

**BOARD OF STATE AND COMMUNITY CORRECTIONS
TITLE 15, DIVISION 1, CHAPTER 1, SUBCHAPTERS 1 AND 4
MINIMUM STANDARDS FOR TRAINING AND LOCAL DETENTION FACILITIES**

INITIAL STATEMENT OF REASONS

California Penal Code sections 6030, 6035, and 6036, establish the minimum standards for training and local correctional facilities. It also authorizes the Board of State and Community Corrections (BSCC) to review those standards and make any appropriate revisions.

§ 184. Annual Required Training.

Section 184 outlines the requirements for annual training of probation officers, adult and juvenile corrections officers, supervisors, managers, and administrators.

On October 4, 2023, Governor Newsom signed Assembly Bill (AB) 268 (Chapter 298, Statutes of 2023), which, effective July 1, 2024, requires annual training of correctional officers to include at least four hours of training on mental and behavioral health annually. In addition, AB 268 requires correctional officers to be certified in Cardiopulmonary Resuscitation (CPR) and, when safe and appropriate to do so, to begin CPR on a nonresponsive person without obtaining approval from supervisors or medical staff. (Pen. Code, § 6048, subs. (b), (d) & (e).)

Subsection (a) has been amended to modify the required annual training hours for journey adult corrections officers, supervising adult corrections officers, and jail or adult institution managers and administrators, from a total of 24 hours of training to 20 hours of training, with four hours of mental health. Subsection (b) was modified to require in-service training of correctional officers include no fewer than four hours of training on mental health and behavioral health annually. Subsection (c) and (d) are proposed to require that adult correctional officers are certified in CPR and that agencies maintain proof of certification; and, that adult correctional officers be training on when CPR is safe and appropriate for nonresponsive persons, without approval from supervisors or medical staff.

The proposed amendments to section 184 ensure that the regulations promulgated by BSCC remain consistent with statutory requirements on training for corrections officers. The changes also ensure that BSCC can monitor agencies for compliance with the mental health, behavioral health, and CPR training requirements. Monitoring for compliance is important to ensure that corrections officers across the state are properly trained and able to carry out their duties in ways that maintain the safety, security, and overall health of the facility, staff, and incarcerated people.

There are no anticipated fiscal impacts due to these changes because the total number of training hours have not been changed; all changes will be absorbed into the existing training requirements. Operationally, agencies will need to update their annual training

plans to specifically dedicate four hours to mental health and behavioral health training; ensure that Correctional officers are certified in CPR and that certifications are maintained on file; and, that adult correctional officers training includes when CPR is safe and appropriate without obtaining approval from supervisors or medical staff.

§ 1028. Fire and Life Safety Staff.

Section 1028 outlines requirements for fire and life safety staff in local detention facilities. Among other things, the existing regulation requires at least one staff on duty who meets the standards for general fire and life safety training, and fire and life safety procedures that relate specifically to the facility.

The proposed amendment to section 1028, identifies the existing paragraph into subdivision (a) and adds a new subdivision (b). Subdivision (b) is proposed to require the facility administered to develop and implement policies and procedures consistent with Penal Code section 6048(b), to require correctional officers certified in CPR to begin CPR on a nonresponsive person without obtaining approval from a supervisor or medical staff member, when appropriate and safe to do so. The reference citation has also been modified to include “and 6048” as it is referred to in the proposed text.

The changes proposed to Section 1028 ensure BSCC’s regulations remain consistent with Penal Code requirements for correctional officers and the administration of CPR as well as the intent of AB 268. The proposed requirements also ensure that BSCC facility inspectors review facility policies and procedures on CPR, CPR certification records of correctional officers, and incidents when CPR is administered on nonresponsive people for compliance. These additional requirements will help ensure that CPR certifications remain up-to-date, and that correctional officers possess the proper knowledge, skill, and training to administer CPR. Requiring correctional officers to begin CPR on a nonresponsive person, without approval of supervisors or medical staff, saves valuable time in an emergency situation; it could provide the intervention necessary to save a person’s life.

There are no anticipated fiscal impacts due to these changes. Operationally, facilities will need to update their policy and procedures manuals, ensure that correctional officers hold valid CPR certifications, and ensure awareness of the new expectations.

PURPOSE

The overall purpose of the proposed revisions are to ensure the BSCC’s regulations are consistent with the intent of AB 268, and the requirements adopted in statute. Amendments to Section 184 ensure that corrections officers receive the training on mental health, behavioral health, and CPR that is necessary to carry out their assigned duties in ways that promote the safety, security, and overall health of the facility, staff, and incarcerated people. Amendments to Section 1028 ensure facilities develop and implement policies and procedures for the consistent application of requirements related to CPR; correctional officers maintain up-to-date certifications so they possess the

necessary knowledge, skills, and training; and that correctional officers are directed to, and able, to begin CPR on a nonresponsive person when it is safe and appropriate.

PROBLEMS THIS PROPOSED REGULATION SEEKS TO ADDRESS

There are no specific problems that the revisions address, they reflect relevant changes in applicable statute.

BENEFITS ANTICIPATED FROM THE PROPOSED REGULATIONS

The BSCC anticipates several benefits from the proposed regulation amendment. In addition to those benefits outlined in the Notice of Proposed Action, BSCC anticipates improved protection of the safety, security, and health of facilities, incarcerated persons, and staff.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The BSCC did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the adoption of these regulations.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES

No other reasonable alternatives were presented to or considered by the BSCC.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The BSCC has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

The BSCC has determined that the proposed regulations would not have a significant statewide adverse economic impact directly affecting business based on the Economic Impact Assessment, as discussed below.

LOCAL MANDATE DETERMINATION

As required by Government Code section 11346.9(a)(2), the BSCC has determined that there will be no mandates imposed on local agencies or school districts as a result of the adoption of the Title 15 regulation amendments.

ECONOMIC IMPACT ASSESSMENT

PURPOSE

Pursuant to Penal Code 6030, 6035, and 6036, the BSCC has the authority and responsibility to review minimum standards and make appropriate revisions. The proposed revisions were made to incorporate necessary requirements for the training of corrections offices and the operation of local detention facilities.

THE CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

The proposed amendments will not create or eliminate jobs within the state of California.

THE CREATION OF NEW BUSINESSES OR THE ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed amendments will not create new businesses or eliminate existing businesses within the state of California.

THE EXPANSION OF BUSINESSES CURRENTLY DOING BUSINESS WITHIN THE STATE OF CALIFORNIA

The proposed amendments will not expand businesses currently doing business within the state of California.

BENEFITS OF THE REGULATIONS TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE STATE'S ENVIRONMENT

The anticipated benefits from the proposed regulation amendments include the expansion of annual training for correctional officers to include training on mental health, behavioral health, and CPR, in addition to maintaining proof of CPR certification and training on when CPR is safe to and appropriate to administer on a nonresponsive person. These expansions will contribute to the knowledge, skills, and abilities of correctional officers so that they can react quickly and properly when faced with challenging and potentially life-threatening emergency situations. Facilities developing and implementing policies and procedures that require correctional officers to begin CPR on a nonresponsive person, without approval of supervisors or medical staff, saves valuable time in an emergency situation and could provide the intervention necessary to save a person's life.

Additional benefits of the amended regulations are the advancement of minimum standards for training and local detention facilities that improve the overall safety, security, health, and welfare of incarcerated people and staff in local detention facilities.

The BSCC has determined that the state's environment will not be affected by the adoption of these regulations because the regulations pertain to the minimum standards for training and local detention facilities. Requirements of these regulations do not address any factors that would cause a positive or negative effect on the environment.