

Memorandum

To : All Commissioners

Date : June 13, 1968

From : Commission on Peace Officer Standards and Training

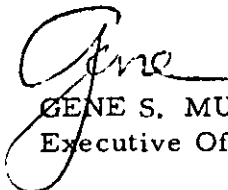
Subject : COMMISSION MEETING
Police Administration Building, Room 801
Oakland, California
June 27, 1968

AGENDA

1. Call to Order - 9:30 a. m.
2. Introduction of Visitors
3. Approval of Minutes of March 28, 1968 Meeting
4. Approval of Expense Claims
5. Certification of Courses
 - Pre-service College Courses
 - Palo Verde College, Blythe
 - Yuba College, Marysville
 - College of the Desert, Palm Desert
6. Withdrawal of Certification
 - Basic Course
 - Monterey Peninsula College, Monterey
7. Final Adoption of Regulation and Specification Changes
8. California Law Enforcement Recruitment Program Report
9. Status Report - Legislation
 - a. AB-80
 - b. AB-260
 - c. AB-448
 - d. AB-870
 - e. SB-1007
 - f. AB-1203
 - g. AB-1813
 - h. AB-1978

June 13, 1968

10. Status Report - Commission Staff Restructuring & Salary Readjustment
11. Miscellaneous
 - a. "Project Transition"
12. Date and Place of Next Meeting (Southern California - 9/19/68)
13. Adjournment


GENE S. MUEHLEISEN
Executive Officer

State of California
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

June 27, 1968
Oakland, California

The meeting was called to order at 9:35 a.m. by Chairman McCann.
A quorum was present:

WILLIAM J. McCANN, Chairman
THOMAS REDDIN, Vice Chairman
LYELL C. CASH
BERNARD J. CLARK
JOHN FABBRI
DAN KELSAY
ROBERT S. SEARES
EARL R. STRATHMAN

Also present:

GENE S. MUEHLEISEN, Executive Officer
GEORGE H. PUDDY, Assistant Executive Officer
EDWARD M. TOOTHMAN, Program Director, C.L.E.R.P.
KENNETH W. SHERRILL, Senior Consultant
CARL R. BALL, Senior Consultant
MARILEE LEWIS, Stenographer

Absent:

T. M. HEGGLAND
O. J. HAWKINS, Representing the Attorney General

Visitors:

JEROME AMMERMAN, Chief of Police, Modesto
LARRY GIDDINGS, National Sheriffs Assn., Washington, D. C.
CHARLES GRANT, Police Science Coordinator, Contra Costa College
and Diablo Valley College
WARREN HANSON, District Attorney Investigators Assn., Alameda Co.
JACK McARTHUR, Chairman, Northern Section, Police Educators
Assn. of California
J. WINSTON SILVA, State Department of Education, Peace Officer
Training Section

APPROVAL OF MINUTES

Commissioner Kelsay pointed out that the name of Commissioner Cash had been omitted from the minutes of the March 28, 1968 meeting at Los Angeles. He directed that the minutes be corrected to show Commissioner Cash as one of those absent from that meeting.

MOTION by Commissioner Kelsay, seconded by Commissioner Fabbri, carried unanimously, that the minutes of the last meeting be approved as corrected.

APPROVAL OF EXPENSE CLAIMS

MOTION by Commissioner Seares, seconded by Commissioner Strathman, carried unanimously, that the following expense claims of the Executive Officer be approved:

March 27-28	Los Angeles	\$ 32.27
March 30	Concord	18.71
April 8-10	Santa Barbara, Los Angeles	63.70
May 7-8	Cypress	24.00
May 12-14	Newport Beach	51.40
May 22	Los Angeles	18.59
May 24-25	South Lake Tahoe	24.00
May 27-28	Carmel	45.12
	TOTAL EXPENSES	<u>\$277.79</u>

CERTIFICATION OF COURSES

Pre-Service Courses

1. Palo Verde College, Blythe
2. Yuba College, Marysville
3. College of the Desert, Palm Desert

Mr. Ball described the Palo Verde College Program and stated that it meets the minimum standards. Certification was recommended.

