

Commission on Peace Officer Standards and Training

Commission Meeting  
AGENDA

El Mirador Hotel, Sky Room (14th Floor)  
13th and N Streets, Sacramento  
Phone: (916) 444-8400

January 20, 10 to 5 p. m. - 1977  
January 21, 9 to 3 p. m.

- A. Opening of Meeting
1. Roll Call
  2. Introduction of Guests
- B. Approval of Minutes of October 28-29 Quarterly Meeting and Special Meeting of December 8, 1976 Action
- C. Public Hearing
- Proposed amendment of Regulation Section 1006 (a)(b).  
After all testimony is heard, the hearing will adjourn.
- Commission will act on the proposed amendment. Action
- D. Quarterly Financial Report Action
- E. F. Y. 1977/78 Budget - Status Report Information
- F. Certification Committee Report
1. Course Certification Agenda Action
    - a. Dept. of Justice Request for Inter-Agency Agreement, 1977/78 F. Y. Action
    - b. C. S. T. I. (Calif. Specialized Training Institute) Request for Inter-Agency Agreement, 1977/78 F. Y. Action
- 1 p.m. Clayton P. Rose, Deputy Attorney General, "Executive Session Rules"*
2. Certification/Decertification Approval Process
    - a. Delegation to Executive Director Action
    - b. Course Certification Processing Policy and Procedure Action
    - c. Labor Management Course Certification
- G. Attorney General's Opinion -- Third Party Contracts Information
- H. Validation Projects -- Committee Report Information
1. Background Investigation Manual Action
  2. L. E. A. A. Proposal Development Status Report
  3. O. C. J. P. -- POST Grant Administration for Criminal Justice System/NCCJTES Action

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|----|--|-------------|
| I. | ADA Committee Report                                     | Action      |
| J. | San Francisco Police Department Assistance Requests      |             |
|    | 1. Training  | Information |
|    | 2. General Survey  | Action      |
| K. | Law Enforcement Management Services Division Report      | Information |
| L. | Commission Rules of Order and Procedure                  | Action      |
| M. | Commission Policy  |             |
|    | 1. Policy and Direction Manual Review and Adoption       | Action      |
|    | 2. Previous Commission Meeting Policy                    | Action      |
| N. | Dual Track Implementation Plan for Basic Course Revision | Action      |
| O. | Implementation Plan for Supervisory Course Revision      | Action      |
| P. | Implementation Plan for Management Course Revision       | Action      |
| Q. | Life Experience Degree Programs/POST Certificates        | Action      |
| R. | Legislative Committee Report                             | Information |
| S. | Advisory Committee                                       |             |
|    | 1. Advisory Committee Report                             | Information |
|    | a. Job Specific Training Course Policy                   | Action      |
|    | b. Reimbursement of Civilians Attending Mandated Courses | Action      |
|    | 2. Public Member Appointment                             | Action      |
|    | 3. Women's Peace Officer Association Appointment         | Action      |
| T. | Old/New Business   |             |
|    | 1. Conflict of Interest Reporting                        |             |
| U. | 2. Agencies Not in Conformance with POST Regulations     |             |
|    | Next Commission Meeting, March 25, Sacramento            |             |
| V. | Adjournment  |             |

Commission on Peace Officer Standards and Training

Commission Meeting

AGENDA

OCT '76

Consent Agenda -  
Yours on day

Erawan Garden Hotel  
(12 miles from Palm Springs Airport)  
76-477 Highway 111  
Indian Wells, California  
Phone: (714) 346-8021

Certification Committee, Oct. 27, 4 to 6 p. m.  
Commission Meeting, Oct. 28, 10 to 5 p. m.  
Commission Meeting, Oct. 29, 9 to 3 p. m.

Call to Order and Introduction of Guests

- A. ✓ Approval of Minutes of Commission Meeting, July 29-30, 1976 Action
- B. ✓ Quarterly Financial Report Information
- C. ✓ Budget Report: Approval of F. Y. 1977/78 Budget Action
  - ✓ 1. Minutes of Budget Review Committee, August 25, 1976
  - ✓ 2. POST Reorganization
- D. ✓ Reimbursement Alternatives Report *for Oct 8 mtg.* Action
- E. ✓ New Per Diem Rate - Trainees at Basic Academies Action
- F. ✓ Course Certification Agenda Action
- G. ✓ Standards and Training Projects
  - ✓ 1. Training Needs Assessment Study Action
  - ✓ 2. Revision of Courses - Status Report Information
  - ✓ 3. Role Training Instructors Course Contract - Riverside Action
  - ✓ 4. Tuition Guidelines Report Information
- H. ✓ Community College Open Enrollment Action
  - ✓ 1. Chancellor's Office Proposed Regulation Changes
- I. ✓ Proposed Regulation/PAM Procedure Change Action

Section 1006 (a) - Extension of Time Limit for Course Completion.  
Adds new subsection (b): Mandatory training waiver.
- J. ✓ POST Commission Policy Issues
  - ✓ 1. Draft Manual of POST Commission Policy Action
  - 2. Special:
    - a. Reimbursement for Partial Completion of Basic Course -- B. C. E. E. Action

## J. Special Policy Issues - continued

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|----|--|-------------|
| b. | ✓ Reimbursement of Non-Sworn Employees for Basic Course Attendance | Action      |
| c. | ✓ Advanced Officer Training Course Format                          | Action      |
| d. | ✓ Policy Developed at Last Commission Meeting                      | Information |

- Recess -

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Reconvene, Friday, October 29, 9 a. m.

K. Administrative Counseling Service Report Information

## L. Employment Validation Studies Program

- |    |   |             |
|----|---|-------------|
| 1. | Minutes of Affirmative Action Committee, 9/3/76                                     |             |
| 2. | L. E. A. A. Proposal - Concept Paper  | Action      |
| 3. | Validation Studies Program - Status Report  | Information |
| 4. | POST Regulation 1002 (a) (8): Reading Level Requirement, effective January 1, 1977. | Action      |

## M. Reports to the Commission

- |    |                                       |             |
|----|---------------------------------------|-------------|
| 1. | Specialized Certification Program     | Action      |
| a. | Los Angeles Housing Authority Request | Action      |
| 2. | CORO Report Recommendations           | Action      |
| 3. | Reimbursement Eligibility Criteria    | Action      |
| 4. | POST Mission, Goals and Objectives    | Information |
| 5. | C. S. T. I. Officer Survival Course   | Information |

## N. Legislation

- |    |   |             |
|----|---|-------------|
| 1. | Legislative Review Committee Report             | Information |
| a. | Minutes of Legislative Review Committee, 9/3/76 |             |
| b. | Legislative Policy                              | Action      |
| c. | Proposed Legislation                            | Action      |
| 2. | Executive Session Law                           | Information |
| 3. | Legislation of Special Interest                 | Information |

## O. Advisory Committee

- |    |   |             |
|----|---|-------------|
| 1. | Minutes of Joint Ad Hoc Committee to Study the Role of the Advisory Committee, 9/2/76 |             |
| 2. | Ad Hoc Committee Report and Recommendation of Role                                    | Action      |
| 3. | Composition   | Action      |
| 4. | Appointments of New Members   | Action      |
| 5. | Advisory Committee Chairman's Report  | Information |

P. Old/New Business

1. POST Commission Proposed 1977 Meeting Calendar
2. Proposal for POST Headquarters
- 3.

Action  
Information

Q. Election of Officers for 1977

Action

R. Next Commission Meeting/Hearing, January 20-21, 1977,  
Northern California

Action

S. Executive Session

T. Adjournment

State of California  
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

October 28-29, 1976  
Indian Wells, Erawan Garden Hotel

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

Commissioners present:

William J. Anthony	- Chairman
Loren W. Enoch	- Commissioner
Brad Gates	- Commissioner
Robert F. Grogan	- Commissioner
Luella K. Holloway	- Commissioner
Jacob J. Jackson	- Commissioner
Edwin R. McCauley	- Commissioner
Donald F. McIntyre	- Vice-Chairman
Louis L. Sporrer	- Commissioner
Herbert E. Ellingwood	- Representative of the Attorney General

Commissioner absent:

William B. Kolender	- Excused
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Staff Present:

William R. Garlington	- Executive Director
Glen E. Fine	- Assistant to the Executive Director and Executive Secretary to the Advisory Committee
Bradley W. Koch	- Director, Technical Services
Gerald E. Townsend	- Director, Standards and Training
Imogene Kauffman	- Recording Secretary

Visitors:

Joe Aceto	- State President, P. O. R. A. C.
Charles E. Anderson	- Academy Director, Gavilon College
Stan Anderson	- Director, NCCJTES, Santa Rosa
Fred Allen	- Director, NCCJTES, Butte Center
Dorothy Baggett	- C. S. U. L. B., Center for Criminal Justice
Marc Bradshaw	- Regional C. J. Training Center - Modesto

## Visitors - cont.

Frank Budd	- Riverside City College
Dave Burn	- Sergeant, Garden Grove Police Department
Bob Campbell	- Sergeant, Ventura County Sheriff's Department
Ben Clark	- Sheriff, Riverside County
Les Clark	- Sacramento Area Training Center
W. J. Colfer	- P. O. R. A. C., San Bernardino Sheriff's Department
Richard Cook	- Criminal Justice Training Center, San Jose
Leslie J. Crist	- Chief of Police, San Jacinto Police Department
Marvin Eslinger	- NCCJTES, Sacramento
Robert Fissel.	- Marshal, San Bernardino County
Bill Franklin	- Anaheim Police Department
Colonel L. O. Giuffrida	- California Specialized Training Institute
Art Henrikson	- Captain, Sacramento Sheriff's Department
Derald D. Hunt	- Director, Administration of Justice, Golden West College
Peter Jensen	- Assemblyman Alan Sieroty's Office
Lewis E. Jones	- Captain, San Diego Sheriff's Department
Frank Kessler	- Chief of Police, Garden Grove Police Department
Richard Klapp	- Lieutenant, San Francisco Police Department
Eugene Majors	- San Bernardino Sheriff's Department
Robert Mann	- Lieutenant, Los Angeles County Marshal
Bill Martin	- South Gate Police Department
M. L. Matthews	- El Monte Police Department
Joe McKeown	- Director, Administration of Justice, Los Medanos
Lou Molina	- Anaheim Police Department
Alex Pantaleoni	- Rio Hondo College
David Parker	- College of the Dequoias
Jack Pearson	- P. O. R. A. C., San Diego Police Department
A. A. Pierce	- Department of Justice, Advanced Training Center
R. C. Randolph	- Marshal, San Bernardino County
Sal Rosano	- Chief of Police, Santa Rosa Police Department
Philip K. Schuyler	- San Bernardino Sheriff's Department
Kip Skidmore	- Department of Justice, Administration
Archie W. Sherman, Jr.	- Academy Director, Bakersfield College
Les Sourisseau	- Montebello Police Department
Bob Thorburn	- San Diego Police Department
Shelby Worley	- Riverside County Sheriff's Department

A. Approval of Minutes of July 29-30, 1976, Quarterly Commission Meeting

MOTION by Commissioner Enoch, seconded by McIntyre, motion carried for approval of the above-mentioned minutes with one correction. Commissioner Grogan requested his vote be shown as "aye" on p. 30. The corrected motion to read:

"Motion failed (Ayes: Gates, Anthony, and Grogan) that the Commission take a position of opposition on A. B. 1127 unless a limit of 200 hours is specified on the training hours required."

B. Quarterly Financial Report

Mr. Garlington reported on the financial activities for the first quarter of 1976/77 Fiscal Year. Detailed summary charts are on file at POST headquarters which show:

Reimbursements made for each category of training expense		
Number of trainees		
Cost per trainee		
Man hours of training		
Number of training courses presented		
Training by subject matter.		
Accumulated Surplus 7/1/76	\$1,690,515.04*	
Revenue: To 10/30/76	<u>3,073,985.38</u>	
Total Resources		\$4,764,500.42
Expenditures:		
Administrative Costs	\$ 532,763.48	
Aid to Local Government	26,497.78	
Aid to Local Government, Accts. Payable	<u>1,117,324.47</u>	
Total Expenditures		<u>1,676,585.73</u>
Accumulated Surplus, 10/30/76		\$3,087,914.69

\*After the close of the 1975/76 F. Y., POST was advised by the Department of Justice that \$747,228 had been added as surplus to the P. O. T. F. because of a "prior year adjustment."

There was Commission consensus that the sum should be held aside until it is resolved that this error could not go the other way. The Chairman requested staff report more in-depth on this adjustment.



C. Budget Report: Approval of F. Y. 1977/78 Budget

Chairman Anthony, Chairman of the Budget Review Committee, reported that at the Committee meeting on August 25, 1976, a motion was passed that the Budget Committee recommend conceptual approval of the F. Y. 1977/78 budget in the amount of \$2,481,235 pending approval of the PCST reorganization plan.

MOTION by Commissioner McIntyre, seconded by Holloway, for approval of the recommendation of the Budget Review Committee that the F. Y. 1977/78 budget and the proposed POST reorganization plan be adopted.

Further, there was direction from the Chairman that an informal Attorney General's Opinion be sought regarding the legality of revocation of POST certificates. At the January Commission meeting, a staff recommendation will be presented. Revocations will be suspended in the interim.

D. Reimbursement Alternatives Report

Reimbursement alternatives for 1977 were reviewed. The Commission requested a breakdown of different percentages of reimbursement on salaries, starting with the minimum of a proposed 50%. Alternative schedules will be presented for Commission consideration at a special meeting on December 8.

MOTION by Commissioner McIntyre, seconded by Grogan, carried unanimously that the basic reimbursement plan for 1977 be modified to insure up-front controls with no less than 50% salary reimbursement for the mandatory courses. On high-priority-type courses, the addition of salary reimbursement may be considered. The reimbursement plan will be presented at a special meeting of the Commission on December 8, 1976.

The Commission requested than an announcement to this effect be placed in the next issue of POST Scripts.

E. New Per Diem Rate - Trainees at Basic Academies

MOTION by Commissioner Gates, seconded by Grogan, carried unanimously for approval of the Budget Committee's action of August 25 that a \$35 per diem rate apply to all trainees' reimbursement regardless of the number of training days, and that the action be retroactive to September 1, 1976.

F. Course Certification

MOTION by Commissioner Grogan, seconded by Holloway, carried unanimously, for approval of the Certification Committee's recommendation to approve all staff recommendations on the

## Certification of Courses - cont.

certification/decertification of courses agenda, as follows:

<u>Certification Requests</u>	<u>Course</u>	<u>Reimbursement</u>	<u>Hours</u>
1. A. Bakersfield College	Special Course, "Security Guard Baton Training"	N/A	16
B. College of SanMateo	" "	N/A	16
C. Santa Clara Valley C. J. T. C.	" "	N/A	16
			(retroactive to 4/22/76)
<u>Recertification</u>			
2. San Diego Miramar College	P. C. 832, Arrest and Firearms Course	Plan IV	40
<u>Decertifications</u>			
3. Santa Barbara Peace Officer Academy	Basic Course		
4. Cuesta College	Advanced Officer Course		
5. Los Angeles County Sheriff's Office	Technical Course, "Advanced Patrol Special Enforcement"		
6. CSU-Long Beach	Technical Course, "Organizational Development"		
7. Los Angeles County Sheriff's Office	Technical Course, "Disaster and Riot Training"		
8. Los Angeles County Sheriff's Office	Technical Course, "Security for Law Enforcement"		
9. Los Angeles County Sheriff's Office	Technical Course, "Jail Operations"		
10. San Diego Police Dept.	Special Course, "P. C. 832, Arrest and Firearms"		
<u>Continuing Certifications</u>			
11. Specified Institutions	Advanced Officer Courses, Technical and Special Courses		
<u>Certification Modification</u>			
12. Academy of Defensive Driving	Technical Course, "Advanced Driver Training Program"	III	24
			(Increase tuition fm. \$190 to \$235)
<u>Special Item</u>			
Pilot Presentation - Revised POST Supervisory Course at San Francisco			
There was Commission concurrence to reimburse the proposed training of 20 select sergeants of the San Francisco Police Department for retraining in the POST Revised Supervisory Course.			

