existing crime, the bill would impose a state-mandated local program.

Existing law, the Gun-Free School Zone Act of 1995, makes it a crime to possess a firearm in a place that the person knows, or reasonably should know, is a school zone. Existing law defines a school zone as an area in, or on the grounds of, a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, or within a distance of 1,000 feet from the grounds of the public or private school. Existing law provides exceptions to that crime, including if a person with a valid concealed carry license who is carrying the firearm described in the license in an area that is not in, or on the grounds of, a public or private school and when a firearm is an unloaded pistol, revolver, or other firearm capable of being concealed on the person and is in a locked container or within the locked trunk of a motor vehicle.

This bill would revise the exception for a person who has a valid concealed carry license to permit them to carry a specified firearm in an area that is not within any building, real property, or parking area under the control of a public or private school, or on a street or sidewalk immediately adjacent

to a building, real property, or parking area under the control of that public or private school, as specified.

Existing law requires a licensing authority to revoke a license to carry a firearm if the licensing authority is notified by the department or the licensing authority determines that a licensee is prohibited from possessing, receiving, owning, or purchasing a firearm under state or federal law.

This bill would also require a licensing authority to revoke a license if, among other things, a licensee has provided inaccurate or incomplete information on their application for a new license or license renewal.

Existing law authorizes a licensing authority to impose reasonable restrictions on the time, place, manner, and circumstances when a licensee may carry a firearm capable of being concealed.

While carrying a firearm, this bill would prohibit a licensee from, among other things, consuming an alcoholic beverage or controlled substance and from falsely representing that the licensee is a peace officer.

The bill would authorize the department to adopt emergency regulations to implement the concealed firearm licensing system, as specified.

This bill would make conforming changes.

The bill would additionally make various findings and declarations of the Legislature.

The bill would state that its provisions are severable.

This bill would incorporate additional changes to Section 29805 of the Penal Code proposed by SB 368 to be operative only if this bill and SB 368 are enacted and this bill is enacted last. This bill would also incorporate additional changes to Section 30370 of the Penal Code proposed by AB 135 and SB 135 to be operative only if this bill and either of those bills are enacted and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The Legislature has compelling interests in protecting both individual rights and public safety. The Legislature's intent and purpose in clarifying California's requirements governing the issuance of carry concealed weapons (CCW) licenses, and clarifying Dealers' Record of Sale cross-references, is to protect its residents' rights to keep and bear arms while also protecting the public's health and safety in the state by reducing the number of people

killed, injured, and traumatized by gun violence; protecting the exercise of other fundamental rights, including the right to worship, attain an education, vote, and peaceably assemble and demonstrate; ensuring that law enforcement is able to effectively do its job; and combating terrorism.

(b) While the United States Supreme Court has made clear that the Second Amendment to the United States Constitution imposes some restrictions on states' ability to regulate firearms, it has recognized that the Second Amendment to the United States Constitution is not a "regulatory straightjacket." *N.Y. State Rifle & Pistol Ass'n v. Bruen* (2022), 142 S. Ct. 2111, 2133. Indeed, the Second Amendment allows States to adopt a "'variety' of gun regulations." *N.Y. State Rifle & Pistol Ass'n* (2022), 142 S. Ct. 2111, 2162 (conc. opn. of Kavanaugh, J.). And when it comes to restrictions on carrying firearms in public, the United States Supreme Court has recognized three times that states may restrict the carrying of firearms in "sensitive places." *N.Y. State Rifle & Pistol Ass'n v. Bruen* (2022), 142 S. Ct. 2111, 2133; see also *McDonald v. City of Chicago* (2010) 561 U.S. 742, 786 (plur. opn. of Alito, J.); *District of Columbia v. Heller* (2008) 554 U.S. 570, 626. It has also recognized that states may prohibit individuals who are not "law-abiding, responsible citizens" from carrying firearms in public. *N.Y. State Rifle & Pistol Ass'n v. Bruen* (2022), 142 S. Ct. 2111, 2138 fn.9.

(c) Indeed, the United States Supreme Court has affirmed the validity of "shall-issue" concealed carry licensing standards enacted in 43 states that include qualification standards that "are designed to ensure only that those bearing arms in the jurisdiction are, in fact, 'law-abiding responsible citizens,'" *N.Y. State Rifle & Pistol Ass'n v. Bruen* (2022) 142 S. Ct. 2111, 2138 fn.9. The laws of at least 21 of these states authorize officials to deny concealed carry licenses to otherwise eligible applicants who are found not to be law-abiding or responsible based on a determination that the applicant lacks the character or temperament to carry firearms in public spaces or otherwise presents a danger to self, others, or the community at large. (See Ala. Code § 13A-11-75(a)(1)(a); Ark. Code Ann. § 5-73-308(b)(1); Colo. Rev. Stat. § 18-12-203(2); Conn. Gen. Stat. §29-28(b); Del. Code, Tit. 11, § 1441; Ga. Code § 16-11-129(d)(4); 430 Ill. Comp. Stat. § 66/15; Ind. Code § 35-47-2-3(g); Iowa Code §724.8(3); Me. Rev. Stat. Ann., Tit. 25, § 2003; Minn. Stat. § 624.714; Mo. Rev. Stat. § 571.101.2(7); Mont. Code § 45-8-321(2); N.D. Cent. Code § 62.1-04-03(1)(e); Or. Rev. Stat. § 166.293(2); 18 Pa. Cons. Stat. § 6109(e)(1)(i); R.I. Gen. Laws § 11-47-11; S.D. Codified Laws § 23-7-7.1; Utah Code § 53-5-704(3)(a); Va. Code § 18.2-308.09(13); Wyo. Stat. § 6-8-104(g)). The United States Supreme Court repeatedly affirmed the validity of these states' standards, including specifically and approvingly citing the standards adopted in Connecticut, which, the Court noted, validly preclude an otherwise eligible applicant from qualifying for a concealed carry license if the licensing official determines the applicant's "conduct has shown them to be lacking the essential character of temperament necessary to be entrusted with a weapon." *N.Y. State Rifle & Pistol Ass'n v. Bruen* (2022) 142 S. Ct. 2111, 2123 fn.1.

(d) Over the past several years, a wealth of empirical studies have shown that crime is higher when more people carry firearms in public places. While California and other states have decided to limit the places and conditions under which residents may carry firearms, over the past several decades other states have decided to allow most people to carry firearms in most public places. Those later states have seen markedly higher crime rates. According to one study, in the 33 states that adopted these “right-to-carry” laws, violent crime was substantially higher—13 to 15 percent higher—10 years after the laws were adopted than it would have been, had those states not adopted those laws. See Donohue, et al., “Right-to-Carry” Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Control Analysis (2019) 16 *J. Empirical Legal Stud.* 198. That same study acknowledged that crime had dropped in both “right-to-carry” states and other states over the past several decades, but concluded that the violent crime reduction in states that did not adopt “right-to-carry” laws was an order of magnitude higher than those that did—a 42.3 percent drop in violent crime for those states that did not adopt “right-to-carry” laws compared to just a 4.3 percent drop for those that did.

(e) Broadly allowing individuals to carry firearms in most public areas increases the number of people wounded and killed by gun violence. Among other things, pervasive carrying increases the lethality of otherwise mundane situations, as we have seen shots fired in connection with road rage, talking on a phone in a theater, playing loud music at a gas station, a dispute over snow shoveling, and a dispute over the use of a disabled parking spot. Importantly, in many of these incidents, the shooters held permits that allowed them to carry firearms in public, meaning that they met the criteria necessary to secure a permit, which often include a requirement that the person not previously have been convicted of a serious crime.

(f) Another study concluded that states that changed from prohibiting concealed carry of guns to a regime where the state must issue a CCW permit to any qualified applicant who requests one—a transition to a “shall issue” jurisdiction—experienced a 12.3 percent increase in gun-related murder rates, and a 4.9 increase in overall murder rates. Gius, *Using the Synthetic Control Method to Determine the Effects of Concealed Carry Laws on State-Level Murder Rates* (2019) 57 *Int’l Rev. L. & Econ.* 1. Two other studies concluded that states with “shall-issue” laws had higher overall homicide rates, higher firearm homicide rates, and higher handgun homicide rates as compared to the “may-issue” regimes in place in California and other states. Siegel, et al., *Easiness of Legal Access to Concealed Firearm Permits and Homicide Rates in the United States* (2017) 107 *Am. J. Pub. Health* 1923; Siegel, et al., *The Impact of State Firearm Laws on Homicide and Suicide Deaths in the USA, 1991 – 2016: A Panel Study* (2019) 34 *J. Gen. Internal Med.* 2021. Several other studies reached similar results. Anita Knopov et al., *The Impact of State Firearm Laws on Homicide Rates among Black and White Populations in the United States, 1991–2016* (2019) 44 *Health & Soc. Work* 232; John J. Donohue, *Laws Facilitating Gun Carrying and Homicide* (2017) 107 *Am. J. Pub. Health* 1864; Emma E. Fridel,

Comparing the Impact of Household Gun Ownership and Concealed Carry Legislation on the Frequency of Mass Shootings and Firearms Homicide (2021) 38 Just. Q. 892; Cassandra K. Crifasi, Correction to: Association between Firearm Laws and Homicide in Urban Counties (2018) 95 J. Urban Health 773; Paul R. Zimmerman, The Deterrence of Crime Through Private Security Efforts: Theory and Evidence (2014) 37 Int'l Rev. L. & Econ. 66.

(g) States with permissive “right-to-carry” laws also witness higher rates of firearm workplace homicides than those that did not have those laws. One study concluded that states with “right-to-carry” laws experienced 29 percent greater rates of firearm workplace homicides between 1992 and 2017 than those that did not. Mitchell L. Doucette et al., “Right-to-Carry” Laws and Firearm Workplace Homicides: A Longitudinal Analysis (1992–2017) (2019) 109 Am. J. Pub. Health 1747, 1751. Another peer-reviewed study found that restricting the ability to carry concealed weapons was associated with a 5.79 percent reduction in workplace homicide rates. Erika L. Sabbath et al., State-Level Changes in Firearm Laws and Workplace Homicide Rates: United States, 2011 to 2017 (2020) 110 Am. J. Pub. Health 230.

(h) While several studies from the late 1990s and early 2000s purported to conclude that increases in “right-to-carry” laws either decreased or had no effect on crime, many other early studies concluded that it increased crime. In 2005, the National Research Council issued a report evaluating the then-current literature about the impact of “right-to-carry” laws on crime, and concluded that it was “‘impossible to draw strong conclusions from the existing literature on the causal impact’ of ‘right-to-carry’ laws on violent crime and property crime in general and rape, aggravated assault, auto theft, burglary, and larceny in particular,” and that the “existing data and methods” were likely insufficient to resolve the question, and that “new analytical approaches and data” were needed “if further headway is to be made.” Nat'l Research Council, *Firearms and Violence: A Critical Review* (2005) 272, 275.

(i) Since that time a number of social scientists have taken up the National Research Council's call. Those studies overwhelmingly support the conclusion that more carrying of firearms in public leads to an increase in crime: of the 35 social science studies looking at this issue since the National Research Council issued its report in 2005, 23 found an increase in crime, 7 found no effect, and 5 found a decrease in crime. A 2014 study from the Harvard Injury Control Research Center concluded that a sizable majority of firearms researchers disagree with the statement that the change in state level concealed carry laws in the United States over the past few decades from more restrictive to more permissive has reduced crime rates.

(j) Widespread carrying of firearms also impedes the exercise of other fundamental rights. When firearms are present in public spaces, it makes those places less safe, which discourages people from attending protests, going to school, peacefully worshipping, voting in person, and enjoying other activities.

(1) (A) While the net effect of policies that allow most people to carry firearms in most places have negatively impacted public safety broadly, their effects are likely to be far more deleterious when extended to college campuses. Risks of violence, suicide attempts, alcohol abuse, and other risky behavior are greatly elevated among college-aged, youth and in the campus environment, and the presence of firearms greatly increases the risk of lethal and near-lethal outcomes from these behaviors and in this context. Daniel W. Webster et al., *Firearms on College Campuses: Research Evidence and Policy Implications*, Johns Hopkins Bloomberg Sch. of Pub. Health (Oct. 15, 2016). Moreover, once Georgia passed a law allowing firearms to be carried on college campuses, campus members reported a statistically significant increase in perceptions of the campus as unsafe, fear of crime on campus, and lack of confidence in campus police; and a “statistically significantly increase in the proportion of campus members who reported experiencing fearful conflicts on campus.” Jennifer McMahon-Howard et al., *Examining the Effects of Passing a Campus Carry Law: Comparing Campus Safety Before and After Georgia’s New Campus Carry Law*, 20 *J. of Sch. Violence* (2021) 430.

(B) Widespread carrying can also affect the ability to learn in primary and secondary schools. One study concluded that students exposed to school shootings have an increased absence rate, are more likely to be chronically absent and repeat a grade in the two years following the event, and suffer negative long-term impacts on high school graduation rates, college enrollment and graduation, and future employment and earnings. Marika Cabral et al., *Trauma at School: The Impacts of Shootings on Students’ Human Capital and Economic Outcomes*, Nat’l Bureau of Econ. Research (Dec. 2020). Another study looked at longer term consequences of school shootings, finding that exposure to shootings at schools resulted in lower test scores, increased absenteeism, and increased subsequent mortality for those students, and particularly boys, who are exposed to the highest-victimization school shootings. Phillip Levine and Robin McKnight, *Exposure to a School Shooting and Subsequent Well-Being*, Nat’l Bureau of Econ. Research (Dec. 2020).

(2) Widespread public carry also intimidates those who hope to peacefully worship. Places of worship already experience serious incidents or threats of violence. According to one study, the percentage of mass shootings motivated by religious hate escalated from 1 percent between 1966 and 2000 to 9 percent during 2000–2014 to 18 percent during 2018–February 2020. Richard R. Johnson, *Serious Violence at Places of Worship in the U.S.—Looking at the Numbers*, Dolan Consulting Grp. (Sept. 2019). A review of the Federal Investigation Bureau’s National Incident-Based Reporting System data—which covers only 20 percent of the country’s population—from 2000 through 2016 found that 1,652 incidents of “serious violence” occurred at places of worship, including aggravated assaults, shootings, stabbings, and bombings, with 57 percent involving the use of a firearm. Extrapolating those figures to the entire country would suggest that there are about 480 incidents of serious violence at places of worship in the

United States each year. Allowing more people to carry in places of worship threatens to make these incidents more likely.

(3) Carrying firearms impedes the exercise of other rights of the First Amendment to the United States Constitution, including the right to protest and vote. In a nationally representative survey, 60 percent responded that they would be “very unlikely” to attend a protest if guns were present, whereas only 7 percent said they would be “very likely” to attend such a protest. Alexandra Filindra, *Americans Do Not Want Guns at Protests, this Research Shows*, Wash. Post (Nov. 21, 2021). Another study concluded that 16 percent of demonstrations where firearms were present turned violent, as compared to less than 3 percent of demonstrations where firearms were not present. Everytown for Gun Safety & Armed Conflict Locations & Event Data Project, *Armed Assembly: Guns, Demonstrations, and Political Violence in America* (2021).

(k) An individual does not need to carry several firearms at any one time in order to effectively defend themselves. Studies have shown that, on average, individuals fire approximately two rounds when using a firearm in self-defense inside or outside of the home, including approximately 27 percent of incidents in which no shots are fired and the mere brandishing of the firearm is sufficient for self-defense. Limiting an individual to carrying no more than two firearms in public at any given time will not impair the ability of law-abiding, responsible individuals to engage in effective self-defense with a firearm.

(l) Laws requiring an assessment of dangerousness in connection with obtaining firearms have saved lives. One study concluded that since California’s gun violence restraining order process—which allows family members and law enforcement to petition a court for an order temporarily prohibiting a person from purchasing or possessing firearms, if a court finds that the person is a danger to themselves or others—took effect in January 2016, there have been 21 instances in which the statute was used to prevent a mass shooting. Wintemute, et al., *Extreme Risk Protection Orders Intended to Prevent Mass Shootings*, 171 *Annals of Internal Med.* (2019) 655, 655-658. According to another study, 56 percent of mass shooters exhibited warning signs that they posed a risk to themselves or others before they carried out the shooting. Everytown for Gun Safety Support Fund, “*Mass Shootings in America*,” (Nov. 2020). One hundred percent of perpetrators of school violence showed concerning behaviors before committing their acts, according to a study by the United States Secret Service and the United States Department of Education. U.S. Secret Serv., *Nat’l Threat Assessment Ctr., Protecting America’s Schools: A U.S. Secret Service Analysis of Targeted School Violence* 43 (2019).

(m) Broad public carry laws also impede the ability of law enforcement to ensure the public’s safety. For example, laws allowing open carry of firearms imperil law enforcement officers on the front lines by making it much more difficult for an officer to discern if a person is a threat, and when there is an active shooter situation, makes it harder to determine the source of the threat.

SEC. 2. Section 171b of the Penal Code is amended to read:

171b. (a) Any person who brings or possesses within any state or local public building or at any meeting required to be open to the public pursuant to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of, or Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of, the Government Code, any of the following is guilty of a public offense punishable by imprisonment in a county jail for not more than one year, or in the state prison:

- (1) Any firearm.
- (2) Any deadly weapon described in Section 17235 or in any provision listed in Section 16590.
- (3) Any knife with a blade length in excess of four inches, the blade of which is fixed or is capable of being fixed in an unguarded position by the use of one or two hands.
- (4) Any unauthorized tear gas weapon.
- (5) Any taser or stun gun as defined in Section 244.5.
- (6) Any instrument that expels a metallic projectile, such as a BB or pellet, through the force of air pressure, CO₂ pressure, or spring action, or any spot marker gun or paint gun.

(b) Subdivision (a) shall not apply to, or affect, any of the following:

- (1) A person who possesses weapons in, or transports weapons into, a court of law to be used as evidence.
- (2) (A) A duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a retired peace officer with authorization to carry concealed weapons as described in Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, or any person summoned by any of these officers to assist in making arrests or preserving the peace while they are actually engaged in assisting the officer.
(B) Notwithstanding subparagraph (A), subdivision (a) shall apply to any person who brings or possesses any weapon specified therein within any courtroom if they are a party to an action pending before the court.
- (3) A person holding a valid license to carry the firearm pursuant to Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6 who possesses the firearm within a building designated for a court proceeding, including matters before a superior court, district court of appeal, or the California Supreme Court, and is a justice, judge, or commissioner of the court.
- (4) A person who has permission to possess that weapon granted in writing by a duly authorized official who is in charge of the security of the state or local government building.
- (5) A person who lawfully resides in, lawfully owns, or is in lawful possession of, that building with respect to those portions of the building that are not owned or leased by the state or local government.
- (6) A person licensed or registered in accordance with, and acting within the course and scope of, Chapter 11.5 (commencing with Section 7512) or

Chapter 11.6 (commencing with Section 7590) of Division 3 of the Business and Professions Code who has been hired by the owner or manager of the building if the person has permission pursuant to paragraph (5).

(7) (A) A person who, for the purpose of sale or trade, brings any weapon that may otherwise be lawfully transferred, into a gun show conducted pursuant to Article 1 (commencing with Section 27200) and Article 2 (commencing with Section 27300) of Chapter 3 of Division 6 of Title 4 of Part 6.

(B) A person who, for purposes of an authorized public exhibition, brings any weapon that may otherwise be lawfully possessed, into a gun show conducted pursuant to Article 1 (commencing with Section 27200) and Article 2 (commencing with Section 27300) of Chapter 3 of Division 6 of Title 4 of Part 6.

(c) As used in this section, “state or local public building” means a building that meets all of the following criteria:

(1) It is a building or part of a building owned or leased by the state or local government, if state or local public employees are regularly present for the purposes of performing their official duties. A state or local public building includes, but is not limited to, a building that contains a courtroom.

(2) It is not a building or facility, or a part thereof, that is referred to in Section 171c, 171d, 626.9, 626.95, or 626.10 of this code, or in Section 18544 of the Elections Code.

(3) It is a building not regularly used, and not intended to be used, by state or local employees as a place of residence.

SEC. 3. Section 171d of the Penal Code is amended to read:

171d. Any person, except a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, any person summoned by that officer to assist in making arrests or preserving the peace while they are actually engaged in assisting the officer, a member of the military forces of this state or of the United States engaged in the performance of their duties, the Governor or a member of their immediate family or a person acting with their permission with respect to the Governor’s Mansion or any other residence of the Governor, any other constitutional officer or a member of their immediate family or a person acting with their permission with respect to the officer’s residence, or a Member of the Legislature or a member of their immediate family or a person acting with their permission with respect to the Member’s residence, shall be punished by imprisonment in a county jail for not more than one year, by a fine of not more than one thousand dollars (\$1,000), or by both the fine and imprisonment, or by imprisonment pursuant to subdivision (h) of Section 1170, if they do either of the following:

(a) Bring a firearm into, or possess a firearm within, the Governor’s Mansion, or any other residence of the Governor, the residence of any other constitutional officer, or the residence of any Member of the Legislature.

(b) Bring a firearm upon, or possess a firearm upon, the grounds of the Governor’s Mansion or any other residence of the Governor, the residence

of any other constitutional officer, or the residence of any Member of the Legislature.

SEC. 4. Section 171.5 of the Penal Code is amended to read:

171.5. (a) For purposes of this section:

(1) "Airport" means an airport, with a secured area, that regularly serves an air carrier holding a certificate issued by the United States Secretary of Transportation.

