

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 120.4

REVISED APRIL 2024

LEGISLATIVE PROGRAM

1. GENERAL.

a. The Office of Special Representative (OSR) is responsible for representing the Department regarding state and federal legislation that impacts CHP programs and operations, and coordinating the Department's Legislative Program with the California State Transportation Agency (CalSTA) and the Governor's office. In carrying out its duties, the OSR shall:

- (1) Serve as the Department's representative to the California State Legislature and United States Congress.
- (2) Advise the Commissioner on all legislative matters, with the responsibility to make certain that departmental positions on legislation are consistent with the Commissioner's philosophy, as well as that of CalSTA and the Governor's office.
- (3) Represent the Commissioner and the Department before special interest groups and other organizations interested in motor vehicle legislation or public safety issues.
- (4) Assist in the management of legislator and/or constituent complaints involving the Department by serving as the liaison between departmental personnel and the legislative body.
- (5) Represent the Department on numerous internal and external committees and task forces including, but not limited to:
 - (a) Judicial Council of California, Traffic Advisory Committee.
 - (b) Judicial Council of California, Commission on the Future of California's Court System Civil Working Group.
 - (c) Public Safety Advocates.
 - (d) California Peace Officers' Association, Law & Legislative Committee.

(6) Regularly communicate with state and federal agencies, members of the legislative bodies and their staff, the Lieutenant Governor's office, the Governor's office, and allied law enforcement agencies both within and outside of California.

b. Field commanders are the advocates for the Department regarding local Area issues, and represent the direct connection to each legislator and their respective staff at the district level on local matters.

2. POLICY.

a. The Department's Legislative Program consists of three elements:

(1) Key Contact Program.

(a) The OSR shall be responsible for the coordination of the Key Contact Program. However, the overall duty for implementing the Key Contact Program shall be the responsibility of the field Division commander. The field Division commander shall develop policies and procedures within the Division to comply with the provisions of this General Order (GO).

(b) The Key Contact Program is a networking system for CHP representatives and elected officials that is carried out at the local level and is intended to augment the state-level activities of the OSR.

(c) Commanders shall make every effort to establish a close working relationship with elected officials in their jurisdictions. The establishment of a positive relationship is critical to the continued success of the Department.

(d) Visits by lieutenants (non-commanders), sergeants, or public information officers (PIO) shall supplement, rather than replace, visits by commanders.

(2) Legislative Proposals.

(a) As the largest state traffic law enforcement agency in the nation, the Department is often called upon to develop legislation that will compliment current law.

(b) The OSR shall solicit ideas for legislation from all members of the Department annually during the month of May.

(c) Proposals may be submitted to the OSR through channels for new laws or existing laws that require amending. (See paragraph 3.d. for details regarding the submission of legislative proposals.)

(d) The OSR is responsible for seeking authors of legislation proposed by the CHP as well as communicating the Department's approved position on legislation. Under no circumstance shall any member of the Department contact a legislator or staff member to seek authors either directly or indirectly on behalf of the Department.

(e) Should a command be approached by a legislator seeking CHP approval for, or sponsorship of, legislation, that command shall immediately refer the individual legislator to the OSR.

(3) Resolutions.

(a) A resolution is a formal statement from the legislative body regarding a particular subject. A resolution does not have the force of law.

(b) California legislative resolutions may be requested by commanders and above through the OSR to commend or memorialize members of the Department for various acts or accomplishments. Both the Assembly and Senate offer resolutions for heroic events, service retirements for outstanding employees, and renaming of highways.

3. PROCEDURES.

a. Key Contact Program.

(1) For the purpose of promoting a harmonious relationship, commanders shall, as soon as possible, introduce themselves to their respective local, county, state, and federal elected officials. For a current example of a sample introductory letter, contact the OSR.

(a) State and Federal Elected Officials.

1 Commanders shall personally contact their state and federal elected officials or staff members at their district office frequently, but not less than once per quarter. Contacts may be made with the elected member or with a key staff member in the official's district office. (See paragraph 3.c. for reporting requirements.)

2 It is recommended Division commanders periodically accompany Area commanders on Key Contact visits. Division commanders shall continue to emphasize the importance of the Key Contact Program during their routine visits to Area offices and at Division Area Commanders' Conferences (DACC).

