

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083COMMISSION MEETING  
April 15, 1993 - 10:00 A.M.  
Pan Pacific Hotel  
Opal Room  
400 West Broadway  
San Diego, CA 92101  
(619) 239-4500

## AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

APPROVAL OF MINUTES

- A. Approval of minutes of the January 21, 1993 regular Commission meeting at the Red Lion Hotel in San Jose.

CONSENT CALENDAR

B.1 Receiving Course Certificate Report

Since the January meeting, there have been 38 new certifications, 1 decertification, and 30 modifications. In addition, 123 agencies have been certified to present telecourse training, and 11 additional agencies certified for Proposition 115 training. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Third Quarter FY 1993/94

The fourth quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Information on New Entries Into the POST Regular (Reimbursement) Program

The Sacramento County Coroner's Office and the Sutter County District Attorney's Office have met the Commission's requirements and have been accepted into the POST Regular (Reimbursement) Program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.4 Receiving Report on Withdrawal of Departments from the POST Regular (Reimbursement) Program

The Mendota Police Department has been disbanded and law enforcement services are being provided under contract by the Fresno County Sheriff's Department. The Sacramento Unified School District Police Department has had a significant reduction in force. POST has been notified that the district will no longer be able to meet POST standards. The district has voluntarily withdrawn from the program. In approving the Consent Calendar, your Honorable Commission notes that the Mendota Police Department and the Sacramento Unified School District Police Department have withdrawn from the POST Regular (Reimbursement) Program.

B.5 Receiving Information on New Entries into the Public Safety Dispatcher Program

Procedures provide that agencies that have expressed willingness to abide by POST Regulations and have passed ordinances as required by Penal Code Section 13522 may enter into the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525.

In approving the Consent Calendar, your Honorable Commission notes that since the January meeting, the Sacramento County Sheriff's Department and the La Mesa Police Department have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program. These new entrants bring to 318 the number of agencies joining the program since it began July 1, 1989.

B.6 Affirming Commission Policy Set by Action at January 21, 1993 Commission Meeting

Consistent with Commission instructions, statements of policy made at a Commission meeting are to be submitted for affirmation by the Commission at its next meeting. At the last meeting, the Commission approved policy concerning consideration of waivers on P.C. 832 testing. The policy is described fully in the report under this tab. In approving the Consent Calendar, your Honorable Commission affirms the policies as described.

TRAINING PROGRAM SERVICES

C. Report and Recommendation for Approval of a Contract to Develop an Interactive Videodisc Training Program on Alcohol and Drug Recognition and Investigation

At its January 1993 meeting the Commission authorized the dissemination of a Request for Proposal (RFP) to develop an interactive multimedia course of instruction on Law

Enforcement Alcohol and Other Drugs (maximum expenditure authorized was \$400,000). The RFP called for the design and development of instructional materials and software to be used with the same or compatible equipment being used by law enforcement agencies and training institutions to deliver the interactive version of PC 832 mandated training and the Law Enforcement Driver Training course. Planned time for delivery from expected start-up time June 1, 1993 is approximately 13 months, or by June 30, 1994.

The RFP was distributed to more than 115 potential vendors. The proposals were evaluated for key factors such as instructional design, technical approach, available expertise and experience, and ability to deliver the products on schedule. Six formal proposals were received.

Final evaluations of proposals were still in progress as this agenda was being finalized. The bid analysis and the recommended vendor will be presented at the Commission meeting along with the recommendation of the Finance Committee. A background report is included under this tab.

Assuming a successful bidder, and if the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign a contract for this purpose.  
(ROLL CALL VOTE)

D. Proposal to Modify Hours for the Electronic Surveillance Course

The Electronic Surveillance Course was developed in 1988 pursuant to Penal Code Section 629 et seq. with a group of subject matter experts. The Commission took action at the November 2, 1988 meeting to approve the curriculum as recommended with a minimum of 24 hours in four designated topics, and subsequently referenced in the POST Administration Manual in Regulation 1081.

The course was certified to be presented by the Department of Justice as part of their contract training program. It has been presented 13 times since November 1988. Experience has shown the required topics can be addressed in fewer hours. The presenter and the instructors have recommended that the required hours for the course be reduced from 24 to 16 hours.

The matter is more fully described in the enclosed report.

If the Commission concurs, the appropriate action would be a MOTION to adopt changes to POST Regulation 1081 as proposed, subject to the results of a Proposed Notice of Regulatory Action.

## STANDARDS AND EVALUATION

### E. Report and Recommendation to Approve Issuing a Request for Proposals for Expanding the POSTRAC Testing System into a Comprehensive Training Management System

The POSTRAC testing system currently provides basic academies with the following capabilities: (1) the ability to download and print a professionally developed test in any of 40 content areas in less than ten minutes; (2) the ability to machine score tests; (3) the ability to keep detailed records of student performance on over 400 instructional objectives; and (4) the ability to produce a variety of reports that serve both instructional and administrative purposes.

For nearly seven years, the POSTRAC system has provided academies with an efficient means of testing students and has significantly increased student achievement as measured by POST Proficiency Test scores. However, the system is now technologically antiquated, meaning it is not as efficient or effective as it should be to properly serve basic course needs. This proposal will upgrade the system to current industry standards and provide the presenters of POST-certified training with a set of integrated computer programs for managing their other training activities.

This proposal has four major facets: (1) adding user-recommended features to the POSTRAC testing system; (2) developing a suite of programs that will perform other training management functions; (3) adding options to the programs that will allow users to configure them for use in courses other than the basic course; and (4) updating the system hardware and software to current industry standards. The result will be a comprehensive set of integrated programs that automate critical training management tasks that are currently being performed manually and inefficiently.

The training management system will cost up to \$230,000 and take 18 months to develop. However, the cost of the update for POST amounts to under per academy over the expected useful seven-year life of the program (i.e.,  $\$230,000 \div 35$  academies  $\div 7$  years of useful services). This is good value for a system that will substantially increase the efficiency and effectiveness of POST-certified training presenters and the POST staff that support them. A more complete description of the proposed system can be found under the tab.

If the Commission approves of the proposed system, the appropriate action would be a MOTION to authorize the Executive Director to issue a "Request for Proposals" for



developing a training management system for an amount not to exceed \$230,000.

F. Basic Academy Physical Testing Standard

In January 1985 the Commission adopted physical conditioning and physical testing standards for the Basic Course which require that all cadets complete 36 hours of prescribed exercise and pass a test consisting of five separately timed events: 99-yard Obstacle Course, 165-pound Dummy ("Body") Drag, 6-foot Chain-Link Fence Climb, 6-foot Wall Climb, and 500-yard Run.

A Commission-authorized follow-up study of the testing requirement has been completed. The study examined the empirical relationships between scores on the test and subsequent performance in field training. The study was conducted to evaluate both the predictive validity of the test and the appropriateness of the current minimum passing score on the test.

As noted in the full agenda report, results of the study indicate that the test is a valid predictor of physical job performance in field training and that an extremely small percentage of those who pass the test perform less than satisfactorily. Further, raising the minimum passing score on the test would not necessarily fail those who are performing less than satisfactorily, but would have the effect of failing more women exclusively. Based on these findings, it is recommended that no changes be made to the current testing standard.

If the Commission concurs, the appropriate action would be a MOTION to receive the staff report.

MANAGEMENT COUNSELING

G. Report on the Peace Officer Feasibility Study Conducted for the Sycuan Band of Mission Indians and Recommendation to Submit the Completed Report to the Legislature

Penal Code Section 13540 requires persons interested in designation as a peace officer to seek a feasibility study from the Commission. The Commission conducts these studies pursuant to contracts for recovery of costs. Completed study reports are submitted to the Legislature and the requesting party, as required by law.

Dan Tucker, Chairman, Tribal Council of the Sycuan Band of Mission Indians, requested a study concerning the designation of employees of the Sycuan Department of Public Safety as peace officers. The Sycuan Department of Public

Safety operates within the confines of the Sycuan Reservation in San Diego County.

The report under this tab concludes that the current and proposed duties and responsibilities of the employees of the Sycuan Department of Public Safety do not demonstrate sufficient need for peace officer authority and powers. In addition, the report identifies significant, unresolved legal issues and disputes involving tribal, State, and federal jurisdiction that directly affect law enforcement responsibility on an Indian reservation.

If the Commission concurs, the appropriate action would be a MOTION to submit the completed feasibility study report, including recommendations, to the Tribal Council of the Sycuan Band of Mission Indians and the Legislature.

#### TRAINING DELIVERY AND COMPLIANCE SERVICES

H. Report and Recommendation to Reinstate Inadvertently Deleted Regulations Relating to Maximum Permissible Hours a Trainee May Miss and Still Complete a Course

In 1990 the Commission approved regulations dealing with course certification and presentation which replaced the previous "Commission Procedure D-10." During the change from "Commission Procedure" to "Commission Regulation" the language setting the maximum allowable course hours which any student can miss in a POST-certified course was inadvertently deleted. The regulation addition proposed basically would reinstate the previous provision (5% Basic Course; 10% other) as detailed in the report under this tab.

The regulation can be reinstated using the abbreviated public notice process. If the Commission concurs, the appropriate action would be a MOTION to approve the regulation subject to the results of the Notice of Regulatory Action process. If no one requests a Public Hearing, the reinstatement becomes effective upon approval by the Office of Administrative Law.

#### BASIC TRAINING BUREAU

I. Report and Recommendation to Approve Basic Course Curriculum Modifications in Fourteen Learning Domains

It is proposed that the Commission approve 34 deletions, 41 additions, and 87 modifications to performance objectives in the basic course. Most performance objective changes are minor in nature and reflect course maintenance issues such as language changes, clarification of content, or the merging of curricula to streamline instructional content. A

summary of significant deletions, additions, and modifications to performance objectives is under this tab.

The proposed performance objective changes, which resulted from routine curriculum update reviews conducted by staff and subject matter specialists, will keep basic course training relevant and up-to-date. All proposed changes are concurred with by the consortium of academy directors.

The 560 hours presently required to complete the basic course will not be affected by these proposed changes.

The proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act. It is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed changes would go into effect upon approval as to form and procedure by the Office of Administrative Law.

The recommended action would be a MOTION to adopt, subject to the results of the Notice of Regulatory action, proposed curriculum changes to the basic course to be effective upon approval as to form and procedure by the Office of Administrative Law.

J. Recommendation for Authority to Contract for a Special Consultant Dedicated to the Development of a Basic Course Student Workbook Program

The recently completed Basic Course Study concluded with several recommendations designed to increase training effectiveness in the basic course. These were to be developed incrementally developed and brought back to the Commission for consideration.

One of these recommendations was the conversion of existing Basic Course Unit Guides to various workbook formats for use by academy students. Workbooks can be used to reduce the time spent in classrooms instructing students in curriculum that is required knowledge. The workbook concept is supported by basic course presenters.

Prior to work actually beginning, however, tasks that must be accomplished include identifying workbook-compatible subject areas, determining the type of workbook needed for each subject area, developing a Request for Proposal for workbook production and identifying short and long-term workbook maintenance needs. In addition, an evaluation procedure must be developed to measure the long-term effectiveness of the workbook program.

Existing staff resources are not sufficient to take this project on without seriously hampering other work and services. A special consultant, using the POST Management Fellow Program, would allow this necessary preliminary work to begin. The special consultant will most likely be found among the personnel of Basic Course presenters.

If the Commission concurs, the appropriate MOTION would be to authorize the Executive Director to sign a contract with a governmental agency for a special consultant to develop the Basic Course Workbook Program, with length of the contract not to exceed six months and the cost not to exceed \$50,000. (ROLL CALL VOTE)

#### EXECUTIVE OFFICE

K. Progress Report on Continuing Efforts to Make Driver Simulators Available for Training Peace Officers and Recommendation to Refer to the Long Range Planning Committee

The Commission's interest in finding ways to improve peace officer driver training took new directions beginning in the mid-1980's. Driver training ideally includes imparting cognitive, practical, and judgmental skills to officers who are required to use their vehicles safely even under stressful and complex circumstances.

Historically, driver training has been 24 hours in the basic course including 8 classroom hours and perhaps 16 hours observing and driving. Inservice driver training has been quite sparse considering a 1986 report revealed that only 1-1/2% of officers in the state receive any inservice driver training statewide.

In 1986 an eight-hour "parking lot" driver awareness course has been developed and is used by a number of departments. In 1992, the Commission introduced interactive videodisc courseware on driver training. This IVD course represents a major step toward in standardizing a cost-effective approach to present recruit and inservice training based on existing curriculum.

In order to create safe emergency vehicle training experiences, the Commission, several years ago, began studying the idea of using a driver simulator. The study included review of existing simulation systems and an in-depth feasibility report by Hughes Aircraft. The Hughes report recommended a phased approach beginning with IVD courseware and progressing to a non-motion based part task simulation system.

All this was done in the belief that the Commission's long-standing expression of interest could generate activity within the private sector. In fact, this has occurred. A California company, AGC Simulation Products (a part of ATARI Games) has been working on a cost-effective driver simulator for law enforcement. POST and law enforcement have provided AGC with subject matter input over the years. Recently AGC has field tested two driver simulator prototypes at San Bernardino Sheriff's Department. Reports are that the simulators are effective in preparing the officer trainee to perform well in complex and hazardous driving situations, and to make the critical judgments called for in those situations.

The AGC system consists of a pod of three or more individual non-motion based simulators linked together and to an instructor's module. The system provides great flexibility in designing and presenting a variety of driving scenarios and situations for the officer to experience. These include urban and rural settings in which patrol and pursuit exercises are simulated. The linked individual simulators enable officers to see and communicate with the other "cars" when a scenario calls for multiple vehicle exercises.

The cost of the simulator system (a pod of four plus the instructor's station) is priced at \$187,000. This is a fraction of the multi-million dollar motion-based systems which originally came to POST's attention. The cost would appear to make consideration of a formal pilot test of the system feasible.

This is before the Commission with a recommendation to refer the matter to the Long Range Planning Committee. The Long Range Planning Committee would receive more specific information from the manufacturer as well as a staff report on how a limited pilot program could begin.

If the Commission so desires, the appropriate MOTION would be to refer the driver simulator pilot concept to the Long Range Planning Committee for further consideration.

#### COMMITTEE REPORTS

##### L. Finance Committee

At its January meeting, the Commission authorized negotiation of a number of training, standards, and administrative contracts. These contracts will be reviewed by the Finance Committee at its April 15, 1993 meeting in San Diego. Commissioner Lowenberg will report the Committee's recommended actions on the following contracts.

Assuming favorable recommendations of the Finance Committee, the appropriate action, if the Commission concurs, would be a MOTION to authorize the Executive Director to sign them on behalf of the Commission. (ROLL CALL VOTE)

Proposed contracts to be negotiated for Fiscal Year 1993/94:

Training Contracts

1. Contracts for the Management Course are proposed for the following presenters \$308,268  
  
California State University - Humboldt  
California State University - Long Beach  
California State University - Northridge  
California State University - San Jose  
San Diego Regional Training Center
2. A contract with San Diego Regional Training Center for support of Executive Training (e.g., Command College, Executive Seminars, and Executive Development Course) \$542,300
3. A contract with CSU Long Beach for support of the Supervisory Leadership Institute \$406,357
4. An Interagency Agreement with the State Department of Justice for a variety of training courses \$930,858
5. An Interagency Agreement with San Diego State University for 12 monthly satellite broadcasts of training videotapes \$480,000
6. Contracts with Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production \$ 52,000
7. A contract for San Diego State University for production and broadcasts of telecourse programs during 1993/94 \$ 54,000

Standards Contracts

8. An Interagency Agreement with Cooperative Personnel Services - Basic Course Proficiency Exam \$ 25,000

9. An Interagency Agreement with Cooperative Personnel Services - Entry-Level Reading and Writing Test Battery \$ 80,000

10. An Interagency Agreement with the Cooperative Personnel Services - P.C. 832 Written Examination \$ 78,471

Administrative Contracts

11. A contract with the State Controller's Office for Auditing Services \$ 85,000

12. An Interagency Agreement with the Teale Data Center for Computer Services \$ 65,000

13. An Interagency Agreement with the Health and Welfare Data Center - CALSTARS Contract \$ 25,000

M. Long Range Planning Committee

Chairman Block, who also chairs the Long Range Planning Committee, will report on the Committee meeting held in Los Angeles on March 12, 1993.

N. Accreditation Committee

Commissioner Lowenberg, Chairman of the Accreditation Committee, will report on the Committee meeting held in Huntington Beach on March 10, 1993.

O. Legislative Review Committee

Chairman Block will report on the Committee meeting held April 15 just prior to the Commission meeting.

P. Advisory Committee

Committee Chairman Cois Byrd will report on the Committee meeting held April 14, 1993 in San Diego.

Q. Report on Progress of Labor/Commission Committee

Commissioner Lowenberg will report on progress to date of the ad hoc Labor/Commission Committee.

OLD/NEW BUSINESS

R. Report of Nominating Committee for Election of Officers

Commissioners Lowenberg and Ortega, members of the Nominating Committee, will report the results of the Committee's recommendations for nominations for Commission Chairman and Vice-Chairman.

S. Correspondence

- o Letter from Jack Bassett, Chief, Santa Cruz Police Department, expressing concern over POST's decision to eliminate salary reimbursements.
- o Letter from Stephen D. Walpole, Chief, Scotts Valley Police Department, also expressing concern over elimination of salary reimbursements.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 22, 1993 - Pan Pacific Hotel - San Diego  
November 4, 1993 - Waterfront Hilton, Huntington Beach  
January 20, 1994 - Westin Hotel, Costa Mesa  
April 21, 1994 - Northern California



**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083**COMMISSION MEETING MINUTES**

January 21, 1993

Radisson Hotel

San Jose, CA 95110

The meeting was called to order at 10:20 a.m. by Chairman Block.

Advisory Committee Chairman Cois Byrd led the flag salute.

**INTRODUCTIONS**

Newly appointed Commissioners Collene Campbell, Manuel Ortega, and Bernard Parks were introduced and welcomed. It was also announced that Commissioner Lowenberg was reappointed to a three-year term.

A calling of the roll indicated a quorum was present.

**Commissioners Present:**

Sherman Block, Chairman  
Collene Campbell  
Jody Hall-Esser  
Edward Hunt  
Ronald Lowenberg  
Daniel E. Lungren, Attorney General  
Manuel Ortega  
Devallis Rutledge  
Bernard Parks

**Commissioners Absent:**

Marcel Leduc  
Raquel Montenegro  
Floyd Tidwell

**POST Advisory Committee Members Present:**

Cois Byrd  
Jay Clark  
Norman Cleaver  
Joe Flannagan

**Staff Present:**

Norman C. Boehm, Executive Director  
Glen Fine, Deputy Executive Director  
Hal Snow, Assistant Executive Director  
Ron Allen, Bureau Chief, Training Delivery and Compliance

John Berner, Bureau Chief, Standards and Evaluation  
Bob Fuller, Bureau Chief, Basic Training  
Tom Liddicoat, Budget Officer, Administrative Services  
Holly Mitchum, Bureau Chief, Special Projects  
Otto Saltenberger, Bureau Chief, Training Programs  
Darrell Stewart, Bureau Chief, Information Services  
Ken Whitman, Consultant, Training Programs  
Frederick Williams, Bureau Chief, Administrative Services  
Vera Roff, Executive Secretary

Visitor's Roster:

Steven Aurilio, Sgt., Daly City PD  
Phil Beltran, San Jose PD  
Jim Benan, Santa Cruz SD  
Mickey Bennett, National Assn. of Field Training Officers  
Nelson Benton, CAPTO/Redwood City PD  
Steve Biron, Public  
Ken Brown, Monterey PD  
Irene Carroll, San Jose PD  
Kelly Chen, Sacramento Public Safety Center  
Alfred Dodds, Newport Beach PD  
John Darling, Monterey County SD  
Alana Forrest, Palo Alto PD  
Don Fuselier, Carmel PD  
Ron Frazier, Walnut Creek PD  
Linda Gibbons, San Mateo County SD  
Michael Grogan, Millbrae PD  
Jerry Hall, Sergeant, Santa Clara SD  
Steve Hartness, Santa Cruz SD  
Ron Havner, San Jose/Evergreen College  
Ed Hendry, Capt., Orange County SD  
Norm Hicks, Monterey County SD  
Tim Horton, San Francisco Airport PD  
Joe Jope, Emeryville PD  
John Howsden, Fremont PD  
Roger Kenney, August Volmer University  
Jeff Locke, Deputy Chief, Santa Cruz PD  
Bob Leonardich, Watsonville PD  
Edward Maghakian, CHP  
Ed Mason, IPM  
Jack McGilvray, Carmel PD  
Kathy McKenna, Palo Alto PD  
Rich McOmber, Sonoma County SD  
Rick Moore, Sgt, Salinas PD  
Bob Ninichol, Hillsborough PD  
Bob Norman, Foster City PD  
Jon Reither, Pacific Grove PD  
Sue Oliviera, Gavilan Police Academy  
Dan Scanlan, San Mateo PD  
Adam Silver, Videologic  
Jeanne Schidts, San Francisco Airport PD

Scot Stilwell, San Jose PD  
James Tuite, CAPTO/Newark PD, Retired  
Russ Turner, Attorney General's Office  
Jack Van Etten, Cmdr., Burlingame PD  
Tom Vlassis, Santa Cruz PD  
Steve Weinberg, VMI  
Roger Williams, Marina Public Safety

#### PRESENTATION

Chairman Block presented plaques to former Commissioners Robert Wasserman and Edward Maghakian in appreciation for outstanding public service and dedication to law enforcement as members of the Commission. Mr. Wasserman served from October 1983 to October 1992, and as Chairman from April 1987 to April 1988. Mr. Maghakian served from February 1985 to October 1992, and as Chairman from April 1992 to October 1992.

Chairman Block also presented a gavel to former Commissioner Edward Maghakian commemorating his service as Chairman from April 1992 to October 1992.

#### RECOGNITION OF MEMBERS OF POST'S VIDEO PRODUCERS' COMMITTEE

Members of the POST Video Producers' Committee were recognized for their work in creating and distributing video training programs to California law enforcement over the past decade. Those present were:

Dave Bailey, Sergeant, Los Angeles Police Dept.  
Jody Brencic-Clemens, Huntington Beach Police Dept.  
Jim Duffy, Deputy, San Diego County Sheriff's Dept.  
Arthur Garrett, Alameda Co. District Attorney's Office  
Jerry Hall, Sergeant, Santa Clara County Sheriff's Dept.  
Morley Hardaker, Department of Justice  
George Head, Officer, San Diego Police Dept.  
Mike Hyams, Sergeant, Newport Beach Police Dept.  
Mark Kiss, Santa Ana Police Dept.  
Harry McClure, Riverside County Sheriff's Dept.  
Chris Miller, Deputy, Los Angeles Co. Sheriff's Dept.  
David Miller, California Highway Patrol  
Steve Morse, Anaheim Police Dept.  
Robert Nouchi, San Jose Police Dept.  
Ken Sanchez, Sergeant, San Francisco Police Dept.  
Robert Smith, Orange County Sheriff's Dept.  
Russell Turner, Attorney General's Office  
Bill Masters, POST Committee Coordinator

## APPROVAL OF MINUTES

- A. MOTION - Lowenberg, second - Hall-Esser, carried unanimously to approve the minutes of the October 15, 1992 regular Commission meeting at the Radisson Hotel in Irvine.

## CONSENT CALENDAR

- B. MOTION - Hall-Esser, second - Lowenberg, carried unanimously to approve the following Consent Calendar:
- B.1 Receiving Course Certification Report
  - B.2 Receiving Financial Report - Second Quarter FY 1992/93
  - B.3 Receiving Information on New Entry of the Tehama County Coroner's Office Into the POST Regular (Reimbursement) Program
  - B.4 Receiving Information on New Entry of the Montclair Police Department into the Public Safety Dispatcher Program
  - B.5 Setting Command College Tuition for Non-Reimbursable Agencies
  - B.6 Setting Supervisory Leadership Institute Tuition for Non-Reimbursable Agencies
  - B.7 Approving Resolution Commending Retired Chief Philip A. Goehring

## PUBLIC HEARING

The purpose of the public hearing was to receive testimony in regard to proposed amendments of Commission Regulations and Procedures. The hearing was divided into three parts. Part I pertained to regulation changes to allow reimbursement for satellite antennas and IVD Hardware; Part II was a continuation of an October 1992 public hearing on regulation changes relating to review of video tapes in POST-certified training; and Part III pertained to regulation changes to recognize degrees and units awarded by certain non-accredited colleges and universities qualifying under SB 1126.

The public hearing was held in compliance with requirements set forth in the Administrative Procedures Act to provide public input on the proposed regulatory actions.

PART I

C. Proposal to Change Regulations to Allow Reimbursement for Satellite Antennas and IVD Hardware

The purpose of this portion of the public hearing was to consider adoption of Commission Regulations 1020 and 1021 and to amend Regulation 1015 regarding the requirements for reimbursement of satellite antennas and interactive videodisc (IVD) systems.

The Executive Director presented a summarization of written commentary received from the following:

Lt. Tom O. Musgrove, representing Sheriff Bob Martinez of the Yolo County Sheriff's Department.  
Charles Byrd, Sheriff, Siskiyou County Sheriff's Dept.  
Daniel A. Robbins, Chief, San Bernardino Police Dept.  
Edward F. Stout, Chief, Fontana Police Dept.  
Albert V. Lucchesi, Interim Chief, Chowchilla Police Dept.  
Chief Richard TerBorch, Chairman, Criminal Justice Administrators' Assn. of San Luis Obispo County  
Richard A. Bull, Chief, Red Bluff Police Dept.  
LaJoie H. Gibbons, Jr., District Attorney, Inyo County  
Norman R. Cleaver, Assistant Dean, Santa Rosa Training Center  
Billy Prince, Pres., Law Enforcement Television Network, Carrollton, Texas

Staff reported that under the proposed regulations, each agency would be eligible for one of each system authorized for reimbursement. Larger agencies would be conditionally eligible for more than one. Agencies would be required to attest that the system was installed at an agency facility and that the system will be used for POST training of full-time regularly-paid employees. Previously acquired systems which meet POST specifications would also be eligible for reimbursement. Installation and maintenance costs for both systems would be borne by the agency.

Following completion of the staff report, the Chairman invited oral testimony in support from attendees.

Officer Joe Flannagan spoke on behalf of Russell Siverling, Chief of Alhambra Police Department, and expressed support for the proposal.

Cois Byrd, Advisory Committee Chairman, reported that the Advisory Committee, consisting of law enforcement and training organizations, among others, reviewed this proposal at its January 20 meeting and expressed strong support.

The Chairman then invited oral testimony in opposition from attendees. No one present indicated a desire to be heard.

In accordance with the California Code of Regulations, the Executive Director summarized responses to concerns expressed:

Response to concerns of Norman R. Cleaver that reimbursement or direct purchase of satellites and IVD to POST-certified Basic Academies be offered through a California Community College. This proposal is only available to agencies participating in the POST reimbursement program. POST does not have authority to reimburse non-participating agencies. Under a separate agenda item, the Commission will consider satellite systems by contract to community college presenters of the Basic Course. In regards to reimbursement for an IVD system, grants will be provided through the Community College Chancellor's Office.

Response to a proposal from Billy Prince, President, Law Enforcement Television Network (LETN), Carrollton, Texas, wherein LETN would charge \$2500 for a single band (Ku), non-steerable receive antenna tuned only to LETN's satellite. LETN would give two free hours of broadcast time a month over their system. This proposal does not address the primary subject of this hearing, which is to adopt regulations to permit POST to reimburse agencies for acquiring satellite antennas and IVD training systems. His proposal focuses on the type of satellite antenna to be used and LETN's interest in becoming the source for the satellite services and the satellite antennas. The Commission has specified that satellite antennas must be steerable to any available satellite and be capable of receiving both C and Ku band frequencies. The flexibility afforded by a steerable, C/Ku band antenna system will allow signals via multiple satellites and allow connection with existing state university and Office of Emergency Service's systems, as well as with FBI, DEA, and other state and federal agencies. The system would be effective in training as well as providing instant communications in emergency and mutual aid situations.

In summary, the LETN proposal is substantially outside the scope of the hearing, would result in a highly inflexible system for California law enforcement, and the proposed \$2500 cost is higher than what the Commission is proposing as a maximum reimbursement rate (\$2377) for a superior system.

There being no further testimony, Part I of the hearing was closed.

Discussion included noting the high interest law enforcement has and expressions of urgency for the training these systems will afford.

MOTION - Lowenberg, second - Ortega, carried unanimously by ROLL CALL VOTE to adopt Regulations 1020 and 1021 and amend Regulation 1015 as proposed to be effective upon approval by the Office of Administrative Law (OAL). (Attachment A)

PART II

D. Continuation of Public Hearing on Proposed Regulations Relating to Review of Video Tapes in POST-Certified Training

This portion is a continuation of the public hearing held on October 15, 1992, the purpose of which is to consider the proposal to adopt Commission Regulation 1052 (g) regarding requirements for reviewing audio visual training materials. Written and oral testimony was accepted by the Commission at the October 15, 1992 hearing, and that part of the hearing was closed.

The Executive Director reported that a summarization of written commentary received regarding the proposed regulation adoption was read into the record at the October 15, 1992 hearing.

The October 15, 1992 public hearing for the proposed regulation requiring review of audio-visual training materials prior to use was continued to January 21, 1993. The Commission directed staff to reevaluate the proposed regulation and make appropriate adjustments based on issues raised at the public hearing in October.

Staff reported that the proposed regulations were modified with input from the advisory committee for this project. This latest version allows POST-certified presenters more latitude in how reviews will be conducted, yet ensures that competent reviews will occur. The California Academy Director's Association now formally supports the proposed regulation.

The Advisory Committee reviewed this proposal and recommended support.

There being no further discussion, Part II of the hearing was closed and the following action was taken:

MOTION - Lowenberg, second - Hunt, and carried unanimously, to adopt revised regulations as described in the report (Attachment B).

PART III

E. Proposal to Change POST Regulations to Recognize Degrees and Units Awarded by Certain Non-Accredited Colleges and Universities Qualifying Under SB 1126

This portion of the Public Hearing was to consider the proposal to amend Commission Regulation 1001 and Commission Procedure F-1, in which POST would recognize education at non-accredited, state-approved institutions that offer programs exclusively in criminal justice as applying towards POST certificates. This action is intended to bring POST regulations into compliance with new state law.

Staff reported that effective January 1, 1993, SB 1126 amended Penal Code Section 13510.1. This change in law requires POST to recognize courses and degrees provided by non-accredited, but state-approved colleges and universities that offer programs exclusively in criminal justice. This provision has a sunset clause and expires on January 1, 1998.

It was reported that the Advisory Committee expressed great concern with this law as it subverts the integrity of POST certificates. The Committee recommended that legislation be pursued to prevent its implementation.

Roger Kinney, August Volmer University (AVU), stated that while AVU is not currently accredited, they plan to seek accreditation prior to the sunset date.

Following completion of the staff report, the Chairman invited oral testimony, either in opposition or support, from attendees. No one present indicated a desire to be heard.

There being no testimony, Part III of the hearing was closed, and the following action was taken:

MOTION - Lowenberg, second - Hall-Esser, carried unanimously to adopt amendment of Commission Regulation 1001 and Commission Procedure F-1, regulation amendments (Attachment C).

TRAINING PROGRAM SERVICES

F. Setting Reimbursement Rates for Satellite Antennas and IVD Hardware

Following adoption of regulations to reimburse eligible agencies for the acquisition or up-grade of satellite antenna and interactive computer hardware systems (Item C),



staff requested that specific reimbursement rates for the eligible agencies be established.

A new C/Ku band steerable antenna system (including antenna, shipping, sales tax, and mounting hardware) is available for \$2377.

A complete interactive video work station, including a 386 PC with Super VGA monitor as well as a laser disc player and necessary plug-in board for the PC, has been competitively priced at \$4973.

The Finance Committee reviewed the proposal at its January 21 meeting and recommended approval.

MOTION - Hall-Esser, second - Ortega, carried unanimously by ROLL CALL VOTE to establish the reimbursement rates for the acquisition of satellite antenna systems at a rate not to exceed \$2377 per system, and to establish the reimbursement rate for an IVD acquisition at a cost not to exceed \$4973 per system.

G. Recommendation for Authority to Contract with Basic Academies for Satellite Receiving Antennas

Staff proposed that authority be granted the Executive Director to contract individually with 20 community college presenters of the Basic Course for acquisition of satellite antenna systems. Academies certified to law enforcement agencies were not included in the proposal on the assumption that the law enforcement agencies would purchase a receiver under the planned reimbursement program.

MOTION - Hall-Esser, second - Ortega, carried unanimously, by ROLL CALL VOTE to authorize the Executive Director to sign contracts with the 20 community college presenters of the Basic Course in individual amounts not to exceed \$2377, with aggregate amount not to exceed \$60,000.

H. Approval of Request for Proposal (RFP) on Developing an Interactive Videodisc Training Program on Alcohol and Drug Recognition and Investigation

The staff report proposed that the Commission authorize the Executive Director to prepare and distribute a Request for Proposal (RFP) to develop an interactive videodisc Alcohol and Other Drugs training program for law enforcement. The proposed program would provide a training course that could be used in the Basic Course and either replace or augment a

variety of in-service training courses currently certified statewide.

It was recommended that the Commission approve a maximum cost of \$400,000. Some cost savings may be possible by using existing video/film on these topical areas. Final costs could be less than the proposed maximum, depending on vendor bids for the development of the courseware. The courseware remains the property of the Commission. After the program is developed the Commission could consider a marketing program under a separate agreement.

It was suggested that an alternative pricing structure be included in the RFP and that minor modifications be made in the courseware so that program could also be used by public and private entities.

MOTION - Hall-Esser, second - Parks, carried unanimously to authorize the Executive Director to prepare and distribute an RFP for developing an IVD training program on Alcohol and Other Drugs at a cost not to exceed \$400,000 and report back on the recommended contractor by the April 1993 meeting.

I. Approval for Contract Authority to Purchase Additional P.C. 832 IVD Courseware

Based on existing requests for P.C. 832 Introduction to Law Enforcement Interactive courseware, staff requested that 50 additional sets of courseware be purchased to meet community college needs. This would also provide additional courseware until final decisions on an up-date of the courseware are presented to the Commission in April 1993.

Comsell, Inc. is the sole source for complete sets of this courseware, and is the marketing arm for POST on this courseware outside California. Comsell quoted a price of \$520 per set of courseware. This cost covers all mastering, labor for assembly, and shipping charges on the courseware to POST. The cost for 50 sets of courseware is \$26,000.

MOTION - Hall-Esser, second, Lowenberg, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to contract for the purchase of additional P.C. 832 courseware at a cost not to exceed \$26,000.

## STANDARDS AND EVALUATION

### J. Report on Report Writing Instruction for Basic Academy Cadets and Recommendation for Contract Authority to Develop a Series of Scenario-Based Report Writing and Testing Materials

Staff reported that a Commission-authorized study of the report writing capabilities of basic academy cadets had been completed. Key findings were that report writing instruction varies greatly by academy, that large numbers of graduating cadets are lacking in report writing skills, and that performance differences among cadets are related to differences in instruction.

Based on these findings, the study report included the recommendation that the Commission approve the expenditure of up to \$127,750 for the development of five videotape-based report writing exercises for incorporation into a standardized basic academy report writing curriculum. Of this total, up to \$93,750 would pay for production of the tapes; up to \$25,000 would pay for a three-month POST Fellowship for the assistance of a law enforcement report writing instructor in writing the scripts, overseeing the shooting of the videos, and assisting in the development of the report writing evaluation criteria; and up to \$9,000 would pay for the services of a professional language instructor in developing and presenting training to academy report writing instructors.

It was suggested that a progress payment structure also be included in the contract.

The Advisory Committee expressed support of this proposal.

MOTION - Lowenberg, second, Ortega, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into contracts for a total amount not to exceed \$127,750 for development of the proposed standardized basic academy report writing curriculum (including standardized testing), with the understanding that staff will report back to the Commission as to the impact of the program.

### K. Approval to Distribute Updated Medical Screening Manual

In early 1991 the Commission approved an interagency agreement with the City of Los Angeles for the assistance of medical personnel in revising the Medical Screening Manual. Staff reported that revisions have been completed and the updated manual is ready for distribution to agencies in the POST program.

MOTION - Lowenberg, second - Ortega, carried unanimously to approve distribution of the updated Medical Screening Manual.

#### BASIC TRAINING BUREAU

L. Approval of Basic Course Curriculum Modifications - Deletion of Performance Objectives Which are Untestable and Modifying Performance Objectives in the Areas of Juvenile Law, Crimes Against Children and Traffic

Staff proposed to delete 22 performance objectives (POs) in the Basic Course which were identified as POs for which effective test questions could not be written.

It was also proposed that the Commission approve two deletions, three additions, and 13 modifications to POs to keep training in the areas of Juvenile Law, Crimes Against Children, and Traffic relevant and up-to-date. These proposed changes resulted from routine curriculum update reviews conducted by staff and subject-matter specialists. All proposed changes were concurred with by the consortium of academy directors.

The proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act. Staff proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed changes would go into effect upon approval by the Office of Administrative Law.

MOTION - Ortega, second - Lowenberg, carried unanimously to adopt, subject to the results of the Notice of Regulatory Action, proposed curriculum changes to the basic course to be effective upon approval by the Office of Administrative Law.

#### CENTER FOR LEADERSHIP DEVELOPMENT

M. Report on Review of Executive Training/Command College Study

At the July 1992 meeting, the Commission requested a review of law enforcement executive training and the Command College. A study committee consisting of representatives from California Police Chiefs' Association, California State Sheriffs' Association, the United States military, the Federal government, state law enforcement training agencies, and the private sector met on September 23/25, 1992.

The committee reviewed all executive training and the Command College. A series of recommendations was developed for further study and consideration.

After discussion, the following action was taken:

MOTION - Lowenberg, second - Hunt, carried unanimously to receive the executive training and Command College study report with the understanding that recommendations in the report will be studied, developed, and brought back to the Commission prior to any implementation occurring.

TRAINING DELIVERY AND COMPLIANCE BUREAU

N. Approval for Regulation Change to Modify Testing Requirements of the P.C. 832 Course

Since 1988, the San Diego Sheriff's Department has employed and trained several hundred custodial deputies. In 1992, the Sheriff's Department discovered they had not notified POST of the P.C. 832 training, nor had they administered tests, as required by State law and POST Regulations.

POST staff has evaluated the training conducted by San Diego Sheriff's Department since 1988 and determined the Commission's P.C. 832 course was presented. However, the required tests were not administered. Regulations require that these trainees be tested "immediately" following instruction. This immediacy requirement was intended to assure that students were tested before passage of time might diminish memory and skills.

Staff requested Commission approval of a regulation amendment allowing for waiver of the immediate testing requirement whenever a retroactive course certification occurs.

No public hearing will be required unless requested by a member of the public. Upon approval of the regulation change by the Office of Administrative Law, POST would arrange for administration of tests to the affected personnel of the San Diego Sheriff's Department.

After discussion, the following actions were taken.

MOTION - Campbell, second - Rutledge, carried unanimously to approve regulation amendment as described in the report, subject to results of a Notice of Proposed Regulatory Action (attached).

MOTION - Hall-Esser, second - Campbell, carried unanimously that all future requests for waivers under this procedural change will be brought to the Commission.

## EXECUTIVE OFFICE

### O. Request for Contract with Los Angeles County Sheriff's Department for Special Consultant

Penal Code Section 13508 requires the Commission to conduct research and carry out pilot projects regarding the application of modern technology to law enforcement training. The law also requires a study of the feasibility of establishing regional skill training centers and an implementation plan for acquiring needed technology and facilities. A comprehensive report to the Legislature is required by January 1, 1995.

It was proposed that a Special Consultant be employed to assist staff in the conduct of this work. The Los Angeles Sheriff's Department is agreeable to a contract for the services of Lt. James Holts who has previously worked for POST on a related project. Cost for his services, including salary and benefits, would be \$108,727.08 for a one-year period. The Commission should anticipate a recommendation in the future for extending the contract for a second year, as this will likely be a two-year study.

MOTION - Hall-Esser, second - Hunt, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with LASD for the described purpose in an amount not to exceed \$108,727.08.

## COMMITTEE REPORTS

### P. Finance Committee

Commissioner Lowenberg, Chairman of the Finance Committee, reported that the Committee met on January 20 in San Jose.

It was reported that revenue to the Peace Officer Training Fund is currently 6% above projection and 39% above the same time period last year. Training volume, however, has declined significantly. The increased revenue and decreased training volume frees up reimbursement funds to allow for increases in reimbursement rates and other considerations.

The Committee recommended the following actions:

1. Effective February 1, 1993, increase the short-term per diem reimbursement rate from \$82.00 to \$92.00 and the long-term per diem rate from \$41 to \$46.

The fiscal impact is estimated at \$294,000 this year and a future annualized cost of \$700,000 to \$1 Million.

MOTION - Lowenberg - second, Lungren, carried by ROLL CALL VOTE that effective February 1, 1993, increase the short-term per diem reimbursement rate from \$82.00 to \$92.00 and the long-term per diem rate from \$41 to \$46. (NO: Hall-Esser/Parks)

2. Retroactive to July 1, 1992, increase the salary reimbursement rate for salary reimbursable courses from 20% to 40%.

The fiscal impact is estimated at \$4.6 million.

MOTION - Lowenberg, second - Ortega carried unanimously that retroactive to July 1, 1992, the salary reimbursement rate for salary reimbursable courses be increased from 20% to 40%.

3. The Committee also received a report and briefing on the feasibility of shifting away from salary reimbursement to reimbursing participating agencies for costs of developing and presenting training courses. This issue has previously been before the Commission. Input from law enforcement agencies and analysis by staff suggests that this change remains necessary and feasible.

A distribution approach for training development and presentation cost reimbursement is proposed as follows:

Annually, at the beginning of the fiscal year, estimate needs for course development and reserve an appropriate amount of available funds for the purpose.

Allocate remaining available funds to reimburse agencies for course presentation costs.

Based upon available funds and a projection of estimated training volume for the year, set a rate for presentation cost reimbursement. The rate would be a dollar amount for each trainee hour generated by certified course presentations.

Qualifying for reimbursement at the set rate would be all non-tuition courses certified to reimbursable law enforcement agencies.

Recognizing that some such courses might be funded by colleges or through grants, agency heads would be required to attest that POST reimbursements would not cause them to receive outside

reimbursements totalling more than 100% of actual presentation costs.

MOTION - Lowenberg, second - Ortega, carried unanimously to authorize this change to be effective July 1, 1993.

Staff was instructed to continue dialogue with agencies and organizations throughout the state and to keep the Commission informed as to any special information that may cause the Commission to reconsider between now and the effective date.

The Committee reviewed the following contracts to be negotiated for FY 93/94.

#### Training Contracts

1. This course is presently budgeted at \$327,258 for 22 presentations spread among five presenters:

California State University - Humboldt  
California State University - Long Beach  
California State University - Northridge  
California State University - San Jose  
San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates modest increases over FY 1992/93 due to increased costs for instructors, coordination, facilities, and materials. No additional presenters or presentations are planned for FY 1993/94.

2. San Diego Regional Training Center for support of Executive Training (e.g., Command College, Executive Training, and Executive Seminars)

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Leadership Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1992/93 was \$562,166. Staff anticipates only modest increased costs in the 1993/94 contract.



3. CSU Long Beach for support of the Supervisory Leadership Institute

The CSU Long Beach Foundation provides administrative services for the Supervisory Leadership Institute. This includes training site support, ordering materials, paying instructors and auditors, and purchasing/maintaining equipment. Costs for these services in FY 1992/93 were \$403,873 for six classes running continuously throughout the year. Staff anticipates only modest increased costs in FY 1993/94.

4. Department of Justice Training Center

The Department of Justice has provided training to local law enforcement each year thorough an Interagency Agreement with POST since 1974. The Commission approved a current year contract in an amount not to exceed \$928,109.

Approval was requested to negotiate a similar agreement for Fiscal Year 1993/94. Staff anticipates that any presentation cost increases will be offset by the cancellation of existing courses or reducing course presentations where appropriate. The overall contract amount is expected to not exceed the 1992/93 total.

5. San Diego State University for 12 satellite video broadcasts

POST currently has an interagency agreement with San Diego State University for \$54,000 for the assembly and transmission of 12 videotape training programs during 1992/93. It is recommended that this interagency agreement be continued for similar services during 1993/94.

Approval was requested to negotiate a new contract with San Diego State University, or other units of the California State University System, for 12 satellite broadcasts.

6. Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production

POST currently has contracts with Alameda County District Attorney's Office and Golden West College for \$52,000 for the production of 24 Case Law Update programs each during 1992/93. It is

requested that these contracts be continued with similar amounts for similar services during 1993/94.

Approval was requested to negotiate new contracts with Alameda County District Attorney's Office and Golden West College for 24 programs from each producer.

7. 1993/94 Telecourse Programs

POST will have developed and delivered ten telecourse programs and two specialized training films during Fiscal Year 1992/93. The current contract for these 12 programs is with the San Diego State University for a cost not to exceed \$420,000, based on an average of \$35,000 to \$38,000 per program.

It is proposed to maintain the distance learning telecourse program at the same level for the 1993/94 Fiscal Year. The total cost of the telecourse programs would be approximately \$420,000.

Approval was requested to negotiate and enter into interagency agreement(s) with the San Diego State University for production and uplinking of 12 telecourse training broadcasts in an amount not to exceed \$420,000.

Standards Contracts

8. Cooperative Personnel Services for Basic Course Proficiency Exam

POST has contracted with Cooperative Personnel Services for administration of the POST Proficiency Examination each of the last ten years. The current year contract is for \$33,521. The proposed contract for FY 1993/94 is not expected to exceed this amount.

Approval was requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not to exceed \$33,521.

9. Interagency Agreement with Cooperative Personnel Services for Entry-Level Reading and Writing Test Battery

POST has contracted with Cooperative Personnel Services for administration of the POST entry-level reading and writing test battery since 1983. The current year contract is for \$98,375. Owing to a significant reduction in testing volume, actual expenditures for FY 1992/93 are not expected to exceed \$75,000. The proposed contract for fiscal year 1993/94 is for an amount not to exceed \$75,000 and assumes that testing volume will remain unchanged from the current fiscal year.

Approval was requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not to exceed \$75,000.

10. Interagency Agreement with Cooperative Personnel Services for P.C. 832 Written Examination

POST has contracted with Cooperative Personnel Services for administration of the P.C. 832 Written Examination since 1989. The current year contract is \$78,472. The proposed contract for FY 1993/94 is not expected to exceed this amount.

Approval was requested to negotiate a similar contract with Cooperative Personnel Services for FY 1993/94 for an amount not exceed \$78,472.

#### Administrative Contracts

11. State Controller's Office for agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's Office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval was requested to negotiate a similar agreement to maintain current level of service for FY 1993/94.

12. Interagency Agreement with Teale Data Center for Computer Services

Each year POST has negotiated an Interagency Agreement with Teale Data Center (as state agency) for computer services. The contract provides a link between POST's computer and the Data Center's

mainframe computer. This allows data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. The current year contract is for \$89,000.

Approval was requested to negotiate an Interagency Agreement with the Teale Data Center for computer services in 1993/94 for an amount similar to the current year's costs.

13. CALSTARS Contract

The mandated California Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. The Commission approved a current year contract in an amount not to exceed \$25,000.

Approval was requested to negotiate a similar agreement to maintain the current level of required services for Fiscal Year 1993/94.

MOTION- Lowenberg, second - Campbell, carried unanimously to authorize the Executive Director to negotiate the contracts and return them to the April meeting for formal approval.

Q. Long Range Planning Committee

Chairman Block, who also chairs the Long Range Planning Committee, reported the Committee met in Los Angeles on January 7, 1993.

In addition to certain matters included elsewhere on this agenda, the Committee made the following recommendations:

1. Continuing Professional Training (CPT) Requirements

Commission Procedure D-6 now specifies that technical courses may be certified for no less than six hours. In order to assist agencies in making the training more available on a flexible and economical basis, it was recommended that the Commission modify Procedure D-6 by reducing minimum hours for technical courses to two hours.

MOTION - Rutledge, second - Hunt, carried unanimously to adopt this change effective immediately.

Commission Regulation 1052(d) prohibits certification of training courses presented in conjunction with

meetings or conferences of professional associations. In recognition that high-quality training programs are frequently presented at law enforcement conferences, it was recommended that this regulation be modified to permit certification, without POST reimbursement of expenses, of training programs that meet all normal certification criteria. Certification without reimbursement will allow the award of CPT credit for quality training while preserving the Commission's policy of not reimbursing for conference attendance.

The action would be effective upon approval by the Office of Administrative Law. If the Commission approves, a Public Notice of Regulatory Action would be released.

MOTION - Parks, second - Lowenberg, carried unanimously to approve this change subject to results of the public notice process.

2. Law Enforcement Accreditation

SB 1126 (effective January 1, 1993) was passed requiring the Commission implement a law enforcement accreditation program by July 1, 1994. However, new funding requested for the program was not approved by the Legislature. After reviewing options, members of the Long Range Planning Committee concluded that the Commission should implement the program by developing model standards for the voluntary use of law enforcement agencies, but not implement POST accreditation of the agencies until new funds are made available.

The Committee recommended that the Accreditation Committee meet in the near future to consider this approach and to consider inputs from law enforcement associations.

3. Institute for Criminal Investigation

Last year at this time the Commission received a report describing a proposed POST Institute for Criminal Investigation. The proposal resulted from prior Commission direction to develop a program to enhance the availability of effective investigation training programs. The Commission acted to approve the concept but delayed implementation of the program because of the recent (at that time) drop in POST's revenue.

Need continues to exist for this program, and POST's fiscal status appears to have stabilized.

MOTION - Rutledge, second - Lowenberg, carried unanimously to resume steps toward implementation of the Institute and to begin this training program.

R. Ad hoc POST/Labor Committee

Commissioner Lowenberg, Chairman of the Ad hoc POST/Labor Committee, reported on the Committee meetings held on October 15, 1992 and December 2, 1992 in Irvine, and made the following recommendations:

1. Seek a formal opinion from the Attorney General on POST's authority for its certificate cancellation action.
2. Continue meetings of this committee to address items of mutual concern, including CCLEA's proposed legislation.
3. The Commission hold in abeyance any actions to cancel certificates pursuant to the above regulation until the status of proposed legislation is known.

The Commission received this report as information, with no action indicated.

S. Legislative Review Committee

Chairman Block, Chairman of the Commission's Legislative Review Committee, reported on the results of the Committee meeting held on January 21 just prior to the Commission meeting.

The Committee reaffirmed that POST should continue to pursue legislation to exempt from the \$50/semester unit persons attending community college courses to satisfy state training mandates. By consensus, the Commission concurred.

T. Advisory Committee

Jay Clark, Advisory Committee member, announced that Alicia Powers has been appointed Chief of Hercules Police Department. The Commissioners expressed congratulations to Chief Powers, a member of the POST Advisory Committee.

OLD/NEW BUSINESS

U. Appointment of Nominating Committee for Election of Officers

Chairman Block appointed Commissioner Lowenberg Chairman of the Nominating Committee for election of Chairman and Vice-Chairman for 1993/1994. Commissioner Ortega will also serve on the Committee.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 15, 1993 - Pan Pacific Hotel - San Diego

July 22, 1993 - Pan Pacific Hotel - San Diego

November 4, 1993 - Orange County

January 20, 1994 - Southern California Area

MOTION - Hall-Esser, second - Lowenberg, carried unanimously to adjourn in memory of Frances Leduc.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
PROPOSED LANGUAGE FOR REGULATION

1020. Reimbursement for Purchase of Satellite Antenna.

(a) The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the purchase of a steerable C/Ku Band Television Receive Only Satellite Ground Terminal (herein referred to as a satellite antenna) or for the upgrade of an existing antenna to make that antenna a steerable C/Ku band type.

(b) Documentation Required for Reimbursement

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

(1) For satellite antenna purchases, a purchase invoice(s) reflecting the date, and the total cost of the satellite antenna purchase.

(2) For an upgrade of an existing antenna, a purchase invoice(s) reflecting the date, and the total cost of the antenna and equipment to upgrade the antenna to a steerable C/Ku band type.

(3) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the satellite antenna or upgraded antenna at an agency facility, and will use the satellite antenna for POST satellite training of full-time, regularly paid employees of the eligible agency. The letter must also include a statement that the satellite antenna or upgrade is a steerable C/Ku Band Television Receive Only Satellite Ground Terminal.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (d) (2) (A), a description of the locations where the antennas are installed, an attestation that the locations are regularly used for in-service training, and the antennas are dedicated to the delivery of training programs.

(c) Reimbursement Restrictions

(1) Costs associated with installing or maintaining a satellite antenna system/upgrade are not reimbursable.

(2) Reimbursement for the purchase of a satellite



antenna or the upgrade of an existing antenna is limited to one antenna or one upgrade, with the following exception:

(A) Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for one satellite antenna or one upgrade for each location.

(3) Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

(d) Reimbursement Rates

(1) The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs.

(2) Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

(e) Purchase Not Required

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for a satellite antenna.

Authority cited: Sections 13503, 13506 and 13520, Penal Code.  
Reference: Section 13523, Penal Code.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED LANGUAGE FOR REGULATION

1021. Reimbursement for Purchase of Interactive Videodisc Delivery System

(a) The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the purchase of an interactive videodisc delivery system (herein referred to as an IVD system), or for the upgrade of an existing computer to make it an IVD system, both of which must be capable of running POST IVD courseware.

