

Adopt

Article 4. Peace Officer Certification.

§ 1210. Voluntary Surrender.

11 CA ADC § 1210

(a) Voluntary Surrender Requirements

(1) Any peace officer may voluntarily surrender their certification permanently, per Penal Code Section, 13510.8(f).

(A) Voluntary surrender of certification shall have the same effect as revocation.

(B) A surrendered certification cannot be reactivated.

(b) A Voluntary Surrender of Peace Officer Certification, POST 2-358 (03/2022) may be submitted to the commission:

(1) As part of a termination agreement between the peace officer and their employing agency,

(2) As part of a plea bargain in a criminal proceeding against the peace officer,

(3) As part of a settlement agreement between the Commission and the peace officer, or

(4) For any other reason.

(c) The Voluntary Surrender of Peace Officer Certification, POST 2-358 (03/2022) shall:

(1) Be completed in full and in writing,

(2) State the date on which the voluntary surrender will become effective,

(3) Include a statement by the peace officer they understand and acknowledge the consequences of the voluntary surrender,

(4) Be signed by the peace officer under penalty of perjury.

(d) POST shall notify the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training of the voluntary permanent surrender, per Penal Code Section 13510.85(c) and include the number of voluntarily surrendered peace officer certifications in its annual report, pursuant to Penal Code Section 13512.

Note: Authority cited: Sections 13510.8(f), 13510.85(c) Penal Code. Reference: Sections 13510.8(f), 13510.85(c), Penal Code.