

Date of Hearing: March 29, 2022
Counsel: Andrew Ironside

ASSEMBLY COMMITTEE ON PUBLIC SAFETY
Reginald Byron Jones-Sawyer, Sr., Chair

AB 2062 (Salas) – As Introduced February 14, 2022

SUMMARY: Requires the Board of State and Community Corrections (BSCC) to establish a grant program to incentivize peace officers to seek employment with local law enforcement agencies serving underserved communities. Specifically, **this bill**:

- 1) Requires the BSCC to establish a grant program to provide \$50 million in grant funds to incentivize peace officers to work in local law enforcement agencies that are in underserved communities and to live in the communities they are serving.
- 2) Authorizes grant funds to be used to increase the salary of a peace officer who meets the following criteria:
 - a) Works in a police or sheriff's department that is in an underserved community that has had a homicide rate higher than the state average for the past five years or more;
 - b) Lives within a five mile radius of the primary police department or sheriff's office in which they work; and,
 - c) Is either a police officer licensed on or after January 1, 2023, or is a peace officer licensed prior to January 1, 2023, who transfers on or after January 1, 2023 to an agency in an underserved community from an agency that is not in an underserved community.
- 3) Requires grant funds to be used to supplement, not supplant, local law enforcement funding.
- 4) Requires grant funds to be used to increase a peace officer's salary for five years.
- 5) Requires local law enforcement agencies granted funds to annually report the following to the board:
 - a) The name of the officer identification number of the peace officer whose salary is be supplemented with grant funds;
 - b) Verification that the officer meets specified requirements;
 - c) The amount of the grant funding being used to supplement that officer's salary in each of the grant years; and,
 - d) If the peace officer who was the recipient of the grant funding in the prior year is no longer employed by the recipient agency, then verification that the employing agency is

using the remaining grant funds for a similar salary enhancement for another peace officer that meets specified requirements.

- 6) Requires the law enforcement agency that has grant funds that are not being used because of a vacancy to include in the annual report, at the time it is due, a hiring plan to fill the vacancy with a peace officer who will be eligible to receive the grant funds.
- 7) Requires a law enforcement agency submitting a hiring plan to submit an update to BSCC six months after the hiring plan is submitted stating whether they have hired a peace officer who is eligible to receive the funds.
- 8) Authorizes the BSCC to reassess the grant if a recipient law enforcement agency has grant funds that are not being used for a period of one year, and to require the return of the remaining unencumbered grant funds if the agency no longer qualifies for the grant.
- 9) Requires returned grant moneys to be reallocated to other law enforcement agency applicants or returned to the General Fund.
- 10) Requires BSCC to report to the Legislature and the Governor's office on the efficacy of the grant program, including, but not limited to, all of the following:
 - a) How many law enforcement agencies were granted funds;
 - b) How many peace officers received increased salaries with those funds; and
 - c) The efficacy of the grant program in hiring and retaining peace officers in agencies in underserved communities.
- 11) Makes implementation of the pilot program subject to an appropriation in the annual Budget Act.
- 12) Provides a sunset date for the pilot programs of January 1, 2029.

EXISTING LAW:

- 1) Establishes BSCC to provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system, including addressing gang problems. (Pen. Code, § 6024, subds. (a) & (b).)
- 2) Provides that BSCC's mission shall reflect the principle of aligning fiscal policy and correctional practices, including, but not limited to prevention, intervention, suppression, supervision, and incapacitation, to promote a justice investment strategy that fits each county and is consistent with the integrated statewide goal of improved public safety through cost-effective, promising, and evidence-based strategies for managing criminal justice populations. (Pen. Code, § 6024, subd. (b).)