## Certification of Courses - cont.

Commissioner Enoch, Chairman of the Certification Committee, requested Standards and Training to prepare a statement to change procedures for processing certification activities with emphasis on time-saving techniques.

### G. Standards and Training Projects

#### 1. Training Needs Assessment Study

MOTION by Commissioner McCauley, seconded by Ellingwood, carried unanimously for approval of the seven major staff recommendations set forth in the Operational Plan/Training Needs Assessment Report. (Attachment "A" of the minutes)

#### 2. Revision of Courses - Status Report

Mr. Townsend reported that Basic Course Revision meetings have been scheduled throughout the State from October 19 through December 7. There has been general acceptance of the concept, and no major problems have been identified. Public hearings will be scheduled at a future date on the Revised Basic, Supervisory and Management Courses.

#### 3. Role-Training Instructors Course Contract - Riverside

It was reported that the requested Attorney General's Opinion relative to the legality of third-party contracts had not been received. Therefore, approval of the contract - Techniques of Teaching Criminal Justice Role Training Programs, Academy of Justice, Riverside, was set forward to the January Commission meeting.

#### 4. Tuition Guidelines Report

Mr. Townsend reported that the guidelines are appropriate for the time being but by July 1977 there may be a necessity to increase tuitions due to increased costs.

### H. Community College Open Enrollment

An analysis of the findings of the 1975/76 F. Y. data concerning the open enrollment issue were summarized:

- Over 58% of the Basic Course trainees are trained in ADA-funded courses.
- Non-reimbursable trainees attended 24 of the 31 academies.
- 538 trainees or 15% of the total were non-reimbursable, 2,998 trainees or 85% of the total were reimbursable for a total of 3,536.

## Community College Open Enrollment - cont.

- ADA generated \$2,187,000 for 958,636 trainee hours for the Basic Course given at community colleges. If the same rate of ADA funding was applied to agency funded courses, it would amount to an additional \$1,949,388 for a total of \$4,136,388.
- 512 hours was the average length of instruction per trainee.
- \$1,170 was the average ADA revenue generated per trainee.
- The cost to train an employed recruit includes the following:
  - \$1,170 - Instructional costs for ADA courses (1975-76).
  - 1,609 - Trainee reimbursement from POST (1975-76).
  - 1,816 - Cost to local government - 40% of trainee's salary  
 \_\_\_\_\_ plus an average of 40% fringe benefits (1975-76).
  - \$4,595 - Total cost/trainee

POST reimbursed approximately \$4,120,000 for the Basic Course or \$1,609 per trainee in 1975-76 F. Y. If POST was obligated to pay instructional costs, the total reimbursement would be approximately \$10,000,000 per year. Open enrollment for the Basic Course has increased 3% over the 1974-75 F. Y. when 413 non-reimbursable trainees completed the course. If all non-reimbursable 1974-75 F. Y. trainees were hired by California law enforcement agencies (how many were employed is not known), the Peace Officer Training Fund would save approximately \$865,642. Local government cost would be reduced by \$977,008.

Mr. Alex Pantaleoni, Rio Hondo College, addressed the Commission on behalf of the law enforcement agencies represented through the Rio Hondo Training Center and as the representative of CAAJE. Three main concerns were presented:

1. The Commission was urged to concur with the principle of open enrollment and to authorize the necessary staff time to continue to seek solutions to the pending financial problems that are incumbent with open enrollment and colleges.
2. The Commission was requested to authorize staff to intensively study the problems of regionalization and identify possible remedies for immediate implementation.
3. It was requested that the moratorium on course certification be lifted. (This was done in a previous agenda item.)

Representatives of 15 training centers appeared in support of the position presented by Mr. Pantaleoni.

## Community College Open Enrollment - cont.

There was Commission consensus that any decision regarding the issue would be premature as regulations had not been adopted by the Chancellor's Office.

MOTION by Commissioner Gates, seconded by Holloway, carried unanimously that the Commission continue authorization for staff to affect changes in the proposed community college regulations.

Chairman Anthony appointed an Ad Hoc ADA Committee to work with staff in addressing the problems of open enrollment. They are:

Chairman	- Commissioner Brad Gates
Member	- Commissioner Jacob Jackson
Member	- Commissioner Kay Holloway

I. Proposed Regulation/PAM Procedure Change

Proposed Regulation Change -- Section 1006

MOTION by Commissioner Sporrer, seconded by Jackson, carried unanimously that the proposed regulation change be adopted for the January public hearing agenda as follows:

Section 1006(a) be amended and new sub-section (b) be added to read:

1006. Extension of Time Limit for Course Completion

- (a) The Commission may grant an extension of a time limit for completion of any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer is unable to complete the required course within the time limit prescribed because of illness, injury, military service, or special duty assignment required and made in the public interest of the concerned jurisdiction.
- (add) Time extensions granted under this sub-section shall not exceed that which is reasonable, bearing in mind each individual circumstance.
- (b) The Commission may grant an extension of time limit for any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer was unable to complete the required course within the time limit prescribed for reasons other than those specified in sub-section (a). In the event that an agency does not require an individual to complete the applicable training by the end of the extension period, such agency shall not be eligible for the reimbursement of any expenses which are incurred as a result of the training when it finally occurs.

J. POST Commission Policy Issues

1. Draft of "Directions and Policy Manual"

A draft of the Directions and Policy Manual, requested by the Commission at the July 1976 Commission meeting, was presented for review. It was recommended that following approval, this manual become a permanent record of the Commission's actions and be continually updated by staff.

MOTION by Commissioner McCauley, seconded by Jackson, carried unanimously that the adoption of the manual material be deferred until the January Commission meeting.

Commissioner Ellingwood requested that the former Commission legislative policy be considered prior to final adoption of a legislative policy.

There was Commission direction that in the future all material prepared by staff for Commission action should have the past Commission policy on the issue stated in the reference material.

2. Reimbursement for Partial Completion of the Basic Course -- B. C. E. E.

MOTION by Commissioner Gates, seconded by Holloway, carried unanimously to accept staff recommendation that the Commission policy be modified to allow reimbursement as appropriate for clearing deficiencies of training, if an individual fails to complete satisfactorily a subject of the Basic Course Equivalency Examination or lacks specific documentation of training in certain areas.

3. Reimbursement - Civilian Employees in the Basic Course

Discussion addressed the possibility that selected modules meet the paraprofessional training needs better than the entire Basic Course. Current policy precludes reimbursement for portions of the Basic Course, generally.

Chief Sal Rosano, Santa Rosa Police Department, addressed the Commission to request salary reimbursement for non-sworn personnel who complete the Basic Course. It was affirmed that the current policy allows for salary reimbursement, on an individual basis, for "non-sworn personnel performing police tasks as determined by the Commission" as set forth in PAM Procedure E-1-3 f., upon prior approval of the Executive Director.

MOTION by Commissioner Grogan, seconded by McIntyre, motion carried (Nays: Anthony, Sporrer, and Gates) for approval of the staff recommendation to allow reimbursement for out-of-pocket expenses for non-sworn employees attending selected portions of the Basic Academy if advance approval has been obtained from the Executive Director.

## POST Commission Policy Issues - cont.

4. Advanced Officer Course Format

At the July 1976 Commission meeting, the policy was reaffirmed that the presentation of the Advanced Officer Course may extend no longer than five weeks, one day per week, eight hours per day.

The Sheriff of Los Angeles County requested that the Commission consider modification to allow a period not to exceed 12 weeks. This would overcome scheduling and budgetary problems.

MOTION by Commissioner Gates, seconded by Jackson, carried unanimously for approval of the staff recommendation that the policy on intensive presentation formats be modified to read, "The Course is to extend no longer than 12 weeks, presented at least one day per month, eight hours per day."

Commissioner Sporrer requested that this course be monitored in this format and the findings be reported.

5. Direction and Policy Item Review from July 1976 Commission Meeting

Direction and policy items, resulting from the July 1976 Commission meeting, were presented for review and approval prior to being included in PAM or the Commission Policy Manual. It was concluded that this item should be brought back at the next Commission meeting at which time the items will be affirmed as either Commission policy or direction.

K. Administrative Counseling Services Report

A report summarizing the Administrative Counseling activities during the last quarter was presented. The report included the number of surveys and studies completed, current schedule of work in progress, field management training received, implementation and follow-up activities, and management counseling provided from July 1 through September 30, 1976.

L. Employment Validation Studies Program1. Report of the Affirmative Action Committee

Commissioner Grogan, Chairman of the Affirmative Action Committee, reported the Committee had met on September 3 and October 20 to review the proposed Affirmative Action and Validation Grant Proposal. At the October 20 meeting, a draft of the L. E. A. A. proposed concept paper was reviewed, and it was recommended that the Commission accept the concept paper, with minor changes, to be presented to L. E. A. A. There was Committee consensus that the timetable for the project be amended to include a special meeting of the Commission on December 8

## Employment Validation Studies - cont.

for review of the final project proposal. This would facilitate approval of the proposal during the present administration.

There was also Committee consensus that staff prepare a proposal for consideration of the full Commission that would enable the project to be initiated prior to finalization of L. E. A. A. funding.

MOTION by Commissioner Grogan, seconded by Holloway, carried unanimously for acceptance of the Committee recommendations.

### 2. L. E. A. A. Proposal

Mr. Glen Fine reported the staff position would be to recommend staff move forward immediately with the job analysis of the entry level law enforcement officer position as a part of the validation studies at a cost not to exceed \$75,000. Additional staff would be added with contract funds. The Executive Director stated this would be approximately what it would cost to do the job analysis. Commitment money would be necessary if the Committee was recommending that the study be started immediately.

Commissioner Gates affirmed the need for the validation of the job analysis whether or not the L. E. A. A. grant for the affirmative action project is approved. Further discussion addressed the actual amount of money needed to start the study, and the following action was taken:

MOTION by Commissioner McIntyre, seconded by Grogan, carried unanimously that \$10,000 be committed to start the job analysis study.

The Executive Director stated that at the special meeting on December 8 the major contract to be presented to L. E. A. A. will be presented for approval.

Chairman Anthony commended the Affirmative Action Ad Hoc Committee and requested that the members continue to serve until the need for this Committee is no longer indicated.

### 3. Validation Studies Program - Status Report

Mr. Brad Koch reported that all products of the Medical and Background Validation Project are on schedule. They are being developed internally with the use of contract personnel. A draft of the Medical Screening Manual, a product of the Project, was presented to the Commission for review. Commission approval will be requested at the special meeting December 8, as well as approval of the Background Investigation Manual which will be mailed in the near future.



4. POST Regulation 1002 (a)(8): Reading Level Requirement

Mr. Brad Koch reported that due to the complexity of the Regulation Section 1002 (a)(8), adopted in October 1975, it was the staff recommendation that a period of 18 months be allowed before action for non-compliance will be taken. This section requires that "Every officer employed by a department shall be able to read at the level necessary to perform the job as a peace officer as determined by passing a professionally developed examination to test this skill." During the 18-month period, POST staff will assist departments in all aspects of compliance.

MOTION by Commissioner McCauley, seconded by Grogan, carried unanimously to accept the above-stated recommendation.

M. Reports to the Commission

1. Specialized Certification Program

As was requested by the Commission at the July 30 meeting, a study was conducted of the POST Specialized Certification Program. Mr. Koch reported on the history, analysis and findings of the study. The Executive Director stated that with the POST reorganization, part of the duties of the consultants will be directed more in this area, and an effort will be made to give more assistance to the specialized agencies in the program.

Three alternative courses of action were presented and discussed, and the following action was taken:

MOTION by Commissioner Grogan, seconded by McCauley, carried unanimously to continue the Specialized Program as it currently exists with increased staff services to include updated, relevant training based on demonstrated need. There was clarification that the intent of the motion was that there will be no new participants accepted into the Specialized Program at this time.

Request for City of Los Angeles Housing Authority to Participate in the Specialized Program

The Housing Authority of the City of Los Angeles adopted a resolution to adhere to the standards for selection and training as prescribed by the POST Commission Regulations. In view of the action taken on the above item, the following motion was made:

MOTION by Commissioner Gates, seconded by Holloway, carried unanimously that the request of the Los Angeles Housing Authority to participate in the POST Specialized Certification Program be denied.

Reports to the Commission - cont.

2. CORO Report

The CORO Foundation assigned a group of graduate students to study training in the Criminal Justice System and make recommendations for improvement of the system. At the July Commission meeting, the final CORO report was provided to the Commission for review. The report is on file at POST headquarters.

MOTION by Commissioner Sporrer, seconded by Enoch, carried unanimously, that the Commission take cognizance of the CORO recommendations during its planning activities.

3. Eligibility Criteria For Agencies in the POST Reimbursement Program

As requested by the Commission at the July 29 Commission meeting, specific eligibility criteria were developed for entry into the POST Reimbursement Program. Based on legislative intent and the language of the law, it was the staff opinion that agencies participating in the Reimbursement Program should be local agencies whose officers perform the broad range of general law enforcement tasks. Following discussion it was ascertained that the unwritten, informal Commission policy of the past should be articulated, and the following action was taken:

MOTION by Commissioner Sporrer, seconded by Grogan, carried unanimously that the present criteria be formally adopted as eligibility criteria for inclusion in the POST Reimbursement Program on the following premise:

- The agency must be a unit of local government;
- The agency must perform the full range of law enforcement functions identified in the attached chart, (Attachment "B") or
- An agency which does not meet the first two requirements must be funded from sources other than the Peace Officer Training Fund as it is presently constituted.

4. Mission and Goals Statement

At the July Commission meeting, direction was given to the Executive Director to review the Advisory Committee's recommended changes to the POST Mission and Goals Statement. The Advisory Committee reviewed the revised statement on October 7, 1976, and agreed the project had been satisfactorily concluded. The Executive Director was of the opinion that the revised Mission and Goals statement, (Attachment "C"), is a satisfactory portrayal of the POST operation. Objectives for each division will be developed on an annual basis using the statement as a basis.

## Mission and Goal Statement - cont.

The 1977/78 goals and objectives plan will be presented for Commission review at the January Commission meeting.

5. Evaluation of California Specialized Training Institute's Officer Survival Course

As requested by the Commission in July, the Executive Director made a personal evaluation of the Officer Survival Course presented by C. S. T. I. It was concluded that:

- Individual officers have returned to their departments occasionally displaying an unhealthy paranoia and/or demanding additional security measures, primarily to the police facilities.
- The Officer Survival Course is an excellent training product filling a law enforcement need.

Steps have been taken to ward against over-reaction by students to the instruction. Three courses have been completed since these changes were made with no further criticism. This was reported to the Advisory Committee on October 7.

N. Legislation

Commissioner Ellingwood, Chairman of the Legislative Review Committee, reported on the September 3 Committee meeting, at which time several recommendations were approved for Commission consideration.

1. Adoption of the proposed Commission legislative policy (Attachment "D")

MOTION by Commissioner Ellingwood, seconded by Jackson, carried unanimously that the proposed Commission legislative policy be approved.

2. Legislation be introduced to:

- a. Amend P.C. Section 13501

MOTION by Commissioner Ellingwood, seconded by McIntyre, carried unanimously that a bill be proposed to amend P.C. 13501 to read as follows:

The Commission shall select a chairman and vice-chairman from among its members. ~~Five-~~ A majority of members of the Commission shall constitute a quorum. ~~The Attorney-- General shall summon the Commission to its first meeting.~~

## Legislation - cont.

## b. Amend P. C. Section 13511

MOTION by Commissioner Ellingwood, seconded by Jackson, carried unanimously for approval of the following legislative amendment to P. C. 13511:

(Legend: In establishing standards for training, the Commission may, so far as consistent with the purposes of this chapter, permit All under- certify or approve required or needed training ~~to be obtained~~ lines are existing institutions agencies, or other sources deemed to be added) appropriate ~~approved~~ by the Commission.

Notwithstanding any other provision of statute or regulation related to the Commission, the words "certified" and "approved" are defined as follows as used in various laws and regulations related to required courses of training developed by the Commission.

