**Learning Outcomes:** The students will learn about new legislation and case law that is either recent or pertinent given the law enforcement trends in California.

**Course Objective:** The students will receive instruction on new legislation and case law. The students will be able to apply their knowledge during their daily duties to ensure compliance with the laws and to ensure they are not violating constitutional rights of people they contact in the community.

**Expanded Course Outline:**

1. Introduction
   1. Course Goals
      1. Inform students of 2022 legislative changes that are relevant to their duties
      2. Ensure students understand how to comply with legislative changes and to apply changes correctly.
      3. Introduce case law relevant to deputies’ duties
      4. Ensure understanding of the relevant case law
2. AB 1506 (Police Use of Force)
   1. AG investigates OIS resulting in death of unarmed civilian
      1. Took effect July 1, 2021
      2. Police practices division or policy review
      3. Government Code 12525.3 defines deadly weapon and “unarmed”
      4. Implications to OIS investigation
      5. Investigations to date
3. AB 392 and PC 835a Update
   1. San Diego Deputy Aaron Russell

i) Facts of case and status update

b) San Leandro Officer Jason Fletcher

i) Facts of case and status update

c) Modesto Police Officer

i) Facts of case and status update

d) Attorney General Statistics

i) In-Custody Deaths in the process of arrest

1. AB 26(Peace Officers: Use of Force)
   1. Additional legal definitions
      1. Government Code (GC) 7286 (a)(2), Definition of excessive force
      2. GC 7286 (a)(4), Definition of “intercede”
      3. GC 7286 (a)(6), Definition of “retaliation”
   2. Policy mandates
      1. GC 7286 (b)(4), Prohibits of retaliation against excessive force reporters.
      2. GC 7286 (b)(18), Prohibits an officer training that has excessive force claim
      3. GC 7286 (b)(19), Failure to intervene disciplined same as violator
   3. Policy updates

i) General Order #12.00 updates

1. AB 490 (LE Agency Policies: Arrests: Positional Asphyxia)
   1. Legal definition
      1. GC 7286.5 (a)(4), Definition of Positional Asphyxia
   2. Legislative mandate
      1. GC 7286.5 (a)(2), No techniques or transport involving positional asphyxia .
   3. Policy updates
      1. General Order #12.00 updates
2. SB 2 (Peace Officers: Certification: Civil Rights)
   1. Release of Public Records
      1. Excessive UOF
      2. Failure to intervene
      3. Prejudice/discrimination statements or writings
      4. Unlawful arrest or search
   2. Peace Officer Standards Accountability Division
      1. Review investigations by LE agencies
   3. Peace Officer Standards Accountability Advisory Board
      1. Purpose
      2. Make up of 9 member board
   4. Defines “serious misconduct” considered for decertification
      1. PC 13510.8(a), 9 criteria
   5. Agency reporting
      1. Termination, separation, retirement
      2. Complain, charge, or allegation
      3. Laterals hires
3. SB 98 (Public Peace: Media Access)
   1. PC 409.7 Access to areas shut off by police during closure at rally, march, protest
      1. Command post, police line, rolling closure at rally, march, protest or rally
      2. Authorized representative to news service
      3. Prohibits peace officer from intentionally assault, interfere or obstruct
      4. Not cited for failure to disperse, violation of curfew, or PC 148(a)(1)
      5. Does not prevent LEO from acting when activity becomes unlawful
4. AB 48 (Law Enforcement: Use of Force)
   1. Amends PC 13652 and 13652.1
      1. Kinetic energy and chemical weapons cannot be used to disperse
      2. Training on proper use by POST for crowd control
      3. Authorized uses
      4. Unauthorized uses
5. Additional Laws and Bills
   1. AB 3 Exhibition of Speed on a Highway
      1. Defines sideshow in VC 23109(i)(2)
   2. AB 1337 Transportation
      1. Allows enforcement on BART Property in PC 369i(b)(2)
   3. AB331 Organized Theft
      1. Extends sunset date for retail theft in PC 490.4
   4. AB 1003 Wage Theft
      1. Wage theft of $950 for 1 person and $2350 in PC 487m
6. Case law studies (Number of presentations will vary depending on class size and student needs. Instructors can choose the appropriate cases for each class.)
   1. Break into groups
   2. Interpret the opinions
   3. Present to the class
      1. [Lange v. California](https://le.alcoda.org/publications/point_of_view/files/F21_Lange_v._CA.pdf) (2021) U.S., [141 S.Ct. 2011
      2. People v. Hall (2020) 57 Cal.app.5th946
      3. People v. Moore (2021) 64 Cal.App.5th 291
      4. Hayes v. San Diego (2013) 9th circuit
      5. Estate of Starks v. Enyart (1993), 5 F.3d 230
      6. Duncan v. Bonta (2021) 970 F.3d 1133 (9th Cir.)
      7. Caniglia v. Strom (2021) U.S., 141 S.Ct. 1596
      8. People v. Kasrawi (2021) 65 Cal.App.5th 751