



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, February 1, 2024, at 10:00a.m.

LOCATION: Rocklin Community Center – Garden Room
2650 Sunset Blvd
Rocklin, CA 95677

A - Action
I - Information

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

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

pg. 15

4. Police Risk Management Committee Meeting Minutes – November 2, 2023



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

E. RISK MANAGEMENT

- | | | | |
|---------|--|----------|----------|
| pg. 18 | 1. Workers’ Compensation Claims Analysis for Police
<i>LWP will present an overview of police claim statistics and trends for the workers’ compensation program and for the member cities.</i> | I | 1 |
| pg. 33 | 2. Police Risk Management Grant Funds
<i>Members will review the current fund use and balances and discuss recommending approval of funding for FY 24/25.</i> | A | 1 |
| pg. 37 | 3. Wellness Discussion
<i>The Committee is encouraged to share their experiences and suggestions relating to wellness.</i> | I | 1 |
| pg. 50 | 4. Law Enforcement Training Day
<i>The Committee will be asked to provide feedback on 2023 Law Enforcement Training Day. Review draft agenda topics for 2024 training day, scheduled on November 6th, 2024.</i> | I | 1 |
| pg. 80 | 5. Legislative Spotlight
<i>The Committee will focus on new California laws with new requirements for police agencies.</i> | I | 1 |
| pg. 128 | 6. Technology Discussion
<i>Police Risk Management Committee members will be asked to share their experiences and training needs with various police technologies.</i> | I | 4 |
| pg. 132 | 7. Round Table Discussion
<i>The floor will be open to Police Risk Management Committee members for any topics or ideas that members would like to address.</i> | I | 4 |

F. INFORMATION ITEMS

- | | | | |
|---------|--|----------|----------|
| pg. 133 | 1. NCCSIF 2023-2024 Organizational Chart | I | 1 |
| pg. 134 | 2. NCCSIF 2023-2024 Meeting Calendar | | |

G. ADJOURNMENT

UPCOMING MEETING

Police Risk Management Committee Meeting - May 2, 2024
Law Enforcement Training Day – November 6, 2024



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. 135

TRAINING SESSION from 11:30 am to 1:30 pm
The Topic for the training will be: ***Legal Update***
Presented by Bruce Kilday, Bill Bittner, and Jacob Graham from Angelo, Kilday and Kilduff Attorneys at Law.

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
February 1, 2024**

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 later on the agenda during 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
4. Police Risk Management Committee Meeting Minutes - November 2, 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



**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 MINUTES
ZOOM WEBINAR
NOVEMBER 2, 2023**

MEMBERS PRESENT

Chief Robert Thompson, City of Dixon
Chief Matt Alves, City of Lincoln
Chief Eric Reinbold, Town of Paradise
Chief Rustin Banks, City of Rocklin

Sergeant Cooley, City of Elk Grove
Lt. Gil Zarate, City of Oroville
Chief Kyle Sanders, City of Red Bluff
Commander Sam Escheman, City of Yuba City

GUESTS & CONSULTANTS

Jenna Wirkner, Alliant Insurance Services
Tom Kline, Sedgwick
Brian Davis, Sedgwick,

Evan Washburn, Alliant Insurance Services
Summer Simpson, Sedgwick
Richard Byrod, California Highway Patrol

A. CALL TO ORDER

Chief Sanders called the meeting to order at 10:00a.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
3. Police Risk Management Committee Meeting Minutes- August 3, 2023

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

No quorum. Moved to February meeting.

E. RISK MANAGEMENT

E.1. Police Risk Management Grant Funds

Ms. Wirkner discussed the Police Risk Management Grant funds remaining for members.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ZOOM WEBINAR
NOVEMBER 2, 2023**

E.2. Legislative Update

Mr. Kline discussed a Legislative update on bills relating to Law Enforcement.

AB 355 Firearms: assault weapons: exception for peace officer training

AB 360 Excited Delirium

AB 443 Peace officers: determination of bias

AB 448 Hate crimes: law enforcement policies

AB 750 Menace to public health: closure by law enforcement

AB 994 Law enforcement: social media

SB 2 Firearms

E.3. Technology Discussion

Mr. Kline discussed Technology related to Law Enforcement. Mr. Kline discussed a possible webinar with Ford, regarding safety, ergonomics, and the future of Ford police vehicles.

The City of Oroville Police Department discussed a mobile security system.

E.4. Wellness Discussion

Ms. Wirkner discussed Concerns EAP tailored for first responders. The program will launch on January 1st for PRISM members.

E.5. Lexipol Grant Finder Update

Ms. Washburn provided an update on Lexipol Grant Finder. Members discussed having Lexipol alert them when they have grants for Law Enforcement.

E.6. Round Table Discussion

Members discussed RIMS new requirements as of January 1st.

Members discussed quality insurance software, frontline, and the Lexipol Policy Manual regarding DOJ.

Members will hear a presentation from Benchmark Analytics. If implemented, it will be at no cost to the department.



**NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
POLICE RISK MANAGEMENT COMMITTEE MINUTES
ZOOM WEBINAR
NOVEMBER 2, 2023**

F. INFORMATION ITEMS

1. NCCSIF 2022-23 ORGANIZATIONAL CHART
2. NCCSIF 2022-23 MEETING CALENDAR
3. Applied Risk Management: Tips Tricks and Lessons Learned -November 28th, 2023
4. Your Black Swan is Someone Else's Grey Rhino – January 25th, 2024

G. ADJOURNMENT

The meeting was adjourned at 11:05a.m.

Next Meeting Date: February 1, 2024

Respectfully Submitted,

Jennifer Styczynski, Secretary

Date: _____



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

Agenda Item E.1.

WORKERS' COMPENSATION CLAIMS ANALYSIS FOR POLICE

ACTION ITEM

ISSUE: LWP will present an overview of NCCSIF claim trends and analysis of the top police loss exposures related to the Workers' Compensation Program.

RECOMMENDATION: Information only.

FISCAL IMPACT: None.

BACKGROUND: LWP maintains a database of member claims experience that includes loss causes and other demographic information that can be used for risk management purposes.

ATTACHMENT(S): Trending Report: Workers' Compensation for NCCSIF Police 2019 – 2023



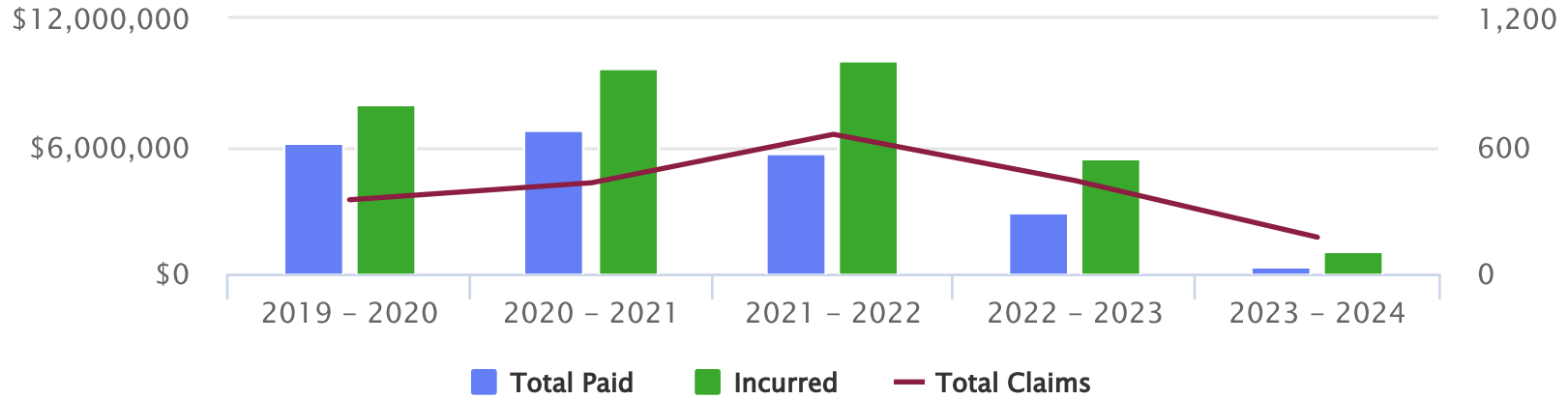
**CLAIMS
SOLUTIONS**
DELIVERING WHAT WE PROMISE

Worker's Compensation Claims Management
Quarterly Stewardship Report

Prepared for: **NCCSIF**

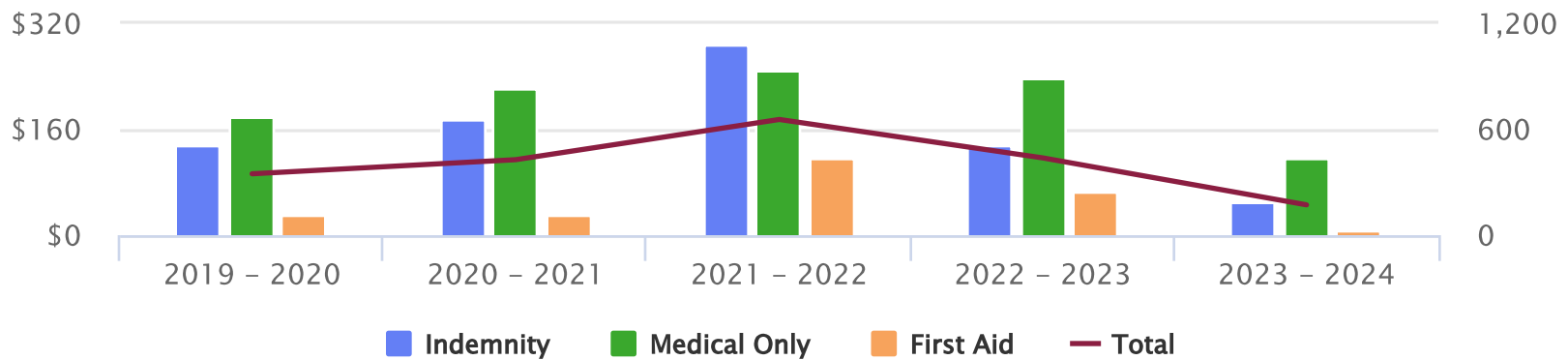


Total Paid and Incurred by Fiscal Year for Injuries within Fiscal Year



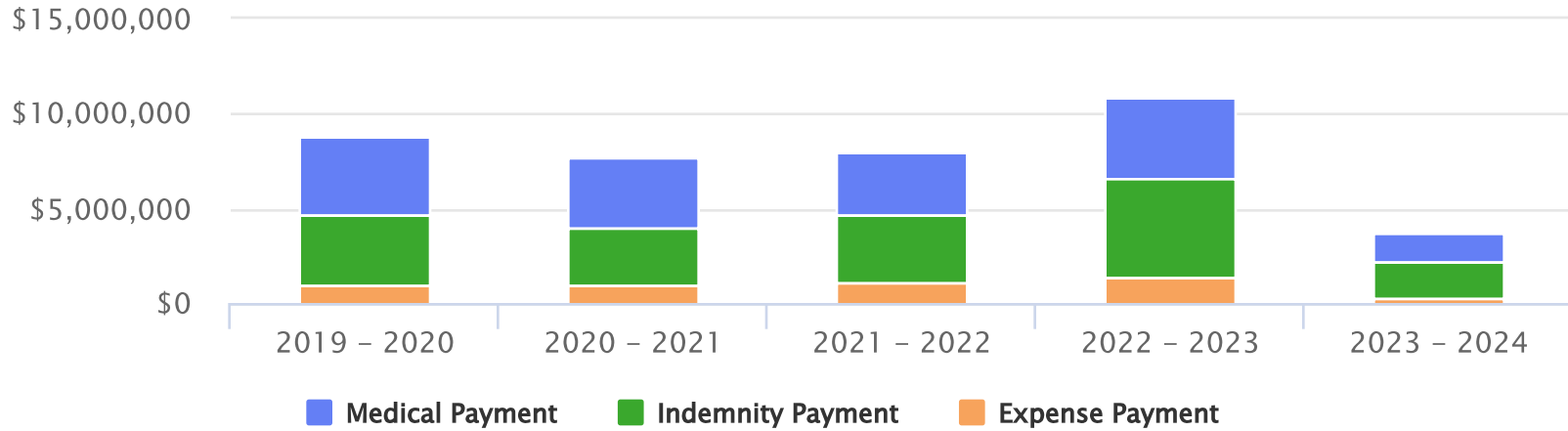
Total Paid	\$6,216,838	\$6,813,640	\$5,711,008	\$2,849,405	\$385,793
Incurred	\$7,956,611	\$9,659,782	\$10,083,558	\$5,411,287	\$1,121,557
Claims	348	428	656	438	172

Claim Type by Fiscal Year



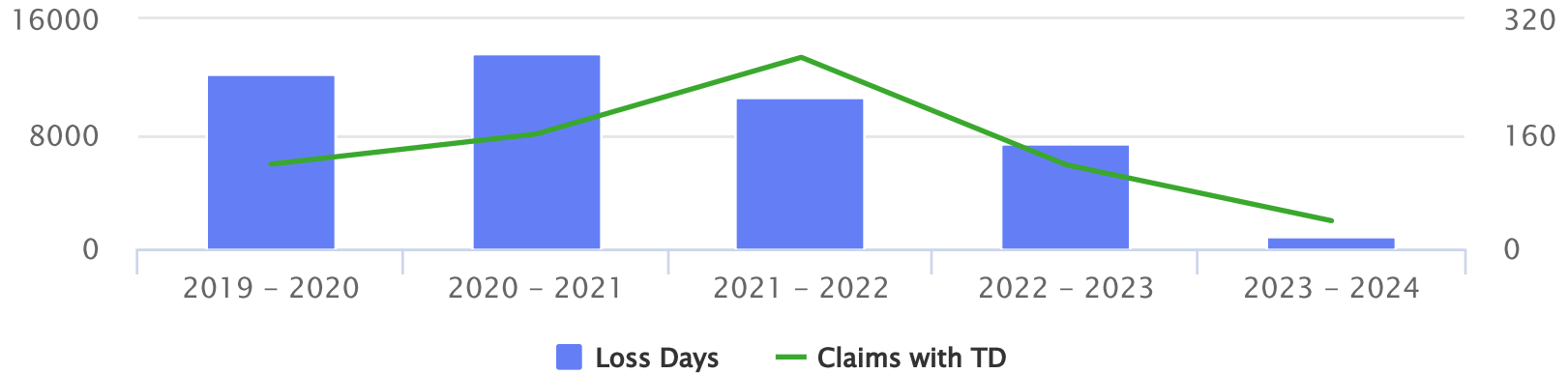
Indemnity	136	177	288	135	50
Medical Only	180	221	251	237	116
First Aid	32	30	117	66	6
Total	348	428	656	438	172

Total Paid by Fiscal Year Regardless of Injury Date



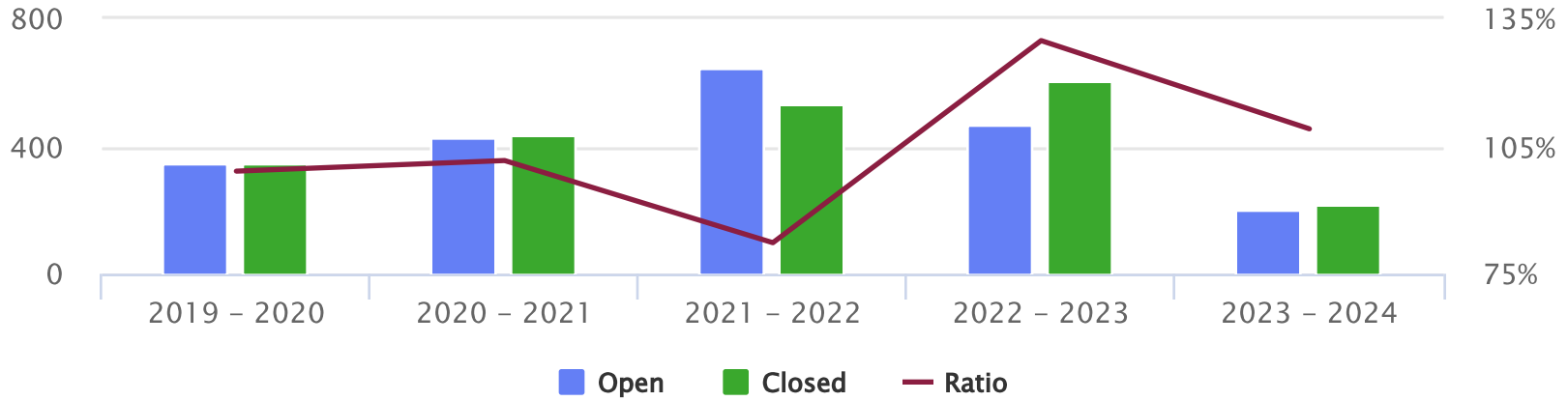
Medical Payment	\$4,069,818	\$3,693,540	\$3,391,534	\$4,248,013	\$1,485,661
Indemnity Payment	\$3,757,548	\$3,057,425	\$3,498,992	\$5,160,299	\$1,832,704
Expense Payment	\$979,181	\$991,275	\$1,155,359	\$1,395,914	\$335,571

Loss Days for Injuries within Fiscal Year



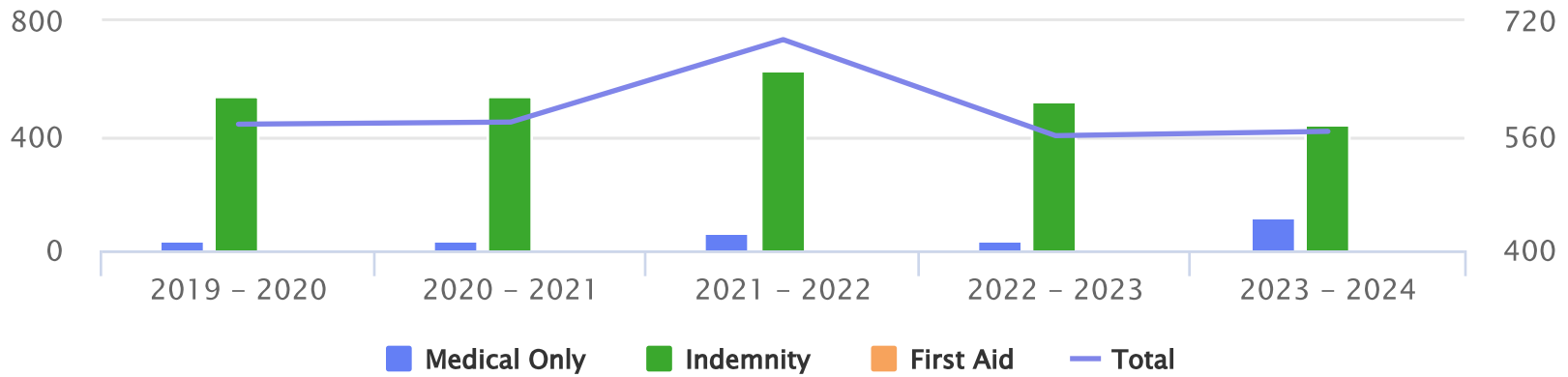
Loss Days	12,190	13,627	10,623	7,302	952
Claims with TD	118	160	267	117	39
Total Claims	348	428	656	438	172

Closing Ratio



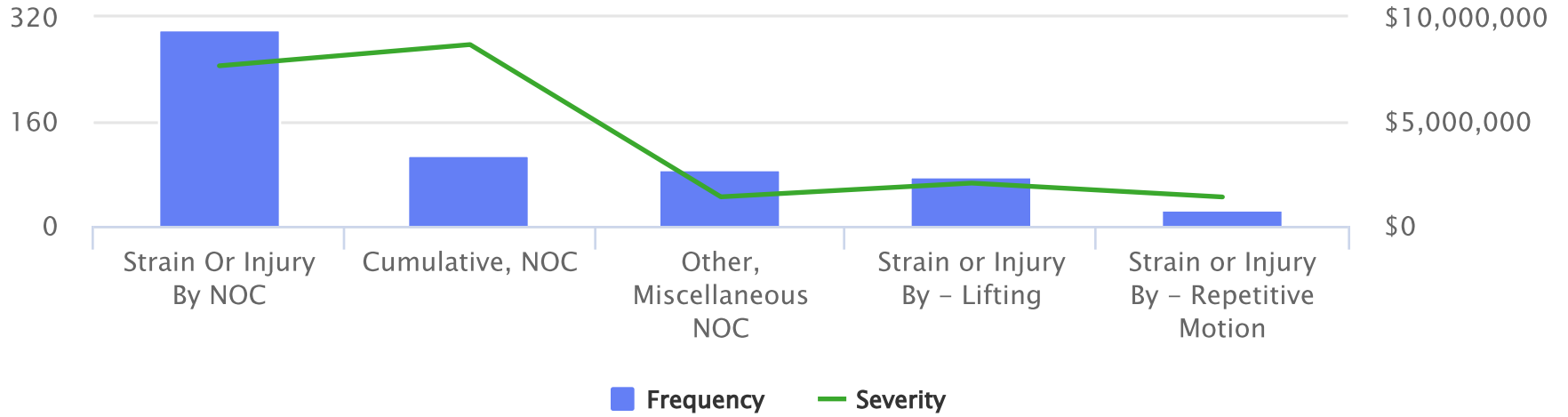
Open	348	428	650	469	198
Closed	345	435	535	609	216
Ratio	99%	102%	82%	130%	109%

