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AB-2361 Peace officers: independent institutions of higher education: security officers. (2015-2016)

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Assembly Bill No. 2361

CHAPTER 356

An act to add Section 830.75 to the Penal Code, relating to peace officers.

[Approved by Governor September 14, 2016. Filed with Secretary of State September 14, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2361, Santiago. Peace officers: independent institutions of higher education: security officers.

Existing law designates all persons who meet specified standards as peace officers. Existing law requires any sheriff, undersheriff, deputy sheriff or police officer, as specified, to successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. Under existing law, a person regularly employed as a security officer for an independent institution of higher education is not a peace officer but may exercise the powers of arrest of a peace officer during the course and within the scope of his or her employment if the employing institution of higher education has concluded a memorandum of understanding, permitting the exercise of authority, with the sheriff or the chief of police within whose jurisdiction the institution lies.

This bill would allow a person regularly employed as a security officer for an independent institution of higher education to be deputized or appointed as a reserve deputy or officer by a sheriff or chief of police if he or she has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training, and the institution of higher education and the appropriate local law enforcement agency have entered into a memorandum of understanding. The bill would extend the authority of a person designated as a peace officer pursuant to these provisions to any place in the state and would make that authority applicable only while he or she is engaged in the performance of his or her assigned duties, as specified.

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

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

SECTION 1. Section 830.75 is added to the Penal Code, to read:

830.75. (a) Notwithstanding subdivision (b) of Section 830.7, a person regularly employed as a security officer for an independent institution of higher education recognized under subdivision (b) of Section 66010 of the Education Code may be deputized or appointed by the sheriff or the chief of police of the jurisdiction in which the institution is located as a reserve deputy or officer pursuant to Section 830.6, notwithstanding that he or she is compensated by the institution of higher education or that the assigned specific law enforcement functions and duties may be of a recurring or continuous nature, if both of the following requirements are met:

(1) The person meets the requirements specified in paragraph (1) of subdivision (a) of Section 832.6.

(2) The institution of higher education and the appropriate local law enforcement agency have entered into a memorandum of understanding.

(b) The authority of a person designated as a peace officer pursuant to this section extends to any place in the state and applies only while he or she is engaged in the performance of his or her assigned duties for his or her institution of higher education pursuant to the memorandum entered into pursuant to paragraph (2) of subdivision (a). The primary duty of a person designated as a peace officer pursuant to this section shall be the enforcement of the law upon the campuses of his or her institution of higher education and within one mile of the exterior of those campuses, and in or about other grounds and properties owned, operated, controlled, or administered by that institution of higher education.

(c) Vehicles owned by an independent institution of higher education that are specifically designated for use by persons designated as peace officers pursuant to this section shall be deemed authorized emergency vehicles for all purposes of the law within the institution's jurisdiction.