3 The OSR will provide each Division commander with a list of state and federal legislators and a suggested departmental contact person. The recommended departmental contact person may be revised at the discretion of the Division commander, as necessary, to create the best possible relationship between the CHP and the elected official. Divisions shall forward any change of assignment through channels to the OSR. The OSR will maintain a current Key Contact list on the CHP Intranet site.

4 Situations which may warrant the reassignment of Key Contacts include:

a A preexisting relationship between the elected official and a member of the Department.

b Logistical considerations regarding the proximity of a district office to a particular command.

c The number of elected officials assigned to a particular commander.

5 Commanders should consider inviting their California Association of Highway Patrolmen District Representative to accompany them on at least one visit per year with the elected state official.

6 Key Contacts are the responsibility of the Area commander and may only be delegated with the approval of the Division commander.

7 Meetings with state and federal elected officials during the legislative session (January-September) should be scheduled when the officials will be in their district offices, normally on Friday.

8 Nothing in this GO precludes the PIO from having additional contact with the elected official at community events.

(b) Local Elected Officials.

1 Commanders shall personally contact their county board of supervisors and sheriffs or staff members at their office as frequently as possible, but no less than once per quarter. It is recommended that Division commanders periodically accompany Area commanders on visits to local elected officials.

2 Division commanders are encouraged to identify other local elected officials of importance and assign Area commanders to these officials as part of the Key Contact Program. Division commanders may use discretion and evaluate the need for an Area commander to visit local elected officials who have no influence within that command.

(c) Guidelines for Key Contacts.

1 Every effort should be made to respond to operational issues raised during the contact. Commanders shall not, however, respond to the merits or position of the Department on legislative issues. These matters shall be referred to the OSR for response.

2 Commanders are encouraged to maintain an ongoing file of departmental information for distribution during Key Contact sessions. Distribution of favorable information about the Department will assist in the development of a positive departmental perspective. It will also demonstrate our accomplishments, range of public services, and commitment to highway safety. Suggested items for distribution include:

a Perspectives magazine (when published).

b Zenith 12000 (when published).

c Departmental traffic safety-related pamphlets and information, so the elected official can display them in their district office.

d Letters of appreciation received from persons outside the Department.

3 Commanders are encouraged to send correspondence to their state Key Contacts on a quarterly basis advising them of the Area's accomplishments. For a current example of a Key Contact Report, contact the OSR.

4 State elected officials shall be immediately informed of any local incidents that are major in nature and within CHP jurisdiction.

Notification should be made to the local district office of the appropriate official(s). A secondary notification shall be made to the OSR commander. For specific incidents requiring notification to the OSR commander, please refer to GO 100.80, Notification and Report of Emergency Incidents and Significant Events.

5 Commanders shall be available for contact by county, state, and federal elected officials on a 24-hour basis. Relevant telephone numbers shall be provided to Key Contacts.

6 Commanders shall establish Area policy to develop monthly security and/or welfare checks at the district office of each state elected official. Officers who perform security and/or welfare checks shall document that activity on the CHP 415, Daily Field Record.

7 Division/Area commands are encouraged to offer a training program to state and federal elected officials' district office staff in such matters as security precautions, bomb threats, and the handling of difficult individuals.

8 Area commanders are encouraged to invite state, federal, and local officials to Area events such as:

- a Driving Under the Influence checkpoints.
- b Ride-alongs.
- c Staff meetings.
- d Shift briefings.
- e Training days.
- f The DACC.
- g Academy graduations.
- h Memorial services.
- i Medal of Valor ceremonies.
- j Presentations of 10851 Awards.

k Special events.

l 11-99 Foundation functions.

9 A state or federal elected official's district may include a jurisdiction served by more than one Area command. Commanders in these jurisdictions should make an effort to coordinate their Key Contact activities with the other command on a periodic basis.

b. Positions on Pending Legislation.

(1) The OSR is designated as the Office of Primary Interest for the Department's Legislative Program. Contacts with legislators on statewide and federal issues will be made by the OSR.