Total Ending Open Inventory



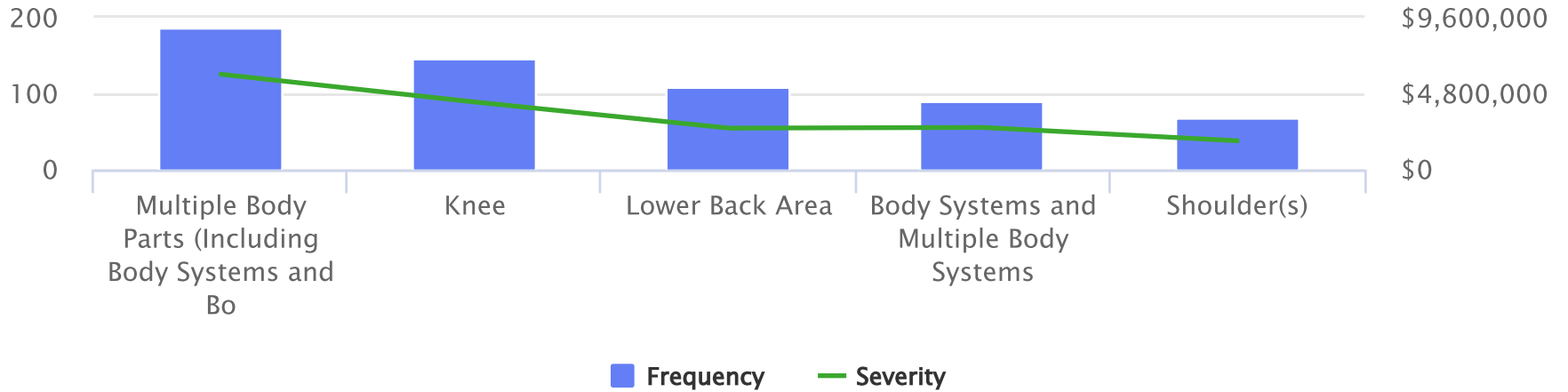
Medical Only	39	38	63	34	120
Indemnity	537	541	629	521	444
First Aid	0	0	2	5	2
Total	576	579	694	560	566

Top 5 Cause of Injury



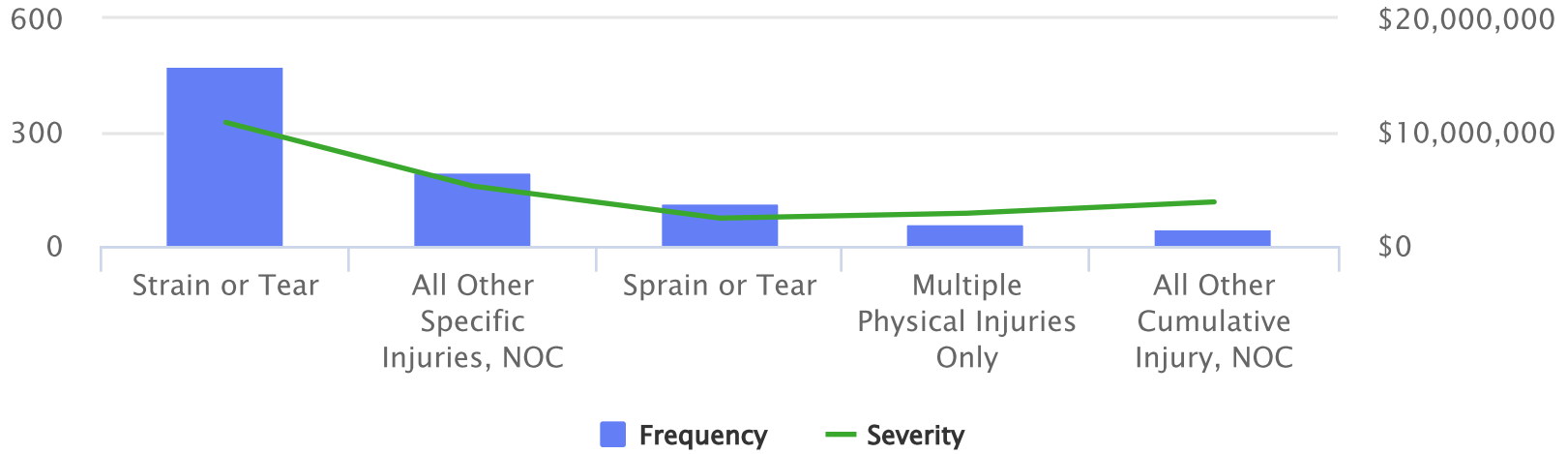
Frequency	110	303	78	88	27
Severity	\$8,687,113	\$7,670,140	\$2,048,524	\$1,390,921	\$1,383,787

Top 5 Part of Body Injured



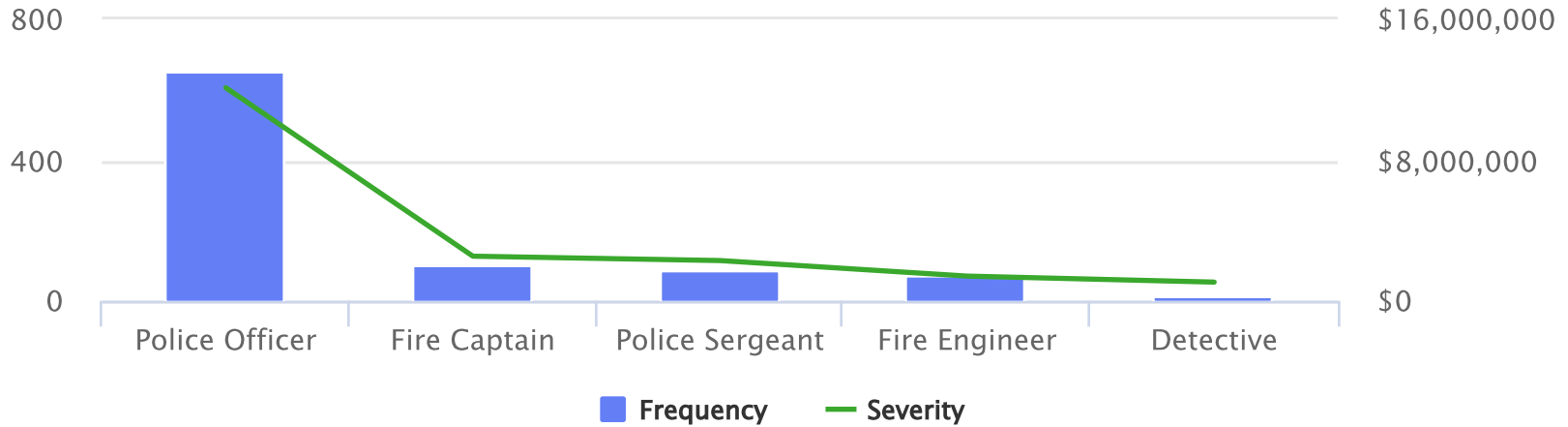
Frequency	189	147	91	110	68
Severity	\$6,024,948	\$4,268,629	\$2,659,976	\$2,616,949	\$1,816,659

Top 5 Nature of Injury



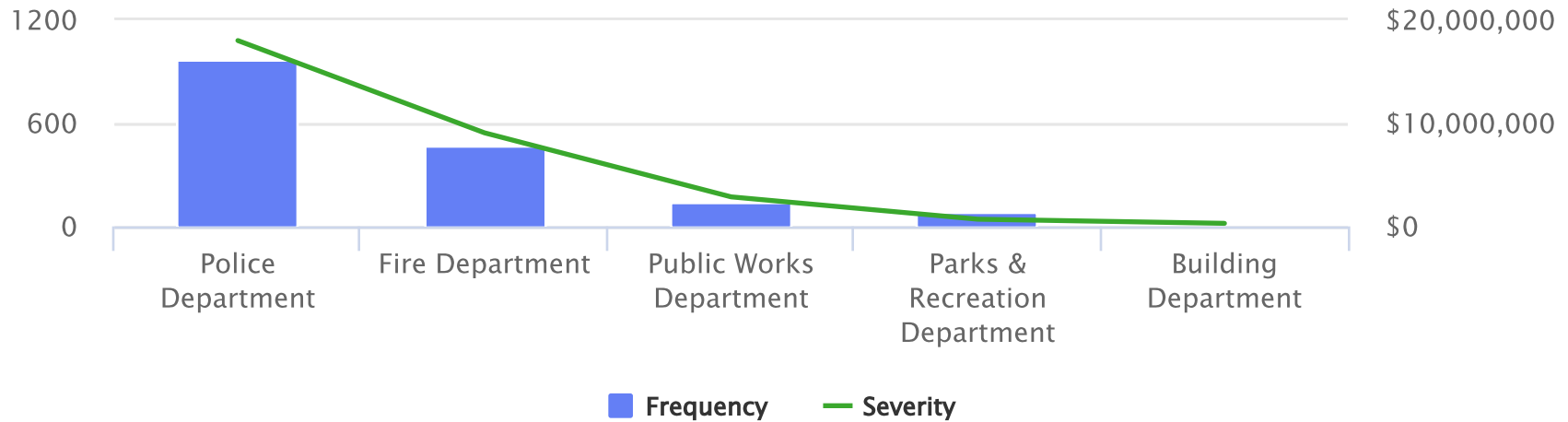
Frequency	476	196	49	61	118
Severity	\$10,874,475	\$5,267,687	\$3,872,112	\$2,875,770	\$2,445,224

Top 5 Occupation of Injury



Frequency	651	104	88	73	13
Severity	\$12,116,513	\$2,536,950	\$2,288,333	\$1,404,935	\$1,063,420

Top 5 Department of Injury Fiscal Year



Department	Frequency	Severity	Average
Police Department	970	\$18,005,258	\$18,562
Fire Department	466	\$9,065,272	\$19,453
Public Works Department	141	\$2,857,533	\$20,266
Parks & Recreation Department	81	\$693,666	\$8,564
Building Department	5	\$294,023	\$58,805

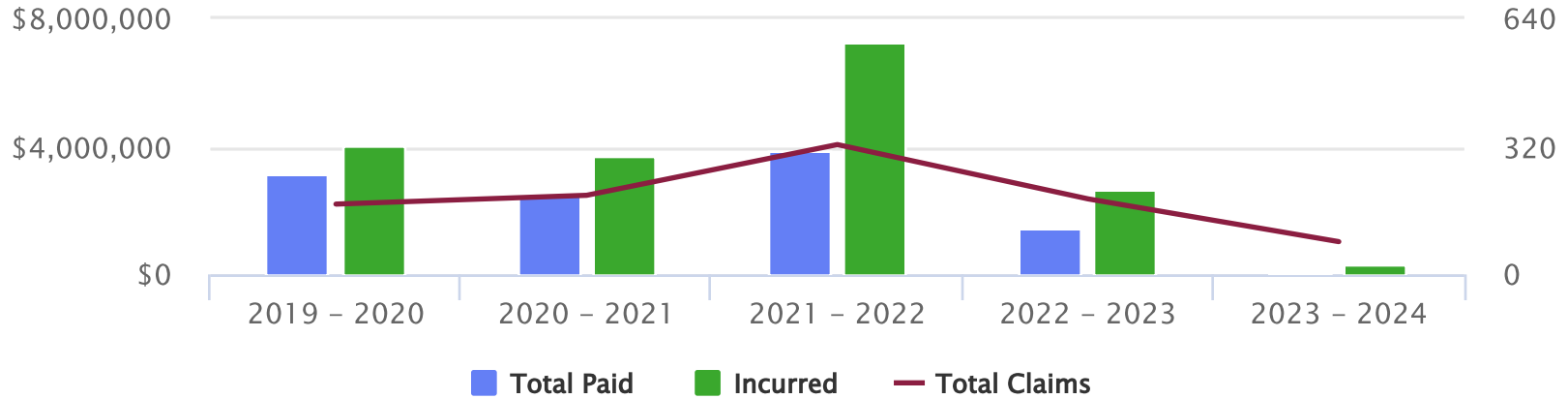
Top 20 Claims

Claim Number	Description	Loss Date	Paid	Incurred
2196610267	Vehicle crashed over the temporary construction barriers, striking patrol car.	08/22/2021	\$451,047	\$1,086,878
2096610247	Cumulative Injury/illness - Melanoma;diffuse metatastic, malignant	07/31/2020	\$1,043,755	\$1,043,755
2196610432	Solano County Coroners Office ruled Lt. Cause of Death as Cardiac Arrhythmia; a presumptive injury for active duty police officers per CA Labor Code 3212.	12/18/2021	\$7,951	\$812,246
2296610183	He was traveling on the highway when he collided head on with a wrong driver resulting his death the next day.	01/21/2022	\$174,725	\$525,185
2096610033	Cumulative Trauma to the left knee from a previous workers` comp injury on 01/05 /2006. Mr. has constant pain ranging from 3-9 on a scale from 1-10. Original DOI: Mr. woke up on January	02/10/2020	\$473,616	\$473,616
2196610050	He was at his residence off duty when he experienced heart issues.	02/11/2021	\$150,608	\$468,270
2296610325	The injured employee was working and walking to the apparatus bay when he felt a pain to the left arm, neck and jaw.	04/24/2022	\$77,851	\$410,266
1996610342	38 y/o Detective was striking bag with a baton and strained right elbow and back.	12/17/2019	\$268,371	\$359,546
2296610565	Employee with injury to left hip socket and joint area that has occurred over 22 years of wearing a duty belt and getting into and out of patrol vehicle. Employee reports it has bothered him and hurt	09/28/2022	\$158,942	\$344,680
2096610155	Left hip bone arthritis and lesions/Lower back disc herniation (prior)	06/19/2020	\$212,336	\$342,974
2096610096	Cumulative trauma to right knee - no specific injury reported. During surgery Mr. heart went into atrial fibrillation which has required treatment since that time	04/05/2020	\$339,489	\$339,489
2196610040	WHILE ON DUTY AS A POLCIE OFFICER, EE WAS TRANSPORTED TO RIDEOUT HOSPITAL BY AMBULANCE FOR DIZNESS , LIGHTHEADED FEELING, HEDACHE, RAPID HEART RATE, NAUSEA, FAINT FEELING.	01/30/2021	\$170,007	\$311,428
2096610287	43-year-old female Dispatch Supervisor is alleging CT injuries to her right forearm, wrist, right elbow, right shoulder, and left shoulder (compensable consequence) due to repetitive motion with her d	10/01/2020	\$109,367	\$296,494
1996610278	Claimant stepped 16"-18" to front step when his back foot rolled, and he heard a snap	10/08/2019	\$198,288	\$293,797
2196610394	He was getting off his police motorcycle in the back lot and felt pain to his lower back. He amended his app to include psyche.	11/22/2021	\$218,539	\$288,903
1996610336	Cumulative through 12-11-19 for injury to the cervical, thoracic, and lumbar spine	12/11/2019	\$209,904	\$267,110
2196610146	EE WAS RUNNING TO A CALL INVOLVING A JUVENILE ON CAMPUS. WHILE RUNNING TO THE CALL, HE FELT A SHARP PAIN IN HIS LEFT HIP THAT RADIATED DOWN HIS LEFT LEG.	05/18/2021	\$127,996	\$265,901
2096610020	While performing forcible entry, the training door opened and employee fell back wards onto her left ankle. The employee reported hearing a pop.	01/27/2020	\$187,888	\$258,798
2196610031	EMPLOYEE WAS DOING A POST INTENSE RESISTANCE EXERCISE WORKOUT (BENCH PRESS & AIRDYNE) HAD SIGNIFICANT PAIN TO THE LEFT BICEP, SHOULDER, AND NECK NERVE PAIN.	01/22/2021	\$77,984	\$255,113
2196610045	Twisted right knee when lost balance attempting to load a chop saw into the back of a truck	02/03/2021	\$97,533	\$254,112

Frequency and Severity of Worker's Compensation Claims by Member

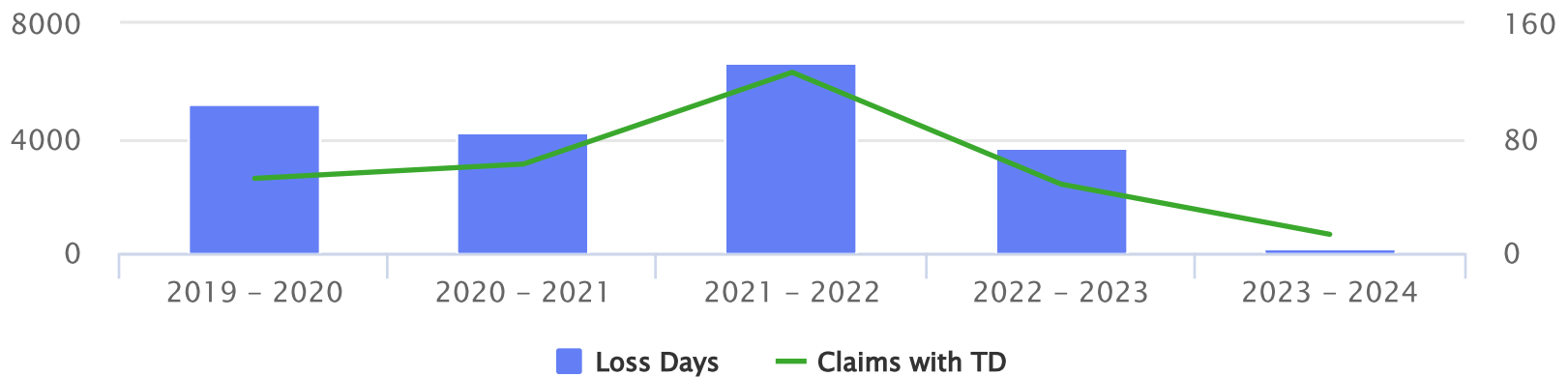
Member	Frequency	Severity	Average
City of Anderson	52	\$484,461	\$9,317
City of Auburn	62	\$1,177,718	\$18,995
City of Colusa	8	\$107,772	\$13,472
City of Corning	22	\$582,478	\$26,476
City of Dixon	127	\$2,320,992	\$18,276
City of Elk Grove	310	\$4,771,456	\$15,392
City of Folsom	448	\$5,189,742	\$11,584
City of Galt	129	\$1,681,219	\$13,033
City of Gridley	13	\$636,304	\$48,946
City of Ione	23	\$53,392	\$2,321
City of Jackson	10	\$102,477	\$10,248
City of Lincoln	69	\$1,362,907	\$19,752
City of Marysville	57	\$1,686,692	\$29,591
City of Nevada City	12	\$329,926	\$27,494
City of Oroville	55	\$403,487	\$7,336
City of Placerville	35	\$943,539	\$26,958
City of Red Bluff	74	\$3,034,101	\$41,001
City of Rio Vista	23	\$253,173	\$11,008
City of Rocklin	258	\$5,927,937	\$22,976
City of Willows	5	\$50,342	\$10,068
City of Yuba City	229	\$2,829,387	\$12,355
Town of Paradise	21	\$303,292	\$14,442

Total Paid and Incurred by Fiscal Year – Police Department



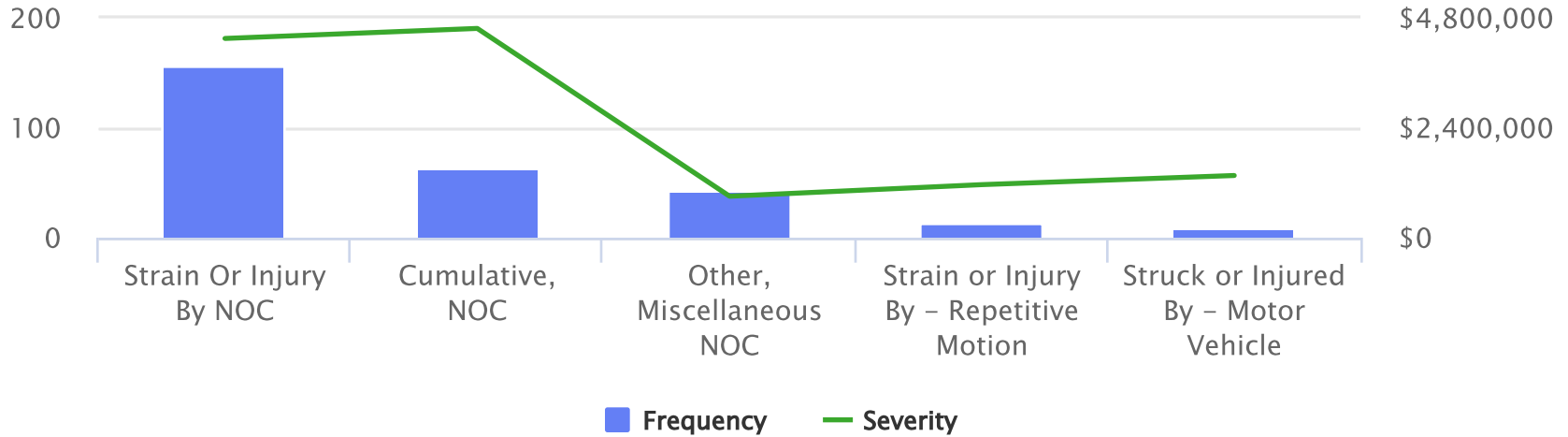
Total Paid	\$3,161,563	\$2,500,658	\$3,873,945	\$1,437,751	\$108,222
Incurred	\$4,053,614	\$3,697,924	\$7,245,508	\$2,698,837	\$309,374
Claims	176	198	325	189	82