(2) "Passenger vessel terminal" means only that portion of a harbor or port facility, as described in Section 105.105(a)(2) of Title 33 of the Code of Federal Regulations, with a secured area that regularly serves scheduled commuter or passenger operations.

(3) "Sterile area" means a portion of an airport defined in the airport security program to which access generally is controlled through the screening of persons and property, as specified in Section 1540.5 of Title 49 of the Code of Federal Regulations, or a portion of any passenger vessel terminal to which, pursuant to the requirements set forth in Sections 105.255 and 105.260(a) of Title 33 of the Code of Federal Regulations, access is generally controlled in a manner consistent with the passenger vessel terminal's security plan and the maritime security level in effect at the time.

(b) It is unlawful for any person to knowingly possess any firearm in any building, real property, or parking area under the control of an airport, except as provided for in subdivision (b), (c), or (e) of Section 26230.

(c) It is unlawful for any person to knowingly possess, within any sterile area of an airport or a passenger vessel terminal, any of the following items:

(1) Any knife with a blade length in excess of four inches, the blade of which is fixed, or is capable of being fixed, in an unguarded position by the use of one or two hands.

(2) Any box cutter or straight razor.

(3) Any metal military practice hand grenade.

(4) Any metal replica hand grenade.

(5) Any plastic replica hand grenade.

(6) Any imitation firearm as defined in Section 417.4.

(7) Any frame, receiver, barrel, or magazine of a firearm.

(8) Any unauthorized tear gas weapon.

(9) Any taser or stun gun as defined in Section 244.5.

(10) Any instrument that expels a metallic projectile, such as a BB or pellet, through the force of air pressure, CO₂ pressure, or spring action, or any spot marker gun or paint gun.

(11) Any ammunition as defined in Section 16150.

(d) Subdivisions (b) and (c) shall not apply to, or affect, any of the following:

(1) A duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a retired peace officer with authorization to carry concealed weapons as described in Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, or any

person summoned by any of these officers to assist in making arrests or preserving the peace while they are actually engaged in assisting the officer.

(2) A person who has authorization to possess a weapon specified in subdivision (c), granted in writing by an airport security coordinator who is designated as specified in Section 1542.3 of Title 49 of the Code of Federal Regulations, and who is responsible for the security of the airport.

(3) A person, including an employee of a licensed contract guard service, who has authorization to possess a weapon specified in subdivision (c) granted in writing by a person discharging the duties of Facility Security Officer or Company Security Officer pursuant to an approved United States Coast Guard facility security plan, and who is responsible for the security of the passenger vessel terminal.

(e) Subdivision (b) shall not apply to, or affect, any person possessing an unloaded firearm being transported in accordance with Sections 1540.111(c)(2)(iii) and 1540.111(c)(2)(iv) of Title 49 of the Code of Federal Regulations, which require a hard-sided, locked container, so long as the person is not within any sterile area of an airport or a passenger vessel terminal.

(f) A violation of this section is punishable by imprisonment in a county jail for a period not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(g) The provisions of this section are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission that is punishable in different ways by this and any other provision of law shall not be punished under more than one provision.

(h) Nothing in this section is intended to affect existing state or federal law regarding the transportation of firearms on airplanes in checked luggage or the possession of the items listed in subdivision (c) in areas that are not “sterile areas.”

SEC. 5. Section 171.7 of the Penal Code is amended to read:

171.7. (a) For purposes of this section:

(1) “Public transit facility” means any land, building, or equipment, or any interest therein, including any station on a public transportation route, to which access is controlled in a manner consistent with the public transit authority’s security plan, whether or not the operation thereof produces revenue, that has as its primary purpose the operation of a public transit system or the providing of services to the passengers of a public transit system. A public transit system includes the vehicles used in the system, including, but not limited to, motor vehicles, streetcars, trackless trolleys, buses, light rail systems, rapid transit systems, subways, trains, or jitneys, that transport members of the public for hire.

(2) “Firearm” has the same meaning as specified in subdivisions (a) and (b) of Section 16520.

(b) It is unlawful for any person to knowingly possess any of the following in a public transit facility:

- (1) Any firearm.
- (2) Any imitation firearm as defined in Section 417.4.

(3) Any instrument that expels a metallic projectile, such as a BB or pellet, through the force of air pressure, CO₂ pressure, or spring action, or any spot marker gun or paint gun.

(4) Any metal military practice hand grenade.

(5) Any metal replica hand grenade.

(6) Any plastic replica hand grenade.

(7) Any unauthorized tear gas weapon.

(8) Any undetectable knife, as described in Section 17290.

(9) Any undetectable firearm, as described in Section 17280.

(c) (1) Subdivision (b) shall not apply to, or affect, any of the following:

(A) A duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(B) A retired peace officer with authorization to carry concealed weapons as described in Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6.

(C) A full-time paid peace officer of another state or the federal government who is carrying out official duties while in California.

(D) A qualified law enforcement officer of another state or the federal government, as permitted under the Law Enforcement Officers Safety Act pursuant to Section 926B or 926C of Title 18 of the United States Code.

(E) Any person summoned by any of the officers listed in subparagraphs (A) to (C), inclusive, to assist in making arrests or preserving the peace while they are actually engaged in assisting the officer.

(F) A person who is responsible for the security of the public transit system and who has been authorized by the public transit authority's security coordinator, in writing, to possess a weapon specified in subdivision (b).

(G) A person possessing an unloaded firearm while traveling on a public transit system that offers checked baggage services, so long as the firearm is stored in accordance with the public transit system's checked baggage policies.

(2) Paragraph (7) of subdivision (b) shall not apply to or affect the possession of a tear gas weapon when possession is permitted pursuant to Division 11 (commencing with Section 22810) of Title 3 of Part 6.

(d) A violation of this section is punishable by imprisonment in a county jail for a period not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(e) The provisions of this section are cumulative, and shall not be construed as restricting the application of any other law. However, an act or omission that is punishable in different ways by this and any other provision of law shall not be punished under more than one provision.

(f) This section does not prevent prosecution under any other provision of law that may provide a greater punishment.

(g) This section shall be interpreted so as to be consistent with Section 926A of Title 18 of the United States Code.

SEC. 6. Section 626.9 of the Penal Code is amended to read:

626.9. (a) This section shall be known, and may be cited, as the Gun-Free School Zone Act of 1995.

(b) Any person who possesses a firearm in a place that the person knows, or reasonably should know, is a school zone as defined in paragraph (4) of subdivision (e), shall be punished as specified in subdivision (f).

(c) Subdivision (b) does not apply to the possession of a firearm under any of the following circumstances:

(1) Within a place of residence or place of business or on private property, if the place of residence, place of business, or private property is not part of the school grounds and the possession of the firearm is otherwise lawful.

(2) (A) When the firearm is an unloaded pistol, revolver, or other firearm capable of being concealed on the person is within a locked container in a motor vehicle or is within the locked trunk of a motor vehicle at all times.

(B) This section does not prohibit or limit the otherwise lawful transportation of any other firearm, other than a pistol, revolver, or other firearm capable of being concealed on the person, in accordance with state law.

(3) When the person possessing the firearm reasonably believes that they are in grave danger because of circumstances forming the basis of a current restraining order issued by a court against another person or persons who has or have been found to pose a threat to their life or safety. This subdivision does not apply when the circumstances involve a mutual restraining order issued pursuant to Division 10 (commencing with Section 6200) of the Family Code absent a factual finding of a specific threat to the person's life or safety. Upon a trial for violating subdivision (b), the trier of fact shall determine whether the defendant was acting out of a reasonable belief that they were in grave danger.

(4) When the person is exempt from the prohibition against carrying a concealed firearm pursuant to Section 25615, 25625, 25630, or 25645.

(5) When the person holds a valid license to carry the firearm pursuant to Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6, who is carrying that firearm in an area that is within a distance of 1,000 feet from the grounds of the public or private school, but is not within any building, real property, or parking area under the control of a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, or on a street or sidewalk immediately adjacent to a building, real property, or parking area under the control of that public or private school. Nothing in this paragraph shall prohibit a person holding a valid license to carry the firearm pursuant to Chapter 4 (commencing with Section 26150) of Division 5 of Title 4 of Part 6 from carrying a firearm in accordance with that license as provided in subdivisions (b), (c), or (e) of Section 26230.

(d) Except as provided in subdivision (b), it shall be unlawful for any person, with reckless disregard for the safety of another, to discharge, or attempt to discharge, a firearm in a school zone as defined in paragraph (4) of subdivision (e).

The prohibition contained in this subdivision does not apply to the discharge of a firearm to the extent that the conditions of paragraph (1) of subdivision (c) are satisfied.

(e) As used in this section, the following definitions shall apply:

(1) “Concealed firearm” has the same meaning as that term is given in Sections 25400 and 25610.

(2) “Firearm” has the same meaning as that term is given in subdivisions (a) to (d), inclusive, of Section 16520.

(3) “Locked container” has the same meaning as that term is given in Section 16850.

(4) “School zone” means an area in, or on the grounds of, a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, or within a distance of 1,000 feet from the grounds of the public or private school.

(f) (1) A person who violates subdivision (b) by possessing a firearm in, or on the grounds of, a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or five years.

(2) A person who violates subdivision (b) by possessing a firearm within a distance of 1,000 feet from the grounds of a public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, shall be punished as follows:

(A) By imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or five years, if any of the following circumstances apply:

(i) If the person previously has been convicted of any felony, or of any crime made punishable by any provision listed in Section 16580.

(ii) If the person is within a class of persons prohibited from possessing or acquiring a firearm pursuant to Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of Title 4 of Part 6 of this code or Section 8100 or 8103 of the Welfare and Institutions Code.

(iii) If the firearm is any pistol, revolver, or other firearm capable of being concealed upon the person and the offense is punished as a felony pursuant to Section 25400.

(B) By imprisonment in a county jail for not more than one year or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or five years, in all cases other than those specified in subparagraph (A).

(3) A person who violates subdivision (d) shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for three, five, or seven years.

(g) (1) A person convicted under this section for a misdemeanor violation of subdivision (b) who has been convicted previously of a misdemeanor offense enumerated in Section 23515 shall be punished by imprisonment in a county jail for not less than three months, or if probation is granted or if the execution or imposition of sentence is suspended, it shall be a condition thereof that they be imprisoned in a county jail for not less than three months.

(2) A person convicted under this section of a felony violation of subdivision (b) or (d) who has been convicted previously of a misdemeanor offense enumerated in Section 23515, if probation is granted or if the execution of sentence is suspended, it shall be a condition thereof that they be imprisoned in a county jail for not less than three months.

(3) A person convicted under this section for a felony violation of subdivision (b) or (d) who has been convicted previously of any felony, or of any crime made punishable by any provision listed in Section 16580, if probation is granted or if the execution or imposition of sentence is suspended, it shall be a condition thereof that they be imprisoned in a county jail for not less than three months.

(4) The court shall apply the three-month minimum sentence specified in this subdivision, except in unusual cases where the interests of justice would best be served by granting probation or suspending the execution or imposition of sentence without the minimum imprisonment required in this subdivision or by granting probation or suspending the execution or imposition of sentence with conditions other than those set forth in this subdivision, in which case the court shall specify on the record and shall enter on the minutes the circumstances indicating that the interests of justice would best be served by this disposition.

(h) Notwithstanding Section 25605, any person who brings or possesses a loaded firearm upon the grounds of a campus of, or buildings owned or operated for student housing, teaching, research, or administration by, a public or private university or college, that are contiguous or are clearly marked university property, unless it is with the written permission of the university or college president, their designee, or equivalent university or college authority, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years. Notwithstanding subdivision (k), a university or college shall post a prominent notice at primary entrances on noncontiguous property stating that firearms are prohibited on that property pursuant to this subdivision.

(i) Notwithstanding Section 25605, any person who brings or possesses a firearm upon the grounds of a campus of, or buildings owned or operated for student housing, teaching, research, or administration by, a public or private university or college, that are contiguous or are clearly marked university property, unless it is with the written permission of the university or college president, their designee, or equivalent university or college authority, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for one, two, or three years. Notwithstanding subdivision (k), a university or college shall post a prominent notice at primary entrances on noncontiguous property stating that firearms are prohibited on that property pursuant to this subdivision.

(j) For purposes of this section, a firearm shall be deemed to be loaded when there is an unexpended cartridge or shell, consisting of a case that holds a charge of powder and a bullet or shot, in, or attached in any manner to, the firearm, including, but not limited to, in the firing chamber, magazine, or clip thereof attached to the firearm. A muzzle-loader firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinder.

(k) This section does not require that notice be posted regarding the proscribed conduct.

(l) This section does not apply to a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in California, any person summoned by any of these officers to assist in making arrests or preserving the peace while they are actually engaged in assisting the officer, a member of the military forces of this state or of the United States who is engaged in the performance of their duties, or an armored vehicle guard, engaged in the performance of their duties as defined in subdivision (d) of Section 7582.1 of the Business and Professions Code.

(m) This section does not apply to a security guard authorized to carry a loaded firearm pursuant to Article 4 (commencing with Section 26000) of Chapter 3 of Division 5 of Title 4 of Part 6.

(n) This section does not apply to an existing shooting range at a public or private school or university or college campus.

(o) This section does not apply to an honorably retired peace officer authorized to carry a concealed or loaded firearm pursuant to any of the following:

(1) Article 2 (commencing with Section 25450) of Chapter 2 of Division 5 of Title 4 of Part 6.

(2) Section 25650.

(3) Sections 25900 to 25910, inclusive.

(4) Section 26020.

(5) Paragraph (2) of subdivision (c) of Section 26300.

(p) This section does not apply to a peace officer appointed pursuant to Section 830.6 who is authorized to carry a firearm by the appointing agency.

(q) (1) This section does not apply to the activities of a program involving shooting sports or activities, including, but not limited to, trap shooting, skeet shooting, sporting clays, and pistol shooting, that are sanctioned by a school, school district, college, university, or other governing body of the institution, that occur on the grounds of a public or private school or university or college campus.

(2) This section does not apply to the activities of a state-certified hunter education program pursuant to Section 3051 of the Fish and Game Code if all firearms are unloaded and participants do not possess live ammunition in a school building.

SEC. 7. Section 25350 is added to the Penal Code, to read:

25350. (a) If any section, subdivision, paragraph, subparagraph, sentence, clause, or phrase of any provision in this division is for any reason held unconstitutional, that decision does not affect the validity of any other provision in the division. The Legislature hereby declares that it would have passed the provisions listed in this division and each chapter, section, subdivision, paragraph, subparagraph, sentence, clause, and phrase of those provisions irrespective of the fact that any one or more other sections, subdivisions, paragraphs, subparagraphs, sentences, clauses, or phrases be declared unconstitutional.

(b) If any application of any provision in this division to any person, group of persons, or circumstances is found by a court to be invalid or unconstitutional, the remaining applications of that provision to all other persons and circumstances shall be severed and shall not be affected. All constitutionally valid applications of this division shall be severed from any applications that a court finds to be invalid, leaving the valid applications in force, because it is the Legislature's intent and priority that the valid applications be allowed to stand alone. Even if a reviewing court finds a provision of this division to impose an unconstitutional burden in a large or substantial fraction of relevant cases, the applications that do not present an unconstitutional burden shall be severed from the remaining applications and shall remain in force, and shall be treated as if the Legislature had enacted a statute limited to the persons, group of persons, or circumstances for which the statute's application does not present an unconstitutional burden. If any court declares or finds a provision of this division facially unconstitutional, when discrete applications of that provision can be enforced against a person, group of persons, or circumstances without violating the United States Constitution and the California Constitution, those applications shall be severed from all remaining applications of the provision, and the provision shall be interpreted as if the Legislature had enacted a provision limited to the persons, group of persons, or circumstances for which the provision's application will not violate the United States Constitution and the California Constitution.

SEC. 8. Section 25610 of the Penal Code is amended to read:

25610. Section 25400 shall not be construed to prohibit any citizen of the United States over 18 years of age who resides or is temporarily within this state, and who is not prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm, from transporting or carrying any pistol, revolver, or other firearm capable of being concealed upon the person for any purpose specified in Sections 25510 to 25595, inclusive, provided that either of the following applies to the firearm:

(a) The firearm is unloaded, within a motor vehicle, and locked in the vehicle's trunk or in a locked container in the vehicle.

(b) The firearm is unloaded, carried by the person directly to or from any motor vehicle, and, while carrying the firearm, the firearm is contained within a locked container.

SEC. 9. Section 25850 of the Penal Code is amended to read:

25850. (a) A person is guilty of carrying a loaded firearm when the person carries a loaded firearm on the person or in a vehicle while in any public place or on any public street in an incorporated city, city and county, or in any public place or on any public street in a prohibited area of an unincorporated area of a county or city and county.

(b) In order to determine whether or not a firearm is loaded for the purpose of enforcing this section, peace officers are authorized to examine any firearm carried by anyone on the person or in a vehicle while in any public place or on any public street in an incorporated city or prohibited area of an unincorporated territory. Refusal to allow a peace officer to inspect

a firearm pursuant to this section constitutes probable cause for arrest for violation of this section.

(c) Carrying a loaded firearm in violation of this section is punishable, as follows:

(1) Where the person previously has been convicted of any felony, or of any crime made punishable by a provision listed in Section 16580, as a felony.

(2) Where the firearm is stolen and the person knew or had reasonable cause to believe that it was stolen, as a felony.

(3) Where the person is an active participant in a criminal street gang, as defined in subdivision (a) of Section 186.22, under the California Street Terrorism Enforcement and Prevention Act (Chapter 11 (commencing with Section 186.20) of Title 7 of Part 1), as a felony.

(4) Where the person is not in lawful possession of the firearm, or is within a class of persons prohibited from possessing or acquiring a firearm pursuant to Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, or Section 8100 or 8103 of the Welfare and Institutions Code, as a felony.

(5) Where the person has been convicted of a crime against a person or property, or of a narcotics or dangerous drug violation, by imprisonment pursuant to subdivision (h) of Section 1170, or by imprisonment in a county jail not to exceed one year, by a fine not to exceed one thousand dollars (\$1,000), or by both that imprisonment and fine.

(6) Where the person is not listed with the Department of Justice pursuant to Section 11106 as the recorded owner of the handgun, by imprisonment pursuant to subdivision (h) of Section 1170, or by imprisonment in a county jail not to exceed one year, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment.

(7) In all cases other than those specified in paragraphs (1) to (6), inclusive, as a misdemeanor, punishable by imprisonment in a county jail not to exceed one year, by a fine not to exceed one thousand dollars (\$1,000), or by both that imprisonment and fine.

(d) (1) Every person convicted under this section who has previously been convicted of an offense enumerated in Section 23515, or of any crime made punishable under a provision listed in Section 16580, shall serve a term of at least three months in a county jail, or, if granted probation or if the execution or imposition of sentence is suspended, it shall be a condition thereof that the person be imprisoned for a period of at least three months.

(2) The court shall apply the three-month minimum sentence except in unusual cases where the interests of justice would best be served by granting probation or suspending the imposition or execution of sentence without the minimum imprisonment required in this section or by granting probation or suspending the imposition or execution of sentence with conditions other than those set forth in this section, in which case, the court shall specify on the record and shall enter on the minutes the circumstances indicating that the interests of justice would best be served by that disposition.

(e) A violation of this section that is punished by imprisonment in a county jail not exceeding one year shall not constitute a conviction of a crime punishable by imprisonment for a term exceeding one year for the purposes of determining federal firearms eligibility under Section 922(g)(1) of Title 18 of the United States Code.

(f) Nothing in this section, or in Article 3 (commencing with Section 25900) or Article 4 (commencing with Section 26000), shall preclude prosecution under Chapter 2 (commencing with Section 29800) or Chapter 3 (commencing with Section 29900) of Division 9 of this title, Section 8100 or 8103 of the Welfare and Institutions Code, or any other law with a greater penalty than this section.

(g) Notwithstanding paragraphs (2) and (3) of subdivision (a) of Section 836, a peace officer may make an arrest without a warrant:

(1) When the person arrested has violated this section, although not in the officer's presence.

(2) Whenever the officer has reasonable cause to believe that the person to be arrested has violated this section, whether or not this section has, in fact, been violated.

(h) A peace officer may arrest a person for a violation of paragraph (6) of subdivision (c), if the peace officer has probable cause to believe that the person is carrying a handgun in violation of this section and that person is not listed with the Department of Justice pursuant to paragraph (1) of subdivision (c) of Section 11106 as the recorded owner of that handgun.

SEC. 10. Section 26150 of the Penal Code is amended to read:

26150. (a) When a person applies for a new license or license renewal to carry a pistol, revolver, or other firearm capable of being concealed upon the person, the sheriff of a county shall issue or renew a license to that person upon proof of all of the following:

(1) The applicant is not a disqualified person to receive such a license, as determined in accordance with the standards set forth in Section 26202.

(2) The applicant is at least 21 years of age, and presents clear evidence of the person's identity and age, as defined in Section 16400.

(3) The applicant is a resident of the county or a city within the county, or the applicant's principal place of employment or business is in the county or a city within the county and the applicant spends a substantial period of time in that place of employment or business. Prima facie evidence of residency within the county or a city within the county includes, but is not limited to, the address where the applicant is registered to vote, the applicant's filing of a homeowner's property tax exemption, and other acts, occurrences, or events that indicate presence in the county or a city within the county is more than temporary or transient. The presumption of residency in the county or city within the county may be rebutted by satisfactory evidence that the applicant's primary residence is in another county or city within the county.