(b) Documentation Required for Reimbursement

In order to receive reimbursement, an eligible agency must submit the following documentation to POST:

- (1) For IVD system purchases, a purchase invoice(s) reflecting the date, and the total cost of the IVD system purchase.
- (2) For the upgrade of an existing computer to make it an IVD system, a purchase invoice(s) reflecting the date, and the total cost of the computer and the equipment to upgrade.
- (3) A letter signed by the agency head, or authorized agency representative, attesting that the jurisdiction has paid the purchase amount on the submitted invoice(s), has installed the IVD system or the upgraded computer/IVD system at an agency facility, and will use the IVD system for POST IVD training of full-time, regularly paid employees of the eligible agency.

The letter must also include, for multiple reimbursement requests made under the provisions stated in subparagraph (d)(c)(2)(A), a description of the locations where the IVD systems are installed, and an attestation that the locations are regularly used for in-service training, and the IVD systems are dedicated to the delivery of training programs.

(c) Reimbursement Restrictions

- (1) Costs associated with installing or maintaining an IVD system/upgrade are not reimbursable.
- (2) Reimbursement for the purchase of an IVD system or

the upgrade of an existing computer to make it an IVD system is limited to one IVD system or upgrade with the following exception:

(A) Participating agencies that have multiple locations where agency personnel regularly convene for in-service training, may apply and be reimbursed for one IVD system or one computer upgrade to an IVD system for each location.

(B) Invoices must indicate the place of purchase and may have a date of purchase prior to the effective date of this regulation.

(d) Reimbursement Rates

(1) The rates of reimbursement shall be determined by the Commission. These rates may not cover actual costs.

(2) Notwithstanding the provisions of these regulations, reimbursement will not be paid unless the Commission has concluded that sufficient funds are available for that purpose.

(e) Purchase Not Required

Nothing in this section shall be construed to require eligible agencies to purchase and claim reimbursement for an IVD system.

Authority cited: Sections 13503, 13506 and 13520, Penal Code.  
Reference: Section 13523, Penal Code.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PROPOSED LANGUAGE FOR REGULATION

1015. Reimbursements

(a) (continued)

(b) Requests for Reimbursement.

Each request for reimbursement, except as specified in Regulations 1020 and 1021, must be submitted on a form provided by the Commission and submitted to the training institution at the beginning of a POST-certified training course. No further action is required by the participating jurisdiction to receive reimbursement except for those courses requiring a report to POST as a condition of successful completion, such as Field Management Training and Team Building Workshops. Upon completion of the training, reimbursement will be automatically computed and paid to the jurisdiction.

(c) Requests for Reimbursement for Purchase of a Satellite Antenna and/or IVD System.

The requirements for reimbursement for the purchase of a satellite antenna and/or an interactive videodisc (IVD) system are set out in Regulations 1020 and 1021 respectively.

NOTE: Present (c) through (j) will be renumbered (d) through (k), respectively.

Authority cited: Sections 13503, 13506, and 13510 and 13520, Penal Code.

Reference: Sections 13510, 13511, 13512, 13518, 13520, 13522, 13523, 13524 and 13525, Penal Code; Section 11489, Health and Safety Code.

ATTACHMENT "B"

PROPOSED REGULATION

1052. Requirements for Course Certification

(a) - (f) continued

(g) The presenter of a POST-certified course shall review all audio-visual training materials prior to use in the classroom. (For reference see "POST Guidelines for Reviewing Audio-Visual Training Materials"). The review of audio-visual training material shall emphasize the avoidance of materials which depict situations, tactics, and procedures that could lead a trainee to take inappropriate actions on the job. The review shall also include careful examination of depictions of law enforcement work to assure consistency with existing law and accepted practices.

- (1) For the purposes of this regulation, "audio-visual training materials" are defined as: audio tapes, videotapes, films, slides, and other similar media. They do not include classroom hand-out material.
- (2) Audio-visual materials cataloged on the "POST Approved Media List" maintained by the Commission on Peace Officer Standards and Training need not be subjected to the review process described in this section.
- (3) This regulation shall be effective July 1, 1993 and shall apply to all audio-visual training materials being considered for use in POST-certified courses commencing after that date. The regulation shall apply to materials previously used by the course presenters only as they are considered for re-use in POST-certified courses.
- (4) Nothing in this regulation is intended to prohibit POST-certified presenters from using publicly available broadcast material pertinent to current training topics from being utilized in the classroom without review.

## POST ADMINISTRATIVE MANUAL

## Regulations

## Proposed Language

## 1001. Definitions

(a) ~~"Accredited College" is a community college, college or university accredited as such by:~~ Acceptable College Education is:

- (1) Courses or degrees provided by a community college, college, or university which has been accredited by the department of education or the state university of the state in which the community college, college or university is located, or
- (2) Courses or degrees provided by a community college, college, or university accredited by a recognized national or regional accrediting body, or
- (3) ~~The state university in the state in which the community college, college or university is located.~~ Until January 1, 1998, educational courses or degrees provided by a non-accredited, state-approved college that offers programs exclusively in criminal justice.

Authority cited: Section 13506, Penal Code.

Reference: Sections 13503, 13507, 13510, 13510.1 and 13510.5, Penal Code.

POST ADMINISTRATIVE MANUAL

Commission Procedure F-1

Proposed Language

1-1. through 1-4. a. (continued)

- b. Education Points: One semester unit shall equal one education point and one quarter unit shall equal two-thirds of a point. Such units of credit shall have been awarded by an accredited community college, college, or university, or until January 1, 1998, by a non-accredited, state-approved college that offers programs exclusively in criminal justice (refer to regulation 1001 (a) for definition of acceptable college education).
- c. All education and training must be supported by copies of transcripts, diplomas and other verifying documents attached to the application for POST certificate. Units of credit transferred from one accredited college educational institution to another must be documented by transcripts from both colleges educational institutions. When college credit is awarded, it shall be counted for either training or education points, whichever is to the advantage of the applicant.

d. through g. (continued)

**Professional Certificates**

1-5. through 1-8. a. (continued)

- b. Have no less than 60 ~~college~~ semester units ~~awarded by an accredited college~~ (see subparagraph F-1-4. b.); and

1-8. c. through 1-9. a. (continued)

- b. Have no less than 60 ~~college~~ semester units ~~awarded by an accredited college~~ (see subparagraph F-1-4. b.); and

1-9. c. through 1-10 a. (continued)

- b. Have no less than 60 ~~college~~ semester units ~~awarded by an accredited college~~ (see subparagraph F-1-4. b.); and

1-10. c. through 1-10 d. and last paragraph (continued)

Authority cited: Sections 13506, and 13510.1, Penal Code.

Reference: Sections 13506 and 13510.1, Penal Code.

<b>COMMISSION AGENDA ITEM REPORT</b>		
Agenda Item Title <b>Course Certification/Decertification Report</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Training Delivery &amp; Compliance Bureau</b>	Reviewed By <b>Ronald T. Allen, Chief</b>	Researched By <i>Rachel S. Fuentes</i>
Executive Director Approval <i>Hermon C. Boehm</i>	Date of Approval <b>3-31-93</b>	Date of Report <b>March 26, 1993</b>
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the January 21, 1993 Commission meeting:

**CERTIFIED**

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Reserve Training, Module C	Victor Valley Col.	Technical	N/A	\$ -0-
2.	Reserve Training, Module B	Victor Valley Col.	Technical	IV	-0-
3.	Street Gang Update	DEA, San Diego	Technical	IV	1,120
4.	Skills & Knowledge Modular Training	Los Angeles S.D.	Technical	IV	100,800
5.	Field Training Officer	Allan Hancock College	Technical	IV	16,768
6.	Reserve Training, Module C	Cerro Coso Com. College	Reserve Training	N/A	-0-
7.	Bicycle Patrol	Los Angeles S.D.	Technical	IV	3,600
8.	Psychology of Survival for Instructors	FBI-San Francisco	Technical	IV	11,520
9.	Records, Basic	Evergreen Valley College CJTC	Technical	IV	10,584



CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
10.	Community Oriented Policing	San Francisco P.D.	Technical	IV	6,750
11.	Field Training Officer	Kern County S.D.	Technical	IV	2,160
12.	Special Weapons & Tactics	Shasta College	Technical	IV	3,360
13.	Drug Influence Ident. & Inv.	Shasta College	Technical	IV	13,440
14.	Latent Fingerprint Photography	Calif. Crim. Inst.	Technical	IV	14,400
15.	Advanced Officer	Ventura College	AO	II	-0-
16.	Hazardous Materials - On Scene Management	San Francisco P.D.	Technical	IV	28,900
17.	Hazardous Materials - First Responder	San Francisco P.D.	Technical	IV	11,610
18.	Reserve Training, Module B	Kern County S.D.	Reserve Training	N/A	-0-
19.	Reserve Training, Module A	Kern County S.D.	Reserve Training	N/A	-0-
20.	Effect. Communicating w/Handicapped Offnd.	State Council on Dev. Disabilities	Technical	IV	4,224
21.	Driver Awareness Update	Modesto CJTC	Technical	IV	3,600
22.	Basic Course	Bakersfield P.D.	Basic	I	84,000
23.	Tracking, Wilderness	Sacramento PSC	Technical	IV	9,760
24.	Arrest & Firearms	Barstow College	P.C. 832	IV	-0-
25.	Forensics/Crimin. & Toxicology	Calif. Crim. Inst.	Technical	IV	9,216

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
26.	Traffic Program Mgmt. Institute	CSU, Long Beach	Mgmt. Trng.	III	58,284
27.	Bicycle Patrol	Riverside Co. S.D.	Technical	IV	2,880
28.	Advanced Officer	Irvine P.D.	AO	II	42,000
29.	Crime Scene Inv. II	Calif. Crim. Inst.	Technical	IV	15,000
30.	Skills & Knowledge Modular Training	Calif. Joint Powers Risk Mgmt. Authority	Technical	IV	1,920
31.	Arrest Control/ Self-Defense	Ventura P.D.	Technical	IV	4,000
32.	Child Abuse	San Bernardino County S.D.	Technical	IV	18,514
33.	Reserve Training, Module B	Ohlone College	Reserve Training	N/A	-0-
34.	Aircraft Incident Mgmt.	San Jose P.D.	Technical	IV	\$ 1,500
35.	Livestock Theft/Rural Crime	Tulare-Kings Co. Peace Officer Acad.	Technical	IV	22,500
36.	Civil Disorder Mgmt.	Los Angeles S.D.	Supv. Trng.	III	32,000
37.	Drug Ident/Under the Influence - 11550	Sacramento S.D.	Technical	IV	3,456
38.	Interview & Interrogation	Sacramento S.D.	Technical	IV	1,920
39. - 49.	11 additional Proposition 115 Hearsay Evidence Testimony Course Presenters have been certified as of 3-26-93. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 259 presenters of Proposition 115 have been certified.				
50. - 939.	890 Telecourses certified as of 3-26-93. To date 123 POST certified presenters have been certified.				

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1.	Records	West Valley	Technical	IV

TOTAL CERTIFIED	<u>38</u>
TOTAL TELECOURSES CERTIFIED	<u>890</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>11</u>
TOTAL DECERTIFIED	<u>01</u>
TOTAL MODIFICATIONS	<u>30</u>

2280 Courses certified as of 3-26-93  
462 Presenters certified as of 3-26-93

691 Skills & Knowledge Modules certified as of 3-26-93  
65 Skills & Knowledge Presenters certified as of 3-26-93

2973 TOTAL CERTIFIED COURSES

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Financial Report - Third Quarter 1992-93		April 15, 1993
Bureau	Reviewed By	Researched By
Administrative Services Bureau	Frederick E. Williams	Staff
Executive Director Approval	Date of Approval	Date of Report
<i>Thomas C. Boehm</i>	4-13-93	April 5, 1993
Purpose:		Financial Impact:
<input type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input type="checkbox"/> Yes (See Analysis for details)
<input type="checkbox"/> Status Report		<input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

This report provides financial information relative to the local assistance budget through March 31, 1993. Revenue which has accrued to the Peace Officer Training Fund is shown as are expenditures made from the 1992-93 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officer Training Fund. Through March 31, 1993, we received \$26,484,325. The total is \$314,675 less than originally anticipated on a straight line projection (see Attachment 1A) but is \$3,221,412 (14%) more than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 34,896 trainees reimbursed through the third quarter represents a 3,992 decrease (10%) compared to the 38,888 trainees reimbursed during the similar period last fiscal year.

REIMBURSEMENT BY COURSE CATEGORY - This report, identified as Attachment 3, compares the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursement through the third quarter of \$14,361,619 represents a \$358,904 increase compared to last fiscal year. The increased level of reimbursement is due to a higher percent of salary reimbursement in the current year even though there is a decrease in the amount of trainees reimbursed. Also, note that \$80,034 has been paid for Training Aids Technology (i.e. satellite antennas and IVD hardware) from the \$4.7 million that has been designated for this purpose. Attachment 3A shows the total reimbursement by category of expense.

ANALYSIS - The Third Quarter training volume and reimbursement expenditures continue at a rate significantly less than initial fiscal year projections but at rates slightly higher than revised projections provided in January 1993. Staff now project that the current year trainee volume will be 50,723 trainees, 9,332 less than Fiscal Year 1991-92. Attachment 4 shows the current Fiscal Year

1992-93 budget summary and the status of the local assistance budget as of March 31, 1993. Attachment 5 shows the projected status at year end (i.e. June 30, 1993).

Revenue for the first nine months of the fiscal year is only slightly less than expectations. Staff are optimistic that revenue will meet budget projections, trainee volume will meet current estimates which will enable POST to reimburse all training at the current level.

File: 9293REV1

## COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1991-92 AND 1992-93

1991-92

1992-93

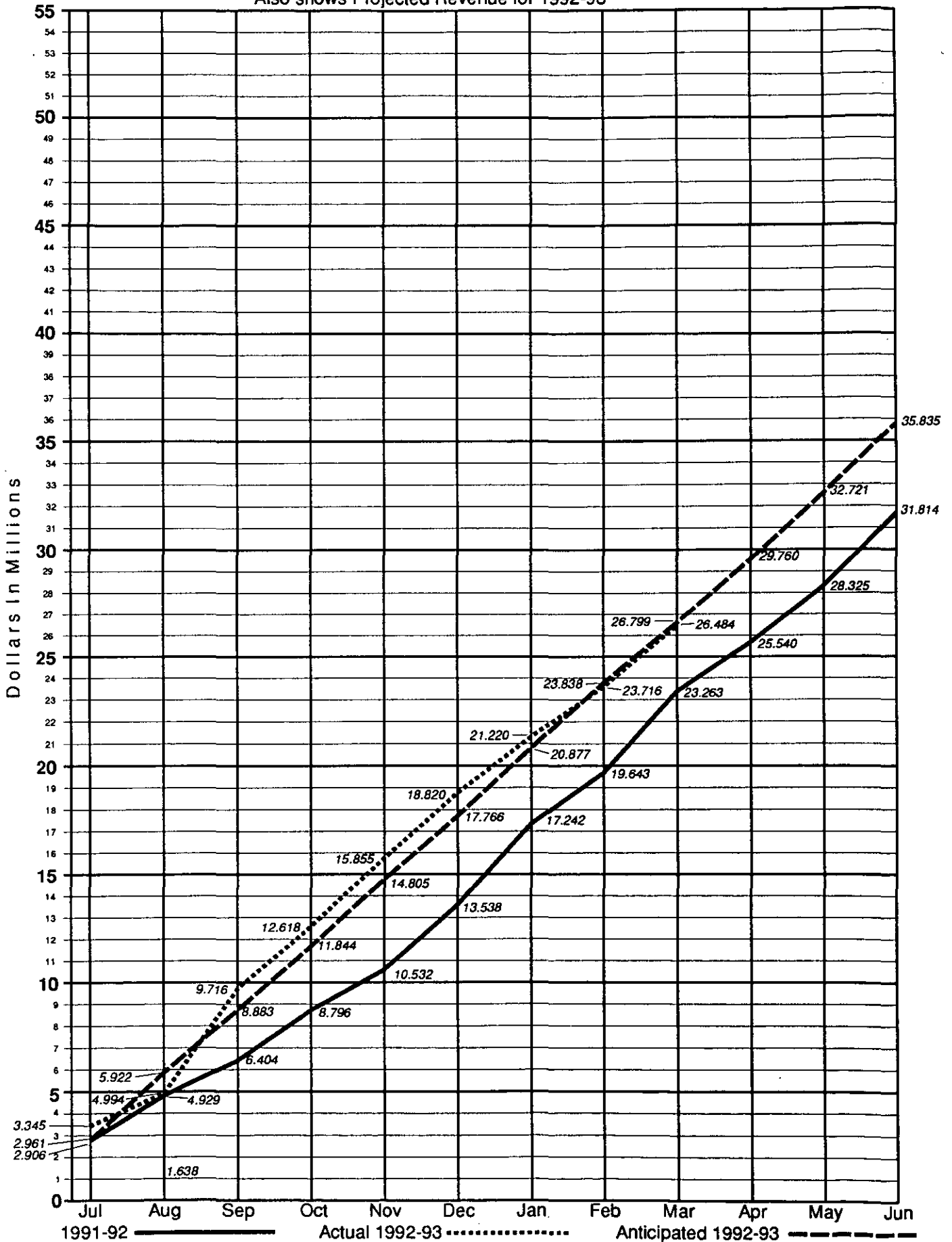
MO	PENALTY ASSESMENT		CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESMENT		OTHER **	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
	FUND	OTHER			FUND						
JUL	2,886,023	25,676	2,911,699	2,961,000	3,328,543	16,927	3,345,470	112.98%	3,345,470	112.98%	
AUG	1,992,791	24,624	4,929,114	5,922,000	1,638,281	9,755	1,648,036	55.66%	4,993,506	84.32%	
SEP	1,467,766	7,359	6,404,239	8,883,000	4,700,348	22,530	4,722,878	159.50%	9,716,384	109.38%	
OCT	2,378,813	13,105	8,796,157	11,844,000	2,882,743	19,297	2,902,040	98.01%	12,618,424	106.54%	
NOV	1,722,707	12,819	10,531,683	14,805,000	3,207,262	29,649	3,236,911	109.32%	15,855,335	107.09%	
DEC	2,970,202	36,376	13,538,261	17,766,000	2,945,291	19,005	2,964,296	100.11%	18,819,631	105.93%	
JAN	3,461,559	242,073	17,241,893	20,877,000	2,252,045	147,914	2,399,959	77.14%	21,219,590	101.64%	
FEB	2,382,614	18,219	19,642,726	23,838,000	2,461,959	34,737	2,496,696	84.32%	23,716,286	99.49%	
MAR	3,589,609	30,578	23,262,913	26,799,000	2,764,158	3,881	2,768,039	93.48%	26,484,325	98.83%	
APR	2,244,871	32,143	25,539,927	29,760,000			0	0.00%	26,484,325	88.99%	
MAY	2,770,155	15,149	28,325,231	32,721,000			0	0.00%	26,484,325	80.94%	
JUN	3,275,015	213,817	31,814,063	35,835,000			0	0.00%	26,484,325	73.91%	
TOT	31,142,125	671,938	31,814,063	35,835,000	26,180,630	303,695	26,484,325	73.91%	26,484,325	73.91%	

\*\* - Includes \$129,396 from coroner permit fees (per Ch 990/90)

# Comparison of Revenue by Month

Fiscal Years 1991-92 and 1992-93

Also shows Projected Revenue for 1992-93



Commission on POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - FOR CLAIMS PROCESSED

March 1993

	1991-92			1992-93		
	Actual Total For Year	Actual Jul-Mar.	% of Total	Projected Total For Year	Actual Jul-Mar.	% of Projection
Basic Course	2,121	1,655	.78	2,400	921	.38
Dispatchers - Basic	614	373	.61	650	337	.52
Advanced Officer Course	18,045	8,337	.46	18,500	9,192	.50
Supervisory Course (Mandated)	735	403	.55	800	550	.69
Supervisory Seminars & Courses	3,471	2,428	.70	3,500	2,277	.65
Management Course (Mandated)	311	187	.60	350	140	.40
Management Seminars & Courses	2,366	1,680	.71	2,400	1,531	.64
Executive Development Course	708	444	.63	710	295	.42
Executive Seminars & Courses	625	426	.68	650	326	.50
Other Reimbursement	258	204	.79	300	146	.49
Technical Skills & Knowledge Course	29,295	21,654	.74	30,000	18,282	.61
Field Management Training	24	20	.83	30	21	.70
Team Building Wokshops	536	408	.76	550	293	.53
POST Special Seminars	873	622	.71	900	535	.59
Approved Courses	73	47	.64	80	50	.63
<b>TOTAL</b>	<b>*60,055</b>	<b>38,888</b>	<b>.65</b>	<b>61,820</b>	<b>34,896</b>	<b>.56</b>

\*Includes 3,766 trainees paid in supplemental salary reimbursement only.  
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COMMISSION ON POST  
REIMBURSEMENT BY COURSE CATEGORY

Course Category	1991-1992		1992-1993	
	*Total For Year	Actual July-Mar.	***March	Actual **July-Mar.
Basic Course	\$ 5,890,494	\$3,163,353	\$766,120	\$3,241,560
Dispatchers-Basic	432,328	207,393	5,891	258,221
Advanced Office Course	4,387,424	1,341,767	547,795	2,596,764
Supervisory Course (Mandated)	756,840	328,339	101,277	589,609
Supervisory Seminars and Courses	1,223,975	897,024	83,822	789,646
Management Course (Mandated)	452,372	205,458	45,435	236,793
Management Seminars and Courses	917,098	651,840	103,446	469,802
Executive Development Course	507,095	278,756	15,679	239,341
Executive Seminars and Courses	207,442	150,647	13,962	95,405
Other Reimbursement	172,062	129,970	17,470	114,429
Technical Skills and Knowledge Courses	8,850,228	6,334,265	782,720	5,404,412
Field Management Training	9,740	8,651	2,300	8,980
Team Building Workshops	225,749	164,604	3,585	135,000
POST Special Seminars	200,552	131,024	3,007	89,471
Approved Courses	14,432	9,624	1,788	12,152
Training Aids Technology			80,034	80,034
<b>TOTAL</b>	<b>\$ 24,247,885</b>	<b>\$14,002,715</b>	<b>\$2,574,331</b>	<b>\$14,361,619</b>

\*Includes funds charged to 90-91 F. Y. for training  
 \*Includes FY 91-92 supplemental salary reimbursement  
 \*\*Includes \$2,122,112 charged to 91-92 F.Y.

\*\*\*\$1,281,978.31 applies to supp. salary reimb.

Commission on POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	Total * 1991-92 FY	1991-92 *July-Mar.	1993 ***March	1992-93 **Jul-Mar.
Resident Subsistence	\$ 8,125,495	\$5,770,120	\$702,431	\$4,641,294
Commuter Meal Allowance	949,865	725,269	72,344	404,909
Travel	3,047,191	2,206,317	226,811	1,725,226
Tuition	3,455,675	2,517,798	286,503	2,065,117
Salary	8,669,659**	2,783,211	1,206,208	5,445,039
Training Aids Technology			80,034	80,034
Totals	\$24,247,885	\$14,002,715	\$ 2,574,331	\$14,361,619

- \*Includes funds charged to 90-91 F.Y. for training
- \*Includes FY 91-92 supplemental salary reimbursement
- \*\*\$2,122,112 charged to 1991-92 F.Y.
- \*\*\*\$1,281,978.31 applies to supp. salary reimb.

COMMISSION ON POST  
FY 92-3 BUDGET SUMMARY

ATTACHMENT 4

	<u>REVISED GOVERNOR'S BUDGET</u>
<b>RESOURCES:</b>	
Beginning Reserves	2,380,000
Rollover from FY 91-92	2,137,189
Revenue Projection	35,835,000
Asset Forfeitures	456,000
Transfer to the General Fund	(394,000) *
Sub-total, Resources	<u>40,414,189</u>
<b>EXPENDITURES:</b>	
1. Administration/Support	9,463,000
2. Training Contracts/ LA	4,100,000
a. Letters of Agreement	(600,000)
b. Training Contracts	(3,500,000)
3. Training Reimbursements	<u>26,851,189</u>
Total	<u>40,414,189</u>
<b>RESERVES</b>	<u>0</u>

TRAINING REIMBURSEMENTS BUDGET SUMMARY  
(AS OF MARCH 31, 1993)

	<u>Allocated</u>	<u>Expended</u>	<u>Balance</u>
Course Reimbursements	20,014,000	12,159,473	7,854,527
Carryover from FY 91-92	2,137,189	2,122,112	15,077
Training Aids Technology	4,700,000	80,034	4,619,966
Sub-total, Reimbursements	26,851,189	14,361,619	7,869,604

\* - See attached

ATTACHMENT 4A

The Budget Act of 1992 contained two new control sections which adversely affect POST. First, Section 3.70 authorizes the Department of Finance to direct the State Controller to transfer moneys from departmental appropriations to the General Fund to reflect salary reductions from the implementation of the personal leave program (PLP). Under the PLP employees receive an 8-hour pay reduction (about 5%) in exchange for an increase of 8 hours of personal leave credits. For FY 92-93, this amounts to \$94,000 for POST.

Secondly, Section 14.75 states that interest earned by departments for FY 92-3 shall be transferred to the General Fund. POST estimates the amount of interest earnings subject to transfer under this section to be \$300,000.

The total of the two actions results in a transfer from the POTF to the General Fund of \$394,000 for FY 92-93.

## ATTACHMENT 5

COMMISSION ON POST  
FY 92-3 BUDGET SUMMARY

	REVISED GOV BUD
<b>RESOURCES:</b>	
Beginning Reserves	2,380,000
Revenue Projection	35,835,000
Asset Forfeitures	456,000
Transfer to the General Fund	(394,000)
Sub-total, Resources	<u>38,277,000</u>
<b>EXPENDITURES:</b>	
1. Administration/Support	9,463,000
2. Training Contracts/ LA	4,100,000
a. Letters of Agreement	(600,000)
b. Training Contracts	(3,500,000)
3. Training Reimbursements	<u>24,714,000</u>
Total	<u>38,277,000</u>
<b>RESERVES</b>	0

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**TRAINING REIMBURSEMENTS PROJECTION**

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Number of Trainees:	50,723
Training Reimbursements	24,714,000
PLUS: Rollover from FY 91-92	<u>2,137,189</u>
Available for Reimbursements	26,851,189
LESS: Subsistence & other	12,567,667
Salary (@ 40%)	9,582,122
Satellite Antennas	1,500,000
IVD Hardware	<u>3,200,000</u>
Projected Balance	1,400

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>New Agency - Sacramento County                  Coroner's Department</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Training Delivery &amp;                  Compliance Bureau</b>	Reviewed By <b>Ronald T. Allen</b>	Researched By <b>Bob Spurlock</b>
Executive Director Approval <i>Thomas C. Boehm</i>	Date of Approval	Date of Report <b>March 15, 1993</b>
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES

The Sacramento County Coroner's Department is seeking entry into the POST Reimbursable Program on behalf of its investigators. The agency has been in the non-reimbursable program since 1971.

BACKGROUND

The provisions of 830.35 Penal Code permit the Coroner's Department to employ sworn investigators and participation in the POST Reimbursable program. The agency has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Sacramento County Coroner's Department has 14 full-time investigators. The agency is complying with POST Regulations. Fiscal impact for reimbursement of training costs is approximately \$7,000 per year.

RECOMMENDATION

The Commission be advised that the Sacramento County Coroner's Department be admitted into the POST Reimbursable Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title New Agency - Sutter County District Attorney's Office		Meeting Date April 15, 1993
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen <i>RTA</i>	Researched By Bob Spurlock <i>BS</i>
Executive Director Approval <i>Thomas C. Bellum</i>	Date of Approval 3-23-93	Date of Report March 15, 1993
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUES</u></p> <p>The Sutter County District Attorney's Office is seeking entry into the POST Reimbursable Program on behalf of its investigators. The agency has been in the non-reimbursable program since 1974.</p> <p><u>BACKGROUND</u></p> <p>The County of Sutter has submitted the proper documentation supporting POST objectives and regulations.</p> <p><u>ANALYSIS</u></p> <p>The Sutter County District Attorney's Office has six full-time investigators. The agency is complying with POST Regulations. Fiscal impact for reimbursement of training costs is approximately \$3,000 per year.</p> <p><u>RECOMMENDATION</u></p> <p>The Commission be advised that the Sutter County District Attorney's Office be admitted into the POST Reimbursable Program consistent with Commission Policy.</p>		

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title <b>Sacramento City Unified School Dist. P.D. - Withdrawal from POST Reimbursement Program</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Training Delivery &amp; Compliance Bureau</b>	Reviewed By <i>RTA</i> <b>Ronald T. Allen</b>	Researched By <i>RS</i> <b>Bob Spurlock</b>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval <b>3-29-93</b>	Date of Report <b>March 22, 1993</b>
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUES</u></p> <p>The Sacramento City Unified School District Police Department has requested to withdraw from the POST Program.</p> <p><u>BACKGROUND</u></p> <p>Due to budget cuts, the Sacramento City Unified School District Police Department has been reduced from 12 officers and 1 supervisor to 3 officers and 1 supervisor.</p> <p>Due to the significant reduction in force of the District Police Department, the department will no longer be able to adhere to the requirements of the Commission on Peace Officer Standards and Training.</p> <p><u>ANALYSIS</u></p> <p>The police department had 13 sworn officers.</p> <p><u>RECOMMENDATION</u></p> <p>The Commission be advised that the Sacramento City Unified School District Police Department has been removed from the POST Reimbursement Program.</p>		



**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Mendota Police Department - Withdrawal from POST Reimbursement Program</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Training Delivery &amp; Compliance Bureau</b>	Reviewed By <b>Ronald T. Allen</b> <i>(Signature)</i>	Researched By <b>Bob Spurlock</b>
Executive Director Approval <i>(Signature)</i>	Date of Approval <b>3-26-93</b>	Date of Report <b>March 15, 1993</b>

Purpose:

Decision Requested    
 Information Only    
 Status Report

Financial Impact:   
 Yes (See Analysis for details)  
 No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

**ISSUES**

The Mendota Police Department has been disbanded and law enforcement services are being provided under contract by the Fresno County Sheriff's Department.

**BACKGROUND**

The City of Mendota is no longer eligible for POST membership. Documentation from Daniel Ayala, City Administrator, has been received advising POST of that fact.

**ANALYSIS**

The police department has six sworn officers.

**RECOMMENDATION**

The Commission be advised that the Mendota Police Department has been removed from the POST Reimbursement Program.

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Public Safety Dispatcher Program</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Training Delivery &amp; Compliance Bureau</b>	Reviewed By <b>Ronald T. Allen</b> <i>(Signature)</i>	Researched By <b>Bob Spurlock</b> <i>(Signature)</i>
Executive Director Approval <i>(Signature)</i>	Date of Approval <b>3-23-93</b>	Date of Report <b>March 15, 1993</b>
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES

Acceptance of the Sacramento County Sheriff's Department and the La Mesa Police Department into the Public Safety Dispatcher Program.

BACKGROUND

The Sacramento County Sheriff's Department and the La Mesa Police Department have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed willingness to abide by POST Regulations and have passed ordinances as required by Penal Code Section 13522.

There are currently 318 agencies participating in the program.


ANALYSIS

The agencies presently employ full-time dispatchers. The agencies have established minimum selection and training standards which equal or exceed the standards adopted for the program.

RECOMMENDATION

The Commission be advised that the subject agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Confirmation of Policy Regarding Waiver of Training Requirements for P.C. 832 Tests</b>		Meeting Date April 15, 1993
Bureau Information Services	Reviewed By Glen Fine	Researched By Darrell Stewart 
Executive Director Approval	Date of Approval	Date of Report March 30, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Confirmation of Commission policy that future requests for waivers of P.C. 832 course time requirements for testing be presented to the Commission for decision.

BACKGROUND

Whenever Commission decisions result in establishment of policy to guide staff in processing future issues, practice is to prepare a statement of the policy for confirmation by the Commission at its next regular meeting. This serves to ensure the Commission's intent to create policy and to ensure clear understanding of the policy. Once confirmed, the policy statement is recorded in a Commission Policy Manual.

ANALYSIS

At the Commission meeting on January 21, 1993, agenda item N addressed the issue of a Sheriff's Department that had been training custodial deputies in P.C. 832 courses, but had failed to have the course certified and subjected to the required testing processes. After review of the training, it was believed that retroactive certification of the training was appropriate, but POST regulations require that trainees be tested "immediately" following instruction. It was proposed that the Commission approve a regulation amendment allowing for waiver of the immediate testing requirement whenever a retroactive course certification occurs.

The Commission approved proposed new Regulation 1080 (a) (1) (E) to provide:

The Commission may waive the requirement that all original examinations be administered immediately following the conclusion of training in those instances where the training is certified retroactively and the examinations were therefore not administered as part of the training.

Following Commission discussion, the motion to approve this regulation included the following..."that all future requests for waivers under this procedural change will be brought to the Commission."

If Commissioners concur, the following will be included in the Commission Policy Manual:

- C23. All requests under Regulation 1080 (a) (1) (E) for waivers of the immediate P.C. 832 testing requirement shall be presented to the Commission for a decision.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Approve Contract Award to Develop Alcohol and Other Drugs Interactive Multimedia Course		Meeting Date April 15, 1993
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Otto Saltenberger	Researched By Ken Whitman <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i> Morgan C. Behm	Date of Approval 3-29-93	Date of Report March 24, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

### ISSUE

Approval of vendor selection and award of contract to develop a computer-based, interactive multimedia training course that addresses all aspects of a Law Enforcement Alcohol and Other Drugs training course.

### BACKGROUND

In January 1993 the Commission authorized the issuance of a Request for Proposal (RFP) to develop a computer-based, interactive multimedia training course on alcohol and other drugs for law enforcement. The courseware is intended to address four very specific segments of instruction. The courseware is designed to deliver both Basic Course required training, and specialized training for in-service personnel. The Commission established a projected budget of \$400,000 for the development of this courseware.

An RFP was developed and issued on January 15, 1993. The process of vendor selection was initiated by mailings of the RFP to more than 115 firms or individuals. At the time this report was written evaluation of the proposals was scheduled to start after closing of submissions on March 29, 1993. The evaluation committee will review the proposals on April 8, 1993 and the top four vendors will be invited to make oral presentations on April 13, 1993. Evaluation of the top four proposals and review of cost estimates will be completed prior to the Commission meeting. The Commission will receive a report and recommendation for award of bid at the meeting and will be in a position to award the bid.

## ANALYSIS

The RFP proposes a computer-based, interactive multimedia course of training to address the training needs of law enforcement personnel assigned to drug enforcement duties, as well as those in the POST Basic Course. The field of drug enforcement is highly specialized and requires officers to gain knowledge and expertise to effectively do their jobs. This course will provide law enforcement personnel with a training course addressing necessary skills in four identified areas.

Over the past several years the Commission has certified an increasing number of courses concerning alcohol and other drugs. These actions have been in recognition of the continued seriousness and growth of the substance abuse problem in California coupled with the need for the use of advanced technology on the part of law enforcement to counter this abuse problem.

POST currently certifies training in four areas that would be used as the basis for this proposed IVD course. Those areas are:

- o Driving Under the Influence
- o Drug and Alcohol Recognition
- o Drug Identification and Influence (11550 H&S)
- o Enforcement Training for Field Officers and Investigators

The proposed content of the specific training in those four areas is summarized in Attachment A.

The course would be presented to trainees by printed study booklet(s) and microcomputer equipment similar to that used for other POST interactive courses. It could be used by individual trainees, small groups of trainees, and instructors in large classroom settings. The interactive course would provide decision-making exercises and ample opportunities to make judgements in realistic law enforcement situations.

To accomplish development of the interactive multimedia course, the vendor will: (1) design the instructional system including pre- and post-testing; (2) use suitable video, graphics, animation, and sound; (3) develop software to run the course; (4) develop appropriate study booklet(s) for trainees; and (5) present POST complete workable courseware for interactive multimedia training and testing in law enforcement situations involving alcohol and other drugs for both new recruits and in-service officers.

## Cost Information

The RFP to develop the interactive Law Enforcement Alcohol and Other Drugs training course proposed that primary responsibility for development and development costs, including video production, be assumed by the vendor. POST's role would be limited to providing

some staff and subject matter expertise.

The vendor would receive progress payments for specific milestones and deliverables, with final payment upon successful development and delivery of the completed product. POST would receive masters and program codes for making copies, and design plans for implementing the interactive training program. The proposed cost to POST for developing the training course was the single financial figure used as a factor in evaluating the proposals.

#### Bid Evaluation Process

The RFP process calls for all of the proposals to be delivered to POST by March 29, 1993. The proposals will be evaluated by a committee representing California law enforcement agencies and training institutions using a formula that weighs key factors such as the instructional design, technical approach, available experience and expertise, and ability to deliver all products on schedule.

All valid competitors will be ranked by this formula at the evaluation committee meeting to be held on April 8, 1993. The four highest ranking vendors will then be invited to make oral presentations to the evaluation committee on April 13, 1993.

The cost of the development will then be factored in for the final adjustment of rankings, which results in the recommendation of the highest scoring vendor to develop the interactive multimedia Law Enforcement Alcohol and Other Drugs training course.

#### Contract Terms and Review Process

The RFP provides for a one-year course development period from the commencement of the contract. Specifically, the contract period would commence following the POST award of the contract and would run from June 1, 1993 to June 30, 1994.

There would be review by POST and subject matter experts at specific stages in the work process to ensure conformity with terms of the contract. The personnel assigned to the Learning Technology Resource Center would begin to participate and oversee this contract upon joining POST in May 1993. Before completion of the contract period, the developed and approved Law Enforcement Alcohol and Other Drugs training course would be validated with a control group to verify its training effectiveness.

Should the Commission approve award of this contract, the time schedule calls for quick completion of the state contractor processes. With the expected start-up in June 1993 and the time for the total contract period, the terms of the contract could be met and the courseware product delivered no later than June 30, 1994.

Recommendation

The review of the final proposals will be in its final stages on April 13, 1993, and upon completion of the final evaluation phase, staff will present a report of recommendation awarding the contract to the winning vendor at the Commission meeting on April 15, 1993.



**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title Request for RFP for Developing an IVD Program for Alcohol and Other Drugs Identification		Meeting Date January 21, 1993
Bureau Training Program Svcs.	Reviewed By <i>[Signature]</i> Otto Saltenberger	Researched By Dave Spisak
Executive Director Approval <i>[Signature]</i>	Date of Approval 1-5-93	Date of Report December 22, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the issuance of a Request for Proposal (RFP) for the development of an interactive videodisc (IVD) training program on alcohol and other drugs identification at a cost not to exceed \$400,000?

BACKGROUND

Over the past several years the Commission has certified an increasing number of courses concerning alcohol and other drugs. These actions have been in recognition of the continued seriousness and growth of the substance abuse problem in California coupled with the need for the use of advanced technology on the part of law enforcement to counter this abuse problem.

POST currently certifies training in four areas that would be used as the basis for this proposed IVD course. Those areas are:

- Driving Under the Influence
- Drug and Alcohol Recognition
- Drug Identification and Influence (11550 H&S)
- Enforcement Training for Field Officers and Investigators

The proposed content of the specific training in those four areas is summarized in Attachment A.

Section 11550 of the Health and Safety Code, makes it unlawful for persons to use or be under the influence of specified controlled substances. Peace officers, to make arrests under this statute, must be able to recognize the symptoms associated with being under the influence of these drugs. Judicial decision has had the effect of requiring officers who testify in courts on

such cases to have been trained in drug influence courses.

The proposed IVD course is designed to address the training needs of law enforcement personnel assigned to drug enforcement duties, as well as those in the Basic Course. The field of drug enforcement is highly specialized and requires officers to gain knowledge and expertise to effectively do their jobs. This course will provide law enforcement personnel with a training course addressing necessary skills in the four identified areas.

Interactive-videodisc training is ideally suited for conducting pretesting for training goals in many of these classes and then providing retraining on only those topics indicated deficient. Additionally, many training objectives for these classes can be taught at the officer's agency as a prerequisite for attendance at an off-site course with subsequent savings in class time.

POST has had experience with developing computer-based interactive videodisc training. The Commission has previously approved three computer-based training programs - each using the interactive videodisc. The PC 832 Interactive Course, completed in 1989, has shown positive results in its evaluations. The Driver Training IVD Course was completed in June 1992. The First Aid/CPR IVD Course development is in progress and is scheduled for completion in March 1993.

A complete description of the benefits for using computer-based and interactive videodisc training is provided in Attachment B.

## ANALYSIS

### Increased Quantity of Training

Currently, no interactive videodisc-based alcohol and other drugs training program exists. Therefore, the training can only be provided at an "in-class" course. While the courses that are POST certified are attended by large numbers of California law enforcement officers (see Table 1.), thousands more officers could benefit from the interactive videodisc training. By replacing "in-class" courses in their entirety or by reducing the length of such "in-class" courses, more such training can be provided for substantial training dollar savings.

An analysis of courses offered in the four groups mentioned for the past 12 months shows high student/agency interest.

Table 1.

Number of Students by Course Group 1992

<u>Course Grouping</u>	<u>No. Students</u>	<u>Est Student Days</u>
1. DUI	523	1,569
2. Recognition	429	1,287
3. Drug Influence	759	2,277
4. Narco Enforcement	999	4,995

Preliminary analysis suggests that up to 50% of class time in course groupings one, two, and three could be replaced with IVD computer-based training. An estimated 25% of class time in group four classes could be replaced with IVD training. Table 2 shows the potential student days saved.

Table 2.

Number of Student Days Saved <sup>1</sup>

<u>Course Grouping</u>	<u>Estimated Student Days Saved</u>
1. DUI	784.5
2. Recognition	643.5
3. Drug Influence	1,138.5
4. Narco Enforcement	<u>2,497.5</u>
Total	5,064.0

We believe that more training day equivalents could be provided within an agency-IVD environment with subsequent class time used for those training activities that must be practiced with specialized equipment, experiential learning activities, and groups training activities.

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<sup>1</sup> Classes in Groups 1., 2., and 3., are typically 24 hours. Classes in Group 4., consist of 24 hours, 40 hours, and 80 hours. For this analysis, 40-hour classes are assumed.

## Standardized Instruction

In addition to the quantity discussion above, there is a value to the quality that an IVD program ensures. Many law enforcement agencies and colleges offer alcohol and other drug classes. The skills and experiences of instructors, and the training aids used in the classrooms are not consistent. Through the use of IVD training materials, a consistent high-quality presentation will be assured throughout the State.

Students, trained by IVD, will arrive at classes where related or advanced instruction is presented with similar experiences, thereby making the instruction in the classroom easier and more advanced. Instructors will not have to use valuable class time to help students attain the basic level of knowledge; they can focus on more complex and advanced materials instead. Additionally, class time can be spent on group activity and skill building rather than basic knowledge acquisition.

Studies show that retention of material is enhanced by IVD learning. The ability to pace the instruction to the student, combined with easily accessible material within the agency, enhances retention by the student.

## PROGRAM COST ESTIMATES

In providing cost estimates for the IVD program, staff used current industry standards of pricing for videodisc development. Current costs for a completed videodisc are approximately \$100,000 per finished disc side. Prospective vendors who will be preparing a bid in response to our RFP will need to examine curricula to be included and programming, video production, graphics generation, and study guide preparation to come up with an exact cost for the IVD program. Once that process is complete, the exact number of discs needed to support this IVD program could be lower, with potential cost reduction in the final bids.

This particular training courseware would meet specific needs nationwide. The program would be owned by POST, and the potential to market this IVD courseware to recover some development costs is very favorable. Any marketing program or agreement would be proposed near the end of the courseware development completion date.

## RECOMMENDATION

Authorize the Executive Director to prepare and distribute an RFP to develop an IVD Training Program on Alcohol and Other Drugs Identification at a cost not to exceed \$400,000 and recommend a developer to the Commission at its April 1993 meeting.

Alcohol and Other Drugs Identification

Disc One - "Driving Under the Influence," would include:

- o legal issues
- o DMV legal sanctions
- o 13353 chemical testifying
- o probable cause
- o standardized field sobriety testing
- o gaze nystagmus
- o sobriety checkpoints
- o detection techniques
- o common DUI defenses

Disc Two - "Drug and Alcohol Recognition," would include:

- o drug and alcohol awareness
- o drug and alcohol recognition and intoxication
- o human physiology
- o field sobriety tests
- o gaze nystagmus
- o cannabis
- o PCP
- o opiates
- o stimulants
- o hallucinogens
- o depressants
- o drug toxicology

Disc Three - "Drug Identification and Influence (11550)," would include:

- o human physiology
- o drug identification
- o drug influence determination
- o hallucinogens
- o depressants
- o cannabis
- o PCP
- o opiates
- o stimulants
- o alcohol
- o applicable laws
- o substance identification
- o physiological symptoms
- o objective signs
- o chemical testing
- o legal issues

Disc Four - "Enforcement Training for Field Officers and Investigators," would include:

- o legal issues
- o drug identification
- o user identification
- o field testing
- o undercover surveillance
- o identification hazardous material, drug labs, and California Administrative Code Manuals
- o clandestine labs (laws, safety, storage, and disposal)
- o evidence procedures
- o case preparation
- o testimony in court
- o handling informants

**COMPUTER-BASED TRAINING**

The potential of computer-based training (CBT) is clear. No other media or approach (including one-teacher/one-student models) offers the opportunities for individualization on pace, content, sequence, and difficulty that CBT offers. No other approach offers the opportunities for providing trials with feedback, item or response-specific helps, simulations of complex problems, or techniques and management control of CBT.

CBT refers simply to the use of computers in managing and presenting lessons to trainees. Trainees receive individualized and self-paced instruction.

Trainees choose when and where in the text to begin and end lessons depending on what they plan to learn and what they have already accomplished. Trainees may pursue specific interests and applications in their preferred mode of instruction, whether graphic, audio, video, or verbal.

CBT involves interaction between the trainee and the computer in which the trainee responds to instruction delivered by the computer.

Some common modes of CBT include tutorials where the computer acts as a tutor and instructs the trainee; drill and practice - where the trainee answers a sequence of questions; simulation where the trainee is allowed to practice certain skills modeling.

This flexibility is a major feature of CBT's management capability. By diagnosing the trainee's responses, it can choose and follow the most effective instructional strategy for each trainee and cure deficient skills and knowledge. Computer feedback - the result of vast amounts of data and variables - is immediate and exact, while instructors' responses are often subjective and not timely.

CBT responds to a variety of training needs by allowing:

- o large numbers of geographically dispersed trainees to receive standardized instruction
- o individualized training programs
- o training in cognitive and technical subjects
- o self-paced learning
- o instantaneous remedial and tutorial training

The benefits in using a CBT program are time, cost, and energy savings. A system can quickly update courses from a central location, store and process huge amounts of information, and improve training evaluation. It can potentially reduce overall training costs by:

- o eliminating travel to distant places for training
- o being more effective for retention of material
- o requiring fewer training hours to master material
- o affording greater accessibility to needed subject matter
- o using pre- and post-testing to assure teaching materials that the trainees do not already know

Today, major businesses such as IBM, General Motors, Chrysler Corporation, and Ford Motor Company use CBT to enhance learning. IBM provides more than 30 percent of its education courses in self-study format at learning centers, in marketing and service branch locations, and at manufacturing and development locations. In the very near future, more and more self-study courses will be delivered on the personal computer right at the trainee's work station or learning station.

Self-study delivery media are as diverse as the messages delivered. They range from text books; audio cassettes and tutored videotapes to interactive-videodisc training incorporating sophisticated, high-resolution graphics; video animation; audio soundtracks; and touch-screen operation. Often these training materials are made available to the trainee in combination, such as work books with an interactive-videodisc program.

Individual learning with CBT provides the benefits of convenience, since trainees can take courses when and where they want and can proceed at their own pace. It increases student productivity by eliminating travel time to and from class, and it is cost efficient, since travel and living expenses are eliminated and administrative expenses are reduced.

Self-contained training module programs use up-to-date teaching methods, including graphics and simulation. Students progress at their own pace, skipping or repeating sections as they see fit, and throughout the process the computer system tracks progress and tells trainees which section should be studied next. CBT programs encourage a high degree of student interaction providing hands-on training that keeps participants involved and interested.

The initial costs of obtaining the hardware and developing the software programs are expensive. In the period since 1985, market forces have been in play which have been the catalyst for powerful and sophisticated hardware and software. At the same time, the prices of both have tumbled dramatically. A dollar today will buy many times the computing power that it could



purchase only two or three years ago. It is expected that this downward cost trend will continue on into the future.

Law enforcement training courses can be delivered effectively by integrating the use of CBT programs into the overall POST training program.

#### INTERACTIVE-VIDEODISC COURSEWARE DEVELOPMENT

Interactive-videodisc (IVD), which is an advanced form of computer-based training, is a unique instructional medium which links microprocessor responding and evaluating devices with a videodisc player.

This interface provides lesson designers with unparalleled resources for blending still and motion pictures, sound, text, animation, and graphics for instructional purposes. By controlling a videodisc player with an external computer, sophisticated instructional strategies can be applied to law enforcement training.

Interactive programs build decision-making and problem-solving skills, giving the trainees control to choose what they need to learn and skip over what they already know. Interactive video programs can provide higher visual levels not achieved with the lower-level CBT programs. In addition, it also provides the ability to:

- o train people in a reduced period of time
- o teach skills and help trainees practice them
- o show desired behaviors in various scenarios, a valuable medium for behavior modeling
- o train groups as well as individuals
- o free the instructor to provide individual coaching

The American Heart Association uses a mannequin in an IVD program to teach cardiopulmonary resuscitation. As trainees practice, the video "instructor" gives them directions regarding technique and accuracy. Airline pilots hone decision-making skills by using IVD programs involving emergencies, choosing a course of action through a computer program, and then analyzing outcomes of their decisions.

The Commission on POST has developed the PC 832 "Introduction to Law Enforcement" interactive course, and has contracted for the development of a comprehensive driver training interactive videodisc course that was completed in June 1992.

The marriage of multimedia and the computer has resulted in trainees, who use these types of interactive systems and are achieving scores which are significantly higher than learners using other approaches although they spend less time in instruction.

Recent studies at IBM showed that learners saved 25 percent training time and increased retention of the material by 60 percent using the computer/video medium. It was judged a more effective training tool because its simulation feature challenged a learner's problem-solving skills.

One of the interactive videodisc's chief advantage is its random access capability of locating any section of the program within fractions of a second. This enables trainees to control the order of the video segments on their monitors. They answer questions posed by the computer program, and as part of the computer's "branching" feature, are directed to other parts of the training on the basis of their responses. Correct answers take them to the next segment, and incorrect ones take them back to original lessons or remedial lessons.

Interactive videodisc programs offer the most effective instruction available by engaging some of the trainee's senses. While reducing training time, multi-sensory learning increases comprehension, helping trainee's retain a large amount of what they see, hear, and do.

With the proper equipment, widely dispersed trainees can receive uniform instruction. Trainees in remote areas can have access to the same specialized information and new program enhancements. The equipment responds to users and permits them to actively participate in the course of instruction by adapting the instructional presentation to each individual's ability and knowledge by responding using the keyboard, touch-screen or routing device, such as a "mouse".

Trainees also have the freedom to organize sections of the material that best suit their needs. Trainees can learn at their own pace, and can receive a variety of directions from the computer ranging from drill and practice to contacting the instructor or facilitator for further assistance.

The two major components of the interactive systems, the microcomputer and the videodisc, are readily available and easily affordable as they are commercial products sold nationwide. Using high-level computer and authoring languages, instructional designers, who are non-programmers, can be taught to develop their own interactive programs. The computer component can track learners' responses and progress, direct learners to appropriate instruction, and help revise the training program itself.

Recent developments in the field of Digital Video Interactive (DVI), an enhancement of the interactive system using "real-time" motion on the videodisc, will provide additional capabilities in the use of interactive videodisc training programs for law enforcement when this technology is fully developed. IBM and Intel, developers of the DVI concept, predict that within two years every personal computer sold will have the DVI chip available and will be installed as part of the base cost of the computer.

This will allow any personal computer to become an interactive media platform. This will include many personal computers that have already been purchased by law enforcement agencies or trainers.

The ACR 58 Study Committee believes there is compelling evidence that interactive videodisc programs are an effective means of meeting many cognitive skills training needs in law enforcement training and can easily be integrated into the current law enforcement training delivery system.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Modification of Minimum Required Hours for Electronic Surveillance Course		Meeting Date April 15, 1993
Bureau Training Program Services	Reviewed By Otto Saltenberger <i>CH</i>	Researched By Don Moura <i>DM</i>
Executive Director Approval <i>Mouman C. Behm</i>	Date of Approval 3-29-93	Date of Report February 25, 1993
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve a reduction in the required hours of the Electronic Surveillance Course from 24 hours to 16 hours?

BACKGROUND

The Electronic Surveillance Course was developed in 1988 pursuant to Penal Code Section 629 et. seq. (Attachment A) with a group of subject matter experts. A provision in this law required peace officers to be certified by the Attorney General prior to making application for court authorization to intercept private wire communications. Although the attendance of this course was not a legal requirement, the Attorney General requires the attendance as a prerequisite to being certified.

The Commission took action at the November 2, 1988 meeting to approve the curriculum as recommended with a minimum of 24 hours in four designated topics (Attachment B). The course was subsequently referenced in the POST Administration Manual, Section D-7. Since that time all courses referenced in Section D-7 have been incorporated into Regulation 1081.

The course was certified to be presented by the Department of Justice as part of their contract training program. The course has been presented thirteen times since November 1988. Experience has shown the minimum required hours for the Legal and Technical Aspects portion of the course are more than necessary. The presenter and the instructors have recommended that the required hours for these designated topics be reduced by 50% which would bring the total course hours from 24 to 16. This reduction would have no impact on the quality of the course.

ANALYSIS

The course is presented twice each year with an average of 20 students per class at a cost of \$243 per student for travel and per diem (\$10,642 total for two classes per fiscal year). The reduction in hours would reduce per diem costs by one day per student,

reducing the cost per student to \$182. The presentation contract requires on-site coordination. The reduced hours would result in a reduction in per diem costs for the coordinator and instructors that is estimated at 10% of the contract total. The cost savings per year as a result of this recommendation would be approximately \$3,500.

