

Date of Hearing: April 17, 2023

ASSEMBLY COMMITTEE ON TRANSPORTATION

Laura Friedman, Chair

AB 1435 (Lackey) – As Amended March 16, 2023

SUBJECT: Department of the California Highway Patrol: officers: age limit

SUMMARY: Raises the maximum age limit for appointment to the position of entry level peace officer of the Department of the California Highway Patrol (CHP) from 35 to 40 years old.

EXISTING LAW:

- 1) Establishes the CHP to consist of the following members: the commissioner, the deputy commissioner, assistant commissioners, chiefs, assistant chiefs, captains, lieutenants, sergeants, and officers. (Vehicle Code Section (VEH) 2250)
- 2) Establishes the minimum age limit for appointment to the position of entry level peace officer of the CHP as 21 years, and the maximum age limit for examination as 35 years. (VEH 2256)
- 3) Requires any member of the CHP to be capable of fulfilling the complete range of official duties administered by the commissioner pursuant and other critical duties that may be necessary for the preservation of life and property. (VEH 2268)

FISCAL EFFECT: Unknown

COMMENTS: The primary mission of the CHP is "the management and regulation of traffic to achieve safe, lawful, and efficient use of the highway transportation system." As a major statewide law enforcement agency, the secondary mission of the CHP is to assist in emergencies exceeding local capabilities. The CHP also provides disaster and lifesaving assistance. CHP has 24 communications centers throughout California, and receives about 6.7 million calls a year, 4.5 million are 911 calls.

The span of enforcement responsibility has expanded dramatically over the years and the CHP has continued to grow and change. Today's responsibilities include truck and bus inspections, air operations (both airplanes and helicopters) and vehicle theft investigation and prevention. The 1995 merger with the California State Police also increased the areas of responsibility to include protection of state property and employees, the Governor and other dignitaries.

In addition to its enforcement responsibilities, the CHP has taken a leadership role in educating the public concerning driver safety issues. The CHP has received state and national recognition for its innovative public awareness campaigns promoting use of safety belts, a designated driver when drinking, securing small children in safety seats and wearing motorcycle and bicycle helmets.

Academy. The first CHP academy class began on May 26, 1930, consisting of a two-week session for Inspectors and Captains. The first class for traffic officers began a few months later on September 16, 1930.

The present CHP academy is one of the most modern and complete law enforcement training academies in the United States. The academy will accommodate 280 students in dormitory rooms designed for up to two persons per room.

During the academy, cadets are responsible for 42 "learning domains" mandated by the Commission on Peace Officer Standards and Training (POST), in addition to agency-specific policies and procedures. During the 27-week program, cadets will receive over 1,100 hours of training.

Testing requirements include a physical and written exam, and a background check. Failure to pass the physical exam results in automatic disqualification and will end the applicant's hiring process. The physical exam requirements include:

- 19 Push-Ups (1 minute)
- 25 Sit-Ups (1 minute)
- 300 Meter run (70 seconds)
- 1.5 Mile run (15 minutes)

Recruitment. Due to the COVID-19 pandemic, recruitment for the CHP has changed. Typically, about 300 officers retire each year, but that amount could be tripled, with upwards of 900 to 1,000 officers stepping down post-COVID-19. CHP is currently looking to hire about 200 public safety dispatchers and operators. The CHP currently has a 26% job vacancy.

According to PPIC data, between 2020 and 2021, the state lost 2,100 sworn officers, leading to the lowest number of sworn officers per 100,000 residents since 1995. According to California Department of Justice data tracking personnel numbers from 2003-2021, CHP staffing reached its lowest recorded level in 2021, a 334 staff decrease from 2020 and a 659 personnel drop from 2019 levels.

In response to the need for additional officers, CHP in 2022 launched the "Join the CHP 1,000," described as "a multiyear recruiting campaign to fill 1,000 vacant officer positions by hiring qualified individuals from California's diverse communities."

One possible way to address the need for additional officers is to increase the maximum age for appointment. This bill proposes another maximum age adjustment, from 35 to 40. Prior to 2001, the maximum age for CHP applicants was 31. Legislation was passed and signed into law in 2001 that raised that maximum to 35, where it remains today. This change was made to address similar issues facing CHP at the time, however data is not available to assess how this policy change impacted recruitment.

According to the author, "AB 1435 is a commonsense approach to the staffing and recruitment issues facing the California Highway Patrol. Despite a shortage of at least 1000 officers with an estimated 25 officers retiring each month, the California Highway Patrol remains the only state law enforcement agency with a maximum recruitment age. This bill will raise that age from 35 to 40, growing the pool of potential candidates without sacrificing physical or mental fitness requirements in the process. This is an important and necessary step to take in order to ensure the California Highway Patrol has adequate resources to protect and serve our state."

In support, Govern for California writes, “Govern for California exists to support the general interest for all Californians, and AB 1435 will help ensure that CHP can draw upon a more robust applicant pool to fill a large and pressing set of vacancies.”

Previous legislation: AB 311 (Campbell) Chapter 162, Statutes of 2001 increased the maximum age for CHP applicants from 31 to 35.

REGISTERED SUPPORT / OPPOSITION:

Support

Govern for California

Opposition

None on file

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