(4) The applicant has completed a course of training as described in Section 26165.

(5) The applicant is the recorded owner, with the Department of Justice, of the pistol, revolver, or other firearm for which the license will be issued.

(b) The sheriff shall issue or renew a license under subdivision (a) in either of the following formats:

(1) A license to carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person.

(2) Where the population of the county is less than 200,000 persons according to the most recent federal decennial census, a license to carry loaded and exposed in only that county a pistol, revolver, or other firearm capable of being concealed upon the person.

(c) (1) Nothing in this chapter shall preclude the sheriff of the county from entering into an agreement with the chief or other head of a municipal police department of a city to process all applications for licenses, renewals of licenses, or amendments to licenses pursuant to this chapter, in lieu of the sheriff.

(2) This subdivision shall only apply to applicants who reside within the city in which the chief or other head of the municipal police department has agreed to process applications for licenses, renewals of licenses, and amendments to licenses, pursuant to this chapter.

SEC. 11. Section 26155 of the Penal Code is amended to read:

26155. (a) When a person applies for a new license or license renewal to carry a pistol, revolver, or other firearm capable of being concealed upon the person, the chief or other head of a municipal police department of any city or city and county shall issue or renew a license to that person upon proof of all of the following:

(1) The applicant is not a disqualified person to receive such a license, as determined in accordance with the standards set forth in Section 26202.

(2) The applicant is at least 21 years of age, and presents clear evidence of the person's identity and age, as defined in Section 16400.

(3) The applicant is a resident of that city or city and county. Prima facie evidence of residency within the county or a city within the county includes, but is not limited to, the address where the applicant is registered to vote, the applicant's filing of a homeowner's property tax exemption, and other acts, occurrences, or events that indicate presence in the county or a city within the county is more than temporary or transient. The presumption of residency in the county or city within the county may be rebutted by satisfactory evidence that the applicant's primary residence is in another county or city within the county.

(4) The applicant has completed a course of training as described in Section 26165.

(5) The applicant is the recorded owner, with the Department of Justice, of the pistol, revolver, or other firearm for which the license will be issued.

(b) The chief or other head of a municipal police department shall issue or renew a license under subdivision (a) in either of the following formats:

(1) A license to carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person.

(2) Where the population of the county in which the city is located is less than 200,000 persons according to the most recent federal decennial census, a license to carry loaded and exposed in only that county a pistol, revolver, or other firearm capable of being concealed upon the person.

(c) Nothing in this chapter shall preclude the chief or other head of a municipal police department of any city from entering an agreement with the sheriff of the county in which the city is located for the sheriff to process all applications for licenses, renewals of licenses, and amendments to licenses, pursuant to this chapter.

SEC. 12. Section 26162 is added to the Penal Code, to read:

26162. (a) Prior to the issuance of a license, renewal of a license, or amendment to a license, each licensing authority with direct access to the designated Department of Justice system shall determine if the applicant is the recorded owner of the particular pistol, revolver, or other firearm capable of being concealed upon the person reported in the application for a license or the application for the amendment to a license under this chapter.

(b) An agency with direct access to the designated Department of Justice system shall confirm the applicant's information with firearm ownership maintained in the system. An agency without access to the system shall confirm this information with the sheriff of the county in which the agency is located.

SEC. 13. Section 26165 of the Penal Code is amended to read:

26165. (a) For new license applicants, the course of training for issuance of a license under Section 26150 or 26155 may be any course acceptable to the licensing authority that meets all of the following minimum criteria:

(1) The course shall be no less than 16 hours in length.

(2) The course shall include instruction on firearm safety, firearm handling, shooting technique, safe storage, legal methods to transport firearms and securing firearms in vehicles, laws governing where permitholders may carry firearms, laws regarding the permissible use of a firearm, and laws regarding the permissible use of lethal force in self-defense.

(3) The course shall include a component, no less than one hour in length, on mental health and mental health resources.

(4) Except for the component on mental health and mental health resources, the course shall be taught and supervised by firearms instructors certified by the Department of Justice pursuant to Section 31635, or in a manner to be prescribed by regulation.

(5) The course shall require students to pass a written examination to demonstrate their understanding of the covered topics.

(6) The course shall include live-fire shooting exercises on a firing range and shall include a demonstration by the applicant of safe handling of, and shooting proficiency with, each firearm that the applicant is applying to be licensed to carry.

(b) A licensing authority shall establish, and make available to the public, the standards it uses when issuing licenses with regards to the required live-fire shooting exercises, including, but not limited to, a minimum number

of rounds to be fired and minimum passing scores from specified firing distances.

(c) Notwithstanding subdivision (a), the licensing authority may require a community college course certified by the Commission on Peace Officer Standards and Training, up to a maximum of 24 hours, but only if required uniformly of all license applicants without exception.

(d) For license renewal applicants, the course of training may be any course acceptable to the licensing authority, shall be no less than eight hours, and shall satisfy the requirements of paragraphs (2) to (6), inclusive, of subdivision (a). No course of training shall be required for any person certified by the licensing authority as a trainer for purposes of this section, in order for that person to renew a license issued pursuant to this chapter.

(e) The applicant shall not be required to pay for any training courses prior to the initial determination of whether the applicant is a disqualified person pursuant to paragraph (1) of subdivision (d) of Section 26202.

SEC. 14. Section 26170 of the Penal Code is amended to read:

26170. (a) Upon proof of all of the following, the sheriff of a county, or the chief or other head of a municipal police department of any city or city and county, shall issue to an applicant a new license or license renewal to carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person:

(1) The applicant is not a disqualified person to receive such a license, as determined in accordance with the standards set forth in Section 26202.

(2) The applicant is at least 21 years of age, and presents clear evidence of the person's identity and age, as defined in Section 16400.

(3) The applicant has been deputized or appointed as a peace officer pursuant to subdivision (a) or (b) of Section 830.6 by that sheriff or that chief of police or other head of a municipal police department.

(4) The applicant is the recorded owner, with the Department of Justice, of the pistol, revolver, or other firearm for which the license will be issued, or, the applicant is authorized to carry a firearm that is registered to the agency for which the licensee has been deputized or appointed to serve as a peace officer.

(b) Direct or indirect fees for the issuance of a license pursuant to this section may be waived.

(c) The fact that an applicant for a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person has been deputized or appointed as a peace officer pursuant to subdivision (a) or (b) of Section 830.6 shall be considered only for the purpose of issuing a license pursuant to this section, and shall not be considered for the purpose of issuing a license pursuant to Section 26150 or 26155.

SEC. 15. Section 26175 of the Penal Code is amended to read:

26175. (a) (1) (A) Applications for licenses and applications for amendments to licenses under this chapter shall be uniform throughout the state, upon forms to be prescribed by the Attorney General.

(B) Upon the effective date of the act that added this subparagraph, the Attorney General may issue forms to be used for applications for licenses

and applications for amendments to licenses under this chapter, in conformance with the act that added this subparagraph, to be used until 60 days after the effective date of the act that added this subparagraph.

(2) The Attorney General shall convene a committee composed of one representative of the California State Sheriffs' Association, one representative of the California Police Chiefs Association, and one representative of the Department of Justice to review, and, as deemed appropriate, revise the standard application form for licenses prescribed by the Attorney General pursuant to paragraph (1). If the committee does not release a revised application form by 60 days after the effective date of the act that added subparagraph (B) of paragraph (1), the Attorney General has the sole authority to revise the standard application form for licenses. After the initial revised application is issued, if one of the committee's members concludes that further revisions are necessary, that member shall notify the other members of the committee, and the committee shall revise the application within three months of the notification. If the committee fails to release a revised application within that time, the Attorney General has the sole authority to revise the standard application form for licenses.

(3) (A) The Attorney General shall develop a uniform license that may be used as indicia of proof of licensure throughout the state.

(B) The Attorney General shall approve the use of licenses issued by local agencies that contain all the information required in subdivision (i), including a recent photograph of the applicant, and are deemed to be in substantial compliance with standards developed by the committee described in subparagraph (C), if developed, as they relate to the physical dimensions and general appearance of the licenses. The Attorney General shall retain exemplars of approved licenses and shall maintain a list of agencies issuing local licenses. Approved licenses may be used as indicia of proof of licensure under this chapter in lieu of the uniform license developed by the Attorney General.

(C) A committee composed of two representatives of the California State Sheriffs' Association, two representatives of the California Police Chiefs Association, and one representative of the Department of Justice shall convene to review and revise, as the committee deems appropriate, the design standard for licenses issued by local agencies that may be used as indicia of proof of licensure throughout the state, provided that the design standard meets the requirements of subparagraph (B). If the committee does not issue a design standard by 60 days after the effective date of the act that added subparagraph (B) of paragraph (1), the Attorney General has the sole authority to set the design standard for licenses issued by local agencies that may be used as indicia of proof of licensure throughout the state, provided that the design standard meets the requirements of subparagraph (B). After the initial design standard is issued, if one of the committee's members concludes that further revisions are necessary, that member shall notify the other members of the committee, and the committee shall revise the design standard within three months of the notification. If the committee fails to release a design standard within that time, the Attorney General has the sole

authority to revise the design standard for licenses issued by local agencies that may be used as indicia of proof of licensure throughout the state.

(b) The application shall include a section summarizing the requirements of state law that result in the automatic denial of a license.

(c) (1) The standard application form for licenses described in subdivision (a) shall require information from the applicant, including, but not limited to, the name, occupation, residence, and business address of the applicant, the applicant's age, height, weight, color of eyes and hair, the applicant's prior detentions, arrests, and criminal convictions, whether the applicant has been the subject of an order listed in paragraph (3) of subdivision (a) of Section 26202 or a valid restraining, protective, or stay-away order issued by an out-of-state jurisdiction pursuant to laws concerning domestic violence, family law, protection of children or elderly persons, stalking, harassment, witness intimidation, or firearm possession, whether the applicant has previously been taken into custody as a danger to self or others under Section 5150 or Part 1.5 (commencing with Section 5585) of Division 5 of the Welfare and Institutions Code, assessed under Section 5151 of the Welfare and Institutions Code, admitted to a mental health facility under Section 5151 or 5152 of the Welfare and Institutions Code, or certified under Section 5250, 5260, or 5270.15 of the Welfare and Institutions Code, whether any licensing authority in this state or elsewhere has previously denied the applicant a license to carry a firearm or revoked such a license for any reason, the names and contact information of three persons willing to serve as references for the applicant, at least one of whom must be a person described in subdivision (b) of Section 273.5, if applicable, and at least one of whom must be the applicant's cohabitant, if applicable, and other information sufficient to make a determination of whether the applicant is a disqualified person pursuant to Section 26202.

(2) In lieu of residence or business addresses, an applicant who participates in the program described in Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code may provide the address designated to the applicant by the Secretary of State.

(3) In lieu of a residence, an applicant who falls within the categories described in subdivision (c) of Section 26220 may provide a business address or an alternative mailing address, such as a post office box.

(d) Completed applications for licenses shall be filed in writing and signed by the applicant, and contain all information required by the application, as determined by the licensing authority.

(e) Applications for amendments to licenses shall be filed in writing and signed by the applicant, and shall state what type of amendment is sought pursuant to Section 26215 and the reason for desiring the amendment.

(f) The forms shall contain a provision whereby the applicant attests to the truth of statements contained in the application.

(g) An applicant shall not be required to complete any additional application or form for a license, except to clarify or interpret information provided by the applicant on the standard application form.

(h) The standard application form described in subdivision (a) is deemed to be a local form expressly exempt from the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(i) (1) As of 60 days after the effective date of the act that added subparagraph (B) of paragraph (1) of subdivision (a), a license issued upon the application shall set forth the licensee's full name, driver's license or identification number, Criminal Identification and Information number, occupation, residence and business address, the licensee's date of birth, height, weight, and color of eyes and hair, and indicate the type of license issued as it relates to Section 26220, including license issuance and expiration date, and shall, in addition, contain the licensee's fingerprints, a picture of the licensee, and a description of the weapon or weapons authorized to be carried, detailing the name of the manufacturer, the model, the serial number, and the caliber. The license issued to the licensee may be laminated. Prior to 60 days after the effective date of the act that added subparagraph (B) of paragraph (1) of subdivision (a), any license issued upon the application shall take the form of the uniform license developed by the Attorney General and used as indicia of proof of licensure throughout the state immediately prior to the effective date of the act that added this paragraph.

(2) In lieu of residence or business addresses, a licensee who participates in the program described in Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code may provide the address designated to the applicant by the Secretary of State. Upon termination from the program described in Chapter 3.1 (commencing with Section 6205) of Division 7 of Title 1 of the Government Code, the licensee shall comply with Section 26210.

(3) In lieu of a residence address, a licensee who falls within the categories described in subdivision (c) of Section 26220 may provide a business address or an alternative mailing address, such as a post office box. Upon termination from the category described in subdivision (c) of Section 26220, the licensee shall comply with Section 26210.

SEC. 16. Section 26185 of the Penal Code is amended to read:

26185. (a) (1) Upon issuance of the notice described in paragraph (1) of subdivision (d) of Section 26202, the licensing authority shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice for each applicant applying for a new license to carry a pistol, revolver, or other firearm capable of being concealed upon the person, pursuant to subdivision (u) of Section 11105. The Department of Justice shall provide a state or federal response to the licensing authority, pursuant to subdivision (l) of Section 11105 of the Penal Code.

(2) Upon receipt of the fingerprints of an applicant for a new license, as well as the fee as prescribed in Section 26190, the department shall promptly furnish the forwarding licensing authority information as to whether the person is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm. The department shall make this

determination in a manner to be prescribed through regulations. If the department is unable to ascertain the final disposition of an arrest or criminal charge, the outcome of the mental health treatment or evaluation, or the applicant's eligibility to possess, receive, own, or purchase a firearm, the department shall notify the forwarding licensing authority. For each applicant for a new license, the department shall also promptly furnish the forwarding licensing authority a criminal history report pertaining to the applicant.

(3) No new license shall be issued by any licensing authority unless the report described in paragraph (2) confirms the applicant's eligibility to possess, receive, own, or purchase a firearm.

(b) (1) For each applicant for a renewal license, upon issuance of the notice described in paragraph (1) of subdivision (d) of Section 26202, the licensing authority shall submit to the department the renewal notification described in paragraph (1) of subdivision (d) of Section 26202, in a manner and format prescribed by the department.

(2) For each renewal notification submitted to the department in accordance with paragraph (1) on or after September 1, 2026, the licensing authority shall also submit to the department fingerprint images and related information required by the department for each applicant applying for a renewal license to carry a pistol, revolver, or other firearm capable of being concealed upon the person, pursuant to subdivision (u) of Section 11105. The department shall then provide a state or federal response to the licensing authority, pursuant to subdivision (l) of Section 11105.

(c) (1) For each applicant for a renewal license, upon receipt by the department of the renewal notification as prescribed in subdivision (b), as well as the fee as prescribed in Section 26190, the department shall determine whether the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(2) For each applicant for a renewal license whose renewal notification is submitted to the department prior to September 1, 2026, the department shall determine whether the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm and notify the forwarding licensing agency in a manner to be prescribed through regulations.

(3) For each applicant for a renewal license whose renewal notification is submitted to the department on or after September 1, 2026, upon receipt of the applicant's fingerprints, the department shall promptly furnish the forwarding licensing authority information as to whether the person is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm. The department shall make this determination in a manner to be prescribed through regulations. If the department is unable to ascertain the final disposition of an arrest or criminal charge, the outcome of the mental health treatment or evaluation, or the applicant's eligibility to possess, receive, own, or purchase a firearm, the department shall notify the forwarding licensing authority. For each applicant for a renewal license, the department shall also promptly furnish the forwarding licensing authority a criminal history report pertaining to the applicant.

(d) For any renewal license applicant referred to the department prior to the effective date of the act that added this subdivision, the department may use any method authorized through regulations implementing this section to determine if the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(e) As used in this section, “licensing authority” means a sheriff of a county, or the chief or other head of a municipal police department of any city or city and county.

SEC. 17. Section 26190 of the Penal Code is amended to read:

26190. (a) (1) An applicant for a new license or for the renewal of a license shall pay at the time of filing the application a fee determined by the Department of Justice. The fee shall not exceed the application processing costs of the Department of Justice for the direct costs of furnishing the information and report required by Section 26185.

(2) After the department establishes fees sufficient to reimburse the department for processing costs, fees charged shall increase at a rate not to exceed the legislatively approved annual cost-of-living adjustments for the department’s budget.

(3) The officer receiving the application and the fee shall transmit the fee, with the fingerprints, if required, to the Department of Justice in accordance with Section 26185.

(b) (1) The licensing authority of any city, city and county, or county shall charge an additional fee in an amount equal to the reasonable costs for processing the application for a new license or a license renewal, issuing the license, and enforcing the license, including any required notices, excluding fingerprint and training costs, and shall transmit the additional fee, if any, to the city, city and county, or county treasury.

(2) The first 50 percent of this additional local fee may be collected upon filing of the initial or renewal application. The balance of the fee shall be collected only upon issuance of the license.

(c) These local fees may be increased to reflect increases in the licensing authority’s reasonable costs, as described in paragraph (1) of subdivision (b). In no case shall the local fees exceed the reasonable costs to the licensing authority, as described in paragraph (1) of subdivision (b).

(d) (1) In the case of an amended license pursuant to Section 26215, the licensing authority of any city, city and county, or county may charge a fee in an amount not to exceed the reasonable costs to process the amended license. In no case shall the amount charged to the applicant for the amended license exceed the reasonable costs to the licensing authority.

(2) This fee may be increased at a rate to reflect increases in the licensing authority’s reasonable costs, as described in paragraph (1) of subdivision (d). In no case shall this fee exceed the reasonable costs to the licensing authority, as described in paragraph (1).

(3) The licensing authority shall transmit the fee to the city, city and county, or county treasury.

(e) (1) If a psychological assessment on the initial application is required by the licensing authority, the license applicant shall be referred to a licensed

psychologist acceptable to the licensing authority. The applicant may be charged for the actual cost of the assessment. In no case shall the amount charged to the applicant for the psychological assessment exceed the reasonable costs to the licensing authority.

(2) Additional psychological assessment of an applicant seeking license renewal shall be required only if there is compelling evidence of a public safety concern to indicate that an assessment is necessary. The applicant may be charged for the actual cost of the assessment. In no case shall the cost of psychological assessment exceed the reasonable costs to the licensing authority.

SEC. 18. Section 26195 of the Penal Code is amended to read:

26195. (a) A license under this chapter shall not be issued if the Department of Justice determines that the person is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(b) (1) A license under this chapter shall be revoked by the local licensing authority if at any time either the local licensing authority determines or is notified by the Department of Justice of any of the following:

(A) A licensee is prohibited by state or federal law from owning or purchasing a firearm.

(B) A licensee has breached any of the conditions or restrictions set forth in or imposed in accordance with Section 26200.

(C) Any information provided by a licensee in connection with an application for a new license or a license renewal is inaccurate or incomplete.

(D) A licensee has become a disqualified person and cannot receive such a license, as determined in accordance with the standards set forth in Section 26202.

(2) If at any time the Department of Justice determines that a licensee is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm, the department shall immediately notify the local licensing authority of the determination.

(3) If the local licensing authority revokes the license, the Department of Justice shall be notified of the revocation pursuant to Section 26225. The licensee shall also be immediately notified of the revocation in writing.

SEC. 19. Section 26200 of the Penal Code is amended to read:

26200. (a) While carrying a firearm as authorized by a license issued pursuant to this chapter, a licensee shall not do any of the following:

(1) Consume an alcoholic beverage or controlled substance as described in Sections 11053 to 11058, inclusive, of the Health and Safety Code.

(2) Be in a place having a primary purpose of dispensing alcoholic beverages for onsite consumption.

(3) Be under the influence of any alcoholic beverage, medication, or controlled substance as described in Sections 11053 to 11058, inclusive, of the Health and Safety Code.

(4) Carry a firearm not listed on the license or a firearm for which they are not the recorded owner. This paragraph does not apply to a licensee who was issued a license pursuant to Section 26170, in which case they may carry a firearm that is registered to the agency for which the licensee has

been deputized or appointed to serve as a peace officer, and the licensee carries the firearm consistent with that agency's policies.

- (5) Falsely represent to a person that the licensee is a peace officer.
- (6) Engage in an unjustified display of a deadly weapon.
- (7) Fail to carry the license on their person.
- (8) Impede a peace officer in the conduct of their activities.
- (9) Refuse to display the license or to provide the firearm to a peace officer upon demand for purposes of inspecting the firearm.

(10) Violate any federal, state, or local criminal law.

(b) In addition to the restrictions and conditions listed in subdivision (a), a license issued pursuant to this chapter may also include any reasonable restrictions or conditions that the licensing authority deems warranted, including restrictions as to the time, place, manner, and circumstances under which a licensee may carry a pistol, revolver, or other firearm capable of being concealed upon the person.

(c) Any restrictions imposed pursuant to subdivision (b) shall be indicated on any license issued.

(d) A licensee authorized to carry a firearm pursuant to this chapter shall not carry more than two firearms under the licensee's control at one time.

SEC. 20. Section 26202 of the Penal Code is repealed.

SEC. 21. Section 26202 is added to the Penal Code, to read:

26202. (a) Unless a court makes a contrary determination pursuant to Section 26206, an applicant shall be deemed to be a disqualified person and cannot receive or renew a license pursuant to Section 26150, 26155, or 26170 if the applicant:

(1) Is reasonably likely to be a danger to self, others, or the community at large, as demonstrated by anything in the application for a license or through the investigation described in subdivision (b), or as shown by the results of any psychological assessment, including, but not limited to, the assessment described in subdivision (e) of Section 26190.