Loss Days within Fiscal Year – Police Department



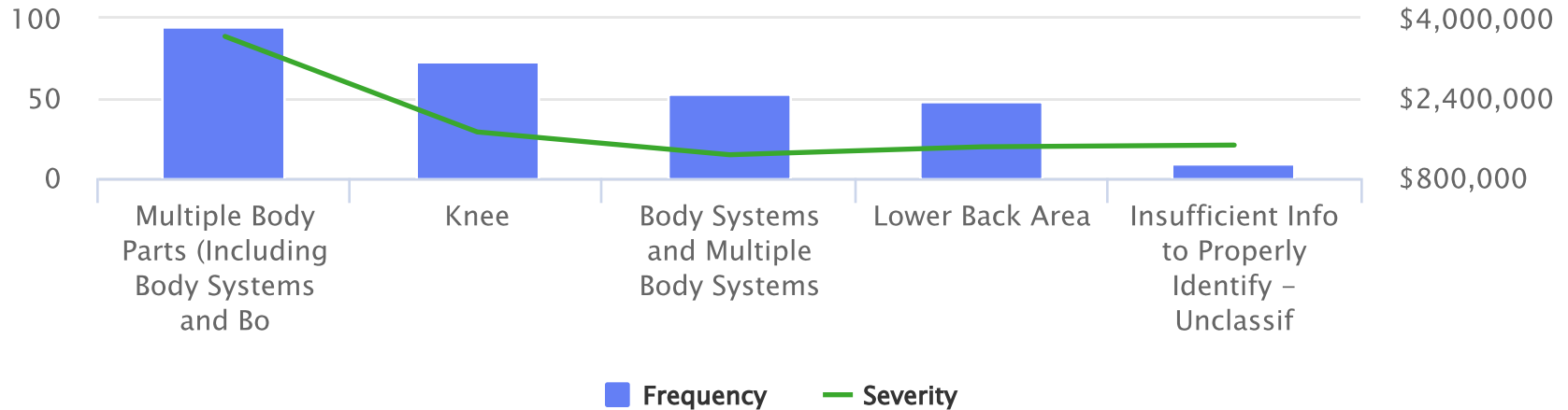
Loss Days	5,242	4,267	6,649	3,682	201
Claims with TD	52	62	126	48	13
Total Claims	176	198	325	189	82

Top 5 Cause – Police Department



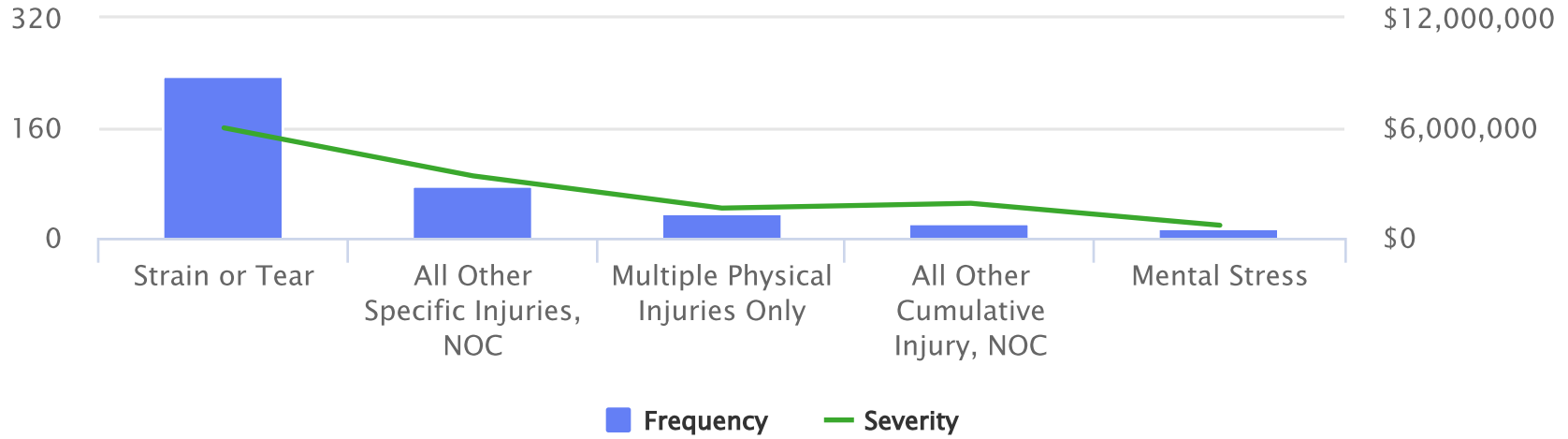
Frequency	63	157	10	13	44
Severity	\$4,573,973	\$4,355,136	\$1,359,018	\$1,159,708	\$906,151

Top 5 Part of Body – Police Department



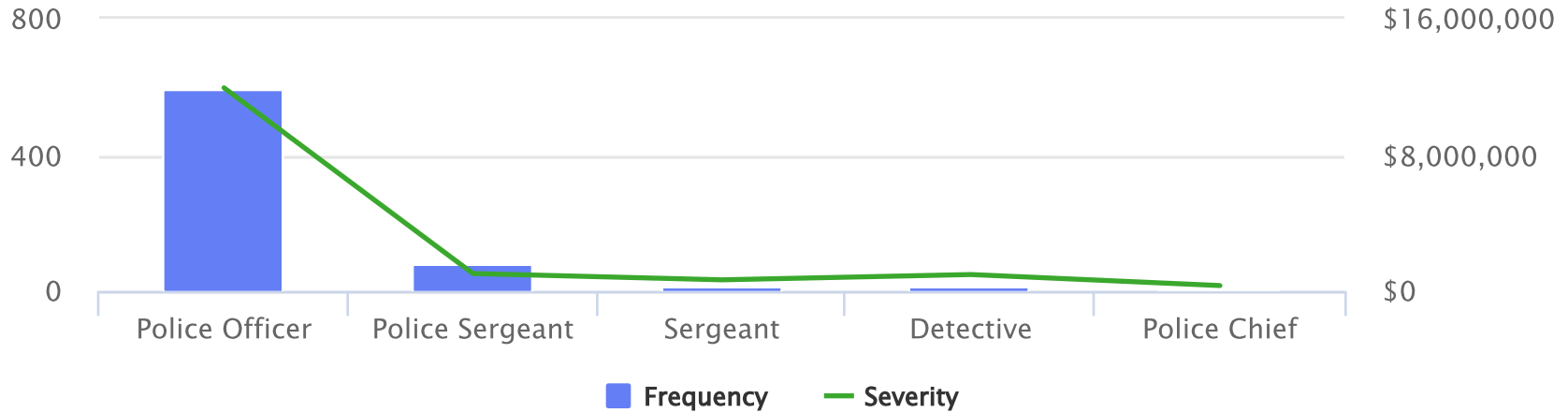
Frequency	95	74	10	49	53
Severity	\$3,644,636	\$1,726,149	\$1,462,663	\$1,427,768	\$1,268,697

Top 5 Nature – Police Department



Frequency	237	76	23	36	15
Severity	\$6,004,009	\$3,381,143	\$1,883,761	\$1,621,970	\$684,193

Top 5 Occupation – Police Department



Frequency	591	82	12	13	10
Severity	\$11,939,574	\$1,023,079	\$964,697	\$653,633	\$317,720

Top 10 Police Department Claims

Claim Number	Description	Loss Date	Paid	Incurred
2196610267	Vehicle crashed over the temporary construction barriers, striking patrol car.	08/22/2021	\$451,047	\$1,086,878
2196610432	Solano County Coroners Office ruled Lt. Cause of Death as Cardiac Arrhythmia; a presumptive injury for active duty police officers per CA Labor Code 3212.	12/18/2021	\$7,951	\$812,246
2296610183	He was traveling on the highway when he collided head on with a wrong driver resulting his death the next day.	01/21/2022	\$174,725	\$525,185
1996610342	38 y/o Detective was striking bag with a baton and strained right elbow and back.	12/17/2019	\$268,371	\$359,546
2296610565	Employee with injury to left hip socket and joint area that has occurred over 22 years of wearing a duty belt and getting into and out of patrol vehicle. Employee reports it has bothered him and hurt	09/28/2022	\$158,942	\$344,680
2096610096	Cumulative trauma to right knee - no specific injury reported. During surgery Mr. s heart went into atrial fibrillation which has required treatment since that time	04/05/2020	\$339,489	\$339,489
2196610040	WHILE ON DUTY AS A POLCIE OFFICER, EE WAS TRANSPORTED TO RIDEOUT HOSPITAL BY AMBULANCE FOR DIZNESS , LIGHTHEADED FEELING, HEDACHE, RAPID HEART RATE, NAUSEA, FAINT FEELING.	01/30/2021	\$170,007	\$311,428
2096610287	Dispatch Supervisor is alleging CT injuries to her right forearm, wrist, right elbow, right shoulder, and left shoulder (compensable consequence) due to repetitive motion with her d	10/01/2020	\$109,367	\$296,494
2196610394	He was getting off his police motorcycle in the back lot and felt pain to his lower back. He amended his app to include psyche.	11/22/2021	\$218,539	\$288,903
2196610146	EE WAS RUNNING TO A CALL INVOLVING A JUVENILE ON CAMPUS. WHILE RUNNING TO THE CALL, HE FELT A SHARP PAIN IN HIS LEFT HIP THAT RADIATED DOWN HIS LEFT LEG.	05/18/2021	\$127,996	\$265,901

Frequency and Severity of Police Department Department Claims by Member

Member	Frequency	Severity	Average
City of Anderson	28	\$231,950	\$8,284
City of Auburn	27	\$610,098	\$22,596
City of Colusa	3	\$25,023	\$8,341
City of Corning	10	\$217,533	\$21,753
City of Dixon	32	\$923,540	\$28,861
City of Elk Grove	267	\$4,339,119	\$16,251
City of Folsom	140	\$1,928,596	\$13,776
City of Galt	66	\$1,618,460	\$24,522
City of Gridley	6	\$534,137	\$89,023
City of Ione	7	\$31,815	\$4,545
City of Jackson	3	\$1,286	\$429
City of Lincoln	16	\$598,414	\$37,401
City of Marysville	24	\$251,060	\$10,461
City of Nevada City	4	\$61,739	\$15,435
City of Oroville	33	\$352,230	\$10,674
City of Placerville	16	\$607,130	\$37,946
City of Red Bluff	40	\$1,404,751	\$35,119
City of Rio Vista	4	\$172,382	\$43,096
City of Rocklin	124	\$2,691,852	\$21,708
City of Yuba City	107	\$1,200,857	\$11,223
Town of Paradise	13	\$203,285	\$15,637



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

Agenda Item E.2.

POLICE RISK MANAGEMENT GRANT FUNDS

ACTION ITEM

ISSUE: The Police Risk Management Grant Funds Historic Usage Report is attached to ensure members are aware of the available grants for their agencies. Members are encouraged to share their use of the funds and provide suggestions for funding going forward.

The committee annually requests funding for the grants. The grant amount has been \$50,000 since 14/15, the program administrators would be comfortable recommending increasing it to \$100,000 if the committee feels members are utilizing it appropriately.

RECOMMENDATION: Provide feedback and direction regarding grant program for FY 24/25.

FISCAL IMPACT: To be determined.

BACKGROUND: In each of the last nine years the Board has approved \$50,000 in grant funds for Police Risk Management, a total of \$450,000. The Board approved a FY 14/15 budget of \$50,000 for the purchase of 58 cameras for most members directly from VieVu at a quantity discount. The FY 15/16 and FY 16/17 budgets of \$50,000 were allocated to members to fund their body camera programs. Since then, once a body camera program is fully funded the member agency has the option to use the funds for other safety and risk management uses such as data storage for body cameras, ballistic vests, vests with load bearing carriers, and officer wellness and fitness.

ATTACHMENT(S):

1. Police 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 1/24/23	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 lapro 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 LES 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 LES 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) 7/25/23 \$15,533 (Body Worn Cameras) 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)
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	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 LES body cameras)
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	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
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	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)
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	

NCCSIF POLICE RISK MANAGEMENT GRANT FUNDS HISTORIC USAGE REPORT

		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 1/24/23	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	\$20,452	\$0	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) 11/14/23 Lenslock Cameras
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	\$17,297	\$9,973	5/5/17 \$6,060 (Data911 body-worn cameras) 7/12/21 \$3,699.05 (Treadmill) 11/1/23 \$7,537.96 (Gym Floor)
	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	\$313,809	\$621,838	

*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
February 1, 2024**

Agenda Item E.3.

WELLNESS DISCUSSION

INFORMATION ITEM

ISSUE: The committee is encouraged to share their experiences and suggestions relating to wellness.

- Lieutenant Brian Schopf will discuss the City of Elk Grove Police Departments Employee Resources and Wellness Program and the Cognitive Fitness Bootcamp that started on January 9th.
- ConcernPlus for first responders: The all-in-one employee mental health and emotional wellbeing solution for first responders.
- Peer Support program – Cordico Peer Support Program & IACP Peer Support Guidelines

RECOMMENDATION: Review and discuss current practice and needs for additional services.

FISCAL IMPACT: None expected from this item.

BACKGROUND: Wellness services for first responders continue to be a priority for NCC members and the safety community in general. New resources are being developed, and the Program Administrators have been in touch with Cordico to find training for member fire departments that could be adapted for police and EMTs. The group's excess coverage provider, PRISM, launched an EAP for first responders.

ATTACHMENT(S):

1. Cordico - Establishing a Peer Support Program
2. IACP - Peer Support Guidelines

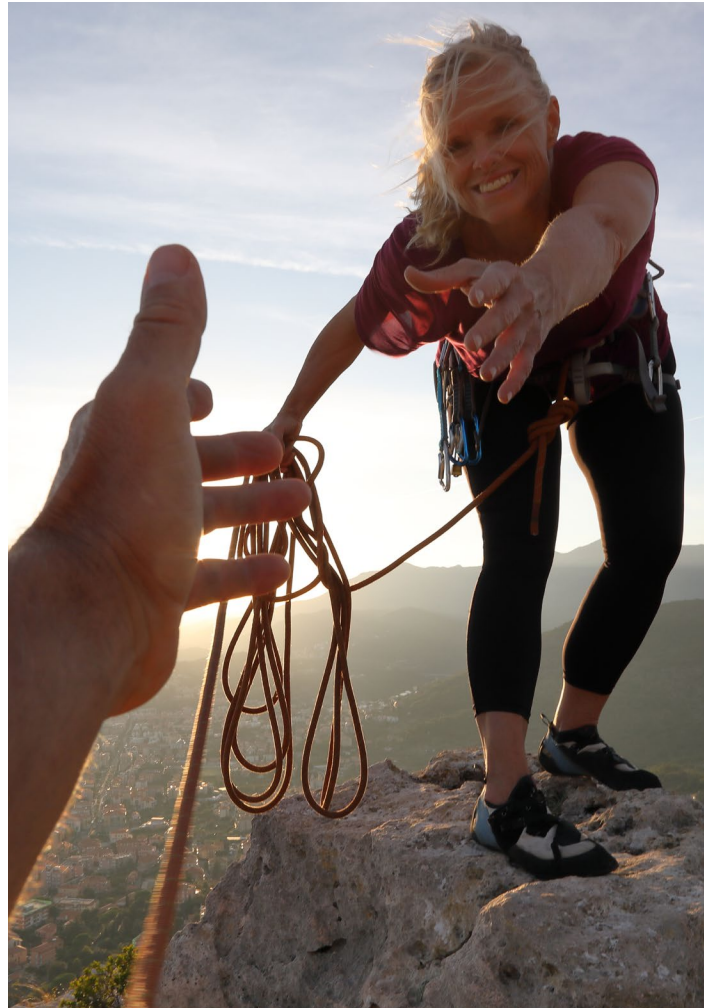
ESTABLISHING A PEER SUPPORT PROGRAM

Peer support, done right, is an unparalleled tool in first responder wellness. The idea behind it is simple: Provide help to those in need. By providing a team of trained peers to those who want or need support, first responders are able to have the sorts of conversations that don't—and can't—happen elsewhere. Peer support is not therapy, but it can be incredibly therapeutic.

Before starting a peer support team, it's imperative to establish scope. A few questions to ask at the onset: What sorts of problems are you hoping to alleviate? How common are they and how would peer support address them? And critically: How are you going to ensure all communications are confidential? Following are some additional tips to consider from Lexipol's Cordico wellness solution team.

Seek Outside Advice

There is no single right way to do peer support in public safety. In fact, the more your team suits the skills and personalities of its members and reflects the needs and culture of your agency, the better. But if you are looking for help, working with a peer support advisor from outside your agency can be extremely helpful. This person might be a sounding board or confidante. They may bring



experience from other agencies that will serve you well—especially in learning about mistakes others have made first-hand. Advisors will typically also bring educational and professional experience above and beyond what is required of peer support team members.

Address Legal Concerns

Outside advice is particularly helpful when it comes to legal questions, especially those regarding [confidentiality](#). For example, if a person comes to peer support who is clearly an imminent



ESTABLISHING A PEER SUPPORT PROGRAM

danger to themselves or others, the law is generally clear about the responsibilities of team members to intervene. But it is rarely that simple in real life. Statements are open to interpretation and laws vary by state. While many states provide some type of confidentiality protection for peer support communications, some don't. And confidential communication is different from privileged communication, which protects the communication from forced disclosure as part of a legal case.

People are the core of effective peer support

It is imperative your peer support team members know how to navigate and clarify thorny situations with an understanding of applicable law. This is for their own protection, as well as that of the person they are seeking to help. Take the time to understand the applicable laws and equip your team with the knowledge.

Establish a Formal Committee and Guidelines

Most agencies find it helpful to establish a committee to oversee peer support. This committee is separate from the peer support team members themselves, and it can be a lasting committee or a task force that establishes the peer support team and then disbands.

This committee should include a diverse array of qualified sworn and civilian representatives, as

well as at least one mental health professional. It should develop a policy that all peer support communications will be confidential (irrespective of whether state law requires such confidentiality). The committee should also consider what sorts of incidents the team should support. Typically, these might include hospital visitations; death notifications; substance abuse and EAP referrals; critical incidents (both on-scene and post-incident); supporting family of sick, injured or killed personnel; and career advice. The steering committee establishes formal structure, policies, guidelines and resources, such as workbooks and training.

Plan and Budget for Training

In order to meet emerging standards of care, effective peer support requires ongoing training. Training should address legal issues, active listening, maintaining neutrality, understanding trauma, and watching for signs of suicidality or substance abuse. Where possible, it should meet the standards set forth by state and national training bodies.

Check with your state to see if it offers peer support services information and training. For example, some states have [online resources](#) dedicated to peer support, which might include relevant law and services. There are also federal resources available to first responders, such as Federal Law Enforcement Training Center's [law enforcement peer support program](#). These are in addition to many local and state nonprofits that are happy to serve first responders with peer support needs.



ESTABLISHING A PEER SUPPORT PROGRAM

Select Team Members Who Are Trusted

People are the core of effective peer support. Although peer support members are not mental health clinicians, they should share certain identifiable characteristics, starting with trustworthiness. Trust is paramount to the success of a peer support team. During peer support, information is often shared that is of a private nature and must be kept as such. Therefore, anyone under consideration must foremost have the implicit trust of their colleagues. This is particularly true of anyone in a leadership or coordinating position.

Peer support team members must also be natural leaders. That doesn't necessarily mean high-ranking. But identifying personnel who are respected, professional and competent in what they do is essential. Peer support is by nature often time-consuming and resource-intensive. This means members of the team must also have solid time-management and organizational skills. Finally, passion for wellness goes a long way!

Ready to start recruiting for your team? Cordico provides an [email template](#) you can easily customize to get the word out.

Ensure Diverse Representation

Another important factor to consider as you put your team together is representation. A diverse and representative cross section of your agency ensures those seeking peer support—people who are likely under considerable duress—are as comfortable as possible in discussing challenging issues. In the professional sense, this means staffing the team with varying ranks and specialties. Beyond that, gender, sexual

orientation, racial, physical abilities, religious and age differences within the team may provide options for more forthright conversations.