(2) It is important that only approved departmental positions be communicated during legislative discussions. The OSR works with CalSTA and the Governor's office to develop the Department's approved position on proposed legislation. Therefore, unless directed by the OSR, departmental employees shall not comment on proposed legislation on behalf of the Department. To avoid confusion and/or misinformation regarding the Department's position on pending legislation, all questions concerning legislation shall be referred to the OSR.

(3) Nothing in this GO shall preclude an employee from their right to contact an elected official and discuss legislation as a private citizen. In doing so, however, the employee shall make it clear that they are contacting the official as a private citizen and not on behalf of the Department.

c. Reporting Requirements.

(1) Key Contact Protocol. Division commanders shall ensure that elected officials identified for the Key Contact Program within their respective Divisions are contacted at least once per quarter. Division commanders shall establish a reporting protocol with their Area commanders, as deemed appropriate, to ensure the required contacts are made. For the required reporting format from the Area to the Division, contact the OSR.

(2) Quarterly Summary Report. A quarterly summary of all legislative contacts and any other significant Key Contact activity shall be prepared by each field Division. For the required format for quarterly summary reporting, contact the OSR. Reports shall be submitted in time to be received by the OSR no later than the fifteenth day following the quarter. Negative reporting is required and

shall be accompanied by an explanation of why no contacts were made during the reporting period. The OSR will consolidate the Division reports and provide copies to the Commissioner's office.

(3) Critical Issues. All critical issues that surface during meetings with a Key Contact and have the potential to impact the Department's Legislative Program shall be immediately brought to the attention of the OSR commander. Any other contact outside of the Key Contact Program which, in the commander's opinion, may have an impact on the Department shall be immediately communicated to the OSR. This reporting requirement is in addition to the quarterly reporting required in paragraph 3.c.

d. Legislative Proposals.

(1) Requests for legislative proposals will be solicited from the members of the Department.

(2) Proposals must include ideas for new and/or revised statutes.

(3) Proposals shall be submitted on a CHP 139, Legislative Proposal.

(4) Due to the large number of proposals submitted each year, proposals shall be approved through channels and arrive at the OSR no later than May 1 to be considered for the following legislative session.

(5) Commanders should encourage staff to submit legislative proposals. For a current example of a legislative proposal, contact the OSR.

e. Resolutions.

(1) All requests for legislative resolutions to commend or memorialize members of the Department shall be submitted via memorandum, through channels, to the OSR.

(2) Requests for resolutions shall be submitted no less than 12 weeks prior to the scheduled presentation date.

(3) Resolutions are normally requested only for retiring command level personnel and employees separating from the Department following an exceptionally distinguished career. Resolution requests for extraordinary accomplishments during state service may also be submitted for consideration.

(4) Requests shall include a copy of the member's retirement or promotional flyer, and contain a summary of the employee's personal history, career assignments, and accomplishments. If the resolution is to memorialize the employee, background information outlining their outstanding accomplishments and/or the special events should be included.

(5) It is the responsibility of Area commands to provide resolution language through proper channels to the OSR. Upon the Commissioner's approval of the concept, the OSR will coordinate with the appropriate legislative member. The OSR will keep the Area commander informed on the progress of the resolution.

(6) Commands shall not approach a member of the legislature to request a resolution without the prior approval of the OSR. Should a legislator offer to introduce a resolution on behalf of any retiring CHP employee, the OSR shall be immediately advised of these occurrences and shall be included in the review process as described above. This will ensure the OSR is aware of the legislator's intention. For a current example of a resolution, please contact the OSR.

f. Receipt of Legislative Complaints.

(1) A legislative complaint is a complaint that originates from a legislator's office or from the Governor's office, usually on behalf of a constituent.

(2) When the OSR receives a legislative complaint from a legislator or staff member, the OSR will document all the necessary information. The information shall be forwarded to the Office of Internal Affairs to be investigated and completed pursuant to Highway Patrol Manual (HPM) 10.4, Citizens' Complaint Investigations.

(3) Highway Patrol Manual 10.4, Chapter 4, Investigation Responsibility, specifies the suspense period for investigating legislative complaints is 30 days. Due to the sensitive nature of legislative complaints, it is extremely important commanders make every effort to complete the investigation of the complaint within the specified time frames. Please refer to HPM 10.4 for further information.

OFFICE OF THE COMMISSIONER

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