

# Memorandum

All Commissioners

Date : December 2, 1971

Executive Officer

From : **Commission on Peace Officer Standards and Training**

Subject: COMMISSION MEETING  
10 a. m., December 9, 1971  
Woodlake Inn, Americana Room  
Highway 160 and Canterbury Road  
Sacramento, California

## AGENDA

1. Call to Order
2. Introduction of Guests
3. Approval of Minutes
4. Briefing on Criminal Justice Regional Training Center, Modesto
5. Financial Report
6. Bureau of Police Education and Training Report
  - a. Certification of Courses
  - b. Evaluations
  - c. Analysis of Tuition and Indirect Costs
  - d. Status Report on Jail Operations - Jail Management and Civil Procedures Courses
  - e. Report on Department of Justice Training Assistance
7. Bureau of Police Standards Report
  - a. Administrative Counseling Status Report
  - b. Personnel Standards
    - (1) Recertification of Folsom Police Department
    - (2) Request for Lateral Entry Waiver - Pleasant Hill
8. Legislation

9. Advisory Committee Report
10. Old/New Business
  - a. Project S. T. A. R.
  - b. Office Space Status
  - c. Salaries
  - d. California State Harbor Police Association Request
11. Date and Place of Next Meeting
12. Adjournment

*Gene S. Muehleisen*  
GENE S. MUEHLEISEN

State of California  
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

December 9, 1971  
Sacramento, California

The meeting was called to order at 10 a.m. by Chairman Cash. A quorum was present.

Present:

LYELL C. CASH	- Chairman
JOHN FABBRI	- Vice-Chairman
BEN CLARK	- Commissioner
JACK G. COLLINS	- Commissioner
CHARLES T. FLYNN	- Commissioner
DAN KELSAY	- Commissioner
ROBERT S. SEARES	- Commissioner
JACK WEBER	- Representative of the Attorney General

Also Present:

GENE S. MUEHLEISEN	- Executive Officer
CARL R. BALL	- Chief, Bureau of Police Education & Training
F. S. BROWN	- Administrative Services Officer
G. E. PEMBER	- Consultant, Education & Training
O. H. SALTENBERGER	- Consultant, Education & Training
K. W. SHERRILL	- Senior Consultant, Personnel Standards
G. E. TOWNSEND	- Senior Consultant, Project S.T.A.R.
G. W. WILLIAMS	- Assistant to the Executive Officer
B. W. WILSON	- Consultant, Education & Training
IMOGENE KAUFFMAN	- Recording Secretary

Absent:

FRED J. MOREY	- Commissioner
E. R. STRATHMAN	- Commissioner
GEORGE H. PUDDY	- Assistant Executive Officer

Staff Training:

Anna Francesconi	- Claims Unit
Twyla Sousa	- Personnel Section
Linda Houser	- Receptionist & Assistant to the Secretary

Visitors:

Charles E. Casey	- Assistant Director, Organized Crime Unit, Department of Justice
Les Menconi	- Operations and Training Officer, Organized Crime Unit, D.O.J.
Ed Grace	- Captain, Los Angeles Police Academy
Philip H. Jordan	- Pleasant Hill Police Department Recruit
James D. Newton	- President, California State Harbor Police Association
Lock Richards	- Director, State Harbors and Watercraft
David Swoap	- Office of Senator Howard Way

The Executive Officer introduced and welcomed newly appointed Commissioner Charles T. (Terry) Flynn, City Manager of La Mesa, who replaced Art McKenzie, retired City Manager of Costa Mesa.

It was announced by the Executive Officer that George Puddy's absence was necessitated by his conducting the oral interviews for the P.O.S.T. consultant examination. It was also announced that Mr. Puddy had accepted an appointment with the Department of Justice as Assistant Director of the newly created Technical Services Branch. He is to leave P.O.S.T. effective January 1, 1972, concluding ten years of devoted valuable service to the Commission. With the departure of the Assistant Executive Officer, a restructuring of the P.O.S.T. organization as well as certain classification changes are proposed, and will be presented to the Commission later on the agenda.

APPROVAL OF MINUTES

MOTION by Commissioner Kelsay, Commissioner Collins second, motion carried that the minutes of September 16-17, 1971, commission meeting be approved.

BRIEFING OF THE REGIONAL CRIMINAL JUSTICE TRAINING CENTER, MODESTO

Mr. Ball introduced Jack McArthur who is the director of the Regional Criminal Justice Training Center at Modesto, the first regional criminal justice education, training and resource center to be developed in the State. This federally funded pilot program has aroused state and national interest.

Mr. McArthur presented an over-view of the center. It is located on 30 acres of state-owned property with adequate space reserved for future development.

The center is serving the education, training and resource needs of the three disciplines of the criminal justice system by formulating and implementing in-depth training programs for police, corrections and judicial process agencies in ten central valley counties.

In-depth information on the center is contained in P.O.S.T. files.

Mr. McArthur thanked the Commission, its staff and specifically Carl Ball and Gene Pember for the help given in the development of this project.

### FINANCIAL REPORT

The quarterly activity report and 71-72 F. Y. summary as of September 30, 1971, (Attachment "A") was presented by Mr. Brown. He reported that the first quarter is the low quarter for the year, and that during the first two months, October and November of the second quarter, claims had been processed totalling \$78,000 in excess of the total figure for the first quarter. Mr. Brown noted that the P.O.S.T. budget presented at the September 16, 1971, commission meeting had been approved by the Governor.

The Executive Officer stated that it will be necessary to have some budget augmentation at a later date, based upon legislation which established special program needs.

### BUREAU OF POLICE EDUCATION AND TRAINING REPORT

#### Certification of Courses

Twelve courses for certification and one course for decertification, as set forth in Attachment "B", were presented to the Commission for approval. After a discussion the following action was taken:

MOTION by Commissioner Clark, seconded by Commissioner Fabbri, motion carried that the courses as presented to the Commission on the Course Certification Agenda, Attachment "B" of the minutes, be approved.

It was stated by the Executive Officer that further action will be taken to remove inactive courses or limited certification courses from the Course Certification Catalog.

Commissioner Kelsay requested that in the future the table of reimbursement plans (Plans A, B, C and D as set forth in Specification 11) be included with the Course Certification Agenda when presented to the Commission.

### Course Evaluations

Mr. Ball reported it has been determined that his bureau staff is not large enough to individually evaluate all existing courses. Systems are being developed whereby resources in the field can be utilized to provide information to the Commission on the quality of courses. The Los Angeles County Sheriff's Department training staff has suggested a system design for evaluation which involves forming an evaluation committee made up of trainees taking the courses. This is in a formulation stage but will be explored. C. A. P. T. O. (California Association of Police Training Officers) is also working with the P. O. S. T. staff in developing a system by which trainees can be selected before they attend a course and be asked through their agency to evaluate the course for P. O. S. T.

As a condition of limited certification, a staff consultant monitored the experimental course "Organizational Development Seminar" Cal State Long Beach recently conducted for Santa Barbara County Sheriff's Department. Two additional Development Seminars will also be monitored. The complete report with a staff recommendation will be presented at a later meeting.