Consider, as well, the size of your group. Bigger is not necessarily better. Larger agencies often find success positioning a peer support representative at each district headquarters. But this requires considerable coordination and participation, which takes time to develop. Still other agencies have a single peer support coordinator who delegates all incoming requests. While this ensures consistency of response, it can be taxing on that individual and doesn't provide redundancy in case of an emergency. The size and scope of your peer support team depends on the needs of, and demands on, your personnel. It also depends on the people on the peer support team and what works best for them.

While peer support is often a critical tool during acute crisis, its greatest strength and value is as a tool of prevention and resilience

Build Trust and Acceptance

Encouraging participation in peer support can sometimes be a challenge. But if you've established confidentiality as your bedrock; have clear and well-understood procedures; and have a team that is diverse, competent and committed, you have created the essential components for personnel to trust the program.

ESTABLISHING A PEER SUPPORT PROGRAM

A chief driver of support for peer support will be the team itself. Set up regular meetings of the team to discuss training, participation and issues encountered. While it's good to have data on participation and the sorts of issues presented, it's essential this information is anonymized before any discussion or presentation of it. A passionate and competent peer support team sells itself.

Finally, educate personnel and then celebrate the benefits of peer support. Outreach efforts might include an agency-wide email, posters, newsletter, events or videos. Not all personnel will fully

understand what peer support is or how it can help them. Therefore, begin with educating staff on the rudiments, emphasizing the confidentiality of the program. Stigmas against seeking help should not be tolerated and must be directly addressed.

Frame peer support as a benefit to employees and stress that it's not limited to crisis situations. It's a lynchpin in an agency-wide culture of wellness. While peer support is often a critical tool during acute crisis, its greatest strength and value is as a tool of prevention and resilience.

Additional Resources

[Lexipol Peer Support Q&A: Why Peer Support Teams Are at the Heart of a Healthy Agency](#)

[Peer Support Communications and Confidentiality: An Explainer](#)

[International Association of Chiefs of Police Peer Support Guidelines](#)

[National Sheriff's Association Mental Health Tools and Resources](#)

[International Association of Fire Fighters Peer Support Training](#)

[Mental Health America Center for Peer Support](#)

[Public Safety Peer Support Association](#)



**Ready to put your agency at the forefront of wellness?
Request a demo today.**

lexipol.com/request-a-demo

info@lexipol.com

844-220-4929

Peer Support Guidelines

Ratified by the IACP Police Psychological Services Section
San Diego, California, 2016

1. Purpose

- 1.1 The goal of peer support is to provide all public safety employees in an agency the opportunity to receive emotional and tangible support through times of personal or professional crisis and to help anticipate and address potential difficulties. Ideally, peer support programs are developed and implemented under the organizational structure of the parent agency. Receiving support from the highest levels within an organization helps a peer support program to work effectively.
- 1.2 These guidelines are intended to provide information and recommendations on forming and maintaining a peer support structure for sworn and civilian personnel in law enforcement agencies. The guidelines are not meant to be a rigid protocol but reflect the commonly accepted practices of the IACP Psychological Services Section members and the agencies they serve. The guidelines work best when applied appropriately to each individual and agency situation.

2. Definitions

- 2.1 A peer support person (PSP), sworn or civilian, is a specifically trained colleague, not a counselor or therapist. A peer support program can augment outreach programs such as employee assistance programs (EAPs), in-house treatment programs, and out-of-agency psychological services and resources, but not replace them. A peer support person is trained to provide both day-to-day emotional support for department employees as well as to participate in a department's comprehensive response to critical incidents. PSPs are trained to recognize and refer cases that require professional intervention or are beyond their scope of training to a licensed mental health professional.
- 2.2 To increase the level of comfort and openness in PSP contacts, assurances can be made that such information will be protected. There are three levels of non-disclosure of personal information to differentiate in this context:
 - 2.2.1 Privacy is the expectation of an individual that disclosure of personal information is confined to or intended only for the PSP.
 - 2.2.2 Confidentiality is a professional or ethical duty for the PSP to refrain from disclosing information from or about a recipient of peer support services, barring any exceptions recommended to be disclosed at the outset (See Section 6).

- 2.2.3 Privilege is the legal protection from being compelled to disclose communications in certain protected relationships, such as between attorney and client, doctor and patient, priest and confessor, or in some states, peer support persons and sworn or civilian personnel.
- 2.3 Anonymous statistical information is tracked using a form (electronic or paper) that PSPs fill out to show the utilization of the peer support program; e.g., number of contacts (family or employee), time spent (in person or telephonically), type of service, referrals given, and follow-up services. Anonymous statistical information can be used as a guide for a department to increase the amount of PSPs, to monitor the hours worked per PSP, and also to justify to the department why a peer support program is necessary. It also helps the department recognize training needs in various divisions.
- 2.4 Some examples of applicable activities for a PSP include the following:
- 2.4.1 Hospital visitation
 - 2.4.2 Support with career-related issues
 - 2.4.3 Post-critical incident support
 - 2.4.4 Death notification
 - 2.4.5 Substance abuse and EAP referrals
 - 2.4.6 Support with relationship and family issues
 - 2.4.7 Support for families of injured or ill employees
 - 2.4.8 On-scene support for personnel immediately following critical incidents

3. Administration

- 3.1 Departments can create a formal policy that grants peer support teams departmental confidentiality to encourage the use of such services. Such a departmental policy is recommended to be mindful of the jurisdiction's laws regarding legal privilege and confidentiality that apply to PSPs. It is highly encouraged PSPs not be asked to give, or release, identifying or confidential information about personnel they support. Management can receive information about peer support cases through anonymous statistical information regarding utilization of PSP services.
- 3.2 Departments are strongly encouraged to use a steering committee in the formation of the peer support program to provide organizational guidance and structure. Participation by relevant employee organizations and police administrators is encouraged during the initial planning stages to ensure maximum utilization of the program and to support assurances of confidentiality. Membership on the steering committee in subsequent stages is encouraged to include a wide representation of involved sworn and civilian parties as well as a mental health professional licensed in the department's jurisdiction, preferably one who is knowledgeable about the culture of law enforcement.

- 3.3 It is beneficial for PSPs to be involved in supporting individuals involved in critical incidents, such as an officer-involved shooting or when an employee is injured or killed. PSPs often provide a valuable contribution by being available to make the appropriate referrals in response to officers and other employees dealing with general life stressors or life crises. PSPs also make an invaluable addition to group interventions in conjunction with a licensed mental health professional.
- 3.4 In order for the department that has a PSP team to meet the emerging standard of care in peer support programs, it is preferred that the department have clinical oversight and professional psychological consultation continuously with a licensed mental health professional who is qualified to provide that consultation to the PSP team. The role and scope of the professional mental health consultant can be mutually determined by the agency and the mental health professional.
- 3.5 It is recommended a peer support program be governed by a written procedures manual that is available to all personnel.
- 3.6 Individuals being offered peer support may voluntarily accept or reject a PSP by using any criteria they choose.
- 3.7 Management may choose to provide non-compensatory support for the PSP program.
- 3.8 PSPs are recommended to carry identification that is visible and also identifies their agency and that they are a member of a peer support team.
- 3.9 Departments are encouraged to train as many employees as possible in peer support skills. Peer support team size varies across agencies depending on the size of and resources available to each agency. The number of PSPs can depend on many variables: such as the crime level and geographical area covered by the agency; the number and size of divisions within a department; who is transferring, retiring, or promoting; and the agency's budget.
- 3.9.1 Peer support teams are encouraged to have enough trained and accessible members to provide services to all sworn and civilian department personnel, across all shifts and divisions. Team size is recommended to be manageable by program leaders or coordinators. Departments are encouraged to have sworn and civilian members of the agency available to increase the commonality when responding to personnel in different departmental positions (e.g., a sworn officer versus a telecommunications operator).
- 3.9.2 Larger departments are encouraged to disseminate PSPs across sworn and civilian personnel, divisions, and shifts throughout their agency. When economically and logistically feasible, they can make their PSP services available to adjacent agencies. Smaller departments may need to combine

resources with adjacent agencies, particularly for training and critical incident support. Many critical incident response teams already exist across services (police, fire, paramedics, dispatchers, and so on). Additionally, building interagency team relationships is beneficial for major incidents where the agency's PSPs themselves are close to the incident and may desire support (such as after an employee's death or suicide).

- 3.9.3 Program managers are advised to consider long-term team planning in order to balance the impact of transfers, promotions, and retirements on the team size and availability.
- 3.9.4 A peer support program coordinator is recommended to be identified to address program logistics and development. This individual coordinates peer support activation, makes referrals to mental health professionals, collects utilization data, and coordinates training and meetings.
- 3.9.5 The peer support program is not an alternative to discipline. It is highly recommended a PSP does not intervene in the disciplinary process. A PSP may provide support for the employee(s) under investigation or during a disciplinary process but ideally will refrain from discussing the incident itself. Further, it is recommended that the employee(s) are cautioned that any information shared with the PSP regarding the incident in question might not be confidential based on agency policies and jurisdictional requirements.

4. Selection/Deselection

- 4.1 Ideally, PSPs are volunteers who are currently in good standing with their departments and who have received recommendations from their superiors and/or peers. It may be helpful to include an interview process. The interview panel may consist of peer support members and the licensed mental health professional associated with the peer support team.
- 4.2 Considerations for selection of PSP candidates include, but are not limited to, previous education and training; resolved traumatic experiences; and desirable personal qualities such as maturity, judgment, personal and professional ethics, and credibility.
- 4.3 It is beneficial that a procedure be in place that establishes criteria for deselection from the program. Possible criteria include breach of confidentiality, failure to attend training, or loss of one's good standing with the department.
- 4.4 PSPs can be provided with the option to take a leave of absence and encouraged to exercise this option when personal issues or obligations require it.

5. Consultation Services from Mental Health Professionals

- 5.1 It is recommended that a peer support program have mental health consultations and training. Preferably, this consultation will be available 24 hours a day and is recommended to be with a licensed mental health professional, who is specifically trained in Police and Public Safety Psychology and understands the specific nature of the agency involved.
- 5.2 It is beneficial for PSPs to be aware of their personal limitations and seek advice and counsel in determining when to disqualify themselves from working with problems for which they have not been trained or problems about which they may have strong personal beliefs.
- 5.3 After a large-scale event, it is recommended PSPs attend a mandatory critical incident debriefing to discuss the impact the event had on their team.

6. Confidentiality

- 6.1 It is prudent for departments to have a policy that clarifies confidentiality guidelines and reporting requirements for PSPs. It is recommended for a department's policy to avoid role conflicts and multiple relationships with individuals performing PSP roles.
- 6.2 It is beneficial for limits to confidentiality to be consistent with state and federal laws as well as departmental policy. It is recommended that recipients of peer support be advised that there is usually no confidentiality for threats to self, threats to others, and child and vulnerable adult abuse. Additional exceptions to confidentiality may be defined by specific state laws or department policies. In general, the fewer confidentiality restrictions, the more confidence department members will have in the program. These can be well defined in the PSP manual, including procedures to follow when one of these exceptions to confidentiality occurs.
- 6.3 It is advised that PSP members have a well-informed, working knowledge of the three **overlapping** principles that have an impact on the boundaries surrounding their communications with members within the role of peer support. Those principles are *privilege*, *confidentiality*, and *privacy*.
- 6.4 PSPs are counseled to respect the confidentiality of their contacts, to be fully familiar with the limits of confidentiality and legal privilege and be able to communicate those limits to their contacts. The extent and limits of confidentiality can be explained to the individuals directly served at the outset and, ideally, will also be provided through agency-wide trainings.
- 6.5 PSPs are advised not to provide information to supervisors or fellow peer support members obtained through peer support contact and can educate supervisors on the confidentiality guidelines established by the department.

- 6.6 It is recommended for a PSP to not keep written formal or private records of supportive contacts other than anonymous statistical information that can help to document the general productivity of the program (such as number of contacts).
- 6.7 PSPs are advised to sign a confidentiality agreement, indicating their agreement to maintain confidentiality as defined above. It is recommended that the agreement outline the consequences to the PSP for any violation of confidentiality.
- 6.8 After a large-scale event, PSPs are advised to participate without giving up confidentiality, in the “After Action” report requested by the agency. This report is produced in conjunction with the chaplains and mental health professionals involved in the event.

7. Role Conflict

- 7.1 PSPs are advised to refrain from entering relationships if the relationship could reasonably be expected to impair objectivity, competence, or effectiveness in performing their role or otherwise risks exploitation or harm to the person with whom the relationship exists. For example, PSPs avoid religious, sexual, or financial entanglements with receivers of peer support. PSPs are recommended to receive training related to handling the complexities that can develop between PSPs and receivers of peer support.
- 7.2 Because of potential role conflicts involved in providing peer support, including those that could affect future decisions or recommendations concerning assignment, transfer, or promotion, it is preferred that PSPs not develop peer support relationships between supervisors or subordinates.
- 7.3 A trained PSP knows when and how to refer peers, supervisors, or subordinates to another PSP member, chaplain, or mental health professional to avoid any potential conflicts of interest. This includes recognition that a large number of contacts between a PSP and any one individual may be an indication that a referral is needed.
- 7.4 Supervisors may have additional requirements regarding the reporting of issues such as sexual harassment, racial discrimination, and workplace injury that can place the supervisor or the agency in jeopardy if the procedures are not followed. PSPs are advised not to abdicate their job responsibility as officers or supervisors by participating in the program. Each agency is recommended to evaluate supervisor responsibilities and the viability of having supervisors as PSPs.

8. Training

- 8.1 The steering committee identifies appropriate ongoing training for PSPs.
- 8.2 PSPs are recommended to advance their skills through continuing training as scheduled by the program coordinator. It is recommended that four hours of update training per quarter be provided to peer support members.

8.3 It is advised that PSPs be provided with a mechanism for providing feedback to the program coordinator, including but not limited to, the request of specific training, program-related problems in the field, or the need for new or additional resources.

8.4 Relevant introductory and continuing training for PSPs could cover the following topics:

8.4.1 Confidentiality – federal and state laws as well as agency policies

8.4.2 Role conflict

8.4.3 Limits and liability

8.4.4 Ethical issues

8.4.5 Communication facilitation and listening skills

8.4.6 Nonverbal communication

8.4.7 Problem assessment

8.4.8 Problem-solving skills

8.4.9 Cross-cultural issues, including diversity and implicit / explicit bias

8.4.10 Common psychological symptoms

8.4.11 Medical conditions often confused with psychiatric disorders

8.4.12 Stress management and resiliency

8.4.13 Burn-out

8.4.14 Grief management

8.4.15 Domestic violence

8.4.16 Medical issues with significant psychological or lifestyle impact

8.4.17 Suicide assessment

8.4.18 Crisis management intervention

8.4.19 Work-related critical incident stress management

8.4.20 Dependency and abuse (alcohol, substance, gambling, and other addictive behaviors)

- 8.4.21 When to seek licensed mental health consultation and referral information
- 8.4.22 Relationship / family issues and concerns
- 8.4.23 Military support
- 8.4.24 Local resources (e.g., social services, AA meetings, child care, and so on)
- 8.4.25 Organizational stress and communication
- 8.4.26 Brief screening tools
- 8.4.27 Wellness and self-care (for employees and PSPs)



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

Agenda Item E.4.

LAW ENFORCEMENT TRAINING DAY

INFORMATION ITEM

ISSUE: Members are asked to provide feedback on the 2023 Law Enforcement Training Day and review draft speakers and agenda topics for the 2024 training day, scheduled on November 6th, 2024.

Proposed Speakers:

- Tony Giles and Marinda Griese
- Tony Sain
- Mike Ranalli
- Gerry Preciado

See attached descriptions of the training topics offered by three of the proposed speakers.

RECOMMENDATION: Review and discuss training topics.

FISCAL IMPACT: None from this item. Total cost of \$5,000 included in the Outside Training & Safety Award Budget.

BACKGROUND: The Program Administrators and CJPRMA staff hosted the first Law Enforcement Training Day on November 8th, 2023.

ATTACHMENT(S):

1. 34th Street Consulting - Public Agency Training Catalog
2. Tony Sain Training Seminars
3. Mike Ranalli Course Descriptions



34th Street Consulting
SOLUTIONS FOR WORKPLACE RELATIONSHIPS



PUBLIC AGENCY TRAINING

34TH STREET TRAINING CATALOG

2023 / 2024

Table of contents

Philosophy & Vision	1
Conflict Resolution Consulting	2
About the Catalog	3
Modules & Most Popular Trainings	4
Session Descriptions <i>(Alphabetically listed)</i>	6
Compliance Session Descriptions	17
Leadership Team Bios	18
Contact Information	19

Our Philosophy

Public agencies face the unique challenge of being community servants and leaders. At 34th Street we understand the weight and privilege of that responsibility. We have trained thousands of public agency employees, with essential, practical and innovative strategies for successful workplace relationships. Using our comprehensive training curriculum, immersive participatory process, and three pillars of focus (integrity, relationships, service) we tailor our training content to your unique context. Your employees will walk away feeling empowered to create sustained positive change.

We offer sessions in a variety of formats and lengths. The most common session timeframe is 2-3 hours. We always customize the scope to the needs of the public agency with whom we're partnering and offer specialized pricing based on the volume of the trainings provided. **We do not want anyone to miss out on the opportunity to improve workplace relationships because of cost.** Send us an email to see how we can work together.

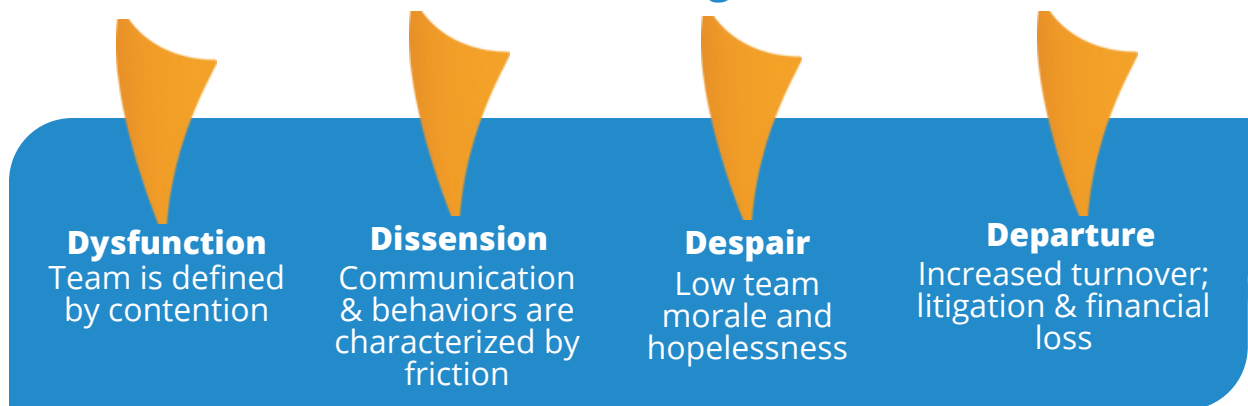
PRICING: (Pricing Per Session)

2 Hour Sessions	3 Hour Sessions
1-4 Sessions \$2500	1-3 Sessions \$3000
5-9 Sessions \$2250	4-9 Sessions \$2750
10+ Sessions \$1950	10+ Sessions \$2450

The Wedge:

Conflict Resolution & Effective Communication Consulting

Harmful Conflict drives wedges into relationships.
Unaddressed wedges create:



Conflict is Universal, but Wedges don't have to be.

If you have an entrenched conflict within your agency affecting team dynamics, productivity or workplace relationships we can help.

We are not mediators where everyone must compromise. We are systems thinkers. We use our evidence-based, research backed Wedge Removal Formula combined with our tried and true proprietary solutions to remove wedges and create sustained positive change.

WEDGE REMOVAL FORMULA:



About the Catalog

Training is tailored to your needs.

Therefore, sessions can be provided individually, grouped together in a series, facilitated in a workshop/retreat format, presented virtually, etc.

Our team has trained in every format and context possible to agencies nationwide.

This catalog presents our training sessions in two ways:

TRAININGS ARE GROUPED BY LEARNING MODULES

If you are looking for a way to provide ongoing, in-depth training on a particular topic these modules are focused on developing a particular skillset through several interrelated sessions.

TRAININGS ARE LISTED INDIVIDUALLY ALPHABETICALLY

Following the modules you will find a list of our most popular sessions. You will find the session description, objectives and suggested duration. Many of our clients like "build their own bundle" from the list provided. (However bundling session is not necessary and each can be purchased individually.)

Learning Modules



ALL BUNDLES ARE
ADAPTABLE TO YOUR
AGENCY'S TIME
CONSTRAINTS AND
BUDGET

TRUST

Trust has inherent power. Trust fuels cooperation which produces an effective, cohesive and successful agency. Without it an agency pays the price in stress, poor service, and conflict. We focus on building and rebuilding trust as the foundation upon which an agency can build to achieve their goals.

