

MEETING DATE: November 19, 2020

AGENDA ITEM: B

TO: BSCC Chair and Members

FROM: Evonne Garner, Deputy Director, evonne.garner@bscc.ca.gov

SUBJECT: Assembly Bill 1196: Peace Officers Use of Force Implementation – Standards and Training for Corrections (STC) Training Certification Prohibition Update: **Requesting Approval**

Summary

This agenda item requests Board approval of a policy change to the Standards and Training for Corrections (STC) program that would prohibit certification of choke hold training. The change would comply with the provisions of Assembly Bill 1196 which, among other things, prohibits the use of a carotid restraint or choke hold by law enforcement agencies (Attachment B-1). This request supplements the prohibition of carotid hold training that was approved by the Board on August 13, 2020.

Background

The Standards and Training for Corrections Division within the BSCC establishes minimum selection and training standards for correctional staff and probation officers and monitors compliance with those standards. (Pen. Code, § 6035.) In the wake of the death of George Floyd and the resulting nationwide demonstrations, on June 5, 2020, Governor Newsom announced new policing and criminal justice reforms. Those reforms included an order that the carotid hold be removed from state police training programs and state training materials. (Attachment B-1). The Governor also committed to working with the Legislature on a statewide ban that would apply to all police forces across the state. On September 30, Governor Newsom signed AB 1196, which prohibits a law enforcement agency from authorizing the use of a carotid restraint or choke hold.

In accordance with the Governor's June 5 directive specific to the removal of the carotid hold from state policing training programs, Chair Penner issued a memo to the field on June 10, 2020, notifying agencies of the suspension of the certification of all courses that included carotid control hold training, and prohibiting the delivery of carotid control hold training under a STC certification. On August 13, 2020, the Board made those suspensions permanent.

The passage of AB 1196 extends beyond the Governor's earlier directive prohibiting carotid hold training. It prohibits the use of both the carotid and choke holds. This Board item seeks board approval to make a conforming change to BSCC's training manuals to prohibit training on choke holds similar to the prohibition that was adopted for carotid hold training. Additional conforming changes will also be included in the revision of the Title 15 facility operating standards, which are currently under revision.

Recommendation/Action Needed

Staff recommends the Board:

1. Conform STC's policy manuals for agencies and training providers to include language indicating that choke hold training cannot be included in certified courses.

Attachments

B-1: Assembly Bill 1196