MOTION by Commissioner Reddin, seconded by Commissioner Seares, carried unanimously, that the police science course at Palo Verde College be approved.

Mr. Ball then described the Yuba College program and reported that it meets the Commission's standards. Certification was recommended.

MOTION by Commissioner Clark, seconded by Commissioner Reddin, carried unanimously, that the police science course at Yuba College be approved.

The College of the Desert program was described by Mr. Ball as having excellent facilities and a training course which meets standards. Approval was recommended.

MOTION by Commissioner Reddin, seconded by Commissioner Fabbri, carried unanimously, that the police science course at College of the Desert be approved.

WITHDRAWAL OF CERTIFICATION

Mr. Ball informed the Commission that Monterey Peninsula College is certified for both a pre-service two-year police science course and an academy Basic Course. The Basic Course is no longer offered there, and none is anticipated. He recommended that certification of the Basic Course be withdrawn and that the college retain certification for the pre-service course.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, carried unanimously, that certification of the Basic Course at Monterey Peninsula College be revoked.

REVISION OF REGULATIONS AND SPECIFICATIONS

For several hours the Commission discussed the proposed Regulation changes amended as a result of the public hearings held in Sacramento on February 14 and in Los Angeles on February 29 and as further discussed with a special committee of the California Police Chiefs Association. As a result of motions, mutual agreement and at the direction of the Chair, the Regulations and Specifications were revised as set forth in Attachment A.

Action on the following Specifications was tabled until a future time:

Specification 6, the Executive Development Course
Specification 8, Technical and Special Courses
Specification 11, Administrative Counseling Service

MOTION by Commissioner Clark, seconded by Commissioner Fabbri, carried unanimously, that the Regulations and Specifications be adopted as revised, to become effective September 1, 1968.

It was suggested by Chairman McCann that a news story be prepared and released about the time the Regulations become effective. Printed copies of the revised Regulations and Specifications will be mailed prior to August 1, 1968 to all Commissioners, all police and sheriffs' departments, all colleges and universities with police science courses, all city and county administrators, and other interested persons. The three Specifications which were deferred will receive the same distribution when they receive final approval. The staff was directed to work on additional drafts of the Specifications on which no final agreement was reached.

CALIFORNIA LAW ENFORCEMENT RECRUITMENT PROGRAM

Project Director Edward Toothman presented tables of statistics showing the growth of the number of law enforcement personnel in California between 1965 and 1967 and indicating the number of vacancies among these as of November 1, 1967. These tables, collectively, have been made Attachment B to these minutes.

Mr. Toothman reported a very favorable response to the catalog, "A Career in Law Enforcement," which was prepared as a result of a statewide survey of recruitment standards, salaries and job benefits of 187 police departments and sheriffs' offices. The catalog was distributed throughout the State and is widely used, particularly in libraries. Numerous requests for additional copies were received until the supply was exhausted. Since the book has been so useful, Mr. Toothman recommended that it should be reprinted, with additions, corrections, and an improved format.

The summary of the proceedings of the April 3, 1968 symposium sponsored by the Bay Counties Peace Officers Association ("Professional Police - Fact or Fantasy?") was also in wide demand; it will be reprinted for broader distribution.

One of CLERP's current projects was described - development of law enforcement recruitment brochures directed toward various types of readers - high school students, military, and for general use. Space will be provided for a particular department to stamp its name on the back.