SESSION TITLES:

Harnessing the Power to Lead: Building and Rebuilding Trust
Decision Making and Problem Solving
Extreme Ownership

COMPREHENSIVE LEADERSHIP

These training sessions provide extensive knowledge, understanding and coaching to learn skills, strategies and practical application for immediate implementation to optimize relationships and maximize individual potential. These trainings can be for leaders by title or prospective leaders.

SESSION TITLES:

Understanding your Role: Leader vs. Manager
The Unwritten Rules of Leadership: Leadership Fundamentals
Leveraging Leadership
Critical Conversations
Extreme Ownership
Harnessing the Power to Lead: Building and Rebuilding Trust
Decision Making & Problem Solving
Power and Influence
Maxims of Change: Four Keys to Positive Sustained Change

PEOPLE MANAGEMENT

The greatest investment an organization can make is to invest in its people. This bundle gives leaders the skills needed to effectively lead those they supervise while also giving them the capacity to develop future leaders.

SESSION TITLES:

Power and Influence
Critical Conversations
The Wedge: A Simple Metaphor to Improve all your Workplace Relationships
Becoming a Master Communicator: Effective communication strategies, decoding nonverbal communication and Best practices
Effectively Leading a Generationally Diverse Workforce
Professional Development as the Optimal Tool for Performance Management
Revitalizing a Resilient Workforce (Mitigating Burnout)
Effectively Managing a Hybrid Workforce

Learning Modules (Cont.)



EFFECTIVE CUSTOMER SERVICE

Effective customer service is essential for all agencies and allows them to more effectively execute their jobs. In this bundle, we focus on teaching employees skills to help them navigate conflict, interact with all stakeholders successfully and how to implement these skills in stressful situations.

SESSION TITLES:

Becoming a Master Communicator: Effective communication strategies, decoding nonverbal communication and Best practices
Customer Service for Public Agencies
De-Escalation: Strategies to Build Customer Trust

EFFECTIVE EMPLOYEE TOOLBOX

This bundle focuses on empowering employees with the skills and training to help them be more effective and increase productivity. These sessions can be combined and tailored to fit your needs.

SESSION TITLES:

Becoming a Master Communicator: Effective communication strategies, decoding nonverbal communication and Best practices
The Wedge: A Simple Metaphor to Improve all your Work Relationships
Decision Making & Problem Solving
Achieving Outcomes: How to Set, Keep and Achieve Strategic Goals

COMPLIANCE

These sessions are updated continuously to meet the requisites of compliance training. We provide engaging educational sessions without losing the seriousness of the subject matter.

SESSION TITLES:

Workplaces that Work for all of Us: A Harassment Prevention Session
(meets requirements for AB 1825 for managers and supervisors, SB1343 for non-supervisory personnel, and AB 1661 for local agency officials.)
Preserving the Public Trust: Ethics for Public Entity Officials
(meets requirements for AB1234)

EFFECTIVELY LEADING TEAMS

What's the common thread amongst ALL effective teams? Effective leaders. This bundle focuses on giving leaders the skills and confidence they need to maximize team productivity, capitalize on potential, and optimize team relationships for success.

SESSION TITLES:

Harnessing the Power to Lead: Building and Rebuilding Trust
Leveraging Leadership
Critical Conversations
Extreme Ownership
Coaching/Leader vs. Manager
Effectively Leading a Generationally Diverse Workforce
Successful Workplace Cultures: Adaptable Communication and Conflict Resolution Strategies

Training Sessions & Descriptions

ACHIEVING OUTCOMES: HOW TO SET, KEEP AND ACHIEVE STRATEGIC GOALS

Description: The process required to effectively set, keep and achieve goals is a skillset, it is rarely an innate gift. Frequently it takes years of trial and error to perfect a system of success, sadly often at the detriment of the organization's effectiveness. Some may find it easy to identify key goals but the technical breakdown into achievable steps eludes them, while others may simply feel overwhelmed with where to start despite a clear vision of where they want to go. This session focuses on the skillset required to be a leader not only with vision, but execution. Participants will learn the needed skills and strategies to translate the agency vision into achievable outcomes that move the team forward whether they are setting goals individually or department wide.

Objectives: Organization Change, Team Alignment, Growth & Outcomes
Duration: 2-3 Hours

GOVERNANCE TRAINING: WHERE GOOD GOVERNMENT AND GOOD GOVERNANCE CONVERGE

Description: Elected and appointed officials operate at their highest and most effective level when they are focused on discharging their duties as a governance team member. The public expects their local government officials to stay within the bounds of their authority as they lead the City. This ensures that the creation of a predictable workplace culture for City employees. This also ensures that the immunities afforded members of the governance team are maintained.

Specifically, this session will cover the origins of power [that governance teams like the] City Council [and various commissions within the city] exercise. The people who grant them such authority remain in charge and do not yield their sovereignty. This session will review some aspects of transparency laws, the importance of maintaining the public trust, and the importance of staying within the bounds of established municipal codes and state and federal law.

Finally, this session focuses on principles of leadership and the value of effective delegation to a City leadership team charged with executing the vision of the governance team.

Objectives: Governance, Leadership, Immunity, Council/Manager form of government
Duration: 2 Hours

Session Descriptions (Cont.)

BECOMING A MASTER COMMUNICATOR: EFFECTIVE COMMUNICATION STRATEGIES, DECODING NONVERBAL COMMUNICATION AND BEST PRACTICES

Description: A common characteristic found in great teams and relationships is fundamentally sound communication. This session focuses on the foundations of good communication--what, how, and when to use them, and the importance of communication to solve workplace and relationship challenges. This session provides participants with tools to communicate their way to achievement, as well as empower people to respond to and address unwanted conduct at work. When a workforce is empowered with communication skills, there are very few things they cannot achieve.

Objectives: Healthy Communication, Building Relationships

Duration: 2-3 Hours

BELONGING: CREATING PSYCHOLOGICAL SAFETY, MANAGING A DIVERSE WORKFORCE & SUPPORTING THE TEAM

Description: Current research has revealed that most of the DEI programs of the last several decades are ineffective and yield few results. Traditionally programs focused on Diversity, Equity, and Inclusion (DEI) by addressing patterns of bias that created inequities in our culture, including our workplace environments. These efforts focused on groups that have been historically discriminated against.

Eliminating bias from our workplaces must be done using a broader holistic approach. This approach should include training and education, development of a team based on a Bias Elimination Plan (BEP), coaching and conflict resolution, and a plan for measuring results. These efforts are focused on all personnel, because all personnel should feel they belong.

It all begins with education sessions to develop a common objective for the organization. That objective is (1) that every employee deserves to feel like they belong and are an important part of the organization; and (2), every employee is entitled to authentic equal access to opportunities within the organization. The inherent challenge is educating every team member on the existence of bias in virtually every organization in the systems of hiring, advancement, work assignment distribution, and leadership opportunities. This session begins this process without placing blame or identifying participants as part of the problem. The DEB subject is approached positively with a focus on the future; because the future is all we can successfully change.

Objectives: Eliminating Bias, Equity Employment Practices, Culture,

Duration: 2-3 Hours

Session Descriptions (Cont.)

CRITICAL CONVERSATIONS: HOW TO NAVIGATE ESSENTIAL DIALOGUE WITH COWORKERS

Description: In our countless training sessions and consulting hours we have yet to find someone who truly wants to actively alienate everyone around them. Most individuals who enter public service are just the opposite, they honor the privilege to serve, relish the opportunity to grow and care deeply about all community stakeholders. Often this desire to contribute in a positive way to society also means they worry about the ramifications of tough conversations. Within this session we are focusing on the crucial conversations required to not only get the job done well, but maintain a sense of belonging, safety, and progress within the agency. Participants will learn methods to having candid conversations that foster growth and trust amidst team members, and strategies to support agency members' progress towards excellence.

Objectives: Growth, Change, Alignment, Effective Communication, Conflict Resolution

Duration: 2-3 Hours

CUSTOMER SERVICE FOR PUBLIC AGENCIES: STRATEGIES FOR SUCCESS

Description: Public agency employees are often the community members' first impression of the city, which makes customer service skills essential. Customer service is inextricably intertwined with being a public servant. Local businesses, residents, and community leaders often feel that because their tax dollars pay public servant salaries they have an unwritten contract that requires agency employees to be responsive to their needs. This session was designed with public agencies for public servants like yours. Building public trust and overcoming negative perceptions about public servants are the byproduct of effective customer service. Too many customer service sessions focus on broad principles without understanding the context public servants experience. This session will focus on providing participants with the necessary skills to improve the quality of customer service for both external and internal customers.

Objectives: Effective Communication, Increase Productivity, Quality Customer Service

Duration: 2-3 Hours

Session Descriptions (Cont.)

DE-ESCALATION: STRATEGIES TO BUILD CUSTOMER TRUST

Description: While we all want to have interactions with community members that are smooth, flowing and productive it is inevitable that we will face a "heated" situation fraught with frustration and anger. It is necessary to find a way to treat community members with respect and give them opportunities to be heard. That is where de-escalation strategies are a necessity. This session will focus on empowering you with the skills to transfer your sense of calm and genuine interest to the person you're interacting with so you can understand the root cause of the situation, and build trust with the individual. This session will be engaging, immersive and provide practical skills you need. Building public trust and overcoming negative perceptions about public servants are the byproduct of effective public servant customer service. You can walk away feeling confident that you know how to navigate a tough situation.

Objectives: Managing Difficult Customer Interactions, Customer Service, Conflict Resolution

Duration: 2.5-3 Hours

EMPOWERING PUBLIC AGENCIES: MASTERING THE ART OF DECISION MAKING & PROBLEM SOLVING

Description: Mastering the art of decision making and problem solving in the public sector is a delicate balance of transparency, critical thinking, and diplomatic process. This session will equip you with practical strategies and best practices to identify and solve tough challenges, foster innovation, and promote continuous improvement. Through engaging exercises and real-world case studies, we'll discuss critical thinking skills and gain the confidence necessary to lead through obstacles. Whether you are a manager, supervisor, or staff member, this training will provide you with the tools and insights you need to succeed in today's rapidly changing public sector environment.

Objectives: Critical Thinking, Trust, Problem Solving, Empowering Leaders

Duration: 2-3 Hours

Session Descriptions (Cont.)

EFFECTIVELY LEADING A GENERATIONALLY DIVERSE WORKFORCE

Description: If you've ever been confused by a coworker's statement and found yourself googling "what does ____ mean"--then this session was made for you. From boomer to zoomer we've all got our own unique lexicon, paradigm, and experience. We've entered a pivotal era of increased diversity, greater flexibility and shifting values. Many agency leaders come from a powerful generation that has created foundational success for the rising generation of millennial leaders and new Gen Z public servants. Agency productivity, unity, and success is contingent upon generations understanding and respecting one another's particular set of values. Participants will learn communication strategies that are unique to each generation. Discuss ways to bridge divisions and make connections. Participants can gain a clearer picture of not just working together, but excelling together.

Objectives: Making Generational Connections, Belonging, Communication
Duration: 1-2 Hours

EFFECTIVELY MANAGING A HYBRID WORKFORCE

Description: The Pandemic of 2020-2022 generated one of the greatest workplace paradigm shifts and social experiments in modern history. Almost overnight we removed millions of employees from the workplace and asked them to stay home, and work. The challenges associated with working from home are real and well-documented. Overcoming the work-from-home distractions, lack of in-person supervision, and bridging accessibility issues will provide needed support for employees. However, the greatest challenge for most remote employees is the isolation. It cuts against our very DNA and our need as humans to connect with one another. This session focuses on solutions to these challenges, and best practices for creating the optimal structure to help employees succeed in a remote environment. The session also includes a discussion on leadership qualities necessary in times of crisis to bring peace, security, and confidence to employees in uncertain times.

Objectives: Bridging the Gaps in Remote Cohesion, Adaptable Leadership, Trust
Duration: 2 Hours

Session Descriptions (Cont.)

FROM DUTY TO OWNERSHIP: EMPOWERING INDIVIDUALS TO "OWN" THEIR ROLES

Description: Increasing employees' accountability, cohesion and trust are vital elements of all agencies. This session focuses not only on the power of owning your role but also owning outcomes of your decisions this leads to more productive, effective, and innovative individuals and teams. Participants will study the mindset shift required to move from merely discharging their duties to becoming leaders who embrace success and failure alike. The session will provide ideas for techniques and systems to enhance accountability, build resilience, promote continuous improvement and foster humility. This session is geared towards every level of the organization, increasing ownership in individual team members means the collective enjoys a culture of growth, progress and safety.

Objectives: Leadership Development, Accountability, Effective Coaching, Trust
Duration: 2-3 Hours

HARNESSING THE POWER TO LEAD: BUILDING & REBUILDING TRUST

Description: This session focuses on the challenges of gaining and maintaining trust, as well as the ability to rebuild trust when necessary. This session will also focus on how trust is a precondition to organizational flexibility and adaptability. When employees focus on building trust, they create greater efficiency within the organization, and develop the fortitude and framework to make the difficult decisions and generate buy-in from leadership. Not only does this help within the organization, it also helps create more buy-in from the community which leads to more support, increased unity and greater success for all. There are three fundamental components to developing trust: building great relationships, utilizing good judgment, and being consistent and accountable. By discussing concrete strategies in these three areas, participants will be able to successfully navigate tough conversations with coworkers, earn the confidence of their colleagues and community stakeholders, and be viewed as a trusted team member by the organization's top leaders.

Objectives: Developing Trust, Creating Consistency, Conflict Resolution, Belonging, Agency Cohesion
Duration: 2-2.5 Hours

Session Descriptions (Cont.)

LEADING WITH PURPOSE: HOW TO LEAD WITH POWER & INFLUENCE

Description: This session is designed to equip public agency leaders with the knowledge and tools they need to lead with purpose, inspire teams, and support strong communities. Participants will explore the art of power and influence, learning how to leverage these tools to build trust, motivate others, and drive meaningful change. Throughout the session, participants will engage in interactive discussions and practical exercises designed to help them better understand their own strengths and weaknesses. They will learn how to build strong relationships, communicate effectively, and navigate complex organizational dynamics to achieve their goals. Participants will explore strategies for supporting and engaging team and community members.

Objectives: Leadership Development, Effective Communication, Relationship Development, Coaching

Duration: 2-3 Hours

LEVERAGING LEADERSHIP: UNLEASHING THE POTENTIAL OF INTROVERTS, EXTROVERTS, FEELERS, THINKERS, INFLUENCERS, AND MORE

Description: No personality type comes preprogrammed for the leadership fast track. Studies have tried to establish a correlation between successful leaders and personality types but there is no true relationship. Instead research has identified key characteristics, behaviors, and processes that create great leaders. In this session we will focus on self-awareness, emotional intelligence, and the numerous strengths different personality types possess that enhance leadership. Participants will learn how to leverage their own personal strengths and innate leadership styles to maximize their impact within their teams and the agency.

Objectives: Leadership Development, Effective Communication, Belonging

Duration: 2-3 Hours

Session Descriptions (Cont.)

MAXIMS OF CHANGE: FOUR KEYS TO POSITIVE SUSTAINED CHANGE

Description: Shifting a culture must be addressed at the foundational level for it to have lasting effect. Issues plaguing a workplace culture are removed at the root level to achieve sustained change. Anything less is a temporary band-aid approach. Creating sustained change in relationships and workplace culture requires use of these four maxims of change.

1. Walk the Talk - Credibility Maxim
2. Encourage Authentic Participation - Buy-In Maxim
3. Champion the Cause - Momentum Maxim
4. Encourage Accountability - Morale Maxim.

Any organization can achieve the change objectives they desire. This session will empower all participants to understand how to achieve sustained change to a more positive workplace culture, a culture defined by support and teamwork, for a culture of belonging.

Objectives: Change Management, Effective Communication, Relationships

Duration: 2-2.5 Hours

RESUSCITATE PERFORMANCE MANAGEMENT TO REVIVE YOUR TEAMS

Description: This session will focus on how to implement a process of regular Check-Ins with employees for the purpose of performance management. Check-ins serve to remind those good employees how great they are and how much we value them in our organization. These regular Check-Ins also serve as a reminder for those employees that need to improve their performance, they need to do better! Our discussion will focus on how these Check-Ins should be structured (e.g., how long, how often, who should attend, and where should they take place), what should be covered during the Check-In, and how the messaging is critical. The session will also discuss how building this Check-In structure will ease the annual burden felt by managers and supervisors who procrastinate the task of writing and delivering annual performance evaluations. Through this process and structure good employees will be consistently reminded they are valued and thus increase their organizational commitment and engagement, while underperforming and underachieving employees will realize they cannot escape accountability so they will need to improve or move-on. The result, a revitalized workforce where people feel they are working in an appreciative and equitable environment.

Objectives: Leadership Development, Coaching, Effective Questioning, Communication, Relationship Development

Duration: 2 Hours

Session Descriptions (Cont.)

REVITALIZING A RESILIENT WORKFORCE: MITIGATING BURNOUT

Description: Returning to the workplace in 2022 allowed organizations to address a long overlooked workplace challenge: burnout. In 2019, the World Health Organization (WHO) defined it as an “occupational phenomena” and defined it as a “syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed.” This training gives all employees the skills necessary to identify, work through, and overcome burnout. All participants will leave this session with a revitalized passion for work and concrete strategies to create a resilient team. Participants will be equipped with tools to improve team performance, efficiency and connection.

Objectives: Belonging, Communication, Systems

Duration: 2-3 Hours

SUCCESSFUL WORKPLACE CULTURES: COMMUNICATION EXPECTATIONS & CONFLICT RESOLUTION

Description: Many agencies find themselves in situations of having to deal with workplace behaviors that are unacceptable. Rude behaviors, employees angry with one another, or a lack of civility can have an adverse impact on workplace cultures. Sometimes the problem is what we say, other times it is how we say it, our timing, or it's a lack of self-awareness on how our conduct adversely impacts our coworkers. Setting workplace behavioral expectations is the foundation for preventing such conduct at work. This session focuses on setting expectations in the areas of communication, conflict resolution, emotional intelligence, and the importance of consistently maintaining professional and civil behavior.

Topics covered:

- Foundations of Effective Communication
- Impact of Nonverbal Communication
- The origins of Conflict
- Removing Wedges & Resolving Conflict
- Self-Awareness & Self-Regulation

All participants will leave this session with the tools necessary to successfully interact and engage with one another. Conflict and misunderstandings will still occur, but each participant will leave with the tools necessary to respond to the situation and not let conflict define the team or the culture.

Objectives: Conflict Resolution, Communication Skills, Boundaries, Self-Awareness

Duration: 2-3 Hours

Session Descriptions (Cont.)

THE UNWRITTEN RULES OF LEADERSHIP: LEADERSHIP FUNDAMENTALS

Description: The unspoken rules of leadership are the foundational principles of leadership that are not always explicitly taught but are essential for success. By embracing these principles and making them an integral part of your leadership approach, you can magnify your impact and unleash your team's potential. The session will focus on understanding implied rules like: emotions matter, leading is a service, vision matters, balance and burnout, inclusion and adaptability. This session is critical for all aspiring and current leaders, the content discussed, strategies learned, and scenarios practiced will provide relevant job training for every role.

Objectives: Leadership Development, Goal Setting, Communication

Duration: 2-3 Hours

THE WEDGE: A SIMPLE METAPHOR TO IMPROVE ALL OF YOUR WORKPLACE RELATIONSHIPS

Description: Because conflict will always happen, ***this is our most popular session.*** The difference between great teams and dysfunctional teams is not the absence of conflict, it is the collective ability to not let the conflict define the team. When harmful conflict happens the byproduct is wedges driven into relationships. Wedges, left unattended, are the catalysts that destroy teams, departments, and organizations. Each of us needs a well-developed Human Interaction Toolbelt™ (Toolbelt™) with all the skills necessary to successfully engage one another. This session will focus on helping participants sharpen some of those tools and obtain a Wedge Remover™ to add to their Toolbelt™. When team members use their Wedge Remover™ and encourage others to do likewise, they can be assured that their teams will be characterized by greater harmony, productivity, and effectiveness.

Objectives: Communication, Conflict Resolution, Paradigm Shifting

Duration: 2 Hours

Session Descriptions (Cont.)

UNDERSTAND YOUR ROLE AS A LEADER: LEADING & MANAGING

Description: Understanding the role of a leader and a manager is a critical distinction. People in positions of authority are expected to manage people, projects, and resources when necessary, but they need to be leaders *always*. Promotion and position may give people the authority to lead, but leaders need more than that. They need the power to lead. This session identifies the roles that managers and leaders play within an organization, how authentic power is achieved beyond authoritative power, and what leaders need to do to effectively lead a group in achieving objectives. This session also focuses on a variety of leadership characteristics and styles to manage a diverse workforce and take the steps necessary to handle inevitable conflict.