When possible, P. O. S. T. staff members also personally monitor courses. For example, the Sacramento Middle Management Course was recently evaluated by Senior Consultant, Brad Koch. His excellent critique was presented to the Bureau of Police Education and Training.

The Executive Officer added that self evaluations are going on within the academies and the courses themselves, and P. O. S. T. does periodically receive copies of those critiques. A system comprised of all these factors is being developed and will be presented to the Commission at a future date.

Mr. Ball noted that the study of the Advanced Officer Course being done under contract by Nat Trives had not been completed as Mr. Trives had been ill. A report will be presented at the next commission meeting.

As of this date there are 42 certified Advanced Officer Courses in California. The report from Mr. Trives will indicate where P. O. S. T. should consolidate or generate additional courses. A map which pointed out course locations of Advanced Officer Courses was presented to the Commission.

### Analysis of Tuition and Indirect Costs

At the September 16, 1971, commission meeting, concern was expressed regarding tuitions of some certified training courses, and it was requested that a cost analysis report of certified tuition courses be presented whereby an acceptable overhead rate could be established.

In compliance with this request, Mr. Wilson presented the report, "Cost Analysis of Certified Tuition Courses", Attachment "C". Commissioner Clark commended Mr. Wilson upon the excellence of the report.

The recommendations were introduced and discussed in order.

Recommendation No. 1

"It is recommended that the Commission encourage institutions to limit the number of instructors in the interest of continuity of instruction and economy, so long as such limitation does not detract from the overall quality of instruction and course content."

Discussion:

Commissioner Collins felt this should be in the form of instruction to the staff rather than formal action.

Mr. Weber stated that he agreed with the guideline but was uncertain as to the means of implementing it. Although a course would be presented to the Commission for approval of certification in the package that is typically presented to the Commissioners, it is proposed the package should point out if there is an excessive number of staff involved. He suggested that some mechanism be devised to advise the Commission of these situations.

Commissioner Fabbri recalled that course information had previously been written at length. Because of the length, the Commission had requested that only unusual aspects of courses should be noted for the Commission; otherwise the staff recommendations would be accepted.

MOTION by Mr. Weber, seconded by Commissioner Fabbri, motion carried that the recommendation be adopted to the extent that it be implemented by staff's advising the Commission when problems occur with regard to the number of instructors.

Recommendation No. 2

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, motion carried that this recommendation be adopted as revised:

"It is recommended that the Commission use the Department of Health, Education and Welfare audited indirect cost rate as a legitimate cost figure guideline to analyze course budgets. Where colleges have not had such an audit and choose not to do so, it is recommended that a maximum indirect cost rate of 15% be allowed. This figure was the lowest rate claimed on any budget in file."

Recommendation No. 3.

MOTION by Commissioner Clark, seconded by Commissioner Kelsay, motion carried that recommendation No. 3 be adopted as revised:

"It is recommended that the number of institutions certified to teach tuition-type courses be reviewed to assure the maximum utilization of P.O.S.T. expenditure."

Discussion:

Commissioner Seares requested that staff establish guidelines regarding costs of under-enrolled courses, e.g., require a minimum enrollment for course presentation. It was requested by the Commission that staff make a recommendation at a future date with regard to the advisability, through contract, of providing reimbursement directly to colleges for such courses.

Jail Operations - Jail Management and Civil Procedures Courses

Status Report

Mr. Saltenberger reported contact had been made with members of the C.P.O.A. and the California Sheriffs' Association for information concerning potential locations and curriculum for the Jail Operations and Management Course. This will be a 40-hour training school for jailors, county and state correctional officers.

Course development involved selected representatives of local jail operations, the State Department of Corrections, the Federal Bureau of Prisons, and L.E.A.A. Assistance will also be received from the staff of the Modesto Regional Justice Training Center and Dr. Richard E. Hill of Sacramento State. Some of the potential sites identified are Feather River Academy, Modesto Training Center and the Sacramento Law Enforcement Academy. The Federal Bureau of Prisons curriculum must be tailored to a state and regional approach adaptable to localized needs.

Department of Justice Training Assistance Report

On September 16, 1971, the Commission referred a request from the Department of Justice for a P.O.S.T. counseling service to identify their training needs. The matter was referred to the Administrative Counseling Committee for final action on behalf of the Commission. The committee included Commissioners Cash, Kelsay, and Seares, to be chaired by Commissioner Fabbri.



On October 14, 1971, the Committee approved a budget allocation of \$20,000 to be used for this purpose. The counseling service is to identify the training needs brought about by the re-organization of the Department of Justice and will begin by mid-December, with June 1, 1972, as the target date for completion.

Mr. Ball reported that the services of Nathan Iannone had been acquired. Mr. Iannone is a retired inspector of the Los Angeles Police Department, and is now Director of the Police Science Program at Fullerton Junior College.

## BUREAU OF POLICE STANDARDS REPORT

### Administrative Counseling Status Report

The Administrative Counseling Status Report was given by the Executive Officer. A recap chart showing the status of surveys requested, in progress and which have been completed since the inception of the Administrative Counseling service, was presented to the Commission. This chart showed that as of December 9, 1971, 34 surveys have been completed, 16 are pending, and there is a backlog of 23.

Several surveys of unusual interest were brought to the attention of the Commission. The Executive Officer reported on a new technique being used with the Lodi survey. It will vary from traditional surveys by implementing sections of the recommendations as the survey proceeds. Necessary training will be given as each survey section is implemented.

It was also reported that the feasibility study on Madera County as a possible model of consolidation or pooling and sharing of resources had been halted. After counseling with the Commission Chairman, the Executive Officer forwarded a letter to Madera County officials advising that the survey would not be undertaken due to the findings of resistance by several key, local authorities.

It was noted that this type of study requires complete support of local government from both the law enforcement and political bodies. Commissioner Fabbri stated that the action taken was completely within the guidelines that had been established by the Commission with regard to this type of study. There must be complete agreement and cooperation from law enforcement managers, supervisors and county administrators.

The Executive Officer reported on a survey to be undertaken for Modesto City and Stanislaus County. The survey will be conducted in conjunction with a \$15,000 C. C. C. J. grant entitled "Feasibility Study -- Alternate Law Enforcement Systems" to determine the feasibility of consolidation of police services in the Modesto Metropolitan Area. Resolutions from the Board of Supervisors, the City of Modesto, the Sheriff and the Chief of Police will be required.

San Jose, Stockton and Sacramento are the three largest surveys that have been conducted. The average cost of these three studies for staff time was priced at \$14,000 per survey which is about 1/4 to 1/3 the cost of commercial and "non-profit" management consulting firms. Since inception of the program, the average time required to complete a survey is 4.4 months, averaging 2.6 surveys per man per year. Manpower estimates include initial training, in-service or refresher training and limited research projects. The manpower formula at the inception of the program was estimated at three surveys per year per consultant which may be an attainable goal; however, factors such as personnel turnover and training may lower the figure. Survey techniques are also a factor and could either increase or decrease the number completed per year depending upon the techniques employed.