- (1) "Certified" indicates the Commission is responsible for the development of curriculum, designation of presenting agencies or institutions, publication of related information, the maintenance of ongoing course supervision and quality control, and for eligible agencies reimbursement of trainee expenses as determined by the Commission.
- (2) "Approved" indicates the Commission is responsible for the development of the course curriculum and publication of related relevant information; and the Commission is designated no ongoing course maintenance responsibility.

## Amend Code Sections:

Penal Code 832 ~~prescribed~~ certified by  
California Vehicle Code 40600 ~~approved~~ certified by  
Penal Code 832.1 ~~approved~~ certified by

## c. Add new P. C. Section 13511.5 to read:

MOTION by Commissioner McCauley, seconded by Ellingwood, carried unanimously that a bill be proposed to add new P. C. Section 13511.5

The Commission may determine alternative means for satisfaction of state mandated training standards related to law enforcement. Alternative means may include but are not limited to testing for skills and knowledge.

## Legislation - cont.

## d. Repeal P. C. Section 13515

There was Commission consensus that no action should be taken to repeal Section 13515 at this time.

Mr. Ellingwood recommended that a problem-solving seminar be planned for the purpose of bringing together law enforcement association representatives and the Commission to draft acceptable amendments to the reserve officer training bill that was vetoed (A. B. 1127), or to develop a new bill.

MOTION by Commissioner Ellingwood, seconded by Gates, carried unanimously, to authorize a problem-solving seminar sponsored by POST to address reserve training legislation. The meeting is to be set for November 29, 1976, in Sacramento. The Legislative Review Committee of the Commission will represent the Commission. Out-of-pocket expenses will be reimbursed for one representative of each concerned law enforcement association.

Mr. Ellingwood stated it would be the recommendation of the Legislative Committee that it be a function of the Committee to make the determination of the author for any proposed Commission legislation. It was so ordered by the Chairman.

2. Executive Session Law

Commissioner Ellingwood reported that at the January meeting it would be arranged that council, expert in this area, will be made available to address the Commission regarding the Executive Session Law.

3. Legislation of Special Interest

A legislative update of legislation of interest to POST was presented. (Attachment "E")

O. Advisory Committee

1. Minutes of Joint Ad Hoc Committee to Study the Role of the Advisory Committee, 9/2/76. (On file at POST headquarters)

2. Role of the Advisory Committee

Commissioner McIntyre, Chairman of the Joint Ad Hoc Committee to study the role of the Advisory Committee, reported that the Committee had met on September 2. Following discussion, there was consensus to approve the formal statement of the role of the Advisory Committee to

## Advisory Committee - cont.

be presented to the Commission for approval.

MOTION by Commissioner McIntyre, seconded by Grogan, carried unanimously for approval of the recommended role of the Advisory Committee (Attachment "F").

The Ad Hoc Committee considered the benefits of a different arrangement of meeting dates for the Advisory Committee. There was consensus that future Advisory Committee meetings should be a follow-up of the Commission meetings, scheduled approximately one month later.

3. Composition of the Advisory Committee

Discussion was given to possible changes in the makeup and structure of the Advisory Committee. It was reported there are presently two vacancies -- a public member and the student representative. Mr. Cress stated the Advisory Committee preferred to retain public member representation rather than a committee composed of representatives of special interest groups.

MOTION by Commissioner Grogan, seconded by McIntyre, carried unanimously for approval of the Advisory Committee's recommendation that three public member positions be retained and that the student representation be abolished in favor of a representative from the Women Peace Officers' Association.

4. Appointments of New Members

Jerome Lance, Lieutenant, Long Beach Police Department, reappointed as representative of the California Association of Police Training Officers. Edwin Meese, III, appointed to fill a vacant public member position. Mr. Meese was formerly Executive Assistant to Governor Reagan. Jack R. Pearson, Lieutenant, San Diego Police Department, appointed to represent the Peace Officers' Research Association of California. Lieutenant Pearson replaces Bob Cress who is retiring. Alex Pantaleoni, Professor and Chairperson, Department of Public Services, Rio Hondo College, appointed to represent the California Association of Administration of Justice Educators. Jay Rodriguez, reappointed as a public member. Mr. Rodriguez is Manager, Press/Publicity and Community Relations, KNBC - Channel 4, Los Angeles.

All appointments to be effective October 29, 1976.

Mr. Bert Ritchey, who has served as a public representative since 1969, had indicated he did not seek reappointment. It was the consensus of the Commission that a public member from Northern California would be appropriate. Nominations will be considered at the January Commission meeting.

Advisory Committee - cont.

MOTION by Commissioner Gates, seconded by Grogan, carried unanimously that appropriate commendations be presented to the outgoing members of the Advisory Committee, in appreciation of their service to the POST Commission and the State of California.

5. Advisory Committee Chairman's Report

Chairman Bob Cress communicated the Advisory Committee's recommendation on the subjects of the existing regulation requiring revocation of professional certificates and whether the certificates are intended to be a form of a license to practice or a certificate of attainment. If the certificate is intended to serve as a license to practice in the law enforcement field, the Commission should assess its capability to administer a complete revocation program. The opinion of the Committee was that such a program could grow to significant proportions and consume a large share of POST's resources.

Direction from Chairman Anthony with regard to the revocation issue was addressed under Agenda Item C, page 4.

P. Old/New Business

1. Proposed Meeting Calendar for 1977 POST Commission Meetings

A proposed meeting calendar for 1977 was presented for approval. During discussion, it was suggested that each Commissioner be contacted by phone to determine individual preference of the scheduling of future meetings, i. e., one-day meetings every other month or the continuation of quarterly, two-day meetings. A staff report of the findings will be made at the Commission meeting in January.

2. Proposal for POST Headquarters

Due to escalation of costs and undesirable features of the present location, it has been staff consensus that POST seek more suitable quarters. The Department of Justice will be constructing a building to be completed in approximately two years.

MOTION by Commissioner McCauley, seconded by McIntyre, carried unanimously that staff be authorized to continue discussions of the possibility of relocating in the Department of Justice complex when it is completed, and to explore other alternatives as well.

Under Old Business, Chairman Anthony called for further discussion on Agenda Item J. 3. - Reimbursement for Civilian Employees in the Basic Course, primarily salary reimbursement. It was concluded, following discussion, that the Commission would like to see a restatement of the current policy regarding the reimbursement for non-sworn personnel and the categories of training. This will be presented at the January Commission meeting.

3. College "Life Experience" Degree Program

The Executive Director presented a package of material to the Commissioners which included correspondence regarding concerns of the possibility of excessive credit being awarded for life or work experience in degree programs. He stated staff will conduct an investigation and report with a recommendation at the next Commission meeting.

Q. Election of Officers for 1977

Nominations for POST Commission Chairman and Vice-Chairman for 1977 were opened. Commissioner Grogan moved that Chairman Anthony and Vice-Chairman McIntyre be renominated. Commissioner Ellingwood seconded the nominations, and a unanimous vote was cast in favor of the nominees.

R. Next Commission Meeting/Hearing, January 20-21, 1977

The next regular quarterly meeting of the Commission and public hearing was scheduled for January 20-21, 1977, at the El Mirador Hotel in Sacramento.

S. Adjournment

There being no further business, the meeting was adjourned at 1 p. m.

Respectfully submitted,

  
Imogene Kauffman  
Commission Secretary



# Memorandum

GERALD E. TOWNSEND  
Director  
Standards and Training Division  
Via: Brooks W. Wilson, Chief  
Central Bureau

Date : October 8, 1976

From : Jack Beecham, Senior Consultant  
**Commission on Peace Officer Standards and Training**  
Central Bureau

Subject: OPERATIONAL PLAN/TRAINING NEEDS ASSESSMENT

## MAJOR RECOMMENDATIONS

1. Priorities established for each zone be used as a planning tool by POST staff, local agencies and the Commission in the development and certification of training programs.

Explanation - Prioritized training needs for specific job training and skills and knowledge training were identified for each training zone.

The twelve training zones were identified by studying training patterns for FY 74/75 and FY 75/76.

We are simply recommending use of this information cooperatively with local agencies for developing certified training programs.

2. POST Standards and Training staff resources be directed primarily toward the development of training according to the priorities identified for each zone and that the needs for training which not consistent with or identified in these priorities be substantiated by the requesting agency.

Explanation - Other training needs, not identified in the study, could arise at any time and if they do, the need should be substantiated by the requesting agency. This provides flexibility to be responsive to needs.

3. Training zones identified be formally recognized and used as a guide in the certification of courses and the allocating of the peace officer training fund.

Explanation - With the adoption of this recommendation, the Commission, in addition to certifying courses where they are needed, can allocate funds on a more equitable basis. For example, in cases where highly technical and/or expensive courses are certified, student slots have been allocated on a first come, first serve basis. As a result, in some cases a limited number of agencies have booked all student slots, consequently disallowing other agencies to take advantage of the training.

4. Advanced Officer training requirement remain as presently constituted, pending further study at the conclusion of the Basic, Supervisory and Middle Management Revision Projects.

Explanation - Study findings indicate that the Advanced Officer training requirement is overwhelmingly acceptable to the California law enforcement community (see Page 147, Table 4, responses to statements 2 and 4). Some concern was expressed, however, for the training content and the need for flexibility in meeting present or future requirements.

5. Commission support the use of training advisory committees to develop performance objectives for courses designed to provide training for specific assignments.

Explanation - There are many law enforcement training advisory groups throughout the state which are willing to help and would be a valuable resource in developing performance objectives for those assignments. The CPOA training committee is writing performance objectives for the top five jobs identified.

6. POST Problem-Solving Seminar be utilized for allocating POST training resources within each training zone.

Explanation - Several POST certified training institutions exist in most of the training zones. In some instances, two or more of these institutions might want to conduct similar training programs when there is only a need for one certified course. The POST Problem-Solving Seminar may be used as a vehicle to bring representatives from these institutions together for planning purposes.

7. A modified training needs assessment survey be conducted on a bi-annual basis.

Explanation - The use of the training needs assessment matrix facilitates gains in assisting agencies to plan for training. By conducting a training needs assessment on a bi-annual basis, staff will be able to develop a refined statewide training plan which will allow the Commission to more cost effectively administer the POST program.

COMPARATIVE ANALYSIS OF TASK PERFORMANCE AND COST FOR INCLUSION  
OF ADDITIONAL AGENCIES INTO THE POST REIMBURSEMENT PROGRAM

AGENCIES PRESENTLY IN REIMBURSEMENT PROGRAM

Essential Task of Agencies in Reimbursement Program	City Police 830.1 PC	Deputy Sheriff 830.1 PC	UC/CSU Police 830.2 (a)(e) PC	District Police 830.1 PC
	Patrols a specified geographic area for the purpose of crime control.	X	X	X
Operates emergency vehicles.	X	X	X	X
Responds to calls regarding criminal or suspicious activities.	X	X	X	X
Generates crime specific reports.	X	X	X	X
Controls and coordinates crime scene activities.	X	X	X	X
Collects and preserves evidence.	X	X	X	X
Controls and/or disperses crowds and resolves violent conflicts.	X	X	X	X
Intervenes in personal family crisis situations.	X	X	X	X
Arrest adults/juveniles for violation of criminal statutes. Determines legality of arrest and his authority to arrest, search and seize property.	X	X	X	X
Uses firearms and other weapons as authority and discretion may dictate.	X	X	X	X
Serves warrants of arrest and other orders of the court.	X	X	X	X
Conducts searches for missing children and disoriented adults.	X	X	X	X
Conducts criminal investigations.	X	X	X	X
Anticipates, recognizes and appraises crime risk situations and initiates action to remove or reduce it.	X	X	X	X
Engages in delinquency control and protective custody of juveniles. Makes dispositions on cases involving delinquent and/or dependent juveniles.	X	X	X	X
Renders assistance to sick and injured persons.	X	X	X	X
Has authority to engage in traffic law enforcement and traffic accident investigation.	X	X	X	X
75-76 Reimbursement to agencies in Reimbursement Program Totals	\$6,728,244	40,175	510	33

AGENCIES REPRESENTATIVE OF THOSE WHO MAY  
REQUEST TO BE IN REIMBURSEMENT PROGRAM

Marshal 830.1 PC	District Attorney Investigator 830.3 (b) PC	California State Police 830.2 (b) PC	California Highway Patrol 830.2 (a) PC	Department Prks & Rec. Police 830.3 (i) PC
		X		X
X		X	X	X
		X	X	X
	X	X	X	X
X	X	X	X	X
X		X	X	X
		X	X	X
	X	X	X	X
X	X	X	X	X
X	X	X	X	X
		X	X	X
	X	X	X	X
		X	X	X
X	X	X	X	X
		X	X	X
850	525	238	5,414	600

Impact on POTF, without additional funding	-2%	-1%	-.6%	-13%	-1%
Additional cost for inclusion of a sample of selected agencies	\$139,975	\$86,455	\$39,192	\$891,555	\$98,806

Cost based on 37% training rate  
at \$445.07 per trainee totals

## MISSION OF POST

The POST Mission is, through the provision of service and establishment of voluntary standards, to serve the following threefold purpose:

- To raise the level of competence of local law enforcement officers through adoption of minimum selection and training standards. (13510 P.C.)
- To help improve the administration, management and operation of local law enforcement agencies by providing a counseling service. (13513 P.C.)
- To provide law enforcement with service and assistance by developing and implementing programs designed to increase effectiveness and professional expertise. (13503(e) P.C.)

## GOALS OF POST

The POST Mission is supported by the following specific goals:

- To establish minimum standards and guidelines for the selection and training of law enforcement personnel.
- To require law enforcement agencies to meet minimum selection and training standards.
- To establish and maintain quality training courses designed to improve the performance of law enforcement personnel.
- To provide assistance to improve management operational practices in law enforcement agencies.
- To conduct needed research and serve as a resource center for law enforcement.
- To administer an effective financial aid program to help subvent the costs of training local law enforcement personnel.

# COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

## RECOMMENDED LEGISLATIVE POLICY

### General Policy

1. The Commission shall assume a leadership role on selective legislation\* pertaining to its mission and goals in improving law enforcement.

"Leadership role" in the context of this policy is defined as: a) Identifying, anticipating and soliciting legislative needs related to POST and its objectives; b) Conducting research which relates to the evaluation and formation of legislative proposals; and c) Following and testifying on relevant legislative matters.

2. The Commission shall extend full cooperation to the Legislature, the Executive Branch, and other interested parties on all legislative matters.
3. The Commission may oppose or seek modification of legislation which would:
  - a. Augment the Commission's workload without adequate financing.
  - b. Impose by law programs which the Commission is now legally empowered to establish administratively.
  - c. Detrimentially impact a source of revenue for the Peace Officer Training Fund.

### Staff Discretion

1. On legislative topics where there is established Commission policy, the POST Executive Director is authorized to speak in behalf of the Commission and perform necessary legislative activities without prior authorization.
2. On legislative topics of a controversial nature, or where substantive issues are involved, and time constraints preclude awaiting a regular Commission meeting, the Chairman of the Legislative Review Committee shall be solicited for direction.
3. On legislative matters of a technical or non-policy nature, staff is authorized to testify or perform other legislative activities necessary to clarify issues, laws, procedures, or processes.

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\*Legislation is broadly defined to include existing laws, proposed bills, or legislative resolutions.