(2) Has been convicted of contempt of court under Section 166.

(3) Has been subject to any restraining order, protective order, or other type of court order issued pursuant to the following statutory provisions, unless that order expired or was vacated or otherwise canceled more than five years prior to the licensing authority receiving the completed application:

(A) Section 646.91 or Part 3 (commencing with Section 6240) of Division 10 of the Family Code.

(B) Part 4 (commencing with Section 6300) of Division 10 of the Family Code.

(C) Sections 136.2 and 18100.

(D) Section 527.6, 527.8, or 527.85 of the Code of Civil Procedure.

(E) Section 213.5, 304, 362.4, 726.5, or 15657.03 of the Welfare and Institutions Code.

(4) In the 10 years prior to the licensing authority receiving the completed application for a new license or a license renewal, has been convicted of an offense listed in Section 422.6, 422.7, 422.75, or 29805.

(5) Has engaged in an unlawful or reckless use, display, or brandishing of a firearm.

(6) In the 10 years prior to the licensing authority receiving the completed application for a new license or a license renewal, has been charged with any offense listed in Section 290, 667.5, 1192.7, 1192.8, or 29805 that was dismissed pursuant to a plea or dismissed with a waiver pursuant to *People v. Harvey* (1979) 25 Cal.3d 754.

(7) In the five years prior to the licensing authority receiving the completed application for a new license or a license renewal, has been committed to or incarcerated in county jail or state prison for, or on probation, parole, postrelease community supervision, or mandatory supervision as a result of, a conviction of an offense, an element of which involves controlled substances, as described in Sections 11053 to 11058, inclusive, of the Health and Safety Code, or alcohol.

(8) Is currently abusing controlled substances, as described in Sections 11053 to 11058, inclusive, of the Health and Safety Code, or alcohol.

(9) In the 10 years prior to the licensing authority receiving the completed application for a new license or a license renewal, has experienced the loss or theft of multiple firearms due to the applicant's lack of compliance with federal, state, or local law regarding storing, transporting, or securing the firearm. For purposes of this paragraph, "multiple firearms" includes a loss of more than one firearm on the same occasion, or the loss of a single firearm on more than one occasion.

(10) Failed to report a loss of a firearm as required by Section 25250 or any other state, federal, or local law requiring the reporting of the loss of a firearm.

(b) In determining whether an applicant is a disqualified person and cannot receive or renew a license in accordance with subdivision (a) of this section, the licensing authority shall conduct an investigation that meets all of the following minimum requirements:

(1) An in-person interview with the applicant. For renewal applications, the licensing authority may elect to forgo this requirement.

(2) In-person, virtual, or telephonic interviews with at least three character references, at least one of whom must be a person described in subdivision (b) of Section 273.5, if applicable, and at least one of whom must be the applicant's cohabitant, if applicable. For renewal applications, the licensing authority may elect to forgo this requirement.

(3) A review of publicly available information about the applicant, including publicly available statements published or posted by the applicant.

(4) A review of all information provided in the application for a license.

(5) A review of all information provided by the Department of Justice in accordance with subdivision (a) of, paragraph (2) of subdivision (b) of, and paragraph (3) of subdivision (c) of Section 26185, as well as firearms eligibility notices or any other information subsequently provided to the licensing authority regarding the applicant.

(6) A review of the information in the California Restraining and Protective Order System accessible through the California Law Enforcement Telecommunications System.

(c) In determining whether an applicant is a disqualified person and cannot receive or renew a license in accordance with subdivision (a), nothing in this section precludes the licensing authority from engaging in investigative efforts in addition to those listed in subdivision (b).

(d) Within 90 days of receiving the completed application for a new license or a license renewal, the licensing authority shall give written notice to the applicant of the licensing authority's initial determination, based on its investigation thus far, of whether an applicant is a disqualified person pursuant to Section 26150, 26155, or 26170 as follows:

(1) If the licensing authority makes an initial determination that, based on its investigation thus far, the applicant is not a disqualified person, the notice shall inform the applicant to proceed with the training requirements specified in Section 26165. The licensing authority shall then submit the applicant's fingerprints or the renewal notification to the Department of Justice in accordance with Section 26185.

(2) If, within 90 days of receiving the completed application for a new license or a license renewal, the licensing authority determines that the applicant is a disqualified person, the notice shall inform the applicant that the request for a license has been denied, state the reason as to why the determination was made, and inform the applicant that they may request a hearing from a court, as outlined in Section 26206. A licensing authority providing notice under this paragraph informing the applicant that the request for a license has been denied satisfies the requirement to provide notice of a denial of a license pursuant to Section 26205.

(e) The prohibitions listed in subdivision (a) shall apply whether or not the relevant conduct, order, conviction, charge, commitment, or other relevant action took place or was issued or entered before the effective date of the act that added this subdivision.

SEC. 22. Section 26205 of the Penal Code is amended to read:

26205. (a) Unless otherwise specified in subdivision (b), the licensing authority shall give written notice to the applicant indicating if the license under this chapter is approved or denied. The licensing authority shall give this notice within 120 days of receiving the completed application for a new license, or 30 days after receipt of the information and report from the Department of Justice described in paragraph (2) of subdivision (a) of Section 26185, whichever is later. The licensing authority shall give this notice within 120 days of receiving the completed application for a license renewal.

(b) In determining whether to approve or deny an application for a new license or a license renewal the licensing authority shall apply the statutory requirements in effect as of the date the licensing authority received the completed application for a new license or a license renewal, except for the requirements in former paragraph (2) of subdivision (a) of Sections 26150, 26155, and 26170. For applications for a new license submitted prior to the effective date of the act that added this subdivision, the licensing authority

shall give written notice to the applicant indicating if the license under this chapter is approved or denied within 120 days of receiving the completed application, or 30 days after receipt of the information and report from the Department of Justice described in paragraph (2) of subdivision (a) of Section 26185, whichever is later.

(c) If the license is denied, the notice shall state which requirement was not satisfied.

SEC. 23. Section 26206 is added to the Penal Code, to read:

26206. (a) If a new license or license renewal pursuant to Section 26150, 26155, or 26170 is denied or revoked based on a determination that the applicant is a disqualified person for such a license, as set forth in Section 26202, the licensing authority shall provide the applicant with the notice of this determination as required under subdivision (d) of Section 26202, Section 26205, or paragraph (3) of subdivision (b) of Section 26195. The notice shall state the reason as to why the determination was made and also inform the applicant that they may request a hearing from a court, as provided in this section, to review the denial or revocation. The licensing authority shall provide the applicant with a copy of the most recent “Request for Hearing to Challenge Disqualified Person Determination” form prescribed by the Department of Justice under this section.

(b) The department shall develop a “Request for Hearing to Challenge Disqualified Person Determination” form for use throughout the state. The form shall include an authorization for the release of the applicant’s criminal history records to the appropriate court solely for use in the hearing conducted pursuant to this section. The “Request for Hearing to Challenge Disqualified Person Determination” form is deemed to be a local form expressly exempt from the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(c) Except as specified in paragraph (2), an applicant shall have 30 days after the receipt of the notice of denial described in subdivision (a) to request a hearing to review the denial or revocation from the superior court of their county of residence. The request for hearing shall be made on the “Request for Hearing to Challenge Disqualified Person Determination” form prescribed by the department.

(1) Nothing in this section prevents a licensing authority from requiring an applicant to use and exhaust any process for appealing a denial or revocation that may be offered by the licensing authority prior to 30 days after the receipt of the notice of denial described in subdivision (a) before the applicant may request a hearing as described in this subdivision. Licensing authorities that require applicants to use such a process shall resolve any appeal within 60 days of when the appeal is filed.

(2) If an applicant uses and exhausts any process for appealing a denial or revocation that is offered by the licensing authority as described in paragraph (1), an applicant shall have 30 days after receiving notice of an unsuccessful appeal to request a hearing to review the denial or revocation from the superior court of their county of residence. The request for hearing

shall be made on the “Request for Hearing to Challenge Disqualified Person Determination” form prescribed by the department.

(d) (1) An applicant who has requested a hearing under this section shall be given a hearing. The clerk of the court shall set a hearing date and notify the person, the licensing authority, the department, and the district attorney. The people of the State of California shall be the plaintiff in the proceeding and shall be represented by the district attorney. Within 14 days after receiving from the clerk of the court the request for a hearing, the department shall file copies of the applicant’s criminal history report described in this section with the superior court under seal, and the licensing authority shall file any records or reports on which it relied in denying or revoking the license at issue with the superior court. The licensing authority may also, or instead, file a declaration that summarizes the information it relied upon in denying or revoking the license at issue. The reports filed by the department and the licensing authority shall be disclosed to the person and to the district attorney upon request. The court, upon motion of the applicant establishing that confidential information is likely to be discussed during the hearing that would cause harm to the person, shall conduct the hearing in camera, with only the relevant parties present, unless the court finds that the public interest would be better served by conducting the hearing in public.

(2) The court shall set the hearing within 60 days of receipt of the request for a hearing. Upon showing good cause, the district attorney shall be entitled to a continuance not to exceed 30 days after the district attorney was notified of the hearing date by the clerk of the court. If additional continuances are granted, the total length of time for continuances shall not exceed 60 days.

(3) Notwithstanding any other law, declarations, police reports, including criminal history information, and any other material and relevant evidence that is not excluded under Section 352 of the Evidence Code shall be admissible at the hearing under this section.

(e) The people shall bear the burden of showing by a preponderance of the evidence that the applicant is a disqualified person in accordance with Section 26202.

(f) If the court finds at the hearing that the people have not met their burden, or if the district attorney declines or fails to go forward in the hearing, the court shall order as follows:

(1) If the applicant was denied a new license or license renewal, the court shall order that the person shall not be deemed a disqualified person to receive a new license or license renewal pursuant to Section 26150, 26155, or 26170, and that the licensing authority issue notice to proceed with the training requirements and submit the applicant’s fingerprints or the renewal notification in accordance with paragraph (1) of subdivision (d) of Section 26202. The Department of Justice shall then confirm the applicant’s eligibility to possess, receive, own, or purchase a firearm in a manner prescribed through regulations. A copy of the order shall be submitted to the Department of Justice.

(2) If the applicant's license was revoked, the court shall order that the person's license be reinstated with the original expiration date extended by the length of time between the date of the revocation notice provided under paragraph (3) of subdivision (b) of Section 26195 and the date of the court's order so long as the Department of Justice confirms the applicant's eligibility to possess, receive, own, or purchase a firearm in a manner prescribed through regulation. A copy of the order shall be submitted to the Department of Justice.

(g) If the court finds that the people have met their burden to show by a preponderance of the evidence that the applicant is a disqualified person in accordance with Section 26202, the court shall inform the person of their right to file a subsequent application for a license no sooner than two years from the date of the hearing.

(h) If an applicant has been denied a license or had a license revoked based on any ground outlined in Section 26202 two or more times in a 10-year period, which determination was either not challenged or upheld at a hearing under this section, any subsequent hearings under this section for the applicant shall be conducted as described in this section, with the exception that the burden of proof shall be on the applicant to establish by a preponderance of the evidence that the applicant is not a disqualified person in accordance with Section 26202.

(i) If a new license or license renewal pursuant to Section 26150, 26155, or 26170 is denied or revoked based on the applicant's failure to satisfy paragraph (2), (3), (4), or (5) of subdivision (a) of Section 26150, paragraph (2), (3), (4), or (5) of subdivision (a) of Section 26155, or paragraph (2), (3), or (4) of subdivision (a) of Section 26170, the licensing authority shall provide the applicant with the notice required under Section 26205 or paragraph (3) of subdivision (b) of Section 26195, as applicable, and inform the applicant that they may apply to the superior court of the county in which they reside for a writ of mandate pursuant to Section 1085 of the Code of Civil Procedure. Except as specified in paragraph (2), the application for writ of mandate shall be made within 30 days after the receipt of the notice of denial or the notice of revocation.

(1) Nothing in this section prevents a licensing authority from requiring an applicant to use and exhaust any process for appealing a denial or revocation that may be offered by the licensing authority prior to 30 days after the receipt of the notice of denial described in subdivision (a). Licensing authorities that require applicants to use such a process shall resolve any appeal within 60 days of when the appeal is filed.

(2) If an applicant uses and exhausts any process for appealing a denial or revocation that is offered by the licensing authority as described in paragraph (1), an applicant shall have 30 days after receiving notice of an unsuccessful appeal to file the application for writ of mandate described in this subdivision.

SEC. 24. Section 26210 of the Penal Code is amended to read:

26210. (a) When a licensee under this chapter has a change of address, the license shall be amended to reflect the new address and a new license shall be issued pursuant to subdivision (b) of Section 26215.

(b) The licensee shall notify the licensing authority in writing within 10 days of any change in the licensee's place of residence, and within 10 days of receiving that notice, the licensing authority shall notify the Department of Justice of the change in a licensee's place of residence.

(c) If both of the following conditions are satisfied, a license to carry a concealed handgun may not be revoked solely because the licensee's place of residence has changed to another county:

(1) The licensee has not breached any of the conditions or restrictions set forth in the license or imposed in accordance with Section 26200.

(2) The licensee has not become prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.

(d) Notwithstanding subdivision (c), if a licensee's place of residence was the basis for issuance of a license, any license issued pursuant to Section 26150 or 26155 shall expire 90 days after the licensee moves from the county of issuance.

(e) If the license is one to carry loaded and exposed a pistol, revolver, or other firearm capable of being concealed upon the person, the license shall be revoked immediately upon a change of the licensee's place of residence to another county.

SEC. 25. Section 26220 of the Penal Code is amended to read:

26220. (a) Except as otherwise provided in this section and in subdivision (c) of Section 26210, a license issued pursuant to Section 26150 or 26155 is valid for any period of time not to exceed two years from the date of the license.

(b) If the licensee's place of employment or business was the basis for issuance of a license pursuant to Section 26150, the license is valid for any period of time not to exceed 90 days from the date of the license, unless the license was issued pursuant to subdivision (d). The license shall be valid only in the county in which the license was originally issued. The licensee shall give a copy of this license to the licensing authority of the city, county, or city and county in which the licensee resides. The licensing authority that originally issued the license shall inform the licensee verbally and in writing in at least 16-point type of this obligation to give a copy of the license to the licensing authority of the city, county, or city and county of residence. Any application to renew or extend the validity of, or reissue, the license may be granted only upon the concurrence of the licensing authority that originally issued the license and the licensing authority of the city, county, or city and county in which the licensee resides.

(c) A license issued pursuant to Section 26150 or 26155 is valid for any period of time not to exceed three years from the date of the license if the license is issued to any of the following individuals:

- (1) A judge of a California court of record.
- (2) A full-time court commissioner of a California court of record.
- (3) A judge of a federal court.

(4) A magistrate of a federal court.

(d) A license issued pursuant to Section 26150 or 26155 is valid for any period of time not to exceed four years from the date of the license if the license is issued to a custodial officer who is an employee of the sheriff as provided in Section 831.5, except that the license shall be invalid upon the conclusion of the person's employment pursuant to Section 831.5 if the four-year period has not otherwise expired or any other condition imposed pursuant to this article does not limit the validity of the license to a shorter time period.

(e) A license issued pursuant to Section 26170 to a peace officer appointed pursuant to Section 830.6 is valid for any period of time not to exceed four years from the date of the license, except that the license shall be invalid upon the conclusion of the person's appointment pursuant to Section 830.6 if the four-year period has not otherwise expired or any other condition imposed pursuant to this article does not limit the validity of the license to a shorter time period.

SEC. 26. Section 26225 of the Penal Code is amended to read:

26225. (a) A record of the following shall be maintained in the office of the licensing authority:

- (1) The denial of a license.
- (2) The denial of an amendment to a license.
- (3) The issuance of a license.
- (4) The amendment of a license.
- (5) The revocation of a license.

(b) Copies of each of the following shall be filed immediately by the licensing authority with the Department of Justice, in a manner as prescribed by the Attorney General:

- (1) The denial of a license.
- (2) The denial of an amendment to a license.
- (3) The issuance of a license.
- (4) The amendment of a license.
- (5) The revocation of a license.

(c) (1) Commencing on or before January 1, 2000, and annually thereafter, each licensing authority shall submit to the Attorney General the total number of licenses issued to peace officers pursuant to Section 26170, and to judges pursuant to Section 26150 or 26155.

(2) The Attorney General shall collect and record the information submitted pursuant to this subdivision by county and licensing authority.

(d) The Department of Justice may adopt emergency regulations for the purpose of implementing Sections 26150 to 26230, inclusive, Section 29805, and Section 31635. The adoption of emergency regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of Sections 11346.1 and 11349.6 of the Government Code. Emergency regulations adopted pursuant to this section shall be exempt from review by the Office of Administrative Law. The emergency regulations authorized by this section shall be submitted to the Office of Administrative Law for filing with the

Secretary of State and shall remain in effect no later than two years after the effective date of the act that added this subdivision.

SEC. 27. Section 26230 is added to the Penal Code, to read:

26230. (a) A person granted a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person pursuant to Section 26150, 26155, or 26170 shall not carry a firearm on or into any of the following:

(1) A place prohibited by Section 626.9.

(2) A building, real property, or parking area under the control of a preschool or childcare facility, including a room or portion of a building under the control of a preschool or childcare facility. Nothing in this paragraph shall prevent the operator of a childcare facility in a family home from owning or possessing a firearm in the home if no child under child care at the home is present in the home or the firearm in the home is unloaded, stored in a locked container, and stored separately from ammunition when a child under child care at the home is present in the home so long as the childcare provider notifies clients that there is a firearm in the home.

(3) A building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of the state government, except as allowed pursuant to paragraph (2) of subdivision (b) of Section 171c.

(4) A building designated for a court proceeding, including matters before a superior court, district court of appeal, or the California Supreme Court, parking area under the control of the owner or operator of that building, or a building or portion of a building under the control of the Supreme Court, unless the person is a justice, judge, or commissioner of that court.

(5) A building, parking area, or portion of a building under the control of a unit of local government, unless the firearm is being carried for purposes of training pursuant to Section 26165.

(6) A building, real property, and parking area under the control of an adult or juvenile detention or correctional institution, prison, or jail.

(7) A building, real property, and parking area under the control of a public or private hospital or hospital affiliate, mental health facility, nursing home, medical office, urgent care facility, or other place at which medical services are customarily provided.

(8) A bus, train, or other form of transportation paid for in whole or in part with public funds, and a building, real property, or parking area under the control of a transportation authority supported in whole or in part with public funds.

(9) A building, real property, and parking area under the control of a vendor or an establishment where intoxicating liquor is sold for consumption on the premises.

(10) A public gathering or special event conducted on property open to the public that requires the issuance of a permit from a federal, state, or local government and sidewalk or street immediately adjacent to the public gathering or special event but is not more than 1,000 feet from the event or

gathering, provided this prohibition shall not apply to a licensee who must walk through a public gathering in order to access their residence, place of business, or vehicle.

(11) A playground or public or private youth center, as defined in Section 626.95, and a street or sidewalk immediately adjacent to the playground or youth center.

(12) A park, athletic area, or athletic facility that is open to the public and a street or sidewalk immediately adjacent to those areas, provided this prohibition shall not apply to a licensee who must walk through such a place in order to access their residence, place of business, or vehicle.

(13) Real property under the control of the Department of Parks and Recreation or Department of Fish and Wildlife, except those areas designated for hunting pursuant to Section 5003.1 of the Public Resources Code, Section 4501 of Title 14 of the California Code of Regulations, or any other designated public hunting area, public shooting ground, or building where firearm possession is permitted by applicable law.

(14) Any area under the control of a public or private community college, college, or university, including, but not limited to, buildings, classrooms, laboratories, medical clinics, hospitals, artistic venues, athletic fields or venues, entertainment venues, officially recognized university-related organization properties, whether owned or leased, and any real property, including parking areas, sidewalks, and common areas.

(15) A building, real property, or parking area that is or would be used for gambling or gaming of any kind whatsoever, including, but not limited to, casinos, gambling establishments, gaming clubs, bingo operations, facilities licensed by the California Horse Racing Board, or a facility wherein banked or percentage games, any form of gambling device, or lotteries, other than the California State Lottery, are or will be played.

(16) A stadium, arena, or the real property or parking area under the control of a stadium, arena, or a collegiate or professional sporting or eSporting event.

(17) A building, real property, or parking area under the control of a public library.

(18) A building, real property, or parking area under the control of an airport or passenger vessel terminal, as those terms are defined in subdivision (a) of Section 171.5.

(19) A building, real property, or parking area under the control of an amusement park.

(20) A building, real property, or parking area under the control of a zoo or museum.

(21) A street, driveway, parking area, property, building, or facility, owned, leased, controlled, or used by a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission.

(22) A church, synagogue, mosque, or other place of worship, including in any parking area immediately adjacent thereto, unless the operator of the place of worship clearly and conspicuously posts a sign at the entrance of

the building or on the premises indicating that licenseholders are permitted to carry firearms on the property. Signs shall be of a uniform design as prescribed by the Department of Justice and shall be at least four inches by six inches in size.

(23) A financial institution or parking area under the control of a financial institution.

(24) A police, sheriff, or highway patrol station or parking area under control of a law enforcement agency.

(25) A polling place, voting center, precinct, or other area or location where votes are being cast or cast ballots are being returned or counted, or the streets or sidewalks immediately adjacent to any of these places.