If the Commission agrees that the proposed changes should be made, it is proposed that the abbreviated public notice process be used. If no one requests a public hearing, the proposed changes to POST regulation 1081 would be revised as shown in Attachment C of this report, and would go into effect 30 days after approval by OAL.

#### RECOMMENDATION

If the Commission concurs, the appropriate action would be a MOTION to adopt changes to POST Regulation 1081 as proposed, subject to the results of a Proposed Notice of Regulatory Action.

629.44. (a) The Commission on Peace Officer Standards and Training, in consultation with the Attorney General, shall establish a course of training in the legal, practical, and technical aspects of the interception of private wire communications and related investigative techniques.

(b) The Attorney General shall set minimum standards for certification and periodic recertification of investigative or law enforcement officers as eligible to apply for orders authorizing the interception of private wire communications, to conduct the interceptions, and to use the communications or evidence derived from them in official proceedings.

(c) The Commission on Peace Officer Standards and Training may charge a reasonable enrollment fee for those students who are employed by an agency not eligible for reimbursement by the commission to offset the costs of the training. The Attorney General may charge a reasonable fee to offset the cost of certification.

February 25, 1993

ELECTRONIC SURVEILLANCE  
(Course Outline)

LEGAL REFERENCE

Effective January 1, 1989, Senate Bill 1499 enacted Penal Code Sections 629 et. seq. which authorizes a wire interception (wiretapping) and provides a detailed structure for implementation. Penal Code Section 629.44 (a) requires the Commission on Peace Officer Standards and Training (POST) to develop and implement a course of instruction on the legal, practical, and technical aspects of interception of private wire communications and related investigative techniques. Penal Code Section 629.44 (b) requires the Attorney General to set minimum standards for certification and periodic recertification of investigative or law enforcement officers as eligible to apply for orders authorizing the interceptions, and to use the communications or evidence derived from them in official proceedings. This course meets the training requirements for certification under this act.

BACKGROUND

This course was developed in 1988, with the input of an advisory committee of law enforcement and Attorney General's Office representatives.

PREREQUISITE

1. Students will be full time California Peace Officers, or federal peace officers nominated by California law enforcement chief executives.
2. Students will possess the POST Basic Certificate, with consideration for waiver of this requirement when the Student is a federal peace officer.
3. Students will be required to be nominated or endorsed by the employing agency. Justification for attending the course will be required if the Student is not assigned to narcotic investigation.

COURSE CERTIFICATION INFORMATION

This certified course is presented by the California Department of Justice Advanced Training Center under Reimbursement Plan IV. This course is designated as an elective course in the Narcotic Specialty of the POST Institute of Criminal Investigation.

TOPICAL OUTLINERecommended Hours

1.0 Legal Aspects	<del>8</del>	4
2.0 Technical Aspects	<del>8</del>	4
3.0 Practical Aspects	6	6
4.0 Examination	2	2
	<u>24</u>	<u>16</u>
<u>Minimum Required Hours</u>	24	16

## LEARNING GOALS

### 1.0 LEGAL ASPECTS

- 1.1 The Student will demonstrate knowledge of Senate Bill 1499 (P.C. 629 et seq.)
  - A. Major distinctions between California and Federal wiretap provisions.
- 1.2 The Student will identify those necessary requirements for a wiretap affidavit.
- 1.3 The Student will identify what constitutes privileged communications:
  - A. Attorney/Client
  - B. Husband/Wife
  - C. Clergy/Penitent
  - D. Psychotherapist/Patient
  - E. Physician/Patient
- 1.4 The Student will demonstrate the knowledge of how to legally process information obtained pursuant to a wiretap which is beyond the scope of the targeted drug offense.
- 1.5 The Student will identify the basis upon which legal challenges may be brought against a wire tap operation, including:
  - A. Invalid Affidavit/Effect of Using Improperly Obtained Probable Cause
  - B. Violation of Minimization Rule
  - C. Lack of Required Training.
  - D. Lack of Certification by Attorney General
  - E. Chain of Custody
- 1.6 The Student will determine when the attainment of the authorized objective in the wiretap order is met, or will not be met.
- 1.7 The Student will identify the sanctions that could be imposed in the event of noncompliance with the wiretap law.
- 1.8 The Student will identify the required review/approval path of the official documents, including:
  - A. Affidavit
  - B. Application
    - (1) written
    - (2) emergency oral
  - C. Progress Reports



## LEARNING GOALS

### 2.0 TECHNICAL ASPECTS

2.1 The Student will demonstrate familiarity with the technical equipment in the listening post:

- A. Dialed Number Recorder (Pen Register)
- B. Audio Intercept
- C. Minimization Control
- D. Tape Recorders
- E. Evidence Sealers
- F. Computer Data Programs
- G. Other Equipment as Needed

2.2 The Student will identify the appropriate method of storage of original tapes, transcriptions, copies, and equipment.

## LEARNING GOALS

### 3.0 PRACTICAL ASPECTS

- 3.1 The Student will determine "well in advance" before affidavit is complete those necessary resources and requirements for the implementation of the wire interception:
  - A. Phone Co./Equipment Vendor/Computer Terminal Access
  - B. Resource Pool, Manpower, etc.
  - C. Interagency Agreement Requirements
  - D. Information Banks
  - E. Other Miscellaneous Items
- 3.2 The Student will identify the necessity of maintaining an on-going working relationship and continual briefing with the assigned prosecutor.
- 3.3 The Student will familiarize himself/herself with the necessity for maintenance of security in and around the listening post.
- 3.4 The Student will identify the need for designated investigator to thoroughly advise each shift change, both street surveillance teams and listening post personnel, of the major events of the preceding shift.
- 3.5 Importance of Immediate Reports and Logs

POST REGULATIONS

1081 Minimum Standards for Approved Courses

(a) (15) Electronic Surveillance ~~-24~~ 16 Hours  
(Penal Code Section 629.44(a))

- (A) Legal Aspects
- (B) Technical Aspects
- (C) Practical Aspects
- (D) Examination

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposal for expanding the POSTRAC testing system into a training management system		Meeting Date April 15, 1993
Bureau Standards & Evaluation	Reviewed By <i>John D. Ben</i>	Researched By Jim Norborg <i>JNM</i>
Executive Director Approval <i>William P. Johnson</i>	Date of Approval 3-23-93	Date of Report March 18, 1993
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Should the Commission authorize the Executive Director to issue a "request for proposal" (RFP) for an automated training management system at an estimated cost of \$230,000?

BACKGROUND:

The proposed training management system will provide presenters of POST-certified training with a set of integrated computer programs for managing training activities including curriculum management, scheduling, testing, record keeping, and reporting. This proposal is guided by the experience gained during the development of "POSTRAC," an automated system for testing basic course students.<sup>1</sup> For this reason the development of the POSTRAC system, its successes and its shortcomings, are described below.

The POSTRAC Testing System

The POSTRAC system currently provides basic academies with the following capabilities: (1) the ability to download and print a professionally developed test in any of 40 content areas in less than 10 minutes, (2) the ability to machine score tests, (3) the ability to keep detailed records of student performance on each instructional objective, and (4) the ability to produce a variety of reports that serve both instructional and administrative purposes.

Development of the POSTRAC system. In October 1985, the Commission approved a staff proposal to try out a new system for defining successful completion of the basic course. The system had two major features: (1) **Knowledge domains** were used to define subject matter areas within the basic course, and (2) the system was automated by a computer program called **POSTRAC**. The Commission approved a \$90,000 contract with Brain Designs, Inc. to develop the new system. By late 1986, the new system was operational. In November 1988, staff reported to the

<sup>1</sup>POSTRAC was developed by Brain Designs, Inc. under contract to the state of California. Brain Designs claims "POSTRAC" as a trademark; however, the program is the undisputed property of the state of California.

Commission that the new system was easy to use and that POST Proficiency Test scores at the three academies using the new system had improved.<sup>2</sup> In December 1988, the Commission approved a \$9,000 augmentation of the Brain Designs contract to add additional features to the POSTRAC system including: (1) tracking mastery of "manipulative" performance objectives, (2) enhancing the on-line help system, and (3) increasing the number of reporting options. After these changes were made, more academies elected to use the new system.

Evaluation of the new system. In April 1990, the results of a larger study of the new system were presented to the Commission. The additional data showed that the average POST Proficiency Test scores for academy classes trained under the new system were significantly higher than classes trained under the old system. Moreover, 26 of the state's thirty-five academies had voluntarily adopted the new system. In May 1990, each of the State's 35 regional academies were invited to a POSTRAC workshop. The purpose of the workshop was to demonstrate POSTRAC's capabilities and to identify user needs which the current program did not satisfy. Thirty-three of the 35 regional academies sent representatives to the workshop. The workshop participants identified 36 changes that would improve the POSTRAC system.

Problems with the Teale Data Center. In November 1990, the Commission authorized the Executive Director to enter into a contract with Brain Designs, Inc. to enhance the POSTRAC program in accordance with the recommendations made by users in the May 1990 workshop. However, during the same period, the state's data processing center (i.e., the Teale Data Center) announced changes to its security system that would make the current POSTRAC software useless. It was decided to use internal resources (i.e., a staff programmer) to make the changes needed to keep POSTRAC operational.

Mandating the POSTRAC system. By January 1991, 31 of 35 basic training academies had voluntarily adopted the POSTRAC system. At its January meeting, the Commission approved a staff recommendation that knowledge domains (and by inference the POSTRAC software) be used as the standard for defining satisfactory completion of the basic course. The Commission mandated the new system for all academy classes beginning on or after October 1, 1992.

Current status of the POSTRAC system. A staff programmer completed modifications to the POSTRAC hardware and software that eliminated the Teale Data Center from the POSTRAC system in January of this year. The Teale Data Center was replaced by a single, inexpensive PC. However, due to competing demands for programming support, only a handful of the 36 user-recommended changes were implemented in the modified system. This leaves the basic academies with a system that is functional but technologically antiquated and lacking in a number of key features.

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<sup>2</sup>The POST Proficiency Test is a legislatively mandated evaluation of basic course instruction. It is a 100-item, multiple-choice test that samples the knowledge that students should have mastered as a consequence of basic course instruction.

## Technological Obsolescence

Notwithstanding the difficulties described above, the POSTRAC system has provided academies with an efficient means of testing students and has significantly increased student achievement as measured by POST Proficiency Test scores. However, after seven years of service, the system is now technologically obsolete. Opportunities for incorporating technological advances into POSTRAC and the proposed training management system are described below.

PCs. The POSTRAC program was designed for an IBM XT personal computer (PC) running the "DOS" operating system. This computer and operating system, while state of the art in 1981, have a number of well-documented shortcomings by today's standards. They include a limited amount of accessible memory (640 KB), limited on-line storage (10 MB), and a slow processor (4.7 MHz). By comparison, today's PCs have megabytes of memory, gigabytes of on-line storage and run at over 50 MHz. Moreover, the cost of an XT in 1981 was about \$4,000, while its more capable, contemporary counterpart costs about \$2,000.

Modems. Another hardware component of critical importance to a system that services 35 regional academies is a "modem." A modem is a device that allows PCs to exchange information over ordinary, dial-up telephone lines. In 1985, a PC modem that could transmit 120 characters per second was top of the line and cost about \$600. Today, modems that can transmit 5,760 characters per second cost less than \$500.

User interface. The evolution of PC software has contributed to the technological obsolescence of the current POSTRAC system. The new "graphical user interface" or GUI provides an opportunity to increase productivity and decrease costs. The GUI interface makes computer programs easier for novices to learn and also increases the productivity of knowledgeable users. Keyboards -- the XT's only input device -- are now supplemented by a variety of point-and-click devices that increase efficiency and ease of use.

Graphics. In addition to being easy to learn and operate, the GUI environment makes it possible to manipulate and print pictures (i.e., graphics) as well as letters and numbers. A new POSTRAC written for a GUI operating system will make it possible to develop more realistic and challenging test questions that use pictures and diagrams as well as words and numbers.

Future enhancements. The character-based DOS operating system is being replaced by GUI operating systems such as Microsoft's Windows and IBM's OS2. The adoption of a GUI operating system will pave the way for future enhancements including sound and full-motion video. A system based on a GUI operating system will be easier to modify and maintain because the GUI operating systems provide built-in connections to a wide variety of hardware and software.

Application development software. The application development software available to developers has improved significantly since 1985. Applications developed with the latest development tools run faster, manage memory better, and provide a much improved user interface.

Networks. In 1985, PC networks were in their infancy. Today, "networks" link PCs together into powerful, integrated information systems that cost a fraction of a traditional mainframe or minicomputer. The advantages of small, locally controlled systems have become abundantly clear over the last five years. The original POSTRAC design attempted to integrate the power and storage capacity of the large computers at the state's Teale Data Center with relatively low-cost PCs. However, it soon became apparent that supporting a small system such as POSTRAC was at the bottom of Teale's list of priorities. Over the last five years, Teale management has progressively restricted access to the data center's computers in ways that required costly, time-consuming adjustments to the POSTRAC software. In June of 1992, access became so restricted that it was no longer possible to use the Teale computers in conjunction with the POSTRAC system.

## ANALYSIS

This proposal has four major facets: (1) adding user-recommended features to the POSTRAC testing system, (2) developing a suite of programs that will perform other training management functions, (3) adding options to the programs that will allow users to configure them for use in courses other than the basic course, and (4) updating the system hardware and software to current industry standards.

### Adding User-Recommended Features to POSTRAC

The major changes and enhancements recommended by POSTRAC users are described below.

Entering Student Data on Machine-Readable Forms. Currently, information about academy students (e.g., name, social security number, etc.) must be entered from the computer's keyboard. With this enhancement, students will fill out a machine readable form and the information will then be scanned directly into the computer's memory at a rate of 40 students per minute.

Graphics-Based Test Items. Currently, the POSTRAC program can only accept test items containing standard ASCII text (i.e., letters and numbers). This enhancement will make it possible to include pictures and diagrams in the test items. This capability will be extremely useful in several subject matter areas where problems can be presented much more clearly, concisely, and realistically using pictures rather than words.

Raw-Score Conversion. Several skill-based exercises which require students to demonstrate a physical ability (e.g., endurance) or a motor skill (e.g., climbing a six-foot wall) have complicated scoring algorithms for converting and combining "raw" scores (e.g., number of seconds required to run a mile) into a composite standard score. Currently, tables and hand calculations are used to make these conversions and then the standard score is entered into the computer. This enhancement will make it possible to scan raw scores, recorded on mark-sense answer sheets, directly into the computer's memory, where the computer will then convert the raw scores to standard scores.

Customized Tests. Academies frequently have legitimate reasons for increasing the scope or depth of coverage in a particular content area. For example, the Highway Patrol might need to cover more sections of the Vehicle Code than POST requires. Currently, however, academies must administer a domain test exactly as it is constructed by POST staff. This enhancement will allow academies to add their own test items to the end of a domain test. When a test is graded, students will receive two scores: (1) a score based on the POST-developed test items, and (2) a composite score based on all the items in the test. To satisfy POST requirements, the student will have to obtain a satisfactory score on the POST-developed test. The academies will be free to select and apply a second cut score to the composite score based on all the test items.

Event Scheduler. Periodically, large amounts of information must be exchanged between academy PCs and the PC at POST headquarters. This information is transferred over ordinary telephone lines at either 120 or 240 characters per second. File transfers can take over an hour and during this time an academy's microcomputer cannot be used for any other purpose. This enhancement will allow academies to schedule unattended file transfers between POST and the academy at a time (e.g., 11:00 p.m.) when the academy's computer isn't being used for any other purpose and telephone line charges are lower.

Scoring Scenarios. Scenarios are job simulation tests that require students to respond to complex, real-life situations. Role players and realistic props are used so that the student gets a taste of the real world of a patrol officer in a protected environment. Students are scored on multiple dimensions which are weighted in terms of their relative importance. Currently, these dimension scores are manually weighted, tabulated, and entered into the academy's computer from the keyboard -- a very time-consuming, error-prone process. This enhancement will allow academies to record raw dimension scores on mark-sense answer sheets and scan them into the computer's memory. The computer will apply the dimension weights and tabulate each student's score on the scenario.

#### Developing a Suite of Programs that Perform Other Training Management Functions

Curriculum management program. The term "curriculum" is used loosely to subsume all means by which a course of study can be described. Examples include instructional goals, objectives, topics, and activities. Objectives are used to describe some POST-certified courses and topical outlines to describe others. The curriculum management program will provide a means for storing and retrieving this information regardless of format. Some of the key features of the curriculum management program are described below.

The curriculum management program will provide on-line access to the following databases: (1) performance objectives for all objectives-based courses, (2) basic course unit guides, (3) basic course knowledge domains, (4) basic course test items, (5) basic course scenarios, and (6) expanded course outlines for other POST-certified training courses. Pull-down menus will make it possible to retrieve this information in a variety of useful ways. For example, basic course presenters will be



able to download and print performance objectives and test items by domain. Presenters of technical courses will be able to select a course and download and print the latest expanded course outline. The databases will be indexed so that POST staff and training presenters can search a database for a word or a word string. This will make it possible to quickly identify all the information in a database which relates to a particular topic. For example, the unit guide database could be searched for all references to "reasonable force" in order to identify all the POST mandated training relating to the use of force. The curriculum management program will retain historical information so that the training mandated at any particular point in time can be quickly retrieved.

Scheduling program. This program will provide an electronic calendar for scheduling instruction by goal, objective, topic, activity, or domain. The program will integrate information from three different databases. An instructor database will contain information about the qualifications and availability of a presenter's instructors. A curriculum database will contain information about course content in terms of goals, objectives, topics, activities, and domains. A facilities database will contain information on the nature and availability of training facilities. The program will use information from these three databases to schedule instruction (by performance objective, learning goal, knowledge domain, or topic) at an appropriate facility with a qualified instructor. A needs analysis will be conducted to determine the exact information and reporting needs of the academies and the results of this analysis will be used to tailor the program to meet those needs.

Student attendance program. This program will allow instructors to take roll using machine readable roll call sheets. The sheets will be optically scanned and each student's attendance written to the student's record. A needs analysis will be conducted to determine the exact information and reporting needs of the academies and the results of this analysis will be used to tailor the program to meet those needs.

POST Proficiency Test program. There are currently two means of evaluating POST-certified training: the POST Proficiency Test and the course evaluation instrument (CEI). The POST Proficiency Test is only used for the basic course. It is a comprehensive, end-of-course test that samples the knowledge-based objectives in the basic course curriculum. The current POST Proficiency Testing system has two serious flaws. First, the answer sheets are sent to POST headquarters where an optical scanning device "reads" the answers. While scanning answer sheets for 6,000 students a year from 35 academies is not an overwhelming task, it is unnecessary. Academies have scanners on site and could easily scan the POST Proficiency Test answer sheets for their own classes and upload the results by modem to POST headquarters.

Second, the computer programs that currently process the POST Proficiency Test scores and report the results reside at the Teale Data Center. As described above, increased security at the Teale Data Center has made it virtually impossible to maintain a system involving remote PCs connected to the data center's large computers. The proposed proficiency testing program will allow academies to scan POST

Proficiency Test answer sheets locally and upload the results to another PC at POST headquarters. The PC at POST headquarters will process the test results and download a report to the academy. No paper will be exchanged between POST and the academies.

CEI program. The CEI is a survey completed by students at the end of a POST-certified training course. It asks students about issues such as course organization, teaching methods, and course content. Like the POST Proficiency Test, CEI answer sheets are currently sent to POST headquarters for scanning. This program will give course presenters the ability to scan the CEI on site, upload the results to POST, and download a report. Again, there will be no exchange of paper between the training presenters and POST headquarters.

#### Updating the System Hardware and Software to Current Industry Standards

As described above, the current POSTRAC system (hardware and software) is technologically antiquated. The new system will take advantage of the technological advances described below.

User interface. The programs will be developed using a Windows-based database program (e.g., Paradox, Access, or FoxPro) or a modern programming language such as "C." They will run under one of the new GUI operating systems (e.g., Windows or OS2). This will provide an easy to learn, easy to use interface for both users and support personnel.

Network. Three different POST bureaus have responsibility for the databases described above: Training Delivery Services Bureau, Basic Training Bureau, and Standards & Evaluation Services Bureau. A network file server will be used to allow each bureau to maintain its own databases and to allow all three bureaus to retrieve (but not change) the information in any of the databases. Where feasible, an optical character reader will be used to update the databases.

Hardware. Where required, network PCs will be upgraded to provide the power and on-line storage needed to work in a GUI environment. High-speed modems will replace the 2400 bps modems currently used to support POSTRAC users.

#### SUMMARY

Many critical training management tasks are currently being performed manually and inefficiently. Testing, record keeping, reporting, scheduling, and evaluating are all tasks that can be performed better and more efficiently with automation. The proposed training management system will increase the efficiency and effectiveness of POST-certified training presenters and the POST staff that support them.

#### RECOMMENDATION:

Authorize the Executive Director to issue an RFP for an amount not to exceed \$230,000 to develop an automated training management system for the use of presenters of POST-certified training.

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Basic Academy Physical Testing Standard</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Standards &amp; Evaluation</b>	Reviewed By	Researched By <b>John Berner</b> <i>[Signature]</i>
Executive Director Approval <i>[Signature: Norman C. Becker]</i>	Date of Approval <b>3-23-93</b>	Date of Report <b>March 16, 1993</b>
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Report on evaluation of basic academy physical testing requirement.

BACKGROUND

In 1985 the Commission adopted physical conditioning and testing requirements for the Basic Course. These requirements direct that all cadets complete 36 hours of prescribed exercise and pass a test consisting of five separately timed events: 99-yard Obstacle Course, 165-pound Dummy ("Body") Drag, 6-foot Chain-Link Fence Climb, 6-foot Wall Climb, and 500-yard Run.

In 1987 the Commission authorized that a study be conducted to evaluate the adequacy of the minimum passing score on the test. The results of the study were reported to the Commission in 1988. Based on the inconclusive nature of the findings, especially with regard to the predictive validity of the test for female officers, staff requested and received Commission authorization to conduct a much more comprehensive follow-up study of the test. This report summarizes the findings of the recently completed follow-up study.

ANALYSIS

Study Methodology:

Test scores were obtained for approximately 700 basic academy trainees, including 149 females, who completed basic training between June 1990 and November 1991. All trainees were from one of five major departments: LAPD, Oakland PD, Sacramento PD, San Diego PD, and San Francisco PD.

Job performance data were collected for the graduating trainees between July 1990 and January 1992. Three different types of data were collected: Field Training Officer (FTO) ratings of the performance of the trainees during field training; daily logs of the "significant physical incidents" engaged in by the field trainees, as reported by FTOs; and archival information regarding successful/unsuccessful completion of field training. Copies of the data collection instruments are attached.

## Study Findings:

The major study findings were as follows:

- Male trainees received significantly higher FTO ratings than females for physical job performance, but not for other aspects of job performance, or for overall job performance.
- Information from the daily logs revealed no significant male-female differences in the difficulty or adequacy of performance of specific physical incidents; however, on average, males engaged in significantly more such incidents (one every 1.8 shifts for males, one every 2.7 shifts for females).
- Approximately 1% of field trainees received unsatisfactory physical performance ratings from FTOs (0.7% for one summary rating, 1.2% for another summary rating).
- 8.7% of trainees failed to complete field training; none were reported to be performing physical tasks unsatisfactorily.<sup>1</sup>
- Statistically significant correlations were found between scores on the test and all three performance criteria; significant within-gender correlations were obtained between scores on the test and two of the three criterion measures: FTO ratings and completion of field training.
- Addition of the 1.5 mile run test enhances the prediction of physical job performance; however, unless the passing score on the test was raised considerably, the practical effect of adding the 1.5 mile test would be inconsequential.
- Any modest upward adjustment to the passing score on the current test would affect females almost exclusively (i.e., the impact on the passing rate for males would be negligible).

Given the small percentage of field trainees who were identified as performing the physical demands of the job unsatisfactorily (roughly 1% as reported by FTOs; no reported physical performance deficiencies for persons who failed to complete field training), it is recommended that no changes be made to the current physical testing standard for the Basic Course. This recommendation is endorsed by both the Long Range Planning Committee and the consortium of basic academy directors.

### RECOMMENDATION

Make no changes to the current basic academy physical testing standard.

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<sup>1</sup>The adequacy of physical task performance was unknown for approximately one-third of those who failed to complete field training.

**Job Performance Data Collection Instructions  
and Rating Instruments**

- **Physical Activity Log Administrator's Instructions**
- **Physical Activity Log Control Sheet**
- **Physical Activity Log**
- **Rater Training Exercise**
- **Importance Rating Booklet -- Patrol Officer Job Elements**
- **"End-of-Rotation" Evaluation FTO Rating Booklet**
- **Final Evaluation FTO Rating Booklet**
- **Field Training Success Data Collection Instructions and Coding Sheet**

Commission on Peace Officer Standards and Training

**ADMINISTRATOR'S INSTRUCTIONS:**

**PHYSICAL ACTIVITY LOG**

Materials

1. Roster of selected trainees
2. Administrator's Instructions
3. Control Sheet
4. Physical Activity Log sheets

Introduction

In order to evaluate the present Basic Academy physical abilities testing program, POST is tracking the job performance of a sample of recent academy graduates. A number of field trainees from your department have been selected to participate in the study.

The enclosed **Physical Activity Log (PAL)** was developed by POST to obtain an idea of the extent to which entry-level patrol officers perform various physical activities, including how well they perform such activities. The PAL is designed for use by Field Training Officers (FTO's) to describe the work of the trainees that they supervise. Each PAL covers a one-week period.

The PAL is split into two sections. The first section is to be used to record the number of physical incidents the field trainee becomes engaged in each shift during the one-week evaluation period. The second section consists of a checklist for describing each incident and the trainee's level of performance in handling the incident.

Administration

- **Completion of the PAL's is to begin during field training, once the trainee is allowed to handle the full range of patrol officer duties. In some agencies this may be during the first week of field training -- in other agencies this may be the 5th week or later.**
- **A roster of selected trainees is enclosed. For each selected trainee, the local agency coordinator is to identify the officer(s) who will be serving as the trainee's FTO each week throughout the field training program.**

**(Note: a trainee may be evaluated by the same FTO or by different FTO's throughout the training program).**

**(Over)**

## Administration (continued)

- A **Control Sheet** is enclosed for use in identifying the appropriate FTO's to complete the PAL and tracking the distribution and return of the PAL sheets.
- The PAL'S should be reviewed with the FTO's to ensure that they understand how to complete them properly. The FTO's should be briefed regarding the nature and importance of the research study and their role in the data collection process.
- PAL's are to be distributed to the FTO of each trainee selected for the study at the beginning of each training rotation (give the FTO enough PAL's to evaluate the trainee for the entire training rotation; e.g., 4 PAL's would be needed for a 4-week rotation).
- FTO's are to carry the PAL's with them throughout the training rotation.
- The PAL is to be **completed daily** and is to be retained by the FTO until the "End of Rotation Evaluation" has been completed. The agency coordinator should periodically check with the FTO's to ensure that the PAL's are being completed properly and to answer any questions.
- In the event that the trainee works with more than one FTO during the week (e.g., if the trainee rotates through different shifts), the PAL contains space to record the name and SSN of each FTO for each day of the week.
- The agency coordinator should collect the completed PAL's after the completion of the trainee's rotation with each FTO.

## Questions

- If you have any questions regarding the administration of the PAL's, or regarding the research program, call John Weiner at (916) 739-3686.

## Return to POST

- The completed PAL's are to be returned to POST, along with the Control Sheet, in accordance with the project deadline.

Send these materials to:

Commission on POST  
1601 Alhambra Blvd.  
Sacramento, CA 95816-7083

Attn: John Weiner

**CONTROL SHEET  
PHYSICAL ACTIVITY LOG**

**TRAINEE #1**

**TRAINEE #2**

**TRAINEE #3**

**TRAINEE #4**

**TRAINEE #5**

name: \_\_\_\_\_

SSN: \_\_\_\_\_

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**WEEK**

**EVALUATORS**

**EVALUATORS**

**EVALUATORS**

**EVALUATORS**

**EVALUATORS**

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6 name: \_\_\_\_\_

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7 name: \_\_\_\_\_

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8 name: \_\_\_\_\_

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9 name: \_\_\_\_\_

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10 name: \_\_\_\_\_

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11 name: \_\_\_\_\_

SSN: \_\_\_\_\_

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12 name: \_\_\_\_\_

SSN: \_\_\_\_\_

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13 name: \_\_\_\_\_

SSN: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

14 name: \_\_\_\_\_

SSN: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**(OVER)**



**Commission on Peace Officer Standards and Training  
CONTROL SHEET  
PHYSICAL ACTIVITY LOG**

	TRAINEE #1	TRAINEE #2	TRAINEE #3	TRAINEE #4	TRAINEE #5
	name: _____ SSN: _____	_____	_____	_____	_____
<b>WEEK</b>	<b>EVALUATORS</b>	<b>EVALUATORS</b>	<b>EVALUATORS</b>	<b>EVALUATORS</b>	<b>EVALUATORS</b>
15	name: _____ SSN: _____	_____	_____	_____	_____
16	name: _____ SSN: _____	_____	_____	_____	_____
17	name: _____ SSN: _____	_____	_____	_____	_____
18	name: _____ SSN: _____	_____	_____	_____	_____
19	name: _____ SSN: _____	_____	_____	_____	_____
20	name: _____ SSN: _____	_____	_____	_____	_____
21	name: _____ SSN: _____	_____	_____	_____	_____
22	name: _____ SSN: _____	_____	_____	_____	_____
23	name: _____ SSN: _____	_____	_____	_____	_____
24	name: _____ SSN: _____	_____	_____	_____	_____
25	name: _____ SSN: _____	_____	_____	_____	_____
26	name: _____ SSN: _____	_____	_____	_____	_____
27	name: _____ SSN: _____	_____	_____	_____	_____
28	name: _____ SSN: _____	_____	_____	_____	_____

**(OVER)**

1 1 1 1 1 1

### BACKGROUND INFORMATION

**Trainee:**

**FTO/Supervisor:**

Name \_\_\_\_\_  
SSN \_\_\_\_\_

Name \_\_\_\_\_  
SSN \_\_\_\_\_

**Training Period:**

Week of Field Training: \_\_\_\_\_  
(number of weeks  
completed plus current week)

Number of Shifts Rated: \_\_\_\_\_

Start Date: \_\_\_/\_\_\_/\_\_\_  
(mo, day, yr)

End Date: \_\_\_/\_\_\_/\_\_\_  
(mo, day, yr)

### ACTIVITY SUMMARY

Day	Number of Physical Incidents**
1	_____
2	_____
3	_____
4	_____
5	_____

*Note: If more than one FTO worked with the trainee this week, enter Name and SSN of the FTO for each day below.*

\*\*Enter "0" if no incidents were observed. Enter "N/A" for those days that you did not work with the trainee.

Complete the "Physical Incident Checklist" for each incident observed.

## PHYSICAL ACTIVITY LOG

### Instructions

In order to evaluate the Basic Academy physical abilities testing program, POST is tracking the job performance of a sample of recent academy graduates now employed by your department, including your current trainee. The **Physical Activity Log (PAL)** is designed for you to record information concerning the physical incidents engaged in by your trainee.

The PAL is split into two sections. The first section is to be used to record the number of physical incidents the trainee becomes engaged in, for each shift. The second section consists of a checklist for describing each incident and the trainee's level of performance in handling the incident. Each PAL covers a 1-week period.

**All information provided by you will be used for research purposes only, will have no bearing on the employment status of the trainee, and will be kept confidential.**

#### "Physical Incident" Defined

For purposes of this study, a "physical incident" is defined as an event which requires **significant** physical activity on the part of the trainee, which if not performed would result in one or more of the following:

- Failure to perform a required duty or service (e.g., making an arrest, completing a search or investigation, rendering aid)
- Loss or damage to property
- Failure to apprehend one or more subjects
- Loss of life or injury to self or others

**Only those observed physical incidents which meet this definition are to be recorded in the PAL.**

#### Procedure

- Complete the PAL daily.
- Record the number of physical incidents observed for the trainee during the shift in the space provided for that day.

Enter "0" if no physical incidents were observed. Enter "N/A" if you did not work with the trainee that day (e.g., if you skipped a day).

- If one or more physical incidents were observed, then complete the "Physical Incident Checklist" to describe each incident.
- Complete a new PAL for each week that you supervise the trainee.

Commission on POST -- Physical Test Study

**RATER TRAINING EXERCISE**

**EVALUATOR INFORMATION**

---

1. **NAME:** \_\_\_\_\_  
(last, first)

2. **SSN:** \_\_\_\_\_

3. **RANK:** \_\_\_\_\_

4. **AGENCY:** \_\_\_\_\_

POST use

5. **CURRENT ASSIGNMENT** (check one):

- Field Training Officer
- Patrol Sgt/1st line Supervisor
- Other (specify: \_\_\_\_\_)

6. **EXPERIENCE** (years and months for each of the following):

- (a) Field Training Officer      \_\_\_ yrs      \_\_\_ months
- (b) Patrol Sgt/1st line Supv      \_\_\_ yrs      \_\_\_ months
- (c) Total Law Enforcement      \_\_\_ yrs      \_\_\_ months

7. **SEX** (check one):

male       female

8. **RACE** (check one):

asian       black       hispanic  
 white       other

---

## RATING EXERCISE

The following exercise was designed to provide rating guidelines so that similar standards will be applied in making performance evaluations. In this exercise, you are to suppose that you have witnessed "officer X" (a hypothetical officer) performing various job activities. You are then asked to review and rate 24 different examples of job behavior exhibited by this fictional officer. You will be given feedback to show you how your ratings compare to the average ratings made by a sample of sergeants and field training officers.

### Procedure

1. Review and evaluate each example job behavior on the next two pages. Use the 5-point rating scale at the top of each page to indicate how you would rate the performance of an officer (any officer) who did this on the job.

You should consider each example behavior at "face value." Do not assume complicated or special circumstances.

For example, consider the first example job behavior on the next page. If you feel that an officer who does this on the job is performing at a "Very Poor level, Far Below Job Demands," then you should rate that behavior as a "1" on the scale.

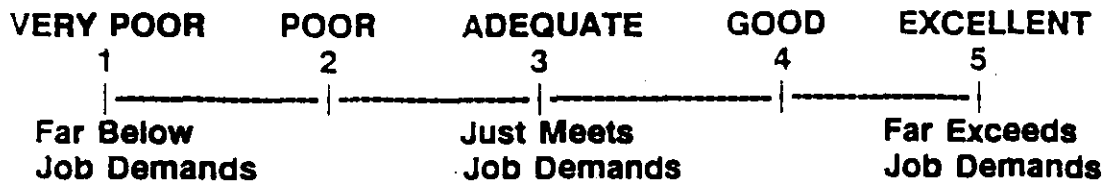
2. Complete your ratings by writing the corresponding number next to each example.
3. Compare your ratings. As you rate the example behaviors, you will be periodically directed to different pages of this booklet to compare your ratings to average ratings for these same examples made by other FTO's and sergeants. Hopefully, you will find your ratings to be similar to those made by others. (Note: the average ratings are shown to the nearest tenth for your information only. Your ratings are to be a whole number, 1 to 5 only).

Please do not change your ratings after making comparisons.

**Now begin the rating exercise on the next page.**

## RATING EXERCISE

Use the following rating scale to indicate how you would rate an officer's job performance in each of the examples below.



### How would you rate an officer who:

- \_\_\_ 1. Starts to run after suspect but is exhausted within seconds; unable to continue foot pursuit.
- \_\_\_ 2. Has minor problems jumping obstacles but is usually able to maintain foot pursuit of suspect.
- \_\_\_ 3. Sweeps suspect to ground during struggle using hands and feet to control suspect.
- \_\_\_ 4. Drags and carries two children from a burning house.

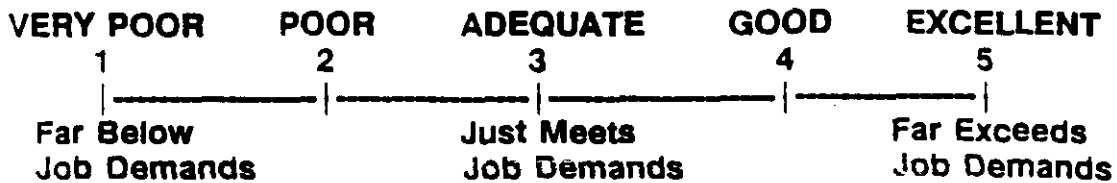
### **\*\*\* NOW TURN TO PAGE 4 AND COMPARE YOUR RATINGS TO EXAMPLE SET #1.**

- \_\_\_ 5. Fails to maintain physical control of suspect and is hit with handcuff.
- \_\_\_ 6. Uses belt to tie suspect's feet to the car door when suspect tries to kick officer, after being handcuffed.
- \_\_\_ 7. Pursues suspect two blocks, jumps over a low fence and catches suspect.
- \_\_\_ 8. Has sustained several on-the-job injuries due to improper restraining techniques.
- \_\_\_ 9. Crawls through window in overturned vehicle to rescue accident victim.
- \_\_\_ 10. Tries to use baton and is overpowered by suspect, who takes the baton away from the officer.
- \_\_\_ 11. Chases suspect on foot, climbs three walls and captures him.
- \_\_\_ 12. Is unable to restrain violent 5150 subject with leg irons.

### **\*\*\* NOW TURN TO PAGE 5 AND COMPARE YOUR RATINGS TO EXAMPLE SET #2.**

(continued)

## RATING EXERCISE



**How would you rate an officer who:**

- \_\_\_ 13. Has no difficulty in kicking open locked door while pursuing 211 suspect on foot.
- \_\_\_ 14. Misuses feet in self-defense causing undue injury to suspect.
- \_\_\_ 15. Has no difficulty applying arm lock to subdue resisting suspect.
- \_\_\_ 16. Runs after suspect who fled from stopped vehicle; after approximately 100 yards, catches and arrests suspect.
- \_\_\_ 17. Is unable to lift or drag an accident victim from vehicle.
- \_\_\_ 18. Uses baton to disable suspect by hitting his knee cap, causing him to fall down.
- \_\_\_ 19. Is unable to crawl in confined areas quickly; is slow and unsure.
- \_\_\_ 20. Jogs after suspect just fast enough to keep him in sight.
- \_\_\_ 21. Loses balance easily and often falls while pursuing suspects on foot.
- \_\_\_ 22. Chases suspect across a high and narrow catwalk, and catches the suspect.
- \_\_\_ 23. Is unable to climb over wall, up to roof, allowing suspect to escape.
- \_\_\_ 24. Properly handcuffs suspect who is kicking, biting and spitting.

**\*\*\* NOW TURN TO PAGE 6 AND COMPARE YOUR RATINGS TO EXAMPLE SET #3**

---

**SET #1: (1) 1.0 (2) 2.6 (3) 3.3 (4) 4.6**

---

**Avoid Common Rating Problems**

When making your performance evaluations, you can avoid some typical rating errors by following the guidelines below.

- Rate the officer's performance on each work component separately. Carefully consider each specific aspect of job performance to be evaluated. A common rating error, "Halo", occurs when the evaluator gives an officer the same rating in all areas of work because of a general impression of the officer's job performance.
  
- Use the full range of the rating scale. Another type of rating problem occurs when a rater adopts a rigid policy when making evaluations. For example, some raters may feel that no officers deserve to be rated very high (the rater is very strict), or that no officers should be rated very low (the rater is very lenient). Other raters may tend to "play it safe" by giving all subordinates an average rating.
  
- Use the rating scales as they are defined. Review carefully the specific definitions of each work component to be evaluated. A common rating problem occurs when raters simply read the titles and use their own definitions of the job components to be evaluated, resulting in inaccurate ratings.

This concludes the rating exercise. Thank you for your participation.

---

**SET #2: (5) 1.3 (6) 3.9 (7) 3.2 (8) 1.3 (9) 3.6 (10) 1.3 (11) 3.7 (12) 1.5**

---



---

**SET #3: (13) 3.1 (14) 1.0 (15) 3.0 (16) 3.1 (17) 1.3 (18) 3.0 (19) 1.6**  
**(20) 2.9 (21) 1.4 (22) 3.7 (23) 1.0 (24) 3.2**

---

Commission on Peace Officer Standards & Training  
Physical Test and Reading & Writing Test Study

**IMPORTANCE RATING BOOKLET**

**PATROL OFFICER JOB ELEMENTS**

Date: \_\_/\_\_/\_\_

Name: \_\_\_\_\_

SSN: \_\_\_\_\_

Use the rating scales contained in this booklet to indicate the relative importance of various job elements for successful performance as a patrol officer in your department.

## PHYSICAL JOB TASKS

### IMPORTANCE SCALE

---

How important is competent performance of this task to the overall successful job performance of patrol officers in your department?

- |       |   |
|-------|---|
| 5 - - | Critically important  |
| 4 - - | Very important  |
| 3 - - | Important   |
| 2 - - | Of some importance  |
| 1 - - | Of little importance  |
| 0 - - | Not part of the job/<br>Unimportant for officers in my department |
- 

1. Running (e.g., pursuing suspects on foot; providing or obtaining emergency assistance).
2. Handcuffing suspects or prisoners (e.g., when apprehending and controlling subjects).
3. Using restraining devices other than handcuffs (e.g., leg irons, straps) to control subjects.
4. Using baton to subdue attacking persons.
5. Using locks, grips or holds to subdue resisting persons (without using mechanical devices).
6. Self-defense, using hands or feet.
7. Using body force to gain entrance through barriers (e.g., locked doors) in routine and emergency situations (e.g., providing emergency assistance; investigating).
8. Lifting/Carrying disabled persons, equipment, heavy objects, etc., in routine and emergency situations where speed is often critical (e.g., providing emergency assistance; assisting the public).
9. Dragging/Pulling disabled persons, equipment, heavy objects, etc., in routine and emergency situations where speed is often critical (e.g., providing emergency assistance; assisting the public).
10. Climbing through openings (e.g., windows), over obstacles (e.g., walls), or up to elevated surfaces (e.g., roof) in routine and emergency situations where speed is often critical (e.g., pursuing suspects; providing emergency assistance; investigating).

IMPORTANCE SCALE

How important is competent performance of this task to the overall successful job performance of patrol officers in your department?

- 5 - - Critically important
- 4 - - Very important
- 3 - - Important
- 2 - - Of some importance
- 1 - - Of little importance
- 0 - - Not part of the job/  
Unimportant for officers in my department

- \_\_\_ 11. Crawling in confined areas (e.g., attics) in routine and emergency situations where speed is often critical (e.g., providing emergency assistance; investigating).
- \_\_\_ 12. Jumping over obstacles, down from elevated surfaces, or across openings in routine and emergency situations where speed is often critical (e.g., pursuing suspects; providing emergency assistance; investigating).
- \_\_\_ 13. Balancing self on uneven or narrow surfaces (e.g., running up stairs; walking on building ledge; etc.) in routine and emergency situations (e.g., pursuing suspects; investigating; providing emergency assistance).
- \_\_\_ 14. Pushing heavy objects.

(continued)

## PHYSICAL ABILITIES

### IMPORTANCE SCALE

---

How important is this ability to the overall successful job performance of patrol officers in your department?

- |     |   |   |
|-----|---|---|
| 5 - | - | Critically important  |
| 4 - | - | Very important  |
| 3 - | - | Important   |
| 2 - | - | Of some importance  |
| 1 - | - | Of little importance  |
| 0 - | - | Not part of the job/<br>Unimportant for officers in my department |
- 

1. STRENGTH: Exert physical force required to perform job activities (e.g., physically restraining others; lifting, pulling, pushing, or dragging hard-to-move objects; etc.).
2. ENDURANCE: Maintain strenuous physical activity over prolonged periods of time (e.g., running long distance to pursue suspects; physically controlling resisting subjects; etc.).
3. COORDINATION/AGILITY: Move quickly and under control with rapid changes of direction, integrating the actions of arms and legs as required to perform job activities (e.g., running and jumping over obstacles, etc.).
4. FLEXIBILITY: Bend, extend and twist body segments as required to perform job activities (e.g., searching suspects, vehicles, buildings, etc.).
5. OVERALL PHYSICAL ABILITY: Perform the full range of physical job activities (e.g., pursuing suspects on foot; apprehending and controlling resisting/attacking subjects; providing emergency assistance; etc.).

# JOB ELEMENTS

## IMPORTANCE SCALE

---

How important is this job element to the overall successful job performance of patrol officers in your department?

- |       |   |
|-------|---|
| 5 - - | Critically important  |
| 4 - - | Very important  |
| 3 - - | Important   |
| 2 - - | Of some importance  |
| 1 - - | Of little importance  |
| 0 - - | Not part of the job/<br>Unimportant for officers in my department |
- 

- \_\_\_ 1. **JUDGMENT:** Apply knowledge and reasoning to make prompt and effective decisions quickly in both routine and non-routine (e.g., life and death) situations; evaluate alternative courses of action and select the most acceptable alternative; make sound decisions in a timely manner; size up a situation quickly and take appropriate action.
- \_\_\_ 2. **OBSERVATION SKILLS:** Recognize conditions or circumstances that indicate something might be wrong, unusual or out of the ordinary.
- \_\_\_ 3. **LEARNING:** Comprehend new information and apply that which has been learned on the job.
- \_\_\_ 4. **ORAL COMMUNICATION:** Speak in a clear, understandable manner and comprehend various types of information (e.g., accounts of past events, directions, explanations, ideas, etc.); talk effectively with persons of divergent cultural and educational background; speak with good pronunciation; project voice clearly; effectively use police radio.
- \_\_\_ 5. **WRITTEN COMMUNICATION:** Write clearly and concisely; use acceptable grammar, punctuation and spelling; write reports that are well organized, complete and accurate.
- \_\_\_ 6. **INTERPERSONAL BEHAVIOR:** Be sensitive to the feelings of others; resolve problems in ways that do not arouse antagonism; interact and deal effectively with people from varying social and cultural backgrounds; courteous and respectful; calm emotional people and attempt to resolve conflicts through persuasion rather than force.

## JOB ELEMENTS (Continued)

### IMPORTANCE SCALE

---

How important is this job element to the overall successful job performance of patrol officers in your department?

- |     |   |   |
|-----|---|---|
| 5 - | - | Critically important  |
| 4 - | - | Very important  |
| 3 - | - | Important   |
| 2 - | - | Of some importance  |
| 1 - | - | Of little importance  |
| 0 - | - | Not part of the job/<br>Unimportant for officers in my department |
- 

- \_\_\_ 7. **TEAMWORK**: Establish and maintain effective working relationships with co-workers, supervisors and other law enforcement officials (e.g., sharing information and working cooperatively with others, complying with departmental rules and regulations, following orders, accepting advice and constructive criticism, etc.).
- \_\_\_ 8. **ASSERTIVENESS**: Assert self when necessary to exert control over others; confront people who are behaving in a suspicious manner.
- \_\_\_ 9. **EMOTIONAL SELF-CONTROL**: Maintain composure and perform effectively in stressful situations; refrain from over-reacting when subjected to physical or verbal abuse; exercise restraint and use the minimum amount of force necessary to handle a given situation.
- \_\_\_ 10. **ADAPTABILITY**: Adapt to changes in working conditions (e.g., changes in patrol assignment, shift changes, different types of incidents that must be handled one right after the other, etc.).
- \_\_\_ 11. **INITIATIVE**: Proceed on assignments without waiting to be told what to do; make an effort to improve skills and keep informed of new developments in the field; exert the effort needed to make sure the job is done correctly; consistently productive.
- \_\_\_ 12. **DEPENDABILITY**: Be reliable, thorough, punctual, accurate; assume responsibility for share of the workload; work with minimal supervision.
- \_\_\_ 13. **APPEARANCE**: Present a neat, clean, well-groomed appearance.

**IMPORTANCE SCALE**

How important is this job element to the overall successful job performance of patrol officers in your department?

- 5 - - Critically important
- 4 - - Very important
- 3 - - Important
- 2 - - Of some importance
- 1 - - Of little importance
- 0 - - Not part of the job/  
Unimportant for officers in my department

- \_\_\_ 14. PHYSICAL FITNESS: Maintain physical condition and fitness (e.g., exercise regularly; stay within reasonable weight limits).
- \_\_\_ 15. OFFICER SAFETY: Apply appropriate safety precautions in hazardous and potentially dangerous situations; maintain a safe position when dealing with suspects; maintain awareness of location of self and others.
- \_\_\_ 16. LEGAL KNOWLEDGE: Demonstrate working knowledge of laws, codes, and legal procedures (e.g., accurately detect crimes and violations and apply all appropriate codes; comply with legal requirements when making arrests, conducting searches, and obtaining evidence; write reports that include all necessary legal elements).
- \_\_\_ 17. KNOWLEDGE OF DEPARTMENT POLICIES AND PROCEDURES: Demonstrate working knowledge of department policies, regulations and procedures (e.g., able to verbalize and apply them appropriately).
- \_\_\_ 18. KNOWLEDGE OF PATROL PROCEDURES: Demonstrate working knowledge of procedures and techniques for performing patrol activities (e.g., able to verbalize and apply appropriate methods for beat patrol, suspect approach, vehicle stop, searching, restraining, prisoner transportation, and handling different types of calls).
- \_\_\_ 19. KNOWLEDGE OF INVESTIGATIVE PROCEDURES: Demonstrate working knowledge of procedures and techniques for gathering information (e.g., able to verbalize and apply appropriate methods for locating and identifying victims, witnesses, and suspects; interviewing; collecting and preserving evidence).

**End of Importance ratings.**



Commission on Peace Officer Standards & Training  
Physical Test and Reading & Writing Test Study

FTO RATING BOOKLET

"END-OF-ROTATION" EVALUATION

Agency: \_\_\_\_\_

|\_|\_|\_|\_|

FTO/Evaluator

Trainee

Name: \_\_\_\_\_

Name: \_\_\_\_\_

SSN: \_\_\_\_\_

SSN: \_\_\_\_\_

TRAINING PERIOD:

Starting:    /   /     
(mo. day yr.)

Ending:    /   /     
(mo. day yr.)

Using the rating scales contained in this booklet, you are to evaluate the job performance of the above designated trainee, covering the most recent training rotation. The ratings you provide will be used in a POST study to follow-up on the job performance of basic academy graduates, focusing on both their physical performance and their report writing abilities.

Your ratings will be used only for purposes of this study, will have no bearing on the employment status of the individual being rated, and will be kept **confidential** -- they will be forwarded directly to POST. Please be completely candid and objective in making your ratings.

Thank you for your assistance.

## INTRODUCTION

The performance appraisal is divided into four parts:

Part I: covers performance of important physical job activities;

Part II: covers physical abilities demonstrated in the performance of patrol work;

Part III: covers the abilities necessary to write reports; and

Part IV: covers the officer's overall job performance.

### **RATING INSTRUCTIONS: PART I**

#### Steps to Follow in Making Performance Ratings:

1. Review the definition of the first job task on the next page.
2. Consider the trainee's job performance throughout the rating period (the most recent training rotation), focusing on the job task to be evaluated.  

Recall instances when the trainee's performance was especially good and/or especially poor.
3. Select the value from the "**Task Performance Scale**" below that best describes the trainee's performance of the task.
4. Write your rating in the space provided next to the task.
5. Proceed to the next task and repeat steps 1-4 above until you have rated the trainee's performance for all tasks listed.

Remember to avoid making common rating errors such as "halo" and "leniency".

#### **TASK PERFORMANCE SCALE**

---

How effective is the trainee in performing this task?

- 5 - - **Excellent:** always extremely effective in performing this task.
  - 4 - - **Good:** performs this task effectively with little or no difficulty.
  - 3 - - **Adequate:** performs this task just well enough to meet minimum job requirements.
  - 2 - - **Poor:** often has difficulty performing this task acceptably.
  - 1 - - **Very Poor:** unable to perform this task acceptably.
- N = Not observed/Unable to Rate
-

## PART I: JOB TASKS

How effective is the trainee in performing job activities that involve ...

- \_\_\_ 1. **Running** (e.g., pursuing suspects on foot; providing or obtaining emergency assistance).
- \_\_\_ 2. **Handcuffing** suspects or prisoners (e.g., when apprehending and controlling subjects).
- \_\_\_ 3. **Using restraining devices** other than handcuffs (e.g., leg irons, straps) to control subjects.
- \_\_\_ 4. **Using baton** (or "Nun Chuku") to subdue attacking persons.
- \_\_\_ 5. **Using locks, grips or holds** to subdue resisting persons (without using mechanical devices).
- \_\_\_ 6. **Self-defense**, using hands or feet.
- \_\_\_ 7. **Using body force** to gain entrance through barriers (e.g., locked doors) in routine and emergency situations (e.g., providing emergency assistance; investigating).
- \_\_\_ 8. **Lifting/Carrying** disabled persons, equipment, heavy objects, etc., in routine and emergency situations where **speed** is often critical (e.g., providing emergency assistance; assisting the public).
- \_\_\_ 9. **Dragging/Pulling** disabled persons, equipment, heavy objects, etc., in routine and emergency situations where **speed** is often critical (e.g., providing emergency assistance; assisting the public).
- \_\_\_ 10. **Climbing** through openings (e.g., windows), over obstacles (e.g., walls), or up to elevated surfaces (e.g., roof) in routine and emergency situations where **speed** is often critical (e.g., pursuing suspects; providing emergency assistance; investigating).
- \_\_\_ 11. **Crawling** in confined areas (e.g., attics) in routine and emergency situations where **speed** is often critical (e.g., providing emergency assistance; investigating).
- \_\_\_ 12. **Jumping** over obstacles, down from elevated surfaces, or across openings in routine and emergency situations where **speed** is often critical (e.g., pursuing suspects; providing emergency assistance; investigating).
- \_\_\_ 13. **Balancing** self on uneven or narrow surfaces (e.g., running up stairs; walking on building ledge; etc.) in routine and emergency situations (e.g., pursuing suspects; investigating; providing emergency assistance).
- \_\_\_ 14. **Pushing** heavy objects.