Legislative Update  
(1975-76 Legislative Session)

Passed

<u>Bill Number</u>	<u>Author</u>	<u>Subject</u>	<u>Status</u>	<u>POST Position</u>
*AB 301	Keysor	Bill of Rights	Chaptered	None
AB 3121	Dixon	Juvenile Court Law	Chaptered	None
AB 3445	Sieroty	Private Investigator's - Training	Chaptered	None
SB 42	Nejedly	Determinate Sentencing	Chaptered	None
SB 189	Roberti	Vehicle Offenses; Mailed Bail Deposits	Chaptered	Neutral
*SB 575	Robbins	Sex Crime Investigation	Chaptered	Neutral
*SB 1021	Ayala	State Agency Training Standards	Chaptered	Further Study
*SB 1232	Nejedly	BART	Chaptered	Neutral
*SB 1435	Petris	Appointments by Governor	Chaptered	Neutral
SB 1461	Nejedly	Board of Corrections: Study Training Standards	Chaptered	None
SB 1943	Nejedly	Tear Gas - Private Citizen	Chaptered	None

Dead

*AB 1127	Suitt	Reserve Training Standards		Support in Concept
AB 1333	Presley	Reserves - Firearms		None
**AB 1384	Tucker	Marshals - POST Reimbursement		Oppose
AB 1508	Sieroty	Minimum Standards - Selection and Training		None
*AB 2866	Campbell	Abolishment of State Regulatory Agencies		Neutral
*AB 2867	Campbell	State Regulatory Agencies - Adoption of Regulations		Neutral
AB 2885	McVittie	Police Promotional Practices		None
**AB 2977	Lockyer	D.A.'s - POST Reimbursement		Oppose
*AB 3469	Lanterman	State Agencies - Opposing Legislation		None
AB 3630	McAlister	Tear Gas - Private Citizen		None
**AB 4249	McVittie	Mandatory Certification		Oppose
*ACA 80	Campbell	State Regulatory Agency		Neutral
*SB 1550	Roberti	Vehicle Offenses; Mailed Bail Deposits		Neutral

\* Impacts POST Directly  
\*\* Active POST Opposition

October 6, 1976

Attachment "E"

PROPOSED ROLE OF THE POST  
ADVISORY COMMITTEE

PURPOSE

The Advisory Committee of the Commission on Peace Officer Standards and Training is established for the principal purpose of providing two-way communications between the Commission and associations and organizations sharing a vital interest in the activities and decisions of the Commission. Therefore, the Advisory Committee shall be a consortium of representatives of common interest groups which convenes periodically to give and receive information, review projects and programs and make recommendations to the Commission.

PROCEDURES

The Advisory Committee may:

- Receive briefings on POST's programs and projects.
- Call to the attention of POST staff any suggestions or concerns of members' associations and the Advisory Committee collectively.
- Formulate specific proposals for recommendation to the Commission.

The Advisory Committee shall not be assigned responsibility to undertake projects of its own. Rather, the Advisory Committee's function in this regard shall be to provide input and serve as a sounding board for the Commission and its staff.

State of California  
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES - SPECIAL MEETING

December 8, 1976  
Sacramento Metropolitan Airport

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

Commissioners present:

William J. Anthony	- Chairman
Loren W. Enoch	- Commissioner
Brad Gates	- Commissioner
Robert F. Grogan	- Commissioner
Luella K. Holloway	- Commissioner
Jacob J. Jackson	- Commissioner
William B. Kolender	- Commissioner
Edwin R. McCauley	- Commissioner
Donald F. McIntyre	- Vice-Chairman
Louis L. Sporrer	- Commissioner
Herbert E. Ellingwood	- Representative of the Attorney General

Staff present:

William R. Garlington	- Executive Director
Glen E. Fine	- Bureau Chief, Executive Office
Michael Freeman	- Project Coordinator, Validation Unit
Bradley W. Koch	- Director, Standards and Training
John Kohls	- Staff Psychologist, Validation Unit
Otto H. Saltenberger	- Director, Administration
Harold L. Snow	- Special Assistant, Executive Office
Gerald E. Townsend	- Assistant Director, Executive Office
Imogene Kauffman	- Recording Secretary

Visitors:

Rick Berman	- California Representative, L. E. A. A.
J. William Conroy	- Captain, San Francisco Police Department
Robert L. Cress	- Stockton Police Department
Doug Cunningham	- Executive Director, O. C. J. P.
Lewis Eigen	- Project Director, Civil Rights Compliance Project, University Research Corp.
Martin J. Mayer	- League of California Cities
Michael Scott	- League of California Cities



A. Report on Prior Year Financial Adjustment

In response to the Commission's request at the last meeting, a report on a "prior year financial adjustment" of the addition to the P. O. T. F. of \$747,228 was presented.

These types of debits and credits are the result of the state procedure of impounding funds for a three-year period for purposes of reimbursement to cities and counties. In researching the adjustment, it was found that the money came from F. Y. 1973/74. Approximately \$600,000 will be returned from F. Y. 1974/75, and approximately \$1,300,000 from F. Y. 1975/76.

Due to the Commission's action in 1974 which established a six-month cutoff period for honoring late claims, steps will be taken to change the state procedure and get monies back into the P. O. T. F. faster.

B. F. Y. 1977/78 Reimbursement Plan

Alternatives for a basic reimbursement plan to insure up-front controls with no less than 50% salary reimbursement for the mandatory courses that could be maintained for at least a three-year period were presented.

The issues involved and resulting action were taken in the following order:

1. Establishment of a Planned Reserve

MOTION by Commissioner Kolender, seconded by Sporrer, for adoption of the staff recommendation to establish a planned reserve for F. Y. 1977/78 of \$1,000,000 by allocating this amount from the P. O. T. F. surplus.

Discussion followed, and a substitute motion was made.

SUBSTITUTE MOTION by Commissioner McCauley, seconded by Gates, motion defeated that the reserve fund be established at \$500,000.

There was a call for the question on the original motion. Motion carried (Noes: McCauley and Gates) to establish a planned reserve for F. Y. 1977/78 of \$1,000,000.

There was Commission consensus for acceptance of the suggestion by Commissioner Enoch that in the future the reserve account be referred to as "The Stabilization Fund For Aid To Local Government."

2. Development of a Prioritized, Job-Specific Training Program

MOTION by Commissioner McIntyre, seconded by McCauley, carried unanimously for approval of salary reimbursement on technical job-specific courses. Staff is to work with the Advisory Committee on the procedures to identify and prioritize the appropriate courses for job-specific salary reimbursement. The recommendation will be presented to the Commission at the January meeting. Reimbursement for the approved courses will be effective July 1, 1977, and be limited to one technical job-specific course per trainee per year.

3. Salary Reimbursement Rate

MOTION by Commissioner Ellingwood, seconded by Jackson, motion carried (Noes: Enoch and Grogan), to increase the salary reimbursement rate for mandatory courses to 60%, retroactive to July 1, 1976.

The Commission expressed their desire to stabilize the reimbursement rate at a minimum of 60% for a three-year period.

4. Increasing Aid to Local Government

MOTION BY Commission McIntyre, seconded by Kolender, carried unanimously to authorize staff to seek approval of a Budget Change Proposal in Aid to Local Government, from the amount budgeted -- \$9,152,392 -- to \$12,000,000 for F. Y. 1977/78.

Mr. Koch requested that Standards and Training be given a period of time for policy review before the certification of new courses be brought to the Commission and that requests for certification be presented in January only "because of an exceptional need to law enforcement or because of a legislative mandate." Other courses would be held over to a later date. This would allow time to get out to the field the guidelines and the reimbursement process now established, as well as getting input from the Advisory Committee. Commissioner Jackson asked if he was referring "just to the job-specific package." Chairman Anthony responded this was just on this certification item as it relates to the January meeting.

Hearing no objections, it was agreed.

C. Job-Related Employment Selection Standards Proposal

Mr. Glen Fine reported he had been assured that the request to L. E. A. A. for a contract of \$25,000 for developing the Job-Related Selection Standards master plan had been approved. The total budgeted for the project, at this time, is \$450,000 -- which is flexible. The total proposal

Selection Standards Proposal - cont.

will require approval of the Department of Finance.

Mr. Doug Cunningham, Executive Director of O. C. J. P., addressed the Commission on behalf of Governor Brown to state that the Governor was pleased that the Commission has approved this study. As Director of O. C. J. P. he commended the POST staff and Lewis Eigen of the University Research Corporation on the quality of the proposal. There was Commission concurrence.

MOTION by Commissioner Grogan, seconded by Kolender, carried unanimously, for approval of the Job-Related Employment Selection Standards Proposal to be presented to L. E. A. A.

To expedite the progress of the Selection Standards Validation Project, approval was requested to initiate a contract, if approved by the State Personnel Board, or otherwise to be a civil service appointment, of an Industrial Psychologist. Starting date of employment would be late January of 1977. The salary will be paid from previously authorized funds.

MOTION by Commissioner Enoch, seconded by Grogan, carried unanimously, for approval of the staff request to hire by whatever means approved, an Industrial Psychologist for the Selection Standards Validation Project.

Approval was requested of a contract with Dr. Lawrence E. Murphy for no more than \$6,880 to initiate work on the comprehensive job analysis of the entry level law enforcement officer position.

MOTION by Commissioner Grogan, seconded by Kolender for approval to contract with Dr. Murphy to initiate work on the comprehensive job analysis of entry level law enforcement officer position -- not to exceed \$6,880.

D. Medical Screening Manual and Background Investigation Manual

MOTION by Commissioner Enoch, seconded by McIntyre, carried unanimously for approval of the Medical Screening Manual, as it is presently constituted, with the provision that any change requests by a Commissioner will be received at POST headquarters by January 1, 1977.

During discussion of the Background Investigation Manual, there were considerable concerns expressed.

MOTION by Commissioner Enoch, seconded by McIntyre, carried unanimously that approval of the Background Investigation Manual be deferred until the January Commission meeting.

Background Investigation Manual - cont.

It was the suggestion of Chairman Anthony that staff contact those members of the Commission who had expressed concerns for input on their recommendations, particularly Commissioners Gates, Kolender and Sporrer.

E. Scheduling Future Commission Meetings

As requested at the quarterly Commission meeting, each Commissioner was polled as to a preference on future scheduling of Commission meetings. Alternatives were discussed, and the following action taken;

MOTION by Commissioner Holloway, seconded by Enoch, motion carried (7 ayes) to adopt a revised meeting calendar for 1977 as follows: Four one-day meetings in Sacramento, supplemented by a two-day meeting in northern California and a two-day meeting in southern California. The accepted schedule was:

January 20-21: Sacramento  
 March 25: Sacramento  
 May 27: Carmel (Commission voted for a special location)  
 July 29 - Sacramento  
 October 13-14: Palm Springs  
 December 9 - Sacramento

F. Report of the Legislative Committee

Commissioner Ellingwood, Chairman of the Legislative Committee, reported that at the meeting held prior to the general session, the following authors for proposed POST legislation had been selected:

Amendment to P.C. 13501: Senator John Garamendi  
 Amendment to P.C. 13511: Senator Robert B. Presley  
 New Penal Code Section 13511.5: Assemblyman Robert C. Cline  
 Proposed Reserve Training Legislation: Assemblyman Tom Suitt

Mr. Ellingwood stated that at the January meeting he will be recommending that the previous POST legislative policy be eliminated in favor of the legislative policy adopted October 29, 1976. See Attachment "A".

The proposed legislation for the training of reserve officers had been reviewed by the Committee. The final draft was presented to the Commission and the following action taken:

MOTION by Commissioner Ellingwood, seconded by Jackson motion carried (Grogan - Nay) that the proposed reserve training legislation be presented to the designated author for introduction in the legislative process, set forth as Attachment "B".

G. New Business

Re-Allocation of Driver Training Slots

The Executive Director stated that the California Highway Patrol had reported that only 200 of the 300 allocated training slots for defensive driver training could be accommodated during this fiscal year.

MOTION by Commissioner Gates, seconded by McIntyre, carried unanimously that the 100 designated training slots that could not be accommodated at the CHP during this fiscal year be re-allocated to the Academy of Defensive Driving.

Request of San Francisco Police Department

Captain J. William Conroy of the San Francisco Police Department, addressed the Commission regarding their need to hire and train, as soon as possible, approximately 300 sworn personnel. POST reimbursement and assistance in setting up training academy availabilities throughout the State was requested.

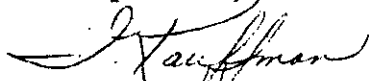
It was the direction of Chairman Anthony that POST staff be directed to meet with the San Francisco Police Department to develop a comprehensive report on how much money this request would involve, to include tuition charges at the different academies as well as board and room charges.

Staff was directed to contact the San Francisco Police Department in developing the report to be presented to the Commission at the January meeting at which time action will be taken.

Adjournment

There being no further business presented to the Commission, the meeting was adjourned at 2:40 p. m.

Respectfully submitted,



Imogene Kauffman  
Commission Secretary

PREVIOUS LEGISLATIVE POLICY  
(Superseded by Policy Adopted by  
Commission Action October 28-29, 1976)

Legislative Guidances

It is Commission policy that they 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:

- a. Violate principles of home rule by imposing mandated standards for compensation and fringe benefits for local government employees.
- b. Augment this Commission's work unless its currently defined programs are continuously financed.
- c. Impose by law specific of special programs which the Commission is now legally empowered to establish through the hearing process pursuant to the Administrative Procedure Act; or
- d. Violate the Administrative principle of delegating responsibility without commensurate authority for the administration of programs for which the Commission is responsible

It was also pointed out that the Commission views are not necessarily restricted to the items specified in the policy statement.

(Commission Meeting 6/27/68)

COMMISSION LEGISLATIVE POLICY  
(Adopted October 28-29, 1976)

General Policy

1. The Commission shall assume a leadership role on selective legislation\* pertaining to its mission and goals in improving law enforcement.

"Leadership role" in the context of this policy is defined as: a) Identifying, anticipating and soliciting legislative needs related to POST and its objectives; b) Conducting research which relates to the evaluation and formation of legislative proposals; and c) Following and testifying on relevant legislative matters.

2. The Commission shall extend full cooperation to the Legislature, the Executive Branch, and other interested parties on all legislative matters.
3. The Commission may oppose or seek modification of legislation which would:
  - a. Augment the Commission's workload without adequate financing.
  - b. Impose by law programs which the Commission is now legally empowered to establish administratively.
  - c. Detrimentally impact a source of revenue for the Peace Officer Training Fund.

Staff Discretion

1. On legislative topics where there is established Commission policy, the POST Executive Director is authorized to speak in behalf of the Commission and perform necessary legislative activities without prior authorization.
2. On legislative topics of a controversial nature, or where substantive issues are involved, and time constraints preclude awaiting a regular Commission meeting, the Chairman of the Legislative Review Committee shall be solicited for direction.
3. On legislative matters of a technical or non-policy nature, staff is authorized to testify or perform other legislative activities necessary to clarify issues, laws, procedures, or processes.

\*Legislation is broadly defined to include existing laws, proposed bills, or legislative resolutions.

PROPOSED RESERVE TRAINING LEGISLATION

CONCEPTS

An act to amend Sections 830.6, 13510, 12027, 12031, and add Section 832.6 to the Penal Code relating to training standards for reserve peace officers.

State-mandated local program: no

The people of the State of California do enact as follows:

SECTION 1. Section 830.6 of the Penal Code is amended to read:

830.6. (a) Whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city policeman, or as a deputy sheriff, and is assigned specific police functions by such authority, such person is a peace officer; provided, that the authority of such person as a peace officer shall extend only for the duration of such specific assignment, and such person qualifies as set forth in Penal Code Section 832.6.

Sets up training required by 832.6

(b) Whenever any person is summoned to the aid of any uniformed peace officer, such person shall be vested with such powers of a peace officer as are expressly delegated him by the summoning officer or as are otherwise reasonably necessary to properly assist such officer.

SECTION 2. Section 832.6 of the Penal Code is added to read:

832.6. Required Training for deputy, reserve or auxiliary police or sheriff as peace officer:

(a) On or after January 1, 1979, every person deputized or appointed as described in Penal Code Section 830.6 (a) shall not have the powers of a peace officer except:

Loss of peace officer powers

(1) When assigned to the prevention and detection of crime and the general enforcement of the laws of this State while working alone and the person has completed the training prescribed by the Commission on Peace Officer Standards and Training; or

Reserve working alone

(2) When assigned to the prevention and detection of crime and the general enforcement of the laws of this State while under the immediate supervision of a peace officer possessing a POST Basic Certificate and the person is engaged in a field training program approved by the Commission on Peace Officer Standards and Training, and the person has completed the course required by Section 832 and such other training prescribed by the Commission; or

Commission prescribes training

Reserve immediate supervision

(3) Is only deployed in such limited functions as would not usually require general law enforcement powers and the person has completed the training required by Section 832 or such other training prescribed by the Commission.

Commission prescribes training

Reserves assigned to ancillary duties but with peace officer powers

CONCEPTS

(b) Notwithstanding the provisions of subsection (a) a person as defined by 830.6(a) appointed or deputized before January 1, 1979 is a peace officer if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience.