- 3) Requires the BSCC to collect and maintain available information and data about state and community correctional policies, practices, capacities, and needs, including, but not limited to, prevention, intervention, suppression, supervision, and incapacitation, as they relate to both adult corrections, juvenile justice, and gang problems. (Pen. Code, § 6027, subd. (a).)
- 4) Requires the BSCC to seek to collect and make publicly available up-to-date data and information reflecting the impact of state and community correctional, juvenile justice, and gang related policies and practices enacted in the state, as well as information concerning promising and evidence-based practices from other jurisdictions. (Pen. Code, § 6027, subd. (a).)
- 5) Requires the BSCC to:
 - a) Develop recommendations for the improvement of criminal justice and delinquency and gang prevention activity throughout the state;
 - b) Identify, promote, and provide technical assistance relating to evidence-based programs, practices, and promising and innovative projects consistent with the mission of the board; and
 - c) Develop definitions of key terms, including, but not limited to, “recidivism,” “average daily population,” “treatment program completion rates,” and any other terms deemed relevant in order to facilitate consistency in local data collection, evaluation, and implementation of evidence-based practices, promising evidence-based practices, and evidence based programs. (Pen. Code, § 6027, subd. (b)(1)-(3).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, “Hiring and retaining qualified police officers who live in the same neighborhoods that they serve is one of the best ways we can build trust and reduce crime. AB 2062 is an innovative investment in creating neighborhood cops who are part of the community they serve and live in. Our neighborhoods are safer when we have strong, positive interactions between our community members and local law enforcement.”
- 2) **Need for the Bill:** Like other industries, law enforcement is experiencing a labor shortage. According to the Public Policy Institute of California (PPIC), “During the Great Recession, the state lost almost 4,000 sworn staff and 3,000 civilian staff between 2008 and 2011—declines of 5% and 7%, respectively. Staffing levels never fully rebounded, with nearly 2,000 sworn staff and over 2,300 civilian staff added since 2011.” (Lofstrom & Martin, Law Enforcement Staffing in California, PPIC (Feb. 2021) <https://www.ppic.org/publication/law-enforcement-staffing-in-california/>) [last viewed Mar. 21, 2022].) Local law enforcement agencies have had difficulty attracting officers and are left to compete for new recruits from police academies, whose numbers have dwindled in recent years. (E.g. Miller, *Clovis CA names committee to study police shortage issues*, The Fresno Bee (Jan. 11, 2022); Tavlian, *Fresno cops: Staffing shortages, crime wave leave us “drowning”*, San Joaquin Valley Sun (Sept. 7, 2021)

<<https://sjvsn.com/news/fresno/fresno-cops-staffing-shortages-crime-wave-leave-us-drowning/>> [last viewed Mar. 21, 2022]; *South valley police academy sees decline in enrollment, shortage of officers nationwide*, ABC30 (Jan. 8, 2020) <<https://abc30.com/police-officer-academy-recruits-south-valley/5827836/>> [last viewed Mar. 21, 2022].) Even where law enforcement enrollment has increased, the ratio of residents to police officers has increased because of population growth. (International Association of Chiefs of Police (IACP), *The State of Recruitment: A Crisis for Law Enforcement* (2019) <https://www.theiacp.org/sites/default/files/239416_IACP_RecruitmentBR_HR_0.pdf> [Mar. 21, 2022].)

Low staffing levels likely negatively affect both the agencies themselves and the communities they serve. According to IACP, “Research shows that operating below authorized staffing levels leads to low officer morale and job satisfaction. This is also true if employees perceive the agency to be understaffed.” (The State of Recruitment, *supra*, at p. 3.) And research indicates that higher law enforcement enrollment correlates with lower crimes rates, and may be cost effective. According to PPIC, “[E]ach additional officer reduces crime by 1.3 violent crimes and 4.2 property crimes per year, primarily through deterrence. Research also estimates that the crime-reducing benefits of hiring an additional police officer exceed \$300,000 per year, much more than the annual cost of an additional officer.” (Lofstrom & Martin, *supra*.)

Financial incentives may help attract more applicants to consider careers in law enforcement. According to IACP, “Attractive compensation packages have begun to set some agencies apart. In some states, state money has been allocated for officer student loan payment. Other jurisdictions have partnered directly with colleges and universities to allow police recruits to trade their training hours for college credits. These types of programs give recruits a chance to build and pay for their education without the stress of adding additional student loan debt. These types of programs aimed at developing young people into professionals have the potential to entice them to begin a career. Other types of monetary incentives can include sign-on bonuses or salary increases when a police recruit moves from the academy to the field.” (The State of Recruitment, *supra*, at p. 6.) Indeed, some local law enforcement agencies have offered incentives in an attempt to increase officer enrollment. For example, the City of Fresno initiated The Cadet Two Program giving participants the opportunity to “earn a paycheck, learn valuable skills, and advance through to the Fresno Policy Academy, as a sponsored cadet.” (Lopez, *Police academy sponsorship aimed at recruiting more officers*, FOX26 News (Nov. 18, 2021) <<https://kmph.com/news/local/police-academy-sponsorship-aimed-at-recruiting-more-officers>> [Mar. 21, 2022].) The program “cover[s] the cost of tuition, full benefits as well as a pay increase. The biggest draw, a guaranteed position with Fresno PD upon training completion.” (*Ibid.*)