## PART II: PHYSICAL ABILITIES

Use the rating scale below to evaluate the trainee's physical abilities -- abilities which underlie the performance of various physical job activities. Follow the same procedures as outlined for Part I.

### PHYSICAL ABILITY RATING SCALE

What level of ability does the trainee demonstrate on the job?

VERY POOR	POOR	ADEQUATE	GOOD	EXCELLENT
1	2	3	4	5
Far Below Job Demands	Often Unable to Meet Job Demands	Just Meets Job Demands	Often Exceeds Job Demands	Far Exceeds Job Demands

N = Not Observed/Unable to rate

### PHYSICAL ABILITIES

1. **STRENGTH:** exerts physical force required to perform job activities (e.g., physically restraining others; lifting, pulling, pushing, or dragging hard-to-move objects; etc.).
2. **ENDURANCE:** maintains strenuous physical activity over prolonged periods of time (e.g., running long distance to pursue suspects; physically controlling resisting subjects; etc.).
3. **COORDINATION/AGILITY:** moves quickly and under control with rapid changes of direction, integrating the actions of arms and legs as required to perform job activities (e.g., running and jumping over obstacles, etc.).
4. **FLEXIBILITY:** bends, extends and twists body segments as required to perform job activities (e.g., searching suspects, vehicles, buildings, etc.).
5. **OVERALL PHYSICAL ABILITY:** performs the full range of physical job activities (e.g., pursuing suspects on foot; apprehending and controlling resisting/attacking subjects; providing emergency assistance; etc.).

### **PART III: WRITING ABILITY**

In this section you will be evaluating each trainee on four separate abilities that are necessary to write good reports. While these abilities are all required for good report writing, they are unique and different. Therefore, when making your evaluations, be sure that you pay particular attention to the specific ability under consideration.

In addition, for each writing ability there is a different 5-point rating scale. Thus, be sure to review carefully the definition of each scale point on each rating scale.

When rating each trainee's report writing abilities, be sure to evaluate the trainee's current competency to write police reports.

The four writing abilities that you will be evaluating are defined as follows:

**ABILITY 1 - ORGANIZATION AND NARRATIVE:** The ability to compose clear and organized narratives in reports.

**ABILITY 2 - WRITING MECHANICS:** The ability to write reports that are free of errors in fundamental writing mechanics (i.e., reports that are characterized by good grammar, punctuation, spelling, and word choice).

**ABILITY 3 - INFORMATION AND ELEMENTS:** The ability to include all necessary information and elements in reports.

**ABILITY 4 - TIMELINESS:** The ability to write acceptable reports in a timely manner.

### PART III: WRITING ABILITY (continued)

ABILITY 1—ORGANIZATION AND NARRATIVE: The ability to write clear and organized narratives in reports.

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation above on the line to the left of the definition.

#### **ORGANIZATION AND NARRATIVE**

- 5 = **Excellent:** Reports are fluent, well developed, and well organized. They show clear command of language and are clearly and logically presented. No, or very little, editing is required to improve the narrative.
- 4 = **Good:** Despite occasional faults, reports are generally well written and well organized. They are less fluent and less detailed than an excellent report, but demonstrate greater facility than an adequate report. Reports at this level require little, if any, editing to improve the clarity of the narrative.
- 3 = **Adequate:** Reports demonstrate basic writing competence though they may contain problems in sentence structure or diction, or have limited development. Occasionally, some revision is required to ensure proper interpretation. This represents the minimum acceptable level of performance.
- 2 = **Poor:** Reports often require further development, lack detail and specificity, or are poorly organized. Reports at this level typically require extensive revision and rewriting.
- 1 = **Very Poor:** Reports lack coherence and/or adequate development. Reports at this level are not suitable for revision.

### PART III: WRITING ABILITY (continued)

**ABILITY 2--WRITING MECHANICS:** The ability to write reports that are free of errors in fundamental writing mechanics (i.e., reports that are characterized by good grammar, punctuation, spelling and word choice).

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation on the appropriate line above.

#### **WRITING MECHANICS**

- 5 = **Excellent:** Reports show a clear command of the language and generally contain very few, in any, errors in grammar, punctuation, spelling, or word choice. Reports require no, or very little, editing to correct technical writing faults.
- 4 = **Good:** Despite occasional technical writing faults, reports are generally well written and require limited editing.
- 3 = **Adequate:** Reports demonstrate basic competence but usually contain some errors in grammar, punctuation, spelling or word choice. Reports at this level sometimes require revision to ensure proper interpretation. This represents the minimum acceptable level of performance.
- 2 = **Poor:** Reports are marred by frequent errors in sentence structure, punctuation, spelling, or word choice. Problems with mechanics make editing for correctness extremely difficult.
- 1 = **Very Poor:** Reports contain too many technical errors to correct. Reports at this level are not suitable for revision.

### PART III: WRITING ABILITY (continued)

ABILITY 3--INFORMATION AND ELEMENTS: The ability to include all necessary information and elements in reports.

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation on the appropriate line above.

#### INFORMATION AND ELEMENTS

- 5 = **Excellent:** Reports contain all essential and relevant information as well as all elements. Information and elements are clearly and logically presented. No, or very little, editing is required.
- 4 = **Good:** All essential information and elements are present, but reports may contain minor omissions of relevant information. Information and elements are not as clearly and logically presented as in excellent reports. Little editing is required of reports at this level.
- 3 = **Adequate:** Essential information and elements are present, but there may be omissions of relevant information and the elements may not be clearly presented. Parts of the reports may have to be rewritten to ensure proper interpretation. Information and elements are presented just well enough to satisfy minimum requirements.
- 2 = **Poor:** Essential information and elements are omitted. Reports at this level typically require extensive revision and rewriting.
- 1 = **Very Poor:** Much necessary information and many elements are omitted. Reports at this level are not suitable for revision.



### PART III: WRITING ABILITY (continued)

**ABILITY 4—TIMELINESS:** The ability to write acceptable reports in a timely manner.

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation on the appropriate line above.

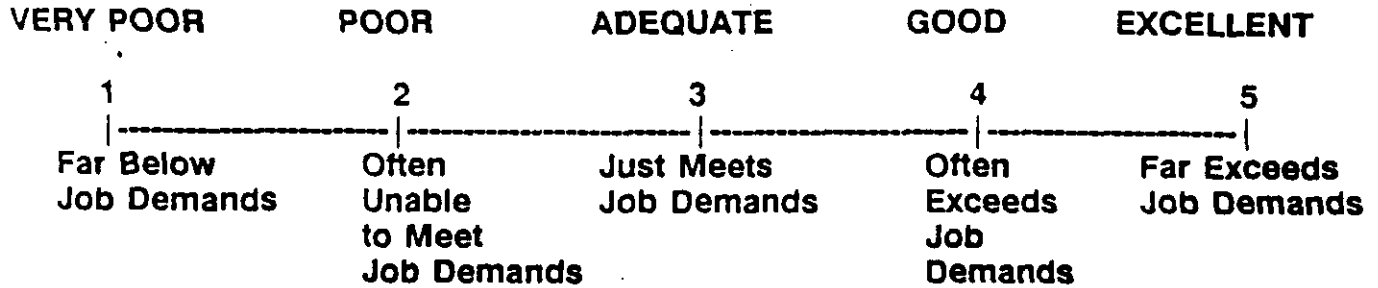
#### **TIMELINESS**

- 5 = **Excellent:** Always produces accurate, well written reports in less time than is typical.
- 4 = **Good:** Often produces accurate, well written reports in less time than is typical.
- 3 = **Adequate:** Usually produces accurate, well written reports within a reasonable period of time.
- 2 = **Poor:** Often requires an excessive amount of time to produce an accurate, well written report.
- 1 = **Very Poor:** Always requires an excessive amount of time to produce an accurate, well written report.

**PART IV: OVERALL JOB PERFORMANCE**

Finally, you are asked to evaluate the trainee's overall job performance using the 5-point scale below.

What is the trainee's overall level of job performance?



N = Not Observed/Unable to rate

Overall Job Performance: Includes all aspects of patrol officer job performance (in addition to physical performance and report writing).

---

How well do you know this trainee's job performance? (circle one below)

1 = Not too well

2 = Fairly Well

3 = Very Well

---

\*\*\*

This concludes the performance appraisal. Thank you for your participation.

Commission on Peace Officer Standards & Training  
Physical Test and Reading & Writing Test Study

FTO RATING BOOKLET

FINAL EVALUATION

Date: \_\_\_/\_\_\_/\_\_\_

Agency: \_\_\_\_\_

|\_|\_|\_|\_|\_|\_|

FTO/Evaluator

Trainee

Name: \_\_\_\_\_

Name: \_\_\_\_\_

SSN: \_\_\_\_\_

SSN: \_\_\_\_\_

Using the rating scales contained in this booklet, you are to evaluate the job performance of the above designated trainee, throughout the entire field training program. The ratings you provide will be used in a POST study to follow-up on the job performance of basic academy graduates. Your ratings will be used only for purposes of this study, will have no bearing on the employment status of the individual being rated, and will be kept **confidential** -- they will be forwarded directly to POST. Please be completely candid and objective in making your ratings.

Thank you for your assistance.

## INTRODUCTION

The performance appraisal is divided into four parts:

**Part I:** covers performance of physical job activities and demonstrated underlying physical abilities;

**Part II:** covers performance of other (non-physical) job elements;

**Part III:** covers the abilities necessary to write reports; and

**Part IV:** covers the officer's overall job performance.

### RATING INSTRUCTIONS: PART I

#### Steps to Follow in Making Performance Ratings:

1. Review the definition of the first job task on the next page.
2. Consider the trainee's job performance throughout the field training program, focusing on the job task to be evaluated.

Recall instances when the trainee's performance was especially good and/or especially poor.

3. Select the value from the "**Task Performance Scale**" below that best describes the trainee's performance of the task.
4. Write your rating in the space provided next to the task.
5. Proceed to the next task and repeat steps 1-4 above until you have rated the trainee's performance for all tasks listed.

Remember to avoid making common rating errors such as "halo" and "leniency".

#### **TASK PERFORMANCE SCALE**

---

How effective is the trainee in performing this task?

- 5 - - **Excellent:** always extremely effective in performing this task.
- 4 - - **Good:** performs this task effectively with little or no difficulty.
- 3 - - **Adequate:** performs this task just well enough to meet minimum job requirements.
- 2 - - **Poor:** often has difficulty performing this task acceptably.
- 1 - - **Very Poor:** unable to perform this task acceptably.

N = Not observed/Unable to Rate

---

How effective is the trainee in performing job activities that involve ...

- \_\_\_ 1. **Running** (e.g., pursuing suspects on foot; providing or obtaining emergency assistance).
- \_\_\_ 2. **Handcuffing** suspects or prisoners (e.g., when apprehending and controlling subjects).
- \_\_\_ 3. **Using restraining devices** other than handcuffs (e.g., leg irons, straps) to control subjects.
- \_\_\_ 4. **Using baton** to subdue attacking persons.
- \_\_\_ 5. **Using locks, grips or holds** to subdue resisting persons (without using mechanical devices).
- \_\_\_ 6. **Self-defense**, using hands or feet.
- \_\_\_ 7. **Using body force** to gain entrance through barriers (e.g., locked doors) in routine and emergency situations (e.g., providing emergency assistance; investigating).
- \_\_\_ 8. **Lifting/Carrying** disabled persons, equipment, heavy objects, etc., in routine and emergency situations where speed is often critical (e.g., providing emergency assistance; assisting the public).
- \_\_\_ 9. **Dragging/Pulling** disabled persons, equipment, heavy objects, etc., in routine and emergency situations where speed is often critical (e.g., providing emergency assistance; assisting the public).
- \_\_\_ 10. **Climbing** through openings (e.g., windows), over obstacles (e.g., walls), or up to elevated surfaces (e.g., roof) in routine and emergency situations where speed is often critical (e.g., pursuing suspects; providing emergency assistance; investigating).
- \_\_\_ 11. **Crawling** in confined areas (e.g., attics) in routine and emergency situations where speed is often critical (e.g., providing emergency assistance; investigating).
- \_\_\_ 12. **Jumping** over obstacles, down from elevated surfaces, or across openings in routine and emergency situations where speed is often critical (e.g., pursuing suspects; providing emergency assistance; investigating).
- \_\_\_ 13. **Balancing** self on uneven or narrow surfaces (e.g., running up stairs; walking on building ledge; etc.) in routine and emergency situations (e.g., pursuing suspects; investigating; providing emergency assistance).
- \_\_\_ 14. **Pushing** heavy objects.

## PART I-B: PHYSICAL ABILITIES

Use the rating scale below to evaluate the trainee's physical abilities -- abilities which underlie the performance of various physical job activities. Follow the same procedures as outlined for Part I-A.

### PHYSICAL ABILITY RATING SCALE

What level of ability does the trainee demonstrate on the job?

VERY POOR	POOR	ADEQUATE	GOOD	EXCELLENT
1	2	3	4	5
Far Below Job Demands	Often Unable to Meet Job Demands	Just Meets Job Demands	Often Exceeds Job Demands	Far Exceeds Job Demands

N = Not Observed/Unable to rate

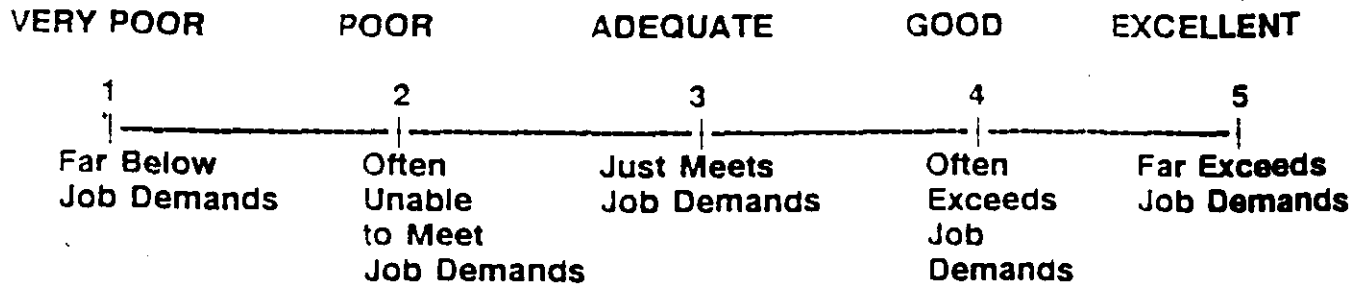
### PHYSICAL ABILITIES

1. **STRENGTH**: exerts physical force required to perform job activities (e.g., physically restraining others; lifting, pulling, pushing, or dragging hard-to-move objects; etc.).
2. **ENDURANCE**: maintains strenuous physical activity over prolonged periods of time (e.g., running long distance to pursue suspects; physically controlling resisting subjects; etc.).
3. **COORDINATION/AGILITY**: moves quickly and under control with rapid changes of direction, integrating the actions of arms and legs as required to perform job activities (e.g., running and jumping over obstacles. etc.).
4. **FLEXIBILITY**: bends, extends and twists body segments as required to perform job activities (e.g., searching suspects, vehicles, buildings, etc.).
5. **OVERALL PHYSICAL ABILITY**: performs the full range of physical job activities (e.g., pursuing suspects on foot; apprehending and controlling resisting/attacking subjects; providing emergency assistance; etc.).

This section of the rating booklet contains 18 job elements (abilities, skills, knowledge and behavioral traits) covering additional aspects of patrol officer work. Use the 5-point rating scale shown below to indicate the trainee's performance level on each job element. Apply the same rating steps as outlined in Part I.

### JOB ELEMENT RATING SCALE

What level of performance does the trainee demonstrate on this job element?



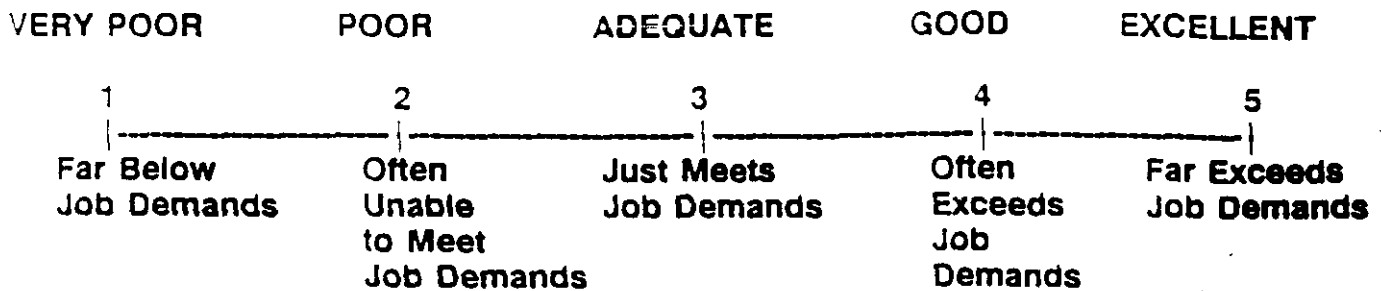
N = Not Observed/Unable to rate

#### JOB ELEMENTS:

1. **JUDGMENT:** Applies knowledge and reasoning to make prompt and effective decisions quickly in both routine and non-routine (e.g., life and death) situations; evaluates alternative courses of action and selects the most acceptable alternative; makes sound decisions in a timely manner; sizes up a situation quickly and takes appropriate action.
2. **OBSERVATION SKILLS:** Recognizes conditions or circumstances that indicate something might be wrong, unusual or out of the ordinary.
3. **LEARNING:** Comprehends new information and applies that which has been learned on the job.
4. **ORAL COMMUNICATION:** Speaks in a clear, understandable manner and comprehends various types of information (e.g., accounts of past events, directions, explanations, ideas, etc.); talks effectively with persons of divergent cultural and educational background; speaks with good pronunciation; projects voice clearly; effectively uses police radio.

PART II (cont'd): ADDITIONAL JOB ELEMENTS

What level of performance does the trainee demonstrate on this job element?

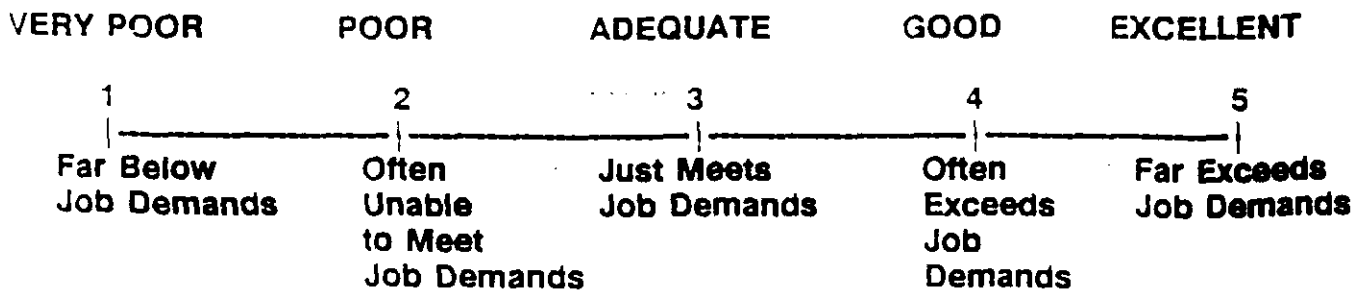


N = Not Observed/Unable to rate

- \_\_\_ 5. **INTERPERSONAL BEHAVIOR:** Is sensitive to the feelings of others and resolves problems in ways that do not arouse antagonism; interacts and deals effectively with people from varying social and cultural backgrounds; is courteous and respectful; calms emotional people and attempts to resolve conflicts through persuasion rather than force.
- \_\_\_ 6. **TEAMWORK:** Establishes and maintains effective working relationships with co-workers, supervisors and other law enforcement officials (e.g., sharing information and working cooperatively with others, complying with departmental rules and regulations, following orders, accepting advice and constructive criticism, etc.).
- \_\_\_ 7. **ASSERTIVENESS:** Asserts self when necessary to exert control over others; confronts people who are behaving in a suspicious manner.
- \_\_\_ 8. **EMOTIONAL SELF-CONTROL:** Maintains composure and performs effectively in stressful situations; refrains from over-reacting when subjected to physical or verbal abuse; exercises restraint and uses the minimum amount of force necessary to handle a given situation.
- \_\_\_ 9. **ADAPTABILITY:** Adapts to changes in working conditions (e.g., changes in patrol assignment, shift changes, different types of incidents that must be handled one right after the other, etc.).
- \_\_\_ 10. **INITIATIVE:** Proceeds on assignments without waiting to be told what to do; makes an effort to improve skills and keeps informed of new developments in the field; exerts the effort needed to make sure the job is done correctly; is consistently productive.



What level of performance does the trainee demonstrate on this job element?



N = Not Observed/Unable to rate

- \_\_\_ 11. **DEPENDABILITY:** Is reliable, thorough, punctual, accurate; assumes responsibility for share of the workload; works with minimal supervision.
- \_\_\_ 12. **APPEARANCE:** Presents a neat, clean, well-groomed appearance.
- \_\_\_ 13. **PHYSICAL FITNESS:** Maintains physical condition and fitness (e.g., exercises regularly; stays within reasonable weight limits).
- \_\_\_ 14. **OFFICER SAFETY:** Applies appropriate safety precautions in hazardous and potentially dangerous situations; maintains a safe position when dealing with suspects; maintains awareness of own location and location of other officers.
- \_\_\_ 15. **LEGAL KNOWLEDGE:** Demonstrates working knowledge of laws, codes, and legal procedures (e.g., accurately detects crimes and violations and applies all appropriate codes; complies with legal requirements when making arrests, conducting searches, and obtaining evidence; writes reports that include all necessary legal elements).
- \_\_\_ 16. **KNOWLEDGE OF DEPARTMENT POLICIES AND PROCEDURES:** Demonstrates working knowledge of department policies, regulations and procedures (e.g., is able to verbalize and apply them appropriately).
- \_\_\_ 17. **KNOWLEDGE OF PATROL PROCEDURES:** Demonstrates working knowledge of procedures and techniques for performing patrol activities (e.g., is able to verbalize and apply appropriate methods for beat patrol, suspect approach, vehicle stop, searching, restraining, prisoner transportation, and handling different types of calls).
- \_\_\_ 18. **KNOWLEDGE OF INVESTIGATIVE PROCEDURES:** Demonstrates working knowledge of procedures and techniques for gathering information (e.g., is able to verbalize and apply appropriate methods for locating and identifying victims, witnesses, and suspects; interviewing; collecting and preserving evidence).

### **PART III: WRITING ABILITY**

In this section you will be evaluating each trainee on four separate abilities that are necessary to write good reports. While these abilities are all required for good report writing, they are unique and different. Therefore, when making your evaluations, be sure that you pay particular attention to the specific ability under consideration.

In addition, for each writing ability there is a different 5-point rating scale. Thus, be sure to review carefully the definition of each scale point on each rating scale.

When rating each trainee's report writing abilities, be sure to evaluate the trainee's current competency to write police reports.

The four writing abilities that you will be evaluating are defined as follows:

**ABILITY 1 - ORGANIZATION AND NARRATIVE:** The ability to compose clear and organized narratives in reports.

**ABILITY 2 - WRITING MECHANICS:** The ability to write reports that are free of errors in fundamental writing mechanics (i.e., reports that are characterized by good grammar, punctuation, spelling, and word choice).

**ABILITY 3 - INFORMATION AND ELEMENTS:** The ability to include all necessary information and elements in reports.

**ABILITY 4 - TIMELINESS:** The ability to write acceptable reports in a timely manner.

### **PART III: WRITING ABILITY** (continued)

**ABILITY 1--ORGANIZATION AND NARRATIVE:** The ability to write clear and organized narratives in reports.

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation above on the line to the left of the definition.

#### **ORGANIZATION AND NARRATIVE**

- 5 = **Excellent:** Reports are fluent, well developed, and well organized. They show clear command of language and are clearly and logically presented. No, or very little, editing is required to improve the narrative.
- 4 = **Good:** Despite occasional faults, reports are generally well written and well organized. They are less fluent and less detailed than an excellent report, but demonstrate greater facility than an adequate report. Reports at this level require little, if any, editing to improve the clarity of the narrative.
- 3 = **Adequate:** Reports demonstrate basic writing competence though they may contain problems in sentence structure or diction, or have limited development. Occasionally, some revision is required to ensure proper interpretation. This represents the minimum acceptable level of performance.
- 2 = **Poor:** Reports often require further development, lack detail and specificity, or are poorly organized. Reports at this level typically require extensive revision and rewriting.
- 1 = **Very Poor:** Reports lack coherence and/or adequate development. Reports at this level are not suitable for revision.

### PART III: WRITING ABILITY (continued)

**ABILITY 2--WRITING MECHANICS:** The ability to write reports that are free of errors in fundamental writing mechanics (i.e., reports that are characterized by good grammar, punctuation, spelling and word choice).

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation on the appropriate line above.

#### **WRITING MECHANICS**

- 5 = **Excellent:** Reports show a clear command of the language and generally contain very few, in any, errors in grammar, punctuation spelling, or word choice. Reports require no, or very little, editing to correct technical writing faults.
- 4 = **Good:** Despite occasional technical writing faults, reports are generally well written and require limited editing.
- 3 = **Adequate:** Reports demonstrate basic competence but usually contain some errors in grammar, punctuation, spelling or word choice. Reports at this level sometimes require revision to ensure proper interpretation. This represents the minimum acceptable level of performance.
- 2 = **Poor:** Reports are marred by frequent errors in sentence structure, punctuation, spelling, or word choice. Problems with mechanics make editing for correctness extremely difficult.
- 1 = **Very Poor:** Reports contain too many technical errors to correct. Reports at this level are not suitable for revision.

### PART III: WRITING ABILITY (continued)

**ABILITY 3--INFORMATION AND ELEMENTS:** The ability to include all necessary information and elements in reports.

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation on the appropriate line above.

#### **INFORMATION AND ELEMENTS**

- 5 = **Excellent:** Reports contain all essential and relevant information as well as all elements. Information and elements are clearly and logically presented. No, or very little, editing is required.
- 4 = **Good:** All essential information and elements are present, but reports may contain minor omissions of relevant information. Information and elements are not as clearly and logically presented as in excellent reports. Little editing is required of reports at this level.
- 3 = **Adequate:** Essential information and elements are present, but there may be omissions of relevant information and the elements may not be clearly presented. Parts of the reports may have to be rewritten to ensure proper interpretation. Information and elements are presented just well enough to satisfy minimum requirements.
- 2 = **Poor:** Essential information and elements are omitted. Reports at this level typically require extensive revision and rewriting.
- 1 = **Very Poor:** Much necessary information and many elements are omitted. Reports at this level are not suitable for revision.

**PART III: WRITING ABILITY** (continued)

**ABILITY 4--TIMELINESS:** The ability to write acceptable reports in a timely manner.

Using the scale below, decide which scale value best describes the reports written by the trainee you are evaluating. Record your evaluation on the appropriate line above.

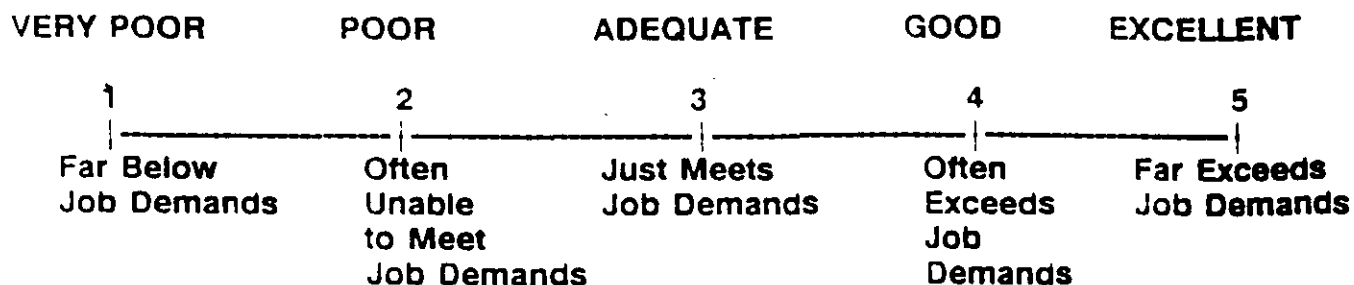
**TIMELINESS**

- 5 = **Excellent**: Always produces accurate, well written reports in less time than is typical.
- 4 = **Good**: Often produces accurate, well written reports in less time than is typical.
- 3 = **Adequate**: Usually produces accurate, well written reports within a reasonable period of time.
- 2 = **Poor**: Often requires an excessive amount of time to produce an accurate, well written report.
- 1 = **Very Poor**: Always requires an excessive amount of time to produce an accurate, well written report.

**PART IV: OVERALL JOB PERFORMANCE**

Finally, you are asked to evaluate the trainee's overall job performance using the 5-point scale below.

What is the trainee's overall level of job performance?



**N = Not Observed/Unable to rate**

**Overall Job Performance:** Includes all of the different aspects of job performance that you have reviewed today.

---

How well do you know this trainee's job performance? (circle one below)

1 = No too well

2 = Fairly Well

3 = Very Well

---

\*\*\*

This concludes the performance appraisal. Thank you for your participation.

Commission on Peace Officer Standards & Training

**FIELD TRAINING SUCCESS DATA**

Materials

1. Instructions for coding data
2. Field Training Success Coding Sheets

Special coding sheets are enclosed to be used to record information about selected officers' success or failure in completing **field training**. The coding sheets contain the names and Social Security Numbers of officers selected for the POST Physical Test and Reading & Writing Test study. For each officer listed, you are to use the **below Coding Instructions** to provide the requested information.

The completed coding sheets are to be returned to POST in accordance with the project deadline (see your agency coordinator for the due date).

If you have any questions, call John Weiner at (916) 739-3886. Send completed forms to: Commission on POST, 1601 Alhambra Blvd., Sacramento CA 95816, Attn: John Weiner.

**CODING INSTRUCTIONS**

The below items are to be coded for each listed officer, as follows:

1. **BASIC COMP DATE:** Date completed basic training, month/day/year (MM/DD/YY)
2. **EMP STATUS:** current employment status  
A = Active employee  
S = Separated  
O = Other (e.g., suspended, disability leave, etc.)
3. **SEP DATE:** Date separated from department (month/day/year) if not currently employed.
4. **FIELD TRN OUTCOME(S):** Success or failure in completing field training. See codes on reverse side. **Note:** multiple reasons for failure may be coded (up to 3 reasons).
5. **FT COMP DATE:** Date completed field training (month/day/ year). Leave blank if officer separated during field training.

(over)



# CODES FOR FIELD TRAINING OUTCOMES

## \* NO OUTCOME \*

I = in-progress

## \* COMPLETED \*

- C1 = Completed in normal time
- C2 = Completed -- required extra time (remediation)
- C3 = Completed -- time required unknown

## \* FAILED TO COMPLETE \*

### RESIGNED (VOLUNTARY)

R1 = Overall job performance was satisfactory.

Unsatisfactory performance due to ...

- R2 = ... inadequate **physical** ability .
- R3 = ... inadequate **report writing** skills.
- R4 = ... inadequate **analytical** skills.
- R5 = ... inadequate **job knowledge, skills or abilities other than physical/report writing/analytical.**
- R6 = ... other reasons (e.g., attitude, motivation, work habits).
- R7 = Performance level unknown.

### TERMINATED (INVOLUNTARY)

T1 = Overall job performance was satisfactory.

Unsatisfactory performance due to ...

- T2 = ... inadequate **physical** ability .
- T3 = ... inadequate **report writing** skills.
- T4 = ... inadequate **analytical** skills.
- T5 = ... inadequate **job knowledge, skills or abilities other than physical/report writing/analytical.**
- T6 = ... other reasons (e.g., attitude, motivation, work habits).
- T7 = Performance level unknown.

### FAILED BUT CONTINUED IN NON-PATROL ASSIGNMENT

Unsatisfactory performance due to ...

- F2 = ... inadequate **physical** ability .
- F3 = ... inadequate **report writing** skills.
- F4 = ... inadequate **analytical** skills.
- F5 = ... inadequate **job knowledge, skills or abilities other than physical/report writing/analytical.**
- F6 = ... other reasons (e.g., attitude, motivation, work habits).

### OTHER

- O1 = Injury
- O2 = Other (retired, transferred, etc.).

Commission on Peace Officer Standards and Training

>>> CODING SHEET #1: Field Training Success Data <<<

Officer Name	SSN	(1)	(2)	(3)	(4)			(5)
		Basic Comp Date	Emp Status	Sep Date	Field Trn Outcomes* (A) (B) (C)			FT Comp Date
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__
_____	____-____-____	__/__/__	__	__/__/__	__	__	__	__/__/__

\*Note: Multiple reasons for failure may be coded

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Sycuan Band of Mission Indians - Peace Officer Feasibility Study		Meeting Date April 15, 1993
Bureau Management Counseling	Reviewed By Michael C. DiMiceli	Researched By Bob Keel Gene DeCrona
Executive Director Approval <i>Thomas C. Boehm</i>	Date of Approval 3-31-93	Date of Report March 26, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><b><u>ISSUE</u></b></p> <p>Should the officer positions in the Tribal Police Department, Sycuan Band of Mission Indians, be designated as peace officers?</p> <p><b><u>BACKGROUND</u></b></p> <p>Senate Bill 353 (Presley) added Sections 13540-42 to the Penal Code, effective May 1990. The law requires any person who desires peace officer status and who was not, on January 1, 1990, a peace officer, to request the Commission on Peace Officer Standards and Training (POST) to undertake a feasibility study regarding the designation of peace officer status.</p> <p>The law authorizes the Commission to adopt regulations necessary to undertake a study and to recover from the requesting person the actual costs of the study.</p> <p>The law requires the study to include the current and proposed duties and responsibilities of the persons who seek designation as a peace officer, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.</p> <p>In February 1992, the Sycuan Band of Mission Indians requested a feasibility study. A contract was signed and the study began in December 1992.</p> <p><b><u>Sycuan Reservation</u></b></p> <p>The Sycuan Band of Mission Indians occupies a reservation in southern San Diego County that encompasses approximately one square mile. The population of the Sycuan Band is 72 persons, of whom 52 reside within the Reservation and 20 live nearby, but outside the Reservation boundaries.</p> <p>The primary business activity on the Reservation is a gaming casino that presents bingo, card games and off-track horse race</p>		

betting. The gaming activities are currently legal and regulated in California. However, litigation is pending concerning the type of gaming that is permitted and the authority to regulate gaming on the Reservation.

Gaming on Indian Reservations is defined and regulated by the National Indian Gaming Commission, authorized by the Federal Indian Gaming Regulatory Act. Games are categorized in the Act as Class I, II or III games. Class II gaming may be authorized and regulated by State law or, with specific games, may be prohibited by State law. Class III games are typically prohibited in California.

The National Indian Gaming Commission regulates Class II and some Class III games. In California, pursuant to Public Law 280, State and local authorities are authorized to enforce State laws concerning Class II and III games. However, the apparent conflicts between Federal and State law concerning gaming on Indian lands is the subject of current litigation in both Federal and State courts.

The Tribal Police Department, authorized by the Sycuan Tribal Council, is responsible for the security of the casino, gaming operations and patrons, and provides a variety of other services within the Reservation.

#### Public Law 280

Public Law 280, a Federal law enacted by Congress in 1953, grants to State and local law enforcement authorities exclusive jurisdiction to enforce criminal laws on Indian lands. Public Law 280 applies only in California, Alaska, Minnesota, Nebraska, Oregon and Wisconsin. Indian affairs in all other states is administered under the direction of the U.S. Bureau of Indian Affairs.

Because the State and local authorities in California adhere strictly to Public Law 280, law enforcement services to the Sycuan Reservation are provided by the San Diego County Sheriff's Department and the California Highway Patrol.

#### Sycuan Tribal Police Department (STPD)

Although California law (Penal Code Section 830, et. seq.) does not describe either a tribal police department or a peace officer employed by an Indian tribe on a reservation, the officers commonly use "police" to describe their department, positions, and operations. Uniforms, badges, vehicles and business cards all identify the officers as "police" in the commonly accepted use of the word.

The report of this peace officer feasibility study uses police and police department for convenience and ease of reference. The use of those terms in the report does not acknowledge the authority or jurisdiction of the Sycuan Band of Mission Indians to operate a police department or employ peace officers on the Reservation.

The Sycuan Tribal Police Department (STPD) was established by the Tribal Council in 1990 to provide law enforcement services within the Reservation and to ensure the security and integrity of the gaming operations and patrons.

The Department consists of 48 staff, of which 37 are designated as officers. These positions include a chief, commander, captain, lieutenant, six sergeants, and 27 officers.

Sycuan TPD officers include former California peace officers who have POST certificates. Staff was informed that all new entry-level officers, when hired, have completed the POST-certified basic course at the San Diego Law Enforcement Training Center.

Sycuan TPD deployment usually consists of one supervisor and four or five officers assigned to shifts that operate 24 hours per day, seven days per week. Most assignments are to gaming security and surveillance posts in the casino. One officer, in uniform, is usually assigned to provide assistance and service outside the casino, within the boundaries of the Reservation. Additional staff are deployed during times of peak activity.

#### Scope of the Study

The scope of the study is limited to the 37 officer positions in the Tribal Police Department. The Department also employs two clerical and three aide positions. Six trainees, who were in training at the time of the study, will be employed as officers when their training is completed. The five staff positions and six trainee positions are not included in this study.

#### METHODOLOGY OF THE STUDY

POST staff interviewed Dan Tucker, Chairman, Sycuan Tribal Council; Chief Sellers, Commander Hodges, and the captain, lieutenant, sergeants and officers of the Tribal Police Department; a former member of the tribal council; and, a manager on the casino staff.

Seven officers and the lieutenant (recently promoted from sergeant), randomly selected, completed a questionnaire consisting of 404 questions about job tasks and work activities. One hundred and twenty-seven questions (31.4%) pertained

specifically to activities that require peace officer authority. The questionnaire was developed by POST staff and previously used in an extensive job task analysis of the patrol officer positions.

In addition, staff reviewed Sycuan TPD policies, procedures, operational order and workload statistics. San Diego Sheriff's Department and CHP workload statistics related to the Sycuan reservation were also reviewed.

POST staff interviewed San Diego County Sheriff Jim Roache, members of the Sheriff's senior staff; staff of the Sheriff's Department Alpine substation who specifically provide law enforcement service to the Reservation; and, a Lieutenant in the El Cajon office of the California Highway Patrol.

In addition, POST staff contacted officials of POST agencies in Florida, Minnesota, Nevada, Nebraska, Oregon and Wisconsin. Staff specifically discussed the peace officer authority of casino security officers with state officials in Nevada. Security officers employed by gaming casino are not Nevada peace officers.

POST staff contacted members of the California Attorney General's Office; U.S. Bureau of Indian Affairs; California Horse Racing Board; California Department of Consumer Affairs; and the Sheriff's Departments of Imperial, Riverside and San Bernardino counties.

Finally, the research included a review of a number of publications concerning Indian law and Public Law 280.

#### ANALYSIS OF STUDY DATA

Staff analyzed the responses from the personal interviews and the job task and work activity questionnaire completed by the Sycuan TPD officers. The questionnaire included 404 questions of which 127 questions (31.4%) related to tasks that normally require peace officer authority. These 127 questions were analyzed to determine whether they are performed regularly by the officers.

The analysis revealed that only 6 tasks (4.7%) are performed at least monthly; 16 tasks (12.6%) are described as being performed less frequently than once per month; 29 tasks (22.8%) are described as having been performed but not in the four months preceding our study; and, the remaining 76 tasks (59.9%) are either not performed or not performed in the preceding four months.

This result, while it may be partly due to the limits on law enforcement jurisdiction and peace officer authority, indicates the low level of criminal activity within the Reservation.

Staff analyzed the Sycuan TPD workload data contained in arrest reports prepared by Sycuan officers. The reports, for calendar year 1992, describe 24 felony and eight misdemeanor arrests made by Sycuan DPS officers. All arrests were made by the officers using the authority of Section 837, Penal Code (arrest by private persons). All of the arrests, except one (31 of 32 arrests), occurred in or were connected with the gaming casino. Twenty-eight of the arrested persons were delivered to the custody of the San Diego County Sheriff or the California Highway Patrol; four persons were released by Sycuan TPD without incarceration.

The analysis of Sycuan TPD deployment and workload activity revealed that the majority of staff positions and activity is directly connected to the gaming operations and the casino.

Activity associated specifically with surveillance operations in the casino, as reported in the Sycuan TPD 1992 Annual Recapitulation Report to the Tribal Council, included:

- o 53 misdemeanor and felony crime reports taken;
- o 3,179 gaming jackpots reviewed;
- o 45 cash shortages documented;
- o 38 cheating incidents documented; and,
- o 61 incidents of improper dealing procedures documented.

Staff was informed that documented incidents of cheating or improper dealing in the casino have been referred to Federal authorities.

Other activity by Sycuan TPD uniformed personnel within the Reservation and casino included:

- o approximately 110 field interviews;
- o 156 misdemeanor and felony crime reports;
- o 53 traffic reports; and,
- o 22,284 routine, apparently non-law enforcement activities.

Follow-up investigation is not performed by Sycuan TPD. Those investigations are conducted by San Diego SD or CHP because, pursuant to Public Law 280, law enforcement services are the exclusive responsibility of state and local agencies.

In addition to general law enforcement service, San Diego County Sheriff's Department performs crime prevention and drug abatement

activities on the Sycuan Reservation, pursuant to contracts with the Bureau of Indian Affairs and Department of Housing and Urban Development.

Sycuan TPD activity logs and reports reveal that patrol activity by the uniformed officer outside the casino and within the reservation consists primarily of:

- o obtaining feed and feeding livestock;
- o checking water tanks and setting water tank pump switches;
- o casino traffic control and assisting casino customers;
- o casino parking lot patrol;
- o driving the Reservation shuttle bus; and,
- o miscellaneous pickup and deliveries on the Reservation.

#### CONCLUSIONS AND RECOMMENDATION

##### Conclusions

After the review and analysis of the current and proposed duties and responsibilities, the field law enforcement responsibilities, the workload of the Sycuan TPD and the provisions of Public Law 280, staff conclude:

- o the non-peace officer employees of the Sycuan Tribal Police Department perform functions that are desirable and necessary to the Sycuan Band of Mission Indians, and are consistent with the directions of the Sycuan Tribal Council;
- o gaming security, a function that requires the greatest amount of Sycuan TPD resources, does not require peace officer authority;
- o the current duties and workload of the Sycuan TPD do not regularly nor frequently require peace officer authority;
- o members of the staff of Sycuan TPD have differing opinions concerning the need for peace officer designation and authority;
- o criminal law enforcement services, available from the San Diego County Sheriff's Department and the



California Highway Patrol, are sufficient to handle the existing and projected workload.

The Sheriff of San Diego County stated his strong opposition to the designation of Sycuan officers as peace officers, but expressed his willingness to provide additional law enforcement service to the Reservation, pursuant to a contract; and,

- o criminal law enforcement within the Sycuan Reservation is the exclusive responsibility of state and local authorities, as defined by Public Law 280.

Staff is aware that other Public Law 280 States have apparently chosen to delegate that responsibility to Indian tribal authorities. However, in California, State and local officials universally retain the exclusive criminal law enforcement responsibility that is described in Public Law 280. Further, questions of federal, state, local and tribal jurisdiction for criminal law matters are currently in litigation in federal and state courts.

Finally, based on the above conclusions and in recognition of the pending litigation on jurisdiction and authority, staff concludes the officer positions of the Sycuan Tribal Police Department should not be designated as peace officers.

Even if the pending litigation is resolved to place responsibility for criminal law enforcement related to gaming with the Sycuan Tribal Council, staff concludes the current duties and field law enforcement responsibilities do not demonstrate the need for peace officer designation.

#### Recommendation

If the Commission concurs, direct the Executive Director to submit the completed feasibility report, including the recommendation, to the Legislature and the Tribal Council, Sycuan Band of Mission Indians.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title <b>Regulation Determining the Maximum Allowable Hours Missed in a POST-Certified Course</b>	Meeting Date <b>April 15, 1993</b>	
Bureau <b>Training Delivery &amp; Compliance</b>	Reviewed By <b>Ronald T. Allen</b>	Researched By <i>R.S.</i> <b>Gary Sorg</b>
Executive Director Approval <i>Morgan C. Behm</i>	Date of Approval <b>3-29-93</b>	Date of Report <b>March 18, 1993</b>
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Should the Commission establish through regulation the maximum number of hours of class time a student can miss in a POST-certified course and still successfully complete the course?</p> <p><u>BACKGROUND</u></p> <p>In 1990, the Commission approved regulations regarding course certification and presentation for insertion into the <u>POST Administrative Manual</u> (PAM). Specifically, these sections are 1051 through 1058 found in the California Code of Regulations, Title 11, Chapter 2. Sections 1051 through 1058 replaced "Commission Procedure D-10" in the PAM, which had previously dealt with course certification and presentation. When this material was converted from Commission Procedure to regulation, a provision dealing with satisfactory completion of courses was inadvertently deleted. The deleted language was as follows:</p> <p style="padding-left: 40px;"><b>" When a trainee is reported as successfully completing, but has missed more than 5% of the certified hours of a Basic Course or 10% of the certified hours of other classifications of courses, a statement by the course coordinator must be attached to the Course Roster explaining how successful completion was accomplished."</b></p> <p>This specification of the number of course hours that could be missed without explanation was in place and followed by course presenters for many years. Presenters are required in all courses to submit rosters to POST documenting course hours completed and attesting to course completion.</p> <p><u>ANALYSIS</u></p> <p>Specification of course completion requirements is important, in part, because commission Regulation 1015 (e) prohibits reimbursement of expenses if the course is not satisfactorily completed. In most certified courses, testing is not required</p>		

and completion simply requires attendance and participation. In the basic courses where testing is required, attendance and participation remains of great importance because of the significance of entry level training.

From a practical course management standpoint presenters frequently experience requests from students to be excused from portions of the course. Presenters have long favored the now deleted rules for this reason.

Most certified courses are reasonably short in duration. A rule allowing no more than ten percent of the course hours to be missed (four hours of a 40 hours course, 8 hours of an 80 hours course, etc.) appears to remain a reasonable requirement. If more hours were missed, latitude would remain for instructors to work individually with the student, and briefly explain to POST the means of make up for missed instruction.

Basic courses are, of course, lengthy and course completion has legal significance in addition to the Commission's requirements for reimbursement. The regular basic course must be at least 560 hours and most trainees are required by law (832.3 PC) to successfully complete the course. Allowance for five percent of the course hours to be missed without explanation to POST means that in the shortest course a trainee could miss 28 hours of instruction. The average basic course is 726 hours, which would mean 36 hours could be missed.

This five percent rule appears to remain a reasonable requirement for the basic course considering the existing requirements of standardized testing and the specifications for passage of critical performance objectives.

The reinstatement of these requirements in regulations is supported by the consortium of basic course presenters, who also are responsible for the majority of POST-certified technical courses.

It is proposed that the Commission approve enactment of a regulatory provision identifying successful completion of POST-certified course presentations. If the Commission concurs, a notice of Proposed Regulatory action will be submitted to the State Office of Administrative Law (OAL) and publicly noticed.

No public hearing will be required unless requested by a member of the public. Upon approval of the regulation change by OAL, POST-certified presenters will be notified of the new regulation.

#### RECOMMENDATION

Adopt POST Regulation 1055(k), Requirements for Course Presentation as shown in Attachment "A".

PROPOSED REGULATION

1055. Requirements for Course Presentation

(a) - (j) continued

(k) When a trainee is reported as successfully completing, but has missed more than five percent of the certified hours of a Basic Course or ten percent of the certified hours of other classifications of courses, a statement by the course coordinator must be attached to the Course Roster explaining how successful completion was accomplished.

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title Proposed Changes to the Regular Basic Course Performance Objectives		Meeting Date April 15, 1993
Bureau Basic Training Bureau	Reviewed By Robert Fuller	Researched By Shirley Paulson
Executive Director Approval <i>Morgan L. Bellus</i>	Date of Approval 3-31-93	Date of Report
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve, subject to a public review process, changes to the basic course performance objectives as enumerated in this report?

BACKGROUND

Proposed changes to the basic course curriculum are a result of regularly scheduled workshops during which performance objectives are updated to reflect emerging training needs, curriculum changes, and changes in the law. As part of this process, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review each performance objective to determine what revisions are necessary. As a result of recent reviews, revisions are proposed to fourteen learning domains or subject areas.

Performance objective changes are categorized in three ways. A description of each category, and the number of changes recommended in this report for each category follows:

o Content deletions

Performance objectives are recommended for deletion when the instructional content is duplicated in another performance objective, the curricula is no longer necessary or required information, or when the curricula can be incorporated into an existing performance objective, exercise, or scenario. Thirty-four performance objectives are recommended for deletion.

o Content additions

Performance objectives are added to the basic course curriculum when the need for new instructional content is

identified. This is usually the result of new legislation being enacted, or when several performance objectives can be merged into one performance objective. The addition of forty-one new performance objectives is recommended in this report.

o Substantive revisions

This category is used to describe performance objectives that are modified for specificity, clarity for testing purposes, or updates in legal references. Eighty-seven substantive revisions are recommended to existing performance objectives.

A summary of proposed changes can be found in Attachment A. Attachment B contains the complete text of all proposed changes to basic course performance objectives recommended in this report.

ANALYSIS

Most performance objective modifications recommended in this report are minor in nature. Changes are the result of language usage, clarification of existing course content for testing and instruction purposes, or technical adjustments, (e.g., merging of curricula to streamline instructional content).

The significant proposed changes to curriculum are found in the following Learning Domains:

o Crimes Against Property

Performance objective 3.13.3, Burglary with use of explosives, is proposed for deletion. This is not information the student must know to perform basic peace officer duties. The officer will arrest for Penal Code Section 459 (Burglary), which is included in another performance objective and the District Attorney will charge this crime as an included offense.

o Crimes Against Persons

Performance objective 3.42.3 (Penal Code Section 646.9 - Stalking) is proposed to be added to the basic course curriculum. The crime of Stalking is a new penal code section that an officer should know. It is recommended that this information be taught and tested.

o Controlled Substances

Performance objective 3.34.3 (Symptoms of marijuana use) is proposed for addition to the basic course. A peace officer

should be aware of the symptoms of marijuana use. This information is not presently covered in the basic course.

o ABC Law

Performance objective 3.40.6 (Business and Professions Code Section 25601 - Disorderly House), is proposed for addition to the basic course. A peace officer should know which circumstances describe a "disorderly house".

Performance objective 3.40.7 (Business and Professions Code Section 25662(b) - Social gathering/alcoholic beverages) is also proposed as a new addition to the basic course. This is new legislation and the elements of the offense should be known by peace officers.

Both of these new performance objectives will provide the basic peace officer with an additional problem-solving tool which can be used in community oriented policing concepts.

o Laws of Arrest

Performance objective 1.11.2 (Limits on officers' discretion) is proposed for deletion. This long standing performance objective requires a student to know the source of limitations on an officer's discretion. The officer actually needs to know what the limitations on discretion are, and the appropriate application of discretion. The needed information is taught throughout the basic course.

o Evidence

Performance objective 4.5.1 (Burden of proof in criminal trials) is proposed for deletion. The information related to burden of proof typically revolves around court procedures and is not information the student must know to perform the duties of a basic peace officer.

o Traffic Collision Investigation

Six performance objectives relating to specific aspects of traffic accident investigation are recommended for deletion in this domain, (PO 9.13.6, PO 9.14.2, PO 9.14.3, PO 9.14.4, PO 9.14.5 and PO 9.14.6).

These performance objectives are presently tested with multiple choice/true-false questions. This is not an effective way to measure the student's ability to effectively handle a traffic collision investigation. The information in these performance objectives has been rewritten to require the student to actually demonstrate

these investigation skills. Although these performance objectives are recommended for deletion, the information is proposed to be retained in other existing revised performance objectives, and by adoption of two new performance objective that more effectively test the student's skills by demonstration (exercises)

The two new performance objectives, ( PO 9.14.8 and PO 9.14.9), require the student to complete a traffic scene sketch, identify physical evidence and complete a collision report.

o • First Aid/CPR

One performance objective (PO 8.45.1) is recommended for deletion. This performance objective requires the student to complete a course in First Aid/CPR as prescribed by the Emergency Medical Services Authority (Penal Code Section 13518) and POST. This performance objective will be replaced by twenty-six proposed new performance objectives which make specific the information the student is expected to know and ensure compliance with Title 22 of the State of California Emergency Medical Services guidelines for first aid and CPR training.

The new performance objectives are numbered 8.45.03 through 8.45.28.

o Person Searches/Baton/Etc.

Thirteen performance objectives are proposed for deletion with all content to be retained by merge with other existing performance objective. A complete list of these performance objectives can be found by number and title on pages 9 and 10 of Attachment A.

These performance objectives are presently tested with multiple choice/true-false questions. This is not an effective way to measure the student's ability to effectively handle person searches and baton use. The information in these performance objectives has been rewritten to require the student to actually demonstrate proficiency in these skill areas.

o Firearms/Chemical Agents

Eight performance objectives, (PO 7.19.5, PO 7.19.6, PO 7.13.2, PO 7.13.3, PO 7.14.2, PO 7.15.3, PO 7.16.2 and PO 7.16.3) are recommended for deletion. These performance objectives deal with first aid treatment for chemical agent exposure, protection from chemical agents during use, and handgun use. They are currently tested with multiple



choice/true-false questions. This is not an effective way to measure a student's ability to actually handle chemical agents and handguns.