Objectives: Communication, Trust, Leadership Development, Vision

Duration: 2-2.5 Hours

Compliance Session Descriptions

PRESERVING THE PUBLIC TRUST: ETHICS FOR PUBLIC ENTITY OFFICIALS

Description: This session is AB1234 Compliant

This session will focus on the state and federal regulations that outline ethical conduct for public agency employees and officials. Specifically, this session will cover laws relating to personal financial gain by public servants, including laws prohibiting bribery and conflict-of-interest laws, laws relating to claiming prerequisites of office, such as gifts and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies.

We will also focus on government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws and laws relating to fair processes.

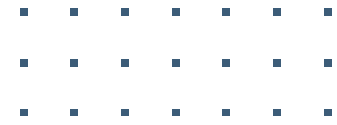
WORKPLACES THAT WORK FOR ALL OF US: A HARASSMENT PREVENTION SESSION

Description: This session meets the requirements of AB1825 for managers and supervisors, SB1343 for non-supervisory personnel, and AB1661 for local agency officials.

With all the sexual harassment and bullying in the news, it is evident that some folks in the workforce are not getting the message. All employees, elected, appointed officials, contractors, and volunteers are entitled to a workplace free of unwelcome bullying, sexual harassment, discrimination, and retaliation.

This session is designed to provide participants with the knowledge and tools to identify, address, and respond to such unlawful conduct. Participants will learn what constitutes sexual harassment, forms of discrimination, and the legal definition of retaliation. Discussion will include key types of abusive conduct, (i.e., bullying), how to prevent it, respond to it, and the adverse impact of such behaviors on a workplace culture. This session will include how to respond to allegations of harassing and bullying behaviors in the workplace.

Leadership Team



Gerry Preciado

President & Principal Consultant



Gerry Preciado has trained and consulted with thousands of public entity, private sector and university employees. His areas of expertise and emphasis are leadership and organizational development, conflict resolution, and public entity governance. After spending several years as an employment law trial attorney (representing first

plaintiffs and then defendants), Mr. Preciado realized that by the time his clients called him it was too late. Something had gone wrong during the human interaction at work. Consequently, he spent several years developing an approach to leading and managing people while empowering them to positively manage and respond to conflict and other workplace challenges. The result is encapsulated in 34th Street's proprietary approach, "The Wedge: A Simple Metaphor for Improving Every Relationship in Your Life." Over the past 25 years Gerry has been an in-demand keynote speaker and spoken at conferences nationwide. His presentations are engaging, educational and inspiring. He always provides practical solutions for workplace relationships and real life application. Mr. Preciado received both his Bachelor of Arts and Juris Doctor degrees from UCLA and is leading the revolution to empower the labor force with the skills necessary to navigate workplace relationships and create sustained positive change.

Jacob Houghton

Senior Consultant

Jacob Houghton brings a decade of experience to the team in Public Service and Educational Leadership. His areas of expertise are public service leadership, conflict resolution, and employee coaching. Jacob's background as an Education Administrator has given him a broad range of experience managing relationships among staff, students, and parents while also interfacing with community agencies. He has trained personnel on risk management, loss prevention, and compliance. As Jacob dealt with conflicts between staff, students, and stakeholders day in and day out, he witnessed the negative effects ripple into the community. He wanted to do more to shift the culture surrounding conflict from dysfunction and despair to hope and growth. Thanks to his years as an Administrator, he is experienced in navigating the life of a public servant, working to connect with all community members and provide the highest level of service at all times to community and colleagues. His professional training makes him adept at identifying the patterns of conflict and creating actionable strategies that teams can understand and buy into. Mr. Houghton specializes in creating and implementing training curriculum specific to organizations' objectives and desired outcomes; focusing on how to navigate workplace relationships to optimize productivity, efficiency, and harmony.



Contact Information



 866-304-7722

 jacobh@34thstreetconsulting.com

 531 Main St, #950, El Segundo, CA 90245

 www.34thstreetconsulting.com



TONY M. SAIN

Partner, Los Angeles

213.358.6041

Tony.Sain@lewisbrisbois.com

TRAINING SEMINARS AVAILABLE

Partner, trial attorney, and appellate advocate Tony M. Sain — brief bio below — is a veteran educator of professionals who offers a variety of MCLE-accredited training programs in a variety of subject areas, including the following selections:

- **Cross-Exam Survival: Managing Risks for Deposition & Trial**
 - Full Version: 3.0 hours
 - Abbreviated Version: 1.25 hours
- **Expert Witness Control Techniques: The Not-So-Dark Arts & Building Daubert Exclusion Strategies**
 - 1.0 hour
- **Jury Selection Tactics & Working With Jury Consultants**
 - 1.0 hour
- **CPRA: An Overview of the California Public Records Act & Its Intersection with the *Pitchess* Privilege (Cal.)**
 - Full Version: 3.0 hours
 - Abbreviated Version: 1.0 hours
- **The *Pitchess* Privilege: Peace Officer Personnel File Information Protection & Litigation Strategies (Cal.)**
 - 3.0 hours
- **Peace Officers Bill of Rights (P.O.B.R.): A Procedural Overview (Cal.)**
 - 1.25 hours
- **Tort Claims Act & Related Statutes of Limitations: An Overview (Cal.)**
 - 1.0 hours
- **California Litigation: Federal v. State Variances in Civil Procedure & Related Litigation Strategies (Cal.)**
 - 2.0 hours
- **Police Use of Force Law: Legal Updates (Nat'l & Cal.)**
 - Full Version: 2.0 hours
 - Abbreviated Version: 1.0 hour

Custom Training Seminars May Also Be Available.

Training Seminar Fees

Speaking Fee:

- Inside California: \$2,500.00 flat fee, per seminar, per day; plus any travel or lodging costs.*
- Outside California: \$3,500.00 flat fee, per seminar, per day; plus any travel or lodging costs.*

For billing purposes, your entity would receive a "flat rate" invoice for the speaking fee, with a discounted "hourly rate" of \$250.00. However, regardless of the length of the seminar desired, the full flat fee would be due. Unfortunately, we cannot accommodate requests for pro-rated billing.

Speaking Costs:

- Travel costs are additional to the speaking fee, and typically include such expenses as: mileage, business class airline tickets, parking, and lodging for each seminar day.
- Books, handouts, and/or hardcopy materials are included at no additional cost.

Fees Due:

- All speaking fee payments must be received in full prior to the date of the seminar. Speaking costs may be billed separately and are due within 30 days of the seminar.

For More Information:

Please contact Mr. Sain directly at: Tony.Sain@lewisbrisbois.com

Primary Practices

- General Liability
- National Trial Practice
- Appellate

Additional Experience

- Crisis Management Practice

Education

- Loyola Law School, Loyola Marymount University, *Juris Doctor*, 2007
- Princeton University, Bachelor of Arts, Public & International Affairs (Mgmt), 1993

Admissions

- State Bar Admissions:
 - California
- United States District Courts:
 - United States District Court for the Central District of California
 - United States District Court for the Eastern District of California
 - United States District Court for the Northern District of California
 - United States District Court for the Southern District of California
- United States Courts of Appeals:
 - United States Court of Appeals for the Ninth Circuit
- United States Supreme Court

Tony M. Sain is a partner in the Los Angeles office of Lewis Brisbois and a member of the General Liability and National Trial Practices. He focuses his practice on high exposure, high-stakes, high-profile matters in a wide variety of catastrophic injury and wrongful death cases across a number of practice areas, including personal injury, tort litigation, as well as police civil rights and public entity defense. Throughout his career, Mr. Sain has served as lead trial attorney in multiple high-profile jury and administrative trials, consistently securing defense verdicts, complete dismissals of claims, and other favorable outcomes on behalf of his clients, as well as racking up an impressive number of wins as an appellate court advocate.

Outside of his practice at Lewis Brisbois, Mr. Sain serves on the panel for prosecuting criminal cases for the Los Angeles County District Attorney's office on a pro bono basis. He has also trained multiple public entities on the legal implications of changes to key statutes affecting policing, and he has served as a lead lecturer for the California Peace Officers' Association's (CPOA) seminar series. Moreover, Mr. Sain is the author of "The *Pitchess* Privileges: A Guide to Understanding Police Officer Personnel Record Procedural Protections In Civil Cases," a leading resource manual on the intricacies of California's complex officer privacy laws and their intersection with the California Public Records Act.

Mr. Sain is also a member of the American Board of Trial Advocates (ABOTA) Side Bar program. Named a Rising Star by *Super Lawyers* from 2013-2017, he is currently recognized by that publication and by the *Los Angeles Business Journal* as a top-rated civil rights attorney in Los Angeles. Before practicing law, Mr. Sain served as a senior executive in a variety of corporate and non-profit organizations, where he specialized in high-stakes organizational overhauls and community outreach.

Mr. Sain is a graduate of Princeton University's elite School of Public and International Affairs, where he learned executive-level governance. He is also a graduate of Loyola Law School of Los Angeles's prestigious Hobbs Trial Advocacy Program, and the Williams Civil Rights Litigation Program, and in law school, he also won the Best Advocate in California award in the National Moot Court competition for appellate advocacy.

Awards & Honors

- 2019 Top Litigator and Trial Attorney – *Los Angeles Business Journal*
- *Super Lawyers* Rising Star 2013-2017
- Best Advocate in California award — Scott Moot Court Board (competitive appellate advocacy)

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.



**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

Agenda Item E.5.

LEGISLATIVE SPOTLIGHT

ISSUE: We focus on new California laws that impose new requirements on police agencies or bills that may affect them.

New Laws

1. AB 443 - Peace officers: determination of bias
2. AB 449 - Hate crimes: law enforcement policies
3. AB 750 - Menace to public health: closure by law enforcement
4. AB 994 - Law Enforcement: social media
5. SB 2 - Firearms
6. SB 449- Peace officer: Peace Officer Standards Accountability Advisory Board
7. SB 852 – Searches: supervised persons

New Bills

1. AB 1814 - Law Enforcement – Facial recognition Technology
2. SB 804 – Criminal Procedure – Hearsay Testimony at Preliminary Hearings
3. SB 912 – Colormetric Field Drug Tests

Bills That Will NOT Be Carried Over from 2023

1. [Senate Bill 838](#) would have expanded eligibility for victims compensation to include injuries or deaths caused by police officers after Jan. 1, 2024
2. [AB 797](#) would mandate that cities and counties create by Jan. 1, 2026 independent commissions to investigate complaints against police officers for injuries and deaths.

RECOMMENDATION: None.

FISCAL IMPACT: None.

BACKGROUND: The Program Administrators continue to monitor the impact of both new and existing laws on police agencies. The following bills were approved by the Governor and Chaptered by Secretary of State.

ATTACHMENTS:

1. New Bills
2. CA crime bills differ on law enforcement.
3. RIP for some noteworthy 2023 CA bills

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.

94

- (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.

Senate Bill No. 449
CHAPTER 397

An act to amend Sections 13510.1, 13510.8, 13510.85, and 13510.9 of the Penal Code, relating to peace officers.

[Approved by Governor October 7, 2023. Filed with Secretary of State October 7, 2023.]

legislative counsel's digest

SB 449, Bradford. Peace officers: Peace Officer Standards Accountability Advisory Board.

Existing law defines "certification" as a valid and unexpired basic certificate or proof of eligibility to serve as a peace officer issued by the Commission on Peace Officer Standards and Training.

The bill would redefine "certification" to mean any and all valid and unexpired certificates issued by the commission, as specified.

Existing law allows the commission to consider a peace officer's prior conduct and service record in determining whether revocation is appropriate for serious misconduct.

The bill would allow the commission to also consider suspension as punishment for serious misconduct.

Existing law requires hearings of the board, the review by the commission, administrative adjudications, as specified, and any records introduced during those proceedings to be public.

The bill would authorize the Peace Officer Standards Accountability Division to redact these public records, as specified.

Existing law requires an agency employing peace officers to report to the commission the employment, appointment, or separation from employment of a peace officer, any complaint, charge, allegation, or investigation into the conduct of a peace officer that could render the officer subject to suspension or revocation, findings by civil oversight entities, and civil judgments that could affect the officer's certification.

Existing law requires the commission to maintain the information reported by an agency in a manner that may be accessed by the subject peace officer, among other entities.

The bill would authorize the commission to withhold this information from the subject peace officer if disclosure could jeopardize an ongoing investigation, create a risk of any form of harm or injury to a victim or witness, or otherwise create a risk of any form of harm or injury that outweighs the interest in disclosure until the risk of harm or injury is ended or mitigated so that the interest in disclosure is no longer outweighed by the interest in nondisclosure. The bill would also require this information that has been withheld from the subject officer and released by the

92

commission to an agency, as specified, to be kept confidential by the receiving agency. This bill would make other conforming changes.

Existing law authorizes the commission to suspend, revoke, or cancel any certification, as specified.

This bill would clarify that this authority extends to any certificate or proof of eligibility that is expired, inactive, expired, or canceled. The bill would also allow the commission to cancel any certificate or proof of eligibility that was fraudulently obtained, as specified.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

The bill would make legislative findings to that effect.

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

SECTION 1. Section 13510.1 of the Penal Code is amended to read:

13510.1. (a) The commission shall establish a certification program for peace officers described in Section 830.1, 830.2 with the exception of those described in subdivision (d) of that section, 830.3, 830.32, or 830.33, or any other peace officer employed by an agency that participates in the Peace Officer Standards and Training (POST) program. A certificate or proof of eligibility issued pursuant to this section shall be considered the property of the commission.

(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.

(c) (1) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.

(2) In determining whether an applicant for certification has the requisite education, the commission shall recognize as acceptable college education only the following:

(A) Education provided by a community college, college, or university that has been accredited by the department of education of the state in which the community college, college, or university is located or by a recognized national or regional accrediting body.

(B) Until January 1, 1998, educational courses or degrees provided by a nonaccredited but state-approved college that offers programs exclusively in criminal justice.

(d) Persons who are determined by the commission to be eligible peace officers may make application for the certificates, provided they are

92 — 2 — Ch. 397

employed by an agency that participates in the POST program. Any agency appointing an individual who does not already have a basic certificate as described in subdivision (a) and who is not eligible for a certificate shall make application for proof of eligibility within 10 days of appointment.

(e) The commission shall assign each person who applies for or receives certification a unique identifier that shall be used to track certification status from application for certification through that person's career as a peace officer.

(f) Notwithstanding any other provision of law, the commission shall have the authority to suspend, revoke, or cancel any certification pursuant to this chapter. This authority extends to any certificate or proof of eligibility issued by the commission including, without limitation, any certificate or proof of eligibility that is invalid, inactive, expired, or canceled.

(g) (1) An agency that employs peace officers described in subdivision (a) shall employ as a peace officer only individuals with current, valid certification pursuant to this section, except that an agency may provisionally employ a person for up to 24 months, pending certification by the commission, provided that the person has received a proof of eligibility and has not previously been certified or denied certification or had their certification revoked.

(2) In accordance with subdivision (b) of Section 832.4, deputy sheriffs described in subdivision (c) of Section 830.1 shall obtain valid certification pursuant to this section upon reassignment from custodial duties to general law enforcement duties.

(h) (1) Notwithstanding subdivision (d), the commission shall issue a basic certificate or proof of eligibility to any peace officer described in subdivision (a) who, on January 1, 2022, is eligible for a basic certificate or proof of eligibility but has not applied for a certification.

(2) Commencing on January 1, 2023, any peace officer described in subdivision (a) who does not possess a basic certificate and who is not yet or will not be eligible for a basic certificate, shall apply to the commission for proof of eligibility.

(i) As used in this chapter, "certification" means any and all valid and unexpired certificates issued pursuant to subdivision (b), including basic, intermediate, advanced, supervisory, management, and executive certificates or any proof of eligibility issued by the commission pursuant to this section.

SEC. 2. Section 13510.8 of the Penal Code is amended to read:

13510.8. (a) (1) The commission shall revoke the certification of a certified peace officer if the person is or has become ineligible to hold office as a peace officer pursuant to Section 1029 of the Government Code.

(2) The commission may suspend or revoke the certification of a peace officer if the person has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct as described in subdivision (b).

(3) The commission may cancel the certificate or proof of eligibility of a peace officer if the commission determines that there was fraud or

92 Ch. 397 — 3 —

misrepresentation made by an applicant at any time during the application process that resulted in the issuance of the certification.

(b) By January 1, 2023, the commission shall adopt by regulation a definition of “serious misconduct” that shall serve as the criteria to be considered for ineligibility for, or revocation of, certification. This definition shall include all of the following:

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

(2) Abuse of power, including, but not limited to, intimidating witnesses, knowingly obtaining a false confession, and knowingly making a false arrest.

(3) Physical abuse, including, but not limited to, the excessive or unreasonable use of force.

(4) Sexual assault, as described in subdivision (b) of Section 832.7.

(5) 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 in violation of law or department policy or inconsistent with a peace officer’s obligation to carry out their duties in a fair and unbiased manner. This paragraph does not limit an employee’s rights under the First Amendment to the United States Constitution.

(6) Acts that violate the law and are sufficiently egregious or repeated as to be inconsistent with a peace officer’s obligation to uphold the law or respect the rights of members of the public, as determined by the commission.

(7) Participation in a law enforcement gang. For the purpose of this paragraph, a “law enforcement gang” means a group of peace officers within a law enforcement agency who may identify themselves by a name and may be associated with an identifying symbol, including, but not limited to, matching tattoos, and who engage in a pattern of on-duty behavior that intentionally violates the law or fundamental principles of professional policing, including, but not limited to, excluding, harassing, or discriminating against any individual based on a protected category under federal or state antidiscrimination laws, engaging in or promoting conduct that violates the rights of other employees or members of the public, violating agency policy, the persistent practice of unlawful detention or use of excessive force in circumstances where it is known to be unjustified, falsifying police reports, fabricating or destroying evidence, targeting persons for enforcement based solely on protected characteristics of those persons, theft, unauthorized use of alcohol or drugs on duty, unlawful or unauthorized protection of other members from disciplinary actions, and retaliation against other officers who threaten or interfere with the activities of the group.

92 — 4 — Ch. 397

(8) Failure to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to this chapter. For purposes of this paragraph, the lawful exercise of rights granted under the United States Constitution, the California Constitution, or any other law shall not be considered a failure to cooperate.

(9) Failure to intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.

(c) (1) Beginning no later than January 1, 2023, each law enforcement agency shall be responsible for the completion of investigations of allegations of serious misconduct by a peace officer, regardless of their employment status.

(2) The division shall promptly review any grounds for decertification described in subdivision (a) received from an agency. The division shall have the authority to review any agency or other investigative authority file, as well as to conduct additional investigation, if necessary. The division shall only have authority to review and investigate allegations for purposes of decertification.

(3) (A) The board, in their discretion, may request that the division review an investigative file or recommend that the commission direct the division to investigate any potential grounds for decertification of a peace officer. Those requests and recommendations from the board to the division or commission must be based upon a decision by a majority vote.

(B) The commission, in its discretion, may direct the division to review an investigative file. The commission, either upon its own motion or in response to a recommendation from the board, may direct the division to investigate any potential grounds for decertification of a peace officer.

(C) The division, in its discretion, may investigate without the request of the commission or board any potential grounds for revocation of certification of a peace officer.

(4) The division, in carrying out any investigation initiated pursuant to this section or any other duty shall have all of the powers of investigation granted pursuant to Article 2 (commencing with Section 11180) of Chapter 2 of Part 1 of Division 3 of Title 2 of the Government Code.

(5) Notwithstanding any other law, the investigation shall be completed within three years after the receipt of the completed report of the disciplinary or internal affairs investigation from the employing agency pursuant to Section 13510.9, however, no time limit shall apply if a report of the conduct was not made to the commission. An investigation shall be considered completed upon a notice of intent to deny, suspend, or revoke certification issued pursuant to paragraph (1) of subdivision (a) of Section 13510.85. The time limit shall be tolled during the appeal of a termination or other disciplinary action through an administrative or judicial proceeding or during any criminal prosecution of the peace officer. The commission shall consider the peace officer's prior conduct and service record, and any instances of

92 Ch. 397 — 5 —

misconduct, including any incidents occurring beyond the time limitation for investigation in evaluating whether to revoke certification for the incident under investigation.

(6) An action by an agency or decision resulting from an appeal of an agency's action does not preclude action by the commission to investigate, suspend, or revoke a peace officer's certification pursuant to this section. Whether a particular factual or legal determination in a prior appeal proceeding shall have preclusive effect in proceedings under this chapter shall be governed by the existing law of collateral estoppel.

(d) Upon arrest or indictment of a peace officer for any crime described in Section 1029 of the Government Code, or discharge from any law enforcement agency for grounds set forth in subdivision (a), or separation from employment of a peace officer during a pending investigation into allegations of serious misconduct, the executive director shall order the immediate temporary suspension of any certificate or proof of eligibility held by that peace officer upon the determination by the executive director that the temporary suspension is in the best interest of the health, safety, or welfare of the public. The order of temporary suspension shall be made in writing and shall specify the basis for the executive director's determination. Following the issuance of a temporary suspension order, proceedings of the commission in the exercise of its authority to discipline any peace officer shall be promptly scheduled as provided for in this section. The temporary suspension shall continue in effect until issuance of the final decision on revocation pursuant to this section or until the order is withdrawn by the executive director.