Problems generally experienced in police recruitment were mentioned by Director Toothman. One of the most universal is lack of high quality in the candidates, very likely as a result of lack of opportunity for higher salary and advancement within most departments, as well as the barriers (notably non-transferable pension plans) to lateral transfer among departments. It was reported that fewer than 20 percent of all people going into law enforcement are promoted and that salary ranges level off too low. Until these roadblocks to opportunity in the police field are removed, recruitment and retention of top-level, professional-type personnel will be seriously hindered. Under present circumstances, the larger departments are hiring an extremely small percentages of the total number of applicants, and the smaller departments are forced to accept a lower standards of personnel, because the most capable people are usually attracted to other fields of work.

Mr. Toothman stated that the current LEAA grant will terminate on August 31. If desired by the Commission, he will submit a new proposal, technically to be classified as a "continuation" grant by LEAA, since their funds for new projects have been depleted. It was Mr. Toothman's recommendation that additional research is necessary in the areas of salaries, lateral movement, transferable retirement systems and promotional opportunities.

Commissioner Reddin expressed approval of a study of this sort and said that the findings would be very important and valuable. He recommended that the Commission proceed with an application for a continuation grant. Chairman McCann directed the staff to handle the matter and appointed a committee to serve as advocates for the proposed grant, should it be necessary. The committee is composed of: Commissioner Seares, Chairman, and Commissioners Kelsay, Fabbri and Cash.

LEGISLATION

Assistant Executive Officer Puddy gave a status report on pending legislation affecting the POST program.

A. B. 80 Described at the last meeting. This bill will undoubtedly not pass.

A. B. 260 Described at the last meeting. This bill had passed the Assembly and was being studied by the Senate Committee on Governmental Efficiency. Commissioner Reddin expressed opposition to the bill.

A. B. 448 Proposed to have the Commission make grants to cities and counties contiguous to state parks to be used to train, equip, and pay police and sheriff reserve officers to work in parks to maintain law and order. The bill had passed Criminal Procedure and was to be sent to Ways and Means. Mr. Toothman and Commissioner Clark observed that it would be better if the concerned police and sheriffs' departments were given additional personnel and money. Commissioner Seares stated that he opposed the bill. Chairman McCann pointed out that as it was written, the bill had no money appropriation, and if the appropriation were added it probably would not pass.

A. B. 870 Described at the last meeting. The Commission reiterated its opposition to the bill as written but suggested it not be opposed if the author would accept the changes as redrafted by the staff and Commissioner Fabbri. Mr. Puddy reported that it had been withdrawn by the author until either the State budget or A. B. 1203 passed. Commissioner Clark advised that the Commission is already empowered to implement all provisions of the bill without additional legislation.

S. B. 1007 A second effort by Senator Alquist to implement the provisions of S. B. 585, passed in 1967. This bill would appropriate \$2,373,275 from the General Fund to the Commission to put on the complete proposed program envisioned by S. B. 585 in 1967. It was reported that there was little chance of the bill passing because of the General Fund appropriation.

S. B. 1106 Proposed that the Attorney General author for statewide distribution to law enforcement agencies a law enforcement manual containing general procedural information. This does not involve POST, unless POST would be requested by the Attorney General to prepare the manual. This was reported for information only.

A. B. 1203 A proposal to augment the Peace Officer Training Fund by means of a penalty assessment of \$4 per each \$20 traffic fine, of which the Peace Officer Training Fund would receive 25 percent and the state driver education fund would receive 75 percent. This would provide approximately \$3.5 million in revenue to the Peace Officer Training Fund. Inasmuch as funds from the State General Fund cannot be made available to support peace officer training, the Commission was highly in favor of this bill. It had passed Criminal Procedure and was bound for Assembly Ways and Means. The Commission strongly supports this legislation.

A. B. 1813 Made simple technical corrective changes in the language of present POST laws. It had no other effect on the program and involved no cost to anyone. There was no opposition to the bill.

A. B. 1978 Proposed to add to the Commission as members a representative of the University of California Board of Regents, a member of the State College Board, the Community College Board, and two minority group members who had some expertise in community relations. Commissioner Kelsay spoke in opposition to adding any members to the Commission. The bill also provided a bonus to police officers living in the community in which they work. The Commission opposed this concept as prejudicial to officers assigned to work in areas other than where their residence happened to be. The bill is also unnecessarily costly.