The information contained in the above performance objectives is proposed to be incorporated into sixteen performance objectives that will require actual demonstration of each student's knowledge and skills when dealing with chemical agents and handguns. Specific performance objective revisions are summarized on page 12 of Attachment A.

o • Weapon Violations

Performance objective 3.24.13 (Unsafe storage of firearms) is proposed for addition to the basic course curriculum. This performance objective will add information regarding identification of the possible unsafe storage of a firearm or a firearm which is accessible to children. Recently enacted Penal Code Section 12035 is an important weapons law that peace officers should be aware of.

Additional performance objectives are proposed for deletion or addition to the basic course. These specific proposals are the result of merging of content with existing performance objectives, or the separation of content into new performance objectives for ease of instruction and/or testing. These additional modifications (deletions and additions of performance objectives) do not affect actual content of the basic course.

Summary

Proposed revisions are recommended by staff and curriculum consultants to keep the performance objectives contemporary with new laws and information, and to improve the clarity of performance objectives for instruction and testing purposes. A summary of proposed changes to performance objectives is found in Attachment A. The complete text of performance objectives proposed for deletion, addition, or modification is contained in Attachment B.

All proposed changes to the basic course performance objectives have been reviewed and endorsed by POST staff and the Consortium of Basic Course Academy Directors.

It is anticipated that the 560 hours presently required to complete the basic course will not be affected by these proposed changes.

If the Commission agrees that proposed changes be made, it is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed changes would go

into effect 30 days after approval by the Office of Administrative Law. It is proposed that pursuant to Commission Regulation 1005(a), Performance Objectives to the POST Basic Course be amended to include the recommended revisions. The Regulation and Commission Procedure D-1 are included as Attachment C.

Recommendation

Subject to the results of the proposed Notice of Regulatory Action approve the revisions to Performance Objectives for the POST Basic Course.

Summary of Proposed Changes to the Regular Basic Course  
Performance Objectives

INTRODUCTION TO CRIMINAL LAW

SUBSTANTIVE REVISIONS

- 3.1.4 Definition of terms
- 3.1.5 Torts v. crimes
- 3.3.1 Concepts of criminal intent
- 3.4.3 Crimes of accessories, principals, accomplices
- 3.5.1 Entrapment

Modifications are recommended to these POs to add specificity and clarity for testing.

CRIMES AGAINST PROPERTY

CONTENT DELETION

PO 3.13.3 Burglary with use of explosives

This is not information the student must know to perform the duties of a peace officer. The basic officer will arrest for P.C. 459 burglary which is included in another PO and the DA will charge this crime as an included offense.

SUBSTANTIVE REVISIONS

- 3.11.1 Embezzlement
- 3.12.1 Forgery
- 3.13.1 Unauthorized entry of property
- 3.13.2 Burglary
- 3.16.1 Arson

Modifications are recommended to these POs to add specificity and clarity for testing.

CRIMES AGAINST PERSONS

CONTENT ADDITIONS

PO 3.42.2 Child abduction

This information was formerly included in modified PO 3.26.1 but is proposed to be separated into a new PO created for testing clarity. It is necessary to construct word pictures that are different from that in PO 3.26.1 because there are different elements and different victims.

PO 3.42.3 Stalking

Penal Code Section 646.9 (Stalking) was recently enacted. It is recommended that this information be taught and tested. It is likely to be encountered by the basic police officer.

**SUBSTANTIVE REVISIONS**

PO 3.17.1 Assault

PO 3.17.2 Battery

PO 3.18.1 Assault with a deadly weapon

These POs are clarified for testing by deleting Penal Code references which contain information not necessary for the beginning peace officer to know.

PO 3.19.1 Mayhem

This revision specifies the crime classification "felony" to clarify for testing.

PO 3.20.1 Inflicting corporal injury on a spouse or cohabitant

This revision clarifies the intent of Penal Code Section 273.5.

PO 3.23.6 Hate crime laws

Reference to PC 422.7 is deleted because that information is beyond the scope of a peace officer's normal duties. PC 422.7 is an accusatory pleading, not an arrest option, and is handled by the District Attorney.

PO 3.26.1 Kidnapping or false imprisonment

Reference to PC 210.5 is deleted because that information is handled by special units in law enforcement and is not needed by the regular peace officer. P.C. 277, 278 and 278.5 are addressed in a proposed new PO 3.42.2.

PO 3.27.2 Murder

This revision specifies the crime classification "felony" to clarify for testing.

PO 3.27.4 Manslaughter

Reference to PC 192.5 is deleted because that information is beyond the scope of a peace officer's normal duties. Arrests on operators of vessels is handled by the coast guard, sheriff or other specialized law enforcement.

PO 3.37.3 Conspiracy against rights of citizens

This revision is a word change from "citizens" to "inhabitants" to conform to the Penal Code language.

PO 3.42.1 Elderly and dependent adult abuse

Subdivisions of PC 368 are deleted for clarity of testing. The student will be instructed on all of the subsections; there is no need to list each one in the PO.

**CONTROLLED SUBSTANCES**

**CONTENT ADDITION**

PO 3.34.3 Symptoms of marijuana use

This PO is proposed because a peace officer should be aware of the symptoms of marijuana use. There is presently no PO which deals with the symptoms of marijuana use.

**SUBSTANTIVE REVISIONS**

PO 3.31.1 Possession of a controlled substance

PO 3.31.2 Possession of a controlled substance

PO 3.31.3 Possession of a controlled substance

These POs are clarified to reference specific Health and Safety Code sections for ease of instruction and testing.

PO 3.31.4 Possession of drug paraphernalia

This PO is clarified by deleting references to subsections of Health and Safety Code Section 11364 which is all inclusive. The student will be instructed in the subsections without the PO referring to each one.

PO 3.32.3 PCP

PO 3.32.6 Depressants and tranquilizers

PO 3.32.7 Symptoms of hallucinogen use

PO 3.32.8 Symptoms of PCP use

PO 3.32.9 Symptoms of stimulant use

PO 3.32.10 Symptoms of depressant use

PO 3.32.11 Method of drug and narcotic use

PO 3.33.5 Symptoms of opiate use

PO 3.33.6 Cocaine base

The language in the above POs is modified for accuracy and clarity of testing.

## ABC LAW

### CONTENT ADDITIONS:

#### PO 3.40.6 Disorderly house

This PO requires the student to recognize whether or not a particular set of circumstances describes a "disorderly house". This provides the officer with problem-solving tools used in problem-oriented policing.

#### PO. 3.40.7 Social gathering/alcoholic beverages

This PO requires the student to identify whether or not enforcement action is permissible given a word picture depicting a social gathering where alcoholic beverages are present and/or being consumed. This is new legislation. (Business and Professions Code, Section 25662(b))

### SUBSTANTIVE REVISIONS

#### PO 3.40.2 Minor in possession of an alcoholic beverage

This revision clarifies language and the PC reference for testing purposes.

## LAWS OF ARREST

### CONTENT DELETIONS

#### PO 1.11.2 Limits on officers' discretion

This PO requires the student to identify the source of the limitations on an officer's discretion. However, the student needs to know what the limitations are, not just their source. The actual limitations on an officer's discretion are taught throughout the course. Additionally, policies on officer discretion are agency-specific.

#### PO 3.38.14 Parole and probation violations

This information is covered in modified POs 1.10.2 and 1.10.5.

### CONTENT ADDITIONS

#### PO 8.8.3 Legal sufficiency of Miranda rights

This proposed PO would require students to understand the legal requirements of a valid waiver of a suspect's rights under the Miranda rule.

PO 8.8.4 Exceptions to Miranda rule

This proposed PO would require students to understand the exceptions to the Miranda rule.

**SUBSTANTIVE REVISIONS**

PO 3.6.1 Reasonable suspicion

This PO is modified to correct awkward syntax.

PO 3.6.2 Recognizing when "probable cause" exists

This PO is modified to delete references to "probable cause" in relation to "search and seizure" which is addressed in the search and seizure domain.

PO 3.8.3 Refusal to accept an arrested person

This PO is ambiguous and is modified for clarification.

PO 3.38.1 Peace officer's authority to make an arrest

References to VC 40301 through 40300.5 are deleted because they are covered in another domain.

PO 3.38.5 Daytime and nighttime arrests

The language of the PO is modified to make it consistent with Penal Code Section 840.

PO 3.38.12 Exemption from false arrest civil liability

The language of the PO is modified to make it consistent with Penal Code Section 839.

PO 1.10.2 General conditions of parole

PO 1.10.5 General conditions of probation

The portion of these POs which relate to search and seizure are deleted because this information is covered in the search and seizure domain. Additionally the language of the PO is changed from direct question to word-picture format so that more test items can be written.

PO 8.8.1 Administration of Miranda warning

This PO is clarified for testing. The test items should include depictions that require students to discriminate between custodial and noncustodial questioning and between nonaccusatory questioning and interrogation.

## SEARCH AND SEIZURE

### CONTENT ADDITION

#### PO 4.7.2 Definition of terms

Six definitions of terms are removed from PO 4.7.1 and defined in a new PO for ease of instruction and testing.

### SUBSTANTIVE REVISIONS

#### PO 4.7.1 Conditions under which a search can be made

This revision clarifies for instruction and testing. The terms relating to search and seizure are reordered and modified.

#### PO 4.8.1 Use of force to prevent swallowing of evidence

This revision clarifies for instruction and testing.

#### PO 4.8.2 Conditions of legally induced vomiting

This PO was incomplete. The modification covers all conditions under which a suspect can be legally induced to vomit and cites the relevant case law.

#### PO 4.8.3 Procedures to obtain blood samples

This revision improves syntax and clarifies for instruction and testing.

#### PO 4.8.4 Principles of extracting fingerprint evidence

#### PO 4.8.5 Principles of collecting handwriting exemplars

This revision clarifies for instruction and testing.

#### PO 4.9.1 Conducting a field showup

This revision is clarified for testing purposes. The direct question format limits the number of test items that can be written.

## EVIDENCE

### CONTENT DELETIONS

#### PO 4.1.6 Definitions of searches and evidence

It is proposed that definitions for search and seizure and definitions for evidence be separated for ease of instruction and testing. Definitions for search and seizure are included



in modified PO 4.7.1 in the Search and Seizure domain and the definitions for evidence are proposed to be contained in new PO 4.1.7 in the Evidence domain.

PO 4.5.1 Burden of proof in criminal trials

The information relating to burden of proof typically revolves around court procedures and is not information the student must know to perform the duties of a peace officer.

**CONTENT ADDITION**

PO 4.1.7 Definitions

This proposed new PO contains definitions of terms found in PO 4.1.6 which is proposed for deletion. The new PO contains only terms relating to the Evidence domain. This separation will clarify the objective for instruction and testing.

**SUBSTANTIVE REVISIONS**

PO 4.1.1 Direct, circumstantial or irrelevant evidence

PO 4.6.1 Purpose of the exclusionary rule

Language of these POs is clarified for instruction and testing purposes.

PO 4.6.3 Exceptions to the hearsay rule

Information is added to make the list complete according to Evidence Code Section 1220.

**TRAFFIC COLLISION INVESTIGATION**

**CONTENT DELETIONS**

PO 9.13.6 Elements of traffic collision scene management

PO 9.14.2 Definitions relevant to traffic collision

PO 9.14.3 Elements to complete diagram/sketch of collision

PO 9.14.4 Physical evidence to determine cause of collision

PO 9.14.5 Collision investigation interview information

PO 9.14.6 Determine VC violation and collision factors

These POs relate to traffic collision investigation and are presently tested with multiple choice/true-false questions. This is not an effective way to measure the student's ability to effectively handle a traffic collision investigation. Therefore, the information in these POs has been rewritten to require the student to actually demonstrate these investigation skills. Although these POs are recommended for deletion, the information contained therein remains and is

tested more effectively by demonstration (exercises) as recommended in proposed modified PO 9.14.1 and proposed new POs 9.14.8 and 9.14.9.

#### **CONTENT ADDITIONS**

PO 9.14.8 Generate traffic scene sketch

PO 9.14.9 Identification of physical evidence

These proposed new POs require the student to generate a traffic scene sketch consistent with the student's collision investigation manual and to identify, either verbally or in writing, physical evidence commonly associated with traffic collisions, including tire mark terminology. This information was formerly contained in the POs tested by paper/pencil which are noted above as recommended for deletion.

#### **SUBSTANTIVE REVISION**

9.14.1 Traffic accident field problems

This PO is modified for clarity of instruction and testing. The PO is much more specific by requiring the student to demonstrate the ability to investigate a traffic collision and complete the appropriate reports including demonstrating understanding of proper terminology. Contains information from the POs recommended for deletion.

#### **FIRST AID AND CPR**

#### **CONTENT DELETION**

8.45.1 First Aid and CPR

This PO requires the student to complete a course in first aid and cardiopulmonary resuscitation as prescribed by the Emergency Medical Services Authority (Penal Code Section 13518) and the Commission on Peace Officer Standards and Training. This PO is proposed for deletion to be replaced by 26 proposed new POs which make specific the information the student is expected to know and ensure compliance with Title 22 of the State of California Emergency Medical Services guidelines for first aid and CPR training.

#### **CONTENT ADDITIONS:**

Attachment B provides the text of 26 proposed new POs which replace and make specific the proposed deleted PO 8.45.1.

## PERSON SEARCHES/BATON/ETC.

### CONTENT DELETIONS

The following POs which relate to person searches/baton/etc. are presently tested with multiple choice/true-false questions. This is not an effective way to measure the student's ability to effectively handle person searches and baton use. Therefore, the information in these POs has been rewritten to require the student to actually demonstrate these investigation skills. Although these POs are recommended for deletion, the information contained therein remains and is tested more effectively by demonstration (exercises) as recommended.

#### PO 8.14.2 Principles for searching a person

This PO is proposed to be included in modified POs 12.6.4 and 8.18.2 which require the student to be evaluated by demonstration.

#### PO 8.14.3 Searching a person for weapons and contraband

This PO is proposed to be included in modified PO 8.18.2 which requires the student to be evaluated by demonstration.

#### PO 8.14.4 Responsibilities of a cover officer

This PO is proposed to be included in modified PO 8.18.1 which requires the student to be evaluated by demonstration.

#### PO 8.19.2 Limitations of restraint devices

This PO is proposed to be included in modified PO 8.20.3 which requires the student to be evaluated by demonstration.

#### PO 8.20.1 Procedures for transporting prisoners

This PO is proposed to be included in modified PO 8.20.3 which requires the student to be evaluated by demonstration.

#### PO 12.6.1 Principles of weaponless defense

This PO is proposed to be included in modified POs 8.19.3 and 12.6.4 which require the student to be evaluated by demonstration.

#### PO 12.6.3 Body parts used as weapons

This PO is proposed to be included in modified PO 12.9.1 which requires the student to be evaluated by demonstration.

PO 12.8.2 Baton "target" areas

This PO is proposed to be included in modified PO 12.9.1 which requires the student to be evaluated by demonstration.

PO 12.8.3 Areas of body susceptible to a lethal blow

This PO is proposed to be included in modified PO 12.9.1 which requires the student to be evaluated by demonstration.

PO 12.7.2 Foot movements for weapon retention

PO 12.7.6 Disarming methods

These POs presently require the student to be evaluated by demonstration but are recommended, for ease of instruction and testing, to be included in modified PO 12.7.5 (front and rear gun takeaways) so they will be taught and evaluated as one PO.

PO 12.9.2 Baton techniques to subdue suspect

PO 12.9.3 Baton techniques to escape suspect

These POs presently require the student to be evaluated by demonstration and are recommended, for ease of instruction and testing, to be included in modified PO 12.9.1 (baton use) so they will be taught and evaluated as one PO.

**SUBSTANTIVE REVISIONS:**

PO 8.18.1 Cover officer techniques

This PO is modified to include PO 8.14.4.

PO 8.18.2 Baton "target" areas

This PO is modified to include POs 8.14.1, 8.14.2 and 8.14.3.

PO 8.18.3 Restraint techniques

This PO is modified to include PO 12.6.1.

PO 8.20.3 Prisoner transportation

This PO is modified to include POs 8.19.2 and 8.20.1.

PO 12.6.4 Control hold

This PO is modified to include POs 8.14.2 and 8.19.3.

PO 12.6.5 Take-down tactic

This PO is modified to include PO 12.6.1.

PO 12.6.6 Carotid restraint

This PO is modified for clarity of instruction and testing. The components of the demonstration, the hazards in using the carotid restraint, and the first aid techniques that might be necessary when the technique is used are proposed to be specified within the PO.

PO 12.7.5 Front and rear gun takeaways

This PO is modified for clarity of instruction and testing to include POs 12.7.2 and 12.7.6 which are proposed for deletion.

PO 12.7.7 Weapon retention

This PO is modified for clarity of instruction and testing. The specifics of weapon retention, which the student demonstrates, are proposed to be included in the PO.

PO 12.9.1 Baton use

This PO is modified for clarity of instruction and testing to include POs 12.6.3, 12.9.2 and 12.9.3 which are proposed for deletion.

**FIREARMS/CHEMICAL AGENTS**

**CONTENT DELETIONS**

7.19.5 First aid treatment for chemical agent exposure

7.19.6 Protection from chemical agents during use

The information in these POs (presently tested by paper/pencil) is proposed to be included in modified PO 7.20.3 (tested as an exercise) which requires the student to experience the effects of a chemical agent. The combined PO can be more effectively taught and evaluated as an exercise.

7.13.2 Handgun use - day range

7.13.3 Handgun use - day range

These POs are recommended to be combined with modified PO 7.13.1 (handgun use - day range) which is evaluated by exercise. The POs would be more effectively taught and evaluated as one exercise.

7.14.2 Handgun use - night range

This PO is recommended to be combined with modified PO 7.14.1 (handgun use - night range) which is evaluated by exercise.

The POs would be more effectively taught and evaluated as one exercise.

7.15.3 Handgun combat - day range

This PO is recommended to be combined with modified POs 7.15.1 and 7.15.2 (handgun combat - day range) which are evaluated by exercise. The POs would be more effectively taught and evaluated as one exercise.

7.16.2 Handgun combat - night range

7.16.3 Handgun combat - night range

These POs are recommended to be combined with modified PO 7.16.1 (handgun combat - night range) which is evaluated by exercise. The POs would be more effectively taught and evaluated as one exercise.

**SUBSTANTIVE REVISIONS**

PO 7.6.1 Parts of revolvers and semi-automatic handguns

PO 7.8.1 Parts of shotguns

These POs are modified for clarity of instruction and testing so that the student is required to identify parts of firearms by actually looking at the handgun or shotgun and pointing to or picking out the part or parts correctly rather than memorize the definition.

PO 7.5.1 Handgun safety

This revision is a minor clarification for instruction and testing purposes.

PO 7.5.2 Shotgun safety

This PO is modified to delete dated material and to eliminate need for the use of a vehicle because not all academies have access to a vehicle during this portion of the instruction.

PO 7.7.1 Handgun maintenance

This PO is modified to require the student to demonstrate the proper storage of a service handgun. This information is not covered in any other PO.

PO 7.10.2 Handgun shooting positions

This PO is modified to eliminate out-of-date terminology.

PO 7.11.1 Shotgun marksmanship

This PO is modified to clarify for instruction and testing and to require the student to demonstrate principles of good marksmanship including proper position on the shoulder.

PO 7.11.2 Shotgun shooting positions

This PO is modified to eliminate out-of-date terminology.

PO 7.13.1 Handgun use - day range

\* This PO is modified to incorporate POs 7.13.2 and 7.13.3 which are proposed for deletion.

PO 7.14.1 Handgun use - night range

This PO is modified to incorporate PO 7.14.2 which is proposed for deletion.

PO 7.15.1 Handgun combat - day range

This PO is modified to include PO 7.15.3.

PO 7.15.2 Handgun combat - day range

This PO is modified to include PO 7.15.3.

PO 7.16.1 Handgun combat - night range

This PO is modified to incorporate POs 7.16.2 and 7.16.3.

PO 7.17.1 Shotgun combat - night range

This revision clarifies for instruction and testing.

PO 7.18.1 Shotgun combat - night range

This revision clarifies for instruction and testing.

PO 7.20.3 Effects of chemical agents

This PO is modified to incorporate POs 7.19.5 and 7.19.6.

**CRIMES AGAINST THE JUSTICE SYSTEM**

**CONTENT DELETION**

PO 3.23.5 Routs

It is proposed that identification of a possible rout be included with modified PO 3.23.3 which requires identification

of riot or incitement to riot. These three areas can be effectively taught and tested together.

#### **SUBSTANTIVE REVISIONS**

##### PO 3.23.3 Incitement to riot or participation in a riot

This PO is modified to include "rout" which is proposed to be deleted from PO 3.23.5.

##### PO 3.23.4 Lynching

This PO is modified to add "rescue" which can be effectively combined for instruction and testing with "lynching".

#### **WEAPON VIOLATIONS**

#### **CONTENT ADDITIONS**

##### PO 3.24.10 Weapons on school grounds

This proposed new PO contains information which is proposed to be moved from other POs for specificity and clarity of instruction and testing. References are to PC 626.9 (recommended to be deleted from PO 3.24.6) and PC 626.10 (recommended to be deleted from PO 3.24.4).

##### PO 3.24.11 Exceptions to concealed firearm law

References to PC 12026.1, PC 12026.2, PC 12027 and PC 12050 in PO 3.24.6 are proposed to be presented as a new PO for specificity and clarity of instruction and testing. The carrying of a concealed weapon will be a separate PO from exceptions.

##### PO 3.24.12 Deadly weapon/intent to assault

Reference to PC 467 in PO 3.24.6 is proposed to be presented as a new PO for specificity and clarity of instruction and testing. The carrying of a concealed weapon will be a separate PO from possible possession of a deadly weapon with intent to assault.

##### PO 3.24.13 Unsafe storage of firearms

This PO adds information regarding identification of the possible unsafe storage of a firearm or a firearm which is accessible to children. This is a crime which peace officers are increasingly likely to encounter.



**SUBSTANTIVE REVISIONS**

PO 3.24.4 Possession of a deadly weapon

This PO is modified for specificity and clarity of testing. Reference to PC 626.10 is moved to proposed new PO 3.24.10.

PO 3.24.5 Possession of firearms by a felon

This PO is modified to amplify the PO to reflect PC 12021.5, a reference within the PO.

PO 3.24.6 Carrying a concealed weapon

This PO is modified for clarity of testing; exceptions to PC 12025 are proposed to be covered in proposed new PO 3.24.11. PC 467 and PC 626.9 are addressed in proposed new POs 3.24.10 and 3.24.12.

PO 3.24.8 Altering serial numbers on a firearm

This PO is modified to use the same language as PC 12090 which is referenced within the PO.

TEXT OF PROPOSED CHANGES TO BASIC COURSE PERFORMANCE OBJECTIVES

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## TEXT OF PROPOSED CHANGES TO BASIC COURSE PERFORMANCE OBJECTIVES

### Introduction to Criminal Law

#### Substantive Changes:

- 3.1.4 Given a definition of one of the following terms, the student will identify the term that matches the definition.
- A. **Spirit of the law** means that the law is applied in accordance with the intent of the legislature and not in literal compliance with the words of the statute
  - B. **Letter of the law** means that the law is strictly applied in accordance with the literal meaning of the statute, leaving no room for interpretation
  - C. **Common law** is the body of laws that originated and developed in England. It is based on court decisions, on the doctrines implicit in those decisions, and on custom and usage
  - D. **Statutory law** is written law enacted by the legislative body of a nation, state, county, or city
  - E. **Constitutional law** is the law of a nation or state which addresses the organization and powers of government, and the fundamental principles which regulate the relations of government with its citizens
  - F. **Municipal codes** are statutes enacted by a city
  - G. **Ordinances** are statutes enacted by a city or county
  - H. **Stare decisis** means "let the prior decision stand." It is a policy of law that requires courts to abide by previously decided principles. This policy is also called "precedent." The application of this policy creates a body of law called "case law"
  - I. **Case law** is a body of law based on prior judicial decisions (i.e., precedent)
  - J. A **crime** is an act committed or omitted in violation of a law forbidding or commanding it, and for which punishment is imposed upon conviction
  - K. A **tort** is a private or civil wrong or injury, other than breach of contract, for which the court will provide a remedy An act or omission is tortious if it violates a legal duty owed to another person
  - L. A **felony** is the most serious of crimes, punishable by death or imprisonment in a state prison
  - M. A **misdemeanor** is an offense of lesser gravity than a felony, for which punishment may be a fine or

- imprisonment in a local jail rather than a state prison
- N. An **infraction** is a public offense which is punishable by a fine only
- O. A "**wobbler**" is a crime that may be punished by imprisonment in either the county jail or the state prison
- P. **Corpus delicti** literally means the "body of the crime." The **corpus delicti** are the basic facts necessary to prove the commission of a crime
- Q. **Intent** is a state of mind inferred from evidence. The presence of a designated state of mind (general intent, specific intent, or criminal negligence) distinguishes a crime from an accident or mistake of fact
- R. **Specific intent** denotes a design, resolve, or determination to commit an act the law prohibits. Specific intent is a state of mind that must be proved along with the other elements of the crime
- S. **Transferred intent** is when the intended act misses or goes beyond the person it was intended to injure and causes the intended results to fall on a third person. Transferred intent requires that the intention of the criminal act be transferred from the intended victim to another victim. The intended act must, however, be unlawful
- T. **General intent** is the intent to do that which the law prohibits. It is not necessary for the prosecutor to prove the defendant intended the precise harm or result that occurred. General intent requires that the accused merely intended to commit the act even if he or she had no intention or knowledge of violating the law
- U. **Criminal negligence** is failure to use the degree of care required to avoid criminal consequences
- V. **Principals** are all persons concerned in the commission of a crime, whether it be felony or misdemeanor, and whether they directly committed the act constituting the offense, or indirectly committed the act by aiding, abetting, counseling, encouraging or threatening (Penal Code Section 31)
- W. An **accessory** is a person who, after a felony has been committed, harbors, conceals or aids a principal, with the intent of helping the principal to escape or avoid arrest, trial or conviction. (Penal Code Section 32)
- X. An **accomplice** to a crime is a co-principal who testifies against another principal (Penal Code Section 1111)
- Y. A **feigned accomplice** to a crime is one who pretends to consult and act with others in the planning or commission of a crime, but only for the

purpose of discovering their plans and confederates and securing evidence against them

- Z. **Entrapment** is inducing a person to commit a crime which he did not contemplate for the purpose of prosecuting him. Entrapment is a defense in which the defendant claims that an officer caused him to commit the crime. The test is whether a normally law-abiding citizen would have committed the crime under the same circumstances. (Barraza, 1979, 23 Cal. 3d 675)
- AA. **Reasonable suspicion** is the amount of knowledge sufficient to induce an ordinarily prudent and cautious ~~man~~ person under similar circumstances to believe criminal activity is at hand. In order for an officer to validly detain a person based on reasonable suspicion, the officer must be able to articulate the specific facts which lead to the belief that a crime had occurred (or was about to occur) and that the person detained was connected with the crime
- AB. **Probable cause** is a suspicion founded on circumstances that are sufficiently strong to justify a person in the belief that the charge is true
- AC. **Persons that cannot be held liable for committing a crime** are: a) Children under the age of 14, in the absence of clear proof, as determined by the court, that at the time of the act they knew of its wrongfulness; b) Idiots or persons who exhibit mental deficiency in its most severe form (severe mental retardation); c) Persons who act under an ignorance or mistake of fact, which disproves any criminal intent; d) Persons who commit an illegal act without being conscious of their actions; e) Persons who commit an illegal act by accident without evil design or intention, or culpable negligence; f) Persons (unless the crime be punishable with death) who commit illegal acts under threats or menaces that lead them to believe their lives would be endangered if they refused to commit the act (Penal Code Section 26)
- AD. The **elements of a crime** constitute parts of a crime which must be proved by the prosecution to sustain a conviction

3.1.5 Given a word picture depicting a tort, contract dispute, or a crime, the student will identify whether the ~~situation~~ matter is a civil ~~matter~~ or a criminal ~~matter~~.

3.3.1 Given a word picture depicting a crime, the student will identify which of the following "~~mental states~~" can be legally inferred from the acts of the

perpetrator.

- A. General intent
- B. Specific intent
- C. Transferred intent
- D. Criminal negligence

- 3.4.3 Given a word picture depicting a crime ~~involving access-~~  
~~series and/or accomplices~~, the student will identify  
the parties involved as principals, or accessories ~~and~~  
~~accomplices~~. (Penal Code Sections 31, and 32 ~~and 1111~~)
- 3.5.1 Given a word picture depicting ~~possible entrapment~~  
~~situations~~, the conduct of an undercover officer or a  
person acting on behalf of a law enforcement agency,  
the student will identify whether ~~or not~~ the conduct  
constitutes entrapment has occurred.

### Crimes Against Property

#### Content Deletions:

- 3.13.3 Given a word picture depicting a possible burglary with  
the use of explosives, the student will identify if the  
crime is complete, and if it is complete, will identify  
it by its common name and crime classification. (Penal  
Code Section 464)

#### Substantive Changes:

- 3.11.1 Given a word picture depicting a possible embezzlement,  
the student will identify if the crime is complete, and  
if it is complete, will identify it by its common name  
and crime classification. (Penal Code Sections 503  
~~504, 507, 508, and 514~~)
- 3.12.1 Given a word picture depicting a possible forgery, the  
student will identify if the crime is complete, and if  
it is complete, will identify it by its common name and  
crime classification (felony). (Penal Code Section 470)
- 3.13.1 Given a word picture depicting ~~the a possible~~  
trespassing, interfering with lawful business, or unau-  
thorized entry of property, the student will identify  
if the crime is complete, and if it is complete, will  
identify it by its common name and crime classifica-  
tion. (Penal Code Sections 602(j), 602.1 and 602.5)
- 3.13.2 Given a word picture depicting a possible burglary, the  
student will identify if the crime is complete, and if  
it is complete, will identify it by its common name and  
crime classification (felony). (Penal Code Section 459)

- 3.16.1 Given a word picture depicting a possible act of arson ~~or acts preliminary to arson~~, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 451 and 452)

### Crimes Against Persons

#### Content Additions:

- 3.42.2 Given a word picture depicting a possible child abduction, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 277, 278, and 278.5)
- 3.42.3 Given a word picture depicting a possible crime of stalking, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 646.9)

#### Substantive Changes:

- 3.17.1 Given a word picture depicting a possible assault, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 240, and 241 ~~241.1, 241.2, 241.4, 241.6, 241.7 and 243.5~~)
- 3.17.2 Given a word picture depicting a possible battery, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 242, 243 and ~~243.5 through 243.7~~)
- 3.18.1 Given a word picture depicting a possible assault with a deadly weapon, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections ~~244, 244.5 and~~ 245)
- 3.19.1 Given a word picture depicting a possible mayhem, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification (felony). (Penal Code Sections 203 and 205)
- 3.20.1 Given a word picture depicting the possible willful infliction of corporal injury upon spouse or person with whom one is cohabitating, or any person who is the mother or father of his or her child, the student will

identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 273.5)

- 3.23.6 Given a word picture depicting a possible ~~"hate crime,"~~ act of terrorism against a person or obstructions in the act of religion, the student will identify if the ~~crime is complete, and if it is complete, will identify it by its common name and crime classification~~ has occurred. The student will also identify if the crime is an interference with the person's civil rights (hate crime). (Penal Code Sections 422.6, ~~422.7~~, 11411, 11412, and 11413)
- 3.26.1 Given a word picture depicting a possible kidnapping or false imprisonment, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 207, 208, 209, ~~210.5~~, 236, and ~~237~~, ~~277~~, ~~278~~, and ~~278.5~~)
- 3.27.2 Given a word picture depicting a possible murder, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification (felony). (Penal Code Sections 187 and 189)
- 3.27.4 Given a word picture depicting possible manslaughter, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 191.5 and 192 ~~and 192.5~~)
- 3.37.3 Given a word picture depicting a possible conspiracy to deprive a person of a right provided by the United States Constitution, the student will identify if the crime is complete, and if it is complete, will identify it by its common name (i.e., "conspiracy against rights of ~~citizens inhabitants~~") and crime classification. (~~Title 18, Section 241 of the U.S. Code~~) (U.S. Code Title 18, Section 241)
- 3.42.1 Given a word picture depicting a possible crime against an elder or a dependent adult, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 368(a), ~~368(b)~~, ~~368(e)~~)



## Controlled Substances

### Content Additions:

- 3.34.3 Given a word picture depicting a person exhibiting the symptoms of marijuana use, the student will identify that the person may be under the influence of marijuana. These symptoms may include reddening of the eyes, diminished inhibitions, body tremors, eyelid tremors, dry mouth, debris in mouth, difficulty of concentration, disorientation, impaired time/distance perception, increased appetite, and odor of burning marijuana.

### Substantive Changes:

- 3.31.1 Given a word picture depicting a possible possession of a controlled substance, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. ~~Health and Safety Code Sections 11350, 11357 and 11377~~ These will include:

- A. 11350 H & S - Possession of controlled substance (heroin and cocaine, et. al.)
- B. 11357 H & S - Unauthorized possession; prior conviction, possession in school (marijuana and concentrated cannabis)
- C. 11377 H & S - Unlawful possession of specified substances (methamphetamine/amphetamine, PCP, LSD, et. al.)

- 3.31.2 Given a word picture depicting a possible possession of a controlled substance for sale, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. ~~(Health and Safety Code Sections 11351, 11351.5, 11359, and 11378)~~ These will include:

- A. 11351 H & S - Possession or purchase for sale of controlled substance (heroin, cocaine (HCL), et. al.)
- B. 11351.5 H & S - Possession of cocaine base for sale
- C. 11359 H & S - Possession for sale (marijuana and concentrated cannabis)
- D. 11378 H & S - Possession for sale (amphetamine, methamphetamine, LSD et al.)
- E. 11378.5 H & S - Possession for sale of designated substances (PCP)

- 3.31.3 Given a word picture depicting the possible ~~transportation for sale of a controlled substance or the transportation of a controlled substance~~, the student will identify if the crime is complete; and if it is complete, will identify it by its common name and crime classification. (~~Health and Safety Code Section 11352~~) These will include:
- A. 11352 H & S - Transport, sale, giveaway, etc. of controlled substances (heroin and cocaine, et al.)
  - B. 11360 H & S - Transport, sale, import, giveaway of controlled substances (marijuana and concentrated cannabis)
  - C. 11379 H & S - Transport, sale, furnish controlled substances (amphetamine, methamphetamine, LSD et al.)
  - D. 11379.5 H & S - Transport, sale, furnish controlled substances (PCP)
- 3.31.4 Given a word picture depicting a possible possession of paraphernalia for the unlawful use of a controlled substance, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Health and Safety Code Sections ~~11364, 11364.5 and 11364.7~~ and Business and Profession Code Section 4149)
- 3.32.3 Given a word picture depicting a situation where PCP is present in one of its common forms, the student will identify the substance as PCP. The most common forms are liquid adulterated cigarettes, white powder or crystals in hand-rolled cigarettes, a leafy substance which appears to have been laced sprayed with a yellow liquid that has a. A strong chemical odor may be present.
- 3.32.6 Given a word picture depicting a situation where amphetamines or methamphetamine are present in one of their common forms, the student will identify the substance as amphetamines or methamphetamine. Amphetamines may be are white double-scored tablets packaged in aluminum foil, vials, or clear plastic baggies. Methamphetamine takes many forms including a yellow to white powder packaged in clear plastic baggies or bindles, ~~a brown or reddish tarry like substance~~, crystals resembling rock candy or shards of glass, or a yellowish-brown, oily substance.
- 3.32.7 Given a word picture depicting a person exhibiting the symptoms of hallucinogen use, the student will identify that the person may be under the influence of a hallucinogenic substance (e.g., LSD, peyote, psilocybin).

These symptoms may include dilated pupils, excessive sweating, hallucinations and an increased respiratory and heart rate.

3.32.8 Given a word picture depicting a person exhibiting the symptoms of PCP use, the student will identify that the person may be under the influence of PCP. These symptoms may include high pain tolerance, great physical strength, hallucinations, unpredictability, aggressive and extremely violent behavior, excessive sweating, drowsiness, nystagmus, paranoia, confusion, blank stares, muscle rigidity, unusual gait or convulsions and a possible chemical odor on the breath or body.

3.32.9 Given a word picture depicting a person exhibiting the symptoms of stimulant use, the student will identify that the person may be under the influence of a stimulant (e.g., cocaine, amphetamines or methamphetamine). These symptoms may include restlessness, talkativeness, trembling, dilated pupils, sleeplessness, hyperactivity, and an increased respiratory and heart rate.

3.32.10 Given a word picture depicting a person exhibiting the symptoms of depressant use, the student will identify that the person may be under the influence of a depressant (e.g., barbiturates, sedatives, tranquilizers). These symptoms may include slurred speech, poor coordination, unsteadiness, intoxicated behavior with no odor of alcoholic beverages, nystagmus, and decreased respiratory and heart rate.

3.32.11 Given a direct question, the student will identify the most common methods of using the following drugs and narcotics.

- A. Hallucinogens - swallowed
- B. PCP - smoked
- C. Amphetamine - swallowed
- D. Heroin - injected
- E. Cocaine hydrochloride - ~~inhaled~~ snorted/injected
- F. Cocaine base - smoked
- G. Methamphetamine - ~~inhaled~~ snorted/injected
- H. Depressants and tranquilizers - swallowed
- I. Cannabis - smoked

3.33.5 Given a word picture depicting a person exhibiting the symptoms of opiate use, the student will identify that the person may be under the influence of an opiate (e.g., heroin). The symptoms may include constricted pupils, drowsiness, slow and deliberate speech, droopy eyelids, raspy voice, tendency to scratch and itch,

decreased respiration and heart rate, and puncture wounds on the body.

- 3.33.6 Given a word picture depicting a situation where cocaine base is present in one of its common forms, the student will identify the substance as cocaine base. The most common forms are small "rocks" which are usually white or off-white and vary in shape and size. ~~with a waxy consistency in various colors or "crack" cocaine in various shapes and colors.~~ These rocks Both ~~forms~~ may be carried loose (unpackaged) or packaged in small sealable plastic baggies, tinfoil, vials, bindles, or wrapped in paper or cellophane.

#### ABC Law

##### Content Additions:

- 3.40.6 Given a word picture depicting a set of circumstances which may or may not describe a "disorderly house", the student will identify whether the situation constitutes a "disorderly house". (Business and Professions Code Section 25601)
- 3.40.7 Given a word picture depicting a social gathering where alcoholic beverages are present and/or being consumed, the student will identify whether or not enforcement action is permissible. (Business and Professions Code Section 25662 (b))

##### Substantive Changes:

- 3.40.2 Given a word picture depicting a minor in possession of an alcoholic beverage, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Business and Professions Code Section 25662(a))

#### Laws of Arrest

##### Content Deletions:

- 1.11.2 Given a direct question, the student will identify the most common limitations of officer discretion including:
- A. Law
  - B. Departmental policy and procedure
  - C. Departmental goals and objectives

- 3.38.14 Given a direct question, the student will identify that a person who violates the conditions of parole or probation may be taken into custody and that the person's parole or probation officer should be notified as soon as possible.

**Content Additions:**

- 8.8.3 Given a word picture depicting an officer advising a suspect of his "Miranda rights", the student will identify if the advisement is legally sufficient (i.e., does the advisement protect the suspect's constitutional rights). In order to protect the suspect's rights and make subsequent statements admissible as evidence, the following conditions must be satisfied:
- A. The officer must inform the suspect of his Fifth and Sixth Amendment rights and warn him that anything he says may be used against him. The Miranda warning has the following elements:
    - 1. The suspect has the right to remain silent
    - 2. Anything the suspect says can and will be used against him in a court of law
    - 3. The suspect has the right to talk to a attorney and have the attorney present while being questioned
    - 4. If the suspect cannot afford an attorney, one will be appointed to represent him free of charge
  - B. The suspect must make a knowing, intelligent, and voluntary decision to waive his rights
  - C. The suspect must **NOT** have invoked his right to remain silent
  - D. The suspect must **NOT** have invoked his right to an attorney
- 8.8.4 Given a word picture depicting a situation where one of the following exceptions to the Miranda rule may be present, the student will identify if the situation is one of these exceptions.
- A. Consensual encounters
  - B. Traffic stops
  - C. Detention
  - E. Juvenile arrests
  - F. Exigent circumstances (Emergency-Rescue Doctrine)
  - G. General investigative questioning (5 w's and how)
  - H. Non-custodial questioning eliciting incriminating statements (e.g., telephone calls)

**Substantive Changes:**

- 3.6.1 Given a word picture depicting possible criminal activity, the student will identify whether the circumstances would provide an officer with the "reasonable suspicion" needed to temporarily detain a suspect. The elements required to establish reasonable suspicion are a set of specific, articulable facts which support an inference- that:
- A. ~~That a~~ A crime-related activity has occurred, is occurring or is about to occur, and
  - B. ~~That t~~The person to be detained is connected with that activity
- 3.6.2 Given a word picture depicting ~~instances where~~ "probable cause" for police action may or may not exist ~~the activities of a suspicious person or persons,~~ the student will identify if there is probable cause to make an arrest or search is lawful by applying the following standard for determining the existence of probable cause. There is probable cause to make an arrest when an officer has knowledge, based on facts, that would cause a reasonable and prudent person to honestly believe and strongly suspect that the person to be arrested is guilty of a crime.
- A. ~~Probable cause to make an arrest requires knowledge, based on facts, which would cause a reasonable and prudent person to honestly believe and strongly suspect that the person to be arrested is guilty of a crime~~
  - B. ~~Probable cause to obtain a search warrant requires that enough credible information exists to make it reasonable to believe that the contraband or evidence to be searched for is located in the place to be searched~~
  - C. ~~Probable cause to search a vehicle without a warrant requires that enough credible information exists to make it reasonable to believe that the contraband or evidence to be searched for is located in that part of the vehicle which is to be searched~~
- 3.8.3 Given a word picture depicting a possible refusal by an officer to accept an arrested person, the student will identify if the crime of refusal is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 142)
- 3.38.1 Given a word picture depicting an arrest, the student will identify if the officer had the authority to make the arrest. (Penal Code Section 836) ~~and Vehicle Code Sections 40301 through 40300.5)~~

3.38.5

Given a word picture depicting the circumstances under which an arrest is made (i.e., time of day, type of crime and place of arrest), the student will identify if the arrest is consistent with the following provisions of Penal Code Section 840.

- A. An arrest for the commission of a felony ~~can~~ may be made ~~at any time and in any place~~ on any day and at any time
- B. An arrest for a misdemeanor cannot be made between 10:00 p.m. and 6:00 a.m. unless:
  - 1. The person has committed the offense in the officer's presence (Penal Code Section 836)
  - 2. The arrest is made in a public place
  - 3. The arrest is made while the person is in custody for another offense
  - 4. The arrest is made pursuant to a warrant authorizing service anytime of the day or night

3.38.12

Given a direct question, the student will identify the following circumstances under which an officer is not civilly liable for false arrest or false imprisonment. (Penal Code Section 847)

- A. When such arrest was lawful or when the officer, at the time of the arrest, had reasonable cause to believe the arrest was lawful
- B. When such arrest was made pursuant to a charge, based upon reasonable cause, that the person arrested had committed a felony
- C. When the officer was required to receive or make the arrest a person in order to comply with Penal Code Section 142 (i.e., accepting a person arrested by a private person)
- D. When a magistrate orally orders an officer to arrest a person who is committing a public offense in the magistrate's presence (Penal Code Section 838)

8.8.1

Given a word picture depicting an encounter between an officer and a suspect, the student will identify if the circumstances of the encounter require the officer to provide the suspect with his rights under the Miranda ruling. A suspect must be advised of his Miranda rights ~~when he is in custody and the following circumstances exist:~~

- A. The suspect is a minor taken into custody in accordance with Welfare & Institutions Code Sections 601 or 602, or for violating an order of the juvenile court, or for escaping from a

juvenile court-ordered commitment (Welfare & Institutions Code Section 625)

- B. The suspect is an adult in custody who the officer is about to interrogate

### Search and Seizure

#### Content Additions:

- 4.7.2. Given a definition of one of the following terms, the student will identify the term that matches the definition:
- A. **Knock-and-notice** is the requirement that an officer must announce his presence, identify himself as an officer, state his purpose, and demand entry before forcibly entering a private dwelling
  - B. The **scope of a search** is the area covered by a search (e.g., the outer clothing of a suspect or the trunk of a car). The scope of a lawful search is limited by the circumstances under which the search is conducted
  - C. **Search warrants** are written orders signed by a magistrate directing a peace officer to search a specific place for specific items and bring them before a magistrate
  - D. **Showups** are one-to-one confrontations between a suspect and a witness to a crime that typically occur in the field shortly after a crime has been committed
  - E. A **photographic lineup** is an identification procedure in which the witness to a crime is typically asked to look at six or more photographs, one of which is a photograph of the suspect
  - F. A **physical lineup** is an identification procedure in which a witness to a crime is typically asked to look at six or more individuals lined up against a wall, one of which is the suspect

#### Substantive Changes:

- 4.7.1 Given a word picture depicting a search or seizure, the student will identify if the search or seizure was legal, and if it was legal, the type of search or seizure ~~that was conducted~~ depicted. The types of searches and seizures and the conditions under which they can be legally conducted are described below.
- A. ~~Consent searches are searches conducted after consent to search has been given freely and volun-~~



- tarily. The person giving the consent must possess and exercise sufficient mentality to make an intelligent choice and must share or have legal control of the premises searched
- B. ~~Searches~~ contemporaneous to an arrest are searches conducted incidental to an arrest. They are limited to the suspect and areas in the suspect's immediate control. The purpose of these searches is to protect the officer (by locating weapons) and to prevent destruction of evidence or contraband
- C. ~~Motor vehicle searches~~ are searches of a motor vehicle by an officer who has probable cause to believe that the object of his search is located in a specific area of the motor vehicle
- D. ~~Searches conducted pursuant to a warrant~~ are searches conducted pursuant to a written order, signed by a magistrate, directing a peace officer to search for personal property and bring it before the magistrate. The warrant must particularly describe items sought, the location, vehicle or person to be searched, and must list the statutory grounds for issuing the warrant
- E. ~~Plain sight seizures~~ are seizures of property without a search. If an officer observes seizable evidence from a position where he has a lawful right to be, he may seize the evidence without a search warrant
- F. ~~Searches under exigent circumstances~~ are searches conducted pursuant to an emergency. An officer may enter into an area where there is an expectation of privacy for the purpose of protecting life, health or property. The necessity to enter must be a substantial threat to life health or property or in the fresh pursuit of a criminal suspect
- G. ~~Frisk searches~~ are cursory searches (or pat downs) of a legally detained suspect to protect the officer from an unexpected assault when the officer reasonably believes that the person is armed and dangerous
- H. ~~Container searches~~ are searches of a "closed container" and are generally illegal without the consent of the person possessing the container or a search warrant. However, a closed container in a motor vehicle may be searched without a warrant or consent, if an officer has probable cause to believe the container contains evidence or contraband (California v. Acevedo, U. S. Supreme Court, 1991). Container searches include searches of suitcases, paper sacks, opaque plastic bags, and any other container, unless the container is

~~one in which the contents are obvious~~

- A. Searches conducted pursuant to a warrant are searches authorized by a written order, signed by a magistrate, directing a peace officer to search a specific place for specific items and bring them before the magistrate. The warrant must particularly describe the items sought, the location, vehicle, or person to be searched, and must list the statutory grounds for issuing the warrant. An officer serving a warrant must announce his presence, identify himself as an officer, state his purpose, and demand entry before forcibly entering a private dwelling
- B. Probable cause searches are warrantless searches by an officer who has specific articulable facts to believe the object of his or her search is located in a specific area. The scope of a lawful search is limited by the circumstances under which it is being conducted (e.g., the outer clothing of a suspect or the interior of a car).
- C. Searches incidental to an arrest are searches conducted contemporaneous to an arrest. They are limited to the suspect and areas in the suspect's immediate control. The purpose of these searches is to protect the officer (by locating weapons) and to prevent the destruction of evidence or contraband.
- D. Consent searches are searches conducted after consent to search has been given freely and voluntarily. The person giving the consent must possess and exercise sufficient mentality to make an intelligent choice and must have actual or apparent authority to give consent
- E. Searches under exigent circumstances are emergency searches. An officer may enter into an area where there is an expectation of privacy for the purpose of protecting life, health or property. The necessity to enter must involve a substantial and immediate threat to life, health or property or in the fresh pursuit of a criminal suspect. Once the emergency abates, a warrant is required. An officer cannot create the exigent circumstances.
- F. Plain view seizures are not searches. If an officer observes items of evidence or contraband in plain view from a position he or she has a lawful right to be, he or she may seize the evidence without a search warrant if the evidence itself is also in a place where the officer has a lawful right to be
- G. Pat-down or frisk searches are cursory searches of legally detained suspects to protect an officer

from an unexpected assault when the officer reasonably believes that the person is armed with a weapon or potentially dangerous instrument

4.8.1 Given a word picture depicting a suspect attempting to swallow evidence, the student will identify ~~those situations~~ whether force can be lawfully used to prevent the loss or destruction of the evidence where use of force is justified.

