

Date of Hearing: June 17, 2025

Counsel: Ilan Zur

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

SB 385 (Seyarto) – As Amended April 10, 2025

SUMMARY: Removes the requirement that the Commission on Peace Officer Standards and Training (POST) approve and adopt specified education criteria for peace officers within two years of the Office of the Chancellor of the California Community Colleges (OCCC) submitting a report to the Legislature outlining a plan to implement a modern policing degree program.

EXISTING LAW:

- 1) Establishes POST to set minimum standards for the recruitment and training of peace officers, develop training courses and curriculum, and establish a professional certificate program that awards different levels of certification based on training, education, experience, and other relevant prerequisites. (Pen. Code, §§ 830-832.10; 13500 et seq.)
- 2) Establishes the powers of POST, among others, to develop and implement programs to increase the effectiveness of law enforcement, and to secure the cooperation of state-level peace officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs. (Pen. Code, §§ 830-832.10; 13500 et seq.)
- 3) Requires every peace officer in the state to satisfactorily complete an introductory training course prescribed by POST. (Pen. Code, § 832, subd. (a).)
- 4) Provides that each class of public officers or employees declared by law to be peace officers shall meet specified minimum standards, including that they be a high school graduate, pass the General Education Development Test or other high school equivalency test, or have attained a two-year, four-year, or advanced degree from an accredited college or university, as specified. (Gov. Code, § 1031.)
- 5) Specifies that the above paragraph shall not be construed to preclude the adoption of additional or higher standards. (Gov. Code, § 1031, subd. (g).)
- 6) Requires any person designated as a peace officer, notwithstanding designated exceptions, or any peace officer employed by an agency that participates in a POST program to be at least 21 years of age at the time of appointment. (Gov. Code, § 1031.4, subd. (a).)
- 7) Provides that any person, who as of December 31, 2021, is currently enrolled in a basic academy or is employed as a peace officer by a public entity in California is not subject to the age requirement of 21 years of age. (Gov. Code, § 1031.4, subd. (b).)

- 8) Requires representatives from POST, stakeholders from law enforcement, the California State University, and community organizations to serve as advisors to the OCCC to develop a modern policing degree program. (Pen. Code, § 13511.1, subd (a).)
- 9) Requires the OCCC to report recommendations to the Legislature outlining a plan to implement the modern policing degree program on, or by, June 1, 2023. (Pen. Code, § 13511.1, subd (a).)
- 10) Requires the recommendations in the OCCC report to meet the following:
 - a) Focus on courses pertinent to law enforcement including, but not limited to, psychology, communications, history, ethnic studies, law, and those determined to develop necessary critical thinking skills and emotional intelligence.
 - b) Include allowances for prior law enforcement experience, appropriate work experience, postsecondary education experience, or military experience to satisfy a portion of the employment eligibility requirements.
 - c) Include both the modern policing degree program and bachelor's degree program in the discipline of their choosing as minimum education requirements for employment as a peace officer.
 - d) Include recommendations to adopt financial assistance for students of historically underserved and disadvantaged communities with barriers to higher education access to fulfill the minimum requirements to be adopted for employment as a peace officer. (Pen. Code, § 13511.1, subd (a)(1)-(4).)
- 11) Requires POST to approve and adopt the education criteria for peace officers, based on the recommendations in OCCC report, within two years of the submission of the report to the Legislature and in consultation with specified stakeholders. (Pen. Code, § 13511.1, subd (c).)
- 12) Requires POST to adopt rules establishing minimum standards relating to the recruitment, training and fitness of state and local law enforcement officers. (Pen. Code, §§ 13510 & 13510.5.)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, "SB-385 Adds clarity to education requirements for Peace Officer Candidates including the timeline for completion of upcoming degree requirements under the PEACE Act. Currently police officers would be required to complete a bachelor and associate degree within 24 months of their appointment as a Peace Officer. Adding flexibility to the timeline for completion allows officers to secure their employment and establish their career before being required to complete a degree. As California faces law enforcement shortages in rural and urban areas adding more flexibility will aid the hiring of more high quality officers."