(e) Records of an investigation of any person by the commission shall be retained for 30 years following the date that the investigation is deemed concluded by the commission. The commission may destroy records prior to the expiration of the 30-year retention period if the subject is deceased and no action upon the complaint was taken by the commission beyond the commission's initial intake of the complaint.

(f) Any peace officer may voluntarily surrender their certification permanently. Voluntary permanent surrender of certification pursuant to this subdivision shall have the same effect as revocation. Voluntary permanent surrender is not the same as placement of a valid certification into inactive status during a period in which a person is not actively employed as a peace officer. A permanently surrendered certification cannot be reactivated.

(g) (1) The commission may initiate proceedings to revoke or suspend a peace officer's certification for conduct that occurred before January 1, 2022, only for either of the following:

(A) Serious misconduct pursuant to paragraph (1) or (4) of subdivision (b) or pursuant to paragraph (3) of subdivision (b) for the use of deadly force that results in death or serious bodily injury.

(B) If the employing agency makes a final determination regarding its investigation of the misconduct after January 1, 2022.

92 — 6 — Ch. 397

(2) Nothing in this subdivision prevents the commission from considering the peace officer's prior conduct and service record in determining whether suspension or revocation is appropriate for serious misconduct.

SEC. 3. Section 13510.85 of the Penal Code is amended to read:

13510.85. (a) (1) When, upon the completion of a serious misconduct investigation conducted pursuant to subdivision (c) of Section 13510.8, the division finds reasonable grounds for the denial, revocation, or suspension of a peace officer's certification, it shall take the appropriate steps to promptly notify the peace officer involved, in writing, of its determination and reasons therefore, and shall provide the peace officer with a detailed explanation of the decertification procedure and the peace officer's rights to contest and appeal.

(2) Upon notification, the peace officer may, within 30 days, file a request for a review of the determination by the board and commission. If the peace officer does not file a request for review within 30 days, the peace officer's certification shall be suspended or revoked, consistent with the division's determination, without further proceedings. If the peace officer files a timely review, the board shall schedule the case for hearing.

(3) The board shall meet as required to conduct public hearings, but no fewer than four times per year.

(4) At each public hearing, the board shall review the findings of investigations presented by the division pursuant to paragraph (1) and shall make a recommendation on what action should be taken on the certification of the peace officer involved. The board shall only recommend revocation if the factual basis for revocation is established by clear and convincing evidence. If the board determines that the facts and circumstances revealed by the investigation warrant a sanction other than revocation, it may recommend that a peace officer's certification be suspended for a period of time. The board shall issue a written decision explaining its reasons for decertification or suspension.

(5) The commission shall review all recommendations made by the board. The commission's decision to adopt a recommendation by the board to seek revocation shall require a two-thirds vote of commissioners present and shall be based on whether the record, in its entirety, supports the board's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the commission reaches a different determination than the board's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

(6) The commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that act.

(b) Notwithstanding Section 832.7, the hearings of the board and the review by the commission under this section, administrative adjudications

92 Ch. 397 — 7 —

held pursuant to paragraph (6) of subdivision (a), and any records introduced during those proceedings, shall be public. These public records may, in the discretion of the division, be redacted for the reasons set forth in paragraphs (6) and (7) of subdivision (b) of Section 832.7. This subdivision does not preclude the board or the commission, or both, from reviewing the unredacted versions of these records in closed session and using them as the basis for any action taken.

(c) The commission shall publish the names of any peace officer whose certification is suspended or revoked and the basis for the suspension or revocation and shall notify the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training of the suspension or revocation.

SEC. 4. Section 13510.9 of the Penal Code is amended to read:

13510.9. (a) Beginning January 1, 2023, any agency employing peace officers shall report to the commission within 10 days, in a form specified by the commission, any of the following events:

(1) The employment, appointment, or termination or separation from employment or appointment, by that agency, of any peace officer. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.

(2) Any complaint, charge, or allegation of conduct against a peace officer employed by that agency that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8.

(3) Any finding or recommendation by a civilian oversight entity, including a civilian review board, civilian police commission, police chief, or civilian inspector general, that a peace officer employed by that agency engaged in conduct that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8.

(4) The final disposition of any investigation that determines a peace officer engaged in conduct that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8, regardless of the discipline imposed.

(5) Any civil judgment or court finding against a peace officer based on conduct, or settlement of a civil claim against a peace officer or an agency based on allegations of officer conduct that could render a peace officer subject to suspension or revocation of certification by the commission pursuant to Section 13510.8.

(b) By July 1, 2023, any agency employing peace officers shall report to the commission any events described in subdivision (a) that occurred between January 1, 2020, and January 1, 2023.

(c) An agency employing peace officers shall make available for inspection or duplication by the commission any investigation into any matter reported pursuant to paragraph (2) of subdivision (a), including any physical or documentary evidence, witness statements, analysis, and conclusions, for no less than two years after reporting of the finding or recommendation reported pursuant to paragraph (3) of subdivision (a), the

92 — 8 — Ch. 397

final disposition of the investigation reported pursuant to paragraph (4) of subdivision (a), or the civil judgment or court finding reported pursuant to paragraph (5) of subdivision (a), as applicable, whichever is latest.

(d) (1) In a case of separation from employment or appointment, the employing agency shall execute and maintain an affidavit-of-separation form adopted by the commission describing the reason for separation and shall include whether the separation is part of the resolution or settlement of any criminal, civil, or administrative charge or investigation. The affidavit shall be signed under penalty of perjury and submitted to the commission.

(2) A peace officer who has separated from employment or appointment shall be permitted to respond to the affidavit-of-separation form, in writing, to the commission, setting forth their understanding of the facts and reasons for the separation, if different from those provided by the agency.

(3) Before employing or appointing any peace officer who has previously been employed or appointed as a peace officer by another agency, the agency shall contact the commission to inquire as to the facts and reasons a peace officer became separated from any previous employing agency. The commission shall, upon request and without prejudice, provide to the subsequent employing agency any information regarding the separation in its possession.

(4) Civil liability shall not be imposed on either a law enforcement agency or the commission, or any of the agency's or commission's agents, for providing information pursuant to this section in a good faith belief that the information is accurate.

(e) The commission shall maintain the information reported pursuant to this section, in a form determined by the commission, and in a manner that may be accessed by the subject peace officer, any employing law enforcement agency of that peace officer, any law enforcement agency that is performing a preemployment background investigation of that peace officer, or the commission when necessary for the purposes of decertification. This information may be withheld from the subject peace officer if the commission determines that disclosure pursuant to this section may jeopardize an ongoing investigation, put a victim or witness at risk of any form of harm or injury, or may otherwise create a risk of any form of harm or injury that outweighs the interest in disclosure, until the risk of harm or injury is ended or mitigated so that the interest in disclosure is no longer outweighed by the interest in nondisclosure. Information that the commission releases to an agency pursuant to this section that has been withheld from the subject peace officer shall be kept confidential by the receiving agency.

(f) (1) The commission shall notify the head of the agency that employs the peace officer of all of the following:

(A) The initiation of any investigation of that peace officer by the division, unless that notification would interfere with the investigation.

(B) A finding by the division, following an investigation or review of the investigation, of grounds to take action against the peace officer's certification or application.

92 Ch. 397 — 9 —

(C) A final determination by the commission as to whether action should be taken against a peace officer's certification or application.

(D) An adjudication, after hearing, resulting in action against an officer's certification or application.

(2) If the certificate of a peace officer is temporarily suspended pursuant to subdivision (d) of Section 13510.8, or revoked, the commission shall also notify the district attorney of the county in which the peace officer is or was employed of this fact.

(3) Each notification required by this subdivision shall include the name of the peace officer and a summary of the basis for the action requiring notification.

SEC. 5. The Legislature finds and declares that Sections 3 and 4 of this act, which amend Sections 13510.85 and 13510.9 of the Penal Code, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following finding to demonstrate the interest protected by this limitation and the need for protecting that interest:

The limitation on the public's right of access set forth in Sections 4 and 5 furthers the need to protect sensitive, private, and confidential information, an ongoing investigation, and individuals from harm while balancing the public right to access.

O

92 — 10 — Ch. 397

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

95

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

95 — 2 — Ch. 17

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.

94

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.

94 — 2 — Ch. 224

(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.

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.

96

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

96 — 2 — Ch. 524

perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in antisability 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 antisability 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.

96 Ch. 524 — 3 —

(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

96 — 4 — Ch. 524

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.

96 Ch. 524 — 5 —

- (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

96 Ch. 524 – 7 –

Senate Bill No. 852

CHAPTER 207

An act to add Chapter 10 (commencing with Section 127690) to Part 2 of Division 107 of, and to repeal Sections 127694 and 127695 of, the Health and Safety Code, relating to health care.

[Approved by Governor September 28, 2020. Filed with Secretary of State September 28, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

SB 852, Pan. Health care: prescription drugs.

Existing law authorizes the Department of General Services to enter into exclusive or nonexclusive contracts on a bid or negotiated basis with manufacturers and suppliers of single-source or multisource drugs. Existing law authorizes the department to obtain from those manufacturers and suppliers discounts, rebates, or refunds based on quantities purchased, as permissible under federal law. Existing law authorizes those contracts to include price discounts, rebates, refunds, or other strategies aimed at managing escalating prescription drug prices. Existing law requires certain state agencies to participate in that prescription drug bulk purchasing program, including the State Department of State Hospitals and the State Department of Developmental Services. Existing law establishes the California Health and Human Services Agency, which includes departments charged with the administration of health, social, and other human services.

This bill would require the California Health and Human Services Agency (CHHSA) to enter into partnerships, in consultation with other state departments as necessary to, among other things, increase patient access to affordable drugs. The bill would require CHHSA to enter into partnerships to produce or distribute generic prescription drugs and at least one form of insulin, provided that a viable pathway for manufacturing a more affordable form of insulin exists at a price that results in savings. The bill would, subject to appropriation by the Legislature, require CHHSA to submit a report to the Legislature on or before July 1, 2023, that, among other things, assesses the feasibility and advantages of directly manufacturing generic prescription drugs and selling generic prescription drugs at a fair price. The bill would require CHHSA to report to the Legislature on or before July 1, 2022, a description of the status of the drugs targeted for manufacture and an analysis of how CHHSA's activities have impacted competition, access, and costs for those drugs. The bill would exempt all nonpublic information and documents relating to this program from disclosure under the California Public Records Act in order to protect proprietary, confidential information regarding

manufacturer or distribution costs and drug pricing, utilization, and rebates. The bill would state that its provisions are severable.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Chapter 10 (commencing with Section 127690) is added to Part 2 of Division 107 of the Health and Safety Code, to read:

CHAPTER 10. California Affordable Drug Manufacturing Act of 2020 127690.

This chapter may be cited as the California Affordable Drug Manufacturing Act of 2020.

127691.

For purposes of this chapter, the following definitions shall apply:

(a) "Generic drug" means a drug that is approved pursuant to subdivision (j) of Section 355 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.), or a biosimilar, as defined under the federal Public Health Service Act (42 U.S.C. Sec. 262).

(b) "Partnerships" include, but are not limited to, agreements for the procurement of generic prescription drugs by way of contracts or purchasing by a payer, state governmental agency, group purchasing organization, nonprofit organization, or other entity.

127692.

(a) The California Health and Human Services Agency (CHHSA) shall enter into partnerships, consistent with subdivision (b) of Section 127693, in consultation with other state departments as necessary, to increase competition, lower prices, and address shortages in the market for generic prescription drugs, to reduce the cost of prescription drugs for public and private purchasers, taxpayers, and consumers, and to increase patient access to affordable drugs.

(b) CHHSA shall have the ability to hire staff to oversee and project-manage the partnerships for manufacturing or distribution of generic prescription drugs, contingent upon an appropriation by the Legislature for this purpose.

127693.

(a) CHHSA shall enter into partnerships resulting in the production or distribution of generic prescription drugs, with the intent that these drugs be made widely available to public and private purchasers, providers and suppliers as defined in subdivision (b) of Section 1367.50, and pharmacies as defined in Section 4037 of the Business and Professions Code, as appropriate. The generic prescription drugs shall be produced or distributed by a drug company or generic drug manufacturer that is registered with the United States Food and Drug Administration.

(b) (1) CHHSA shall only enter into partnerships pursuant to subdivision (a) to produce a generic prescription drug at a price that results in savings, targets failures in the market for generic drugs, and improves patient access to affordable medications.

(2) For top drugs identified pursuant to the criteria listed in paragraph (5), CHHSA shall determine if viable pathways exist for partnerships to manufacture or distribute generic prescription drugs by examining the relevant legal, market, policy, and regulatory factors.

(3) CHHSA shall consider the following, if applicable, when setting the price of the generic prescription drug:

(A) United States Food and Drug Administration user fees.

(B) Abbreviated new drug application acquisition costs amortized over a five-year period.

(C) Mandatory rebates.

(D) Total contracting and production costs for the drug, including a reasonable amount for administrative, operating, and rate-of-return expenses of the drug company or generic drug manufacturer.

(E) Research and development costs attributed to the drug over a five-year period.

(F) Other initial start-up costs amortized over a five-year period.

(4) Each drug shall be made available to providers, patients, and purchasers at a transparent price and without rebates, other than federally required rebates.

(5) CHHSA shall prioritize the selection of generic prescription drugs that have the greatest impact on lowering drug costs to patients, increasing competition and addressing shortages in the prescription drug market, improving public health, or reducing the cost of prescription drugs to public and private purchasers.

(c) (1) In identifying generic prescription drugs to be produced, CHHSA shall consider the report produced by the Department of Managed Health Care pursuant to subdivision (b) of Section 1367.243, the report produced by the Department of Insurance pursuant to subdivision (b) of Section 10123.205 of the Insurance Code, and pharmacy spending data from Medi-Cal and other entities for which the state pays the cost of generic prescription drugs.

(2) The partnerships entered into pursuant to subdivision (a) shall include the production of at least one form of insulin, provided that a viable pathway for manufacturing a more affordable form of insulin exists.

(3) CHHSA shall prioritize drugs for chronic and high-cost conditions, and shall consider prioritizing those that can be delivered through mail order.

(d) CHHSA shall consult with all of the following public and private purchasers to assist in developing a list of generic prescription drugs to be manufactured or distributed through partnerships and to determine the volume of each generic prescription drug that can be procured over a multiyear period to support a market for a lower cost generic prescription drug:

(1) The Public Employees' Retirement System, the State Department of Health Care Services, the California Health Benefit Exchange (Covered California), the State Department of Public Health, the Department of General Services, and the Department of Corrections and Rehabilitation, or the entities acting on behalf of each of those state purchasers.

(2) Licensed health care service plans.

(3) Health insurers holding a valid outstanding certificate of authority from the Insurance Commissioner.

(4) Hospitals.

(5) Pharmacy benefit managers.

(e) Before effectuating a partnership pursuant to this section, CHHSA shall determine minimum thresholds for procurement of an entity's expected volume of a targeted drug from the company or manufacturer over a multiyear period. In making advance commitments, CHHSA shall consult with the Statewide Pharmaceutical Program and the California Pharmaceutical Collaborative.

(f) The listed entities in paragraphs (2) to (5), inclusive, of subdivision (d) shall not be required to purchase prescription drugs from CHHSA or entities that contract or partner with CHHSA pursuant to this chapter.

(g) CHHSA shall not be required to consult with every entity listed in paragraphs (2) to (5), inclusive, of subdivision (d), so long as purchaser engagement includes a reasonable representation from these groups.

127694.

(a) On or before July 1, 2023, CHHSA shall submit a report to the Legislature that assesses the feasibility of directly manufacturing generic prescription drugs and selling generic prescription drugs at a fair price. The report shall include an analysis of governance structure options for manufacturing functions, including chartering a private organization, a public-private partnership, or a public board of directors.

(b) This section shall only go into effect if the Legislature appropriates funds for this purpose in the annual budget.

(c) The report shall be submitted in compliance with Section 9795 of the Government Code.

(d) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

127695.

(a) On or before July 1, 2022, CHHSA shall report to the Legislature on both of the following:

(1) A description of the status of all drugs targeted under this chapter.

(2) An analysis of how the activities of CHHSA may impact competition, access to targeted drugs, the costs of those drugs, and the costs of generic prescription drugs to public and private purchasers.

(b) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

127696.

In order to protect proprietary, confidential information regarding manufacturer or distribution costs and drug pricing, utilization, and rebates, it is necessary that this act limit the public's right of access to that information. Notwithstanding any other provision of law, all nonpublic information and documents obtained under this section shall not be required to be disclosed pursuant to the California Public Records Act, Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code, or any similar local law requiring the disclosure of public records.

SEC. 2.

The Legislature finds and declares that Section 1 of this act, which adds Section 127696 of the Health and Safety Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

In order to protect proprietary, confidential information regarding manufacturer or distribution costs and drug pricing, utilization, and rebates, it is necessary for that information to remain confidential.

SEC. 3.

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.

california legislature—2023–24 regular session
ASSEMBLY BILL No. 1814

Introduced by Assembly Member Ting

January 10, 2024

An act to add Section 13661 to the Penal Code, relating to law enforcement.

legislative counsel's digest

AB 1814, as introduced, Ting. Law enforcement agencies: facial recognition technology.

Existing law, generally, regulates state and local law enforcement agencies regarding subject matter that includes the selection and training of peace officers, the maintenance and release of records, the use of force, and the use of certain equipment. Previous law, until January 1, 2023, prohibited the use of real-time facial recognition technology (FRT) by law enforcement agencies in connection with body-worn cameras.

This bill would prohibit a law enforcement agency or peace officer from using an FRT-generated match as the sole basis for probable cause in an arrest, search, or warrant.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. Section 13661 is added to the Penal Code, to line 2 read:

3 13661. (a) A law enforcement agency or peace officer shall line 4 not use a facial recognition
technology (FRT) match as the sole

99

3 (b) A peace officer using information obtained from the use of 4 FRT shall examine results with care and consider the possibility 5 that matches could be inaccurate.

6 (c) For purposes of this section, the following terms have the 7 following meanings:

8 (1) “Facial recognition technology” or “FRT” means a system 9 that compares a probe image of an unidentified human face against 10 a reference photograph database, and, based on biometric data, 11 generates possible matches to aid in identifying the person in the 12 probe image.

13 (2) “Probe image” means an image of a person that is searched 14 against a database of known, identified persons or an unsolved 15 photograph file.

16 (3) “Reference photograph database” means a database 17 populated with photographs of individuals that have been 18 identified, including databases composed of driver’s licenses or

19 other documents made or issued by or under the authority of the 20 state, a political subdivision thereof, any other state, or a federal 21 agency, databases operated by third parties, and arrest photograph 22 databases.

O

99 — 2 — AB 1814

AMENDED IN SENATE JANUARY 3, 2024
SENATE BILL No. 804

Introduced by Senator Dahle
February 17, 2023

An act to amend Section 872 of the Penal Code, relating to criminal procedure.

legislative counsel's digest

SB 804, as amended, Dahle. Criminal procedure: hearsay testimony at preliminary hearings.

The California Constitution allows hearsay testimony at preliminary hearings as prescribed by the Legislature. Existing law authorizes a law enforcement officer with either 5 years of law enforcement experience or training in the investigation and reporting of cases and testifying at preliminary hearings to testify to the out-of-court statements of declarants offered for the truth of the matter asserted.

This bill would additionally authorize a law enforcement civilian, as described, to testify to the out-of-court statements of declarants offered for the truth of the matter asserted.

The bill would, declarative of existing law, state that any perjured testimony given by either a peace officer or a civilian employee is subject to disclosure as impeachment evidence to the extent required under law.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

98

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

1 SECTION 1. Section 872 of the Penal Code is amended to line 2 read:

3 872. (a) If, however, it appears from the examination that a line 4 public offense has been
committed, and there is sufficient cause line 5 to believe that the defendant is guilty, the magistrate
shall make line 6 or indorse on the complaint an order, signed by the magistrate, to line 7 the
following effect: “It appearing to me that the offense in the line 8 within complaint mentioned (or
any offense, according to the fact, line 9 stating generally the nature thereof), has been committed,
and that line 10 there is sufficient cause to believe that the within named A.B. is line 11 guilty, I
order that he or she be held to answer to the same.”

12 (b) Notwithstanding Section 1200 of the Evidence Code, the 13 finding of probable cause
may be based in whole or in part upon 14 the sworn testimony of a law enforcement officer or
honorably 15 retired law enforcement officer relating the statements of declarants 16 made
out of court offered for the truth of the matter asserted. An 17 honorably retired law enforcement
officer may only relate 18 statements of declarants made out of court and offered for the truth
19 of the matter asserted that were made when the honorably retired 20 officer was an active
law enforcement officer. Any law 21 enforcement officer or honorably retired law enforcement
officer 22 testifying as to hearsay statements shall either have five years of 23 law
enforcement experience or have completed a training course 24 certified by the Commission on
Peace Officer Standards and 25 Training that includes training in the investigation and reporting
26 of cases and testifying at preliminary hearings.