(26) Any other privately owned commercial establishment that is open to the public, unless the operator of the establishment clearly and conspicuously posts a sign at the entrance of the building or on the premises indicating that licenseholders are permitted to carry firearms on the property. Signs shall be of a uniform design as prescribed by the Department of Justice and shall be at least four inches by six inches in size.

(27) Any other place or area prohibited by other provisions of state law.

(28) Any other place or area prohibited by federal law.

(29) Any other place or area prohibited by local law.

(b) Notwithstanding subdivision (a), except under paragraph (21) or (28) of subdivision (a), a licensee may transport a firearm and ammunition within their vehicle so long as the firearm is locked in a lock box, as defined in subdivision (y) of Section 4082 and subdivision (b) of Section 4094 of Title 11 of the California Code of Regulations, and the lock box is a firearm safety device, as defined in Section 16540, that is listed on the department's Roster of Firearm Safety Devices Certified for Sale pursuant to Sections 23650 and 23655. Nothing in this subdivision is intended to preempt local laws placing more restrictive requirements upon the storage of firearms in vehicles.

(c) Notwithstanding subdivision (a), except under paragraph (21) or (28) of subdivision (a), a licensee prohibited from carrying a concealed firearm into the parking area of a prohibited location specified in subdivision (a) shall be allowed to:

(1) Transport a concealed firearm or ammunition within a vehicle into or out of the parking area so long as the firearm is locked in a lock box.

(2) Store ammunition or a firearm within a locked lock box and out of plain view within the vehicle in the parking area. Nothing in this paragraph is intended to preempt local laws placing more restrictive requirements upon the storage of firearms in vehicles.

(3) Transport a concealed firearm in the immediate area surrounding their vehicle within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within a locked lock box in the vehicle's trunk or other place inside the vehicle that is out of plain view.

(d) For purposes of subdivision (c), a lock box is an item as defined in subdivision (b) of Section 4082 and subdivision (y) of Section 4094 of Title 11 of the California Code of Regulations, which is a firearm safety device,

as defined in Section 16540, that is listed on the Department's Roster of Firearm Safety Devices Certified for Sale pursuant to Sections 23650 and 23655.

(e) Except in the places specified in paragraph (14) of subdivision (a), a licensee shall not be in violation of this section while they are traveling along a public right-of-way that touches or crosses any of the premises identified in subdivision (a) if the concealed firearm is carried on their person in accordance with the provisions of this act or is being transported in a vehicle by the licensee in accordance with all other applicable provisions of law. Nothing in this section allows a person to loiter or remain in a place longer than necessary to complete their travel.

(f) Nothing in this section shall prohibit the carrying of a firearm where it is otherwise expressly authorized by law.

SEC. 28. Section 26235 is added to the Penal Code, to read:

26235. (a) For purposes of implementing this chapter, the Department of Justice may enter into exclusive or nonexclusive contracts, or amend existing contracts, on a bid or negotiated basis, including contracts to implement new or change existing information technology systems.

(b) Notwithstanding any other law, contracts entered into or amended, or changes to existing information technology systems made pursuant to this section shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Chapter 5 (commencing with Section 19130) of Part 2 of Division 5 of Title 2 of the Government Code, Part 2 (commencing with Section 12100) of Division 2 of the Public Contract Code, the Statewide Information Management Manual, and the State Administrative Manual and shall be exempt from the review or approval of any division of the Department of General Services or the Department of Technology.

SEC. 29. Section 29805 of the Penal Code is amended to read:

29805. (a) (1) Except as provided in Section 29855, subdivision (a) of Section 29800, or subdivision (b), any person who has been convicted of a misdemeanor violation of Section 71, 76, 136.1, 136.5, or 140, subdivision (d) of Section 148, subdivision (f) of Section 148.5, Section 171b, paragraph (1) of subdivision (a) of Section 171c, Section 171d, 186.28, 240, 241, 242, 243, 243.4, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417, 417.6, 422, 422.6, 626.9, 646.9, 830.95, 17500, 17510, 25300, 25800, 30315, or 32625, subdivision (b) or (d) of Section 26100, or Section 27510, or Section 8100, 8101, or 8103 of the Welfare and Institutions Code, any firearm-related offense pursuant to Sections 871.5 and 1001.5 of the Welfare and Institutions Code, Section 487 if the property taken was a firearm, or of the conduct punished in subdivision (c) of Section 27590, and who, within 10 years of the conviction, owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(2) Any person who has an outstanding warrant for any misdemeanor offense described in this subdivision, and who has knowledge of the outstanding warrant, and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(b) Any person who is convicted, on or after January 1, 2019, of a misdemeanor violation of Section 273.5, and who subsequently owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(c) Any person who is convicted on or after January 1, 2020, of a misdemeanor violation of Section 25100, 25135, or 25200, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(d) Any person who is convicted on or after January 1, 2023, of a misdemeanor violation of Section 273a, subdivision (b) or (c) of Section 368, or subdivision (e) or (f) of Section 29180, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(e) Any person who is convicted on or after January 1, 2024, of a misdemeanor violation of paragraph (5), (6), or (7) of subdivision (c) of Section 25400, paragraph (5), (6), or (7) of subdivision (c) of Section 25850, subdivision (a) of Section 26350, or subdivision (a) of Section 26400, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(f) The court, on forms prescribed by the Department of Justice, shall notify the department of persons subject to this section. However, the prohibition in this section may be reduced, eliminated, or conditioned as provided in Section 29855 or 29860.

SEC. 29.5. Section 29805 of the Penal Code is amended to read:

29805. (a) (1) Except as provided in Section 29855, subdivision (a) of Section 29800, or subdivision (b), any person who has been convicted of a misdemeanor violation of Section 71, 76, 136.1, 136.5, or 140, subdivision (d) of Section 148, subdivision (f) of Section 148.5, Section 171b, paragraph (1) of subdivision (a) of Section 171c, Section 171d, 186.28, 240, 241, 242,

243, 243.4, 244.5, 245, 245.5, 246.3, 247, 273.5, 273.6, 417, 417.6, 422, 422.6, 626.9, 646.9, 830.95, 17500, 17510, 25300, 25800, 30315, or 32625, subdivision (b) or (d) of Section 26100, or Section 27510, or Section 8100, 8101, or 8103 of the Welfare and Institutions Code, any firearm-related offense pursuant to Sections 871.5 and 1001.5 of the Welfare and Institutions Code, Section 487 if the property taken was a firearm, or of the conduct punished in subdivision (c) of Section 27590, and who, within 10 years of the conviction, owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(2) Any person who has an outstanding warrant for any misdemeanor offense described in this subdivision, and who has knowledge of the outstanding warrant, and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(b) Any person who is convicted, on or after January 1, 2019, of a misdemeanor violation of Section 273.5, and who subsequently owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(c) Any person who is convicted on or after January 1, 2020, of a misdemeanor violation of Section 25100, 25135, or 25200, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(d) Any person who is convicted on or after January 1, 2023, of a misdemeanor violation of Section 273a, subdivision (b) or (c) of Section 368, or subdivision (e) or (f) of Section 29180, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(e) Any person who is convicted on or after January 1, 2024, of a misdemeanor violation of paragraph (5), (6), or (7) of subdivision (c) of Section 25400, paragraph (5), (6), or (7) of subdivision (c) of Section 25850, subdivision (a) of Section 26350, or subdivision (a) of Section 26400, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year

or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(f) Except as provided in Section 29855 or subdivision (a) of Section 29800, any person who is convicted on or after January 1, 2024, of a misdemeanor violation of this section, and who, within 10 years of the conviction owns, purchases, receives, or has in possession or under custody or control, any firearm is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year or in the state prison, by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(g) The court, on forms prescribed by the Department of Justice, shall notify the department of persons subject to this section. However, the prohibition in this section may be reduced, eliminated, or conditioned as provided in Section 29855 or 29860.

SEC. 30. Section 30370 of the Penal Code is amended to read:

30370. (a) Commencing July 1, 2019, the department shall electronically approve the purchase or transfer of ammunition through a vendor, as defined in Section 16151, except as otherwise specified. This approval shall occur at the time of purchase or transfer, prior to the purchaser or transferee taking possession of the ammunition. Pursuant to the authorization specified in paragraph (1) of subdivision (c) of Section 30352, the following persons are authorized to purchase ammunition:

(1) A purchaser or transferee whose information matches an entry in the Automated Firearms System (AFS) and who is eligible to possess ammunition as specified in subdivision (b).

(2) A purchaser or transferee who has a current certificate of eligibility issued by the department pursuant to Section 26710.

(3) A purchaser or transferee who is not prohibited from purchasing or possessing ammunition in a single ammunition transaction or purchase made pursuant to the procedure developed pursuant to subdivision (c).

(b) To determine if the purchaser or transferee is eligible to purchase or possess ammunition pursuant to paragraph (1) of subdivision (a), the department shall cross-reference the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number, as described in Section 28180, with the information maintained in the AFS. If the purchaser's or transferee's information does not match an AFS entry, the transaction shall be denied. If the purchaser's or transferee's information matches an AFS entry, the department shall determine if the purchaser or transferee falls within a class of persons who are prohibited from owning or possessing ammunition by cross-referencing with the Prohibited Armed Persons File. If the purchaser or transferee is prohibited from owning or possessing a firearm, the transaction shall be denied.

(c) The department shall develop a procedure in which a person who is not prohibited from purchasing or possessing ammunition may be approved for a single ammunition transaction or purchase. The department shall recover the cost of processing and regulatory and enforcement activities

related to this section by charging the ammunition transaction or purchase applicant a fee not to exceed the fee charged for the department's Dealers' Record of Sale (DROS) process, as described in Section 28225, as it read on December 31, 2019, and not to exceed the department's reasonable costs.

(d) A vendor is prohibited from providing a purchaser or transferee ammunition without department approval. If a vendor cannot electronically verify a person's eligibility to purchase or possess ammunition via an Internet connection, the department shall provide a telephone line to verify eligibility. This option is available to ammunition vendors who can demonstrate legitimate geographical and telecommunications limitations in submitting the information electronically and who are approved by the department to use the telephone line verification.

(e) The department shall recover the reasonable cost of regulatory and enforcement activities related to this article by charging ammunition purchasers and transferees a per transaction fee not to exceed one dollar (\$1), provided, however, that the fee may be increased at a rate not to exceed any increases in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations, not to exceed the reasonable regulatory and enforcement costs.

(f) A fund to be known as the "Ammunition Safety and Enforcement Special Fund" is hereby created within the State Treasury. All fees received pursuant to this section shall be deposited into the Ammunition Safety and Enforcement Special Fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated for purposes of implementing, operating, and enforcing the ammunition authorization program provided for in this section and Section 30352 and for repaying the start-up loan provided for in Section 30371.

(g) The Department of Justice is authorized to adopt regulations to implement this section.

SEC. 30.5. Section 30370 of the Penal Code is amended to read:

30370. (a) Commencing July 1, 2019, the department shall electronically approve the purchase or transfer of ammunition through a vendor, as defined in Section 16151, except as otherwise specified. This approval shall occur at the time of purchase or transfer, prior to the purchaser or transferee taking possession of the ammunition. Pursuant to the authorization specified in paragraph (1) of subdivision (c) of Section 30352, the following persons are authorized to purchase ammunition:

(1) A purchaser or transferee whose information matches an entry in the Automated Firearms System (AFS) and who is eligible to possess ammunition as specified in subdivision (b).

(2) A purchaser or transferee who has a current certificate of eligibility issued by the department pursuant to Section 26710.

(3) A purchaser or transferee who is not prohibited from purchasing or possessing ammunition in a single ammunition transaction or purchase made pursuant to the procedure developed pursuant to subdivision (c).

(b) To determine if the purchaser or transferee is eligible to purchase or possess ammunition pursuant to paragraph (1) of subdivision (a), the

department shall cross-reference the ammunition purchaser's or transferee's name, date of birth, current address, and driver's license or other government identification number, as described in Section 28180, with the information maintained in the AFS. If the purchaser's or transferee's information does not match an AFS entry, the transaction shall be denied. If the purchaser's or transferee's information matches an AFS entry, the department shall determine if the purchaser or transferee falls within a class of persons who are prohibited from owning or possessing ammunition by cross-referencing with the Prohibited Armed Persons File. If the purchaser or transferee is prohibited from owning or possessing a firearm, the transaction shall be denied.

(c) The department shall develop a procedure in which a person who is not prohibited from purchasing or possessing ammunition may be approved for a single ammunition transaction or purchase. The department shall recover the cost of processing and regulatory and enforcement activities related to this section by charging the ammunition transaction or purchase applicant a fee not to exceed the fee charged for the department's Dealers' Record of Sale (DROS) process, as described in Section 28225, as it read on December 31, 2019, and not to exceed the department's reasonable costs.

(d) A vendor is prohibited from providing a purchaser or transferee ammunition without department approval. If a vendor cannot electronically verify a person's eligibility to purchase or possess ammunition via an internet connection, the department shall provide a telephone line to verify eligibility. This option is available to ammunition vendors who can demonstrate legitimate geographical and telecommunications limitations in submitting the information electronically and who are approved by the department to use the telephone line verification.

(e) The department shall recover the reasonable cost of regulatory and enforcement activities related to this article by charging ammunition purchasers and transferees a per transaction fee not to exceed one dollar (\$1), provided, however, that the Attorney General may adjust the fee as needed pursuant to this section, not to exceed the reasonable regulatory and enforcement costs for operating the program related to this article.

(f) A fund to be known as the "Ammunition Safety and Enforcement Special Fund" is hereby created within the State Treasury. All fees received pursuant to this section shall be deposited into the Ammunition Safety and Enforcement Special Fund and, notwithstanding Section 13340 of the Government Code, are continuously appropriated for purposes of implementing, operating, and enforcing the ammunition authorization program provided for in this section and Section 30352 and for repaying the start-up loan provided for in Section 30371.

(g) The Department of Justice is authorized to adopt regulations to implement this section.

SEC. 31. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 32. (a) Section 29.5 of this bill incorporates amendments to Section 29805 of the Penal Code proposed by both this bill and Senate Bill 368. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 29805 of the Penal Code, and (3) this bill is enacted after Senate Bill 368, in which case Section 29805 of this bill shall not become operative.

(b) Section 30.5 of this bill incorporates amendments to Section 30370 of the Penal Code proposed by this bill and Assembly Bill 135. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 30370 of the Penal Code, and (3) this bill is enacted after Assembly Bill 135, in which case Section 30370 of the Penal Code, as amended by Assembly Bill 135, shall remain operative only until the operative date of this bill, at which time Section 30.5 of this bill shall become operative, and Section 30 of this bill shall not become operative.

(c) Section 30.5 of this bill incorporates amendments to Section 30370 of the Penal Code proposed by this bill and Senate Bill 135. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 30370 of the Penal Code, and (3) this bill is enacted after Senate Bill 135, in which case Section 30370 of the Penal Code, as amended by Assembly Bill 135, shall remain operative only until the operative date of this bill, at which time Section 30.5 of this bill shall become operative, and Section 30 of this bill shall not become operative.

SEC. 33. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O



**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item E.3.

TECHNOLOGY DISCUSSION

INFORMATION ITEM

ISSUE: New technologies continue to affect police operations in many areas. It is important for law enforcement agencies to be aware of the latest available technologies which may improve their operations. A couple of items are brought to the Committee's attention:

The City of Oroville was recently in the news for testing a mobile security system to deter crime. See attached article and comment on any experience with this or similar technology.

Police vehicles are becoming increasing technology focused, and we are able to arrange for a discussion with a representative of Ford to discuss the latest and future trends. See Background section below for more details.

RECOMMENDATION: Discussion by the committee as to which technology items the committee would like to focus on next.

FISCAL IMPACT: None expected from this item.

BACKGROUND: Law Enforcement Agencies need advanced safety and ergonomic features on their response vehicles. The links are [The Ford Police Interceptor® Utility](#) and [Ford F-150 Police Responder | Model Details | Ford.com](#)

We have approached Mr. Richard Keithly Government Sales Regional Manager Ford Pro about having a subject matter expert(s) available to present about the current model Police Interceptor Utility and the F-150 Police Responder.

Topics about the current model Police Interceptor Utility and F-150 Police Responder include:

1. Standard safety and ergonomic features such as 75 mph Rear-Impact Crash-Test Rated
2. Additional safety and ergonomic features available such as 12.1 Inch Integrated Computer Screen, Ballistic Door Panels and a Police Perimeter Alert
3. What may be next in police vehicle safety and ergonomics?

ATTACHMENT(S): Oroville Tests Mobile Security news article

NEWS > CRIME AND PUBLIC SAFETY

Oroville tests mobile security system to deter crime



Left to right, Oroville Mayor Dave Pittman, Councilor Shawn Webber and Police Chief Bill LaGrone meet Tuesday, Oct. 17, 2023 in the city parking lot at Montgomery and Downer streets in Oroville, California to see and discuss the LiveView Rapidly Deployed Surveillance trailer that Oroville is testing during the next four weeks. (Kyra Gottesman/Mercury-Register)



By **KYRA GOTTESMAN** | Contributor
October 18, 2023 at 4:30 a.m.

OROVILLE — As part of its ongoing effort to deter crime and catch perpetrators, the city is testing a mobile security system that provides constant surveillance and sends alerts to Oroville Police Department so officers can be dispatched in real-time when suspicious activity is detected.

The LiveView Rapidly Deployed Surveillance trailer was moved into the city parking lot at Montgomery and Downer streets Tuesday and is



FALL SALE

ONLY \$1 FOR 6 MONTHS
Hurry, this offer ends soon

SAVE NOW

“We want to utilize all the tools and technologies available to us but before investing the community’s hard-earned money, we are doing a trial to see how it works, try all its capabilities and determine if will work well for us,” said Oroville Police Chief Bill LaGrone. “Will it deter, reduce or eliminate the problems we’re having? That’s what we’re hoping, and that’s what we’ll be looking at.”

The problems LaGrone was referring to include property and vehicle vandalism as well as car theft all currently an issue in downtown specifically with cars parked in the Montgomery Street parking lot. While this lot is used by many, it is the primary place where Northwest Lineman College students living at the Oroville Inn park their cars. In the past 30 days, six cars have been stolen from the area, according to LaGrone.

Additionally there have also been reports of gas theft, vehicle burglaries, suspicious individuals and loitering, according to police Lt. Gil Zarate who said, “Anything that will help us deter crime is what we want.”

The artificial intelligence based system is powered by its own solar panels with battery backup and includes a thermal camera that may be set to scan a 360 degree view up to a distance of 300 feet. The camera live-streams video as well as records 24 hours a day, seven days a week. The unit also features two-way communication, flood lights and automated alerts.

“It’s basically a 24-hour sentinel that we’re adding to the capabilities and efforts we already have to help alleviate the concerns of our constituency,” said City Councilor Shawn Webber.

The unit offers “a lot of flexibility” since it can easily be moved and set up at different locations deemed as crime “hot spots and used as security for special event parking,” said Mayor Dave Pittman.

Pittman also pointed out that while the LiveView surveillance trailer is “not cheap, it’s cheaper than a police officer, private security or Municipal Law Enforcement. It doesn’t need vacation days or sick days. And it supports the patrol officers in doing their job. They can’t be everywhere all the time, but they can respond to an incident in progress. It’s an addition to, not a replacement for officers.”

During the trial period, the city will continually assess the effectiveness of the system to determine its effectiveness versus cost. The purchase price of the unit is approximately \$65,000 and a contract for a one year lease, which would include operation, maintenance and upgrades, is approximately \$1,300 per month, according to Brian Ring, city administrator.

“The technology is so on time and the company will make changes for technology improvements if we lease it. The city would not bear that cost or the cost of having people trained to operate and maintain it,” said Pittman. “If it works how we believe it will, numbers-wise, leasing it makes a lot of sense.”

One of the system’s technology upgrades that’s expected within the next 12 months is the ability to integrate with the city’s 42 license plate reader cameras. These cameras located throughout the city limits resulted in the recovery of three stolen vehicles last week and assist police in identifying suspects in other crimes, said LaGrone.

“The future with this system, especially with integration into Flock (license plate reader) system, looks good for better service and broader coverage,” said Pittman.

Consideration of a year-long contract with LiveView is on the agenda for the Nov. 7 city council meeting.

News as it breaks

All our breaking news stories, sent as often as we have them.

Email Address

SIGN UP

By signing up, you agree to our [Terms of Use](#), [Privacy Policy](#), and to receive emails from Enterprise-Record.

This Serum Went Viral and Sold Out On Amazon (In 2 Days)

BrunchesN Crunches | Sponsored

FALL SALE

ONLY \$1 FOR 6 MONTHS
Hurry, this offer ends soon

SAVE NOW



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item E.4.

WELLNESS DISCUSSION

INFORMATION ITEM

ISSUE: The Program Administrators share the following information for reducing law enforcement liability and supporting officer wellness.

The attached from mySTEADYmind provides mindfulness and resilience training. It provides online training and access to coaches.

Beginning January 1, 2024, PRISM has partnered with Concern to offer an Employee Assistance Program (EAP) tailored for first responders. More on this program will be sent to members before the next Committee meeting.