There followed a discussion concerning any change of P.O.S.T. policy regarding obtaining complete cooperation of all parties before a survey commitment is made. It was the consensus that this policy was valid and should not be changed.

#### Recertification of Folsom Police Department

Mr. Sherrill reported that the Folsom Police Department was decertified for non-compliance in 1970. A request had been received for reinstatement, and subsequently two satisfactory inspections have been made. It was the staff recommendation that Folsom be reinstated in the P.O.S.T. Program.

MOTION by Commissioner Clark, seconded by Commissioner Collins, motion carried that the City of Folsom be reinstated as of December 9, 1971, with the condition that all officers in question establish their educational and training qualifications as specified by the Commission:

G.E.D. requirements to be completed by March 1, 1972, and the balance of required training completed by July 1, 1972; that training completed within the fiscal year be reimbursable.

#### Request for Lateral Entry Waiver - Pleasant Hill

Mr. Sherrill stated that a request had been received from the City of Pleasant Hill Police Department for a waiver of eye sight requirement under Section 1003(a) of the Regulations which states:

"In all other cases of lateral entry or transfer, the Commission may waive the vision requirement upon written application for such waiver from the employing jurisdiction."

A discussion followed as to the technicality of whether the type of service involved would be considered for lateral entry -- military police service with a M.O.S. in the Military Police Corps. Under the Certification Program the

Commission has said that for experience purposes certain federal agency experience will be allowed, one of which is in the Military Police Corps, and that experience will be recognized up to a maximum of five years.

Commissioner Kelsay felt that the definition of lateral transfer requires clarification. The Executive Officer stated the only standards requirement waived in lateral entry is the visual acuity. After a lengthy discussion, the following action was taken:

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, motion carried (Collins - nay) that the request for lateral entry waiver from Pleasant Hill Police Department be granted on the basis of Regulation Section 1003(a).

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, motion carried that at the next commission meeting staff present a recommendation for the definition of lateral entry.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried that the May hearing agenda include a proposal for removal of the visual acuity requirement from P.O.S.T. Regulations; this requirement to become the responsibility of the hiring jurisdiction.

### LEGISLATION

Mr. Williams reported on the following legislation affecting P.O.S.T.

#### ACR 158

Assembly Concurrent Resolution 158 (Resolution Chapter 257) requests that the Commission provide specific programs to assist local law enforcement agencies in the recruitment of minority police candidates; to work with local police recruiters in carrying out minority recruiting programs; and to plan and conduct research and evaluation essential to the program. A status report is to be submitted to the Legislature the first week in January 1973.

To fulfill the Commission's responsibilities set forth in this legislation, a budget augmentation of \$150,000 will be requested.

#### A. B. 2552 (Pending)

This bill provides for the indemnification of victims of crimes through a three-member board appointed by the Governor. It creates the Victim

Compensation Fund into which is deposited a \$2 penalty assessment for every \$20 imposed by courts for criminal offenses. P.O.S.T. opposition was not called for by the Commission.

Staff was directed to research, and report back at the next meeting, the section of this bill which provides that each member of the Commission be compensated at the rate of \$50 per day, plus expenses.

A.B. 2717 (Approved)

This bill permits private investigators and private patrolmen to possess tear gas weapons. This provision requires the satisfactory completion of a course of instruction approved by P.O.S.T. Recommendations to provide for P.O.S.T.'s fulfilling its obligations to this bill were presented as follows:

1. The Commission approve an 8-hour chemical weapons course similar to the course certified for peace officers. The course should consist of five hours of classroom instruction dealing with the moral, legal, physiological and psychological aspects involved in the use of such weapons and certain technical information related to the weapons themselves. Because the weapons would be used in an arrest situation or an incident leading to arrest, there is an assumption that the user cannot respond in a legal manner unless he also has at least a rudimentary appreciation of the techniques of handling prisoners and mentally ill persons, mechanics of arrest, search and seizure, discretionary decision making, and laws of arrest. The need for adequate training in these important subjects would be reviewed rather than an attempt to develop them in depth in the limited time recommended to fulfill what appears to be the intent of the legislation. The remaining three hours of the course should consist of field demonstrations of chemical weapons and techniques of safe carrying and use with emphasis on the fundamentals of defensive tactics including demonstrations and drills in techniques in handling and restraining arrested persons.
2. The Commission forward its approved chemical weapons course of training to the Director of the Bureau of Collection and Investigative Services with a copy to Mr. Quimby and proper committees of the Legislature and refer all inquiries concerning the implementation of Penal Code Section 12403.5 to Director Gordon Bishop.

3. Include in the above training package a suggestion to the Bureau of Collection and Investigative Services that it recommend to its licensees who desire to complete the required training that, to implement the training, they contact the law enforcement academies and community college academies or the major commercial suppliers of such weapons; and to maintain quality instructors, that they come from those colleges and academies which presently teach chemical weapons courses or from licensed vendors of chemical agents, whose teaching qualifications are acceptable to the Director of the Bureau of Collection and Investigative Services. The latter instructors should possess minimum instructor qualifications established by community colleges.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried for approval of the recommendations as presented.

A. B. 2886 (Approved)

Legislation resulting from A.C.R. 55 introduced by Priolo in 1970 which brought about the study of all peace officer categories. The study recommended to the Legislature a core curriculum of 65 hours.

Two major elements are provided in AB 2886: (1) That entry standards as provided in Government Code Section 1031 be applied to all peace officers in the State; and (2) The introduction of a new section, Penal Code Section 832. In essence this section provides that all peace officers in the State undergo a course of training to include: (1) Powers of arrest, and (2) The carrying and use of firearms. This training is to be accomplished by July 1, 1974, or within one year following date of hire, whichever is later.

The staff recommended that:

- a. Two commission hearings be held in May 1972 regarding proposed changes to the Regulations; one hearing in Northern California and a second hearing in Southern California will be held in conjunction with the C. P. O. A. Annual Conference in Anaheim, (to be followed by a regularly scheduled commission meeting.)
- b. Courses prescribed by the Commission shall include certification of courses and such course evaluation and follow-up as may be deemed appropriate.
- c. The Commission approve a request for Budget Augmentation for Fiscal Year 1971-72 to provide for additional personnel to administer the new training courses program. At the outset, it is anticipated that the following personnel will be required -- one senior consultant, one consultant and two clerks.

- d. Establish an additional organizational element within the Bureau of Education and Training titled Specialized Peace Officer Training. This unit would also be responsible for the current specialized law enforcement programs being operated in the Commission's Specialized Certification Program and police reserve programs which the Commission must reckon with in the near future.

In answer to Commissioner Clark's query if there would be any problem with including the budget augmentation for this bill in the next 1972-73 Fiscal Year, the Executive Officer and Mr. Brown agreed that this would present no problem.

It was requested by Mr. Weber and Commissioner Collins that the terms of this bill and how jurisdictions can comply be publicized. The Executive Officer felt staff could do this through the League of California Cities and the County Supervisors' Association as well as call it to the attention of state agencies. It was pointed out the law makes no provision for the enforcement of this legislation, and caution must be taken to stress that this is not a P.O.S.T. program.