Grandfather clause

(c) In carrying out provisions of this chapter, the Commission:

(1) May use proficiency testing to satisfy reserve training standards,

Testing

(2) Shall provide for convenient training to remote areas in the State,

Training delivery

(3) Shall establish a professional certificate for reserve officers as defined in (a)(1) of this Section, and may establish a professional certificate for reserve officers as defined in (a)(2) and (a)(3) of this Section.

Certificates

(d) In carrying out subsection c(1) and (3), the Commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services.

Authorize charging of fees

(e) The commission shall seek and receive necessary budgetary augmentation from the Peace Officer Training Fund to carry out the provisions of this legislation.

Other program costs

SECTION 3. Section 13510 of the Penal Code

13510. For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards, relating to physical, mental, and moral fitness, which shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, reserve officers as defined in Section 830.6(a), policemen of a district authorized by statute to maintain a police department, or peace officer members of a district, in any city, county, city and county, or district receiving state aid pursuant to this chapter, and shall adopt, and may, from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, reserve officers as defined in Section 830.6(a), policemen of a district authorized by statute to maintain a police department, and peace officer members of a district which shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. All such rules shall be adopted and amended pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1, Division 3, Titled 2 of the Government Code.

POST participation sanction

SECTION 4. Section 13523 of the Penal Code is amended to read:

13523. The commission shall annually allocate and the State Treasurer shall periodically pay from the Peace Officers' Training Fund, at intervals specified by the commission, to each city, county, and district which has applied and qualified for aid pursuant to this chapter an amount determined by the commission pursuant to standards set forth in its regulations. The commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. State aid shall only be provided for training expenses of full-time regularly paid employees as defined by the commission of eligible agencies from cities, counties or districts.

Limiting POST reimbursement to full-time employees

In no event shall any allocation be made to any city, county, or district which is not adhering to the standards established by the commission as applicable to such city, county, or district.



CONCEPTS

SECTION 5. Section 12027 of the Penal Code is amended to read:

Reserves carrying  
firearms off duty

12027. Section 12025 does not apply to or affect any of the following:

*(d) A peace officer appointed pursuant to subdivision (a) of Section 830.6, whether or not on specific assignment, if the following requirements are met:*

- (1) The officer has been certificated by the Commission on Peace Officer Standards and Training.*
- (2) The appointing authority has determined that the public safety requires this exemption and authorizes the officer to carry concealed weapons.*
- (3) The officer has been issued an identification certificate containing an endorsement by the issuing agency indicating that the requirements of paragraphs (1) and (2) of this subdivision have been met.*

Section 13031 of the Penal Code, as amended by Chapter 1170 of the Statutes of 1975, is amended to read:

12031. (a) Except as provided in subdivision (b), every person who carries a loaded firearm on his person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited areas of unincorporated territory is guilty of a misdemeanor.

(b) Subdivision (a) shall not apply to any of the following:

- (1) Peace officers listed in Section 830.1 or 830.2, or subdivision (a) of Section 830.3, whether active or honorably retired peace officers described in subdivision (d) of Section 12027, other duly appointed peace officers, full-time paid peace officers of other states and the federal government who are carrying out official duties while in California, or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

*SECTION 6. No appropriation is made by this act, nor is any obligation created thereby under Section 2231 of the Revenue and Taxation Code, for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act.*

**DRAFT**

ADDENDUM

The following are suggested definitions of terms which may be administratively incorporated into POST regulations subsequent to the bill's passage:

1. Working Alone (Section 2 (a)(1)) - For purposes of this reserve officer legislation, working alone would not preclude the reserve officer working with another peace officer.
2. Immediate Supervision (Section 2 (a)(2)) - Physical presence.
3. Limited Functions (Section 2 (a)(3)) -

To be later determined by the Commission.

4. Proficiency Testing (Section 2 (c)(1)) - Testing designed to measure the level of skills and knowledge required of the job. Testing may include written examinations and/or demonstration of proficiencies.
5. Professional Certificate (Section 2 (c)(3)) - A certificate issued based upon training, education and experience requisites.

State of California  
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

October 28-29, 1976  
Indian Wells, Erawan Garden Hotel

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

Commissioners present:

William J. Anthony	- Chairman
Loren W. Enoch	- Commissioner
Brad Gates	- Commissioner
Robert F. Grogan	- Commissioner
Luella K. Holloway	- Commissioner
Jacob J. Jackson	- Commissioner
Edwin R. McCauley	- Commissioner
Donald F. McIntyre	- Vice-Chairman
Louis L. Sporrer	- Commissioner
Herbert E. Ellingwood	- Representative of the Attorney General

Commissioner absent:

William B. Kolender	- Excused
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Staff Present:

William R. Garlington	- Executive Director
Glen E. Fine	- Assistant to the Executive Director and Executive Secretary to the Advisory Committee
Bradley W. Koch	- Director, Technical Services
Gerald E. Townsend	- Director, Standards and Training
Imogene Kauffman	- Recording Secretary

Visitors:

Joe Aceto	- State President, P. O. R. A. C.
Charles E. Anderson	- Academy Director, Gavilon College
Stan Anderson	- Director, NCCJTES, Santa Rosa
Fred Allen	- Director, NCCJTES, Butte Center
Dorothy Baggett	- C. S. U. L. B., Center for Criminal Justice
Marc Bradshaw	- Regional C. J. Training Center - Modesto

## Visitors - cont.

Frank Budd	- Riverside City College
Dave Burn	- Sergeant, Garden Grove Police Department
Bob Campbell	- Sergeant, Ventura County Sheriff's Department
Ben Clark	- Sheriff, Riverside County
Les Clark	- Sacramento Area Training Center
W. J. Colfer	- P. O. R. A. C., San Bernardino Sheriff's Department
Richard Cook	- Criminal Justice Training Center, San Jose
Leslie J. Crist	- Chief of Police, San Jacinto Police Department
Marvin Eslinger	- NCCJTES, Sacramento
Robert Fissel	- Marshal, San Bernardino County
Bill Franklin	- Anaheim Police Department
Colonel L. O. Giuffrida	- California Specialized Training Institute
Art Henrikson	- Captain, Sacramento Sheriff's Department
Derald D. Hunt	- Director, Administration of Justice, Golden West College
Peter Jensen	- Assemblyman Alan Sieroty's Office
Lewis E. Jones	- Captain, San Diego Sheriff's Department
Frank Kessler	- Chief of Police, Garden Grove Police Department
Richard Klapp	- Lieutenant, San Francisco Police Department
Eugene Majors	- San Bernardino Sheriff's Department
Robert Mann	- Lieutenant, Los Angeles County Marshal
Bill Martin	- South Gate Police Department
M. L. Matthews	- El Monte Police Department
Joe McKeown	- Director, Administration of Justice, Los Medanos
Lou Molina	- Anaheim Police Department
Alex Pantaleoni	- Rio Hondo College
David Parker	- College of the Dequoias
Jack Pearson	- P. O. R. A. C., San Diego Police Department
A. A. Pierce	- Department of Justice, Advanced Training Center
R. C. Randolph	- Marshal, San Bernardino County
Sal Rosano	- Chief of Police, Santa Rosa Police Department
Philip K. Schuyler	- San Bernardino Sheriff's Department
Kip Skidmore	- Department of Justice, Administration
Archie W. Sherman, Jr.	- Academy Director, Bakersfield College
Les Sourisseau	- Montebello Police Department
Bob Thorburn	- San Diego Police Department
Shelby Worley	- Riverside County Sheriff's Department

A. Approval of Minutes of July 29-30, 1976, Quarterly Commission Meeting

MOTION by Commissioner Enoch, seconded by McIntyre, motion carried for approval of the above-mentioned minutes with one correction. Commissioner Grogan requested his vote be shown as "aye" on p. 30. The corrected motion to read:

"Motion failed (Ayes: Gates, Anthony, and Grogan) that the Commission take a position of opposition on A. B. 1127 unless a limit of 200 hours is specified on the training hours required."

B. Quarterly Financial Report

Mr. Garlington reported on the financial activities for the first quarter of 1976/77 Fiscal Year. Detailed summary charts are on file at POST headquarters which show:

Reimbursements made for each category of training expense		
Number of trainees		
Cost per trainee		
Man hours of training		
Number of training courses presented		
Training by subject matter.		
Accumulated Surplus 7/1/76	\$1,690,515.04*	
Revenue: To 10/30/76	<u>3,073,985.38</u>	
Total Resources		\$4,764,500.42
Expenditures:		
Administrative Costs	\$ 532,763.48	
Aid to Local Government	26,497.78	
Aid to Local Government, Accts. Payable	<u>1,117,324.47</u>	
Total Expenditures		<u>1,676,585.73</u>
Accumulated Surplus, 10/30/76		\$3,087,914.69

\*After the close of the 1975/76 F. Y., POST was advised by the Department of Justice that \$747,228 had been added as surplus to the P. O. T. F. because of a "prior year adjustment."

There was Commission consensus that the sum should be held aside until it is resolved that this error could not go the other way. The Chairman requested staff report more in-depth on this adjustment.

C. Budget Report: Approval of F. Y. 1977/78 Budget

Chairman Anthony, Chairman of the Budget Review Committee, reported that at the Committee meeting on August 25, 1976, a motion was passed that the Budget Committee recommend conceptual approval of the F. Y. 1977/78 budget in the amount of \$2,481,235 pending approval of the PCST reorganization plan.

MOTION by Commissioner McIntyre, seconded by Holloway, for approval of the recommendation of the Budget Review Committee that the F. Y. 1977/78 budget and the proposed POST reorganization plan be adopted.

Further, there was direction from the Chairman that an informal Attorney General's Opinion be sought regarding the legality of revocation of POST certificates. At the January Commission meeting, a staff recommendation will be presented. Revocations will be suspended in the interim.

D. Reimbursement Alternatives Report

Reimbursement alternatives for 1977 were reviewed. The Commission requested a breakdown of different percentages of reimbursement on salaries, starting with the minimum of a proposed 50%. Alternative schedules will be presented for Commission consideration at a special meeting on December 8.

MOTION by Commissioner McIntyre, seconded by Grogan, carried unanimously that the basic reimbursement plan for 1977 be modified to insure up-front controls with no less than 50% salary reimbursement for the mandatory courses. On high-priority-type courses, the addition of salary reimbursement may be considered. The reimbursement plan will be presented at a special meeting of the Commission on December 8, 1976.

The Commission requested that an announcement to this effect be placed in the next issue of POST Scripts.

E. New Per Diem Rate - Trainees at Basic Academies

MOTION by Commissioner Gates, seconded by Grogan, carried unanimously for approval of the Budget Committee's action of August 25 that a \$35 per diem rate apply to all trainees' reimbursement regardless of the number of training days, and that the action be retroactive to September 1, 1976.

F. Course Certification

MOTION by Commissioner Grogan, seconded by Holloway, carried unanimously, for approval of the Certification Committee's recommendation to approve all staff recommendations on the

## Certification of Courses - cont.

certification/decertification of courses agenda, as follows:

<u>Certification Requests</u>	<u>Course</u>	<u>Reimbursement</u>	<u>Hours</u>
1. A. Bakersfield College	Special Course, "Security Guard Baton Training"	N/A	16
B. College of San Mateo	" "	N/A	16
C. Santa Clara Valley C. J. T. C.	" "	N/A	16
			(retroactive to 4/22/76)
<u>Recertification</u>			
2. San Diego Miramar College	P. C. 832, Arrest and Firearms Course	Plan IV	40
<u>Decertifications</u>			
3. Santa Barbara Peace Officer Academy	Basic Course		
4. Cuesta College	Advanced Officer Course		
5. Los Angeles County Sheriff's Office	Technical Course, "Advanced Patrol Special Enforcement"		
6. CSU-Long Beach	Technical Course, "Organizational Development"		
7. Los Angeles County Sheriff's Office	Technical Course, "Disaster and Riot Training"		
8. Los Angeles County Sheriff's Office	Technical Course, "Security for Law Enforcement"		
9. Los Angeles County Sheriff's Office	Technical Course, "Jail Operations"		
10. San Diego Police Dept.	Special Course, "P. C. 832, Arrest and Firearms"		
<u>Continuing Certifications</u>			
11. Specified Institutions	Advanced Officer Courses, Technical and Special Courses		
<u>Certification Modification</u>			
12. Academy of Defensive Driving	Technical Course, "Advanced Driver Training Program"	III	24
			(Increase tuition fm. \$190 to \$235)
<u>Special Item</u>			
Pilot Presentation - Revised POST Supervisory Course at San Francisco			

There was Commission concurrence to reimburse the proposed training of 20 select sergeants of the San Francisco Police Department for retraining in the POST Revised Supervisory Course.

## Certification of Courses - cont.

Commissioner Enoch, Chairman of the Certification Committee, requested Standards and Training to prepare a statement to change procedures for processing certification activities with emphasis on time-saving techniques.

### G. Standards and Training Projects

#### 1. Training Needs Assessment Study

MOTION by Commissioner McCauley, seconded by Ellingwood, carried unanimously for approval of the seven major staff recommendations set forth in the Operational Plan/Training Needs Assessment Report. (Attachment "A" of the minutes)

#### 2. Revision of Courses - Status Report

Mr. Townsend reported that Basic Course Revision meetings have been scheduled throughout the State from October 19 through December 7. There has been general acceptance of the concept, and no major problems have been identified. Public hearings will be scheduled at a future date on the Revised Basic, Supervisory and Management Courses.

#### 3. Role-Training Instructors Course Contract - Riverside

It was reported that the requested Attorney General's Opinion relative to the legality of third-party contracts had not been received. Therefore, approval of the contract - Techniques of Teaching Criminal Justice Role Training Programs, Academy of Justice, Riverside, was set forward to the January Commission meeting.

#### 4. Tuition Guidelines Report

Mr. Townsend reported that the guidelines are appropriate for the time being but by July 1977 there may be a necessity to increase tuitions due to increased costs.

### H. Community College Open Enrollment

An analysis of the findings of the 1975/76 F. Y. data concerning the open enrollment issue were summarized:

- Over 58% of the Basic Course trainees are trained in ADA-funded courses.
- Non-reimbursable trainees attended 24 of the 31 academies.
- 538 trainees or 15% of the total were non-reimbursable, 2,998 trainees or 85% of the total were reimbursable for a total of 3,536.



## Community College Open Enrollment - cont.

- ADA generated \$2,187,000 for 958,636 trainee hours for the Basic Course given at community colleges. If the same rate of ADA funding was applied to agency funded courses, it would amount to an additional \$1,949,388 for a total of \$4,136,388.
- 512 hours was the average length of instruction per trainee.
- \$1,170 was the average ADA revenue generated per trainee.
- The cost to train an employed recruit includes the following:
  - \$1,170 - Instructional costs for ADA courses (1975-76).
  - 1,609 - Trainee reimbursement from POST (1975-76).
  - 1,816 - Cost to local government - 40% of trainee's salary plus an average of 40% fringe benefits (1975-76).
  - 
  - \$4,595 - Total cost/trainee

POST reimbursed approximately \$4,120,000 for the Basic Course or \$1,609 per trainee in 1975-76 F. Y. If POST was obligated to pay instructional costs, the total reimbursement would be approximately \$10,000,000 per year. Open enrollment for the Basic Course has increased 3% over the 1974-75 F. Y. when 413 non-reimbursable trainees completed the course. If all non-reimbursable 1974-75 F. Y. trainees were hired by California law enforcement agencies (how many were employed is not known), the Peace Officer Training Fund would save approximately \$865,642. Local government cost would be reduced by \$977,008.

Mr. Alex Pantaleoni, Rio Hondo College, addressed the Commission on behalf of the law enforcement agencies represented through the Rio Hondo Training Center and as the representative of CAAJE. Three main concerns were presented:

1. The Commission was urged to concur with the principle of open enrollment and to authorize the necessary staff time to continue to seek solutions to the pending financial problems that are incumbent with open enrollment and colleges.
2. The Commission was requested to authorize staff to intensively study the problems of regionalization and identify possible remedies for immediate implementation.
3. It was requested that the moratorium on course certification be lifted. (This was done in a previous agenda item.)