At the meeting of March 28, 1968 the staff was directed to prepare a draft summarizing the Commission's general policy on legislative matters. The following proposed policy was submitted:

The Commission shall cooperate to the fullest extent in providing information upon request on all matters within its purview, regardless of the effect of such legislation upon the powers, duties, responsibilities and operation of the Commission. While the general policy of the Commission is one of non-advocacy, the Commission may, at its discretion, support any specific legislation designed to increase the level of competency of local law enforcement agencies through programs contemplated to be under the purview of the Commission. At its discretion, the Commission may oppose any legislation which would:

- (1) Violate principles of home rule by imposing mandated standards

for compensation and fringe benefits for local government employees;

- (2) Augment this Commission's work unless its currently defined programs are continuously financed;
- (3) Impose by law specific or special programs which the Commission is now legally empowered to establish through the hearing process pursuant to the Administrative Procedure Act; or
- (4) Violate the administrative principle of delegating responsibility without commensurate authority for the administration of programs for which the Commission is responsible.

MOTION by Commissioner Reddin, seconded by Commissioner Seares, carried unanimously, that the policy be adopted as presented, although it was pointed out that the Commission's views are not necessarily restricted to the items specified in the policy statement.

COMMISSION STAFF RESTRUCTURING AND SALARIES

Assistant Executive Officer Puddy summarized the reports made to the Justice Department Personnel Officer outlining the justifications for the proposed title changes and salary increase, as set forth in Attachment C.

MOTION by Chairman McCann, seconded by Commissioner Seares, approved unanimously, that the committee headed by Commissioner Strathman be empowered to act on behalf of the Commission to finalize these proposals.

Other members of the committee are Commissioners Kelsay and Reddin.

SAN BERNARDINO POLICE DEPARTMENT CASE

The details of this case are summarized in the minutes of the March 28, 1968 Commission meeting. The Executive Officer reported that the officer involved was still a member of the department and that no further action was anticipated by the City of San Bernardino. After some discussion it was concluded that, since the 18 months period in which training should have been satisfactorily completed has now passed, and for several other apparent violations in this specific case, a letter should be written to the City of San Bernardino informing the authorities there of that city's probable ineligibility to receive reimbursement for training of its police officers because of its failure to dismiss the officer who does not meet POST standards. The city would be invited to present its viewpoint at the next meeting, in accordance with the Regulations.

MOTION by Commissioner Reddin, seconded by Commissioner Kelsay, unanimously approved, that the intent of the motion made at the meeting of March 28, 1968 pertaining to the employee in San Bernardino who does not meet our standards be made known in a letter to be sent to the City of San Bernardino.

"PROJECT TRANSITION"

The project, sponsored by the military, involves police pre-service training for military personnel who are about to be released from active service. Upon completion of approved training and release from duty, graduates would then be immediately available for recruitment into police work. In California the military had selected Fort Irwin, near Barstow, and Camp Pendleton, near Oceanside, as the training sites. Upon request, the POST staff had worked with the Peace Officer Training section of the Department of Education to provide for instructors through the nearest certified schools (Barstow College and Mira Costa College) and had inspected the facilities. The Executive Officer stated that they are expected to meet standards and recommended approval of the courses pending final inspection.

MOTION by Commissioner Reddin, seconded by Chairman McCann, unanimously approved, that upon determination of qualification, the Fort Irwin and Camp Pendleton Project Transition courses be certified.

DATE AND LOCATION OF NEXT MEETING

The Commission set the date of the next meeting for September 13, 1968 in Riverside County. The exact location will be selected by Commissioner Clark.

ADJOURNMENT

The meeting was adjourned at 4:10 p. m.

Respectfully submitted,


GENE S. MUEHLEISEN
Executive Officer