MOTION by Commissioner Clark, seconded by Commissioner Collins, motion carried for approval of staff recommendations a., b., c., and d. as presented.

#### ADVISORY COMMITTEE REPORT

Mr. Ball reported that the P.O.S.T. Advisory Committee had met Friday, December 3, 1971. Candidates for the position of project director of the Minority Recruitment Project were considered.

The leave of absence taken by Dr. Robert Wilcox has left a vacant position on the Committee. Suggested replacements were discussed. (The Chairman has since appointed Dr. Harry More of San Jose State College.)

Community-Police Relations Leadership Training Program proposals from U.C.L.A. and S.J.S.C. have been accepted. The San Diego State College proposal has not been approved.

#### OLD/NEW BUSINESS

##### Project S.T.A.R. Report

Mr. Townsend reported as follows:

1. The Commission was presented a listing of the S. T. A. R. National Advisory Council members. Included were lists of the Judicial Process, Police Service and Corrections resource groups. The Advisory Councils of Michigan, New Jersey and Texas were also included.
2. The Quarterly Report has been mailed to Commissioners to keep them apprised of Project developments.
3. The first Advisory Council meeting for the State of New Jersey had been held in December. Mr. Townsend and Project Director, Dr. Smith, had attended. It was reported that the New Jersey Department of Public Safety has been directed to explore the possibility of a \$25,000 state planning agency grant to include the public opinions survey in the State of New Jersey as they felt there may be considerable differences in the perception of the public concerning the criminal justice system as compared with that of California.
4. A request has been received from L. E. A. A. for a follow-on letter for continued funding. It has been prepared for the Chairman's signature outlining the fact that the additional states' support has been received.
5. Questionnaire Development: The role perception document has been developed and pre-tested by Project S. T. A. R. staff, some P. O. S. T. consultants and people from the academic community. Because of the time consumed in its completion (8 - 11 hours) it was redrafted and is now being pre-tested by the National Advisory Council in an attempt to arrive at the 4-hour time limit originally sought. This document is to be given to local agencies for completion early in February.
6. Public Opinions Survey: The Field Research Corporation of San Francisco is pre-testing their public opinions survey on 100 sample families. The other 825 public opinion and household interviews are scheduled to be completed by March, 1972.
7. Futurist Projections: A paper has been received from Dr. James Q. Wilson of Harvard on the role of the police and from Dan Glazier on the role of corrections and what they perceive the roles will be in the next 20 years. A digest of these documents will be made and forwarded for each Commissioner's information.

The Executive Officer pointed out that these were opinion documents only from people who have done research in these areas, and final role decisions will be made by the National Advisory Council based upon the total research resources.

8. The staff of the American Justice Institute is confident, and all are working hard and long doing a fine job meeting deadlines.

#### Office Space Status

Mr. Brown reported that the architect's preliminary plans for the proposed remodeling of office space at 33rd and C Streets had recently been received. It is anticipated that some price adjustment will have to be made as the price per sq. foot has grossly increased over the figure that was presented in December 1970. The Executive Officer stated that the current estimated augmentation for remodeling of \$225,000 is almost double the original estimate.

#### California State Harbor Police Association Request

Mr. James Newton, President of the California State Harbor Police Association, and Mr. Lock Richards, former Director of State Harbor and Watercraft Association, presented a request for inclusion in the P.O.S.T. Specialized Certification Program.

It was the staff recommendation that the San Francisco Harbor Police be certified into the Specialized Certification Program as well as the Oceanside Harbor District Police who had sent a written request to this effect as well as the other peace officer groups included in Penal Code Section 830.4(a) (10). After a discussion by the Commission:

MOTION by Commissioner Clark, seconded by Commissioner Fabbri, motion carried that the San Francisco Harbor Police and the peace officers listed in Penal Code Section 830.4 (a) (10) be certified into the P.O.S.T. Specialized Certification Program.

#### ELECTION OF OFFICERS

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, carried unanimously that Vice-Chairman John Fabbri be appointed as Chairman for 1972.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, carried unanimously that Commissioner Jack Collins be appointed as Vice-Chairman for 1972.



The Executive Officer thanked Chairman Cash for his service to the Commission while Chairman during 1971 and stated that it had been a great pleasure working with him.

It was suggested by Commissioner Flynn that the retiring chairman be given some sort of a token of recognition showing appreciation for the extra time that was devoted to the Commission while serving as chairman. Newly elected Chairman Fabbri directed staff to present a recommendation at the next meeting for suggestions of a suitable award for outgoing chairmen as well as previous chairmen.

#### DATE AND PLACE OF NEXT MEETING

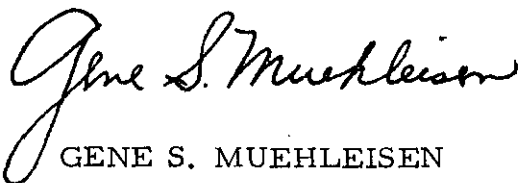
The Commission set the date of the next meeting for March 17 or 24 in Southern California. If arrangements can be made, a hearing will be held in conjunction with the C.P.O.A. annual conference in Anaheim on May 24. The Executive Officer recommended that another hearing be held prior to the Anaheim hearing, and it should be in Northern California. A firm date will be established at the March meeting.

Commissioner Flynn proposed that at the next meeting a year's calendar of commission meetings be presented.

#### ADJOURNMENT

The formal meeting was adjourned at 4 o'clock. An executive session was called for discussion of confidential personnel matters concerning the Commission. A record of the discussion and action taken is on file in the Commission meeting records.

Respectfully submitted,



GENE S. MUEHLEISEN  
Executive Officer

# Memorandum

o : Mr. George H. Puddy  
Assistant Executive Officer

Date : October 22, 1971

From : Claims Unit  
**Commission on Peace Officer Standards and Training**

Subject: QUARTERLY ACTIVITY REPORT AND 1971/72 FISCAL YEAR SUMMARY  
July 1, - September 30, 1971

The following activities occurred in the Claims Unit for the first quarter:

<u>COURSE</u>	<u>AMOUNT OF REIMBURSEMENT</u>	<u>NUMBER OF MEN</u>	<u>MAN DAYS</u>
Basic	\$548,160.50	274	14,522
Supervisory	19,355.20	37	444
Advanced Officer	17,163.26	74	370
Middle Management Course	21,515.62	45	495
Middle Management Seminar	17,321.87	72	216
Executive Development Course	6,516.75	11	132
	<u>\$630,033.20</u>	<u>513</u>	<u>16,179</u>

Technical or Special Courses:

Administrative Analysis for Police Personnel	1,759.50	3	36
Advanced Accident Investigation	2,536.92	37	111
Community Police Relations	3,172.80	51	306
Crime Scene Investigation & Physical Evidence Presentation	47,773.70	64	704
Criminal Justice Information Systems	1,880.78	9	27
Driver Training	5,312.12	111	222
Field Management Training	315.00	2	6
Field Training Officer	16,264.80	132	660
Homocide Inviestigation	4,147.74	17	153
Law Enforcement Legal Education	3,623.00	15	75
Motorcycle School	1,375.76	5	60
Riot & Civil Disturbance (Plan A)	11,973.54	94	376
Riot & Civil Disturbance (Plan B)	753.87	4	16
Spanish for Peace Officers	9,440.92	14	308
Teaching Law to the Police Officer	2,417.40	13	78
Tear Gas	1,636.59	73	73
Television Instruction	8,000.00	8	112
Total Immersion Spanish	10,000.00	10	220
Weaponless Defense & Baton Instruction	684.53	3	30
	<u>133,068.97</u>	<u>665</u>	<u>3,573</u>
Subtotal other courses	<u>\$630,033.20</u>	<u>513</u>	<u>16,179</u>
TOTAL ALL COURSES	<u>\$763,102.17</u>	<u>1,178</u>	<u>19,752</u>

This report is a summary of claims processed as of September 30, 1971.