- 2) **Law Enforcement Hiring and Staffing:** In the past several years, law enforcement agencies have struggled to recruit and retain sworn personnel. A survey conducted by the Police Executive Research Forum in June 2021 found that the departments surveyed were, on average, filling only 93% of the authorized number of positions available.¹ California has not been immune from officer recruitment and retention challenges. Between September 2021 and February 2022, San Diego lost over 100 officers, and in 2022 the city expected retirements and departures to outpace new hires.² Similarly, as of August 2021, the Los Angeles Police Department had 296 empty officer positions and almost 500 fewer officers on duty than it did the previous year; and as of November 2021, San Francisco was short 533 officers relative to full staffing levels.³ According to a study conducted by the Public Policy Institute of California, between 2020 and 2022, the state lost 3,563 sworn and 1,240 civilian staff, and staffing levels are down by 3.2% compared to 2020.⁴ In 2021, the number of officers per 100,000 residents was the lowest since 1995.⁵ Staffing levels increased in 2023, but still remain lower than in 2020.⁶

To address the staffing shortfall, law enforcement agencies have pursued a variety of potential solutions, such as increasing pay and benefits, scaling back job requirements, and hiring more non-sworn support staff. Some states, including California, have sought to address the problem and expand the applicant pool by removing or modifying officer citizenship requirements or raising the maximum age for eligibility.⁷

- 3) **Academic Requirements for Law Enforcement:** Law enforcement education requirements vary by jurisdiction and depending on the type and level of peace officer position. In California, prospective officers are required to have no more than a high school diploma or GED and complete a certain number of training hours through POST. (Gov. Code, § 1031; Pen. Code, § 832, subd. (a).) California law enforcement officers are already more likely to have some college education or an associate degree compared to full-time workers in other occupations, and California has more college-educated officers than all but three states.⁸

Increased focus on incidents of excessive force by peace officers have led to growing efforts to establish higher baseline educational requirements for officers. Research suggests that attaining college education significantly reduces the likelihood of force occurring, that

¹ Police Executive Research Forum, *Survey on Police Workforce Trends* (June 11, 2021), available at: <https://www.policeforum.org/workforcesurveyjune2021>

² The San Diego Tribune, *San Diego facing new police officer vacancy crisis blamed partly on vaccine mandate* (Feb. 3, 2022), available at: <https://www.sandiegouniontribune.com/news/politics/story/2022-02-03/san-diego-facing-new-police-officer-vacancy-crisis-blamed-partly-on-vaccine-mandate>

³ Los Angeles Daily News, *LAPD is short about 300 officers but the chief hopes to fill the gap* (Aug. 20, 2021), available at: <https://www.dailynews.com/2021/08/20/lapd-is-short-about-300-officers-but-the-chief-plans-to-fill-the-gap/>; Sierra, *SFPD could be short 533 officers amid staffing strains from the vaccine mandate*, ABC 7 News, (Nov. 1, 2021), available at: <https://abc7news.com/san-francisco-vaccine-mandate-sfpd-sf-city-workers-on-leave/11188916/>

⁴ Lofstrom et. al., *Law Enforcement Staffing in California*, Public Policy Institute of California (Feb. 2025), available at: <https://www.ppic.org/publication/law-enforcement-staffing-in-california/>

⁵ Public Policy Institute of California, *California's Notable Declines in Law Enforcement Staffing* (Feb. 14, 2023), available at: <https://www.ppic.org/blog/californias-notable-declines-in-law-enforcement-staffing/>

⁶ Lofstrom et. al., *supra*.

⁷ See SB 960 (Skinner, Ch. 825, Stats. of 2022), and AB 1435 (Lackey, 2023), vetoed by the Governor.

⁸ Public Policy Institute of California, *New Law Raises Standards for Police Officers* (Jan. 26, 2022), available at: [https://www.ppic.org/blog/new-law-raises-standards-for-police-officers/#:~:text=Last%20fall%2C%20Governor%20Newsom%20signed,enforcement%20from%2018%20to%2021; Cal Matters, Mandate higher education for California police officers \(March 26, 2021\), available at: https://calmatters.org/justice/2021/03/mandate-higher-education-for-california-police-officers/](https://www.ppic.org/blog/new-law-raises-standards-for-police-officers/#:~:text=Last%20fall%2C%20Governor%20Newsom%20signed,enforcement%20from%2018%20to%2021; Cal Matters, Mandate higher education for California police officers (March 26, 2021), available at: https://calmatters.org/justice/2021/03/mandate-higher-education-for-california-police-officers/)

officers with a college degree may be less likely to discharge their firearms, and that better educated officers may use force less often.⁹