Representatives of 15 training centers appeared in support of the position presented by Mr. Pantaleoni.

## Community College Open Enrollment - cont.

There was Commission consensus that any decision regarding the issue would be premature as regulations had not been adopted by the Chancellor's Office.

MOTION by Commissioner Gates, seconded by Holloway, carried unanimously that the Commission continue authorization for staff to affect changes in the proposed community college regulations.

Chairman Anthony appointed an Ad Hoc ADA Committee to work with staff in addressing the problems of open enrollment. They are:

Chairman	- Commissioner Brad Gates
Member	- Commissioner Jacob Jackson
Member	- Commissioner Kay Holloway

I. Proposed Regulation/PAM Procedure Change

Proposed Regulation Change -- Section 1006

MOTION by Commissioner Sporrer, seconded by Jackson, carried unanimously that the proposed regulation change be adopted for the January public hearing agenda as follows:

Section 1006(a) be amended and new sub-section (b) be added to read:

1006. Extension of Time Limit for Course Completion

- (a) The Commission may grant an extension of a time limit for completion of any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer is unable to complete the required course within the time limit prescribed because of illness, injury, military service, or special duty assignment required and made in the public interest of the concerned jurisdiction.
- (add) Time extensions granted under this sub-section shall not exceed that which is reasonable, bearing in mind each individual circumstance.
- (b) The Commission may grant an extension of time limit for any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer was unable to complete the required course within the time limit prescribed for reasons other than those specified in sub-section (a). In the event that an agency does not require an individual to complete the applicable training by the end of the extension period, such agency shall not be eligible for the reimbursement of any expenses which are incurred as a result of the training when it finally occurs.

J. POST Commission Policy Issues

1. Draft of "Directions and Policy Manual"

A draft of the Directions and Policy Manual, requested by the Commission at the July 1976 Commission meeting, was presented for review. It was recommended that following approval, this manual become a permanent record of the Commission's actions and be continually updated by staff.

MOTION by Commissioner McCauley, seconded by Jackson, carried unanimously that the adoption of the manual material be deferred until the January Commission meeting.

Commissioner Ellingwood requested that the former Commission legislative policy be considered prior to final adoption of a legislative policy.

There was Commission direction that in the future all material prepared by staff for Commission action should have the past Commission policy on the issue stated in the reference material.

2. Reimbursement for Partial Completion of the Basic Course -- B.C.E.E.

MOTION by Commissioner Gates, seconded by Holloway, carried unanimously to accept staff recommendation that the Commission policy be modified to allow reimbursement as appropriate for clearing deficiencies of training, if an individual fails to complete satisfactorily a subject of the Basic Course Equivalency Examination or lacks specific documentation of training in certain areas.

3. Reimbursement - Civilian Employees in the Basic Course

Discussion addressed the possibility that selected modules meet the paraprofessional training needs better than the entire Basic Course. Current policy precludes reimbursement for portions of the Basic Course, generally.

Chief Sal Rosano, Santa Rosa Police Department, addressed the Commission to request salary reimbursement for non-sworn personnel who complete the Basic Course. It was affirmed that the current policy allows for salary reimbursement, on an individual basis, for "non-sworn personnel performing police tasks as determined by the Commission" as set forth in PAM Procedure E-1-3 f., upon prior approval of the Executive Director.

MOTION by Commissioner Grogan, seconded by McIntyre, motion carried (Nays: Anthony, Sporrer, and Gates) for approval of the staff recommendation to allow reimbursement for out-of-pocket expenses for non-sworn employees attending selected portions of the Basic Academy if advance approval has been obtained from the Executive Director.

## POST Commission Policy Issues - cont.

4. Advanced Officer Course Format

At the July 1976 Commission meeting, the policy was reaffirmed that the presentation of the Advanced Officer Course may extend no longer than five weeks, one day per week, eight hours per day.

The Sheriff of Los Angeles County requested that the Commission consider modification to allow a period not to exceed 12 weeks. This would overcome scheduling and budgetary problems.

MOTION by Commissioner Gates, seconded by Jackson, carried unanimously for approval of the staff recommendation that the policy on intensive presentation formats be modified to read, "The Course is to extend no longer than 12 weeks, presented at least one day per month, eight hours per day."

Commissioner Sporrer requested that this course be monitored in this format and the findings be reported.

5. Direction and Policy Item Review from July 1976 Commission Meeting

Direction and policy items, resulting from the July 1976 Commission meeting, were presented for review and approval prior to being included in PAM or the Commission Policy Manual. It was concluded that this item should be brought back at the next Commission meeting at which time the items will be affirmed as either Commission policy or direction.

K. Administrative Counseling Services Report

A report summarizing the Administrative Counseling activities during the last quarter was presented. The report included the number of surveys and studies completed, current schedule of work in progress, field management training received, implementation and follow-up activities, and management counseling provided from July 1 through September 30, 1976.

L. Employment Validation Studies Program1. Report of the Affirmative Action Committee

Commissioner Grogan, Chairman of the Affirmative Action Committee, reported the Committee had met on September 3 and October 20 to review the proposed Affirmative Action and Validation Grant Proposal. At the October 20 meeting, a draft of the L. E. A. A. proposed concept paper was reviewed, and it was recommended that the Commission accept the concept paper, with minor changes, to be presented to L. E. A. A. There was Committee consensus that the timetable for the project be amended to include a special meeting of the Commission on December 8

Employment Validation Studies - cont.

for review of the final project proposal. This would facilitate approval of the proposal during the present administration.

There was also Committee consensus that staff prepare a proposal for consideration of the full Commission that would enable the project to be initiated prior to finalization of L. E. A. A. funding.

MOTION by Commissioner Grogan, seconded by Holloway, carried unanimously for acceptance of the Committee recommendations.

2. L. E. A. A. Proposal

Mr. Glen Fine reported the staff position would be to recommend staff move forward immediately with the job analysis of the entry level law enforcement officer position as a part of the validation studies at a cost not to exceed \$75,000. Additional staff would be added with contract funds. The Executive Director stated this would be approximately what it would cost to do the job analysis. Commitment money would be necessary if the Committee was recommending that the study be started immediately.

Commissioner Gates affirmed the need for the validation of the job analysis whether or not the L. E. A. A. grant for the affirmative action project is approved. Further discussion addressed the actual amount of money needed to start the study, and the following action was taken:

MOTION by Commissioner McIntyre, seconded by Grogan, carried unanimously that \$10,000 be committed to start the job analysis study.

The Executive Director stated that at the special meeting on December 8 the major contract to be presented to L. E. A. A. will be presented for approval.

Chairman Anthony commended the Affirmative Action Ad Hoc Committee and requested that the members continue to serve until the need for this Committee is no longer indicated.

3. Validation Studies Program - Status Report

Mr. Brad Koch reported that all products of the Medical and Background Validation Project are on schedule. They are being developed internally with the use of contract personnel. A draft of the Medical Screening Manual, a product of the Project, was presented to the Commission for review. Commission approval will be requested at the special meeting December 8, as well as approval of the Background Investigation Manual which will be mailed in the near future.

4. POST Regulation 1002 (a)(8): Reading Level Requirement

Mr. Brad Koch reported that due to the complexity of the Regulation Section 1002 (a)(8), adopted in October 1975, it was the staff recommendation that a period of 18 months be allowed before action for non-compliance will be taken. This section requires that "Every officer employed by a department shall be able to read at the level necessary to perform the job as a peace officer as determined by passing a professionally developed examination to test this skill." During the 18-month period, POST staff will assist departments in all aspects of compliance.

MOTION by Commissioner McCauley, seconded by Grogan, carried unanimously to accept the above-stated recommendation.

M. Reports to the Commission

1. Specialized Certification Program

As was requested by the Commission at the July 30 meeting, a study was conducted of the POST Specialized Certification Program. Mr. Koch reported on the history, analysis and findings of the study. The Executive Director stated that with the POST reorganization, part of the duties of the consultants will be directed more in this area, and an effort will be made to give more assistance to the specialized agencies in the program.

Three alternative courses of action were presented and discussed, and the following action was taken:

MOTION by Commissioner Grogan, seconded by McCauley, carried unanimously to continue the Specialized Program as it currently exists with increased staff services to include updated, relevant training based on demonstrated need. There was clarification that the intent of the motion was that there will be no new participants accepted into the Specialized Program at this time.

Request for City of Los Angeles Housing Authority to Participate in the Specialized Program

The Housing Authority of the City of Los Angeles adopted a resolution to adhere to the standards for selection and training as prescribed by the POST Commission Regulations. In view of the action taken on the above item, the following motion was made:

MOTION by Commissioner Gates, seconded by Holloway, carried unanimously that the request of the Los Angeles Housing Authority to participate in the POST Specialized Certification Program be denied.

Reports to the Commission - cont.

2. CORO Report

The CORO Foundation assigned a group of graduate students to study training in the Criminal Justice System and make recommendations for improvement of the system. At the July Commission meeting, the final CORO report was provided to the Commission for review. The report is on file at POST headquarters.

MOTION by Commissioner Sporrer, seconded by Enoch, carried unanimously, that the Commission take cognizance of the CORO recommendations during its planning activities.

3. Eligibility Criteria For Agencies in the POST Reimbursement Program

As requested by the Commission at the July 29 Commission meeting, specific eligibility criteria were developed for entry into the POST Reimbursement Program. Based on legislative intent and the language of the law, it was the staff opinion that agencies participating in the Reimbursement Program should be local agencies whose officers perform the broad range of general law enforcement tasks. Following discussion it was ascertained that the unwritten, informal Commission policy of the past should be articulated, and the following action was taken:

MOTION by Commissioner Sporrer, seconded by Grogan, carried unanimously that the present criteria be formally adopted as eligibility criteria for inclusion in the POST Reimbursement Program on the following premise:

- The agency must be a unit of local government;
- The agency must perform the full range of law enforcement functions identified in the attached chart, (Attachment "B") or
- An agency which does not meet the first two requirements must be funded from sources other than the Peace Officer Training Fund as it is presently constituted.

4. Mission and Goals Statement

At the July Commission meeting, direction was given to the Executive Director to review the Advisory Committee's recommended changes to the POST Mission and Goals Statement. The Advisory Committee reviewed the revised statement on October 7, 1976, and agreed the project had been satisfactorily concluded. The Executive Director was of the opinion that the revised Mission and Goals statement, (Attachment "C"), is a satisfactory portrayal of the POST operation. Objectives for each division will be developed on an annual basis using the statement as a basis.

## Mission and Goal Statement - cont.

The 1977/78 goals and objectives plan will be presented for Commission review at the January Commission meeting.

5. Evaluation of California Specialized Training Institute's Officer Survival Course

As requested by the Commission in July, the Executive Director made a personal evaluation of the Officer Survival Course presented by C. S. T. I. It was concluded that:

- Individual officers have returned to their departments occasionally displaying an unhealthy paranoia and/or demanding additional security measures, primarily to the police facilities.
- The Officer Survival Course is an excellent training product filling a law enforcement need.

Steps have been taken to ward against over-reaction by students to the instruction. Three courses have been completed since these changes were made with no further criticism. This was reported to the Advisory Committee on October 7.

N. Legislation

Commissioner Ellingwood, Chairman of the Legislative Review Committee, reported on the September 3 Committee meeting, at which time several recommendations were approved for Commission consideration.

1. Adoption of the proposed Commission legislative policy (Attachment "D")

MOTION by Commissioner Ellingwood, seconded by Jackson, carried unanimously that the proposed Commission legislative policy be approved.

2. Legislation be introduced to:

- a. Amend P. C. Section 13501

MOTION by Commissioner Ellingwood, seconded by McIntyre, carried unanimously that a bill be proposed to amend P. C. 13501 to read as follows:

The Commission shall select a chairman and vice-chairman from among its members. Five- A majority of members of the Commission shall constitute a quorum. ~~The Attorney-- General shall summon the Commission to its first meeting.~~



## Legislation - cont.

## b. Amend P. C. Section 13511

MOTION by Commissioner Ellingwood, seconded by Jackson, carried unanimously for approval of the following legislative amendment to P. C. 13511:

(Legend: In establishing standards for training, the Commission may, so far as consistent with the purposes of this chapter, ~~permit~~ certify or approve required or needed training ~~to be obtained~~ at ~~existing institutions~~ agencies, or other sources deemed appropriate ~~approved~~ by the Commission.

Notwithstanding any other provision of statute or regulation related to the Commission, the words "certified" and "approved" are defined as follows as used in various laws and regulations related to required courses of training developed by the Commission.

- (1) "Certified" indicates the Commission is responsible for the development of curriculum, designation of presenting agencies or institutions, publication of related information, the maintenance of ongoing course supervision and quality control, and for eligible agencies reimbursement of trainee expenses as determined by the Commission.
- (2) "Approved" indicates the Commission is responsible for the development of the course curriculum and publication of related relevant information; and the Commission is designated no ongoing course maintenance responsibility.

## Amend Code Sections:

Penal Code 832 ~~prescribed~~ certified by  
California Vehicle Code 40600 ~~approved~~ certified by  
Penal Code 832.1 ~~approved~~ certified by

## c. Add new P. C. Section 13511.5 to read:

MOTION by Commissioner McCauley, seconded by Ellingwood, carried unanimously that a bill be proposed to add new P. C. Section 13511.5

The Commission may determine alternative means for satisfaction of state mandated training standards related to law enforcement. Alternative means may include but are not limited to testing for skills and knowledge.

## Legislation - cont.

## d. Repeal P. C. Section 13515

There was Commission consensus that no action should be taken to repeal Section 13515 at this time.

Mr. Ellingwood recommended that a problem-solving seminar be planned for the purpose of bringing together law enforcement association representatives and the Commission to draft acceptable amendments to the reserve officer training bill that was vetoed (A. B. 1127), or to develop a new bill.

MOTION by Commissioner Ellingwood, seconded by Gates, carried unanimously, to authorize a problem-solving seminar sponsored by POST to address reserve training legislation. The meeting is to be set for November 29, 1976, in Sacramento. The Legislative Review Committee of the Commission will represent the Commission. Out-of-pocket expenses will be reimbursed for one representative of each concerned law enforcement association.

Mr. Ellingwood stated it would be the recommendation of the Legislative Committee that it be a function of the Committee to make the determination of the author for any proposed Commission legislation. It was so ordered by the Chairman.

2. Executive Session Law

Commissioner Ellingwood reported that at the January meeting it would be arranged that council, expert in this area, will be made available to address the Commission regarding the Executive Session Law.

3. Legislation of Special Interest

A legislative update of legislation of interest to POST was presented. (Attachment "E")

O. Advisory Committee

1. Minutes of Joint Ad Hoc Committee to Study the Role of the Advisory Committee, 9/2/76. (On file at POST headquarters)

2. Role of the Advisory Committee

Commissioner McIntyre, Chairman of the Joint Ad Hoc Committee to study the role of the Advisory Committee, reported that the Committee had met on September 2. Following discussion, there was consensus to approve the formal statement of the role of the Advisory Committee to

## Advisory Committee - cont.

be presented to the Commission for approval.

MOTION by Commissioner McIntyre, seconded by Grogan, carried unanimously for approval of the recommended role of the Advisory Committee (Attachment "F").

The Ad Hoc Committee considered the benefits of a different arrangement of meeting dates for the Advisory Committee. There was consensus that future Advisory Committee meetings should be a follow-up of the Commission meetings, scheduled approximately one month later.

3. Composition of the Advisory Committee

Discussion was given to possible changes in the makeup and structure of the Advisory Committee. It was reported there are presently two vacancies -- a public member and the student representative. Mr. Cress stated the Advisory Committee preferred to retain public member representation rather than a committee composed of representatives of special interest groups.

MOTION by Commissioner Grogan, seconded by McIntyre, carried unanimously for approval of the Advisory Committee's recommendation that three public member positions be retained and that the student representation be abolished in favor of a representative from the Women Peace Officers' Association.

4. Appointments of New Members

Jerome Lance, Lieutenant, Long Beach Police Department, reappointed as representative of the California Association of Police Training Officers. Edwin Meese, III, appointed to fill a vacant public member position.

Mr. Meese was formerly Executive Assistant to Governor Reagan.