The figures for man days were computed by multiplying the number of students by the average number of man days for each course. The attached list was compiled for all courses certified on October 15, 1971.

*Patti Murphy*

Patti Murphy  
Acting Supervisor  
Claims Unit

Gene S. Muehleisen

- 2 -

December 2, 1971

		<u>Hours</u>	<u>Certification Recommended</u>	<u>Reimbursement Recommended</u>
<u>CONTINUE CERTIFICATION</u>				
Cal-State Long Beach	Crim. Justice Information Systems	24	Yes (for one year)	B
Univ. of So. Calif.	Middle Management Seminar	24	Yes	B
<u>DECERTIFICATION</u>				
Los Angeles Police Academy	Senior Officer Conference Leadership Seminar	Inactive	No	N/A
-----	Tear Gas Courses	8	No	None
<u>REIMBURSEMENT CHANGE</u>				
Calif. Youth Authority	Juv. Law Enforcement Officers Training Course	51	Yes	B (Prev. Plan A)
Calif. Youth Authority	Juvenile Program Management Institute	40 (Prev. 30)	Yes	B (Prev. Plan A)

*Carl*

CARL R. BALL, Chief  
Bureau of Police  
Education and Training

MEMORANDUM

Date: December 2, 1971

To: Gene S. Muehleisen  
Executive Officer  
Commission on P.O.S.T.

From: Bureau of Police Education and Training, P.O.S.T.

Subject: Course Certification Agenda, December 9, 1971.

	<u>Hours</u>	<u>Certification Recommended</u>	<u>Reimbursement Recommended</u>
<u>ADVANCED OFFICER COURSE</u>			
Fresno City College	40	Yes (Retro. 11/15/71)	D
Imperial Valley College	21	Yes (Retro. 10/12/71)	D
San Bernardino Co. Sheriff's Academy	40	Yes (Retro. 10/4/71)	D
South Gate Police School	40	Yes (Retro. 11/13/71)	D
Yuba College	20	Yes	D
<u>SUPERVISORY COURSE</u>			
California State Police: State Specialized Law Enforcement Regional Academy	80	Yes (Retro. 9/13/71) (for one year)	D
<u>TECHNICAL/SPECIAL COURSE</u>			
Dept. of Justice      Org. Crime Intelligence Analysts Course	80	Yes	B
Dept. of Justice      Org. Crime Intelligence Collectors Course	80	Yes	B

Attachment "B"

COST ANALYSIS OF CERTIFIED TUITION COURSES

By Brooks W. Wilson  
Senior Consultant  
Bureau of Police Education and Training  
Commission on Peace Officer Standards and Training

December 1, 1971

Attachment "C"

## INTRODUCTION

On September 16, 1971, the Development Section of the Bureau of Police Education and Training was directed to establish a policy guideline for certification of training programs involving tuition. Of particular concern was the variation in overhead costs in budgets submitted by educational institutions in justification of student fees.

## GENERAL ANALYSIS

To develop this guideline, interviews were held with officials of L.E.A.A., C.C.C.J., San Jose State College, California State College at Long Beach, Sacramento State College, California State College at Los Angeles, University of California (Davis and Santa Cruz campuses), the State Department of Finance, and the Coordinating Council on Higher Education; budgets of certified tuition courses were examined and a search of relevant literature was conducted.

### Relationship of P.O.S.T. Courses to Colleges

Certified courses charging a tuition are presented by four-year colleges or universities, invariably through the extension program. Since funds for the extension program are not provided in the general budget, the program must be self supporting. Income to support these programs must be generated through governmental grants, tuition, or other "outside" sources. In the case of P.O.S.T.-certified programs, the funds are derived from a tuition or student fee which is reimbursable to law enforcement agencies which send personnel to the program.

Although it may appear that the training would be cheaper if presented through the general budget - there is no tuition (in State institutions) for such programs - this would really just shift the cost rather than save money. The cost of the training course would be borne by the taxpayer through the general budget rather than by the traffic and criminal offender through the Peace Officer Training Fund. There are two primary advantages in providing these programs through the extension program. They have more flexibility in length, location and schedule than do the regular semester-length courses provided through the general budget, and extension programs can be more exclusive in admitting attendees - a necessary asset for most P.O.S.T. courses.

### Cost Comparisons

An exhaustive study conducted by the California Coordinating Council for Higher Education entitled Higher Cost Programs in California Public Education, after considering all cost components, concluded that the predominant factor in determining the cost per student of an education or training program is its size or the number of students in the course. This report was completed in March, 1971, at the request of the State Legislature. A training course costing \$3,000 to present would have to charge \$3,000 to break even if only one person attended; the cost would be reduced to \$300 per student with an enrollment of ten; \$150 with 20, etc.

The files of all P.O.S.T.-certified courses for which a tuition is charged were examined for purposes of analyzing and comparing costs. As of July, 1971, there were 58 of these courses listed in the P.O.S.T. Catalog of Certified Courses. These included ten middle management courses, four middle management seminars, two executive development courses, six executive development seminars, and 35 technical/special courses. A review of the prices for these courses indicated the following average costs per instructional hour:

#### Middle Management Courses (total 10)

High:	\$3.25	-	Los Angeles Police Department/California Institute of Technology
Low:	\$1.87	-	Humboldt State College
Average:	\$2.90		

#### Middle Management Seminars (total 4)

High:	\$7.41	-	University of Southern California
Low:	\$4.29	-	California State College at Long Beach
Average:	\$5.92		

#### Executive Development Courses (total 2)

High:	\$4.50	-	University of California at Santa Cruz
Low:	\$3.95	-	University of Southern California
Average:	\$4.22		

#### Executive Development Seminars (total 6)

High:	\$8.35	-	Golden Gate College
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Executive Development Seminars (continued)

Low: \$1.97 - Humboldt State College

Average: \$5.37

Technical/Special Courses (total 35)

High: \$7.29 - California State College at Long Beach,  
Criminal Justice Information Systems

Low: \$1.19 - University of California at Davis,  
Total Immersion Spanish

Average: \$5.39

A study by the Coordinating Council for Higher Education in 1963, entitled California Public Higher Education Cost and Statistical Analysis, indicated total instructional expenditures of \$2,295 and \$1,098 per full-time enrollment for graduate programs in the California University and State College systems respectively. This represents an approximate average of \$14.16 per instructional hour in the University and \$5.08 per instructional hour in the State Colleges.\* It should be noted, also, that these are 1963 costs. A comparison of these costs with the costs of P.O.S.T.-certified courses indicates that all of P.O.S.T. courses are cheaper than the average university graduate program and that the average P.O.S.T. course cost is lower than the average State college graduate program.