27 (c) (1) Notwithstanding Section 1200 of the Evidence Code, 28 the finding of probable
cause may be based in whole or in part 29 upon the sworn testimony of a law enforcement
civilian relating 30 the statements of declarants made out of court offered for the truth 31 of
the matter asserted. Any law enforcement civilian testifying as 32 to hearsay statements shall
have either five years of experience as 33 a law enforcement civilian or have completed a
training course 34 equivalent to the training course described in subdivision (b).

35 (2) As used in this subdivision, “law enforcement civilian” 36 means a uniformed,
nonsworn, full-time paid employee of a law 37 enforcement agency, such as a community
service officer, police 38 technician, or police services officer, whose primary functions

98 — 2 — **SB 804**

1 may include, without limitation, writing police reports, 2 investigating reports of property crime, interviewing victims and 3 witnesses, collecting evidence, and processing crime scenes.

4 (d) For purposes of subdivision (b), a law enforcement officer 5 is any officer or agent employed by a federal, state, or local 6 government agency to whom all of the following apply:

7 (1) Has either five years of law enforcement experience or who 8 has completed a training course certified by the Commission on 9 Peace Officer Standards and Training that includes training in the 10 investigation and reporting of cases and testifying at preliminary 11 hearings.

12 (2) Whose primary responsibility is the enforcement of any law, 13 the detection and apprehension of persons who have violated any 14 law, or the investigation and preparation for prosecution of cases 15 involving violation of laws.

(e) Declarative of existing law, any perjured testimony given line 17 by a peace officer or law enforcement civilian pursuant to this line 18 section is subject to disclosure as impeachment evidence to the line 19 extent required under Brady v. Maryland, 373 U.S. 83 (1963).

O

SENATE BILL No. 912

Introduced by Senator Wiener

January 8, 2024

An act to add Section 13677 to the Penal Code, relating to criminal procedure.

legislative counsel's digest

SB 912, as introduced, Wiener. Colorimetric field drug tests.

Existing law prohibits the possession of certain controlled substances. The California Constitution provides for the Right to Truth-in-Evidence, which requires a ²³ vote of the Legislature to exclude any relevant evidence from any criminal proceeding, as specified.

This bill would require law enforcement agencies and prosecutorial entities to adopt policies for the arrest and prosecution of drug possession charges to ensure reliable and accurate identifications of controlled substances and to maintain the integrity of convictions, as specified. Unless a test from a crime laboratory confirms the presence of a controlled substance in the sample, the bill would prohibit the use of a colorimetric field drug test, as defined, by law enforcement for a determination of probable cause for an arrest, by a prosecutor when deciding whether to charge a person, or by a court for a conviction or sentencing, as specified. By excluding relevant evidence from a criminal proceeding, this bill would require a ²³ vote of the Legislature. The bill would, when a colorimetric field drug test is used for any reason, allow an individual who pleads guilty to a charge of drug possession to withdraw the plea and move for dismissal of charges in the event of a confirmatory laboratory test that finds that there was no controlled substance in the sample. The bill would allow a defendant to request a confirmatory test at any time during the pendency of the case or, subsequent to the entry of the plea, up to a year after the adjudication

99

of the case. By increasing the duties of local law enforcement, this bill 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.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 13677 is added to the Penal Code, to line 2 read:

3 13677. (a) All law enforcement agencies and prosecutorial line 4 entities shall adopt policies for the arrest and prosecution of a line 5 violation of Section 11350 of the Health and Safety Code to ensure line 6 reliable and accurate identifications of controlled substances and line 7 to maintain the integrity of convictions. The policies shall include line 8 procedures that ensure they are abiding by the requirements in line 9 subdivision (b).

10 (b) Unless a test from a crime laboratory confirms the presence 11 of a controlled substance in the sample, a colorimetric field drug 12 test conducted by a law enforcement agency shall not be used for 13 any of the following reasons:

14 (1) By a law enforcement agency for a determination of probable 15 cause for an arrest under Section 11350 of the Health and Safety 16 Code.

17 (2) By a prosecutor when deciding whether to charge a person 18 under Section 11350 of the Health and Safety Code.

19 (3) By a court for conviction or sentencing under Section 11350 20 of the Health and Safety Code.

21 (c) When a colorimetric field drug test is used for any reason, 22 an individual who pleads guilty to a violation of Section 11350 of 23 the Health and Safety Code shall be entitled to withdraw the plea 24 and move for dismissal of charges if a confirmatory laboratory 25 test finds that there was no controlled substance in the sample. The 26 defendant may request a confirmatory test at any time during the

99 — 2 — **SB 912**

1 pendency of the case or, subsequent to the entry of the plea, up to 2 a year after the adjudication of the case. If the defendant pleads 3 guilty without an attorney, the court shall advise them of their right 4 to a confirmatory lab test.

5 (d) For purposes of this section, “colorimetric field drug test” 6 means a field-testing drug kit that consists of color test reagents 7 for the preliminary identification of narcotics in their pure or 8 diluted forms. It does not apply to kits that use thin layer 9 chromatography as the identification procedure nor to kits that 10 identify drugs in body fluids.

11 SEC. 2. If the Commission on State Mandates determines that line 12 this act contains costs mandated by the state, reimbursement to line 13 local agencies and school districts for those costs shall be made line 14 pursuant to Part 7 (commencing with Section 17500) of Division line 15 4 of Title 2 of the Government Code.

O

99 **SB 912 — 3 —**

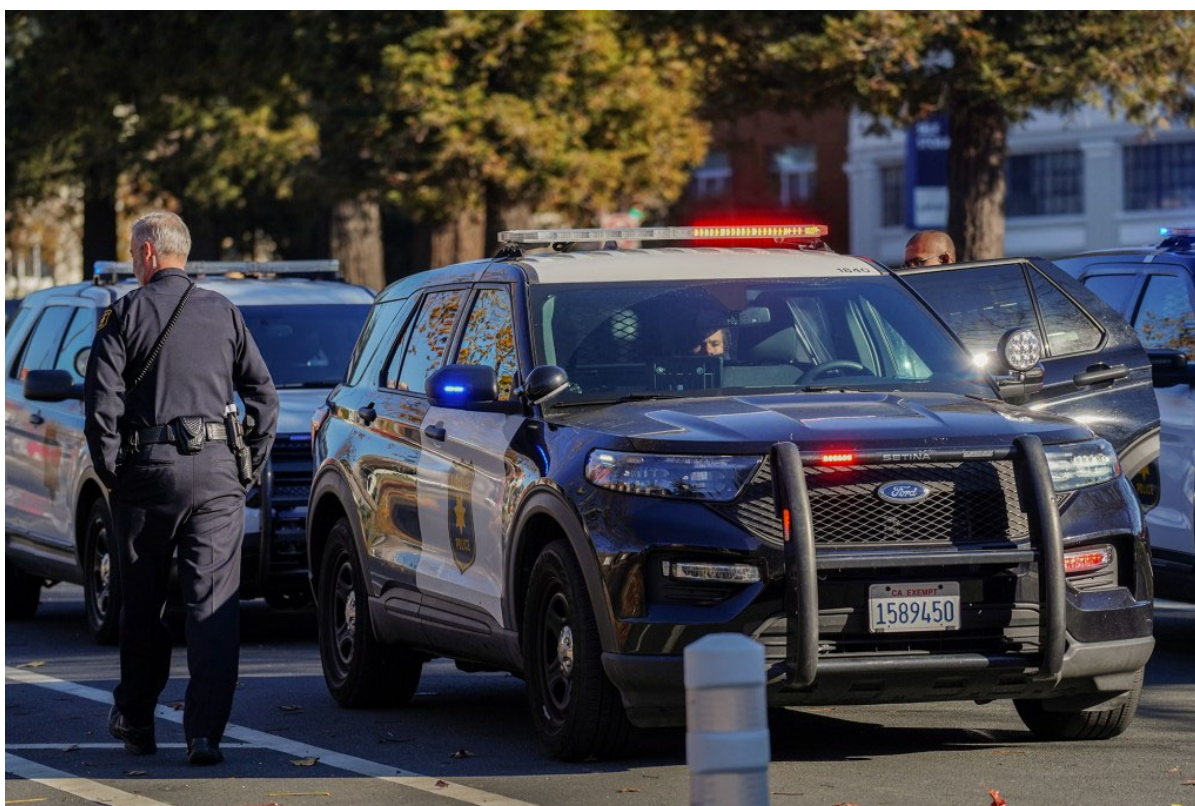


Presented by Climate-Smart Agricultural Partnership, California Water Service, Rebuild SoCal Partnership and Lucas Public Affairs

Nonprofit & Nonpartisan We depend on readers like you to support our nonprofit, nonpartisan state newsroom through tax-deductible donations. [Donate now →](#)

Good morning, California.

CA crime bills differ on law enforcement



Berkeley police officers arrest a suspect after a traffic violation on Nov. 19, 2022. Photo by Michael Ho Wai Lee/SOPA Images via Reuters

Scheduling note: WhatMatters is taking Monday off to honor Martin Luther King Jr. and will be back in your inboxes Tuesday.

In a week dominated by Gov. Gavin Newsom [unveiling his January budget proposal Wednesday](#), legislators were also busy introducing a stream of new bills.

Given that it's also an election year, some Democrats are flagging their concerns about crime — but through a progressive lens that still looks to limit what law enforcement can do.

For instance, now that a 2019 law barring police officers from using facial recognition software in their body cameras expired in January 2023, its author, Assemblymember [Phil Ting](#), is hoping to put more guardrails around law enforcement's use of the technology with a new bill.

Though [Assembly Bill 1814](#) does not outright ban the use of facial recognition software, it proposes to prohibit officers from using it “as the sole basis” to arrest, search or serve a warrant to a suspect. This is the San Francisco Democrat's second attempt at expanding the 2019 law — [a similar bill](#) passed the public safety committee last session, but was held by the appropriations committee.

Another Democrat from San Francisco, Sen. [Scott Wiener](#), introduced a bill Tuesday to prohibit police from using a certain drug test (known as a colorimetric, or color-based, field drug test) as the basis for arresting or filing charges against a suspect.

[SB 912](#) does not ban the use of the test altogether, but without confirmation from other tests, it can lead to wrongful convictions. A [University of Pennsylvania](#) study found that the test can have a false positive rate of 38% under certain circumstances (substances like cotton candy and sugar can trigger a positive result) and “a Black individual is three times more likely to experience a drug arrest with a false positive from a field test compared to a white individual,” according to the study.

Meanwhile, Republicans are trying to assist law enforcement by granting community service officers the ability to testify in preliminary hearings.

As CalMatters [Digital Democracy](#) reporter [Ryan Sabalow](#) writes, uniformed civilian employees are allowed to interview witnesses to crimes. But these officers, who also don't have the authority to arrest people, [can't testify about what they were told](#).

Instead, police officers with arrest powers must reinterview witnesses and then testify in court — a process, law enforcement says, that pulls officers off their beats, and prevents them from patrolling the streets and responding to emergencies.

Redding Republican Sen. [Brian Dahle](#)'s measure aims to change that. Allowing community service officers to testify at preliminary hearings frees up sworn police officers, who are already [understaffed, especially in rural areas](#).

Despite opposition from the ACLU, police reform advocates and criminal defense attorneys who argue that [SB 804](#) will lead to subpar testimony, the bill was approved Tuesday by the Senate public safety committee.

Sen. [Nancy Skinner](#) of Oakland, who abstained from voting and opposed a similar bill last year, said the newest measure does give her “a little more comfort” now that it includes a few tweaks, such as mandating non-sworn officers undergo the same testimony training as a sworn officer, or have at least five years of experience on the job.

- **Skinner:** “I can see a role for these individuals.... This is still tricky, but I don't have the same opposition.”

For more on Dahle's proposal, [read Ryan's story](#).

Advertisement

Jenna Wirkner

From: Jenna.Wirkner@alliant.com

From: Lynn La, CalMatters <whatmatters@calmatters.org>

Sent: Friday, January 19, 2024 6:06 AM

To: Marcus Beverly <MARCUS.BEVERLY@ALLIANT.COM>

Subject: RIP for some noteworthy 2023 CA bills

This message has originated outside the organization.

CAL MATTERS

[Browser View](#) | [Sign Up](#)



WhatMatters

Your guide to California policy and politics



Presented by Rebuild SoCal Partnership, California Water Service, Lucas Public Affairs and Agricultural Energy Consumers Association

Nonprofit & Nonpartisan We depend on readers like you to support our nonprofit, nonpartisan state newsroom through tax-deductible donations. [Donate now →](#)

Good morning, California.

RIP for some noteworthy 2023 CA bills



State Sen. Steven Bradford speaks during the first day of the California Legislature's 2024 session on Jan. 3, 2024. Photo by Fred Greaves for CalMatters

For the record: We have updated the headline of a Dec. 12, 2023 [article](#) and newsletter on a Los Angeles homeless housing program to better reflect what happened to displaced participants in the HOPICS rapid rehousing program. We use the terms “eviction” and “evicted” in the article and [newsletter](#) based on the common understanding of the word. However, HOPICS’ middlemen were those legally evicted. The clients were displaced from their homes as a result of the evictions. We regret if that was not clear to readers.

HOPICS used middlemen to help facilitate the program. The middlemen rented from property owners, becoming the property owners’ tenants. The middlemen then subleased to HOPICS participants. HOPICS subsidized participants’ rent through payment to the middlemen, who were then to pay property owners. As the article describes, when rent was not paid on a timely basis, property owners began eviction proceedings against middlemen. Participants then faced imminent displacement, which we refer to as “eviction.” Legal eviction proceedings were against the middlemen, not the HOPICS clients. As the article also describes, HOPICS arranged for new permanent housing or shelters for

most of the tenants facing imminent displacement, however HOPICS could not account for dozens more.

It's week three of the 2024 legislative session, but lawmakers spent some time Thursday dispensing with bills that carried over from 2023.

The [Senate](#) and [Assembly appropriations](#) committees, in the [somewhat secretive suspense file process](#), held a combined 24 bills after their hearings — essentially killing the measures for now. The panels will do this exercise again in mid-May and mid-August for bills introduced this year.

A few key bills that didn't make it out of the suspense file:

Criminal justice and courts

- [Senate Bill 838](#) would have expanded eligibility for victims compensation to include injuries or deaths caused by police officers after Jan. 1, 2024
- [SB 850](#) would have required the Judicial Council to develop a system for county courts to notify defendants of court appearances by text.
- [Assembly Bill 428](#) would establish the California Department of Reentry to develop reentry plans for individuals released from prison.
- [AB 797](#) would mandate that cities and counties create by Jan. 1, 2026 independent commissions to investigate complaints against police officers for injuries and deaths.
- [AB 1047](#) would require the state to develop an online system where Californians could voluntarily register to notify their mental health clinician if they tried to buy a gun.

Education

- [SB 767](#) to require public school students to finish one year of kindergarten before entering first grade.
- [AB 1408](#) to make it easier for academically struggling students to transfer within a school district, or to another district if no school is available.



Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024

Agenda Item E.6.

TECHNOLOGY DISCUSSION

INFORMATION ITEM

INFORMATION ITEM

ISSUE: PRMC members will be asked to share their experiences with technologies such as artificial intelligence, body cameras, drones, less lethal options, robots, vehicles, vehicle pursuits, etc.

The committee will receive a presentation on the following two technologies.

1. Training – Performa Labs - mobile-based training accelerator
2. Pulse Patch - reduce the risk of in-custody death
 - Presentation with Pulse Patch Founders

Below are potential topics for Law Enforcement previously covered - *An asterisk denotes a technology topic that has already been previously covered.

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



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

Agenda Item E.6. continued

RECOMMENDATION: None.

FISCAL IMPACT: None

BACKGROUND: There are many new technologies for police use. Some examples include artificial intelligence, automated license plate recognition, biometrics, body worn cameras and in-car video systems, body worn camera auditing, drones - unmanned aircraft systems, gunshot detection systems, handheld lasers, robots, robotic cameras, smarter police cars, tablets, thermal imaging, vehicle pursuit dart, video doorbells, and video redaction software.

ATTACHMENTS:

1. Performa Labs
2. Pulse Patch

Performa is a revolutionary mobile-based training accelerator, custom designed for peace officers to hone their policing skills, focused on de-escalation, use of force training, and other required key skills. Performa has been approved for training and continuing education credit by number of states, including the state of California, and is now being deployed across the US.

As the role of the peace officer extends across many skillsets, expanded and modern training is needed to ensure officers are prepared for the large variety of situations they encounter. Officers must de-escalate tough situations, act as counselors for those affected by mental illness and be able to identify medical conditions and issues brought about by substance addiction, to name a few things. These decisions must be made real-time all while suppressing the natural human tendency toward fight or flight and having immediate recollection of many governing laws and rules. Performa's platform helps accelerate officer training on all these fronts and more and we have real life data showing incredible results in the field.

Performa was originally designed to help professional athletes make better decisions in critical, high-stress situations. Reading a fast ball in the windup. Or anticipating a bounce pass. From our first use in sports by interacting with 1st-person in-game footage, athletes showed dramatic improvements in reaction times and decision skills.

Serial tech entrepreneur [Anderee Berengian](#), along with a team of law enforcement professionals, neurocognitive scientists and technology experts have leveraged the same training framework they created for sports and applied it to provide peace officers with realistic situations unlike any other to improve their decisioning making, de-escalation skills and understanding of pre-force conduct, implicit bias, and more.

The technology platform has been deployed for over 4 years to sworn peace officers in California and the data shows incredible improvements to decision making by officers.

California POST (Commission on Peace Officer Standards and Training) has approved Performa as the first ever self-guided training and has certified the product for CPT and PSP continuing education credits. Performa has onboarded or are onboarding nearly 200 police departments in California and have deployments and trials set with many other states.

Performa is helping improve public safety outcomes in all communities.

Sharper Minds. Safer Outcomes.

PULSE PATCH

REDUCE THE RISK OF IN-CUSTODY DEATH

Deployment Focus: Law Enforcement | Detention Facilities | Mass Casualty | Remote Areas



THE PROBLEM:

The Risks Surrounding Police Custody

The Citizen:

Subject health is at risk due to stressful situation

The Law Enforcement Officer:

Officer has responsibility, but minimal medical experience

The Police Department:

Department needs way to meet current laws

The Insurance Provider:

Insurance pools need to reduce risk exposure

THE PROBLEM SCALE:

Cost & Frequency

CA: \$76M in settlements paid out in the last 3 years (that we know about)

Nationwide Average Settlement as of 2020: \$1.87M

In the last 10 years, 120+ people have died of positional asphyxiation while in police custody

As many as 1.7M arrests involve Use of Force each year in the US (Estimated 17%)

Taser reports that a taser is deployed 904 times per day or once every 2 minutes worldwide

THE SOLUTION:

Pulse Patch

-Patent Pending-

An inexpensive and disposable device, which will alert first responders to the deteriorating health status of an individual in custody.

Reliable
Rapidly Deployable
Portable & Disposable



MARKET SIZE:

\$36M Annual Revenue

@ \$50/unit
-capturing 3%/year at 5 years
US First Responders

\$460M+ Revenue

US/Canada and Europe
Law Enforcement
Firefighters
Paramedics + EMT
Security Guards





BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

Agenda Item E.7.

ROUND TABLE ITEMS

INFORMATION ITEM

ISSUE: The floor will be open for discussion including potential future training topics.

- **Training ideas for May Meeting**
- **Lexipol Grant Finder**
- **Aviation (Drones)**

The Russia/Ukraine conflict has put significant pressure on the aviation insurance market. At the beginning of the conflict, Russia seized many commercial aircraft owned by other countries, and insurers are starting to pay those losses. Although those losses are unrelated to the operation of drones in the United States, the large losses in this market segment are likely to cause increases across all aviation insurance.

Aviation (Drones) premium is expected increase by 25% compared to the 2023-24 program year.

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, where a Round Table Discussion is included in the agenda.

ATTACHMENTS: None

NORTHERN CALIFORNIA CITIES SELF INSURANCE FUND
FY 22/23 Organizational Chart
Updated as of 12/1/23

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	Paul Young	Tom Westbrook	Paul Young	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.



BACK TO AGENDA

**Northern California Cities Self Insurance Fund
Police Risk Management Committee Meeting
February 1, 2024**

TODAY'S TRAINING SESSION AT 11:30 A.M.

INFORMATION ITEM

TOPIC: *Legal Update: Impact of New Legislation & Lessons Learned Presented by Bruce Kilday, Bill Bittner, and Jacob Graham from Angelo, Kilday and Kilduff Attorneys at Law*

ATTACHMENT(S): Training Announcement