Jack R. Pearson, Lieutenant, San Diego Police Department, appointed to represent the Peace Officers' Research Association of California.

Lieutenant Pearson replaces Bob Cress who is retiring.

Alex Pantaleoni, Professor and Chairperson, Department of Public Services, Rio Hondo College, appointed to represent the California Association of Administration of Justice Educators.

Jay Rodriguez, reappointed as a public member. Mr. Rodriguez is Manager, Press/Publicity and Community Relations, KNBC - Channel 4, Los Angeles.

All appointments to be effective October 29, 1976.

Mr. Bert Ritchey, who has served as a public representative since 1969, had indicated he did not seek reappointment. It was the consensus of the Commission that a public member from Northern California would be appropriate. Nominations will be considered at the January Commission meeting.

Advisory Committee - cont.

MOTION by Commissioner Gates, seconded by Grogan, carried unanimously that appropriate commendations be presented to the outgoing members of the Advisory Committee, in appreciation of their service to the POST Commission and the State of California.

5. Advisory Committee Chairman's Report

Chairman Bob Cress communicated the Advisory Committee's recommendation on the subjects of the existing regulation requiring revocation of professional certificates and whether the certificates are intended to be a form of a license to practice or a certificate of attainment. If the certificate is intended to serve as a license to practice in the law enforcement field, the Commission should assess its capability to administer a complete revocation program. The opinion of the Committee was that such a program could grow to significant proportions and consume a large share of POST's resources.

Direction from Chairman Anthony with regard to the revocation issue was addressed under Agenda Item C, page 4.

P. Old/New Business

1. Proposed Meeting Calendar for 1977 POST Commission Meetings

A proposed meeting calendar for 1977 was presented for approval. During discussion, it was suggested that each Commissioner be contacted by phone to determine individual preference of the scheduling of future meetings, i. e., one-day meetings every other month or the continuation of quarterly, two-day meetings. A staff report of the findings will be made at the Commission meeting in January.

2. Proposal for POST Headquarters

Due to escalation of costs and undesirable features of the present location, it has been staff consensus that POST seek more suitable quarters. The Department of Justice will be constructing a building to be completed in approximately two years.

MOTION by Commissioner McCauley, seconded by McIntyre, carried unanimously that staff be authorized to continue discussions of the possibility of relocating in the Department of Justice complex when it is completed, and to explore other alternatives as well.

Under Old Business, Chairman Anthony called for further discussion on Agenda Item J. 3. - Reimbursement for Civilian Employees in the Basic Course, primarily salary reimbursement. It was concluded, following discussion, that the Commission would like to see a restatement of the current policy regarding the reimbursement for non-sworn personnel and the categories of training. This will be presented at the January Commission meeting.

3. College "Life Experience" Degree Program

The Executive Director presented a package of material to the Commissioners which included correspondence regarding concerns of the possibility of excessive credit being awarded for life or work experience in degree programs. He stated staff will conduct an investigation and report with a recommendation at the next Commission meeting.

Q. Election of Officers for 1977

Nominations for POST Commission Chairman and Vice-Chairman for 1977 were opened. Commissioner Grogan moved that Chairman Anthony and Vice-Chairman McIntyre be renominated. Commissioner Ellingwood seconded the nominations, and a unanimous vote was cast in favor of the nominees.

R. Next Commission Meeting/Hearing, January 20-21, 1977

The next regular quarterly meeting of the Commission and public hearing was scheduled for January 20-21, 1977, at the El Mirador Hotel in Sacramento.

S. Adjournment

There being no further business, the meeting was adjourned at 1 p. m.

Respectfully submitted,

  
Imogene Kauffman  
Commission Secretary

# Memorandum

: GERALD E. TOWNSEND  
Director  
Standards and Training Division  
Via: Brooks W. Wilson, Chief  
Central Bureau

Date : October 8, 1976

From : Jack Beecham, Senior Consultant  
**Commission on Peace Officer Standards and Training**  
Central Bureau

Subject: OPERATIONAL PLAN/TRAINING NEEDS ASSESSMENT

## MAJOR RECOMMENDATIONS

1. Priorities established for each zone be used as a planning tool by POST staff, local agencies and the Commission in the development and certification of training programs.

Explanation - Prioritized training needs for specific job training and skills and knowledge training were identified for each training zone.

The twelve training zones were identified by studying training patterns for FY 74/75 and FY 75/76.

We are simply recommending use of this information cooperatively with local agencies for developing certified training programs.

2. POST Standards and Training staff resources be directed primarily toward the development of training according to the priorities identified for each zone and that the needs for training which not consistent with or identified in these priorities be substantiated by the requesting agency.

Explanation - Other training needs, not identified in the study, could arise at any time and if they do, the need should be substantiated by the requesting agency. This provides flexibility to be responsive to needs.

3. Training zones identified be formally recognized and used as a guide in the certification of courses and the allocating of the peace officer training fund.

Explanation - With the adoption of this recommendation, the Commission, in addition to certifying courses where they are needed, can allocate funds on a more equitable basis. For example, in cases where highly technical and/or expensive courses are certified, student slots have been allocated on a first come, first serve basis. As a result, in some cases a limited number of agencies have booked all student slots, consequently disallowing other agencies to take advantage of the training.

4. Advanced Officer training requirement remain as presently constituted, pending further study at the conclusion of the Basic, Supervisory and Middle Management Revision Projects.

Explanation - Study findings indicate that the Advanced Officer training requirement is overwhelmingly acceptable to the California law enforcement community (see Page 147, Table 4, responses to statements 2 and 4). Some concern was expressed, however, for the training content and the need for flexibility in meeting present or future requirements.

5. Commission support the use of training advisory committees to develop performance objectives for courses designed to provide training for specific assignments.

Explanation - There are many law enforcement training advisory groups throughout the state which are willing to help and would be a valuable resource in developing performance objectives for those assignments. The CPOA training committee is writing performance objectives for the top five jobs identified.

6. POST Problem-Solving Seminar be utilized for allocating POST training resources within each training zone.

Explanation - Several POST certified training institutions exist in most of the training zones. In some instances, two or more of these institutions might want to conduct similar training programs when there is only a need for one certified course. The POST Problem-Solving Seminar may be used as a vehicle to bring representatives from these institutions together for planning purposes.

7. A modified training needs assessment survey be conducted on a bi-annual basis.

Explanation - The use of the training needs assessment matrix facilitates gains in assisting agencies to plan for training. By conducting a training needs assessment on a bi-annual basis, staff will be able to develop a refined statewide training plan which will allow the Commission to more cost effectively administer the POST program.

**COMPARATIVE ANALYSIS OF TASK PERFORMANCE AND COST FOR INCLUSION  
OF ADDITIONAL AGENCIES INTO THE POST REIMBURSEMENT PROGRAM**

**AGENCIES PRESENTLY IN REIMBURSEMENT PROGRAM**

Essential Task of Agencies in Reimbursement Program	City Police	Deputy Sheriff	UC/CSU Police	District Police
	830.1 PC	830.1 PC	830.2 (a)(e) PC	830.1 PC
Patrols a specified geographic area for the purpose of crime control.	X	X	X	X
Operates emergency vehicles.	X	X	X	X
Responds to calls regarding criminal or suspicious activities.	X	X	X	X
Generates crime specific reports.	X	X	X	X
Controls and coordinates crime scene activities.	X	X	X	X
Collects and preserves evidence.	X	X	X	X
Controls and/or disperses crowds and resolves violent conflicts.	X	X	X	X
Intervenes in personal family crisis situations.	X	X	X	X
Arrest adults/juveniles for violation of criminal statutes. Determines legality of arrest and his authority to arrest, search and seize property.	X	X	X	X
Uses firearms and other weapons as authority and discretion may dictate.	X	X	X	X
Serves warrants of arrest and other orders of the court.	X	X	X	X
Conducts searches for missing children and disoriented adults.	X	X	X	X
Conducts criminal investigations.	X	X	X	X
Anticipates, recognizes and appraises crime risk situations and initiates action to remove or reduce it.	X	X	X	X
Engages in delinquency control and protective custody of juveniles. Makes dispositions on cases involving delinquent and/or dependent juveniles.	X	X	X	X
Renders assistance to sick and injured persons.	X	X	X	X
Has authority to engage in traffic law enforcement and traffic accident investigation.	X	X	X	X
75-76 Reimbursement to agencies in Reimbursement Program Totals	\$6,728,244	40,175	510	33

**AGENCIES REPRESENTATIVE OF THOSE WHO MAY  
REQUEST TO BE IN REIMBURSEMENT PROGRAM**

Marshal	District Attorney Investigator	California State Police	California Highway Patrol	Department Prks & Rec. Police
830.1 PC	830.3 (b) PC	830.2 (b) PC	830.2 (a) PC	830.3 (i) PC
		X		X
X		X	X	X
		X	X	X
	X	X	X	X
	X	X	X	X
X	X	X	X	X
X		X	X	X
		X	X	X
	X	X	X	X
X	X	X	X	X
X	X	X	X	X
		X	X	X
	X	X	X	X
		X	X	X
X	X	X	X	X
		X	X	X
850	525	238	5,414	600

	Impact on POTF, without additional funding	-2%	-1%	-.6%	-13%	-1%
Additional cost for inclusion of a sample of selected agencies	Cost based on 37% training rate at \$445.07 per trainee totals	\$139,975	\$86,455	\$39,192	\$891,555	\$98,806



## MISSION OF POST

The POST Mission is, through the provision of service and establishment of voluntary standards, to serve the following threefold purpose:

- To raise the level of competence of local law enforcement officers through adoption of minimum selection and training standards. (13510 P.C.)
- To help improve the administration, management and operation of local law enforcement agencies by providing a counseling service. (13513 P.C.)
- To provide law enforcement with service and assistance by developing and implementing programs designed to increase effectiveness and professional expertise. (13503(e) P.C.)

## GOALS OF POST

The POST Mission is supported by the following specific goals:

- To establish minimum standards and guidelines for the selection and training of law enforcement personnel.
- To require law enforcement agencies to meet minimum selection and training standards.
- To establish and maintain quality training courses designed to improve the performance of law enforcement personnel.
- To provide assistance to improve management operational practices in law enforcement agencies.
- To conduct needed research and serve as a resource center for law enforcement.
- To administer an effective financial aid program to help subvent the costs of training local law enforcement personnel.

# COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

## RECOMMENDED LEGISLATIVE POLICY

### General Policy

1. The Commission shall assume a leadership role on selective legislation\* pertaining to its mission and goals in improving law enforcement.

"Leadership role" in the context of this policy is defined as: a) Identifying, anticipating and soliciting legislative needs related to POST and its objectives; b) Conducting research which relates to the evaluation and formation of legislative proposals; and c) Following and testifying on relevant legislative matters.

2. The Commission shall extend full cooperation to the Legislature, the Executive Branch, and other interested parties on all legislative matters.
3. The Commission may oppose or seek modification of legislation which would:
  - a. Augment the Commission's workload without adequate financing.
  - b. Impose by law programs which the Commission is now legally empowered to establish administratively.
  - c. Detrimentially impact a source of revenue for the Peace Officer Training Fund.

### Staff Discretion

1. On legislative topics where there is established Commission policy, the POST Executive Director is authorized to speak in behalf of the Commission and perform necessary legislative activities without prior authorization.
2. On legislative topics of a controversial nature, or where substantive issues are involved, and time constraints preclude awaiting a regular Commission meeting, the Chairman of the Legislative Review Committee shall be solicited for direction.
3. On legislative matters of a technical or non-policy nature, staff is authorized to testify or perform other legislative activities necessary to clarify issues, laws, procedures, or processes.

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\*Legislation is broadly defined to include existing laws, proposed bills, or legislative resolutions.

Legislative Update  
(1975-76 Legislative Session)

Passed

<u>Bill Number</u>	<u>Author</u>	<u>Subject</u>	<u>Status</u>	<u>POST Position</u>
*AB 301	Keysor	Bill of Rights	Chaptered	None
AB 3121	Dixon	Juvenile Court Law	Chaptered	None
AB 3445	Sieroty	Private Investigator's - Training	Chaptered	None
SB 42	Nejedly	Determinate Sentencing	Chaptered	None
SB 189	Roberti	Vehicle Offenses; Mailed Bail Deposits	Chaptered	Neutral
*SB 575	Robbins	Sex Crime Investigation	Chaptered	Neutral
*SB 1021	Ayala	State Agency Training Standards	Chaptered	Further Study
*SB 1232	Nejedly	BART	Chaptered	Neutral
*SB 1435	Petris	Appointments by Governor	Chaptered	Neutral
SB 1461	Nejedly	Board of Corrections: Study Training Standards	Chaptered	None
SB 1943	Nejedly	Tear Gas - Private Citizen	Chaptered	None

Dead

*AB 1127	Suitt	Reserve Training Standards		Support in Concept
AB 1333	Presley	Reserves - Firearms		None
**AB 1384	Tucker	Marshals - POST Reimbursement		Oppose
AB 1508	Sieroty	Minimum Standards - Selection and Training		None
*AB 2866	Campbell	Abolishment of State Regulatory Agencies		Neutral
*AB 2867	Campbell	State Regulatory Agencies - Adoption of Regulations		Neutral
AB 2885	McVittie	Police Promotional Practices		None
**AB 2977	Lockyer	D.A.'s - POST Reimbursement		Oppose
*AB 3469	Lanternman	State Agencies - Opposing Legislation		None
AB 3630	McAlister	Tear Gas - Private Citizen		None
**AB 4249	McVittie	Mandatory Certification		Oppose
*ACA 80	Campbell	State Regulatory Agency		Neutral
*SB 1550	Roberti	Vehicle Offenses; Mailed Bail Deposits		Neutral

\* Impacts POST Directly  
\*\* Active POST Opposition

October 6, 1976

Attachment "E"

PROPOSED ROLE OF THE POST  
ADVISORY COMMITTEE

PURPOSE

The Advisory Committee of the Commission on Peace Officer Standards and Training is established for the principal purpose of providing two-way communications between the Commission and associations and organizations sharing a vital interest in the activities and decisions of the Commission. Therefore, the Advisory Committee shall be a consortium of representatives of common interest groups which convenes periodically to give and receive information, review projects and programs and make recommendations to the Commission.

PROCEDURES

The Advisory Committee may:

- Receive briefings on POST's programs and projects.
- Call to the attention of POST staff any suggestions or concerns of members' associations and the Advisory Committee collectively.
- Formulate specific proposals for recommendation to the Commission.

The Advisory Committee shall not be assigned responsibility to undertake projects of its own. Rather, the Advisory Committee's function in this regard shall be to provide input and serve as a sounding board for the Commission and its staff.

State of California  
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES - SPECIAL MEETING

December 8, 1976  
Sacramento Metropolitan Airport

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

Commissioners present:

William J. Anthony	- Chairman
Loren W. Enoch	- Commissioner
Brad Gates	- Commissioner
Robert F. Grogan	- Commissioner
Luella K. Holloway	- Commissioner
Jacob J. Jackson	- Commissioner
William B. Kolender	- Commissioner
Edwin R. McCauley	- Commissioner
Donald F. McIntyre	- Vice-Chairman
Louis L. Sporrer	- Commissioner
Herbert E. Ellingwood	- Representative of the Attorney General

Staff present:

William R. Garlington	- Executive Director
Glen E. Fine	- Bureau Chief, Executive Office
Michael Freeman	- Project Coordinator, Validation Unit
Bradley W. Koch	- Director, Standards and Training
John Kohls	- Staff Psychologist, Validation Unit
Otto H. Saltenberger	- Director, Administration
Harold L. Snow	- Special Assistant, Executive Office
Gerald E. Townsend	- Assistant Director, Executive Office
Imogene Kauffman	- Recording Secretary

Visitors:

Rick Berman	- California Representative, L. E. A. A.
J. William Conroy	- Captain, San Francisco Police Department
Robert L. Cress	- Stockton Police Department
Doug Cunningham	- Executive Director, O. C. J. P.
Lewis Eigen	- Project Director, Civil Rights Compliance Project, University Research Corp.
Martin J. Mayer	- League of California Cities
Michael Scott	- League of California Cities

A. Report on Prior Year Financial Adjustment

In response to the Commission's request at the last meeting, a report on a "prior year financial adjustment" of the addition to the P. O. T. F. of \$747,228 was presented.