In 2021, multiple bills were introduced which would have increased educational requirements for prospective California peace officers. Ultimately, AB 89 (Jones-Sawyer), Chapter 405, Statutes of 2021, was enacted, which required prospective peace officers to be at least 21 years of age, and to require the OCCC to develop a modern policing degree program with POST and other stakeholders. (Pen. Code, § 13511.1, subd (a).) AB 89 also required that stakeholder group to submit a report to the Legislature outlining a plan to implement that program by June 1, 2023. (*Ibid.*) That bill further specified that the OCCC's recommendations must include both the modern policing degree program and bachelor's degree in the discipline of the work group's choosing as minimum education requirements for employment as a peace officer. (*Ibid.*) Finally, AB 89 required POST to approve and adopt the education criteria for peace officers, based on the recommendations in the report, within two years from the submission of the report to the Legislature. (Pen. Code, § 13511.1, subd (c).)

In early 2023, AB 458 (Jones-Sawyer), Chapter 440, Statutes of 2023, as originally introduced, would have codified that expected recommendation and required prospective officers, by January 1, 2028, to obtain either a modern policing degree or bachelor's degree prior to receiving their basic certificate from POST, unless the officer was already employed by a public agency or enrolled in a basic academy. AB 458 was later amended into a bill unrelated to peace officer education requirements.

In November 2023, the OCCC task force released its final report and recommendations.¹⁰ As part of this broader recommendation, the OCCC task force proposed a modern policing degree as either an Associate of Arts or Associate of Sciences in Policing to be completed prior to obtaining a POST basic certificate or within 24 months of initial appointment as a peace officer.¹¹ Notably, the OCCC task force recommended the inclusion of “both the modern policing degree program and bachelor's degree in the discipline of their choosing as minimum education requirements for employments as a peace officer.”¹² Further, the report recommended that “the California Community Colleges should develop the Modern Policing Degree with transferability into a baccalaureate degree in mind,” and should “develop a baccalaureate degree in Policing.”¹³ Given the other recommendations regarding minimum educational standards, the OCCC task force likely did not intend to require prospective officers to obtain *both* an associate's degree *and* a bachelor's degree.

⁹ Rydberg and Terril, *The Effect of Higher Education on Police Behavior*, *Police Quarterly* 13 (1), 92-120, at pp. 92, 99, available at: https://www.researchgate.net/publication/247748841_The_Effect_of_Higher_Education_on_Police_Behavior; Mcelvain and Kposowa, *Police Officer Characteristic and the Likelihood of Using Deadly Force*, *Criminal Justice Behavior* 25(4): 505-521, at p. 505, available at: https://www.researchgate.net/publication/247745141_Police_Officer_Characteristics_and_the_Likelihood_of_Using_Deadly_Force

¹⁰ California Community Colleges Chancellor's Office, *California Assembly Bill 89 Modern Policing Degree Task Force Report and Recommendations* (Nov. 6, 2023), available at: <https://www.cccco.edu/-/media/CCCCO-Website/docs/report/2023-AB-89-Task-Force-Report-to-Legislature---FINAL.pdf?la=en&hash=734BC84521A88B49A0ADAD91AE1E289D031937C9&hash=734BC84521A88B49A0ADAD91AE1E289D031937C9>

¹¹ *Id.* at p. 8.

¹² *Ibid.*

¹³ *Id.* at p. 9.

In response to the OCCC report, SB 1122 (Seyarto) of the 2023-2024 Legislative Session, sought to clarify that any requirement for the completion of a bachelor's degree or associate's degree adopted pursuant to the recommendations of the OCCC may be satisfied after the completion of the POST program, and that an individual may complete a bachelor's or associate's degree within 36 months of their employment as a peace officer. This bill was passed by both houses of the Legislature but was recalled from Engrossing and Enrolling due to a fatal typographical error. AB 852 (Jones-Sawyer) of the 2023-2024 Legislative Session, similarly would have required a peace officer to attain a modern policing degree, or a bachelor's or other advanced degree from an accredited college or university, within 36 months of commencing their employment as a peace officer. AB 852 similarly was passed by both houses of the Legislature but was never sent to the Governor.