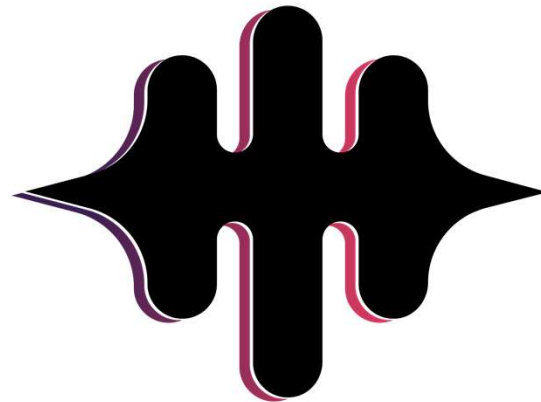
RECOMMENDATION: Review and provide feedback regarding the attached and suggest additional services for consideration at future meetings.

FISCAL IMPACT: None

BACKGROUND: Wellness programs have taken on additional importance as the stress of public safety jobs and the toll they can take has become more well known and acceptance of help has become more normal.

ATTACHMENT(S): mySTEADYmind

Cognitive Fitness Training



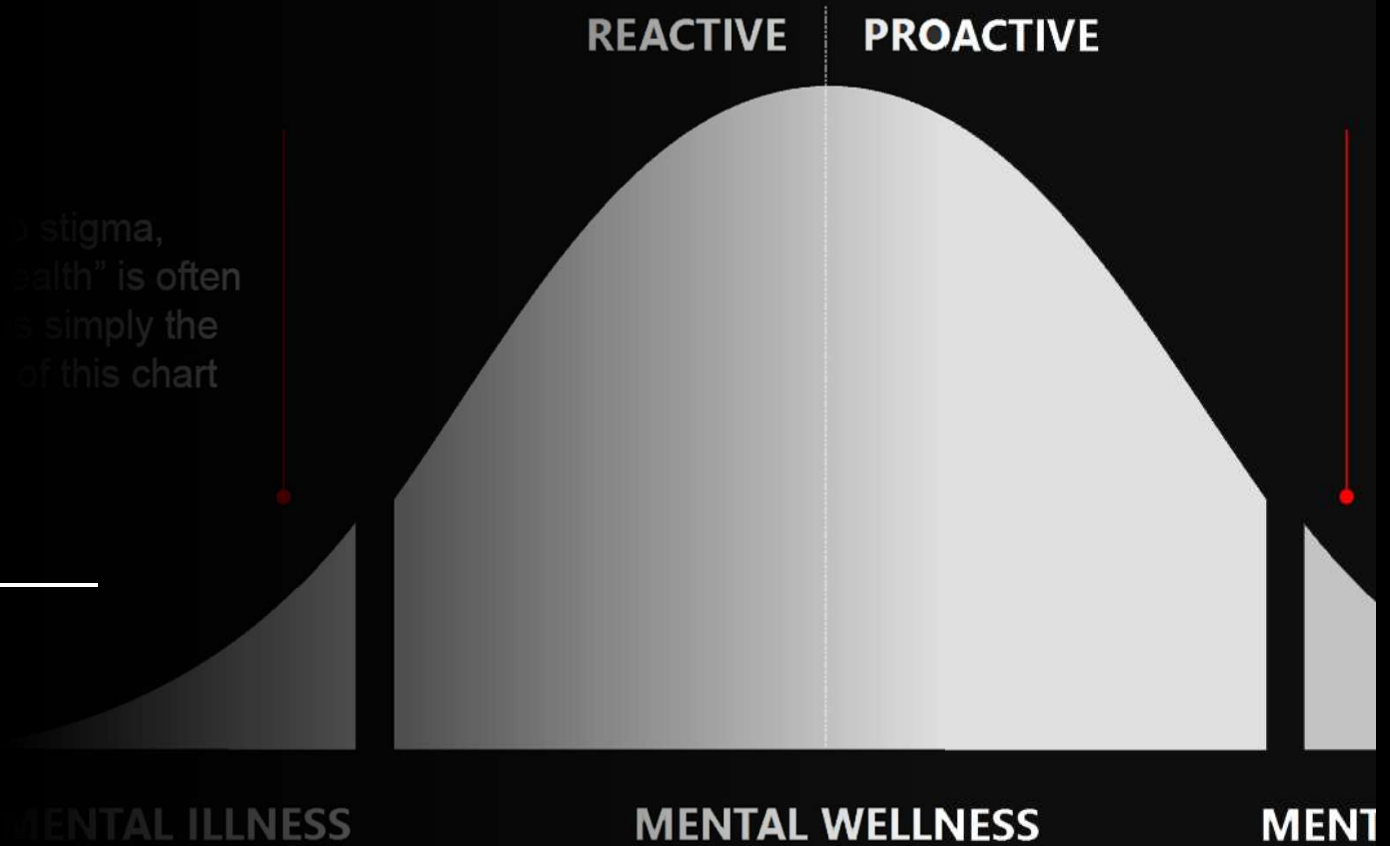
my**STEADY**mind

MINDFULNESS & RESILIENCE TRAINING



THE MINDTECH LANDSCAPE

Proactive Training vs Reactive Treatment



Proactive
Training =
(Cognitive
Fitness)

The 6 SKILLS of Mindfulness

- Resilience
- Presence
- Focus
- Confidence
- Gratitude
- Emotional Intelligence



Online Training + Expert Coaching



Weekly, RAP Coaching Sessions

- Review
- Apply
- Prepare



LIENCE TRAINING



Our
Vulnerability is
our Credibility



**Mindfulness
& Resiliency
Training
Curriculum**

	Modules	Topics Skills
1.	Overview	The Why
2.	Thoughts and Breath	Mastering STEA
3.	Resilience	Changing perception of negative stimuli
4.	Presence	Two most valuable resources, time and attention
5.	Focus	Managing through the distraction epidemic
6.	Confidence	The race to the bottom of the limbic system
7.	Gratitude	Overcoming negativity bias
8.	Emotional Intelligence	Happiness created through empathy
9.	Summary & Training	Operationalizing MSM (the key to success)



—

We made it simple ...

One Formula

One Path

One Outcome

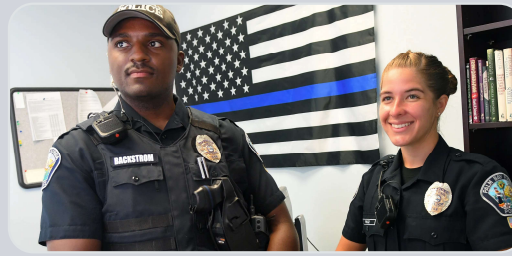
Emotional Control Routine + Intermittent Energy Renewals = Steady Mind

ECR + IER = Steady Mind



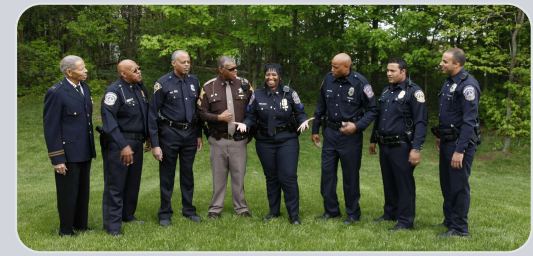
Automatic Stress Response Interventions

- De-escalation in the field



Self & Situational Awareness Training

- Being present, confident, and in control of emotions both at home and at work



Mindfulness for Performance Enhancement

- Optimum performance is when officers are relaxed, yet alert (being in the zone)

Our Mindset

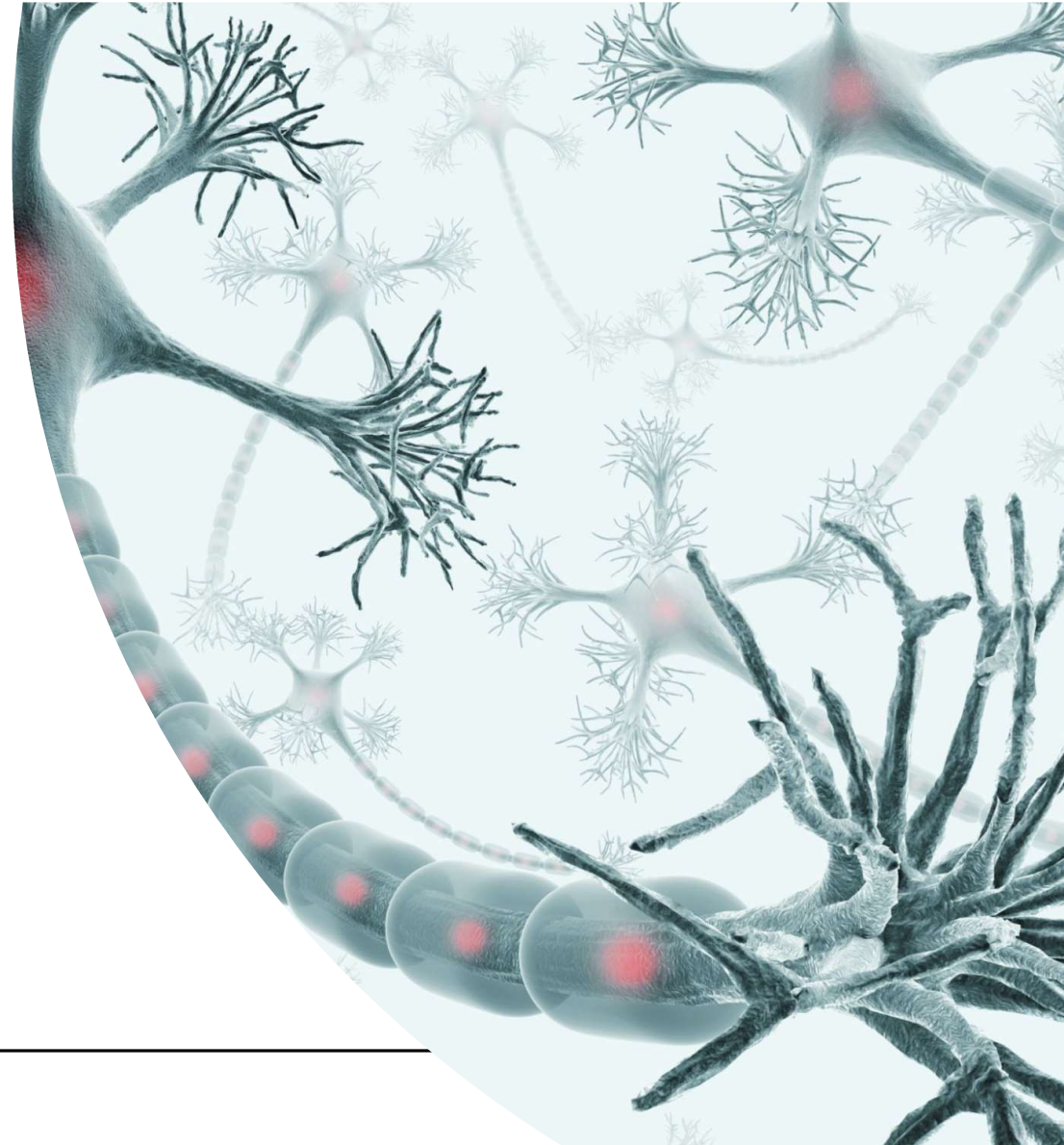
Stimulus

Thought

Emotion

Action

MINDFULNESS & RESILIENCE TRAINING



Untrained vs Trained

Sympathetic Nervous System

Stimulus

Thought

Emotion

Action

Parasympathetic Nervous System

Stimulus

|

Thought

Emotion

Action

Self Regulation is Toggling Between Nervous Systems

- The technique used to put a gap between Stimulus and Thought
 - Breathwork
 - Visualizations
 - Bio-hacking



	Topics -
Interview	The Why
Thoughts and Breath	Mastering STEA
Resilience	Changing perception of neg
Presence	Two most valuable resources,
Focus	Managing through the distract
Confidence	The race to the bottom of th
Gratitude	Overcoming negativity b'
tional Intelligence	Happiness created +
Training	Operation

Each Module Includes

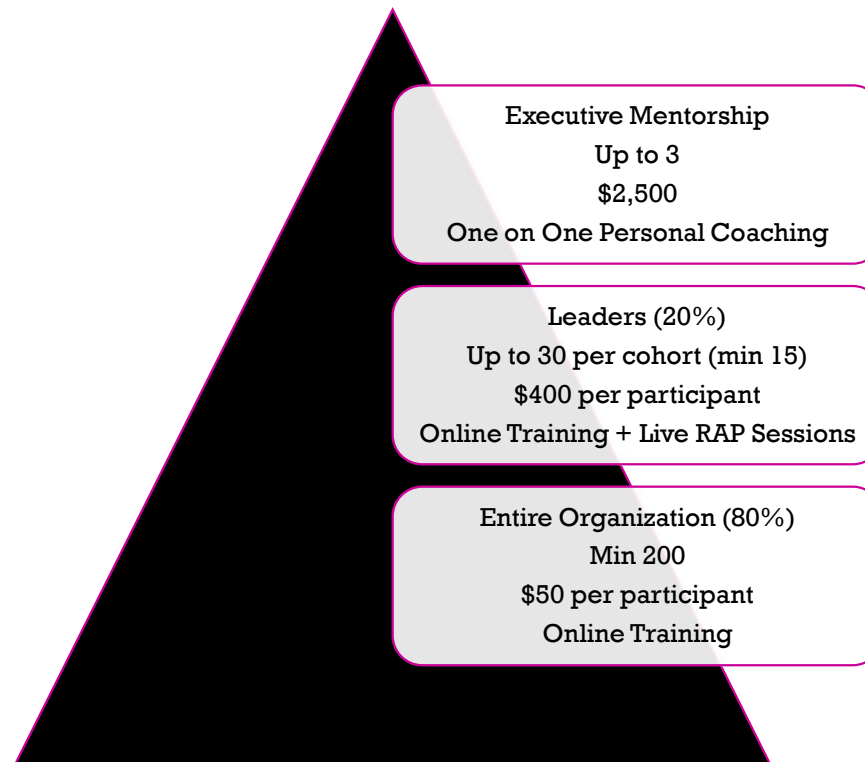
• • •

1. **Self Awareness** Video – The Science
2. **Self Regulation** Video – The How
3. **Insights** Video – The Review
4. **5-minute Guided Reflection**
5. **Embrace the Suck Challenge**
6. **Breathing Technique – Self Regulation**
7. **Emotional Intelligence Assignment – Self Awareness**

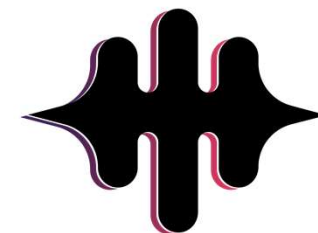
Takes approximately 30 minutes to complete one module

1. **Weekly, Live Coaching (RAP) Sessions for each Module**

Operationalize the Training



Thank You



my**STEADY**mind



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item E.5.

LEXIPOL GRANT FINDER UPDATE

INFORMATION ITEM

ISSUE: Members are provided an update and reminder regarding grant services through a master NCC contract with Lexipol.

The contract includes Lexipol's Grant Assistance Platform and a subscription to the firm's Grant Finder software to notify users of potential grants based on their selected interests. Personalized consulting is also included to assist in identifying and determining whether to apply for a particular grant.

Additional consulting to write a grant is available at a 50% discount through a separate agreement with Lexipol. A sample of the agreement is attached for reference.

RECOMMENDATION: Information only

FISCAL IMPACT: None from this item. The Board previously approved a two-year agreement for a total of \$18,000 per year.

BACKGROUND: Lexipol has been providing services to public agencies for over twenty years, most notably for police, fire, and emergency services. They have been offering grant research, writing, and consulting services since 2009.

ATTACHMENT(S): Lexipol Grant Finder Overview.



FUND ESSENTIAL PURCHASES WITH **CUSTOM, COMPREHENSIVE GRANT ASSISTANCE**

Are You Getting Your Share of Grant Funds?

More than \$700 billion in grants is available to local government each year. But it can be difficult to navigate through the grant process. Few municipalities have grants experts on staff, or the time to research opportunities and develop grant applications.

Lexipol's pre-award grant services provide customized solutions enabling applicants to tap into federal, state and private grants. With our team of expert grants writers, researchers and project managers, you'll craft the best grant application possible, helping you obtain the funding you need for essential equipment, personnel and consulting services.

Let Us Help You Get Funded

Lexipol's unique grant solutions include:

- **GrantFinder** – real-time, online grant research tool
- **Grant Writing Services** – personalized consulting and narrative development
- **Grant Assistance Platform** – a complete package to support all your grant needs throughout the year

2.5X SUCCESS RATE

Customers who use Lexipol grant services have a 40% success rate in getting funded, compared with the national average of just 17%.

With Lexipol grant services, you'll:

- Identify grants most appropriate for your agency**
- Save time with personalized grant alerts**
- Gain expert insight and assistance from seasoned grant experts**
- Stand out in the highly competitive grants process**

Our team of expert grant writers, researchers and project managers is invested in helping your city. Let us build a custom grants solution for you!

GRANT SERVICES

GrantFinder: Grant Research Made Easy

GrantFinder provides a real-time, online database of more than 15,000 federal, state, corporate and foundation grants. More than 5,000 municipal organizations trust GrantFinder to locate grants relevant to them. Powerful features include:

- Customized grant alerts for your preferred grant categories
- Interactive calendar to see upcoming grant deadlines
- Personalized dashboard and application tracking tools
- Hundreds of grants updated and added daily

Pricing: As low as \$1,195 per year!

Grant Writing Services: Partner With Our Experts

Custom Grant Research & Consult (\$1,250)

- Identification of federal, state and private grants eligible to fund your project
- Data collected via online worksheet for your specific grant project
- Personalized call with grant consulting expert to review recommended grants
- One review cycle of your grant application by a grant expert

Narrative Development & Review (starts at \$2,500)

- Unlimited personalized grant consulting from senior grant consultants
- Development of the narrative sections of your targeted grant
- Unlimited reviews of your grant application by a grant expert

Application Assembly (starts at \$2,500)

- Unlimited reviews of your grant application by a grant expert
- Assembly of all application elements
- Data entry of your application

Choose the service you need or select our Complete Grant Application Services (ranges from \$5,000 to \$6,000 depending on the complexity of the grant).

Grant Assistance Platform: Your Strategic Partner

If your city is pursuing multiple grant projects—large or small—consider our Grant Assistance Platform (starts at \$5,000 per year). This retainer service combines all our pre-award grant services, including grant research, alerts, consulting and review:

- At least 2 user subscriptions to GrantFinder research tool
- At least 1 Grant Writing Service per year
- Unlimited application and narrative review by our team of experts
- Dedicated account management support team
- Annual strategic planning session with grant consultants



**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

Agenda Item E.6.

**ROUND TABLE DISCUSSION
INFORMATION ITEM**

ISSUE: There will be a round table discussion by the members of the NCCSIF Police Risk Management Committee for any topics or ideas that members would like to address including future training session topics.

Future Training Topics:

- Law Enforcement Training Day - November 8th
- Bruce Kilday and Derick Konz of Angelo, Kilday and Kilduff will provide a *Legal Update* at the next Police Risk Management Committee meeting scheduled for Thursday, 2/1/24.
- Various trainings presented by Mike Ranalli including topics such as, Managing Risk in a Video World, Using Human Performance Principles to Prevent Tragedies and Understanding Use of Force Incidents.

Lexipol Law Enforcement Subscription:

- Review the Agency Health Report.

Benchmark Analytics – no charge if implemented, paid for by excess coverage provider.

RECOMMENDATION: None.

FISCAL IMPACT: None.

BACKGROUND: Alliant and Sedgwick organize the NCCSIF Police Risk Management Committee meetings. These meetings are held on a quarterly basis and a Round Table Discussion Item is included in the agenda.

ATTACHMENTS:

1. Mike Ranalli topics and Bio
2. Lexipol NCCSIF Agency Health Report

Chief (Ret.) Michael D. Ranalli - bio

Michael D. Ranalli, JD, retired as Chief of the Glenville, New York, Police Department after having served in that capacity from June 2006 until June 2016. Chief Ranalli began his career in 1984 with the Colonie, New York, Police Department and held the ranks of patrol officer, sergeant, detective sergeant and lieutenant. He was also a member of the Colonie Special Services Team (tactical team) for 12 years, the last two serving as the tactical commander. In May 2016 he was appointed Program Manager II for Lexipol, LLC.

Chief Ranalli is a frequent presenter and author on various legal issues including search and seizure, use of force, legal aspects of interrogations and confessions, wrongful convictions, supervision and leadership and civil liability. He is author of *Search and Seizure Law of NYS: Street Encounters 3rd Edition*, published by Looseleaf Law Publications, Inc. He is also the editor of *Civil Liabilities of New York State Law Enforcement Officers, 4th Edition*, by the same publisher. He is a consultant/instructor on police legal issues to the New York State Division of Criminal Justice Services and has taught officers around New York State for the last fifteen years in that capacity.

Chief Ranalli is a past president of the New York State Association of Chiefs of Police (NYSACOP) and writes the Counsel's Corner column for the NYSACOP periodical The Chiefs Chronicle. He is a member of the IACP Professional Standards, Image & Ethics Committee, and the former Chairman of the New York State Police Law Enforcement Accreditation Council. He is also a graduate of the 2009 F.B.I.-Mid-Atlantic Law Enforcement Executive Development Seminar and is a Certified Force Science Specialist.

He holds a bachelor's degree in criminal justice from the State University of New York, Utica/Rome and a Juris Doctorate from Albany Law School. He is admitted to the New York State Bar and the Federal Bar (Northern District of New York).

