Where did all these cops come from?

In the beginning were the cops: the police, the sheriffs, and of course the California Highway Patrol, affectionately known as the “meter maids.” There were other state agencies that had some relationship to law enforcement, but real cops considered them security guards. Then in 1977 along comes State Senator Ralph Dills with legislation that formalized collective bargaining rights for state employees and gave them the right to form, join, be represented by and participate in employee unions. Well in the fullness of time the state created twenty “bargaining units” and proceeded to distribute state employees into those units.

Bargaining Unit Seven ended up with all the folk that came anyplace near to carrying a badge...of sorts: state police types, security types, inspectors, compliance officers, etc., some seven thousands of them. National unions, already representing some police associations in California saw a wonderful opportunity to increase their membership and swung into action, especially the California State Employees Association (CSEA). One could barely move in Sacramento without running into SEIU, AFME, Op 3 Engineers, FOP, IUPA, NULEA, and even PORAC who never considered themselves a union; all competing to sign up Unit Seven. The problem was the state had not as yet completed the assignment of all the classifications into the units, but some, like the state police, were obviously going to be placed into Unit Seven. State Police along with California State Fire Marshals, and Department of Justice Investigators were all members of PORAC. Several of associations represented in Unit 7 had put together an ad hoc organization called California Association and Union of Safety Employees (CAUSE). PORAC was asked to assist in this formative stage by Len Delaney of the State Police. Len was elected provisional president of CAUSE and sought bids from labor unions and PORAC to
represent CAUSE and help them with the election, which would hotly fought with the California State Employees Association (CSEA).

The ParkRangers Association (CSPRA) decided to ignore the election, considering themselves professional tree huggers, but Mike Lynch and Vic Travisanut came to a meeting of CAUSE to get involved. Mike was handed a sample set of by-laws and told to pick a name for his new association. State Park Peace Officers Association of California was then created. This was only the first of many groups that needed to form an association within CAUSE, and PORAC’S general manager, Rick Baratta, was busy writing new bylaws and even developing logos for them.

PORAC was fortunate to have Ian McAndrew, since few were his equal in organizing and handling labor relations. His handling of the Unit 7 (CAUSE) organizing was nothing short of genius. True, he had the assistance of several people to draw upon, but they all got along and operated as a team. The newest addition to the team, Len Delaney, was only the first. The CAUSE activities also developed several strong leaders in the Unit 7 group. Mike Lynch, who had started an association from nothing, was to succeed in bringing the membership of the State Park Rangers into PORAC, along with his ranger friend Vic Trevisanut. Bob Morehen of the state police provided research for the group. Many others worked diligently to bring win the election for CAUSE and PORAC. Rick Baratta, once recorded attending forty meetings in one month with potential members. The end results were that CAUSE won their election to represent Unit Seven, and then joined PORAC as a group.

PORAC had to restructure its bylaws and provide labor representation to the new members, which resulted in the hiring of more labor representatives. The new PORAC members soon started exerting themselves, demanding changes in their working conditions. When McAndrew and Len Delaney negotiated the very first contract with the state they delivered an employment package that was far superior than anyone had expected; although their wish list still had a way to go. Inside of the first year PORAC entered forty pieces of CAUSE
legislation, and were startled to find that most of the bills passed into law. Many of these bills were designed to include CAUSE members into peace officer classification for the apparent prestige, while also making them “safety members” under the PERS retirement and workers compensation laws.

Today nearly a hundred various local and state employee classifications are enumerated under 830 et. sec. of the California Penal Code. Various conditions and police powers are granted to some of them as well as restrictions in carrying a weapon and exercising peace officer powers. I guess PORAC was responsible for the addition of many, but a peace officer classification study conducted by the legislature added the rest.

Since the inception of PORAC in 1953 one of the goals was to define a peace officer. But it wasn’t until Rick Baratta wrote two pieces of legislation, introduced by Assemblyman Robert Crown. Baratta was a POST consultant with liaison to PORAC. AB 2135 and AB 2136 were signed by the governor and became law in 1974.
In his report to PORAC Baratta wrote: “These bills have finally defined a peace officer, and mandate that an officer must be trained before hitting the streets, and obtain a POST certificate within a certain period of time to have the power of a peace officer. They are self-policing, since no chief or sheriff would fail to comply because of the extreme liability.”

AB 2135 mandates that all police officers and deputy sheriffs employed for the prevention and detection of crime and the enforcement of the general criminal laws of California after January 1974 must successfully pass the POST Basic Training before acquiring peace officer authority. AB 2136, mandates that all police officers and deputy sheriffs employed for the prevention and detection of crime and the enforcement of the general criminal laws of California must after January 1974 obtain a basic certificate; and thus mandated POST in a de facto manner, since the agency had to belong to POST for an officer to obtain a certificate.

Well today those two sections do read as follows:
832.3. (a) Except as provided in subdivision (e), any sheriff, undersheriff, or deputy sheriff of a county, any police officer of a city, and any police officer of a district authorized by statute to maintain a police department, who is first employed after January 1, 1975, and is responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state, shall successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer.

832.4. (a) Any undersheriff or deputy sheriff of a county, any police officer of a city, and any police officer of a district authorized by statute to maintain a police department, who is first employed after January 1, 1974, and is responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state, shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training within 18 months of his or her employment in order to continue to exercise the powers of a peace officer after the expiration of the 18-month period.

So there you have it! Still when folks think of cops today they don’t think of Furniture and Bedding Inspectors, nor of Stockyard Investigators, or of any of the myriad classifications that the legislature has blessed this state with. I’m afraid that there are still too few “Atta boys” and too many “Ah shits “coming down on police, sheriffs and of course, the CHP; but that’s part of the job really.

1 The italic words were deleted years later.