- 4) **Effect of this bill.** This bill would remove the requirement that POST approve and adopt education criteria for peace officers based on, and within two years of the submission of, the OCCC report to the Legislature. The OCCC report was released in November of 2023. POST is thereby required to adopt peace officer education criteria by the end of this year. This bill removes that requirement. AB 992 (Irwin) of the 2025-2026 Legislative Session similarly strikes this requirement, however, SB 385 additionally includes an urgency provision to ensure this statutory deadline is removed in advance of POST's end of year mandate. With a proposed urgency clause, this bill would require a 2/3 majority on the floor.

Effectively, this not only removes POST's deadline to adopt peace officer education criteria, but POST's responsibility to develop such criteria more generally. It may be helpful to consider this bill alongside AB 992 (Irwin), which is pending a hearing in the Senate Public Safety Committee. While this bill removes the requirement that POST adopt peace officer education criteria by the end of the year, AB 992 (Irwin) would require a peace officer to obtain either an associate's degree, bachelor's degree, modern policing degree, professional policing certificate, or otherwise have specified military or out-of-state law enforcement experience, within 36 months of receiving their basic certificate from POST. If both bills are enacted into law, this would shift responsibility for developing peace officer minimum education standards from POST to the Legislature, which is distinct from the process initially proposed by AB 89 (Jones-Sawyer) Chapter 405, Statutes of 2021.

- 5) **Argument in Support:** According to the *Riverside Police Officers Association*, among other peace officer associations, "California's law enforcement organizations cited here support SB 385 which seeks to correct some inadvertent errors in previous legislation (AB 89) which set some standards and timelines relative to peace officer educational requirements.

"Specifically, AB 89 required POST to adopt the education criteria for peace officers within two years of the submission of the report to the Legislature by the OCC. The OCC task force submitted its final report and recommendations as required by AB 89 in November 2023. Accordingly, under AB 89, POST must approve and adopt education criteria recommended by this report by November 2025. To remove this now-irrelevant deadline, this bill strikes the existing requirement that POST approve and adopt the OCCs education criteria within two years of the submission of their report.

"SB 385 is a technical clean-up bill designed to provide POST with the necessary flexibility in coordination with AB 992 (Irwin) which this committee approved earlier this year."

- 6) **Argument in Opposition:** None submitted.
- 7) **Related Legislation:** AB 992 (Irwin), of the 2025-2026 Legislative Session, would require a peace officer to obtain either an associate's degree, bachelor's degree, modern policing degree, professional policing certificate, or otherwise have specified military or out-of-state law enforcement experience, within 36 months of receiving their basic certificate from POST. AB 992 is pending a hearing in Senate Public Safety Committee.
- 8) **Prior Legislation:**
- a) SB 1122 (Seyarto), of the 2023-2024 Legislative Session, would have clarified that a bachelor's or associate's degree required for employment as a peace officer may be obtained after the completion of the POST program and within 36 months of employment as a peace officer. SB 1122 recalled from Engrossing and Enrolling due to a typographical error.
 - b) AB 852 (Jones-Sawyer), of the 2023-2024 Legislative Session, would have required a peace officer who is hired on or after January 1, 2029 to attain a modern policing degree, or a bachelor's or other advanced degree from an accredited college or university within 36 months of commencing their employment as a peace officer. AB 852 passed the Assembly and Senate but was never sent to the Governor.
 - c) AB 458 (Jones-Sawyer), Chapter 440, Statutes of 2023, requires an officer to attain either of the following degrees prior to receiving a basic certificate beginning on January 1, 2028: a modern policing degree from a California Community College; or, a bachelor's degree or other advanced degree from an accredited college or university. AB 458 was gutted and amended in the Senate.
 - d) AB 89 (Jones-Sawyer), Chapter 405, Statutes of 2021, requires all peace officers employed by agencies that participate in the POST program, who are not employed in or enrolled in academy for that position as of 2024, to be at least age 21 and meet specified education requirements.

REGISTERED SUPPORT / OPPOSITION:

Support

Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Association of Highway Patrolmen
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California Narcotic Officers' Association
California Police Chiefs Association
California Reserve Peace Officers Association
California State Sheriffs' Association
Claremont Police Officers Association
Culver City Police Officers' Association

Fullerton Police Officers' Association
League of California Cities
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California (PORAC)
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
Santa Ana Police Officers Association

Opposition

None submitted.

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