

ASSEMBLY BILL

No. 2042

Introduced by Assembly Member Jackson

February 1, 2024

An act to add Sections 13519.18 and 13519.19 to the Penal Code, relating to law enforcement.

legislative counsel's digest

AB 2042, as amended, Jackson. Police canines: standards and training.

Existing law requires all law enforcement agencies to maintain a use of force policy, as specified, and requires the Commission on Peace Officer Standards and Training to implement courses of instruction for the training of law enforcement officers in the use of force.

This bill would require the commission, on or before January 1, 2026, to develop standards and training guidelines, as specified, for the use of canines by law enforcement. The bill would require each law enforcement agency in California, on or before January 1, 2027, to adopt a policy for the use of canines that, at a minimum, complies with the standards developed by the commission, and to require regular and periodic training for all canines and canine handlers that covers, at a minimum, the training guidelines developed by the commission. Because the bill would impose additional requirements on local law enforcement agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13519.18 is added to the Penal Code, to
2 read:

3 13519.18. (a) On or before January 1, 2026, the commission
4 shall develop standards for the use of canines by law enforcement.
5 The standards shall, at a minimum, ~~address~~ *establish guidelines*
6 *based upon established best practices* for all of the following:

7 (1) ~~Restrictions on the~~ *The use of an unleashed police canine*
8 *to arrest or apprehend a person in both of the following situations:*

9 (A) ~~A person~~ *The person is* being pursued for a crime of
10 violence.

11 (B) ~~A person~~ *The person is* being pursued for a nonviolent crime.

12 (2) ~~Restrictions on the~~ *The use of a police canine for crowd*
13 *control at an assembly, protest, or demonstration.*

14 (3) ~~Restrictions on the use of a police canine to bite in any~~
15 ~~circumstance unless there is an imminent threat of death or serious~~
16 ~~bodily injury to the officer or another person by the person against~~
17 ~~whom the canine is used.~~

18 (3) *Procedures to minimize harm to innocent bystanders by an*
19 *unleashed police canine.*

20 (b) The commission may from time to time amend the standards
21 to include greater restrictions on the use of canines by law
22 enforcement.

23 (c) On or before January 1, 2027, each law enforcement agency
24 shall adopt a policy for the use of canines by the agency that, at a
25 minimum, complies with the standards developed pursuant to
26 subdivision (a).

27 (d) For the purposes of this section, “crime of violence” means
28 a felony involving the infliction or threatened infliction of serious
29 bodily injury or death.

30 SEC. 2. Section 13519.19 is added to the Penal Code, to read:

1 13519.19. (a) On or before January 1, 2026, the commission
2 shall develop standardized training guidelines for all law
3 enforcement officers in the use of canines by law enforcement.
4 The training guidelines shall include, at a minimum, all of the
5 following:

6 (1) An explanation of the guidelines described in Section
7 13519.18.

8 (2) A description of the minimum standards for training canines
9 prior to their use by law enforcement.

10 (3) A description of the minimum standards for training canine
11 handlers before employing canines in the line of duty.

12 (b) On or before January 1, 2027, each law enforcement agency
13 shall require regular and periodic training for all canines and canine
14 handlers that, at a minimum, covers the information in subdivision
15 (a).

16 SEC. 3. If the Commission on State Mandates determines that
17 this act contains costs mandated by the state, reimbursement to
18 local agencies and school districts for those costs shall be made
19 pursuant to Part 7 (commencing with Section 17500) of Division
20 4 of Title 2 of the Government Code.