A comparison was also made between P.O.S.T.-certified courses and courses in other disciplines which are presented through the extension program. These programs are financed by student fees based on college units awarded. Normally a semester-length course of 54 hours is awarded three-semester units. The six campuses of the California State Colleges which present P.O.S.T.-certified courses were surveyed to ascertain their student fees for extension courses. The lowest fee was \$12.75 per quarter unit or \$.85 per instructional hour. The highest was \$19.00 per semester unit or \$1.05 per instructional hour. Students fees for the P.O.S.T. courses characteristically include notebooks, reference material, and other materials which would increase costs somewhat. It is also true that in other extension courses, there are occasionally additional fees for special activities, but these are nominal.

\* These figures were computed by dividing the number of instruction hours considered to be a full-time enrollment by the two systems. Nine credit hours are considered one full-time enrollment in the university system and 12 credit hours in the State college system. Using a standard 18-week semester, this would be 162 instruction hours for the university and 216 instruction hours for the State colleges.

A comparison of the above costs places P.O.S.T. courses in the middle. They are less costly than graduate courses in the State colleges or universities but more costly than the extension courses. The principal reasons for the lower cost of extension courses are that they are typically cancelled when enrollment is too low and that they only reflect instructional costs. In other words, extension classes are larger and are in effect partially subsidized from the general budget. P.O.S.T. courses, although in the extension program, do not have either of these advantages.

Regardless of the fact that our courses do not appear to be out of line in cost, the review did identify the following problem areas which would tend to decrease efficiency or increase costs:

1. Lack of uniformity or detail in budgets
2. Instructional cost problems
3. Lack of a rational method of computing indirect costs
4. Forecasting enrollment

#### BUDGET FORMS

There is a need for a P.O.S.T. budget form with which to elicit the information necessary for rational decision making by the staff and the Commission. The budgets lacked sufficient similarity for complete comparison and many items were vague or unexplained, (one budget included \$1,000 for "unforeseen expenses"). Few included a budget narrative. Development of a form with which to elicit detailed budget information will be an immediate objective and will include a narrative justification for each item included.

In spite of the variance in format and budgeting techniques, however, some comparisons were possible. In addition to the comparisons made for cost to the agency per instructional hour, instruction costs per hour and overhead or indirect cost rates were compared. Course cost per instructional hour was computed for all tuition courses since the only information necessary for computation is tuition and course length. Other comparisons were based on a limited sampling of 16 programs.\*

#### INSTRUCTIONAL COSTS

Although the Commission's concern over the costs of certified tuition courses was directed primarily at overhead or indirect costs, the highest individual cost component in P.O.S.T.-certified

\* Due to lack of uniformity and detail in the budgets, it was extremely difficult to extract relevant information. In the interest of time, the sampling was limited to 16. At least one of each category of tuition course was included.

courses, and the one where the potential is greatest for reduction, is instructional costs. The review of the existing budgets indicated the following instruction costs per hour:

High:	\$48.00	-	John F. Kennedy University, Executive Development Seminar
Low:	\$10.00	-	John F. Kennedy University, Middle Management Course
Average:	\$31.00		

It is not possible to compare these figures with similar costs elsewhere. According to Dr. Robert G. Whitesel, Dean of the State College Institutional Research, such computations have not been attempted because of the varying duties and activities of a full-time instructional employee in addition to "stand up" teaching time. The range of costs per hour in our programs, however, suggests that considerable savings could be achieved.

The reason given by program directors for the apparently high instructional costs is the fact that it is necessary to bring in a large number of experts from the field in order to provide the necessary expertise in each subject area. In one middle management course, as many as 20 or more instructors might be included. Travel time, and in some cases lodging and meals, consequently increase the instructional costs markedly. It was also pointed out that the pay necessary to induce a high ranking police official to leave his busy schedule must be higher than that usually commanded by a full-time instructor. The utilization of some practitioners is commonplace in most tuition courses.

In talking to educators and students, there are differing opinions on the use of a large number of instructors in a training course. Some feel that it is necessary in order to provide the expertise in a wide range of topics. Others feel that the loss of continuity more than offsets the depth in expertise. The coordinator or director can indicate the subject matter to which a particular instructor is to address his lecture, but it is difficult to assure that it is in fact covered. In some cases, it appears that people are invited to lecture solely because they are controversial or have innovative (but often unproved) ideas. There is no reason why unusual ideas of others cannot be learned and taught by a full-time instructor as is done in other disciplines.

Recommendation: It is recommended that the number of instructors be limited in the interest of economy and continuity of the instruction so long as such limitation does not detract from the overall quality of instruction and course content.

## INDIRECT COSTS

Another major cost factor is indirect costs. Budgets examined do not identify what is included as indirect costs and there is no consistency in what these costs are called. Eight budgets included items which could be identified as indirect costs with a reasonable degree of certainty. These were compared with the following results:

High:	26.0%	- California State College at Los Angeles, Legal Instruction
Low:	14.9%	- John F. Kennedy University, Middle Management Course
Average:	18.9%	

Although the range of rates was not excessive, it is apparent that there is a need to define overhead or indirect costs and to establish some criteria by which they can be evaluated as budget items.

In pursuance of this objective, Mr. Robert Burkhardt, Chief of the Financial Section, Burlingame office of L.E.A.A., was interviewed. Mr. Burkhardt indicated that, to date, indirect costs rates have been set arbitrarily for each individual project.

The California Council on Criminal Justice, on July 28, 1971, established a maximum allowable indirect cost rate of 20% of salaries and wages on all grants pending adoption of a general policy to be recommended by the Education and Training Task Force. A copy of the staff report in response to this request is attached. This report lists three recommendations, none of which are precisely appropriate for the purposes of the Commission on Peace Officer Standards and Training.

The first step in establishing a policy on indirect costs rate is to establish its definition. Accounting books define indirect costs as costs that are not traceable to any particular product of the firm but that are necessary for the operation of the business.<sup>1</sup> An example of an indirect cost would be the salary of the president of a firm making several products. Conceivably, it would be possible to keep a log on his activities which would

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<sup>1</sup>C. Rollin Niswonger, Ph.D., CPA, and Phillip E. Fess, Ph.D., CPA Accounting Principles, (Cincinnati, South-Western Publishing Co., 1965), Page 474; and Franklin T. Chace, CPA, Robert E. Schmiedicke, CPA, and I. F. Sherwood, CPA, Principles of Cost Accounting, (Cincinnati, South-Western Publishing Co., 1964) Page 3.

be accurate enough to determine how much of his time can be attributed to the production of each product. In reality, this is not practical. An easier technique is to divide his salary evenly between each of the products as an indirect cost of producing that item.