Using Human Performance Principles to Prevent Tragedies

While understanding the impact of stress on human performance factors is critical in conducting proper investigations, this aspect is only part of the value. Training officers on the realities of human performance factors can help them make proper tactical decisions before the use of force becomes necessary. All too often, officers follow a path under the guise of officer safety without comprehending that their actions are actually placing them at more risk -violating the concept of Priority of Life (POL). Without an understanding of concepts such as the limitations of human attention and perception and action versus reaction, tactical decision making may be based upon flawed assumptions. Legal applications of the use of force upon an individual require three perceptual aspects of the individual's behavior to come together and overlap: Intent - Ability - Opportunity. A lack of understanding of human performance factors can lead to officers actually providing the aspect of Opportunity to the individual, resulting in the completion of the necessary blend of the three, resulting in a use of force that is commonly called "lawful but awful". The presentation would provide an overview of the application of POL and the three perceptual aspects of force. Video from controversial contemporary incidents will be used to apply the concepts and understand what could have happened can be as important as what did happen.

Managing Risk in a Video World

Video recordings are everywhere. Whether it's a body-worn camera (BWC), cell phone camera, in-car camera, bus camera, traffic camera – you name it – cameras and their footage are both an asset and a liability. Both the media and the public use video recordings as irrevocable "truth" when both interpreting and subsequently discussing incidents involving your public employees. Plus, the ubiquity of video capturing devices ensures this will not change and perhaps become more prevalent. Risk managers have an imperative to both understand and manage video evidence in order to answer this critical question: Is the presence of a video the best evidence of what happened? Risk managers need to understand the answer will vary from case to case and how to evaluate both the perspective of the camera and the nature of the video itself. This presentation will provide an overview of the use of video in two contexts: understanding an incident that has already occurred and using video for training and evaluation of current policies and procedures.

Understanding and Explaining Use of Force Incidents

Use of force incidents can involve complicated and dynamic aspects of human performance factors. An officer's use of force may be reasonable, but the way it is explained by a police leader or a prosecutor can lead to false expectations in the media and public. Using conclusive facts, e.g. "the suspect then lunged at the officer" as well as "Graham language", e.g. "at that point the officer feared for his/her life and fired two rounds, ending the threat" imply to the media and the public that a conscious, cognitive decision made by the officer. This can be especially troublesome when available video may appear to contradict those statements. In fact, the use of force may have been an impulsive, "System 1" emergency response. This presentation will highlight the need for care when preparing public statements. Actual incidents will be used to illustrate the issue.

What's the Mission? Responding to Persons in Crisis

Mental health resources in the U.S. are woefully inadequate, and police officers continue to be called to scenes where subjects are in crisis. Despite best intentions, officer intervention at such incidents can backfire, resulting in harm to the subject or officers.

What is an officer's legal duty to intervene in such cases? How can the agency and the officer minimize liability and safety risks? In this presentation, three law enforcement and legal professionals will discuss the risks involved in non-criminal mental health incidents and officers' obligation under the law.

Topics include:

- Recent federal cases that shed light on the duty and authority imposed on officers intervening with suicidal subjects
- How the "state-created danger" theory applies to calls involving suicidal subjects
- Three critical elements of tactical withdrawal and effective risk mitigation when faced with a person in crisis who is not an active threat

Understanding Use of Force Incidents (also for civilians)

Use of force incidents can involve complicated and dynamic aspects of human performance factors. Video related to law enforcement interactions frequently become viral internet sensations and national news. An officer's use of force may be legally reasonable, but the way it is perceived by those in the media and public who are not aware of the complicated dynamics involved may draw improper conclusions. The application of hindsight bias may exacerbate this problem. Civilian municipal employees and elected officials should understand the realities of human performance under stress and why people, not just police officers, may unconsciously react a certain way. Video of actual incidents will be used to illustrate the issues involved.

Law, Leadership and Contemporary Issues for the [Group or association]

The law enforcement profession is facing an unprecedented crisis in character and law enforcement leaders must rise to the challenge. A proper organizational culture is a critical component of effective and legitimate policing. Additional challenges arise when faced with the proliferation of video and the complexity it can add to understanding and explaining officer involved incidents. Calls for police reform are sometimes accompanied by unrealistic and ill-advised demands. Leaders must be prepared to navigate this increasingly environment and make effective and lasting changes when necessary.

Topics to be covered in this presentation will include:

- An overview of risk, liability, and leadership
- Legitimacy, communication, and Priority of Life
- Understanding and explaining use of force incidents and the impact of high emotional arousal on officers
- Dealing with people in crisis

- An overview of the value and limitations of video
- A discussion of policy and training pitfalls and best practices

Contemporary Issues for the [Group or Association]

The law enforcement profession is facing an unprecedented crisis in character and law enforcement leaders must rise to the challenge. Additional challenges arise when faced with the proliferation of video and the complexity it can add to understanding and explaining officer involved incidents. Calls for police reform are sometimes accompanied by unrealistic and ill-advised demands. In this presentation we will review multiple recent events and attempt to understand how they occurred and what can be learned from them to prevent them from occurring in your jurisdiction.

The presentation will include:

- Videos of recent events and a discussion of the root cause
- An overview of the limitations of video
- A discussion of policy and training pitfalls and best practices

Duty to Intercede: A Leadership Tool to Mitigate Risk

The duty to intercede when observing excessive force or otherwise unethical or illegal officer behavior has long been a bedrock component of law enforcement policy. Despite this, confusion remains among officers and leaders about what this concept means and how to intercede effectively. With the recent scrutiny of police tactics, law enforcement leaders need to embrace the concept as a tool to help keep officers safe and mitigate risk. Proper policy, training, and agency culture around the duty to intercede can create redundancies to help prevent and/or mitigate tragedies when officers are under high-stress encounters. This course will use videos of contemporary events as examples and will explain:

- When and to whom “duty to intercede” applies and how that concept should be expanded to be used to relate to officer safety.
- The impact of high-stress encounters on officers and warning signs that may indicate an officer is overly emotionally involved in the incident.
- How law enforcement leaders can and must build the duty to intercede into agency culture.
- Communication tactics officers of any rank can use to intercede quickly, professionally, and effectively.

{The above course can be done in about 1 – 1.25 hours while the next one requires a minimum of 90 minutes that could be extended out to 4 hours or even more}

Use of Force: Policy or Tactics?

A police use of force incident is caught on video and creates anger within the community. The officer(s) actions are ultimately deemed to be legal, which results in further community outrage. Is “legal” enough for agencies to feel vindicated—or can we do more?

As law enforcement leaders and reformers grapple with how we can reduce such incidents, it is police use of force policies that often dominate the discussion.

But is it the policy—and the legal standard of objective reasonableness—that needs reform? Or are reform efforts better focused on the decisions and tactics of the officers that led up to the use of force? Police officers are frequently forced to respond to imminent threats that leave them no reasonable choice but to use force. But can we limit those instances to only those where the officer has no “discretionary time”? Are there instances where officers can and should use available discretionary time to make better tactical decisions?

This webinar will use recent cases to shed light on the differences between policy and tactics, encourage attendees to consider how their actions may be construed by others, and identify ways officers can make decisions that minimize use of force and enhance officer safety. You’ll learn:

- How the concept of legitimacy relates to police policy and tactics
- Why changing policy language does not automatically change behavior
- Specific cases that illustrate how officer actions can contribute to the need for the use of force
- To distinguish between incidents where officers have discretionary time vs. when they don’t and how time influences tactics

Training “Artifacts”: The Role Training—or Lack of Training—Plays in Poor Decisions

Police officers make numerous decisions every day. Some are simple, while some can have lasting impact on the officer and the people involved. When these decisions go wrong, tragic outcomes can ensue—and the root cause is sometimes poor training.

Many agencies continue to rely on training that supports a flawed conception of “officer safety” that can in fact place officers at increased risk and cause harm to members of the community. Such training “artifacts” are outdated or inaccurate concepts that remain embedded in training and influence officer decision-making many years later.

This webinar will use contemporary scenarios to lead police administrators, trainers and officers to critically analyze their training to ensure officers are being given the proper skills to handle the difficult decisions they face. You’ll learn:

- To evaluate the root cause of tragedies involving police intervention
- Recent examples where training failed officers and whether it is possible you or your officers would have responded the same way
- The importance of keeping instructors up to date with contemporary science-based training programs

Conclusive Evidence? Understanding the Limitations of Video Footage

Video from body cameras, in-car recorders, bystanders and surveillance cameras has transformed the way the public understands and reacts to incidents involving law enforcement. Often, video is seen as irrefutable, objective evidence, valued above officer or eyewitness accounts.

The truth is much more complex. Video is subject to extensive limitations and vulnerable to manipulation. At the same time, video offers numerous benefits for agencies seeking to understand and explain officer actions and develop training materials.

This webinar will highlight technical and organizational factors law enforcement leaders must consider when evaluating video and using it to inform use of force investigations.

You'll Learn:

- Technical factors, such as compression and the perspective/angle, that can complicate the use of video as evidence
- What involved officers, investigators and administrators should know about video evidence prior to going into an interview
- Key questions to ask when analyzing incident video—and the value of using forensic experts in video analysis
- How incident video can be useful as a training tool

Duty to Intercede and Root Cause Analysis: Leadership Tools to Mitigate Risk

The duty to intercede when observing excessive force or otherwise unethical or illegal officer behavior has long been a bedrock component of law enforcement and correctional policy. Despite this, confusion remains among all types of officers and leaders about what this concept means and how to intercede effectively. But is it enough to intercede in an ongoing situation? Has this and other types of behavior been “normalized” within the organization? Leaders need to understand how to do a root cause analysis of incidents by application of the Five Organizational Pillars to determine whether their operations support a normalization of deviance from policy and acceptable procedures. Law enforcement leaders and the organizations members need to embrace these concepts as tools to help keep officers safe and mitigate risk. An organizational culture founded upon the proper application of the Five Pillars - People, Policy, Training, Supervision and Discipline - can create redundancies to help prevent and/or mitigate tragedies when officers are under high-stress situations and during routine operations. This course will use videos of contemporary events as examples and will explain:

- When and to whom “duty to intercede” applies and how that concept should be expanded to be used to relate to officer safety.
- An overview of the Five Pillars and root cause analysis that is applicable to officers of all ranks and assignments.
- An overview of the concept of the normalization of deviance
- The impact of high-stress encounters on officers and warning signs that may indicate an officer is overly emotionally involved in the incident.
- How law enforcement leaders can and must build the duty to intercede and root cause analysis into agency culture and why members should embrace it.

Why do Bad Things Keep Happening?

Something bad happens within an organization after a period of relative calm. Is this an isolated incident or an indication that certain policy deviant behaviors that have been “normalized” within the organization? A root cause analysis of incidents is critical to determine whether there is a deviance from policy and acceptable procedures. An organizational culture founded upon the proper application of the Five Organizational Pillars can create redundancies to help prevent and/or mitigate tragedies when in both high-stress situations and routine operations. Risk managers need to embrace these concepts as tools to help keep employees safe and mitigate risk.

Learning objectives for attendees (3):

1. Learn to apply a root cause analysis to incidents and differentiate between root and proximate cause.
2. Develop an understanding of the Five Organizational Pillars - People, Policy, Training, Supervision and Discipline - and its application during a root cause analysis.
3. Develop an understanding of the concept of the normalization of deviance and how this can reduce future risk.

Recognition Level	Manual	Date	Agency Name	Billing State	Policies Issued	Pending Updates	DTBs Issued	Policies Acknowledged	DTB Packages Taken
None	LEMAN	9/1/23	Anderson Police Department (CA)	California	101	1	33	99	95
None	FIMAN	9/1/23	Auburn Fire Department (CA)	California	30	1	0	61	0
None	FIMAN	9/1/23	Colusa Fire Department	California	100	45	0	50	0
None	LEMAN	9/1/23	Colusa Police Department	California	104	6	50	84	4
None	FIMAN	9/1/23	Dixon Fire Department (CA)	California	98	0	0	15	0
None	LEMAN	9/1/23	Elk Grove Police Department (CA)	California	101	7	0	93	0
None	FIMAN	9/1/23	Jackson Fire Department	California	3	18	0	50	0
None	FIMAN	9/1/23	Lincoln Fire Department (CA)	California	1	0	0	100	0
None	FIMAN	9/1/23	Marysville Fire Department (CA)	California	0	0	0	0	0
None	LEMAN	9/1/23	Marysville Police Department (CA)	California	100	1	0	0	0
None	LEMAN	9/1/23	Nevada City Police Department	California	101	0	0	68	0
None	FIMAN	9/1/23	Red Bluff Fire Department	California	0	0	0	0	0
None	FIMAN	9/1/23	Rio Vista Fire Department	California	0	28	0	0	0
None	FIMAN	9/1/23	Rocklin Fire Department (CA)	California	9	4	0	85	0
None	FIMAN	9/1/23	Willows Rural Fire Protection District	California	99	32	0	25	0
Bronze	LEMAN	9/1/23	Corning Police Department (CA)	California	100	21	100	62	82
Bronze	LEMAN	9/1/23	Galt Police Department (CA)	California	99	0	100	87	68
Bronze	LEMAN	9/1/23	Oroville Police Department	California	99	1	133	83	34
Bronze	LEMAN	9/1/23	Paradise Police Department	California	106	0	83	93	65
Bronze	LEMAN	9/1/23	Placerville Police Department	California	102	0	92	88	45
Bronze	LEMAN	9/1/23	Red Bluff Police Department	California	99	0	100	83	67
Bronze	LEMAN	9/1/23	Rocklin Police Department (CA)	California	99	14	75	86	60
Gold	LEMAN	9/1/23	Auburn Police Department (CA)	California	97	1	92	95	92
Gold	LEMAN	9/1/23	Dixon Police Department	California	99	0	92	90	96
Gold	LEMAN	9/1/23	Folsom Police Department (CA)	California	98	6	100	91	84
Gold	LEMAN	9/1/23	Gridley Police Department	California	101	0	100	97	94
Gold	LEMAN	9/1/23	Ione Police Department	California	99	2	108	88	100
Gold	LEMAN	9/1/23	Jackson Police Department (CA)	California	101	1	100	82	87
Gold	LEMAN	9/1/23	Lincoln Police Department (CA)	California	100	0	100	94	96
Gold	LEMAN	9/1/23	Yuba City Police Department (CA)	California	99	2	100	98	87

What Metrics Are Measured?

The Lexipol Connect Recognition Program involves five simple metrics:

Metric	How it's Measured	How you can Influence
Policies Issued	Percentage of policies issued to members in comparison to the total number of policies in your draft manual.	Issue additional policies or exclude any policies not applicable to your agency from your draft manual.
Updates Pending	Number of policy updates issued by Lexipol but not yet processed by your agency.	Process updates, either by accepting or rejecting updated content.
Daily Training Bulletins (DTBs) Issued	Percentage of DTB packages issued to members in comparison to the number of DTB packages received from Lexipol over the last 12 months.	Issue DTB packages each month, even if you choose to edit or exclude some of the individual DTBs.
Policies Acknowledged	Percentage of all policy acknowledgment assignments completed by members, in comparison to all policies issued or updated.	Communicate expectations that policy acknowledgment assignments are to be promptly completed. Remove inactive members from list of active users.
DTBs Taken	Percentage of all DTB assignments completed by members, in comparison to all DTBs issued over the last 12 months.	Communicate expectations that DTB assignments are to be promptly completed. Remove inactive members from list of active users.

What Are The Recognition Levels?

Based on these metrics, we've created a framework that defines target performance levels for each metric and recognizes agencies that are performing well through Bronze, Silver and Gold recognition levels. Here is the target performance for each level:

Metric	Performance Level		
	 Bronze	 Silver	 Gold
Policies Issued	> 70%	> 70%	> 80%
Updates Pending	< 25	< 20	< 10
DTBs Issued (LTM)	> 70%	> 70%	> 80%
Policies Acknowledged	N/A	> 70%	> 80%
DTBs Taken (LTM)	N/A	> 70%	> 80%

To achieve a given performance level, all applicable criteria for that level must be met. Bronze level performance can be achieved by meeting the minimum required performance for three metrics – Policies Issued, Updates Pending and DTBs Issued. To achieve the Silver or Gold performance level, a minimum performance for Policies Acknowledged and DTBs Taken is also required.

NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
23/24 Organizational Chart
Updated as of 10/10/2023

MEMBER ENTITY	BOARD OF DIRECTORS	BOARD ALTERNATES	RISK MANAGEMENT COMMITTEE	POLICE RISK MANAGEMENT COMMITTEE
City of ANDERSON	*EC Christy White	Vacant	Christy White	Chief Joe Poletski
City of AUBURN	*EC *Jennifer Leal	Sean Rabe	Jennifer Leal	Chief Ryan L. Kinnan(Vice-Chair)
City of COLUSA	Ishrat Aziz-Khan	Shelly Kittle	Ishrat Aziz-Khan	Chief Josh Fitch
City of CORNING	Brant Mesker	Vacant	Brant Mesker	Chief Jeremiah Fears
City of DIXON	P/EC/CC **Rachel Ancheta (Chair)	Kate Zawadzki	Rachel Ancheta Kim Staile Jim Ramsey Anjmin Mahil - Alternate	Chief Robert Thompson
City of ELK GROVE	*CC *Melissa Rojas	Kara Reddig		Assistant Chief Paul Soloman Commander Brian Lockhart Lt. Lou Wright
City of FOLSOM	*EC Allison Garcia	Steven Wang	Allison Garcia	
City of GALT	*CC Stephanie Van Steyn	Lorenzo Hines	Stephanie Van Steyn	Chief Brian Kalinowski
City of GRIDLEY	*CC Elisa Asteaga	Jodi Molinari	Elisa Arteaga	Chief Rodney Harr
City of IONE	Jodi Steneck	Amy Gedney	Vacant	Chief John Alfred
City of JACKSON	Vacant	Dalacie Blankenship	Yvonne Kimball	Interim Chief Chris Mynderup
City of LINCOLN	Veronica Rodriguez	Claire True	Veronica Rodriguez	Chief Matt Alves
City of MARYSVILLE	S / EC/CC *Jennifer Styczynski	Vacant	Jennifer Styczynski	Chief Chris Sachs
City of NEVADA CITY	*EC Sean Grayson	Gabrielle Christakes	Sean Grayson	Chief Dan Foss
City of OROVILLE	Liz Ehrenstrom	None Appointed	Liz Ehrenstrom (Chair)	Lt. Gil Zarate
Town of PARADISE	Vacant	Crystal Peters	Crystal Peters	Chief Eric Reinbold
City of PLACERVILLE	Dave Warren	Cleve Morris	Dave Warren	Chief Joseph Wren
City of RED BLUFF	*EC Tom Westbrook	Anita Rice	Tom Westbrook	Chief Kyle Sanders (Chair)
City of RIO VISTA	T/*EC Jennifer Schultz	**Jen Lee, CPA	Jennifer Schultz	Chief Jon Mazer
City of ROCKLIN	EC Vacant	Amanda Tonks	Amanda Tonks	Chief Rustin Banks
City of WILLOWS	EC Vacant	Marti Brown	Marti Brown	N/A
City of YUBA CITY	VP/EC/CC **Spencer Morrison (Vice-Chair)	Natalie Springer	Sheleen Loza	Chief Brian Baker

OFFICERS		
		Term of Office
President (P)	Rachel Ancehta	7/1/2023- 6/30/2024
Vice President (VP)	Spencer Morrison	7/1/2023- 6/30/2024
Treasurer (T)	Jen lee	7/1/2022- 6/30/2024
Secretary (S)	Jennifer Styczynski	7/1/2022- 6/30/2024

Executive Committee (EC) - membership on the EC rotates annually based on a rotation schedule and each member serves for a two-year term, with the **President** serving as **Chair of the Committee**.

Claims Committee (CC) - members of the CC are annually selected by the EC. CC is traditionally made up of at least five members of the EC, with the **Vice President** serving as **Chair of the Committee**.

CJPRMA Board Representative Elizabeth Ehrenstrom appointed 6/17/2021

CJPRMA Alternate Board Representative Stephanie Van Steyn appointed 4/22/2022

PROGRAM ADMINISTRATORS (Alliant Insurance Services)	CLAIMS ADMINISTRATORS (Sedgwick for Liability LWP For Workers' Compensation)	RISK CONTROL CONSULTANTS (Sedgwick formerly York/Bickmore)	ADVISORS
Marcus Beverly Conor Boughey	Amber Davis (WC)	Shane Baird	Byrne Conley (Board Counsel)
Jenna Wirkner Evan Washburn	Stacey Bean (WC)	Tom Kline (Police RM)	James Marta, CPA (Accountant)
	Brian Davis (Liability)		



PROGRAM YEAR 23/24 MEETING CALENDAR

Thursday, August 3, 2023, **Police Risk Management Committee** at 10:00 a.m.

Thursday, September 21, 2023, ** **Claims Committee** at 9:00 a.m.
Executive Committee at 10:30 a.m.

Thursday, October 19, 2023***, **Risk Management Committee** at 10:00 a.m.
Board of Directors at 12 noon

Thursday, November 2, 2023, **Police Risk Management Committee** at 10:00 a.m.

Thursday, December 14, 2023* **Board of Directors** at 10:00 a.m.

Thursday, February 1, 2024, **Police Risk Management Committee** at 10:00 a.m.

Thursday, March 28, 2024, ** **Claims Committee** at 9:00 a.m.
Executive Committee at 10:30 a.m.

Thursday, April 18, 2024, **Risk Management Committee** at 10:00 a.m.
Board of Directors at 12 noon

Thursday, May 2, 2024, **Police Risk Management Committee** at 10:00 a.m.