4.8.2 Given a word picture depicting a suspect who has swallowed evidence, the student will identify whether the following conditions under which a suspect can be legally induced to vomit (Johnson (1991) 231 Cal. App.3d 1,14; Fulkman (1991) 235 Cal.App.3d 555, 562; Cappellia (1989) 208 Cal.App.3d 1331; Jones (1989) 209 Cal.App.3d. 725). A suspect can be legally induced to vomit in a medically approved manner under any of the following conditions : (Case Law)

- A. The suspect ~~must give~~ consents
- B. ~~Medical personnel must administer the emetic~~  
The ingested substance is an immediate threat to the suspect's life
- C. A warrant is issued permitting the search

4.8.3 Given a direct question, the student will identify the following procedures which should be followed when obtaining a blood sample from a suspect. ~~(Case Law)~~

- A. ~~Get~~ Obtain the suspect's consent when possible
- B. ~~Use qualified medical personnel to extract the blood~~ Obtain the blood sample in a medically approved manner
- C. Arrest a suspect who refuses to voluntarily supply a blood sample before taking it forcibly
- D. Obtain a search warrant if time is not a factor (e.g., if the purpose of the sample is to obtain the suspect's blood type)
- E. Use only reasonable force to obtain an involuntary blood sample
- F. ~~Blood samples may be taken from dead, injured, or unconsconscious drivers~~ Take blood samples without consent from incapacitated persons (e.g., dead, incoherent, unconscious) when needed for a legitimate law enforcement purpose

4.8.4 Given a direct question, the student will identify the following legal principles governing the involuntary extraction collection of fingerprint evidence from a suspect. ~~(Case Law)~~

- A. A suspect has no legal right to refuse a fingerprinting examination
- B. An officer may use reasonable force to obtain fingerprint evidence

4.8.5

Given a direct question, the student will identify the following legal principles governing the collection of a handwriting exemplar from a suspect. ~~(Case Law)~~

- A. ~~A suspect may be asked for a handwriting exemplar without violating the suspect's right against self incrimination has no legal right to refuse to provide a handwriting exemplar~~
- B. ~~Force may not be used to obtain a handwriting exemplar An officer cannot use force to obtain a handwriting exemplar~~
- C. ~~A court may order a suspect to provide a handwriting exemplar~~

4.9.1

Given a word picture depicting a situation where a showup was used to identify a suspect, the student will identify if the showup was handled appropriately.  
~~direct question, the student will identify the following practices that increase the likelihood that the results of a showup will be admissible at trial.~~

- A. ~~Get and record a description of the suspect from the witness before the showup. Distinguishing characteristics such as scars, moles, and tattoos are especially important~~
- B. ~~Avoid handcuffing the suspect or placing him in a patrol car prior to the showup unless officer safety considerations require otherwise~~
- C. ~~Transport the witness to the suspect if possible (i.e., do not take the suspect to the witness if it can be avoided)~~
- D. ~~Do not make any suggestions or "lead" the witness in anyway (e.g., don't refer to the suspect as a "suspect" in the presence of the witness)~~
- E. ~~Say nothing about the suspect in the presence of the witness (e.g., "When we caught him, he still had your wallet.")~~
- F. ~~Tell the witness to keep an open mind and that the person he will confront may not be the perpetrator~~
- G. ~~Do not allow multiple witnesses to discuss the suspect or the crime~~
- H. ~~Never allow multiple witnesses to view the showup at the same time~~
- I. ~~Do not comment on the witness' identification after the showup~~
- J. ~~Document everything that occurs and tell the wit-~~

~~ness what information you are putting in your report which is based on what the witness said~~

## Evidence

### Content Deletions:

- 4.1.6 Given a definition of one of the following terms, the student will identify the term that matches the definition.
- A. **Admissions** are incriminating statements
  - B. The **burden of proof** is an obligation to produce evidence sufficient to prove a fact or set of facts
  - C. **Circumstantial evidence** proves a fact from which the existence of another fact can be inferred. For example, a defendant's fingerprints at the scene of a crime are not direct proof that he committed the crime. However, it does prove that he was present at the crime scene, and together with other information, the fingerprints may allow the trier of fact to infer that the defendant committed the crime
  - D. **Confessions** are statements claiming full responsibility for the commission of a crime
  - E. **Consent searches** are searches conducted after someone in legal control of the area to be searched has consented to the search. The person giving the consent must possess and exercise sufficient mentality to make an intelligent choice
  - F. **Container searches** are searches of a "closed container" and are generally illegal without the consent of the person possessing the container or a search warrant. Container searches include searches of suitcases, paper sacks, opaque plastic bags, and any other container, unless the container is one in which the contents are obvious. However, a closed container in a motor vehicle may be searched without a warrant or consent, if an officer has probable cause to believe the container contains evidence or contraband (California v. Acevedo, U. S. Supreme Court, 1991)
  - G. **Contemporaneous searches** are searches made at the time of an arrest. Searches incidental to an arrest are limited to the suspect's person and to the areas in the suspect's immediate control
  - H. **Contraband** is an item which is illegal to possess (i.e., mere possession is a crime). For example, a sawed-off shotgun is contraband because mere possession is a crime
  - I. **Direct evidence** proves a fact without any infer-

ence or presumption. If the evidence is true, then the fact is established. For example, if a witness testifies that he saw the defendant commit the crime, this is direct evidence of the defendant's guilt

- J. **Dying declarations** are statements made by persons who are gravely injured or ill and who have given up all hope of recovery
- K. **Evidence** is testimony, writings, material objects or other things presented to the senses that are offered to prove the existence or nonexistence of a fact (Evidence Code Section 140)
- L. The **exclusionary rule** requires that any evidence obtained in violation of the rights and privileges guaranteed by the U.S. Constitution be excluded at trial
- M. Searches conducted under **exigent circumstances** are searches conducted while responding to an emergency. An officer may enter into an area where there is an expectation of privacy for the purpose of protecting life, health or property. The reason for entering must involve a substantial threat to life, health or property or the officer must be in fresh pursuit of a criminal suspect
- N. **Frisk searches** are cursory searches (or pat-downs) to protect an officer from an unexpected assault when the officer reasonably suspects that the person is armed and dangerous
- O. The **fruits of a crime** are the material objects acquired by means of the crime or as a consequence of the crime. The fruits of a crime may be the subject matter of the crime or a collateral result of the crime
- P. **Hearsay evidence** is evidence of a statement that was made other than by a witness while testifying at a hearing or trial and that is offered to prove the truth of the matter stated (Evidence Code Section 1200)
- Q. The **hearsay rule** generally excludes hearsay evidence from trials with several important exceptions which include admissions (including confessions), spontaneous statements, and dying declarations
- R. The **instrumentalities of a crime** are the means by which the crime was committed (e.g., a crowbar used in a burglary or a gun used in a murder)
- S. **"Knock-and-notice"** refers to the requirement that an officer must announce his presence, identify himself as an officer, state his purpose, and demand entry before forcibly entering a private dwelling
- T. A **lineup** is an identification procedure in which a

- witness to a crime is typically asked to look at six or more individuals lined-up against a wall, one of which is the suspect
- U. A **photographic lineup** is an identification procedure in which a witness to a crime is typically asked to look at six or more photographs, one of which is a photograph of the suspect
  - V. **Plain sight seizures** are seizures of property without a search. If an officer observes seizable evidence from a position where he has a lawful right to be, he may seize the evidence without a search warrant
  - W. **Privileged communications** are those statements made by certain persons within a protected relationship such as husband-wife and attorney-client which the law protects from forced disclosure on the witness stand
  - X. **Probable cause searches** are warrantless searches of an automobile by an officer who has probable cause to believe that the object of his search is located in a specific area of the automobile
  - Y. **Proof** is the establishment of a fact by evidence. When evidence successfully establishes a fact, the evidence is proof of the fact (Evidence Code Section 190)
  - Z. The **rules of evidence** are rules which govern the admissibility of evidence at trials and hearings. Their purpose is to protect jurors from being confused or misled and to prohibit the introduction of tainted, unreliable or illegally obtained evidence
  - AA. The **scope of a search** is the area covered by a search (e.g., the outer clothing of a suspect or the trunk of a car). The scope of a lawful search is limited by the circumstance under which the search is conducted
  - AB. **Search warrants** are written orders signed by a magistrate directing a peace officer to search a specific place for specific items and bring them before the magistrate
  - AC. **Showups** are one-to-one confrontations between a suspect and a witness to a crime that typically occur in the field shortly after a crime has been committed
  - AD. **Spontaneous statements** are statements made in response to a sudden, unnerving, startling event
  - AE. **Subpoenas** are written commands to appear at a certain time and place to give testimony upon a certain matter

4.5.1

Given a direct question, the student will identify, in the following situations, whether the "burden of proof"

falls upon the prosecution or defense during a criminal trial:

- A. Criminal guilt (Evidence Code Section 520)
- B. Corpus delicti (Evidence Code Section 550)
- C. Jurisdiction (Evidence Code Section 666)
- D. Double jeopardy as a defense (Evidence Code Section 500)
- E. Self-defense as a defense (Evidence Code Section 500)

**Content Additions:**

4.1.7. Given a definition of one of the following terms, the student will identify the term that matches the definition.

- A. **Admissions** are incriminating statements
- B. The **burden of proof** is an obligation to produce evidence sufficient to prove a fact or set of facts
- C. **Circumstantial evidence** proves a fact from which the existence of another fact can be inferred. For example, a defendant's fingerprints at the scene of a crime are not direct proof that he committed the crime. However, it does prove that he was present at the crime scene, and together with other information, the fingerprints may allow the trier of fact to infer that the defendant committed the crime
- D. **Confessions** are statements claiming full responsibility for the commission of a crime
- E. **Contraband** is an item which is illegal to possess (i.e., mere possession is a crime). For example, a sawed-off shotgun is contraband because mere possession is a crime
- F. **Direct evidence** proves a fact without any inference or presumption. If the evidence is true, then the fact is established. For example, if a witness testifies that he saw the defendant commit the crime, this is direct evidence of the defendant's guilt
- G. A **dying declaration** is a statement made by a dying person respecting the cause and circumstances of that person's injury or illness. The statement must be based on his or her personal knowledge and under a sense of immediate impending death.
- H. **Evidence** is testimony, writings, material objects or other things presented to the senses that are offered to prove the existence or nonexistence of a fact (Evidence Code Section 140)
- I. The **exclusionary rule** requires that any evidence



- obtained by the government or its agents in violation of the rights and privileges guaranteed by the U.S. Constitution be excluded at trial
- J. The **fruits of a crime** are the material objects acquired by means of the crime or as a consequence of the crime. The fruits of a crime may be the subject matter of the crime or a collateral result of the crime
  - K. **Hearsay evidence** is evidence of a statement that was made other than by a witness while testifying at a hearing or trial and that is offered to prove the truth of the matter stated (Evidence Code Section 1200)
  - L. The **hearsay rule** generally excludes hearsay evidence from trials with several important exceptions which include admissions (including confessions), spontaneous statements, and dying declarations
  - M. The **instrumentalities of a crime** are the means by which the crime was committed (e.g., a crowbar used in a burglary or a gun used in a murder)
  - N. **Proof** is the establishment of a fact by evidence. When evidence successfully establishes a fact, the evidence is proof of the fact (Evidence Code Section 190)
  - O. The **rules of evidence** are rules which govern the admissibility of evidence at trials and hearings. Their purpose is to protect jurors from being confused or misled and to prohibit the introduction of tainted, unreliable or illegally obtained evidence
  - P. **Spontaneous statements** are statements made in response to a sudden, unnerving, startling event while the declarant is still under the stress of the event.
  - Q. **Subpoenas** are written commands to appear at a certain time and place to give testimony

**Substantive Changes:**

- 4.1.1 Given a word picture depicting evidence at the scene of a crime, the student will identify, with respect to proving a specific fact, whether the evidence is direct, or circumstantial ~~or irrelevant~~.
- 4.6.1 Given a direct question, the student will identify the following purposes of the "exclusionary rule."
  - A. ~~The primary purpose is to~~ To deter unlawful searches and seizures ~~misconduct~~ by peace officers who seize evidence illegally. The purpose of this rule is to ~~This is accomplished by eliminating~~

eliminate the incentive for such behavior by prohibiting the admission of any evidence which is illegally obtained

- B. ~~A secondary purpose is to~~ To maintain the dignity and integrity of the courts by keeping "tainted" evidence out of the courtroom

4.6.3 Given a word picture depicting the use of an out-of-court statement as evidence, the student will identify if the statement is hearsay, and if it is hearsay, whether it can be introduced as evidence under any of following exceptions to the hearsay rule. (Evidence Code Section 1220)

- A. Admissions
- B. Dying declarations
- C. Spontaneous statements
- D. Officers testifying at preliminary hearings
- E. Business/official records
- F. Past recollection recorded

#### Traffic Collision Investigation

#### Content Deletions:

9.13.6 Given a direct question, the student will identify the following elements of traffic collision management: (7-1-90)

- A. Upon approach, survey scene for hazards
- B. Position patrol vehicle properly
- C. Check for injuries, their extent, and obtain, or provide, necessary medical assistance
- D. Protect persons and property involved
- E. Remove any conditions which may cause additional accidents
- F. Determine support needs and request assistance if necessary
- G. Apply personal safety measures
- H. Take the necessary steps to identify a driver involved in a collision who leaves the scene without being properly identified
- I. Preserve the scene as appropriate
- J. Restore traffic flow which could include alternate routes
- K. Clear the scene
- L. Complete appropriate traffic collision reports

9.14.2 Given a definition of one of the following terms used in traffic collision reporting, the student will identify the term that matches the definition. (7-1-90)

- A. **Accident or collision:** An unintended event which causes damage, death or injury
- B. **Classification of injuries:** Fatal injury, severe injury, other visible injuries, complaint of pain
- C. **Deliberate intent:** An intentional act which directly or indirectly, involves a motor vehicle in transport which purposely causes damage to property or injury to any person
- D. **In transport:** This describes the state or condition of a vehicle when it is in use primarily for moving persons or property (including the vehicle itself) from one place to another
- E. **Other parties:** A person other than the operator of the motor vehicle (includes driverless vehicle, a vehicle being towed by other than a rigid tow bar or tow truck, animal drawn conveyances, injured equestrians, injured parties in a train, airplane or cable car; or in highway construction equipment not in transport, injured parties in or upon a structure
- F. **Witnesses:** A person other than an involved party or a passenger, who can provide information relevant to the collision

9.14.3 Given a direct question, the student will identify the following elements necessary to complete a sketch of the scene of a traffic collision:

- A. Compass direction
- B. Measurements of the scene in proportion, but not necessarily to scale
- C. Use of appropriate illustrations
- D. Point of impact (P.O.I.) and point of rest (P.O.R.)

9.14.4 Given a direct question, the student will identify the following types of physical evidence which are used to determine the cause of a collision:

- A. Locked wheel skid, critical speed scuff, impending skid, side skids, and acceleration scuff
- B. Debris, glass, vehicle parts, fluids, and other related property damage
- C. Photographs of the scene

9.14.5 Given a direct question, the student will identify the following information which should be collected during a collision investigation interview.

- A. Identity of the involved parties and vehicles
- B. The time and location of the collision events.

- C. The chronology of the collision events
- D. The elements unique to hit and run collisions, if applicable

9.14.6 Given a Vehicle Code and a word picture depicting a traffic collision, the student will identify any Vehicle Code violations, and where applicable, the primary and secondary collision factors.

**Content Additions:**

9.14.8 Given an audio-visual presentation, transparency picture, handout or other depiction of an accident scene, the student will generate a traffic scene sketch consistent with the student's collision investigation manual.

This sketch will minimally include the following:

- A. Compass direction
- B. Basic measurements of the roadway
- C. Appropriate symbols/illustrations
- D. Point of impact/Area of impact (P.O.I./A.O.I)
- E. Travel paths of vehicles and parties involved
- F. Reference points and direction
- G. Items labeled appropriately (parties, streets, signs, etc.)

In addition the sketch should meet the following standards:

- A. Legible
- B. Proportional
- C. Text written parallel to the bottom of the page

The sketching exercise should include either verbally or in writing a determination of the student's understanding of the following terminology:

- A. Sketch: a sketch reflects an officer's opinion as to how the collision occurred
- B. Factual diagram: a factual diagram contains factual details only. It represents the scene as found upon the officer's arrival.

9.14.9 Given audio-visual presentations, transparency pictures, handouts or other representations of physical evidence commonly associated with traffic collisions, the student will identify the types of physical evidence present.

The exercise should include either verbally or in writing a determination of the student's understanding of tire mark terminology which may include the ability to correctly measure the marks.

Physical evidence types:

- A. Debris (which may include glass, vehicle parts, fluids, etc.)
- B. Vehicle or property damage
- B. Gouge marks
- C. Photographs
- D. Tire marks (which may include):
  - 1. **Locked wheel skid:** A mark left by a non-rotating wheel moving in a straight or curved line in the original direction of travel
  - 2. **Impending skid:** A mark left by a braked wheel rotating slower than the forward motion of the vehicle in a straight or curved line
  - 3. **Skip skid:** A mark that occurs when a locked wheel bounces. The spaces are usually two to three feet off the roadway.
  - 4. **Gap skid:** A mark left by a locked wheel that is released and locked again. The gaps are usually ten feet or more
  - 5. **Side skids:** Marks left by locked or rotating wheel of a vehicle sliding in other than a forward direction, except when known to be caused by centrifugal force
  - 6. **Acceleration mark:** A mark created by a propelling force or thrust generated in an amount exceeding the pavement efficiency
  - 7. **Critical speed scuff:** A mark left by a rotating wheel of a vehicle rounding a curve or turning at such a speed that centrifugal force entirely or partially overcomes frictional resistance.

**Substantive Changes:**

- 9.14.1 Given a simulated traffic collision, the student will demonstrate the ability to investigate a traffic collision and complete the appropriate reports document the collision.

The documentation should minimally include:

- A. Location and measurements of physical evidence
- B. Description of injuries (if any)
- C. Identification of the involved parties and vehicles

- D. Time and location of collision events
- E. Chronology of the collision events
- F. Elements unique to hit and run collisions, if applicable
- G. Primary and associated collision factors
- H. Point of impact/area of impact (P.O.I/A.O.I)
- I. Point of rest
- J. Preparation of a factual diagram
- K. Collection of any necessary photographs

The reporting standard should also include either verbally or in writing a determination of the student's understanding of the following terminology:

- A. Accident or collision: An unintended event which causes damage, death or injury
- B. Classification of injuries: A general category of injury such as: Fatal injury, severe injury, other visible injuries, complaint of pain
- C. Deliberate intent: An intentional act which directly or indirectly, involves a motor vehicle in transport which purposely causes damage to property or injury to any person
- E. Legal intervention: Injury or damage caused by enforcement intervention. (Usually apprehension or attempt to apprehend)
- F. Other parties: A person other than the operator of the motor vehicle (includes driverless vehicle, a vehicle being towed by other than a rigid tow bar or tow truck, animal drawn conveyances, injured equestrians, injured parties in a train, airplane or cable car; or in highway construction equipment not in transport, injured parties in or upon a structure
- G. Witness(es): A person other than an involved party or a passenger, who can provide information relevant to the collision
- H. Passenger(s): A person inside or upon a vehicle, excluding the driver. Includes a person behind the wheel of a parked motor vehicle who may be able to provide information relative to the collision

### First Aid and CPR

#### Content Deletions:

- 8.45.1 The student will complete a course in first aid and cardiopulmonary resuscitation as prescribed by the Emergency Medical Services Authority (Penal Code Section 13518) and the Commission on Peace Officer Standards and Training.

**Content Additions:**

- 8.45.03 Given a paper-and-pencil exercise, the student will list the following precautions that minimize the dangers associated with infectious diseases. At a minimum these will include:
- A. Use barrier protection (latex gloves and pocket masks)
  - B. Treat all body fluids as if contaminated
  - C. Wash hands and disinfect equipment after providing treatment
- 8.45.04 Given a word picture depicting a medical emergency, the student will select an appropriate course of action based on the following considerations:
- A. Providing for officer and public safety
  - B. Taking enforcement action
  - C. Requesting additional assistance (e.g., emergency medical services (EMS), fire services (HazMat), utility services)
  - D. Assessing the injured victim's medical condition by performing a primary and secondary survey (i.e., airway, breathing, and circulation)
  - E. Setting priorities for treating multiple victims
- 8.45.05 Given a word picture depicting a medical emergency in which the injured victim may have to be moved, the student will identify if moving the victim is appropriate based upon the following principles:
- A. Never move an injured victim unless there is a life threatening situation
  - B. If an injured victim must be moved and time permits, immobilize any injured parts (especially the spine) before moving
- 8.45.06 Given a direct question, the student will identify the following procedures for moving an injured victim that minimize the likelihood of further injury:
- A. Protect the victim from the forces of movement
  - B. Stabilize fractures as much as possible
  - C. Keep the victim's body in a straight line during movement
  - D. Keep victim laying down
  - E. Drag the victim from under the arms, supporting the head
  - F. Keep the victim's head and shoulders close to the ground
  - G. Move the victim only as far as necessary

8.45.07 Given a word picture depicting a medical emergency involving an open wound (excluding the specific wounds covered under PO 8.45.9), the student will identify the appropriate first aid treatment according to the following principles for treating open wounds.

- A. Control the bleeding through the use of the following techniques:
  - 1. Direct pressure
  - 2. Elevation
  - 3. Pressure bandage
  - 4. Pressure points
- B. Expose the wound site
- C. Prevent contamination
- D. Treat for shock

8.45.08 Given a word picture depicting an officer providing first aid treatment, the student will identify if the treatment was appropriate based upon the following criteria:

- A. Maintain the victim's body temperature
- B. Position the victim correctly
  - 1. Positioning is normally in the prone position with the legs elevated unless one of the following contraindications exists:
    - (a) Suspected spinal injury or head injuries -- immobilize and leave in position found;
    - (b) Difficulty breathing -- place in position of comfort or semi-sitting position;
    - (c) Fractures of the lower extremities -- do not elevate legs; or
    - (d) Stroke -- if conscious, elevate head and shoulders.
- C. Reassure the victim
- D. Treat injuries as required

8.45.09 Given a word picture depicting a medical emergency involving one of the "specific" injuries listed below, the student will identify the appropriate first aid treatment.

- A. Eye (traumatic, thermal, chemical)
- B. Head and face
- C. Chest and abdomen
- D. Impaled objects

8.45.10 Given a word picture depicting a medical emergency involving an injury to bone, muscle, or joint, the student will identify the appropriate first aid



treatment as described below.

- A. Expose injured area
- B. Control bleeding by applying a pressure bandage
- C. Immobilize the injury

8.45.11 Given a word picture depicting a medical emergency in which a person is displaying symptoms similar to alcohol or drug intoxication or alcohol withdrawal syndrome, the student will identify whether there is a medical emergency and if there is an emergency, identify that the victim is suffering from a head injury or diabetic emergency

8.45.12 Given a word picture depicting a medical emergency in which a person is displaying either symptoms of a head injury or diabetic emergency, the student will identify the appropriate first aid treatment based on the following considerations:

General considerations:

- A. Check and monitor ABC's
- B. Provide reassurance
- C. Check for medical alert identification

Special considerations

- A. Head injuries -- Consider spinal precautions/immobilization
- B. Diabetic emergency -- provide sugar, if conscious

8.45.13 Given a word picture depicting a medical emergency involving a person who may be having a seizure, the student will identify the appropriate first aid treatment.

A. During seizure:

- 1. Do not restrain but attempt to protect the head from injury
- 2. Remove surrounding hazards

B. After seizure:

- 1. Attempt to maintain an open airway
- 2. Place victim on side or turn head to side
- 3. Examine for injuries
- 4. Reassure, keep area quiet, and monitor vital signs

8.45.14 Given a word picture depicting a medical emergency involving a person who may be having a stroke, the student will identify the appropriate first aid treatment based on the following criteria:

- A. Attempt to maintain an open airway
  - B. Request medical assistance
  - C. Reassure victim
  - D. Treat for shock
  - E. Elevate head and shoulders if conscious
  - F. Lay on paralyzed side if unconscious or semi-conscious
  - G. Monitor ABC's
- 8.45.15 Given a word picture depicting a medical emergency involving the sudden unconsciousness of a person, the student will identify the appropriate first aid treatment as described below.
- A. Monitor ABC's
  - B. Treat for shock
- 8.45.16 Given a word picture depicting a medical emergency in which the signs of cardiac or respiratory emergency are present, the student will identify the appropriate first aid treatment based on the following criteria:
- A. Place in position of comfort
  - B. Monitor ABC's
  - C. Allow person to take medications
  - D. Keep victim calm and still
- 8.45.17 Given a direct question or incomplete statement relating to the treatment of a cardiac or respiratory emergency, the student will identify the appropriate first aid treatment based on the basic life support standards and guidelines prescribed in the latest version of the "Standards and Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiac Care (ECC)" as published in The Journal of the American Medical Association.
- 8.45.18 Given a word picture depicting one of the "environmental emergencies" listed below, the student will identify the appropriate first aid treatment.
- A. Burns (chemical, thermal, electrical)
  - B. Heat emergencies (cramps, exhaustion, stroke)
  - C. Cold emergencies (Hypothermia/Frostbite)
  - D. Poisoning (Ingested, inhaled, absorbed and injected)
  - E. Stings/Bites (Anaphylactic shock)
- 8.45.19 Given a word picture depicting a normal labor or child birth, the student will identify an appropriate course of action in the following situations:

- A. First-stage labor
- B. Second- or third-stage labor
- C. Post-delivery care

8.45.20 Given a word picture depicting a childbirth emergency, the student will identify an appropriate course of action in the following situations:

- A. Breech birth
- B. Limb presentation
- C. Prolapsed cord
- D. Multiple births
- E. Baby does not breath
- F. Premature baby
- G. Stillborn
- H. Excessive bleeding
- I. Amniotic sac over baby's head

8.45.21 Given a word picture depicting a woman in labor, the student will determine whether to assist with the birth or arrange for immediate transportation based upon the following considerations:

- A. Woman's child bearing history
- B. If contractions are occurring less than two minutes apart
- C. If woman feels the urge to bear down as if experiencing a bowel movement
- D. If crowning is present
- E. If water has broken(i.e., the amniotic sac has broken releasing the amniotic fluid)

8.45.22 Given a word picture depicting the treatment provided by an officer to a sick or injured person, the student will identify whether the treatment was consistent with the following legal principles:

- A. Special responsibility and obligation
- B. Standard of care
- C. Actual or implied consent
- D. Abandonment of care

8.45.23 Given an exercise, the student will bandage a simulated injury in accordance with the following principles:

- A. Use the cleanest material that is available
- B. Expose the injury site
- C. Cover the entire injury site
- D. Bandage snugly but without impairing circulation
- E. Leave victim's fingers and toes exposed
- F. Immobilize injury site as necessary

8.45.24 Given an exercise, the student will conduct a primary survey and a secondary survey.

- A. Primary survey
  - 1. Check for responsiveness
  - 2. Check airway
  - 3. Check for breathing
  - 4. Take carotid pulse
  - 5. Look for serious bleeding
- B. Secondary survey
  - 1. Gather information (i.e., complaints and special medical problems)
  - 2. Perform head-to-toe check for injuries
  - 3. Check pulse, respiration, skin color, and temperature

8.45.25 Given an exercise, the student will demonstrate the following first aid techniques for controlling bleeding:

- A. Direct pressure
- B. Elevation
- C. Pressure bandage
- D. Pressure points

8.45.26 Given an exercise, the student will demonstrate the use of the following basic life support (BLS) techniques:

- 1. Clearing an obstructed airway on conscious and unconscious victims
  - a. Adult or child
  - b. Infant
  - c. Obese or pregnant
- 2. Rescue breathing
  - a. Adult
  - b. Child
  - c. Infant
- 3. Cardiopulmonary resuscitation
  - a. Adult
  - b. Child
  - c. Infant

Treatment must be provided in accordance with the basic life support standards and guidelines prescribed in the latest version of the "Standards and Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiac Care (ECC)," in The Journal of the American Medical Association

8.45.27 Given a paper-and-pencil exercise, the student will define the emergency medical services (EMS) systems as

"the system of resources that guide a person from the onset of illness or injury through care in a medical facility."

- 8.45.28 Given a paper-and-pencil exercise, the student will answer the following questions relating to shock and its treatment:
- A. Under what circumstances should a sick or injured person be treated for shock?
  - B. What are the possible consequences of failing to treat for shock?
  - C. Are there circumstances under which the consequences of shock may be more dangerous than the injury that caused it?

**Person Searches/Baton/Etc.**

**Content Deletions:**

- 8.14.2 Given a direct question, the student will identify the following principles of the search of an individual which maximize the effectiveness of the search and the safety of the officer(s):
- A. Constant alertness
  - B. Maintaining a position of control and "advantage"
  - C. Thoroughness of search
  - D. Safeguarding of weapons (officer's/suspect's)
  - E. Search from the rear
  - F. Search with one hand, control with the other
  - G. Keep gun out of reach of suspect(s)
  - H. Search systematically by use of proper hand technique
  - I. If weapon found, notify back-up officer immediately and maintain control of suspect and weapon
- 8.14.3 Given a direct question, the student will identify the following places where dangerous weapons or contraband may be concealed on a suspect's person.
- A. Hair
  - B. Waistband
  - C. Pockets
  - D. Groin area
  - E. Small of back
  - F. Ankles
  - G. Pocket books, purses, and wallets
  - H. Underarm area
  - I. Jewelry
  - J. Clothing (e.g., shirt cuffs and pant cuffs)

K. Under hats

- 8.14.4 Given a direct question, the student will identify the following responsibilities as being those of a "covering officer" when backing up another officer conducting a search of an individual(s):
- A. Protect searching officer from outside interference
  - B. Psychological intimidation of the person(s) being searched
  - C. Physical assistance of searching officer, if necessary
  - D. Continuous observation of suspect(s)
- 8.19.2 Given a direct question, the student will identify the purposes and limitations of handcuffs.
- A. Handcuffs are a safety device for both the officer and the prisoner
  - B. Handcuffs are used for temporary restraint to prevent attack, escape and the concealment or destruction of evidence or contraband
  - C. Handcuffs are used to prevent self-inflicted injury
  - D. Handcuffs **do not** immobilize a suspect
- 8.20.1 Given a direct question, the student will identify elements of safe transportation of prisoners.
- This will minimally include:
- A. The search of the area in which the prisoner is/was seated before and after transportation
  - B. Positioning of officer(s) and prisoner(s) within the vehicle
  - C. Close observation of the prisoner(s)
  - D. Use of seat belts
- 12.6.1 Given a direct question, the student will identify the basic principles of weaponless defense.
- A. Balance
  - B. Awareness
  - C. Self-control
- 12.6.3 Given a direct question, the student will identify the following body parts which can be used as weapons.
- A. Head - by butting
  - B. Hands - fists and fingers
  - C. Arms - elbows, forearms

- D. Feet
- E. Legs - knees

12.8.2 Given a direct question, the student will identify the following body points which constitute police baton "target" areas.

- A. Hands, wrists, elbows
- B. Knees, shins
- C. Chest, midsection

12.8.3 Given a direct question, the student will identify the following body points which are susceptible to lethal baton blows.

- A. Head
- B. Neck
- C. Throat
- D. Spine
- E. Kidneys

12.7.2 Given an exercise simulating an armed suspect, the student will demonstrate foot movements which will allow him/her to enter/avoid suspect's position.

12.7.6 Given a no-alternative situation simulating a suspect within close proximity with a shotgun and/or rifle, the student will demonstrate methods of disarming the suspect.

12.9.2 The student will demonstrate the acceptable baton techniques to be used in subduing an aggressive suspect, using proper foot work and coordination, without losing body balance.

12.9.3 The student will demonstrate those baton techniques used to escape a suspect's aggressive grab of the officer and/or baton.

**Substantive Changes:**

8.18.1 Given an exercise, the student will safely and effectively serve as "cover officer" while another officer conducts searches of single and multiple suspects. The covering officer's primary responsibilities are:

- A. Protecting the searching officer from outside interference
- B. Psychological intimidation of the suspect(s) being searched
- C. Physical assistance of the searching officer if it

- becomes necessary
- D. Observation of suspect(s)
- E. Awareness of cover and concealment

8.18.2 Given an ~~exercise~~ simulation, the student will safely and effectively conduct the following types of searches, as instructed, of a both male and female suspect(s) :

- A. Visual search
- B. Pat-down/frisk/cursory search
- C. Arrest High risk or arrest searches
  - 1. standing
  - 2. kneeling
  - 3. prone
- D. High risk

~~All items of contraband or weapons which can reasonably be located within legal constraints will be located, and the student will maintain maximum personal safety and suspect's security.~~

The elements of an effective search/pat-down are:

- A. Constant alertness
- B. Proper Balance
- C. Self-control
- D. Maintaining a position of control and "advantage"
- E. Thoroughness
- F. Safeguarding of weapons (officer's/suspect's)
- G. Search from the rear
- H. Search with one hand, control with the other
- I. Keep gun out of reach of suspect(s)
- J. Search systematically by use of proper hand technique
- K. If weapon found, notify back-up officer immediately and maintain control of suspect and weapon

The student should also verbally and/or in writing identify the places where dangerous weapons or contraband may be concealed on a suspect's person. These places will minimally include:

- A. Hair
- B. Waistband
- C. Pockets
- D. Groin area
- E. Small of back
- F. Ankles
- G. Pocket books, purses, and wallets



- H. Underarm area
- I. Jewelry
- J. Clothing e.g., shirt cuffs and pant cuffs
- K. Under hats

8.19.3

In a simulated situation, the student will demonstrate safely and effectively handcuff single and multiple suspects safe and effective handcuffing.

This will minimally include the:

- A. Handcuffing and safe removal of handcuffs from of a single suspect
- B. Handcuffing of two suspects with a single pair of cuffs and safe removal of handcuffs from multiple suspects
- C. ~~Handcuffing of three or more suspects together with two or more pairs of cuffs~~
- C. Exchange of handcuffs
- D. ~~Maintaining constant control of the suspect~~
- E. ~~Maintaining constant control of the handcuffs~~
- F. ~~Demonstrating double lock option~~
- G. ~~Maintaining reasonable degree of tightness of restraint devices~~
- H. ~~Control positioning of suspect's hands~~
- I. ~~Maintaining continuous observation of the suspect~~

During the handcuffing simulation the student will:

- A. Maintain proper balance, constant alertness, correct position, and self control
- B. Maintain control and observation of the suspect
- C. Maintain control of the handcuffs during the cuffing procedure
- D. Demonstrate double lock option
- E. Maintain correct placement and reasonable degree of tightness of handcuffs
- F. Control positioning of suspect's hands

During the simulation the student should also verbally and/or in writing identify the purposes and limitations of using handcuffs.

- A. Handcuffs are a safety device for both the officer and the prisoner
- B. Handcuffs are used for temporary restraint to prevent attack, escape and the concealment or destruction of evidence or contraband
- C. Handcuffs are used to prevent self-inflicted injury
- D. Handcuffs do not immobilize a suspect

8.20.3 In a simulated situation(s), the student will safely and securely position simulated the following types of prisoners for transportation. This will minimally include single and multiple prisoners while working alone or with a partner.:

- A. Adult males and females
- B. Injured or sick persons
- C. Juveniles
- D. Violent/combative/hostile prisoners

The exercise will minimally involve:

- A. Single or multiple prisoners while working alone and working with a partner
- B. Searching the area where the prisoner(s) is/was seated before and after transportation
- C. Positioning of officer(s) and prisoner(s) within the vehicle
- D. Close observation of the prisoner(s)
- E. Safe application and removal of seat belts

12.6.4 The student will properly demonstrate the mechanics of the a control hold(s) instructed.

The demonstration should incorporate:

- A. Balance, awareness and self-control
- B. Maintaining a position of control and "advantage"
- C. Safeguarding officer's weapon
- D. Proper foot movements

12.6.5 The student will demonstrate the mechanics of a recognized "take-down" technique (s) instructed.

The demonstration should incorporate:

- A. Balance, awareness and self-control
- B. Maintaining a position of control and "advantage"
- C. Safeguarding officer's weapon
- D. Proper foot movements

12.6.6 The student will demonstrate the mechanics of a carotid restraint as instructed, and will explain either verbally or in writing how the technique works, hazards of its use, and the first aid techniques that are might be necessary if the technique is applied when the technique is used.

The demonstration should incorporate:

- A. Balance, awareness and self-control

- B. Maintaining a position of control and "advantage"
- C. Safeguarding officer's weapon
- D. Proper foot movements

The hazards in using the carotid restraint are:

- A. If the oxygenated blood flow to the brain cells is restricted for more than one minute, irreversible brain tissue damage may occur. Therefore, the hold should be discontinued as soon as the officer gains control of the subject.
- B. Areas at the front of the throat, such as the larynx (voice box), trachea (windpipe), could collapse with improper application.
- C. The hyoid bone located at the base of the tongue, and the tip of the thyroid cartilage which is located on either side of the throat, under excessive pressure, will fracture and cause swelling-resulting in possible suffocation.
- D. Both the carotid sinus and the vagus nerves affect the heart muscle. Stimulation (depression) of these nerves could produce irregular respiratory and cardiac activity. The effects of drugs, alcohol and/or medical disorders will enhance this reaction.
- E. Improper application of the carotid restraint may fracture the neck, resulting in death or permanent paralysis.
- F. If possible, the carotid restraint should not be applied while the person is standing. If the person should lose consciousness while standing, the possibility of injury or death could occur because the person would be in a vulnerable position.
- G. The carotid restraint should generally not be applied repeatedly. To do so greatly increases the chance of serious injury to the suspect.
- H. During loss of consciousness, subjects may lose control of their bladder and/or bowels as their body muscles contract and spasms occur.

First aid techniques that might be necessary when the technique is used.

- A. As soon as the subject discontinues resistance and is restrained, the subject should be checked for vital signs (pulse and breathing). The following first aid should be administered:
  - 1. Establish an airway
  - 2. Check for breathing
  - 3. Check for brachial pulse

4. Obtain a coherent response from subject
5. Be prepared to administer CPR
6. Summon emergency services when needed

12.7.5 Given ~~an exercise simulating an armed~~ no-alternative situation simulating a suspect who is armed within close proximity with a firearm handgun, the student will demonstrate ~~front and rear gun~~ the following take-ways techniques as instructed.

- A. Front handgun
- B. Rear handgun
- C. Front long gun
- D. Rear long gun

The demonstration should incorporate:

- A. Balance, awareness and self-control
- B. Maintaining a position of control and "advantage"
- C. Safeguarding officer's weapon

12.7.7 Given an exercise, the student will demonstrate a ~~recognized method of~~ weapon retention from both holstered and in hand situations as instructed.

This demonstration will include:

- A. Retention of an holstered firearm
- B. Retention of an unholstered firearm

The demonstration should incorporate:

- A. Balance, awareness and self-control
- B. Maintaining a position of control and "advantage"
- C. Safeguarding officer's weapon
- D. Proper foot movements

12.9.1 The student will demonstrate the proper use of the baton as instructed.

The demonstration will include:

- A. Stance and balance
- B. Drawing and holding technique(s)
- C. Striking technique(s)
- D. Blocking technique(s)
- E. Retention technique(s)

The demonstration should incorporate:

- A. Balance, awareness and self-control
- B. Maintaining a position of control and "advantage"

C. Safeguarding officer's weapon

During the simulation the student should also, verbally or in writing, identify the limitations of using the baton.

The limitations are:

- A. "Target areas" are generally limited to arms, legs and torso
- B. Strikes to the head, neck, throat, groin, spine and kidneys could potentially cause serious injury.

**Firearms/Chemical Agents**

**Content Deletions:**

- 7.19.5 Given a direct question, the student will identify appropriate first aid treatment for chemical agents exposure.
  - A. Eyes
  - B. Skin
  - C. Clothing
- 7.19.6 Given a direct question, the student will identify the best means for self-protection to be utilized when handling and/or deploying chemical agents.
- 7.13.2 Given a daylight range exercise established by the school, agency, or advisory committee, the student will load, empty, and reload the service handgun utilizing the authorized agency ammunition and loading device worn by the officer during regular duty assignment.
- 7.13.3 Given a daylight range exercise established by the school, agency, or advisory committee, the student will fire on a previously fired course, using factory service ammunition in place of target ammunition, with a minimal loss of proficiency.
- 7.14.2 Given a nighttime range exercise established by the school, agency, or advisory committee, the student will load, empty, and reload the service handgun using the authorized agency ammunition and loading device worn by the officer during regular duty assignment.
- 7.15.3 Given a daylight combat range exercise, the student will fire service ammunition with a minimal loss of proficiency.

- 7.16.2 Given a nighttime combat range exercise established by the school, agency, or advisory committee, the student will load, empty, and reload the service handgun utilizing the authorized agency ammunition and loading device worn by the officer during regular duty assignment.
- 7.16.3 Given a nighttime combat range exercise, the student will fire service ammunition with a minimal loss of proficiency.

**Substantive Changes:**

- 7.6.1 Given a drawing, overhead, visual, model, or an actual firearm the function of one of the following parts of a semi-automatic or revolver type handgun, the student will either verbally or in writing, identify the principle parts and characteristics of both a revolver and a semi-automatic handgun.+

Parts and characteristics of a revolver will minimally include:

- A. Hammer/firing pin
- B. Trigger
- C. Barrel
- D. Cylinder/cylinder release/direction of cylinder rotation
- E. Ejector/extractor
- F. Front and rear sights
- G. Trigger guard
- H. Grip/stock
- I. Frame

Parts and characteristics of a semi-automatic will minimally include:

- A. Hammer/firing pin
- B. Trigger
- C. Barrel
- D. Slide
- E. Ejector
- F. Extractor
- G. Trigger guard
- H. Grip/stock
- I. Frame
- J. Magazine and component parts
  - 1. Body
  - 2. Follower
  - 3. Butt plate
  - 4. Spring
- K. Magazine port/magazine release

L. Safety mechanism

M. Slide lock

~~A. Semi automatic~~

- ~~1. The **hammer** is the portion of the firing mechanism that drives the firing pin forward into contact with the primer~~
- ~~2. The **safety** is a device that locks or blocks the trigger or hammer so that a firearm cannot be discharged~~
- ~~3. The **trigger** is the mechanism that is actuated by the finger and that releases the hammer or firing pin~~
- ~~4. The **barrel** is the hollow metal tube through which the bullet travels~~
- ~~5. The **slide** is the action bar used to insert a round into the chamber~~
- ~~6. The **magazine** holds the ammunition~~
- ~~7. The **extractor** is the mechanism which extracts a shell from the chamber~~

~~B. Revolver type handgun~~

- ~~1. The **hammer** is the portion of the action or firing mechanism that drives the firing pin forward into contact with the primer~~
- ~~2. The **trigger** is the mechanism that is actuated by the finger and that releases the hammer or firing pin~~
- ~~3. The **barrel** is the hollow metal tube through which the bullet travels~~
- ~~4. The **cylinder** is the metal cylinder which typically holds six to eight rounds and rotates to position an unexpended round in line with barrel~~
- ~~5. The **extractor** is the mechanical device used to take out expended rounds from the cylinder~~

7.8.1

Given a drawing, overhead, visual, model, or an actual shotgun, the function or location of one of the following parts of a shotgun, the student will either verbally or in writing identify the principle parts and characteristics of the weapon.†

Parts and characteristics will minimally include:

- A. Trigger
- B. Trigger guard
- C. Barrel
- D. Loading port
- E. Magazine tube
- F. Ejection port
- G. Receiver
- H. Grip/stock

- I. Safety
- J. Action release
- K. Front and rear sights
- L. Muzzle
- M. Fore end

- ~~A. The **trigger guard** encircles the trigger and makes it nearly impossible to pull the trigger without intentionally inserting a finger through the guard. Its purpose is to minimize the chance that the weapon will be accidentally discharged~~
- ~~B. The **front sight** is located at the end of the barrel and is used for aiming~~
- ~~C. The **barrel** is the tube through which the projectile travels when the weapon is fired~~
- ~~D. The **stock** is the wooden or plastic part of the shotgun which is held against the shoulder and which supports the breech and barrel~~
- ~~E. The **trigger** is the mechanism that is actuated by the finger and that releases the hammer or firing pin~~
- ~~F. The **safety** is a device that locks or blocks the trigger or hammer so that a firearm cannot be discharged~~
- ~~G. The **loading/ejection port** is the slot where cartridges can be loaded into the chamber~~
- ~~H. The **magazine** is where the unspent cartridges are held~~
- ~~I. The **muzzle** is the end of the barrel opposite the breech~~
- ~~J. The **butt plate** is attached to the stock and rests against shooter's shoulder~~

7.5.1

Given a standard service handgun authorized by the academy, The student will demonstrate safe handling of the handguns, while: This will minimally be done under the following conditions/situations:

- ~~A. Loading and unloading **revolvers and/or semi-automatic weapons**~~
- ~~B. Holstering and drawing handgun using agency authorized equipment~~
- B. Cleaning
- C. Clearing malfunctions
- D. Drawing and replacing the weapon in the holster

7.5.2

Given a standard shotgun, The student will demonstrate the safe handling of a shotguns, while: This will minimally be done under the following conditions/situations:



- A. Conducting initial inspection
- B. Loading and unloading (including combat loading)
- ~~A. Loading and unloading manual and/or auto-loading shotguns~~
- ~~B. Weapons inspection~~
- ~~C. While operating storage mechanisms for weapons in vehicles~~
- DC. Clearing malfunctions
  
- A. Loading and unloading ~~revolvers and/or semi-automatic weapons~~
- ~~B. Holstering and drawing handgun using agency-authorized equipment~~
- B. Cleaning
- C. Clearing malfunctions
- D. Drawing and replacing the weapon in the holster

7.7.1 The student will demonstrate the proper care ~~and~~, cleaning and storage of the service handgun.

7.10.2 The student will minimally demonstrate the following shooting positions as instructed with and without cover.

- A. Crouch Standing
- ~~B. Point shoulder~~
- ~~C. Barricade (strong and weak hand)~~
- DB. Prone
- EC. Kneeling
- ~~F. Hip~~

7.11.1 The student will demonstrate the principles of good marksmanship using a standard law enforcement shotgun as instructed.

The demonstration will minimally include:

- A. Stance
- B. Breath control
- C. ~~Point/aiming~~ Aiming
- D. Trigger control
- E. Follow-through
- F. Proper position on shoulder

7.11.2 The student will demonstrate commonly recognized shooting positions using a standard law enforcement shotgun with and without cover as instructed.

These positions will minimally include:

- A. Standing
- B. Kneeling

C. ~~Barricade, strong side and weak side~~

- 7.13.1 Given a daylight range exercise with a time limitation and an acceptable score established by the academy school, agency, or advisory committee, the student using factory service ammunition or its equivalent will fire a minimum of sixty (60) rounds on a handgun course consisting of single and/or multiple silhouette targets. Thirty rounds shall be fired at ranges of one to seven yards using the service handgun ~~and no sight shooting~~. The remaining rounds must be fired from a distance of Thirty rounds shall be fired from five to fifteen yards (or to twenty five yards if that distance can be accommodated on the range) using the service handgun and sight shooting.

During the course of fire the student will load, unload and reload the handgun using the loading device authorized by the academy.

- 7.14.1 Given a nighttime/low light range exercise ~~under low lighting or darkened conditions~~, with a time limitation and an acceptable score established by the academy school, agency, or advisory committee, the student will fire a minimum of sixty (60) rounds of factory service ammunition or its equivalent on a handgun course consisting of single and/or multiple silhouette targets. Thirty rounds shall be fired at ranges of one to seven yards using the service handgun ~~and no sight shooting~~. Thirty rounds shall be fired from five to fifteen yards using the service handgun and sight shooting:

During the course of fire the student will load, unload and reload the handgun using the loading device authorized by the academy.

- 7.15.1 Given a daylight combat range exercise with a time limitation and an acceptable score established by the academy school, agency, or advisory committee, the student will, using the service handgun, load, fire and reload the service handgun using factory service ammunition or its equivalent and the loading device authorized by the academy and fire a minimum of thirty (30) rounds on a handgun course consisting of:

- A. Multiple and/or single silhouette combat targets
- B. "Strong" and "weak" hand barricade positions from position of cover
- C. ~~Point shoulder shooting~~

- 7.15.2 Given a daylight combat range exercise established by

the ~~academy school, agency, or advisory committee~~, the student will load, fire, and reload the service handgun using factory service ammunition or its equivalent and the loading device authorized by the academy utilizing the authorized agency ammunition and loading device worn by the officer during regular duty assignment. The student will while experiencing physical activity often associated with an officer-involved shooting prior to and/or during the course of fire.

7.16.1 Given a nighttime/low light combat range exercise with a time limitation and acceptable score established by the ~~academy school, agency, or advisory committee~~, the student will load, fire and reload using the service handgun using factory service ammunition or its equivalent and the loading device authorized by the academy and fire a minimum of thirty (30) rounds on a handgun course consisting of:

- A. Multiple and/or single silhouette combat targets
- B. Position of cover "Strong" and "weak" hand barricade positions
- C. ~~Point shoulder shooting~~

7.17.1 Given a daylight shotgun combat range exercise with distances, ~~with a~~ and time limitations, and an acceptable score established by the ~~academy school, agency, or advisory committee~~, the student will fire at least six (6) rounds at single and/or multiple combat silhouette targets using combat positions, and combat loading techniques, ~~and a shotgun.~~

7.18.1 Given a nighttime/low light shotgun combat range exercise with distances, ~~and~~ time limitations, and an acceptable score established by the ~~academy school, agency, or advisory committee~~, the student will fire at least six (6) rounds at single and/or multiple combat silhouette targets using combat positions ~~and a~~ shotgun.

7.20.3 Given an exercise, ~~the~~ student will experience the effects of a chemical agent.

The exercise shall include either verbally, in writing or by individual demonstration:

- A. First aid treatment from chemical agent exposure
- B. Decontamination techniques for chemical agent exposure
- C. The best means of self-protection to be utilized when handling and/or deploying chemical agents

## Crimes Against the Justice System

### Content Deletions:

- 3.23.5 Given a word picture depicting a possible rout, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 406)

### Substantive Changes:

- 3.23.3 Given a word picture depicting possible participation in a rout, riot or incitement to riot, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 404, ~~and~~ 404.6 and 406)
- 3.23.4 Given a word picture depicting a possible rescue or lynching, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 405a, ~~and~~ 405b, and 4550.)

## Weapons Violations

### Content Additions:

- 4.24.10 Given a word picture depicting a possible bringing, brandishing or possessing firearms or other weapons on school grounds, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 626.9, 626.95 and 626.10)
- 3.24.11 Given a word picture depicting a possible possession of a concealed firearm, the student will identify if the possession is a lawful exception to Penal Code Section 12025. The major exceptions are:
- A. Possession at residence, place of business, or private property owned or possessed by a legal resident over the age of 18 (Penal Code Section 12026)
  - B. Transportation in locked container or trunk of a motor vehicle (Penal Code Section 12026.1)
  - C. Transportation between specified destinations (Penal Code Section 12026.2)

D. Peace officer exemptions (Penal Code Section 12027)

E. Persons possessing a valid concealed weapon license (Penal Code Section 12050)

3.24.12 Given a word picture depicting a possible possession of a deadly weapon with intent to assault, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 467)

3.24.13 Given a word picture depicting the possible unsafe storage of a firearm or a firearm which is accessible to children, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12035)

**Substantive Changes:**

3.24.4 Given a word picture depicting a possible possession of ~~any weapon enumerated in Penal Code Section 12020~~ manufacture, sale, possession, or import of the following dangerous weapons, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections ~~12020 and 626.10~~)

Weapons include:

- A. Any firearm which is not immediately recognizable as a firearm e.g. pen gun, belt buckle gun
- B. Ballistic knife
- C. Multiburst trigger activator
- D. Nunchaku
- E. Short-barreled shotgun/rifle
- F. Metal knuckles
- G. Belt buckle knife
- H. Zip gun
- I. Shuriken (throwing stars)
- J. Billyclubs and saps
- K. Dirk or dagger

3.24.5 Given a word picture depicting a possible possession of a concealable firearm by a felon, a narcotic addict, a person who has been convicted within the past ten years of certain specified misdemeanors, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 12021 and 12021.5)

- 3.24.6 Given a word picture depicting a possible carrying of a concealed weapon, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section ~~467, 626.9, 12025, 12026, 12026.1, 12026.2, and 12027~~)
- 3.24.8 Given a word picture depicting the possible altering of identifying marks ~~the serial numbers~~ on a firearm, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12090)

This language is predicated upon approval by the Office of Administrative Law of the proposed changes to Regulation 1005 initially published in the Notice Register on February 14, 1992.

Commission on Peace Officer Standards and Training

PROPOSED LANGUAGE

1005. Minimum Standards for Training

(continued)

(Effective incorporation by reference statements remain unchanged, with the exception of the following:)

The document, Performance Objectives for the POST Basic Course (1993) adopted effective \* , and January 1993 Supplement incorporated effective April 1993 Supplement incorporated effective \* , are herein incorporated by reference.

\*This date to be filled in by OAL

NOTE: Authority cited: Sections 13503, 13506, and 13510 Penal Code.

Reference: Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13520 and 13523, Penal Code.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

**BASIC TRAINING**

**Purpose**

**1-1. Specifications of Basic Training:** This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorneys Investigators Basic Course, Marshals Basic Course, and Specialized Basic Investigators Course.

**Training Content and Methodology**

**1-2. Requirements for Basic Training Content and Methodology:** The minimum content standards for basic training are broadly stated in paragraphs 1-3 to 1-6. Within each functional area, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. More detailed specifications are contained in the document "Performance Objectives for the POST Basic Course - 1989".

Successful course completion requires attendance of an entire course at a single academy except where POST has approved a contractual agreement between academies for the use of facilities. The Law Enforcement Code of Ethics shall be administered to peace officer trainees during the basic course. Instructional methodology is at the discretion of individual course presenters. Requirements and exceptions for specific basic courses are as follows:

- a. For the Regular Basic Course specified in paragraph 1-3, requirements for successful course completion are specified here and in the document "Performance Objectives for the POST Basic Course." For academy classes starting prior to October 1, 1992, successful course completion shall be determined using either the "success criteria" method or the "knowledge domain" method, as described below. For academy classes starting on or after October 1, 1992, successful course completion shall be determined using the "knowledge domain" method.

**(1) SUCCESS CRITERIA METHOD**

Using the "success criteria" method, successful course completion is based upon students meeting the established success criteria specified for all objectives in the document "Performance Objectives for the POST Basic Course." Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

Student success criteria have been established, using a comprehensive field survey, whereby percentiles of 70%, 80%, 90% or 100% were identified for each performance objective. Each student must complete 70% of the performance objectives in the 70 percentile, 80% of those in the 80 percentile, etc. (Note: 100% Performance Objectives are "Must Pass.")

**(2) KNOWLEDGE DOMAIN METHOD**

Using the "knowledge domain" method, successful course completion is based on passing knowledge domain tests and demonstrating proficiency on psychomotor performance objectives. The Basic Course contains two types of performance objectives: (a) objectives which require the students to demonstrate knowledge, and (b) objectives which require the students to demonstrate psychomotor skills. These performance objectives are described in the document "Performance Objectives for the POST Basic Course."

**Requirements for Successfully Completing the Basic Course.** To successfully complete the Basic Course, a student must (a) obtain a score on each POST-constructed knowledge domain test which is equal to or greater than the cut score established by POST, and (b) demonstrate, in an exercise or scenario, the



required psychomotor skills associated with each psychomotor performance objective at a level consistent with adequate performance in the field, as judged by the academy. If a student fails a knowledge domain or psychomotor skills test when first tested, the student will be given only one opportunity (except as noted below) to retake the test.

**Retaking a Knowledge Domain Test.**

Students who fail a knowledge domain test on the first attempt shall be provided with an opportunity to: (a) review their test results in a manner which does not compromise test security; (b) have a reasonable time, established by each academy, to prepare for a retest; and (c) be provided with an opportunity to be retested on the knowledge domain with a POST-constructed, parallel form of the same test. If a student fails the second test, the student shall be dismissed from the academy class in which he or she is currently enrolled unless the student missed instruction relevant to the test in question due to an academy-approved absence, in which case the student may be permitted to retest a second time.

**Retaking a Test on a Psychomotor Objective.** Students who fail to clearly demonstrate proficiency on a psychomotor objective when first tested (as determined by the academy) shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the objective on the second test, the student shall be dismissed from the academy class in which he or she is currently enrolled unless the student missed instruction relevant to the test due to an academy-approved absence, or the student performed marginally (as determined by the academy), in which case the student may be permitted to retake the test a second time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency on the objective.

**Academy Requirements.** POST has established minimum training requirements for the Basic Course. However, POST recognizes that academies must respond to the needs of the local law enforcement agencies which they serve and that this may justify additional training requirements or higher performance standards than those mandated by

POST. Regardless of the method used to determine successful completion of the Regular Basic Course (i.e., the "success criteria" or "knowledge domain" method), the POST-developed physical conditioning program must be followed within Functional Area 12.0. Students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition for successful course completion. The use of alternatives to the POST-developed physical abilities test is subject to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative tests are equivalent to the POST-developed test with respect to validity and reliability. Evidence concerning the comparability of scores on the POST-developed test and the proposed alternative test is also required.

- b. For basic courses listed in paragraphs 1-4 and 1-5, the performance objectives of the Regular Basic Course are not required but are illustrative only of the content for the broad functional areas and learning goals specified for each of these basic courses. Successful course completion shall be determined by each course presenter.
- c. For the Specialized Basic Investigators Course specified in paragraph 1-6, performance objectives must be taught and tested as specified in the document "Performance Objectives for the POST Specialized Basic Investigators Course, 1991". Successful course completion is based upon students meeting the established success criteria specified for all objectives in this document. Tracking performance objectives to document student achievement is mandatory; however, the tracking system to be used is optional.

**1-3. Regular Basic Course Content and Minimum Hours:** The Performance Objectives listed in the POST document "Performance Objectives for the POST Basic Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. The Regular

Basic Course contains the following Functional Areas and minimum hours.

Functional Areas:

1.0 Professional Orientation	11 hours
2.0 Police Community Relations	16 hours
3.0 Law	52 hours
4.0 Laws of Evidence	20 hours
5.0 Communications	32 hours
6.0 Vehicle Operations	24 hours
7.0 Force and Weaponry	54 hours
8.0 Patrol Procedures	125 hours
9.0 Traffic	30 hours
10.0 Criminal Investigation	50 hours
11.0 Custody	4 hours
12.0 Physical Fitness and Defense Techniques	87 hours
Practical Exercise/Scenario Testing	24 hours
Written Examinations:	31 hours

Total Minimum Required Hours  
560 hours

**1-4. District Attorney Investigators Basic Course Content and Minimum Hours:** The District Attorney Investigators Basic Course contains the following Functional Areas and minimum hours. District attorney basic training may be met by satisfactory completion of the training requirements of the Regular Basic Course, plus the satisfactory completion of a certified Investigation and Trial Preparation Course.