However, grants aimed attracting officers to underserved communities may have limited impact if there is not a concomitant increase in the quality of applicants. According to IACP, “[T]he quality of the applicants [to agency vacancies] is often poor. It is not uncommon for applicants who appear to be strong candidates to fail a background check or divulge disqualifying information later in the hiring process.” (The State of Recruitment, *supra*, at p. 4.) The Commission on Peace officer Standards and Training also notes, “[Law enforcement] agencies are once again experience a high failure rate among law enforcement applicants. Many agencies are still witnessing a 90% to 95% failure rate among several thousand applicants statewide. The primary issues causing the failures continue to be weak reading

skills, unacceptable fitness levels, and character deficits.” (POST, *Program Guide Update: Building a Public Safety Career Pipeline* (2014) at p. 2

<https://post.ca.gov/portals/0/post_docs/publications/Building_a_Career_Pipeline-Program_Guide.pdf> [last visited Mar. 21, 2022].) The difficulty attracting quality applicants may have as much to do with perceptions of community-police relationships as with paychecks. (Cf. PPIC, *supra* [observing that only 19% African Americans and 44% Asian Americans say “police treat all racial and ethnic groups fairly almost always or most of the time”]; Survey of Young Americans’ Attitudes toward Politics and Public Service, Harvard Kennedy School, Institute of Politics <https://iop.harvard.edu/sites/default/files/content/docs/Spring_2021_Harvard_Youth_Poll_topline.pdf> [finding that 53% trust the police some of the time or never.]

- 3) **BSCC Grant Administration:** This bill would require BSCC to establish a grant program to incentivize peace officers to seek employment with local law enforcement agencies serving underserved communities. The Corrections Planning and Grant Programs Division of BSCC is responsible for administering state and federal grant programs to community-based organizations, tribes, and local governments, including grant programs financing public safety initiatives. (BSCC, Corrections Planning and Grant Programs <https://www.bsc.ca.gov/s_correctionsplanningandprograms/> [last viewed Mar. 24, 2022].) For example, BSCC administers the Safe Neighborhoods and Schools Fund, which uses state savings from Proposition 47 to issue grants for mental health services, substance use disorder treatment, and/or diversion programs for those in the criminal justice system. Indeed, BSCC administers grant programs like the one contemplated by this bill.
- 4) **Argument in Support:** According to the *Police Officers’ Research Association of California*, “This bill would, upon appropriation of funds for this purpose in the annual Budget Act and until January 1, 2029, require the Board of State and Community Corrections to establish a grant program to provide \$50,000,000 in grants to local law enforcement agencies to incentivize peace officers to work in local law enforcement agencies that are in underserved communities and to live in the communities that they are serving. AB 2062 would require grant funds to be used to provide a 5-year supplement to peace officer salaries in local law enforcement agencies that are in underserved communities that have had a homicide rate higher than the state average for the past 5 years or more and where the peace officer lives within 5 miles of the office in which they work. Local law enforcement agencies that receive grants would be required to report specified information to the board annually and would require the board to report to the Legislature and the Governor’s office on the efficacy of the program, as prescribed, on or before July 1, 2028.”
- 5) **Related Legislation:** AB 1608 (Gipson), would prohibit the board of supervisors from consolidating the offices of coroner and sheriff. AB 1608 is currently pending in the Assembly Committee on Local Government.
- 6) **Prior Legislation:**
 - a) AB 89 (Jones-Sawyer), Chapter 405, Statutes of 2021, raises the minimum age for peace officers to 21 and requires the Commission on Peace Officer Standards and Training (POST) and education stakeholders to develop a modern policing degree program.

- b) AB 846 (Burke), Chapter 3222, Statutes of 2020, provides that evaluations of peace officers include an evaluation of bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation; and that every department or agency that employs peace officers review their job descriptions and deemphasize the paramilitary aspects of employment and place more emphasis on community interaction and collaborative problem solving.
- c) AB 332 (Lackey), Chapter 172, Statutes of 2019, requires POST to submit a report to the Legislature and Governor with specified data relating to students' completion of the basic training course for peace officers and the availability of remedial training and retesting when a student fails to complete a course.

REGISTERED SUPPORT / OPPOSITION:**Support**

Peace Officers Research Association of California (PORAC)
California State Sheriff's Association

Opposition

None

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