It should be pointed out that the term overhead is frequently used in college budgets and in accounting literature. The two terms, overhead and indirect, really mean the same thing. All of the various types of indirect costs - indirect labor, indirect materials, plant maintenance, etc. - are referred to as overhead.

Indirect costs are legitimate costs items, but present an accounting problem. All such costs must be retrieved or the business cannot function. The accepted method of retrieval of indirect costs is to establish an institution-wide percentage, which is then used to compute indirect costs for each product.<sup>2</sup> For example, as a firm establishes that the total amount of these costs (indirect) amount to 20% of total costs for the entire operation, then the cost of producing product A must include an indirect cost which is 20% of the total direct cost. The price of product A must take this cost into consideration or the firm will lose money.

This method of retrieval is imprecise. The manufacture of one product might actually involve more of these activities than others while its cost is still computed with the same rate. In the long run, however, through universal application of the institution-wide rate, exactly 100% of the indirect costs will be retrieved.

This accounting principle is also applicable to educational institutions. Our law enforcement program could be considered one of the products to which the institution-wide indirect cost rate could be applied. There is no way to establish that the law enforcement program utilizes more or less of these activities included as indirect costs. The institution-wide rate then, if accurate, must be considered as applicable to the law enforcement program. It is also true that the law enforcement community is a consumer of the entire range of products of the educational institution even though more directly involved with just the law enforcement program.

The fiscal management for the law enforcement programs in the State Colleges is done through a department commonly named the

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<sup>2</sup>H. A. Finney and Herbert E. Miller, Principles of Accounting, (Englewood Cliff, New Jersey, Prentice Hall, Inc., 1964), pages 264-281.

College Foundation. Representatives from this department were interviewed at Sacramento State College, California State College at Long Beach, California State College at Los Angeles, and San Jose State College to discuss indirect costs.

It was learned through these interviews that these campuses of the State College system have established indirect cost rates which are used in research and educational project grants. While the rates vary, they are all audited and based on a Bureau of the Budget (now United States Office of Management and Budget) Circular A-21. The rates are usually audited yearly by the Office of Health, Education and Welfare. Once established, it is the pattern for the college to use the figure on all grants or project proposals. In most cases they are not negotiable. If their proposal is not acceptable using this figure, the proposal is withdrawn. An example of a H.E.W. indirect cost rate agreement is attached.

The colleges typically have two audited indirect cost rates. One rate is based on salaries and wages and the other is based on total direct costs. Both are intended to retrieve the same dollar amount of indirect costs providing one or the other are used consistently on all programs. In practice, the college is given the prerogative of using either and selects the rate which is most lucrative for a particular project. Consequently, more money is generated for indirect costs than is actually spent.

The government circular (A-21) on which the audited rate is based, was examined. While instructions for determining the rate were very difficult for a non-accountant to completely comprehend, the definition of indirect costs and the enumeration of these items to be treated as indirect costs are consistent with accepted accounting principles. Circular A-21 defines indirect costs as follows:

"Indirect costs are those which, because of their incurrence for common or joint objectives, are not readily subject to treatment as direct costs of research agreements or other activities."

The types of costs permitted by Circular A-21 are the following:

1. General administration and general expenses are those incurred for the general executive and administrative offices and other expenses of a general character which do not relate solely to any specific division of the institution.
2. Research administration expenses are those which apply to research administered in whole or in part by a separate organization or an identifiable administrative unit.

3. Operation and maintenance expenses are those incurred for operating and maintaining the physical plant.
4. Library expenses are those incurred for direct operation of the library plus a use allowance for library books.
5. Use allowance is a means of compensation for the use of buildings, capital improvements, and equipment over and above the expenses for operation and maintenance when depreciation or other equivalent costs are not considered.
6. Indirect departmental expenses are those incurred for departmental administration such as salaries of deans or heads of colleges, schools, departments or divisions, and related secretarial and other administrative expenses.

Direct costs, in contrast, would be those specifically incurred to present a particular program.

Mr. Louis Draper, a finance auditor for the local office of the Department of Health, Education and Welfare was contacted. He is employed by the unit performing the colleges' indirect cost rate audit. He stated that it is the intent of the audits to enable the colleges to retrieve, as precisely as possible, the costs incurred as indirect costs. The P.O.S.T. program was explained and he could see no reason why use of the H.E.W. audited rate would not be appropriate there as in other programs.

Rates established in this manner varied from 22% to 25% of total direct costs in those colleges interviewed.

It is a conclusion of this report that the Department of Health, Education and Welfare audited rate for indirect costs is the most accurate method of determining indirect costs available. Indirect costs are likely to vary from one institution to another and an arbitrary flat rate accepted by the Commission could not be both economical and equitable to all concerned.

Recommendation: It is recommended that the H.E.W. rate using total direct costs as a base be accepted on budgets submitted by colleges and universities to the Commission for purposes of certification of training courses.

With the adoption of such a policy, it will be necessary that the Commission's staff review the budgets very carefully to assure that any cost which is permitted in the indirect cost computation is not included as a direct cost. For example, if a course is presented off campus, an appropriate reduction of indirect costs must be computed because classroom space is included as an indirect cost. Where the college or university does not wish to use the H.E.W. audited rate, it is recommended that the Commission accept a rate of 15% of total direct costs. This

figure is suggested because it is the lowest rate submitted by any of the colleges. The alternative is suggested because a college may not have an audited rate and may not wish to have one.

#### ENROLLMENT

Another factor which may tend to increase costs is the problem of forecasting enrollment. In talking to program coordinators and in reviewing the budgets submitted, it would appear that in most cases the final figures used are based on costs experienced in the past and the budgets thrown together to reflect this historical cost. Tuitions are theoretically based on a "break even" class enrollment but it appears that there is a tendency in some cases to provide for the possibility of under enrollment (a contingency which quite often materializes) by holding tuitions somewhat higher. This problem arises from too many schools trying to attract too few students. This is particularly true of the management courses and seminars. In the last fiscal year, for example, there were approximately 364 police officers trained in 29 middle management courses for an average of 12 persons per course. This means that many of the courses were held with less than a "break even" enrollment.

If there were fewer institutions certified to present management courses, trainees could be scheduled on a queue basis, permitting optimum class sizes, better quality control by staff, more uniformity in course content and more economical utilization of instructors and other resources.

Recommendation: It is recommended that the number of institutions certified to present management courses be reduced through attrition and selective de-certification.



Formal Action of December 9, 1971, Commission Meeting, Sacramento, California

Agenda Item 6: Bureau of Police Education and Training Report

a. Certification of Courses

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried that the staff recommendations for the following course action be approved as presented to the Commission:

Certification of 8 new courses, continue certification of 2 courses, decertification on one Leadership Seminar, and reimbursement change for 2 courses.

It was stated by the Executive Officer that inactive courses or limited certification courses should be taken out of the Course Certification Catalog.

Commissioner Kelsay requested that in the future the table of reimbursement plans (Plans A, B, C and D) be included with the Course Certification Agenda presented to the Commission.