Functional Areas:

1.0 Professional Orientation	11 hours
2.0 Police Community Relations	16 hours
3.0 Law	52 hours
4.0 Laws of Evidence	20 hours
5.0 Communications	32 hours
6.0 Vehicle Operations	8 hours
7.0 Force and Weaponry	54 hours
8.0 Custody	4 hours
9.0 Physical Fitness and Defense Techniques	42 hours
*10.0 Field Techniques	79 hours
*11.0 Criminal Investigation and Trial Preparation	50 hours
*12.0 Specialized Investigation Techniques	30 hours
*13.0 Civil Process	20 hours

Practical Exercise/Scenario

Testing  
hours

Written Examinations 20 hours

Total Minimum Required Hours 462 hours

\*Functional Areas that form the basis of the POST-certified 80-hour Investigation and Trial Preparation Course.

**1-5. Marshal's Basic Course Content and Minimum Hours:** The Marshal's Basic Course contains the following Functional Areas and minimum hours. Marshals basic training may be met by satisfactory completion of the training requirements of the Basic Course, plus the satisfactory completion of a certified Bailiff and Civil Process Course or the Bailiff and Court Security Course and Civil Process Course.

Functional Areas:

1.0 Professional Orientation	11 hours
2.0 Police Community Relations	16 hours
3.0 Law	37 hours
4.0 Laws of Evidence	20 hours
5.0 Communications	32 hours
6.0 Vehicle Operations	8 hours
7.0 Force and Weaponry	54 hours
8.0 Criminal Investigation	24 hours
9.0 Physical Fitness and Defense Techniques	42 hours
*10.0 Field Techniques	79 hours
*11.0 Custody	19 hours
*12.0 Civil Process	60 hours
*13.0 Bailiff	40 hours

Practical Exercise/Scenarios 24 hours

Written Examinations 20 hours

Total Minimum Required Hours 486 hours

\*Functional Areas that form the basis for the POST-Certified Bailiff and Civil Process Course or the 40-hour Bailiff and Court Security Course and the 40-hour Civil Process Course.

**1-6. Specialized Basic Investigators Course Content and Minimum Hours:** The Performance Objectives listed in the POST Document "Performance Objectives for the POST Specialized Basic Investigators Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. This course includes the

curriculum of the 40-hour P.C. 832 Laws of Arrest and Firearms Course. Specialized Investigators Basic Training may be met by satisfactory completion of the training requirements of the Regular Basic Course.

Functional Areas:

1.0 Professional Orientation	12 hours
2.0 Police Community Relations	16 hours
3.0 Law	42 hours
4.0 Laws of Evidence	18 hours
5.0 Communications	15 hours
*6.0 Deleted	0 hours
7.0 Force and Weaponry	48 hours
8.0 Field Procedures	40 hours
*9.0 (Deleted)	0 hours
10.0 Criminal Investigation	42 hours
*11.0 Custody	1 hours
12.0 Physical Fitness and Defense Techniques	40 hours
13.0 Specialized Investigative Techniques	36 hours
Practical Exercise/Scenario Testing	19 hours
Written Examinations	11 hours
<b>Total Minimum Required Hours</b>	<b>340 hours</b>

\*Since the majority of the Specialized Basic Course is taken directly from the Regular Basic Course, it is important that the two numbering systems correspond.

For that reason Functional Areas 6.0 and 9.0 (Vehicle Operations and Traffic, respectively) are shown deleted. Conversely, a new functional area, 13.0 Specialized Investigative Techniques, has been developed for the Specialized Basic Investigators Course.

**1-7. Basic Complaint/Dispatcher Course:** The Basic Complaint/Dispatcher Course contains the following Functional Areas and minimum hours. This course provides instruction regarding entry-level skills and knowledge to personnel whose duties include receiving emergency calls for service and dispatching law enforcement personnel. With prior POST approval, flexibility shall be granted to adjust hours between functional areas.

Functional Areas:

1.0 Professional Orientation	4 hours
2.0 Administration of Justice	4 hours
3.0 Legal Aspects	16 hours
4.0 Telephone Procedures	10 hours
5.0 Radio Procedures	10 hours
6.0 Dispatch Practicals (Role-play exercise)	12 hours
7.0 Stress Management	6 hours
8.0 Telecommunications	6 hours
9.0 Basic Emergency Medical Services Dispatching	4 hours
10.0 Unusual Incidents	6 hours
Examinations	2 hours
<b>Total Minimum Required Hours</b>	<b>80 hours</b>

Historical Note:

Subparagraph 1-1 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990.

Subparagraph 1-2 adopted and incorporated by reference into Commission Regulation 1005 effective September 26, 1990.

Subparagraph 1-3 adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982, and amended on January 24, 1985 and September 26, 1990.

Subparagraph 1-4 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985 and September 26, 1990.

Subparagraph 1-5 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985, January 15, 1987 and September 26, 1990.

Subparagraph 1-6 adopted and incorporated by reference into Commission Regulation 1005 on October 20, 1983, and amended on September 26, 1990.

Subparagraph 1-7 adopted and incorporated by reference into Commission Regulation 1018 on December 29, 1988.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Authority to Contract for a Special Consultant Dedicated to the Development of a Basic Course Student Workbook Program		Meeting Date April 15, 1993
Bureau Basic Training Bureau	Reviewed By Robert Fuller	Researched By Lou Madeira
Executive Director Approval <i>Monahan C. Boehm</i>	Date of Approval 3-31-93	Date of Report
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize a contract for services of a special consultant to coordinate the development of a Basic Course Student Workbook Program.

BACKGROUND

During 1992, a Basic Course Study was initiated to identify strategies for improving the overall effectiveness of basic training. Among the specific issues contained in the report was a recommendation to convert certain Basic Course Unit Guides to student workbooks. The development of student workbooks was viewed as a means to: (1) reduce the amount of classroom time devoted to certain necessary Basic Course subjects; and (2) resolve current problems associated with student testing which might be best measured by analysis of critical thinking, as opposed to response to a multiple choice question. The recommendation to develop student workbooks was unanimously supported by a variety of groups, including certified presenters of the Basic course.

ANALYSIS

During preliminary assessment of the proposal to support student workbooks, several approaches were identified as having merit. These included:

1. The transfer of some curricula from the Basic Course to pre-course reading assignments. Instruction related to the history of law enforcement or to individual components of the criminal justice system are common examples. In these cases, development of the workbook would replace the need for an instructor's Unit Guide by virtue of the subject's removal from the Basic Course.
2. Development of workbooks to **complement** certain subjects could reduce the amount of classroom time necessary to

achieve student competency. A student workbook devoted to clear writing principles, for example, could potentially reduce the amount of time required to teach effective report writing. In this case, the workbook would not replace a Unit Guide, but would permit extraneous subject matter to be removed from the companion document.

3. Workbooks incorporating narrative student responses to situational problems could better assess critical thinking and student problem-solving abilities, as well as serving as a measure of general writing skills. The current practice of Domain Testing by multiple choice responses within these areas tends to measure understanding of specific problem-solving steps, as opposed to the ability to apply these concepts to a job-related situation. Examples could include certain domestic violence interventions, ethical dilemmas, cultural interactions, and general considerations associated with citizen contacts.

Although the development of student workbooks has universal appeal to academy presenters, law enforcement executives, Basic Course instructors, and other clients of basic training, appropriate and timely research must be conducted to address the following concerns:

- The need to identify the specific subject areas most compatible for replacement or enhancement by student workbooks.
- The need to assess the exact type of workbook needed to accomplish a particular instructional objective (e.g., organized content, programmed instruction, controlled notes, instructor evaluated or non-evaluated text, etc.).
- The need to acquire information necessary to compose a Request for Proposal (RFP) directed to identifying a workbook producer.
- The need to coordinate the efforts of contributing subject matter professionals and to identify available resources required for production, initial evaluation and final distribution of the workbooks.
- The need to develop a plan addressing, both short and long term costs, and resources necessary to support the initial program as well as the requisite document updates.
- The need to develop an evaluation system which will validate the effectiveness of the workbooks in the overall basic training process.

In order to accommodate the amount of staff work necessary to coordinate this project, it will require additional resources

beyond what is available from incumbent staff. A special consultant will probably be found on the staff of a Basic Course presenter. Additionally, the inherent complexity of student workbook development suggests the need to obtain outside expertise skilled in this particular educational area.

RECOMMENDATION

Authorize the Executive Director to contract with a governmental agency for a special consultant to develop the Basic Course Student Workbook Program, with a length of the fellowship not to exceed six (6) months and the cost not to exceed \$50,000.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083

**FINANCE COMMITTEE MEETING**  
April 14, 1993 - 3:00 p.m.  
Pan Pacific Hotel-Opal Room  
400 West Broadway  
San Diego, CA 92101  
(619) 239-4500

**AGENDA****A. CALL TO ORDER****B. Review of Quarterly Financial Report**

The third quarter 1992/93 Financial Report, along with expenditure and revenue projections, will be provided at the meeting.

Quarterly financial reports are provided to show the fiscal status of the Commission's reimbursement program. The report summarizes revenue receipts, training volumes, and reimbursement expenditures during the fiscal year. Data contained in the reports are reviewed by the Finance Committee to assess resources available in considering program modifications.

**C. Review of the Current Year's Salary Reimbursement Rate**

The Finance Committee periodically reviews salary reimbursement rates in context of available budgeted monies and training volumes. These data will be available by the time the Finance Committee meets and a staff report is planned.

**D. Report on IVD/Satellite Antennas Reimbursement Activities to Date**

The Committee will receive a report on the most recent data on actual reimbursements under the Commission IVD/satellite reimbursement program. Information on inquiries and estimates for future claims should also be available at the meeting.

**E. Feasibility of Converting Tuition Reimbursable Courses to Contract Courses**

Law enforcement agencies are experiencing difficulties in budgeting sufficient funds to support needed training. One way that POST might assist would be to pay tuition directly through contracts with presenters. If this were done, POST would directly pay for presentation costs, obviating the

need for departments to pay and seek reimbursement for tuition. However, POST's administrative costs would be expected to increase substantially.

The enclosed informational report is provided for the Committee's review and discussion from the perspective of the Finance Committee.

F. Status Report on Reimbursement Shift

At the January Commission meeting, the Finance Committee provided a report concerning the feasibility of shifting away from salary reimbursement to reimbursing participating agencies for course development and presentation costs. The Commission voted unanimously to authorize this change effective July 1, 1993. Staff was instructed to continue dialogue with agencies and organizations throughout the state and to keep the Commission updated concerning any issues related to implementation of the new system.

On January 28, 1993, POST Bulletin 93-2 was sent to all California law enforcement agencies. It outlined the rationale for reconfiguring the reimbursement system and the proposed modifications. During the past several weeks, staff has also met with the California Police Chiefs' Association as well as Chiefs and Sheriffs groups in Fresno, Redding, San Diego and San Mateo and Alameda counties. Departments are aware of financial pressures and continue to express appreciation for the Commission's willingness to try and preserve money while improving training.

Work continues on efforts to refine the reimbursement model and complete changes in internal POST operations required to implement the new system by July 1. These efforts include streamlining reimbursement reporting requirements, revising POST policies/procedures, reprogramming POST's automated reimbursement system, developing a system for selecting training development projects to be funded, and establishing a program for on-going monitoring and evaluation of the new reimbursement scheme.

A more detailed report on staff's progress on the work identified above will be provided at the meeting.

G. Committee Review of Training, Standards, and Administrative Contracts for Fiscal Year 1993/94 for Recommendation to the Commission

The Finance Committee met on January 15, 1993 and recommended that the Commission authorize the Executive Director to negotiate a number of contracts. The Commission accepted the Finance Committee recommendations. The



contracts have been negotiated and are now before the Finance Committee for review at this meeting. Among the Committee's purposes is formulation of recommendations to the Commission on these contracts for FY 1993/94. An overview of each of the contracts is under this tab.

H. Committee Review of Other Contracts and Contract-Related Items Which Will Be Before the Commission at its April 15 Meeting

On the Commission's agenda are three additional items requesting authority for contract expenditure. These are

1. A Contract to Develop an Interactive Videodisc Training Program on Alcohol and Drug Recognition and Investigation

At its January meeting, the Commission authorized an RFP developing IVD courseware for Alcohol and Drug Recognition and Investigation. POST has received six proposals which will be evaluated as to quality and cost. This process includes interviews with the companies of the top four proposals. These interviews will be held on April 13, the day before the Committee meeting. If all goes according to plan, a recommendation on award of contract will be brought to the Finance Committee for its review and recommendation to the Commission on April 15.

2. Request for Proposals for Expanding the POSTRAC Testing System into a Comprehensive Training Management System

The POSTRAC testing system currently provides basic academies with the following capabilities: (1) download and print a professionally developed test in any of 40 content areas in less than ten minutes; (2) machine score tests; (3) keep detailed records of student performance on over 400 instructional objectives; and (4) produce a variety of reports that serve both instructional and administrative purposes.

This proposal has four major facets: (1) adding user-recommended features to the POSTRAC testing system; (2) developing a suite of programs that will perform other training management functions; (3) adding options to the programs that will allow users to configure them for use in courses other than the basic course; and (4) updating the system hardware and software to current industry standards.

The training management system will cost \$230,000 and take 18 months to develop. However, the cost per

academy per year over the useful life of the system will be less than \$1,000 (i.e., \$230,000 ÷ 35 academies ÷ 7 years of useful services).

A more detailed report is enclosed under the regular Commission agenda.

4. Authority to Contract for a Special Consultant Dedicated to the Development of a Basic Course Student Workbook Program

The recently completed Basic Course Study concluded with several recommendations designed to increase training effectiveness in the basic course. The conversion of existing Basic Course Unit Guides to various workbook formats for use by academy students was identified as a priority recommendation.

The need exists to contract with a special consultant who can assist in the original design of the workbook program. Tasks that must be accomplished include identifying the subject areas that are compatible with workbook support, determining the type of workbook needed for each subject area, acquiring the information required to develop a Request for Proposal for workbook production and identifying short and long-term maintenance needs. In addition, an evaluation procedure must be developed to measure the long-term effectiveness of the workbook program.

A more detailed report is enclosed under the regular Commission agenda. Proposed maximum expenditure is \$50,000.

As is customary, contract proposals are presented to the Finance Committee for review and recommendation to the full Commission.

I. ADJOURNMENT

Item D

REIMBURSEMENT FOR SATELLITE AND IVD SYSTEMS INITIATED

On January 21, 1993 the Commission adopted new and amended regulations to reimburse eligible agencies for the purchase of satellite Antenna systems and interactive videodisc delivery systems. Emergency enactment of the regulations was approved by the State Office of Administrative Law (OAL). POST Bulletin 93-5, outlining procedures for reimbursement, was distributed to all POST-participating agencies.

The response has been very positive. Numerous telephone calls have been received regarding the equipment and the reimbursement process. Agencies are contacting vendors and obtaining bids for the various equipment options offered. A detailed specification package for satellite installations, prepared by the State Office of Telecommunications, is being provided upon request. Invoices for reimbursement of the 51 satellite dishes and 28 IVD equipment components have been processed thus far to date, amounting to approximately \$260,000.

Agencies have been urged to purchase equipment prior to June 30, the end of the current fiscal year while sufficient funds are available. Agencies requesting multiple purchases are also being processed although receipt to date has been slow.

Projection of expenditures for the year is extremely difficult and will be dependent upon the ability of agencies to complete purchases, their desire to participate, and the need for additional equipment to satisfy qualified multifield training sites. These factors not only impact current year expenditures, but will also determine what total reimbursement cost will be and what might be required in the next fiscal year.

## Memorandum

To: Finance Committee

Date: April 1, 1993

From: NORMAN C. BOEHM  
Executive Director  
Commission on Peace Officer Standards and Training

Subject: FEASIBILITY OF CONVERTING TUITION REIMBURSABLE COURSES TO  
CONTRACT COURSES

Because of the diminishing revenue to local governments, participating agencies are experiencing difficulty with inadequate training budgets. When a needed training course includes a tuition, departments may not have budgeted funds available to pay tuition. If the money is available, in most cases POST reimbursement for the tuition expense is returned to city or county general fund, rather than to the department's training fund. For this reason, a request has been made recently that POST consider some means of paying tuition expenses "up front." It was also suggested that direct payment to presenters by POST would promote efficiency. Currently, the presenter must bill and receive payments from departments using a certified course. The user must then apply and receive reimbursement from POST.

POST currently, through the use of contracts, pays directly for presentation costs associated with Management Courses, the Executive Development Course, executive seminars, the Command College, the Supervisory Leadership Institute, and courses presented through the Department of Justice's Advance Training Center. Total annual contracts costs for these courses is approximately \$2.7 million.

TOTAL  
ANNUAL  
CONTRACT  
COSTS  
2.7  
million

There are currently 197 tuition reimbursable courses certified to 77 presenters. Total annual reimbursement for tuition courses is approximately 3.4 million.

If all tuition courses were converted to contracts, the Commission's administrative costs would increase substantially. This would be especially so if contracts were extended to private vendors where competitive bid processes would be required. Twenty-one (21) of the afore-mentioned seventy-seven (77) presenters are private vendors.

Significant conversion of courses to contract presentations would noticeably increase the extent of oversight exercised by the State Department of General Services.

General Services approval

Relative to POST's overall budget, a shift to more contracts would reduce the amount shown in the training reimbursement item. The POST administrative budget, where contracts are contained, would correspondingly increase.

*Increase in Administrative Budget*

From the view of presenters of certified courses, a mixed view may exist. Some will favor the idea as a means of helping keep students in their classes. Others may suggest that where POST absorbs the "up front" costs of training, the incentive for agencies to deliver their students is reduced. Hence, efficiencies gained through contracts could be offset by the inefficiency of "no show" students.

*NO show "concern"*

The Commission may wish to initiate a limited shift to contract courses, while continuing to evaluate the overall need. For example, basic academy programs with driver training are presenting mandated driver training with tuition. There are twenty-four (24) such basic courses presenters, with an average tuition cost of \$292.00 associated with driver training. Given 2,000 eligible students, annual cost to the POST (shift of funds from training reimbursement to contracts) would amount to \$584,000.

*Commission may wish to initiate shift of only limited # of courses*

In addition certain high priority courses with relatively high tuitions might be converted to contract. An example could be the eighty (80) hour Narcotics Investigator Course. Two presenters have developed this course at Commission request. They now have difficulty filling classes because of user agencies lack of funds to pay the tuition. The same course is presented through contract by DOJ with a waiting list of names.

*Perhaps other high priority courses*

If a limited approach were used, the most critical needs could be addressed and increases in POST administrative costs minimized.

In the future, it may be feasible through computer programming, to reimburse tuition costs directly to the presenting agency. This would be legally feasible, however, only for reimbursable law enforcement agencies who are also certified presenters.

This report is before the Finance Committee for discussion and recommendations.



Total cost of the contracts for fiscal year 1992/93 was \$327,448 for 22 presentations. This 5.9 percent decrease in contract costs for 1993/94 is due to two less presentations. The costs are for instructors, site, travel, and materials. A minimum of 400 law enforcement middle managers will attend the 20 presentations during fiscal year 1993/94.

RECOMMENDATION

Authorize the Executive Director to enter into contract agreements with the five contractors to present 20 presentations of the Management Course during fiscal year 1993/94 not to exceed total contract costs of \$308,268.

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Command College, Executive Training, and Executive Development Course Contract FY 1993/94</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Center for Leadership Development</b>	Reviewed By <i>Doug Thomas</i>	Researched By <b>Beverley Short</b>
Executive Director Approval <i>Norman C. Beckm</i>	Date of Approval <b>3-23-93</b>	Date of Report <b>March 15, 1993</b>
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Command College and Executive Training Contract in the amount of \$425,865 for fiscal year 1993/94 is presented to the Commission for review and approval. Inclusion of the Executive Development Course in the amount of \$116,435 brings the total maximum cost to \$542,300.

BACKGROUND

Fifteen classes have now graduated from the Command College. Four classes are continually in session. Class 20 will begin May 23, 1993. A total of 18 workshops are scheduled for presentation during the 1993/94 fiscal year.

The contract will provide the necessary support to present the 18 Command College workshops which include site, materials, facilitators, continuous development and faculty costs. In addition, funds will be used for Independent Study Project Committee meetings, academic consultants, and project grading; grading of intersession (homework) assignments; training of academic consultants; continuous redesign of workshops and keeping instruction current with case studies, writing special study briefs, etc.; selection and orientation of new instructors; and completion of semi-annual assessment centers for the selection of students.

The contract also includes funds for the development and presentation of training seminars for sheriffs, chiefs of police, and senior managers; and includes development and presentation of five 80-hour Executive Development Courses.

ANALYSIS

The two-year Command College continues to receive widespread support from law enforcement. Its national and international recognition continues also as evidenced by the establishment of a Command College Independent Study Project library at the F.B.I. National Academy and over 5,000 requests world and nationwide for study projects since 1987.



Chiefs and sheriffs continually request management and executive training seminars on a variety of contemporary issues. Seminars continue to be presented in response to training needs for the Sheriffs' Workshop Series, New Police Chiefs' Orientation, Area Training Seminars, Problem-solving Seminars, Small Agency Chiefs, Contract City Commanders, and Large City Commanders.

The total Command College and executive training contract for 1993/94 is \$425,865, a 4.5 percent decrease from the 1992/93 contract of \$445,731. This is due in part to presenting 18 Command College workshops compared to 21 during the same time period last year. The difference is the result of scheduling and not a decrease in the number of workshops in the program.

The total contract cost for five presentations of the Executive Development Course for fiscal year 1993/94 under the San Diego contract is the same as the 92/93 fiscal year and covers costs for instructors, coordination, facilities, and materials as allowed by tuition guidelines.

The combined total contract maximum cost for the Command College, management and executive training seminars, and the Executive Development Course is \$542,300.

#### RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center to provide support for the Command College, management and executive training seminars, and Executive Development Course at a maximum cost of \$542,300 for fiscal year 1993/94.



RECOMMENDATION

Authorize the Executive Director to enter into a contract with the CSU, Long Beach Foundation to provide administrative services for the Supervisory Leadership Institute. These services include instructors, facility rental, coordination, instructor development, supplies and equipment at a maximum costs of \$406,357 for fiscal year 1993/94.

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title <b>Department of Justice Contract for Fiscal Year 1993/94</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Training Delivery &amp; Compliance Bureau</b>	Reviewed By <b>Ronald T. Allen</b>	Researched By <b>Bob Spurlock</b>
Executive Director Approval <i>William C. Boehm</i>	Date of Approval <b>3-29-93</b>	Date of Report <b>March 15, 1993</b>
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUES

Approval of an Interagency Agreement (IAA) between POST and the Department of Justice Advanced Training Center in the amount of \$930,858 to cover the cost of training delivery services for Fiscal Year 93/94.

BACKGROUND

POST has contracted with the Department of Justice to present certified courses since 1974. The amount of the agreement each year has been based upon actual presentation costs to DOJ for instruction, coordination, clerical support, supplies and travel. Courses included in the contract are based on training needs assessment information and agency feedback. Individual course budgets are developed in accordance with existing certification requirements.

ANALYSIS

The amount proposed this year, \$930,858, represents an increase of \$2,749. This amount reflects direct and indirect costs to train 3,350 students in 19 different technical courses (as detailed in attachments A and B).

The cost increase is due largely to increases in hotel meeting room costs, and an increase in DOJ indirect (overhead) costs from 11% to 15%. The increase to 15% is within the limits of the Commission's tuition guidelines.

Increases in individual course costs reflect changes in presentation locations initiated at POST's request, direct increases in the cost of student materials and rental costs for essential instructional support equipment. Changes to certification conditions are limited to minor adjustments to total numbers of students, total instructional hours, or to the aggregate number of course presentations authorized.

A summary of the proposed changes from last year are:

- o An increase in conference room rates as a result of offering courses in locations that draw more commuter students than resident students. Conference room rates where training occurs are often based on number of resident students.
- o Reduction in Electronic Surveillance Course from 24 hours to 16 hours.
- o Reduction in number of offerings of the Criminal Intelligence Course, Narcotic Train-the-Trainer Course, Advanced Financial Investigation Course, Crime Analysis Course, Basic Elements of Criminal Intelligence Course, Financial Investigation Course, and Officer Involved Shootings Course.
- o Increased number of offerings of Modular training from 20 to 40 to meet the demand in the remote areas of the State.
- o Increase in hourly instructional costs for five instructors by \$5.00 per hour.
- o Increase in indirect costs from 11% to 15%.

The proposed changes are described in Attachment A and projected presentation costs are detailed in Attachment B.

#### RECOMMENDATION

Authorize the Executive Director to enter into an interagency agreement with the Department of Justice to present the described training courses for an amount not to exceed \$930,858.

## ATTACHMENT A

DOJ CONTRACT FOR FISCAL YEAR 1993/94  
DESCRIPTION OF PROPOSED CHANGES

<u>COURSE TITLE</u>	<u>CURRENT STATUS</u>	<u>PROPOSED CHANGE</u>	<u>1992/93 CONTRACT</u>	<u>1993/94 PROPOSED</u>
Advanced Financial Investigation	32 hrs/2 classes 24 students/class 48 total trainees	Reduce to 1 class	\$13,224	\$ 7,447 <u>&lt;-\$ 5,777&gt;</u>
<u>Basic Elements of Criminal Intell.</u>	36 hrs/4 classes 30 students/class 120 total trainees	Reduce to 3 classes	\$30,052	\$26,169 <u>&lt;-\$ 3,883&gt;</u>
CAMP Supervision and Field Ops	53 hrs/1 class 24 students/class 24 total trainees		\$7,390	\$9,727 (+\$ 2,337)
Clandestine Lab Investigation	32 hrs/6 classes 30 students/class 150 total trainees		\$44,268	\$50,730 (+\$ 6,462)
<u>Commander (Vice/Narcotics/Intell)</u>	36 hrs/3 classes 20 students/class 60 total trainees		\$23,112	\$25,668 (+\$ 2,556)
<u>Crime Analysis, Expanded Applic.</u>	36 hrs/3 classes 20 students/class 60 total trainees	Reduce to 2 classes	\$26,469	\$19,334 <u>&lt;-\$ 7,135&gt;</u>
<u>Criminal Intelligence</u>	72 hrs/2 classes 24 students/class 48 total trainees	Reduce to 1 class	\$18,514	\$10,626 <u>&lt;-\$ 7,888&gt;</u>
<u>Dignitary Security</u>	36 hrs/5 classes 28 students/class 140 total trainees		\$49,855	\$54,525 (+\$ 5,335)

<u>COURSE TITLE</u>	<u>CURRENT STATUS</u>	<u>PROPOSED CHANGE</u>	<u>1992/93 CONTRACT</u>	<u>1993/94 PROPOSED</u>
Drug ID/Influence (11550)	32 hrs/6 classes 50 students/class 300 total trainees		\$54,078	\$62,520 (+\$ 8,442)
Economic Crime Investigation	36 hrs/3 classes 24 students/class 72 total trainees		\$23,349	\$25,428 (+\$ 2,079)
<u>Electronic Surveillance</u>	24 hrs/2 classes 24 students/class 48 total trainees	Reduce from 24 to 16 hours	\$10,642	\$9,968 <-\$ 674>
Financial Invest/ Asset Forfeiture	36 hrs/8 classes 30 students/class 240 total trainees	Reduce to 6 classes	\$90,120	\$68,874 <-\$21,246>
Informant Development	32 hrs/8 classes 24 students/class 192 total trainees		\$54,720	\$63,656 (+\$ 8,936)
<u>Investigation of Homicide</u>	36 hrs/4 classes 24 students/class 96 total trainees		\$35,100	\$37,096 (+\$ 1,996)
<u>Investigation of Officer-Involved Shootings</u>	32 hrs/10 classes 30 students/class 300 total trainees	Reduce to 9 classes	\$ 86,430	\$79,857 <-\$ 6,573>
<u>Modular Training (Various Topics)</u>	8 hrs/20 classes 30 students/class 600 total trainees	Increase to 40 classes	\$ 22,480	\$48,440 (+\$25,960)
Narcotics Investigation	80 hrs/12 classes 24 students/class 288 total trainees		\$228,900	\$252,324 (+\$23,424)
Narcotics Invest- Training for Trainers	60 hrs/4 classes 20 students/class 80 total trainees	Reduce to 2 classes	\$71,088	\$41,544 <-\$29,544>

<u>COURSE TITLE</u>	<u>CURRENT STATUS</u>	<u>PROPOSED CHANGE</u>	<u>1992/93 CONTRACT</u>	<u>1993/94 PROPOSED</u>
Specialized Surveillance Equipment	36 hrs/7 classes 16 students/class 112 total trainees		\$38,318	\$36,925
				<u>&lt;-\$ 1,398&gt;</u>

CURRENT CONTRACT AMOUNT 1992/93	\$928,109
PROPOSED CONTRACT FOR FISCAL YEAR 1993/94	\$930,858
<hr/>	
NET DIFFERENCE	(+\$2,749)



## ATTACHMENT B

## POST CONTRACT - FISCAL YEAR 1993/94

	NBR PRE	INSTRU	GENERAL	PRESEN	CLERIC	PRINTE	SUPPLI	EQUIP	COOR. TRAVEL	INST. TRAVEL	MISC	SUB- TOTAL	15% IND	PER PRES	TOTAL CCST
ADV. FINANCIAL INV.	1	1788	200	640	500	432	306	100	975	735	800	6476	971	7447	7447
BASIC ELEMENTS	3	2028	250	720	500	454	698	75	615	1245	1000	7585	1138	8723	26169
CAMP SUPERVISION	1	500	400	1060	1000	84	284	-	1830	-	3300	8458	1269	9727	9727
CLAN DRUG LAB.	6	1814	200	640	500	910	713	-	440	1335	800	7352	1103	8455	50730
COMMANDER	3	2018	250	720	500	160	185	100	618	1889	1000	7440	1116	8556	25668
CRIME ANA-EX.APP.	2	2790	250	720	500	240	25	133	898	1850	1000	8406	1261	9667	19334
CRIMINAL INTELLIG.	1	2720	400	1440	1000	200	510	-	50	1120	1800	9240	1386	10626	10626
DIGNITARY SECURITY	5	3600	250	720	500	140	259	400	770	1364	1480	9483	1422	10905	54525
DRUG IDENT. & DI	6	1814	200	640	500	840	1363	-	740	1864	1100	9061	1359	10420	62520
ECONOMIC CRIME INV.	3	2056	200	720	500	432	438	100	607	1317	1000	7370	1106	8476	25428
ELECTRONIC SURV.	2	736	150	320	400	192	438	25	407	1266	400	4334	650	4984	9968
FINAN. INVEST./DRUG	6	2104	250	720	500	2988	464	100	670	1186	1000	9982	1497	11479	68874
INFORMANT DEV. & MA.	8	1940	200	640	500	200	241	100	798	1500	800	6919	1038	7957	63656
INV. OF HOMICIDE	4	1807	250	720	500	1004	318	100	670	1695	1000	8064	1210	9274	37096
INV. OF OFFICER INV.	9	2110	250	640	500	1056	702	75	600	983	800	7716	1157	8873	79857
MODULAR TRAINING	40	440	50	-	120	70	248	-	-	125	-	1053	158	1211	48440
MARCOTIC INVEST.	12	9031	500	1600	1000	1001	306	-	462	3744	640	18284	2743	21027	252324
NARC. TRNG.-T-4-T	2	3581	375	1200	1000	7620	2770	-	20	1250	247	18063	2709	20772	41544
SPEC. SURV. EQUIP.	7	1306	250	720	500	475	580	-	26	730	-	4587	688	5275	36925

TOTAL

930858

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

**COMMISSION AGENDA ITEM REPORT**

Agenda Item Title Request for Contract Authority to Produce and Broadcast the 1993-94 Telecourses		Meeting Date April 15, 1993
Bureau Training Program Services	Reviewed By Otto Saitenberg	Researched By Ray Bray
Executive Director Approval <i>Hugh A. Behm</i>	Date of Approval 3-31-93	Date of Report March 12, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission authorize the Executive Director to enter into an interagency agreement with San Diego State University, or other public entities, for an amount not to exceed \$480,000, to produce and broadcast up to twelve (12) distance learning telecourse training programs during fiscal year 1993-94?

BACKGROUND

During fiscal year 1992-93, POST will have produced and presented a total of ten telecourses and two specialized training videos. The costs for producing these programs will not exceed the costs allocated for the current fiscal year of \$420,000. It is proposed to increase the funding level for the distance learning telecourse program for the 1993-94 Fiscal year. Average production costs will increase from approximately \$35,000 to \$40,000 per program. The increase is due to increased dramatization and recreations of actual law enforcement situations and less "talking head" and round table discussions. The use of more dramatization increases ease of viewing and is in direct response to student critiques. The increase in funding also covers duplication costs for videotape copies of programs. Requests from the field for copies have greatly increased since CPT credit for viewing has been accepted. As more departments install satellite receiver dishes and duplicate the programs, POST's costs for duplication will decrease.

The estimated cost to produce 12 complete telecourses during fiscal year 93/94 will total \$480,000.

ANALYSIS

The production and presentation of satellite telecourses has proven to be a valuable, effective training medium. The law enforcement community has enthusiastically accepted the medium, as evidenced by positive evaluations and many unsolicited calls requesting specific topics for future broadcasts. Subject matter for the planned telecourse programs is drawn from a variety of contemporary law enforcement issues and from topics requested by officers on their evaluations of recently viewed telecourses.

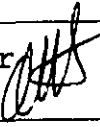

San Diego State University - KPBS Public Broadcasting has provided POST with excellent production capability. Their management, scriptwriters, producers, directors, and camera operators have adapted well and support POST's demand for high quality law enforcement programming.

RECOMMENDATION

Authorize the Executive Director to contract with San Diego State University or other public entities for production of twelve telecourses in an amount not to exceed \$480,000.

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

## COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Authority to Produce Case Law Update Satellite Programs		Meeting Date April 15, 1993
Bureau Training Program Services	Reviewed By Otto Saltenberger 	Researched By Bill Masters
Executive Director Approval 	Date of Approval 3-31-93	Date of Report March 2, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Request Commission review and final approval to enter into contracts with Alameda County District Attorney's Office and Golden West College for an amount not to exceed \$52,000 to produce 24 Case Law Update training programs each during Fiscal Year 1993-94.

BACKGROUND

The Commission approved \$52,000 for contracts with Alameda County District Attorney's Office and Golden West College for the production of 24 Case Law Update training programs each during 1992-93. Sixteen programs from each producer have been included in monthly POST videotape training broadcasts so far, with eight from each producer scheduled for use during the remainder of this fiscal year. The reaction to the new segments has been favorable, and the Commission is encouraged to continue this program.

ANALYSIS

Case Law Updates were added to POST satellite broadcasts to provide current information on recent court decisions to all California law enforcement agencies. The presenters include three assistant district attorneys and an Orange County Superior Court judge. The subject matter has been coordinated by POST staff to avoid duplication of production efforts. Cases chosen are recent and applicable to the needs of the law enforcement community. The addition of these updates has greatly increased the effectiveness of the videotape training broadcasts.

RECOMMENDATION

It is recommended that the Executive Director be authorized to sign new contracts with the Alameda County District Attorney's Office and Golden West College each in the amount of \$26,000, for a total of \$52,000, for the production of 24 Case Law Updates each during the 1993-94 fiscal year.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Request for Contract Authority to Broadcast Video Training Tapes		Meeting Date April 15, 1993
Bureau Training Program Services	Reviewed By Otto Saltenberger <i>[Signature]</i>	Researched By Bill Masters
Executive Director Approval <i>[Signature]</i>	Date of Approval 3.31.93	Date of Report March 2, 1993
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Request Commission review and final approval of an interagency agreement with San Diego State University for an amount not to exceed \$54,000 to assemble and broadcast twelve videotape training programs during Fiscal Year 1993-94.</p> <p><u>BACKGROUND</u></p> <p>The Commission approved a \$54,000 contract with San Diego State University for 12 satellite broadcasts of videotape training programs during 1992-93. Eight of the broadcasts have been completed with the remaining four scheduled for one each month through June 1993. The broadcasts are being recorded and used by law enforcement agencies for training of their personnel. Feedback from the field continues to be highly commendatory, and the Commission is encouraged to continue this program.</p> <p><u>ANALYSIS</u></p> <p>Broadcasting of training programs via satellite has proven to be an effective method of delivery. Each two-hour broadcast contains at least five agency-produced videotapes and four segments of Case Law Updates, two each produced by the Alameda County District Attorney's Office and Golden West College. Over 250 tapes have been presented via satellite since the series began in December of 1988. This method of distribution has greatly expanded the use of existing videotaped material and helped to improve the effectiveness of training programs overall.</p> <p><u>RECOMMENDATION</u></p> <p>It is recommended that the Executive Director be authorized to sign a new contract with San Diego State University in an amount of \$54,000 for the assembly and transmission of twelve training tape satellite broadcasts during the 1993-94 fiscal year.</p>		

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Administration of POST Proficiency Examination		Meeting Date April 15, 1993
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>[Signature]</i>
Executive Director Approval <i>[Signature: Norman C. Bolten]</i>	Date of Approval 3-23-93	Date of Report March 16, 1993
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Proficiency Examination.

BACKGROUND

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. POST has contracted with Cooperative Personnel Services (CPS) for the administration of the examination each of the last ten years.

ANALYSIS

CPS has done an acceptable job of administering the POST Proficiency Examination. Moreover, CPS can administer the examination for less than it would cost if POST staff were to assume this function.

The amount of the fiscal year 1992/93 contract is \$33,521. The proposed contract for fiscal year 1993/94 is for an amount not to exceed \$25,000, and is reflective of an anticipated further reduction in basic training volume.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with CPS for administration of the POST Proficiency Examination during fiscal year 1993/94 for an amount not to exceed \$25,000.



<b>COMMISSION AGENDA ITEM REPORT</b>		
Agenda Item Title <b>Contract for Administration of POST P.C. 832 Written Exam</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Standards &amp; Evaluation</b>	Reviewed By	Researched By <b>John Berner</b>
Executive Director Approval <i>Norman C. Bohm</i>	Date of Approval <b>3-23-93</b>	Date of Report <b>March 16, 1993</b>
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><b><u>ISSUE</u></b></p> <p>Continuation of POST contract with Cooperative Personnel Services (CPS) to administer the POST P.C. 832 written examination.</p> <p><b><u>BACKGROUND</u></b></p> <p>Penal Code Section 832(a) requires that persons must pass a POST-developed or POST-approved examination to successfully complete the P.C. 832 course. POST has contracted with CPS to administer the P.C. 832 written examination each of the last four years.</p> <p><b><u>ANALYSIS</u></b></p> <p>CPS has done an acceptable job of administering the examination. The amount of the 1992/93 fiscal year contract is \$78,472. The proposed contract for fiscal year 1993/94 is not expected to exceed this amount, and assumes that testing volume will remain unchanged from the current fiscal year. (If volume decreases, actual contract costs will also decrease.)</p> <p><b><u>RECOMMENDATION</u></b></p> <p>Authorize the Executive Director to enter into a contract with CPS for administration of the POST P.C. 832 written exam during fiscal year 1993/94 for an amount not to exceed \$78,472.</p>		





COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title		Meeting Date
Interagency Agreement for Data Processing		April 15, 1993
Bureau	Reviewed By	Researched By
Information Services	Glen Fine	Darrell Stewart <i>DS</i>
Executive Director Approval	Date of Approval	Date of Report
		March 31, 1993
Purpose:		Financial Impact:
<input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>ISSUE</u></p> <p>Authorize the Executive Director to negotiate an Interagency Agreement for data processing and computer services for FY 1993/94.</p> <p><u>BACKGROUND</u></p> <p>POST has had an Interagency Agreement with Teale Data Center for many years to permit POST to utilize the Center's mainframe computers. This has been needed to process POST's more complex data processing jobs and provide storage for large data files. Some large jobs in the past have required more resources than the POST minicomputer and PCs could provide. The current year contract with Teale is for \$89,000.</p> <p><u>ANALYSIS</u></p> <p>Over the past year, we have been moving computer files off the mainframe computers at Teale and either storing them on tape at POST or placing them on our PC's. This is in response to the high cost of storage at Teale and the difficulties in getting to the files through Teale's elaborate security password system.</p> <p>An analysis of current needs indicates that an interagency agreement in the amount of \$65,000 should be sufficient for all our data processing and computer service needs.</p> <p>Staff is also exploring the feasibility of using a State data center other than Teale for these services. If a substantial savings can be shown, it may become desirable to seek control agency approval for reassignment to another data center.</p> <p><u>RECOMMENDATION</u></p> <p>Authorize the Executive Director to sign an Interagency Agreement with the Teale Data Center or other state data center for data processing and computer services in Fiscal Year 1993/94 for an amount not to exceed \$65,000.</p>		

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title <b>Health and Welfare Date Center - CALSTARS Support FY 1993-94</b>		Meeting Date <b>April 15, 1993</b>
Bureau <b>Administrative Services Bureau</b>	Reviewed By <b>Frederick E. Williams</b>	Researched By <b>Staff</b>
Executive Director Approval <i>Morgan C. Becken</i>	Date of Approval <b>3.31.93</b>	Date of Report <b>March 31, 1993</b>
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><b><u>ISSUE</u></b></p> <p>Commission review and approval of an interagency agreement with the Health and Welfare Agency Data Center for computer linkage in support of the State Accounting System (CALSTARS).</p> <p><b><u>BACKGROUND</u></b></p> <p>The mandated California Accounting and Reporting System (CALSTARS), implemented in 1986, requires that POST enter into a yearly contract with the Health and Welfare Data Center to provide data processing services during the year. The Commission approved an agreement not to exceed \$25,000 for current Fiscal Year 1992-93.</p> <p><b><u>ANALYSIS</u></b></p> <p>Without the continuation of an agreement with the Health and Welfare Data Center, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements.</p> <p><b><u>RECOMMENDATION</u></b></p> <p>It is recommended that the Commission authorize the Executive Director to enter into an interagency agreement with the Health and Welfare Agency Data Center in an amount not to exceed \$25,000 for computer services during Fiscal Year 1993-94.</p>		

MEMORANDUM

To : POST Commissioners                      Date: April 14, 1993  
Ronald E. Lowenberg, Chairman  
Finance Committee

From : Commission on Peace Officer Standards and Training

Subject : MINUTES OF FINANCE COMMITTEE MEETING  
APRIL 14, 1993

The Committee met yesterday afternoon with myself and Commissioners Campbell, Montenegro, Ortega and Tidwell present.

In addition to matters already addressed on the agenda, the Committee discussed the following items:

1. Staff reported that the third quarter training volume and reimbursement expenditures continue at a rate less than initial fiscal year projections, but at rates slightly higher than revised projections provided in January 1993. It is now projected that the current year trainee volume will be 50,723 trainees, 9,332 less than Fiscal Year 91/92. Based on analysis of training volumes and current revenue, maintenance of the current 40% salary reimbursement rate appears appropriate.
2. Staff reported that work continues on efforts to refine the reimbursement model and complete changes in internal POST operations required to implement the new system by July 1. Work includes assessing a level of presentation reimbursement and methods to determine how to reimburse developmental costs.

Staff will report further to the Finance Committee concerning the system's implementation prior to July 1, 1993.

3. Staff reported on the current volume of requests for reimbursement for satellite antennas and IVD systems. Some requests for multiple antennas and IVD systems from smaller agencies do not clearly fall within Commission guidelines.

These questionable requests are being evaluated and may require some future Commission action.

To date, routine reimbursement requests for 51 satellite antennas and 28 IVD equipment components have been processed, amounting to \$260,000. An additional 42 satellites and 46 IVD systems have been approved for agencies eligible for multiple sites which amounts to \$328,592.

Agencies have been urged to purchase equipment prior to June 30, 1993, while sufficient funds are available.

4. The agenda lists all recurring contracts that are before the Commission for Fiscal Year 93/94 for approval.

*Motion  
to approve  
Roll call vote  
approved*

The Committee reviewed each of the proposed contracts and recommended approval.

5. Staff reported that law enforcement agencies are experiencing difficulties in budgeting sufficient funds to support needed training. One way that POST might assist would be to pay tuition directly through contracts with presenters. Through contract, POST would pay presenters directly for the cost of presentation, eliminating the need for departments to pay and seek reimbursement for tuition.

*Motion  
to approve  
approved*

The Committee recommended that staff implement a limited approach converting some high priority/high tuition courses, such as driver training, to contract. This limited approach should be evaluated to determine the beneficial effect on training and the impact of POST's administrative costs.

6. In July 1992, the Commission authorized the Executive Director to enter into a new contract for computer maintenance services in an amount not to exceed \$50,000. Such a contract has been implemented. Need arose, however, to pay licensing fees up to \$20,000 for the data base management software. Expenditure for this purpose was not specifically included in the Commission's prior grant of spending authority. Total expenditures will still not exceed the \$50,000 previously authorized.

*Roll call  
vote -  
approved*

The Committee recommended the Commission authorize the Executive Director to sign a contract with Systemhouse, Inc. for software licensing in an amount not to exceed \$20,000.

Meeting adjourned at 5:10 p.m.

## M E M O R A N D U M

To : POST Commissioners Date: April 1, 1993

From : Sherman Block, Chairman  
Long Range Planning Committee  
Commission on Peace Officer Standards and Training

Subject : REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met in my office in Los Angeles on March 12, 1993 at 1:00 p.m.. Present, in addition to myself, were Commissioners Hall-Esser, Lowenberg, Ortega, Parks, and Rutledge. Staff present were Executive Director Norman Boehm, Deputy Director Glen Fine, and Bureau Chief John Berner.

The Committee received reports and discussed the following issues.

A. Interactive Video (IVD) Proposals

A staff report described the need for a near-future contract to revise and update the existing P.C. 832 IVD courseware. A report was also made regarding a proposal to contract for new IVD courseware concerning hazardous materials training for first responders. The report generated discussion of the following:

- o Whether hazardous materials training is a high priority for the next IVD development project.

Staff will provide additional information at the next Long Range Planning Committee meeting concerning statewide training needs assessment, CSTI curriculum requirements for hazardous materials first-responder course, and background on state and federal requirements for hazardous materials training.

- o How priorities are set in selecting topics for IVD program development.

- o Criteria for judging the suitability of IVD as the medium for presenting selected training topics.
- o Need for a long-range approach to planning for marketing and funding the maintenance of IVD courseware.

Staff will provide additional information and proposals on these issues at the Committee's next meeting.

2. Assessing Need to Update Reserve Officer Training Requirements

A report was received concerning the continuing need to review the adequacy of current minimum requirements for reserve officer training. Staff will conduct a thorough review emphasizing Level I and Level II training and report back at the July 1993 meeting.

3. Certificate Cancellation Issue

Briefing was provided regarding a recent request for restoration of POST certificates for an individual whose conviction was changed from felony to misdemeanor. Reduction to misdemeanor occurred after certificates were canceled. Regulations do not provide for restoration of certificates. Following discussion, it appeared that the facts in this case do not provide a basis for need to change POST regulations.

4. Other Informational Issues

The Committee received an informational report on plans for a pilot community-oriented policing basic course presentation at Golden West College, and an update on issues concerning the Santa Clara County Department of Corrections.

Informational reports were also received on several other items that are before the Commission on this agenda.

ADJOURNMENT - 3:40 P.M.



# Memorandum

: POST Commissioners

Date : March 30, 1993

Ronald E. Lowenberg, Chair,  
Accreditation Advisory Committee

From : **Commission on Peace Officer Standards and Training**

Subject: STATUS REPORT ON ACCREDITATION

The Accreditation Advisory Committee met on March 10, 1993, in  
Huntington Beach.

Present: Ron Lowenberg, Commissioner  
Marcel Leduc, Commissioner  
Manuel Ortega, Commissioner  
Floyd Tidwell, Commissioner  
Don Forkus, Advisory Committee  
Skip Murphy, PORAC

Absent: Randy Adams, CPOA  
Jack Healy, CHP, Advisory Committee  
Dan Lungren, Commissioner  
Karel Swanson, CPCA  
Ed Williams, CSSA

Staff: Norm Boehm, Executive Director  
Mike DiMiceli, Bureau Chief

Visitor: Ted Mertens, Chair, Standards Development  
Committee

The work to create an accreditation program began in January 1992 when the Commission created the Standards Development Committee. As I reported in March 1992, the committee began work immediately to define the subject areas, content and format of the standards, and to write accreditation standards.

The committee has completed the first draft of approximately 225 standards that the Advisory Committee received for review.

Also during 1992, SB 1126 (Presley) was passed and became effective on January 1, 1993, adding Sections 13550-53 to the Penal Code. This new law requires the Commission to create a law

enforcement agency accreditation program and to make that program available to police and sheriffs' departments, and the Highway Patrol, by July 1, 1994.

The Advisory Committee met to review the work of the Standards Development Committee, and to develop an approach and recommendations for complying with the new law.

The consensus of the committee was that the draft accreditation standards represent a significant start of the overall program development. The members were complimentary of the work to draft the standards performed by the development committee.

The committee decided not to begin a detailed review, during this meeting, of the individual standards. The consensus was to allow the development committee additional time to refine the standards and prepare them for presentation to the various professional organizations and associations.

Executive Director Boehm asked the committee if the general interest in the accreditation program remains high and whether program development should continue. Don Forkus suggested that, even though one year has passed since the standards development work began, support for an accreditation program remains high within California law enforcement. He suggested, and the committee agreed, the support will continue to the extent the accreditation program is developed consistent with the "principles" originally articulated for the program.

The model accreditation program principles that guide program development, are attached.

The consensus was that program development, including presentation of the standards and response from organizations and associations, should be completed by July 1, 1994. Program implementation, including pilot testing, should start after July 1, 1994 while additional program resources are sought.

Recommendations of the committee to the POST Commission include:

1. Present the draft standards to a variety of professional organizations, associations and agencies and obtain feedback concerning the standards;
2. Continue program development, to be completed by July 1, 1994, as required by Sections 13550-53, PC.;
3. Augment POST staff with a Management Fellow to work on program development;
4. Pilot test the program in selected agencies after July 1, 1994; .

5. Continue to seek additional resources to support program implementation after July 1, 1994; and,
6. Use POST accreditation resources as a clearinghouse, or pointer, to local agency policies that will satisfy the accreditation standards, rather than create specific policies and policy language that may resemble a mandate on local agencies.

Attachment

## LAW ENFORCEMENT AGENCY ACCREDITATION PROGRAM

The California model accreditation program recommended by the Commission study committee in 1989, and affirmed in 1991, includes the following elements:

1. Participation in the program will be voluntary;
2. Participation in the program will be without direct cost to local agencies;
3. POST will provide management counseling services to participating agencies to assist in meeting the accreditation requirements;
4. POST will provide support and materials to assist agencies to complete the accreditation process; and,
5. A new funding source to support the accreditation program is necessary to avoid reducing the resources for training support that are available from the POTF.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
Legislative Review Committee Meeting  
Thursday, April 15, 1993, 8:30 A.M.  
Pan Pacific Hotel, 400 West Broadway  
Board Room  
San Diego, California 92101  
(619) 239-4500

AGENDA

Attachment

**A. AB 53 (Katz) - Drug Asset Seizures**

This bill would delete POST from eligibility for revenue from this source.  
Recommended position: "Oppose unless amended"

**B. SB 264 (Watson) - Domestic Violence Training**

This bill would require continuing education of law enforcement officers to include at least six hours of training on domestic violence.  
Recommended position: "Oppose unless amended"

**C. SB 459 (Boatwright) - Sexual Harassment Complaint Process and Training**

This bill would require POST to develop a sexual harassment complaint process for law enforcement and require basic course and inservice training on the subject.  
Recommended position: "Neutral if amended"

**D. SB 460 (Thompson) - Community College Fees**

This bill would exempt employees of public safety agencies from the \$50/semester unit fee of community colleges for persons previously completing a BA or higher degree. Five other similar bills are also pending.  
Recommended position: "Support"

**E. SB 489 (Deddeh) - Community College Finance**

This bill would provide for categorical (separate) funding of community college public service training courses in the areas of police, fire, corrections, and criminal justice system occupations.

**F. SB 601 (Marks) - Police Vehicle Pursuits: Minimum Guidelines and Required Training**

This bill would require POST to develop minimum guidelines for high-speed vehicle pursuits by law enforcement and require basic course and inservice training on the subject.

Recommended position: "Neutral if amended"

**G. SB 731 (Rogers) - Peace Officer Status to the China Lake Police Department**

This bill would grant P.C. 830 peace officer status to police officers and investigators employed by the China Lake Police Department (a federal agency).

Recommended position: "Oppose unless requirements of P.C. Section 13540 are met"

**H. SB 1097 (Boatwright) - Background Investigations for First Time Peace Officer Applicants**

This bill would require public and private employers to provide specified information to law enforcement agencies doing background investigations on first time peace officer applicants.

Recommended position: "Support"

**I. AB 1120 (Brown) - Removes POST's Authority to Cancel Certificates for Other Than A Felony Conviction**

This bill would remove POST's authority to cancel its certificates for anything other than conviction of a felony and declare that they are the property of the individual peace officer instead of POST.

Recommended position: None

**J. SB 1158 (Maddy) - Drug Asset Seizures**

This bill would delete the existing repeal date and make changes to existing related law but would continue POST eligibility for this revenue.

Recommended position: "Support"

**K. AB 1276 (Seastrand) - Public Employees Retirement System**

This bill would permit new state employees, who previously participated in any PERS retirement system, to opt for Tier I State Retirement.