Thursday, May 23, 2024, ** **Claims Committee** at 9:00 a.m.
Executive Committee at 10:30 a.m.

Thursday, June 20, 2024* **Board of Directors** at 10:00 a.m.

Meeting Location: Rocklin Event Center - Garden Room
2650 Sunset Blvd., Rocklin, CA 95677
Rocklin Event Center – Ballroom *
Rocklin Community Center – Springview Hall***
Zoom**

Note: Additional Claims Committee Meetings may be scheduled as needed for Claims Authority approval which will be held via teleconference.

SAVE THE DATE - REGIONAL TRAINING

Applied Risk Management: Tips Tricks and Lessons Learned

Presented by Marcus Beverly
Program Manager, NCCSIF & SCORE

This training session will provide an overview of the risk management process and how it applies to your organization. You'll learn how to demonstrate the value of risk management to gain buy-in and receive simple and practical recommendations for implementing risk management practices.

Other topics include:

- Cost of Risk and Allocation
- Enterprise Risk Management,
- Identifying and prioritizing risks
- Risk control techniques, and
- Risk Management Communication.

Participants will leave with tools for applying risk management in their professional and personal lives.

Date and Time:

Tuesday, November 28, 2023, 10:00a.m. – 11:00 a.m.

Location: Zoom Webinar

Register:

<https://alliantinsurance.zoom.us/meeting/register/tJMpfuqqrT8oE9CjnmjBA9oUy5K6vWf0V-BVP>

Please contact Jenna Wirkner if you have any questions.

Jenna.Wirkner@alliant.com

(916)643-2741

**OPEN TO ALL JPA
MEMBERS**

**SPONSORED BY
NCCSIF & SCORE**



Marcus Beverly, CPCU, AIC, ARM-P
First Vice President, Alliant Insurance
Services

Marcus has thirty-five years of insurance, claims and risk management experience, with thirty years of experience working with California public agencies. He currently manages several risk-sharing pools in California and works with a wide variety of public agencies in assessing and placing their insurance coverage, risk management programs, and claims management services.

REGIONAL TRAINING JANUARY 25th 10:00a.m.- noon

Your Black Swan is Someone Else's Grey Rhino

by Gordon Graham, Lexipol

Topic Includes:

In public safety, problems come at us in all directions, too often leading to tragedy. The concepts of the Black Swan and the Grey Rhino help us differentiate between these problems. Black Swans are the “unknown unknowns” that no one sees coming. Grey Rhinos are massive, obvious problems that we fail to acknowledge. As the title of this program points out, one leader’s Black Swan can easily be another leader’s Grey Rhino.

In this session, Mr. Graham will explain these concepts in more detail and show how they relate to the basic concepts of risk management. Attendees will explore how events that sneak up on organizations and cause tremendous problems have often been experienced by other similarly situated organizations. Mr. Graham will provide strategies for how to more effectively capture and share lessons learned from close calls and tragedies, turning Black Swans into Grey Rhinos that are not only visible, but also stoppable.

Date and Time:

Thursday, January 25th, 2024, 10:00a.m. - noon

Location: Zoom Webinar

Register:

https://alliantinsurance.zoom.us/webinar/register/WN_rJoBTRooTQCBh92E5X69-A

Please reach out to Jenna Wirkner if you have any questions. (916) 643- 2741 or Jenna.Wirkner@alliant.com



Presenter:

Gordon Graham

Mr. Gordon Graham is a 33-year veteran (now retired) of California law enforcement. In this capacity, he served as a street cop, supervisor, manager, and executive. Mr. Graham was awarded a B.A. in Business from San Francisco State College, a teaching credential from California State University, Long Beach, a master’s degree in Safety and Systems Management from the University of Southern California, and a juris doctorate from Western State University. He has taken his background as a cop, risk manager and attorney and is the co-founder of Lexipol, a company designed to standardize public safety practices around America. He has presented to public safety personnel from around the world.





**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
November 2, 2023**

TRAINING SESSION

INFORMATION ITEM

TOPIC: Benchmark Analytics has a mission to transform police force management through an all-in-one enterprise management and early intervention systems that provides a holistic view of every officer in police departments of every size. Their vision is to elevate policing in America with an advanced research-based, data-driver early intervention system that creates a health strong and productive policing culture committed to upholding the honor of the badge.

The link to the Benchmark Analytics website is [Benchmark Analytics : Homepage](#)

ATTACHMENT:

1. Benchmark - San Jose wants to stop bad police behavior
2. Benchmark Solution Brief

San Jose wants to stop bad police behavior before it happens

 by Joseph Geha October 5, 2023



San Jose Police Department officers in downtown. File photo.

San Jose is spending half a million dollars to identify potentially problematic police officer behavior sooner—and work to swiftly correct it.

The San Jose City Council on Tuesday unanimously approved a three-year, \$479,000 contract with Chicago-based Benchmark Analytics for its Police Early Intervention Solution system. Councilmembers also approved a \$50,000 contingency for any possible change orders, bringing the maximum contract value to \$529,000.

City officials say the early warning system could help spot troublesome trends or outliers among San Jose Police Department officers, and identify those who might be at risk of an “adverse event.” Command staff can then intervene with more training or support to “preemptively guide personnel behavior to avoid the issues,” with an aim of increasing accountability and improving policing, city reports said.

“It’s about optimizing the way we do policing,” Mayor Matt Mahan told San José Spotlight. “Like any large institution, you’re going to have variance in performance. Not everyone is going to make a great officer.”

While most San Jose officers do a “tremendous job,” Mahan said, some make mistakes more than others—meaning they may need more training—and some might never have the temperament necessary for policing.

Benchmark’s early intervention system will reportedly evaluate millions of data points generated by police actions, such as stops, arrests, pursuits, use of force and [complaints](#).

Greg Woods, a senior lecturer in San Jose State University’s Department of Justice Studies, told San José Spotlight this effort fits into a range of legislative constraints brought to the fore after the police murder of George Floyd in 2020, and [police violence](#) during subsequent protests.

Woods is hopeful the future system could help head off police violence and other bad interactions.

“Wouldn’t it be great to be made aware of something that is bad before it truly destroys us?” Woods said. “We hope to hold those problematic officers accountable with the hope that we won’t have to pay settlements and that we won’t have to seek disciplinary measures.”

Welcomed by police union

Tom Saggau, a spokesperson for the San Jose Police Officers’ Association representing rank and file cops, said the organization has been calling for an early intervention system since 2020.

“We think it’s a very effective approach,” Saggau told San José Spotlight. “It kind of falls in line with what we believe about continuous

training and strong, robust supervision.”

Saggau said similar systems, like one in use at the Los Angeles Police Department, have worked well. He noted just because an officer is flagged for something, such as having more car pursuits than others, it doesn't always mean there is a problem that needs remedying.

“It doesn't mean that any of those things are out of bounds. It provides a supervisor with real-time data to say, ‘Maybe I'm going to have a conversation with that officer, maybe I'll do a check in to see if there's anything here,’” Saggau said.

Oftentimes there will be “nothing to see” after a flag, Saggau said—but if there is, catching it early is critical. He said SJPD has an existing intervention system, but it's “archaic.”

Sgt. Jorge Garibay, a police department spokesperson, told San José Spotlight the current system only tracks “officers with significant complaint histories for the purpose of identifying potential problems and providing guidance.” Officers identified in the current system are given “informal counseling.”

The department conducted a pilot program with Benchmark in August 2020 to assess the system's functionality and accuracy.

“As a result of the pilot program, SJPD learned that the system would help identify possible problematic behavior as well as support officers through any necessary corrective actions to prevent officers from committing misconduct,” Garibay said.

The new contract will begin Nov. 10 and last through Nov. 9, 2026. The contract includes four, one-year options for the city to potentially extend the agreement through 2030.

Raj Jayadev, a vocal police critic and founder of community organizing group Silicon Valley De-Bug, said SJPD has talked about a system like this since the era of former Police Chief Chris Moore, who retired in 2013.

“Given what we have seen from SJPD—in terms of cops making headlines in the past couple years for killings, others unnecessary use of force cases, weird stalking stuff and more—to me it seems they have a culture that condones the very actions that would be flagged by an early warning system,” Jayadev told San José Spotlight.

It's unclear at this time if SJPD will report any information to the public on the efficacy of the program at this time.

But Mahan said he would expect the department to bring some sort of aggregated, anonymized data about the use of the system and its efficacy to the council for review. He emphasized the goal of the program is not to be punitive, but to help officers improve.

“You've got to create a learning environment where people feel safe and can have a growth mindset,” he said, “and can acknowledge they may have gaps.”



Benchmark Risk Solutions

Automate Operations and
Prevent Critical Incidents

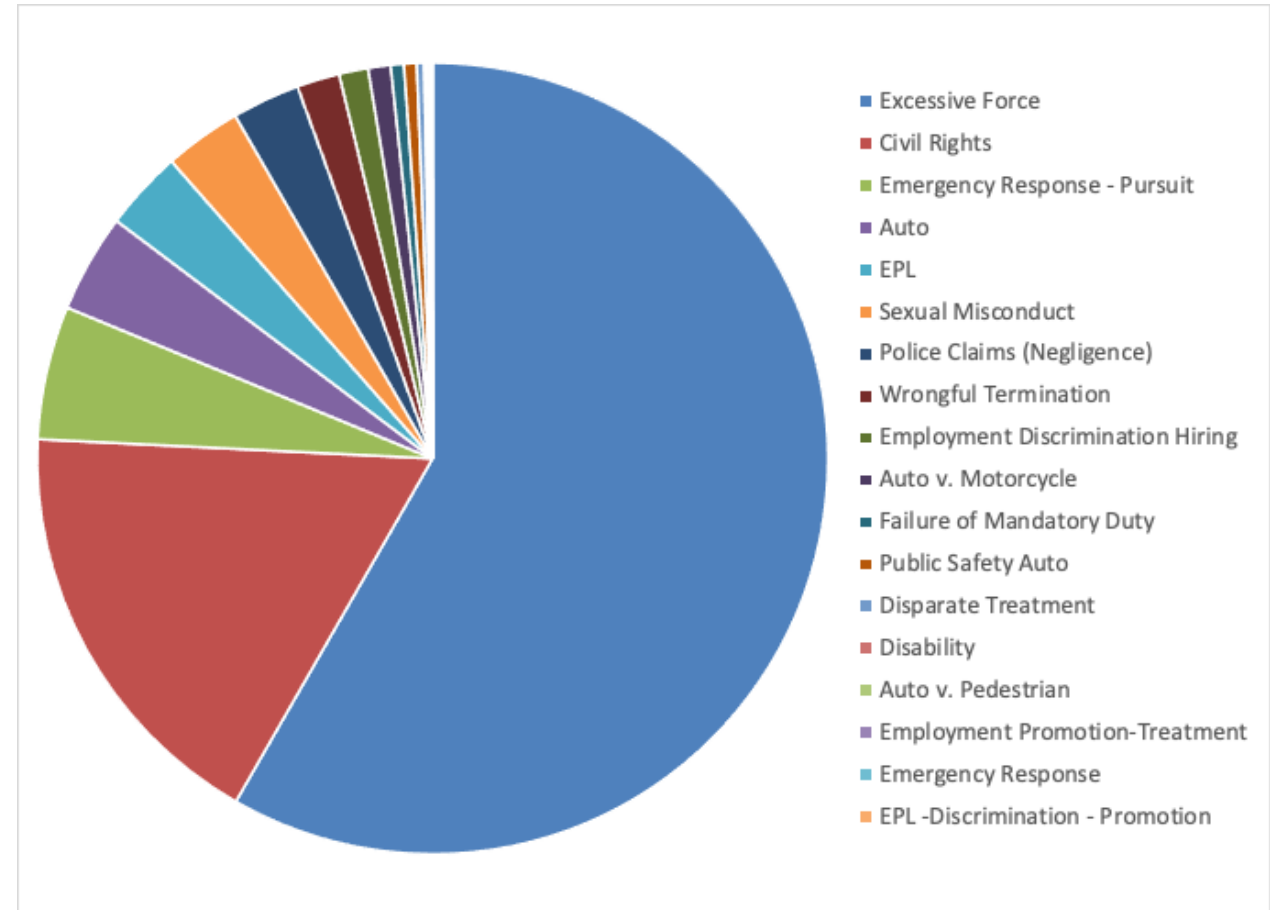
Executive Summary

- CJPRMA is partnering with Benchmark as a new part of its loss control program.
- The Benchmark Blueprint helps law enforcement agencies:
 - automate people management & regulatory compliance
 - keep officers safer
 - keep citizens safer
 - and reduce claim costs.
- This **partnership is designed to help CJPRMA members reverse an escalating cycle of claim costs** resulting from critical incidents and officer injuries.

Why has CJPRMA partnered with Benchmark?

- **Over 75% of CPRMA** and its members' **Total Incurred Dollars** of law enforcement claims were **from Principal Causes that the Benchmark Blueprint helps agencies address.**

Claims Incurred By Cause*



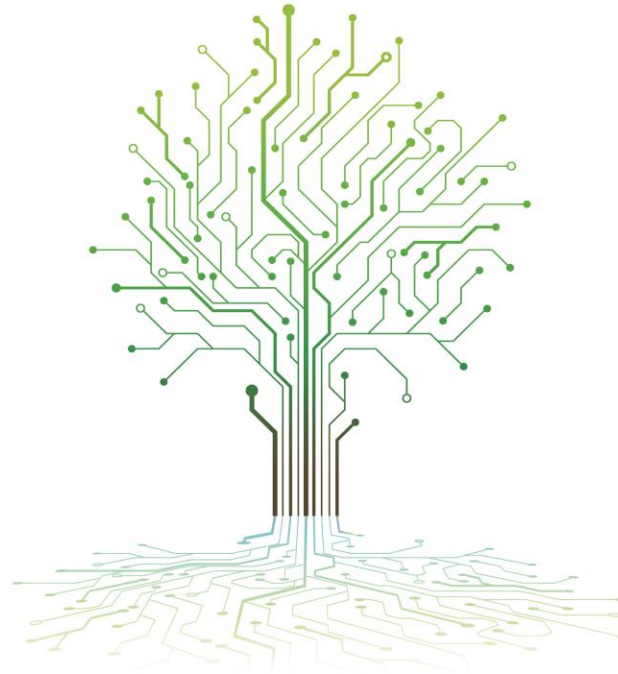
*Query: All Program Years, Total Gross Incurred = Member Gross Incurred + CJPRMA Gross Incurred

Who is Benchmark Analytics?

Founded on a mission to advance Public Safety performance through applied data science.

Benchmark has:

- Government roots
- A heart of data science
- Sole focus on elevating public safety through evidence-based insights



Benchmark helps:

- Improve officer performance, reduce critical incidents and manage compliance.
- Reinforce trust and transparency with stakeholders.
- Offset or reduce escalating costs of injuries or incidents.



TheJoyceFoundation



Benchmark's Police Force Management Blueprint

Helping Agencies Automate Operational Reporting & Systematically Reduce Risk



Step 1: Evidence-Based Practices Review

Benchmark’s research identifies agency practices with **strong statistical connection** to reduced incidents after deployment. These “Evidence-Based Practices” are directly related to reduced frequency of officer injuries and incidents leading to liability claims.

Sample Evidence-Based Practices	Liability Claims Reduction	Workers’ Comp Claims Reduction
Body-Worn Cameras	✓	
Restrictive Pursuit Policy	✓	✓
Emergency Vehicle Operations Policy	✓	
Evidence-Room Practices	✓	
After-Action Review		✓
Outcome-Based Wellness Program	✓	✓
Mental Illness / Crisis Response Policy	✓	
Crisis Intervention Team (CIT) Certification	✓	
Tasers	✓	

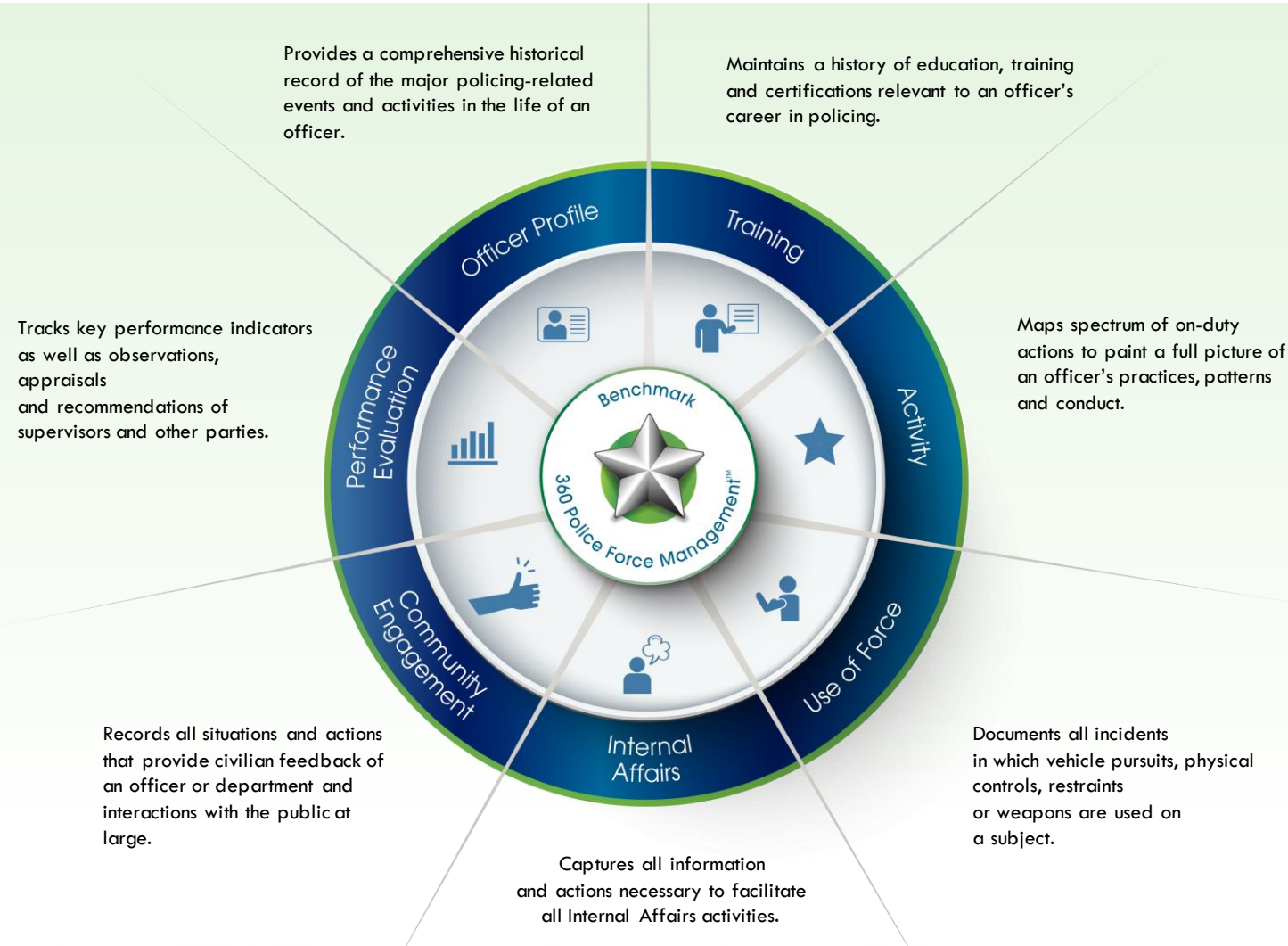


Increasing Benefit



EBP Panel Discussion at the 2023 MN Chiefs Conference

Step 2: Holistic People Management with the Benchmark Management System® (BMS)



Step 3: Accurately Identify Officers at Risk with First Sign[®]

Why First Sign is Powerful

Traditional early intervention systems usually flag the **wrong** officer because they use thresholds/triggers. **Traditional EIS only get it right 29% of the time.** First Sign[®] models enable agencies to focus on the **<5% of their officers who are most at risk.**

4

Data Sources:

Officer Attributes, Arrests,
Use of Force and Internal Affairs

91

Model Variables
on Average

85%

Model
Precision

<5%

At-Risk
Average

66%

Of Injuries and Disproportionate
Use of Force Generated
by At-Risk Officers



TheJoyceFoundation



Step 3: Systematic Support for At-Risk Officers with C.A.R.E.®



- Typically part of agency's proactive *wellness* strategy
- Connect at-risk officers to needed support
- Provide evidence-based recommendations
- Features case management functionality
- Facilitates the planning process with a template of actionable steps and goals
- Includes sample process / policy
- Includes supervisor training and focus groups

Typical Implementation Plan

	Q1	Q2	Q3	Q4
Evidence-Based Practices Review	Analysis / Configure	Deploy	Deploy	Deploy
Benchmark Management System (BMS®)	Analysis / Configure	Deploy	Deploy	Deploy
First Sign® Early Intervention	Analysis / Configure	Analysis / Configure	Deploy	Deploy
C.A.R.E® Officer Support	Analysis / Configure	Analysis / Configure	Deploy	Deploy

■ - Analysis / Configure

■ - Deploy

Feedback, Questions and Next Steps



Samantha Smith
Director, Partnerships

m: 281-937-2344

samantha.smith@benchmarkanalytics.com



Alec Henderson
Director, Business Development

m: 469-933-8366

alec.henderson@benchmarkanalytics.com



Steve Brewer
Partner, Risk Solutions

m: 414-308-4837

steven.brewer@benchmarkanalytics.com