Agenda Item 6.c. - Analysis of Tuition and Indirect Costs

Staff recommendations were approved as follows:

Recommendation No. 1

MOTION BY Deputy Attorney General Weber, seconded by Commissioner Fabbri, motion carried that this recommendation be adopted to the extent that it be implemented by staff's advising the Commission when problems with regard to the number of instructors occur.

Recommendation No. 2

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, motion carried that this recommendation be adopted as revised:

"It is recommended that the Commission use the Department of Health, Education and Welfare audited indirect cost rate as a legitimate cost figure guideline to analyze course budgets. Where colleges have not had such an audit and choose not to do so, it is recommended that a maximum indirect cost rate of 15% be allowed. This figure was the lowest rate claimed on any budget in file.

Recommendation No. 3.

MOTION by Commissioner Clark, seconded by Commissioner Kelsay, motion carried that recommendation No. 3 be adopted as revised:

"It is recommended that the number of institutions certified to teach tuition-type courses be reviewed to assure the maximum utilization of P.O.S.T. expenditure."

Agenda Item 7. b. - Personnel Standards

(1) Recertification of Folsom Police Department

Motion by Commissioner Clark, seconded by Commissioner Collins, motion carried that the city of Folsom be re-instated as of December 9, 1971, with the condition that all officers in question establish their educational <sup>and training (?)</sup> qualifications as specified by the Commission:

G.E.D. requirements completed by March 1, 1972, and the balance of required training completed by July 1, 1972; that this training completed within the fiscal year be reimbursable.

(2) Request for Lateral Entry Waiver - Pleasant Hill

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, motion carried (Collins - nay) that the request for lateral entry waiver from Pleasant Hill Police Department be granted on the basis of Section 1003 a., p. 2.

MOTION by Commissioner Kelsay, seconded by Commissioner Collins, question not called, that the Commission set lateral entry requirement standards.

SUBSTITUTE MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried, that the May hearing agenda include a proposal for removal of the visual acuity requirement from P.O.S.T. Regulations; this requirement to become the responsibility of the hiring jurisdiction.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, motion carried that at the next commission meeting staff present a recommendation for the definition of lateral entry.

Agenda Item 8 - Legislation

a. ACR 158

This bill was passed as it was initially submitted and approved by the Commission. To fulfill the Commission's responsibilities set forth in this legislation, a budget augmentation of \$150,000 will be requested.

b. A. B. 2552

This bill provides for the indemnification of victims of crimes through a 3-member board appointed by the Governor. Creates the Victim Compensation Fund into which is deposited a \$2 penalty assessment for every \$20 imposed by courts for criminal offenses. P. O. S. T. opposition was not supported, so it was not pressed.

Staff was directed to research the effect of Sections 8864 and 8865 of this bill ("Each member of the Commission shall be compensated at the rate of \$50 per day, plus expenses") and report back at the next meeting.

c. A. B. 2688

This bill has been killed.

d. S. B. 863

Also killed. (Provided for classifying private special police officers as regular police officers.)

e. A. B. 2717 (See Memo)

In brief, this bill permits private investigators, private patrolmen to possess any tear gas weapons. This provision requires the satisfactory completion of a course of instruction approved by P. O. S. T. Four recommendations to provide POST's fulfilling its obligations to this bill were presented.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried for approval of the staff recommendations to provide the service as set forth in the recommendations presented to the Commission, i. e., a POST package course acceptable by Gordon Bishop, Director of the Bureau of Correction and Investigative Services.

f. A.B. 2886 (See Memo)

This bill provides for implementation of ACR 55 (Priolo)

MOTION by Commissioner Clark, seconded by Commissioner Collins, motion carried for approval of recommendations a., b., c., and d. as presented to the Commission.

Commissioner Clark asked if there would be any problem in including the budget augmentation for this bill in the next 1972-73 Fiscal Year.

The Executive Officer stated this would depend on how many police officers wish to move ahead right away.

It was requested by Deputy Attorney General Weber and Commissioner Collins that the terms of this bill and how jurisdictions can comply be publicized through the League of California Cities, the County Supervisors Association and state agencies. Caution must be taken to point out that this is not a POST program.

Agenda Item 9. - Advisory Committee Report

Advisory Committee met Friday, December 3. Minority Recruitment Project director candidates were considered. Dr. Robert Wilcox's taking a leave of absence has left a vacant position on the Committee. Suggested replacements were: Dr. Harry More, Chairman, San Jose State College (1st choice), Allen Bristow, Cal. State L.A. (2nd choice), and Dr. Paul Whisenand, Cal. State Long Beach (3rd choice).

C.P.R.L.T.P. proposals have all been accepted except San Diego State College. Recommendations have been made on how it can be changed to conform with the objectives of the model. There are two schools meeting the criteria at this time.

Commissioner Flynn stated that the timing of the December 17-18-19 CPRLTP Seminar at Arrowhead was very poor and requested that his people be included in #3 Seminar if possible. He is to be notified.

Agenda Item 10 b. - Office Space Status

Report only. No formal action taken

Agenda Item 10 c. - Salaries

By way of Executive Session, the proposed re-organization chart and classification titles met with the approval of the Commission.

Also in Executive Session, the recent problem with Long Beach Police Department was discussed. The requirements of retaining the background narrative reports was discussed.

It was the sense of the Commission that this section of Specification #1 should be enforced. The language of this section of the Spec will have to be considered as to intent before the next hearing. Staff was instructed by the Chairman to handle this and report back at the next meeting.

Agenda Item 10 d. - California State Harbor Police Association Request

In view of the job function performed by the harbor police, it was staff recommendation that the ~~California State Harbor Police~~ <sup>agency of</sup> be certified. (They are under 830.35 P.C.)  
~~California State Harbor Police~~

MOTION by Commissioner Clark, seconded by Commissioner Fabbri, motion carried that the ~~California State Harbor Police~~ be certified into the P.O.S.T. Specialized Certification Program.  
<sup>is a category</sup>

Mr. Lock Richards, <sup>former</sup> Director of the State Harbors and Watercraft, extended an invitation for a POST consultant to attend the next annual meeting of the California Harbor Police Association.

Agenda Item 11 - Election of Officers

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, carried unanimously that Vice-Chairman John Fabbri be appointed as Chairman for 1972.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, carried unanimously that Commissioner Jack Collins be appoint as Vice-Chairman for 1972.

Commissioner Flynn suggested that staff present recommendations at the next meeting for an acknowledgement of past service as POST chairman, i.e., a plaque, certificate, or such suitable award.

Agenda Item 12 - Date and Place of Next Meeting

The next commission meeting is to be March 17 in Southern California. The location will be at the discretion of the Chairman.

Hearings are to be held in conjunction with the next annual C. P. O. A. conference on May 24 in Anaheim. It was recommended that a hearing be held prior to the Anaheim conference at a locatinn in Northern California (Sacramento?).

It was requested by Commissioner Flynn that at the next commission meeting the Commission be presented with a year's calendar covering all proposed meeting dates for 1972.

Meeting adjourned at 4:30 p. m.