Recommended position: "Support"

**L. AB 2130 (Cortese) - Revises Funding for Community College Public Safety Training**

This bill would separately fund public safety training courses in community colleges.

Recommended position: "Oppose AB 2130 & SB 975"

**M. Informational Legislation of Interest to POST**

This provides a listing of informational bills of interest to POST that normally do not require position to be taken. (No action required)

**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT <b>Drug Asset Seizures</b>	AUTHOR <b>Assemblyman Katz</b>	BILL NUMBER <b>AB 53</b>
	RELATED BILLS <b>SB 1158</b>	DATE LAST AMENDED <b>12-15-92</b>

SPONSORED BY  
**Author**

**BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)**

GENERAL

This bill would:

1. Repeal the existing provision of law establishing a formula for distributing revenue from drug asset seizures and the Asset Forfeiture Distribution Fund. Instead, this bill establishes a revised formula to any county office of education from which the funds are received to fund grants and administer the Gang Risk Intervention Pilot Program.
2. Repeal the existing sunset of January 1, 1994 for the drug asset seizure law.

ANALYSIS

The existing formula for distributing revenue from drug asset seizures authorizes POST to receive 85% of funds for state agency use after other obligations are met for the General Fund and the Los Angeles County Office of Education. POST receives this revenue for drug-related training. For several years of operation, POST received no revenue from this source due to state budgetary actions. During the current fiscal year (1992-1993), POST is budgeted to receive \$456,000, and \$711,000 is proposed for next fiscal year.

COMMENTS

AB 53 would remove POST authority for receiving this revenue that is needed for law enforcement training and redirect it for county gang prevention programs.

RECOMMENDATION

Oppose unless amended.

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE <i>3-31-93</i>	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Mouman C. Boehm</i>	DATE <i>3-31-93</i>	COMMENT	DATE



## BILL ANALYSIS

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT Domestic Violence Training	AUTHOR Senator Watson	BILL NUMBER SB 264
	RELATED BILLS SB 152	DATE LAST AMENDED 2/11/93

SPONSORED BY  
California Alliance Against Domestic Violence

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

SB 264 proposes to modify Section 13519 of the Penal Code to require that the continuing education of law enforcement officers shall include at least six hours of training devoted to the review and update of instruction regarding handling domestic violence complaints.

ANALYSIS

Existing law in Section 13519 of the Penal Code requires POST to implement a course of training for law enforcement officers in the handling of domestic violence complaints. This training has been included in the basic course of training that is required of all entering law enforcement officers as defined in the law. Also, inservice officers who received their basic training before January 1, 1986 are required to complete this training. This 9-hour minimum course is designed to include all of the curriculum requirements specified in the law. Local law enforcement agencies are encouraged to include, as part of their advanced officer training program, periodic updates and training on domestic violence.

SB 264 proposes to mandate as part of POST's continuing professional training (CPT) requirement (24 hours every two years for all officers and first-line supervisors) six hours of training on domestic violence. POST does not specify the required content of this training which is designed to provide updating and refresher training at the operations level. Flexibility is provided presenters of this training so as to meet changing conditions and local needs. However, POST recommends certain subjects be included such as New Laws, Recent Court Decisions, Officer Survival Techniques, New Concepts, Discretionary Decision Making, and Civil Liability-Causing Subjects. POST also permits any Technical Course to satisfy this CPT requirement so as to accommodate officers with specialized assignments.

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Murray C. Boehm</i>	DATE 3-31-93	COMMENT	DATE

SB 264 makes an assumption that there is a need for this legislation. No information has come to POST's attention that suggests law enforcement is not properly handling domestic violence cases. Nor is there any evidence available that there is an ongoing need for repetitive training on this topic. There is also no evidence as to how the proponents arrived at "six" hours training. Normally, hours of training are derived at only after exhaustive curriculum development and analysis is completed.

SB 264 would cost POST approximately \$1,750,000 every year which is computed at 30,000 officers x 6 hours x \$9.73/average reimbursement for instructional hour. Six hours represents one-fourth of the 24-hour Continuing Professional Training requirement. Because POST reimburses only for a portion of the cost of training, the remaining costs (trainee salaries and course presentation) would be borne by local agencies and training presenters. It is reasonable to project that law enforcement employers would experience approximately \$5.1 million in added costs/year that would be state reimbursable as a State Mandated Local Program.

A related bill (SB 152 by Watson) requiring 16 hours of training for local correctional personnel on the same subject would be somewhat redundant with SB 264 because all deputy sheriffs assigned to jails would have already completed the POST's initial training course on domestic violence.

#### COMMENTS

SB 264 should be opposed because:

1. POST has received no negative information about law enforcement's handling of domestic violence cases, thus raising the issue of need for this legislation.
2. POST, in concert with training presenters, provides adequate updated training on this topic as needed.
3. The proposed six hours of training on domestic violence would be redundant with the eight hours of initial training and with previous completed CPT training. Repetitive training is normally associated with manipulative motor skills, e.g., firearms, driver training, and defensive tactics. No evidence of need exists for ongoing, repetitive training on this topic.
4. The cost of this legislation would be significant to POST, employing agencies, and training presenters, particularly at a time when there are revenue curtailments.
5. This legislation would reduce flexibility of law enforcement to meet changing and local needs.

One possible solution the Commission may wish to consider is to suggest an amendment deleting the reference to mandatory training and hours, and substituting a requirement that POST continuously update curriculum and provide training on domestic violence.

RECOMMENDATION

Oppose unless amended.

**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT <b>Sexual Harassment Complaint</b>	AUTHOR <b>Senator Boatwright</b>	BILL NUMBER <b>SB 459</b>
	RELATED BILLS	DATE LAST AMENDED <b>2/25/93</b>

SPONSORED BY  
**Author**

**BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)**

GENERAL

This proposed legislation would:

1. Require POST to develop, on or before August 1, 1994, a complaint process to be followed by city police departments, county sheriffs' departments, districts, university and state university departments, and the California Highway Patrol, for peace officers who are victims of sexual harassment in the workplace. In developing the complaint process, the Commission shall consult with appropriate groups and individuals having an expertise in the area of sexual harassment.
2. Require the basic training for law enforcement officers shall, no later than August 1, 1994, include specified instruction on sexual harassment in the workplace. In developing this training, the Commission shall consult with appropriate groups and individuals having an interest and expertise in the area of sexual harassment.

ANALYSIS

There have been recent incidents of sexual harassment complaints within law enforcement agencies reported in the news. There are no available data to suggest these complaints occur any more frequently or infrequently within law enforcement as compared with other governmental or non-governmental organizations. It is true that when substantiated complaints do occur, that the professional image of law enforcement is tarnished, not to mention the harm done to the victims.

Existing law requires POST to develop guidelines for various aspects of law enforcement operations, e.g., handling domestic violence complaints, investigation of sexual assault cases, investigation of sudden deaths of infants, racial and cultural differences, etc.. In contrast with this legislation, all existing requirements specify the "guidelines" are to be developed. This terminology gives law enforcement some degree of flexibility to meet local/agency needs. This proposed legislation, instead, requires POST to develop the "process" with provides no flexibility. The author's office has indicated its willingness to consider

## OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE <b>3-31-93</b>	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>William C. Boehm</i>	DATE <b>3-31-93</b>	COMMENT	DATE

amending the bill to reflect "guidelines" terminology. The Commission may wish to consider offering an amendment to include "guidelines for" or "minimum guidelines for."

With regard to the issue of whether law enforcement agencies would be required to follow the POST-developed complaint process, the proposed legislation indicates the process is "to be followed." The author intends to require law enforcement agencies to follow these guidelines.

It is unknown how many local law enforcement agencies have a sexual harassment complaint process, but state agencies named in this proposed legislation (e.g., CHP, UC and State University Police Departments) already have in place elaborate processes applying to all of their employees. These agencies could be amended out of the bill because all currently have complaint processes.

The amount of required training to be included in the basic training course cannot be accurately calculated until the curriculum is developed. However, it would appear that this training would have little impact on the overall length of the course which is now 560 hours minimum. It would appear that the training could be effectively presented by means of audiovisual aids such as video training tapes, especially since the complaint process would be standardized.

The only other area of concern is the August 1, 1994 requirement for implementing the basic training. Because of the time needed for curriculum development and approvals from the Commission, the Office of Administrative Law, and presenter implementation, a January 1, 1995 date would be more realistic.

In recent discussions with the author's office, indications are that these amendments are acceptable. The only other amendment being contemplated by the author is to require that inservice officers completing the basic course before 1/1/95 be required to complete a supplementary training on sexual harassment. Adapting training to meet this requirement would pose no difficulty for POST.

#### COMMENTS

If the proposed legislation were to be amended (to provide some degree of flexibility for complaint processes, removal of the CHP, state and UC/CSU University Police Departments and the date for implementing the basic training were extended to January 1, 1995), there should be no reason for concerns about this legislation. The author's office has indicated it intends to amend the bill to require inservice officers completing their basic training before 1/1/95 to complete supplementary training on this subject as developed by POST.

#### RECOMMENDATION

Neutral if amended.

# BILL ANALYSIS

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT Community College Fees	AUTHOR Senator Thompson	BILL NUMBER SB 460
	RELATED BILLS See Below	DATE LAST AMENDED 3/8/93

SPONSORED BY  
California Peace Officers' Association, et al

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

## GENERAL

SB 460 would:

- Exempt from the community college \$50/semester unit for persons completing a BA degree or higher, an employee of an agency providing police, corrections, fire, or emergency medical dispatch services, attending any course for the purpose of fulfilling either a state-mandated training requirement or a course mandated by the needs of the agency employing the study, and such course is in the curriculum identified and approved by either the Commission on Peace Officer Standards and Training, the Standards and Training for Corrections, the Emergency Medical Services Authority, or the California Fire Services Training and Education System. In addition, any student attending the training course required by Section 832.3 of the Penal Code shall be exempt from this fee.

## ANALYSIS

Legislation was passed in 1992 (effective 1-1-93) requiring all students attending community college courses who previously obtained a BA degree or higher to pay a \$50/semester unit fee. Rationale for the legislation is that these persons have already benefitted once from education funded by public expense. Specifically exempted from paying this fee were displaced homemakers and persons on public financial assistance.

This legislation has had a serious financial impact on the state's law enforcement agencies who rely upon the community colleges to provide much of its training. Much of the training satisfies legislative or regulatory (POST's) requirements. Depending on the level of training (entry, inservice, supervisory, technical) 15-20% of peace officers participating in the POST program have BA degrees or higher. Past practices and memorandums of understanding have necessitated agency employers pay for all costs of training.

To illustrate the magnitude of this expense, the POST basic academy course required by Section 832.3 of the Penal Code ranges from 12 to 30 semester units. Thus, this course could cost an agency \$1500/trainee plus all of the other training costs (materials, parking, travel, per diem, and

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Norman C. Beckum</i>	DATE 3-31-93	COMMENT	DATE

salary). It is estimated the statewide cost of this fee for law enforcement exceeds \$721,000/year. The magnitude of this fee becomes even more serious when considering a current proposal before the Legislature to disallow all state aid for such persons; thus requiring community colleges to charge the same rate as out-of-state students - \$105/semester unit average.

It is paradoxical that on one hand law enforcement is making an effort to employ peace officers with college degrees, yet this fee serves as a disincentive for agencies to hire college graduates.

Several related bills to accomplish the same objective but in different language have been introduced including: AB 180 (Pringle), AB 225 (Woodruff), SB 323 (Lewis), and SB 966 (Dills). Some of these bills would exempt other groups as well, but all would exempt law enforcement from the fee:

SB 460 (Thompson) - Exempts employees of defined public safety agency attending state-mandated training or course mandated by needs of public safety agency. It also exempts any student (pre-employment) attending basic course.

AB 225 (Woodruff) - Same as SB 460

AB 180 (Pringle) - Exempts fire fighters, peace officers, registered nurses and licensed vocational nurses. Excludes non-peace officer employees, non-peace officer correctional officers, and pre-employment students.

SB 323 (Lewis) - Exempts any fire fighter or peace officer. Does not include non-sworn employees nor pre-employment students.

SB 966 (Dills) - Exempts community college faculty and staff members and students employed by an agency that provides police or fire services. Excludes employees of corrections agencies and pre-employment students.

The design of these bills is such that the regular fee of \$10/semester unit would have to be paid. In the interest of equity, no exemption from this fee is being sought.

#### COMMENTS

SB 460 and AB 225 should be supported because they:

1. Exempt law enforcement from state mandated training requirements.
2. Exempt persons aspiring for a career in law enforcement for attending the basic entry academy course.
3. Retain the longstanding principle that state training requirements can be accommodated by community college training courses without additional major cost to individuals or departments.

RECOMMENDATION

Support SB 460 and AB 225. Support in principle AB 180, SB 323, and SB 966.



**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT  Community College Finance	AUTHOR  Senator Deddeh	BILL NUMBER  SB 489
	RELATED BILLS  AB 2130, SB 975	DATE LAST AMENDED  2-25-93

SPONSORED BY  
 San Diego Community College District

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

Senate Bill 489 would:

1. Require the Chancellor of the California Community Colleges to compute each district's allocation of state aid for community college public service training courses in the areas of police, fire, corrections, and criminal justice system occupations pursuant to a prescribed formula.
2. Continuously appropriate from the General Fund an amount sufficient to pay each community college district an unspecified amount per actual student contact hour of attendance in the enumerated public service training courses commencing with the 1993-1994 fiscal year.

ANALYSIS

This proposed legislation would require the Legislature to annually approve, as part of the State budget, a categorical amount from the State General Fund to support costs of community college public service training as defined. Currently there are certain groups of students or courses that are eligible for categorical funding including the disabled, child care, welfare recipients, apprenticeship, and English as a second language. There is no categorical funding of public safety training.

Although there is a certain amount of face appeal to the idea of categorical funding, it raises some concerns including:

1. Creates the potential to reduce funding stability of law enforcement training in community colleges because of the uncertainties associated with the state budget approval process. Longstanding experience has shown that the State's general funding of community college education (that includes public service) is stable and predictable.

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>William C. Boehm</i>	DATE 3-31-93	COMMENT	DATE

2. This proposed legislation expands authority of the Chancellor's Office which may impinge upon POST's responsibilities for making training available for law enforcement. For example, the Chancellor's Office could designate certain types of courses as being ineligible for state funding, thus placing the funding burden on POST under this proposed law.

From a practical standpoint, in recent years some community colleges have had to curtail presentations of existing courses and withhold approval of new courses because of a state imposed cap on growth in community college funding. This has resulted in some displacements at some colleges with others filling the void by offering more needed training courses. The existing training delivery system including its funding mechanism does not appear to be broken. The overall volume of POST-certified training at community colleges has remained stable even during California's current recession.

Unlike two similar bills, AB 2130 and SB 975, this bill is an urgency statute to take effect immediately. However, this categorical funding would begin with the 1993-1994 fiscal year. Also, SB 489 does not limit the defined training courses to state mandated as does AB 2130 and SB 975.

#### COMMENTS

This legislation misses its objective to expand and stabilize funding for public safety training. In fact, the opposite may result - lowered and greater instability of funding levels.

#### RECOMMENDATION

Oppose

**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT <b>Police Vehicle Pursuits</b>	AUTHOR <b>Senator Marks</b>	BILL NUMBER <b>SB 601</b>
	RELATED BILLS	DATE LAST AMENDED <b>3/2/93</b>

SPONSORED BY

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

SB 601 would require POST to:

1. Develop minimum guidelines for law enforcement agency policies for high-speed vehicle pursuits.
2. Include specified training in the basic course on high-speed vehicle pursuits by January 1, 1995.
3. Develop a supplementary training course for inservice peace officers who completed the basic course prior to January 1, 1995. The guidelines and training shall stress the importance of vehicle safety and protecting the public at all times.

ANALYSIS

The need for this proposed legislation stems from publicized incidents of serious traffic accidents involving vehicle pursuits by law enforcement and the increasing awareness of differences between agency policies regulating this activity. These publicized differences focus on circumstances for initiating, discontinuing, and supervising vehicle pursuits in process.

Section 14602.1 of the Vehicle Code (effective 1991) requires all local agencies to report pursuits to the California Highway Patrol. In the CHP report "Statewide Pursuit Information Database Resource System - Final Report for Calendar Year 1992," a total of 7658 law enforcement vehicle pursuits were reported to the CHP as having occurred in 1992. Of these, 5924 (77%) pursuits resulted in the apprehension of one or more suspects. Of the total 7658 reported pursuits, 25 (0.3%) resulted in fatal collisions, in which 33 persons died. Of the 33 deaths, 23 (70%) were occupants of the pursued vehicle. The remaining 10 (30%) deaths were suffered by persons not involved in the pursuits. No law enforcement officers were reported as being killed in a collision during pursuits. There is no evidence available as to the extent these accidents are attributable to law enforcement error or lack of policy or training.

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE <b>3-31-93</b>	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Mervyn C. Boehm</i>	DATE <b>3-31-93</b>	COMMENT	DATE

SB 601 provides no mandate that law enforcement agencies follow the proposed minimum guidelines. Presumably, the existence of such guidelines would tend to cause law enforcement agencies to embrace them which could be used as a defense in civil litigation. The proposed approach in developing "minimum guidelines" would give agencies some degree of flexibility.

No data is available on the extent to which similarities/standardization exists on pursuit policies in California. However, many law enforcement agencies have adopted a county-wide pursuit policy, designed to promote consistency of tactics, improve communications, and improve safety. Efforts are underway by the California Peace Officers' Association to develop model vehicle pursuit policies.

In addition, Section 17004.7, V.C., requires each agency to adopt a pursuit policy as a bar to civil liability arising from a pursuit. Recent court cases provide some "specifications" for the contents of a policy, and all agencies are moving to comply.

POST's existing curriculum requirements for the Basic Course address high-speed vehicle pursuits including tactics, legal and ethical aspects, and safety considerations. This legislation and the minimum guidelines for agency policies would cause this training to be reviewed and, in all likelihood, augmented. Until these guidelines and curriculum have been researched, it is premature to estimate how much training (hours and content) would have to be added. Nor is there any way of estimating the extent of the required supplementary training for inservice officers.

#### COMMENTS

This legislation would have minimal impact upon POST and law enforcement, but would serve to direct attention to this important issue.

#### RECOMMENDATION

Neutral

**BILL ANALYSIS**

State of California Department of Justice  
**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT <b>Peace Officer Status: China Lake Police Department</b>	AUTHOR <b>Senator Rogers</b>	BILL NUMBER <b>SB 731</b>
	RELATED BILLS	DATE LAST AMENDED <b>3-3-93</b>

SPONSORED BY

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

SB 731 would:

1. Grant general California peace officer powers under Penal Code Section 830.1 to police officers and investigators of the China Lake Police Department.

ANALYSIS

The China Lake Police Department is the law enforcement agency for the China Lake Naval Air Weapons Station located in parts of Kern, San Bernardino and Inyo Counties as well as the City of Ridgecrest. It currently employs 44 police officers and three investigators. These peace officers by department policy complete the regular POST basic course of training.

Under Penal Code Section 830.8 (b), duly authorized federal employees who comply with the training requirements set forth in Section 832 are peace officers when they are engaged in enforcing applicable state or local laws on property owned or possessed by the United States government, or on any street, sidewalk, or property adjacent thereto, and with the written consent of the sheriff or the chief of police, respectively, in whose jurisdiction the property is situated. Written consent is currently in effect with the Sheriffs of Kern, San Bernardino and Inyo Counties and the Chief of Police of Ridgecrest.

The difference between the current limited authority of peace officers of the China Lake Police Department and that under P.C. 830.1 is that existing authority extends only on duty within the property or adjacent areas of the base. Authority under P.C. 830.1 extends to anywhere in the state while on or off duty.

The Chief of Police for the China Lake Police Department has held discussions with his union representatives about this legislation but was unaware it had been introduced at the request of his union. He also indicated that the base commander had not given his approval for such legislation. The Chief of Police could not

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE <b>3-31-93</b>	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>William C. Boehm</i>	DATE <b>3-31-93</b>	COMMENT	DATE

articulate the need for this however he believes the rationale is that it would make the department into a "real police force", improve its status among law enforcement agencies, and otherwise improve employee morale.

Becoming peace officers under Section 830.1 of the Penal Code would not only require these officers and investigators to complete the basic training under Section 832.3 of the Penal Code but also obtain the POST basic certificate within 18 months of employment as required by Section 832.4 of the Penal Code. POST's current rules for eligibility to participate in the POST program and receive POST certificates do not extend to federal agencies and employees.

For the purpose of ascertaining the factual basis and need, Penal Code Section 13540-13542 requires POST to conduct a feasibility study for any group desiring peace officer status. No study has been conducted or requested for the China Lake Police Department. The Commission's policy is to oppose such legislation in the absence of a feasibility study. Once the study is conducted and provided to the Legislature as required, the Commission's policy is to be neutral on such legislation.

#### COMMENTS

The department has not had any difficulty in obtaining the written consent of the sheriffs and chief of police in whose jurisdiction the property is located. It is also uncertain whether the Kern, San Bernardino and Inyo County Sheriffs and Police Chief of Ridgecrest would support this legislation that removes their authority to approve California peace officers status under Section 830.8 (b) of the Penal Code. It would also be a major policy departure for California to grant such status to federal employees and could be precedent setting for other federal military bases in California.

#### RECOMMENDATION

Oppose until requirements of P.C. Section 13540 are met.

**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT Background Investigations for First Time Peace Officers	AUTHOR Senator Boatwright	BILL NUMBER SB 1097
	RELATED BILLS	DATE LAST AMENDED 3-5-92

SPONSORED BY  
California State Sheriffs' Association, POST, CPOA

## BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

SB 1097 would:

1. Require an employer, upon request of a law enforcement agency that is conducting a background investigation for first-time applicants for a peace officer position, to disclose employment information relating to a current or former employee if specified conditions are met.
2. Exempt employers who disclose information in accordance with these provisions from civil liability, and would provide for the confidentiality of information disclosed by an employer, with a specified exception.
3. Permit an employer to charge reasonable fees to cover actual costs incurred in copying and furnishing documents.

ANALYSIS

Existing statutory law [Government Code Section 103(d)] requires that an extensive background investigation be conducted prior to the appointment of a peace officer in order to ensure good moral character and the selection of the highest qualified candidates. Law enforcement agencies have increasingly experienced refusals from employers (public and private) to divulge information pertinent to peace officer applicants even with signed release waivers from applicants themselves, and this situation has seriously affected law enforcement's ability to conduct a thorough background investigation.

SB 1097 limits the scope of its provisions to background investigations of first-time applicants for a peace officer position. This limited approach avoids opposition from police labor groups who are concerned about records accessibility of laterally transferring peace officers. Employment information for purposes of this legislation is broadly defined to give access to virtually all information relevant to good moral character. The bill also has a feature to allow access to this confidential information by another law enforcement agency

## OFFICIAL POSITION

ANALYSIS BY <i>Pat Snow</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Maurice C. Boehm</i>	DATE 3-31-93	COMMENT	DATE

conducting a background investigation on first-time peace officer applicants. However, this information shall be utilized for investigative leads only and the information shall be independently verified by that agency.

This legislation was initially suggested by the California Background Investigators' Association which is composed of law enforcement agency background investigators. The POST Commission, at its October 1992 meeting, took action to seek an official sponsor for this legislation which is the California State Sheriffs' Association.

#### COMMENTS

This proposed legislation, if enacted, would overcome a serious problem for law enforcement being able to conduct thorough background investigations.

#### RECOMMENDATION

Support



## BILL ANALYSIS

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT POST Certificate Cancellation	AUTHOR Assembliespeaker Brown	BILL NUMBER AB 1120
	RELATED BILLS	DATE LAST AMENDED 3-2-93

SPONSORED BY  
California Coalition of Law Enforcement Associations

## BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

AB 1120 would:

- Specify that the Commission on Peace Officer Standards and Training (POST) shall not have the power to withdraw or cancel any certificate or certificates previously issued to any peace officer pursuant to provision of existing law, except as specified (conviction of a felony).
- Provide that certificates once awarded shall be the property of the eligible peace officer rather than the Commission.

ANALYSIS

This bill would amend Section 13503(g) of the Penal Code (relating to the Commission's powers) by adding a provision specifying that the Commission shall not have the power to withdraw or cancel any certificate or certificates previously issued to any peace officer, except as provided in subdivision (f) of Section 13510.1 of the Penal Code (felony conviction). Section 13506 of the Penal Code, relating to the Commission's authority to adopt regulations, is proposed to be amended to indicate the same language as proposed for Section 13503(g). Section 13510.1(e) of the Penal Code is also proposed for amendment by deleting the reference that certificates issued by POST remain the property of the Commission and substituting language instead that specifies these certificates shall be property of the eligible peace officer and the Commission shall not have the power to cancel any certificate so awarded (except for conviction of a felony).

This proposed legislation is the result of a disagreement by some law enforcement labor groups with the Commission's action taken following a public hearing in July 1991 to expand the basis for certificate cancellation by adding provisions to Commission Regulation 1011 to cancel for: (1) felony convictions that have been technically reduced to misdemeanors under Section 17(b) (1 or 6) of the Penal Code when the conviction concerned a crime of unlawful sexual behavior, assault under color of authority,

## OFFICIAL POSITION

ANALYSIS BY <i>Nal Snow</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Mouman C. Boehm</i>	DATE 3-31-93	COMMENT	DATE

dishonesty associated with official duties, theft, or narcotic offenses, or (2) the peace officer has been disqualified for any other reason described in Government Code Section 1029(a) 1 through (a)(6). For background and rationale for this action, see Attachment A. Labor's concern appears to be more on what further expansion of revocation provisions this step portends, than on this step itself.

AB 1120 proposes to retain felony convictions as the sole basis for certificate cancellation. The effect would be to nullify the above Commission action that was taken to close a loophole in the law and preserve the integrity of the certificate. In addition, AB 1120 would also nullify the Commission's authority to cancel certificates obtained through misrepresentation or fraud under POST Regulation 1011(b)(2) and certificates issued due to administrative error - 1011(b)(3). Elimination of these longstanding provisions would also serve to further erode the integrity of POST's certificates. At very least, these provisions should be amended in if the bill begins to move.

With regard to the proposed provision to transfer the certificate as property from the Commission to the eligible peace officer, the point should be made that application for these certificates is made by the employing agency (not the individual peace officer). POST provides these certificates at no cost to the agency or peace officer.

It should be further noted that the POST basic certificate is required of policemen and deputy sheriffs within 18 months of employment (Section 832.4 of the Penal Code). Many law enforcement agencies seeking to hire already trained and experienced officers have established the basic certificate as an employment prerequisite. Many agencies base their pay incentive programs upon POST's Intermediate and Advanced Certificates which represent a combination of experience, training, and education attainments.

#### COMMENTS

The Commission's authority for the certificate program including making regulations for implementation is established in law by the Legislature. As it stands now, the Commission is acting within provisions of existing law regarding certificate cancellation. Some labor groups, on the other hand, believe the certificates are no more than certificates of basic course completion and that the Commission has no business canceling certificates which would preclude a person from being a peace officer. The Commission obviously believes the certificate is a valuable tool for maintaining professionalism. If the Legislature disagrees with the direction taken by the Commission, then this bill will offer opportunity for redirection.

This bill is sponsored by Speaker Willie Brown at the request of certain labor groups which have been opposed to any expansion of certificate revocation by the Commission. Even though POST has not indicated any interest in expanding revocation beyond the current requirements, labor is concerned that the issue could be brought up again in the future, and they chose this as a means of

returning to the earlier revocation status (revocation for felony conviction only). While current language excludes revocation for fraud, misrepresentation, or administrative error, there would likely be little problems in inserting that language.

Clearly, the Commission's options would be restricted by this bill. Not only would the policy be rolled back legislatively, but certificate ownership would transfer from the Commission to the officer.

Responses to the bill are hedged about by a number of considerations. One factor is the respect for the concerns of labor, a part of the Commission's constituency. Another is the Commission's overall responsibility vis-a-viz the law enforcement profession as it relates to the POST certificate. From all conversations, neither labor nor the Commission has interest in persons convicted of the disqualifying crimes currently represented in POST revocation regulations. The issue appears to rest on these decisions should be made locally, or whether the Commission should exercise a limited, but statewide overview.

This matter is before the Legislative Committee for discussion.

**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT <b>Drug Asset Seizures</b>	AUTHOR <b>Senator Maddy</b>	BILL NUMBER <b>SB 1158</b>
	RELATED BILLS <b>AB 1998, AB 53</b>	DATE LAST AMENDED <b>3-5-92</b>

SPONSORED BY  
**Attorney General's Office, Governor**

**BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)**

GENERAL

SB 1158 would:

1. Repeal the existing sunset date of January 1, 1994 for California's drug asset seizure laws.
2. Make numerous substantive changes to drug asset seizure laws that are outside the Commission's scope of responsibility and legislative interest.

ANALYSIS

Existing drug asset seizure law under Section 11489 of the Health and Safety Code provides a distribution formula for revenue from this source. Ten percent of the revenue received goes to the Office of Criminal Justice Planning for distribution to various state sources. After specified obligations are met for the General Fund and the Los Angeles County Office of Education, the Peace Officer Training Fund is to receive 85% for drug-related training. For several years of operation, POST received no revenue from this source due to state budgetary actions. During the current fiscal year (1992-1993), POST is budgeted to receive \$456,000 and \$711,000 is proposed for next fiscal year.

SB 1158 would retain POST's eligibility for revenue from this funding source. On the other hand, AB 53 would repeal the existing distribution formula and instead redirect these funds to county offices of education for gang prevention programs.

These bills are very controversial for a variety of reasons that go beyond the revenue distribution formula.

COMMENTS

SB 1158 should be supported because it retains the present revenue distribution formula from drug asset seizures.

RECOMMENDATION

Support

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE <b>3-31-93</b>	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Moussa C. Boehm</i>	DATE <b>3-31-93</b>	COMMENT	DATE

**BILL ANALYSIS**

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT  Public Employees Retirement System	AUTHOR Assemblyman Seastrand AB 1276	BILL NUMBER
	RELATED BILLS	DATE LAST AMENDED 3-3-93

SPONSORED BY  
 State Department of Personnel Administration

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

AB 1276 Would:

1. Authorize State employees who were members of the Public Employees Retirement System on or before June 30, 1991 to have the option of selecting Tier 1 Retirement Plan.

ANALYSIS

Under existing law all new state employees are required to go into Tier 2 Retirement Plan which is 1.25% with a minimum 10 years service at age 65. This plan is less desirable than Tier 1 which is 2.0% with a minimum 5 years at age 60. Previous to 7-1-91, all state employees were given the option of either Tier.

At the October 1992 Commission meeting, support was taken for legislation to be introduced in concert with other law enforcement organizations to permit new POST Law Enforcement Consultants with a peace officer background to continue to participate in the Public Safety Retirement System. This action was taken after it was explained that the required Tier 2 Plan for all new state employees beginning 7-1-91 was going to aggravate POST's difficult situation in recruiting Consultants. Subsequently, no law enforcement organization was willing to pursue the proposed legislation on the basis that Safety Retirement should be preserved for peace officers.

The State Department of Personnel Administration, recognizing the State's problem in recruiting in general under the mandatory Tier 2 Plan, introduced AB 1276.

COMMENTS

Although this bill does not accomplish what was originally intended by the Commission, it would greatly assist in recruiting new Law Enforcement Consultants. There is no known opposition to this legislation.

RECOMMENDATION

Support

OFFICIAL POSITION

ANALYSIS BY <i>Hal Snow</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>William C. Boehm</i>	DATE 3-31-93	COMMENT	DATE

## BILL ANALYSIS

State of California Department of Justice  
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING  
 1601 Alhambra Boulevard  
 Sacramento, California 95816-7083

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
Funding Community College Public Safety Training	Assemblyman Cortese	AB 2130
	RELATED BILLS	DATE LAST AMENDED
		3-5-93

SPONSORED BY  
 Evergreen Valley and San Diego Community College Districts

## BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

GENERAL

This proposed legislation would:

1. Establish into law the California Community College Public Safety Training Act.
2. Require the Legislature to annually appropriate separate revenue to the community colleges for funding actual instructional costs of public safety training courses. These funds are designated for the educational services of an employee, or a potential employee, of a public agency that provides police, fire, corrections, emergency medical, hazardous materials, or emergency dispatch services, who is fulfilling either a state-mandated training requirement, a course that provides the skills and education to be a public safety officer, or a course mandated by the public safety agency employing the student.
3. Require these State General Funds to be considered supplemental to existing community college funding and that no allocations for this purpose may be used for other purposes other than for the direct and indirect costs of providing the necessary personnel, equipment, and facilities.
4. Require community colleges to continue to use other available resources to support programs and services for public safety training.
5. Require community college districts to demonstrate institutional accountability for the delivery of training.
6. Authorize the Board of Governors of the California Community Colleges to adopt policies and procedures under this act and requires that POST, EMS, STC, and State Fire Marshal be consulted.

## OFFICIAL POSITION

ANALYSIS BY <i>Hal Jones</i>	DATE 3-31-93	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Melvin C. Brehm</i>	DATE 3-31-93	COMMENT	DATE

7. Establish within the Chancellor's Office the California Public Safety Training Committee with specified representation to assist the Board of Governors in administering the program.

#### ANALYSIS

Existing law requires the Board of Governors of the California Community Colleges to develop criteria and standards for the purpose of making the annual budget requests of the California Community Colleges to the Governor and the Legislature for the purpose of allocating the state general apportionment revenues.

This proposed legislation would require the Legislature to annually approve, as part of the State budget, a categorical amount from the State General Fund to support direct and indirect costs of public safety training in community colleges. Currently, there are certain groups of students or courses that are eligible for categorical funding including the disabled, child care, welfare recipients, apprenticeship, and English as a second language. There is no categorical funding of public safety training.

Although there is a certain amount of face appeal to the idea of categorical funding, it raises some concerns including:

1. Creates the potential to reduce funding stability of law enforcement training in community colleges because of the uncertainties associated with the state budget approval process. Longstanding experience has shown that State's general funding of community college education (that includes public safety) is stable and predictable.
2. Categorical funding of public safety training could jeopardize funding to the Peace Officer Training Fund as attempts are sometimes made to relieve General Fund obligations by using revenue from special funds.
3. This proposed legislation expands authority of the Chancellor's Office which may impinge upon POST's responsibilities for making training available for law enforcement. For example, the Chancellor's Office could designate certain types of courses as being ineligible for state funding, thus placing the funding burden on POST under this proposed law.

From a practical standpoint, in recent years some community colleges have had to curtail presentations of existing courses and withhold approval of new courses because of a state imposed cap on growth in community college funding. This has resulted in some displacements in law enforcement training in the form of curtailments at some colleges with others filling the void by offering more needed training courses. The existing training delivery system including its funding mechanism does not appear

to be broken. The volume of POST-certified training at community colleges has remained stable even during California's current recession.

COMMENTS

This legislation misses its objective to expand and stabilize funding for public safety training. In fact, the opposite may result - lowered and greater instability of funding levels.

AB 975 (Alquist) is identical to AB 2130.

RECOMMENDATION

Oppose AB 2130 and SB 975.



**Commission on Peace Officer Standards and Training**

**Summary of Informational Bills of Interest to POST**

<u>Bill</u>	<u>Author</u>	<u>Description</u>
AB 12 Epple		Confers immunity upon public entities and employees for injuries caused by cardiopulmonary resuscitation instructions given in good faith in the operation of a local "911" emergency telephone system.
SB 20 Russell		Makes a "wobbler" if fleeing or eluding involves the pursued vehicle being driven at least 20 miles per hour beyond the declared maximum speed limit for a duration of at least one mile with the peace officer is in pursuit and is displaying a red warning light and is sounding a siren, or both.
SCA 22 Maddy		This proposed California Constitutional amendment would state that the first responsibility of each city, county, or city and county shall be the protection of public safety; and the governing body of each city, county, or city and county shall give priority to the provision of adequate public safety by setting aside first from all revenues available an amount sufficient to fund adequate police, fire, and prosecution services.
AB 53 Katz		Eliminates the Asset Forfeiture Distribution Fund and instead would require distribution according to the county office of education of the county from which the funds are received to fund grants and administer the Gang Risk Intervention Pilot Program.
AB 95 Richter		Eliminates the existing requirement that every employer establish, implement, and maintain an effective injury prevention program.
SB 99 Roberti		State boards and commissions, which are required to prepare and distribute a report to the Governor, the Legislature, or the public would be required to simultaneously send a copy to the Governor, the Legislature, and the public.
AB 147 Richter		This bill would provide that 90% of the punitive damages awarded to a plaintiff in such an action in which the cause of action arose on or after January 1, 1994, shall be payable, as specified, to the Victim-Witness Assistance Fund in the State Treasury, and shall be available for expenditure by the Office of

Criminal Justice Planning for the purposes of that fund upon appropriation by the Legislature. This bill would make further related provisions.

SB 149 Boatwright This bill extends the existing amnesty program for delinquent fines for Vehicle Code violations which is six months or more prior to the initial date of the amnesty program (April 1, 1991).

AB 167 Umberg This bill would make it a felony instead of a wobbler for any person while operating a motor vehicle from willfully fleeing or otherwise attempting to elude a pursuing peace officer's motor vehicle with the intent to evade, if the peace officer's motor vehicle is exhibiting at least one lighted red lamp visible from the front and the person either sees or reasonable should have seen the lamp, the peace officer's motor vehicle is sounding a siren as may be reasonably necessary, the peace officer's vehicle is distinctively marked, and the peace officer's vehicle is operated by a peace officer, as defined, and the peace officer is wearing a distinctive uniform.

SB 152 Watson This bill would require that the minimum training standards for local corrections personnel include a requirement of 16 hours of training and coursework in domestic violence assessment, intervention, and reporting. This bill would authorize the use of domestic violence training programs conducted by nonprofit community organizations with an expertise in domestic violence issues for the purpose of complying with the domestic violence minimum training requirement.

SB 162 Presley This bill would transfer the responsibility for conducting peace officer memorial ceremonies on the grounds of the State Capitol from the Peace Officers Research Association to the California Peace Officers Memorial Foundation.

AB 315 Hauser This bill would provide that any county with a population of 200,000 or less whose board of supervisors makes a public finding that the county is in an economic crises and that county revenues are inadequate to provide essential services to residents may petition the Governor for temporary suspension of compliance with state regulations and requirements that significantly impair the county's ability to deliver those essential services.

AB 331 Baca This bill would exempt from the child abuse reporting requirement any injury caused by a peace officer acting

withing the course and scope of his or her employment as a peace officer.

- AB 334  
Friedman This bill requires OCJP to select 3 cities, one of which shall be the City of Los Angeles, for community-based policing demonstration projects.
- SB 477  
Craven This bill would revise existing training requirements for humane officers to specify that on and after January 1, 1994, all humane officers shall, within one year of appointment, provide evidence satisfactory to the society that he or she has successfully completed specified courses of training.
- AB 479  
Polanco This bill would establish a procedure for the consolidation of the marshal's and sheriff's office of Los Angeles County.
- AB 529  
Morrow This bill would authorize port authorities to appoint reserve peace officers.
- SB 594  
Alquist This bill requires suspension of authorization to carry firearms if a state agency peace officer fails to qualify or requalify for the use of firearms every six months.
- SB 636  
Dills This bill revises existing reimbursable amounts for driver training from the Driver Training Penalty Assessment Fund.
- SB 821  
Lockyer This bill would require any person employed as a school peace officer to complete the POST specified training course by January 1, 1996.
- AB 841  
Peace This bill would all authorize a Transit Development Board to appoint transit police officers and contract for law enforcement services.
- AB 965  
Umberg This bill would authorize peace officer status to investigators of the Investigation Bureau of the Department of Insurance.
- AB 1047  
Epple This bill would extend from June 1, 1993 to June 1, 1995 for agents of the Department of Alcoholic Beverage Control to successfully complete the 4-week course on narcotics enforcement approved by POST.
- AB 1050  
Conroy This bill would move the California State Police Division from the Department of General Services to the Office of Emergency Services.

- AB 1074 McDonald This bill would authorize a school district governing board to authorize members of a security or police department of the district to issue citations.
- AB 1102 Archie-Hudson This bill would require video cameras to be mounted in the front windshields of every authorized emergency vehicle in the County of Los Angeles and that they be turned on and left on during any and all contacts with citizens.
- AB 1175 Epple This bill would add specified employees of the State Fire Marshal's Office as peace officers.
- AB 1610 Boland This bill would provide that federal investigators and law enforcement officers are not California peace officers, but may exercise the powers of arrest for violations of state or local laws, provided that they are engaged in the enforcement of federal, state, and local, rather than federal, criminal laws and exercise the arrest powers only incidental to the performance of these, rather than their federal duties.
- AB 1810 Gotch This bill would change the \$50/semester unit fee for community college students with a BA degree to an unspecified amount.
- AB 2043 Hoge This bill would designate a reserve coordinator of the Office of Emergency Services' Law Enforcement Division, to the list of reserve officers.
- AB 2226 Frazee This bill would provide that any person who, while a peace officer, completed a course of training and obtained the basic certificate prescribed by POST shall, upon presentation of proof to the bureau, be exempt from the training and testing requirements for security guards.
- AB 2231 McDonald This bill would require the Chancellor of the California Community Colleges to conduct a study to determine the impact of increasing student fees from \$10 to \$30 per semester on community college enrollment and on the budget of the California Community Colleges. The report is due 1-1-94. Urgency statute.
- AB 2250 Collins This bill would require that domestic violence-related calls for assistance be supported with the written incident report form and expands the definition of "domestic violence".
- AB 2308 Woodruff This bill expands Section 830.3 (n) of the Penal Code to add the Director of the Office of Emergency Services as a peace officer and that he/she may designate as

peace officers assistant and deputy directors, provided that the primary duty of these peace officers shall be the supervision of Law Enforcement Division staff.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting  
Wednesday, April 14, 1993  
Pan Pacific Hotel, 400 West Broadway  
Opal Room  
San Diego, California 92101  
(619) 239-4500

**10:00 A.M.****AGENDA**

- |    |  |               |
|----|--|---------------|
| A. | Call to Order  | Chair         |
|    | 0 Roll Call  |               |
|    | 0 Introductions  |               |
|    | 0 Announcements  |               |
| B. | Approval of Minutes of January 20, 1993 Meeting                        | Chair         |
| C. | Review of Law Enforcement Agency<br>Accreditation Program Work To Date | Staff         |
| D. | Review of Commission Meeting Agenda                                    | Staff         |
| E. | Advisory Committee Member Reports                                      | Members       |
| F. | Old and New Business   | Members       |
| G. | Commission Liaison Committee Remarks                                   | Commissioners |
| H. | Adjournment  | Chair         |


**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD  
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting  
January 20, 1993 - 10 a.m.  
Red Lion Hotel  
San Jose, California

MINUTES
CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman Cois Byrd.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Cois Byrd, Calif. State Sheriffs' Assoc.  
Charles Brobeck, California Police Chiefs' Association  
Jay Clark, California Association of Police Training  
Officers  
Norman Cleaver, California Academy Directors' Assn.  
Joe Flannagan, Peace Officers' Research Assn. of  
Calif.  
Donald Forkus, California Peace Officers' Association  
Jack Healy, California Highway Patrol  
Derald Hunt, California Association of Administration  
of Justice Educators  
Ernest Leach, California Community Colleges  
Alicia Powers, Womens' Peace Officer Association  
Judith Valles, Public Member

Absent: Don Brown, Calif. Organization of Police and Sheriffs  
Marie Danner, Public Member  
Cecil Riley, California Specialized Law Enforcement

Commission Advisory Liaison Committee Members Absent:

Jody Hall-Esser  
Marcel Leduc  
Raquel Montenegro  
Devallis Rutledge

Guests Present:

Sheila Ritter, San Francisco Police Department  
Communications  
Bill Hopper, Retired Director, Criminal Justice  
Department, Chabot College

POST Staff Present:

Norman C. Boehm, Executive Director  
Hal Snow, Assistant Executive Director  
John Berner, Bureau Chief, Standards and Evaluation  
Vera Roff, Executive Secretary

ANNOUNCEMENTS

- o Commissioner Marcel Leduc's wife, Francis, recently passed away after an extended illness. A letter of condolence will be sent on behalf of the Advisory Committee members.
- o A get-well card will be mailed to Imogene Kauffman, long-time POST secretary. Imogene recently suffered a minor stroke which has left her arm partially paralyzed.
- o Congratulations were extended to Alicia Powers who was appointed Chief at Hercules Police Department, effective February 1.

APPROVAL OF MINUTES

The minutes of the October 14, 1992 meeting were approved as distributed with the following corrections:

- o Charles Brobeck represents the California Police Chiefs' Association
- o Norm Cleaver and Alicia Powers were present
- o Jay Clark was absent

REPORT WRITING INSTRUCTION AND EVALUATION IN THE BASIC ACADEMY

Staff reported on the results of a study to evaluate report writing instruction and evaluation in basic training, and demonstrated a prototype video-tape based test that was used to assess the report writing competencies of a select group of basic trainees who had recently successfully completed the report writing block in the academy. A significant number of the trainees failed the test. A key finding of the study was that the quality of the reports written by the trainees, as measured by performance on the video test, was related to the instruction received by the trainees. Based on this finding, and the related finding that report writing instruction varies greatly by academy, the Committee was advised that staff would be recommending to the Commission that contract monies totaling up to \$127,750 be appropriated for the development of a standardized basic report writing curriculum, including the development of at least five video tapes similar to the prototype.



The Committee members expressed considerable interest in the proposal. Following a lengthy discussion there was consensus to recommend Commission approval.

#### REVIEW OF COMMISSION MEETING AGENDA

Staff reviewed the January 20, 1993 Commission meeting agenda and responded to questions and discussion of the issues.

On Agenda Item C - "Reimbursement to Local Agencies for the Purchase of Satellite Antenna and Interactive Computer Hardware System," there was concurrence with the direction the Commission is taking.

On Agenda Item D - "Proposed Regulation Changes Requiring the Review of Audio-Visual Training Materials," Norm Cleaver expressed appreciation on behalf of the California Academy Directors' Association to the Commission for re-examining this matter, and to the POST staff for the professional manner in which CADA's concerns were addressed.

On Agenda Item E - "Recognition of Degrees and Units Awarded by Certain Non-Accredited Colleges and Universities Qualifying Under SB 1126," members expressed concern over the passage of this legislation and the potentially disadvantageous precedent it sets.

On Agenda Item G - "Authority to Contract with Basic Academies for Satellite Receiving Antennas," it was suggested that where campus police departments function separately from the training academy that consideration be given to provide each facility with a satellite receiving antenna.

Staff also reported that public safety representatives from fire, law enforcement, and corrections met on Tuesday, January 13, 1993 to develop a strategy exempting those attending courses to satisfy state-mandated public safety courses from the \$50 community college tuition fee.

#### ADVISORY COMMITTEE MEMBER REPORTS

California Police Chiefs' Association - Charles Brobeck reported that CPCA will have its annual conference in Huntington Beach beginning February 7. Main focus of the program will be on executive wellness, stress, and current legal issues. One item CPCA is addressing is the military's proposed use of nine-millimeter ammunition that can penetrate safety vests and could possibly become available to the public.

Chief Brobeck reported that a protection/intervention/education model program (PIE) has been developed through cooperation of representatives from criminal justice, schools, and the business

sector. Four videotapes have been developed which focus on Asian gangs, Hispanic gangs, women in gangs, and taggers. The tapes run 8-10 minutes each and will be available to community groups (as well as through POST).

California Peace Officers' Association - Don Forkus reported that CPOA has developed a course on "Canine Liability" which will be presented to POST for certification.

CPOA and CPCA will host the first annual Legislative Day on March 8, 1993. The purpose of the meeting will be to bring key legislators together to discuss the current status of legislation and how it effects law enforcement.

As the need for legislative advocacy has changed, CPOA and Cal Chiefs are seeking a new legislative advocate. Al Cooper will remain with CSSA.

Some time ago CPOA went to a regional concept for training in order to provide low-cost training tailored for individual regions. A training session using this concept was recently held in Area 4 and indications are that it was very successful.

Women's Peace Officer Association - Alicia Powers announced that associate memberships to WPOA are available to male sworn officers. It would be an excellent way for Chiefs to indicate their support for women in law enforcement. Training sessions are designed to be beneficial to all peace officers.

California Community Colleges - Ernest Leach reported that the California Community Colleges will look into the possibility of expanding the 832 course training to include the public safety sector. Plans are also underway to support the regional training concept. The California Community Colleges is in support of a half cent sales tax dedicated to education rather than raising student fees. Because of the fiscal constraints, it is vitally important that involved agencies pool resources in order to develop the specialized training needed.

California Association of Police Training Officers - Jay Clark reported that the CAPTO training conference was held in October in Solvang. While attendance was lower than anticipated, feedback indicates the training opportunities presented were extremely well received.

California Highway Patrol - Jack Healy reported that the CHP is also facing difficult times and is seeking innovative ways to handle the budget problems.

California Association of Administration of Justice Educators - Derald Hunt reported that the CAAJE board meeting will be held February 6 in San Diego. Issues discussed today will be

presented. The April 30 annual conference will also be held in San Diego.

California Academy Directors' Association - Norm Cleaver informed the group that AB 225 (Woodruff) could have the most impact on training in the short term, and requested support for passage of the bill.

Public Member - Judith Valles commended POST staff for the consistent quality and content of the monthly Administrative Progress Report.

In addition to being a trustee for the Golden West College, Ms. Valles has recently been appointed trustee for the San Bernardino Community College District. She reported that community college enrollment in both districts has decreased due to the additional fees.

As a member of the Anti-crime Coalition Task Force of Huntington Beach, Ms. Valles reported there is very optimistic support for the Community Oriented Policing concept in that community.

Peace Officers' Research Association of California - Joe Flannagan reported that Lt. Skip Murphy from San Diego Deputy Sheriff's Association is the new PORAC president, and Sergeant Jim Jorgensen, Sacramento Police Officers' Association, is the new Vice President.

PORAC is very supportive of the satellite IVD program although they are concerned about losing some of the outside training. PORAC is extremely concerned about recognizing degrees and credits from non-accredited universities such as August Volmer University and what it will mean to the credibility of certificates.

PORAC continues to pledge its support to work with Legislators for the benefit law enforcement.

California State Sheriffs' Association - Cois Byrd reported that representatives from CSSA, CPOA, CCPA, and DA's met with the Governor recently on the budget crisis. In spite of other budget constraints which may be necessary, representatives expressed their strong support for the importance of the POST program in law enforcement and urged the Governor not to cut POST funding.

#### ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1:30 p.m..



Vera Roff  
Executive Secretary

OFFICER  
SCOTTS VALLEY

# SCOTTS VALLEY POLICE DEPARTMENT

ONE CIVIC CENTER DRIVE • SCOTTS VALLEY, CALIFORNIA 95066 • PHONE (408) 438-2323 • FAX (408) 438-6930

POLICE  
CALIF.

MAR 15 10 07 AM '93

CHIEF OF POLICE  
STEPHEN D. WALPOLE

March 11, 1993

Mr. Norman C. Boehm  
Executive Director  
Commission on Peace Officer  
Standards and Training  
1601 Alhambra Blvd.  
Sacramento, CA 95816

RE: EFFECTS ON DEPARTMENTAL TRAINING CAUSED BY  
ELIMINATION OF SALARY REIMBURSEMENTS

Dear Mr. Boehm:

The purpose of this letter is to express to you my concern over the P.O.S.T. decision to eliminate salary reimbursements.

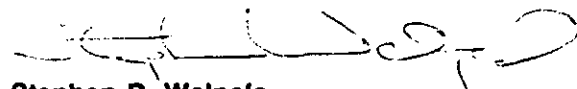
As you know, P.O.S.T. provides a variety of mandatory as well as essential training classes for the various police departments throughout the State of California. This training, provided by P.O.S.T., ensures that a high level of professional standards as well as ethics in law enforcement is maintained throughout the various agencies in our great state. California law enforcement is looked upon by the rest of the nation as an excellent example of modern, contemporary law enforcement who prides itself in training.

The elimination of salary reimbursement will most definitely create severe financial hardships and force my department (and I believe others) to minimize the amount and type of training provided for our personnel. Obviously, this is of paramount concern to us and, I am sure, to other departments throughout the state.

Please forward my list of concerns to the Commissioners at the upcoming commission meeting in San Diego. Please do not hesitate to contact me at (408) 438-6931 if you wish to discuss this issue further.

Sincerely,

SCOTTS VALLEY POLICE DEPARTMENT



Stephen D. Walpole  
Chief of Police

SDW:jcp



## City of Santa Cruz

CITY HALL • 809 CENTER STREET • ROOM 27  
SANTA CRUZ, CALIFORNIA 95060-3865  
FAX (408) 457-8215 • Device for the Deaf 1 (800) 523-4986

OFFICE OF THE CHIEF OF POLICE

(408) 429-3700

DIRECT TELEPHONE NUMBER

March 9, 1993

Mr. Norman C. Boehm  
Executive Director  
Commission on Peace Officer  
Standards and Training  
1601 Alhambra Blvd.  
Sacramento, CA 95816

Dear Mr. Boehm:

The purpose of this letter is to express our concern over POST's decision to eliminate salary reimbursements.

As with most California Law Enforcement Agencies, the Santa Cruz Police Department relies on POST for assistance in providing training to our officers. This includes the legislatively mandated basic officer training as well as continued professional training.

The loss of salary reimbursement creates severe financial hardships. It will, most certainly, force us to minimize the amount and type of training provided to our personnel. Obviously, this is of paramount concern to us.

Please forward my listed concerns to Commissioners at the upcoming commission meeting in San Diego. Please feel free to contact me at the above telephone number if you wish to discuss this further.

Sincerely,

  
JACK BASSETT  
Chief of Police

JB:TV:ac

TRANSMISSION ON POST  
MAR 12 9 13 AM '93