These types of debits and credits are the result of the state procedure of impounding funds for a three-year period for purposes of reimbursement to cities and counties. In researching the adjustment, it was found that the money came from F. Y. 1973/74. Approximately \$600,000 will be returned from F. Y. 1974/75, and approximately \$1,300,000 from F. Y. 1975/76.

Due to the Commission's action in 1974 which established a six-month cutoff period for honoring late claims, steps will be taken to change the state procedure and get monies back into the P. O. T. F. faster.

B. F. Y. 1977/78 Reimbursement Plan

Alternatives for a basic reimbursement plan to insure up-front controls with no less than 50% salary reimbursement for the mandatory courses that could be maintained for at least a three-year period were presented.

The issues involved and resulting action were taken in the following order:

1. Establishment of a Planned Reserve

MOTION by Commissioner Kolender, seconded by Sporrer, for adoption of the staff recommendation to establish a planned reserve for F. Y. 1977/78 of \$1,000,000 by allocating this amount from the P. O. T. F. surplus.

Discussion followed, and a substitute motion was made.

SUBSTITUTE MOTION by Commissioner McCauley, seconded by Gates, motion defeated that the reserve fund be established at \$500,000.

There was a call for the question on the original motion. Motion carried (Noes: McCauley and Gates) to establish a planned reserve for F. Y. 1977/78 of \$1,000,000.

There was Commission consensus for acceptance of the suggestion by Commissioner Enoch that in the future the reserve account be referred to as "The Stabilization Fund For Aid To Local Government."

2. Development of a Prioritized, Job-Specific Training Program

MOTION by Commissioner McIntyre, seconded by McCauley, carried unanimously for approval of salary reimbursement on technical job-specific courses. Staff is to work with the Advisory Committee on the procedures to identify and prioritize the appropriate courses for job-specific salary reimbursement. The recommendation will be presented to the Commission at the January meeting. Reimbursement for the approved courses will be effective July 1, 1977, and be limited to one technical job-specific course per trainee per year.

3. Salary Reimbursement Rate

MOTION by Commissioner Ellingwood, seconded by Jackson, motion carried (Noes: Enoch and Grogan), to increase the salary reimbursement rate for mandatory courses to 60%, retroactive to July 1, 1976.

The Commission expressed their desire to stabilize the reimbursement rate at a minimum of 60% for a three-year period.

4. Increasing Aid to Local Government

MOTION BY Commission McIntyre, seconded by Kolender, carried unanimously to authorize staff to seek approval of a Budget Change Proposal in Aid to Local Government, from the amount budgeted -- \$9,152,392 -- to \$12,000,000 for F. Y. 1977/78.

Mr. Koch requested that Standards and Training be given a period of time for policy review before the certification of new courses be brought to the Commission and that requests for certification be presented in January only "because of an exceptional need to law enforcement or because of a legislative mandate." Other courses would be held over to a later date. This would allow time to get out to the field the guidelines and the reimbursement process now established, as well as getting input from the Advisory Committee. Commissioner Jackson asked if he was referring "just to the job-specific package." Chairman Anthony responded this was just on this certification item as it relates to the January meeting.

Hearing no objections, it was agreed.

C. Job-Related Employment Selection Standards Proposal

Mr. Glen Fine reported he had been assured that the request to L. E. A. A. for a contract of \$25,000 for developing the Job-Related Selection Standards master plan had been approved. The total budgeted for the project, at this time, is \$450,000 -- which is flexible. The total proposal

Selection Standards Proposal - cont.

will require approval of the Department of Finance.

Mr. Doug Cunningham, Executive Director of O. C. J. P., addressed the Commission on behalf of Governor Brown to state that the Governor was pleased that the Commission has approved this study. As Director of O. C. J. P. he commended the POST staff and Lewis Eigen of the University Research Corporation on the quality of the proposal. There was Commission concurrence.

MOTION by Commissioner Grogan, seconded by Kolender, carried unanimously, for approval of the Job-Related Employment Selection Standards Proposal to be presented to L. E. A. A.

To expedite the progress of the Selection Standards Validation Project, approval was requested to initiate a contract, if approved by the State Personnel Board, or otherwise to be a civil service appointment, of an Industrial Psychologist. Starting date of employment would be late January of 1977. The salary will be paid from previously authorized funds.

MOTION by Commissioner Enoch, seconded by Grogan, carried unanimously, for approval of the staff request to hire by whatever means approved, an Industrial Psychologist for the Selection Standards Validation Project.

Approval was requested of a contract with Dr. Lawrence E. Murphy for no more than \$6,880 to initiate work on the comprehensive job analysis of the entry level law enforcement officer position.

MOTION by Commissioner Grogan, seconded by Kolender for approval to contract with Dr. Murphy to initiate work on the comprehensive job analysis of entry level law enforcement officer position -- not to exceed \$6,880.

D. Medical Screening Manual and Background Investigation Manual

MOTION by Commissioner Enoch, seconded by McIntyre, carried unanimously for approval of the Medical Screening Manual, as it is presently constituted, with the provision that any change requests by a Commissioner will be received at POST headquarters by January 1, 1977.

During discussion of the Background Investigation Manual, there were considerable concerns expressed.

MOTION by Commissioner Enoch, seconded by McIntyre, carried unanimously that approval of the Background Investigation Manual be deferred until the January Commission meeting.



## Background Investigation Manual - cont.

It was the suggestion of Chairman Anthony that staff contact those members of the Commission who had expressed concerns for input on their recommendations, particularly Commissioners Gates, Kolender and Sporrer.

E. Scheduling Future Commission Meetings

As requested at the quarterly Commission meeting, each Commissioner was polled as to a preference on future scheduling of Commission meetings. Alternatives were discussed, and the following action taken;

MOTION by Commissioner Holloway, seconded by Enoch, motion carried (7 ayes) to adopt a revised meeting calendar for 1977 as follows: Four one-day meetings in Sacramento, supplemented by a two-day meeting in northern California and a two-day meeting in southern California. The accepted schedule was:

~~January 20-21: Sacramento~~  
 March 25: Sacramento  
 May 27: Carmel (Commission voted for a special location)  
 July 29 - Sacramento,-  
 October 13-14: Palm Springs, *Riviera Hotel*  
 December 9 - Sacramento, *Host*

F. Report of the Legislative Committee

Commissioner Ellingwood, Chairman of the Legislative Committee, reported that at the meeting held prior to the general session, the following authors for proposed POST legislation had been selected:

Amendment to P.C. 13501: Senator John Garamendi  
 Amendment to P.C. 13511: Senator Robert E. Presley  
 New Penal Code Section 13511.5: Assemblyman Robert C. Cline  
 Proposed Reserve Training Legislation: Assemblyman Tom Suitt

Mr. Ellingwood stated that at the January meeting he will be recommending that the previous POST legislative policy be eliminated in favor of the legislative policy adopted October 29, 1976. See Attachment "A".

The proposed legislation for the training of reserve officers had been reviewed by the Committee. The final draft was presented to the Commission and the following action taken:

MOTION by Commissioner Ellingwood, seconded by Jackson motion carried (Grogan - Nay) that the proposed reserve training legislation be presented to the designated author for introduction in the legislative process, set forth as Attachment "B".

G. New Business

Re-Allocation of Driver Training Slots

The Executive Director stated that the California Highway Patrol had reported that only 200 of the 300 allocated training slots for defensive driver training could be accommodated during this fiscal year.

MOTION by Commissioner Gates, seconded by McIntyre, carried unanimously that the 100 designated training slots that could not be accommodated at the CHP during this fiscal year be re-allocated to the Academy of Defensive Driving.

Request of San Francisco Police Department

Captain J. William Conroy of the San Francisco Police Department, addressed the Commission regarding their need to hire and train, as soon as possible, approximately 300 sworn personnel. POST reimbursement and assistance in setting up training academy availabilities throughout the State was requested.

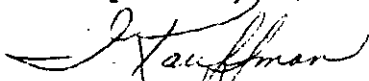
It was the direction of Chairman Anthony that POST staff be directed to meet with the San Francisco Police Department to develop a comprehensive report on how much money this request would involve, to include tuition charges at the different academies as well as board and room charges.

Staff was directed to contact the San Francisco Police Department in developing the report to be presented to the Commission at the January meeting at which time action will be taken.

Adjournment

There being no further business presented to the Commission, the meeting was adjourned at 2:40 p. m.

Respectfully submitted,



Imogene Kauffman  
Commission Secretary

PREVIOUS LEGISLATIVE POLICY  
(Superseded by Policy Adopted by  
Commission Action October 28-29, 1976)

Legislative Guidances

It is Commission policy that they 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:

- a. Violate principles of home rule by imposing mandated standards for compensation and fringe benefits for local government employees.
- b. Augment this Commission's work unless its currently defined programs are continuously financed.
- c. Impose by law specific of special programs which the Commission is now legally empowered to establish through the hearing process pursuant to the Administrative Procedure Act; or
- d. Violate the Administrative principle of delegating responsibility without commensurate authority for the administration of programs for which the Commission is responsible

It was also pointed out that the Commission views are not necessarily restricted to the items specified in the policy statement.

(Commission Meeting 6/27/68)

COMMISSION LEGISLATIVE POLICY  
(Adopted October 28-29, 1976)

General Policy

1. The Commission shall assume a leadership role on selective legislation\* pertaining to its mission and goals in improving law enforcement.

"Leadership role" in the context of this policy is defined as: a) Identifying, anticipating and soliciting legislative needs related to POST and its objectives; b) Conducting research which relates to the evaluation and formation of legislative proposals; and c) Following and testifying on relevant legislative matters.

2. The Commission shall extend full cooperation to the Legislature, the Executive Branch, and other interested parties on all legislative matters.
3. The Commission may oppose or seek modification of legislation which would:
  - a. Augment the Commission's workload without adequate financing.
  - b. Impose by law programs which the Commission is now legally empowered to establish administratively.
  - c. Detrimentially impact a source of revenue for the Peace Officer Training Fund.

Staff Discretion

1. On legislative topics where there is established Commission policy, the POST Executive Director is authorized to speak in behalf of the Commission and perform necessary legislative activities without prior authorization.
2. On legislative topics of a controversial nature, or where substantive issues are involved, and time constraints preclude awaiting a regular Commission meeting, the Chairman of the Legislative Review Committee shall be solicited for direction.
3. On legislative matters of a technical or non-policy nature, staff is authorized to testify or perform other legislative activities necessary to clarify issues, laws, procedures, or processes.

\*Legislation is broadly defined to include existing laws, proposed bills, or legislative resolutions.

PROPOSED RESERVE TRAINING LEGISLATION

CONCEPTS

An act to amend Sections 830.6, 13510, 12027, 12031, and add Section 832.6 to the Penal Code relating to training standards for reserve peace officers.

State-mandated local program: no

The people of the State of California do enact as follows:

SECTION 1. Section 830.6 of the Penal Code is amended to read:

830.6. (a) Whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city policeman, or as a deputy sheriff, and is assigned specific police functions by such authority, such person is a peace officer; provided, that the authority of such person as a peace officer shall extend only for the duration of such specific assignment, and such person qualifies as set forth in Penal Code Section 832.6.

Sets up training required by 832.6

(b) Whenever any person is summoned to the aid of any uniformed peace officer, such person shall be vested with such powers of a peace officer as are expressly delegated him by the summoning officer or as are otherwise reasonably necessary to properly assist such officer.

SECTION 2. Section 832.6 of the Penal Code is added to read:

832.6. Required Training for deputy, reserve or auxiliary police or sheriff as peace officer:

(a) On or after January 1, 1979, every person deputized or appointed as described in Penal Code Section 830.6 (a) shall not have the powers of a peace officer except:

Loss of peace officer powers

- (1) When assigned to the prevention and detection of crime and the general enforcement of the laws of this State while working alone and the person has completed the training prescribed by the Commission on Peace Officer Standards and Training; or
- (2) When assigned to the prevention and detection of crime and the general enforcement of the laws of this State while under the immediate supervision of a peace officer possessing a POST Basic Certificate and the person is engaged in a field training program approved by the Commission on Peace Officer Standards and Training, and the person has completed the course required by Section 832 and such other training prescribed by the Commission; or
- (3) Is only deployed in such limited functions as would not usually require general law enforcement powers and the person has completed the training required by Section 832 or such other training prescribed by the Commission.

Reserve working alone

Commission prescribes training

Reserve immediate supervision

Commission prescribes training

Reserves assigned to ancillary duties but with peace officer powers

CONCEPTS

(b) Notwithstanding the provisions of subsection (a) a person as defined by 830.6(a) appointed or deputized before January 1, 1979 is a peace officer if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience.

Grandfather clause

(c) In carrying out provisions of this chapter, the Commission:

- (1) May use proficiency testing to satisfy reserve training standards,
- (2) Shall provide for convenient training to remote areas in the State,
- (3) Shall establish a professional certificate for reserve officers as defined in (a)(1) of this Section, and may establish a professional certificate for reserve officers as defined in (a)(2) and (a)(3) of this Section.

Testing

Training delivery

Certificates

(d) In carrying out subsection a(1) and (3), the Commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services.

Authorize charging of fees

(e) The commission shall seek and receive necessary budgetary augmentation from the Peace Officer Training Fund to carry out the provisions of this legislation.

Other program costs

SECTION 3. Section 13510 of the Penal Code

13510. For the purpose of raising the level of competence of local law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards, relating to physical, mental, and moral fitness, which shall govern the recruitment of any city police officers, peace officer members of a county sheriff's office, reserve officers as defined in Section 830.6(a), policemen of a district authorized by statute to maintain a police department, or peace officer members of a district, in any city, county, city and county, or district receiving state aid pursuant to this chapter, and shall adopt, and may, from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, reserve officers as defined in Section 830.6(a), policemen of a district authorized by statute to maintain a police department, and peace officer members of a district which shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. All such rules shall be adopted and amended pursuant to Chapter 4.5 (commencing with Section 11371) of Part 1, Division 3, Titled 2 of the Government Code.

POST participation sanction

SECTION 4. Section 13523 of the Penal Code is amended to read:

13523. The commission shall annually allocate and the State Treasurer shall periodically pay from the Peace Officers' Training Fund, at intervals specified by the commission, to each city, county, and district which has applied and qualified for aid pursuant to this chapter an amount determined by the commission pursuant to standards set forth in its regulations. The commission shall grant aid only on a basis that is equally proportionate among cities, counties, and districts. State aid shall only be provided for training expenses of full-time regularly paid employees as defined by the commission of eligible agencies from cities, counties or districts.

Limiting POST reimbursement to full-time employees

In no event shall any allocation be made to any city, county, or district which is not adhering to the standards established by the commission as applicable to such city, county, or district.

CONCEPTS

SECTION 5. Section 12027 of the Penal Code is amended to read:

Reserves carrying  
firearms off duty

12027. Section 12025 does not apply to or affect any of the following:

(d) A peace officer appointed pursuant to subdivision (a) of Section 830.6, whether or not on specific assignment, if the following requirements are met:

- (1) The officer has been certificated by the Commission on Peace Officer Standards and Training.
- (2) The appointing authority has determined that the public safety requires this exemption and authorizes the officer to carry concealed weapons.
- (3) The officer has been issued an identification certificate containing an endorsement by the issuing agency indicating that the requirements of paragraphs (1) and (2) of this subdivision have been met.

Section 13031 of the Penal Code, as amended by Chapter 1170 of the Statutes of 1975, is amended to read:

12031. (a) Except as provided in subdivision (b), every person who carries a loaded firearm on his person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited areas of unincorporated territory is guilty of a misdemeanor.

(b) Subdivision (a) shall not apply to any of the following:

- (1) Peace officers listed in Section 830.1 or 830.2, or subdivision (a) of Section 830.3, whether active or honorably retired peace officers described in subdivision (d) of Section 12027, other duly appointed peace officers, full-time paid peace officers of other states and the federal government who are carrying out official duties while in California, or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

SECTION 6. No appropriation is made by this act, nor is any obligation created thereby under Section 2231 of the Revenue and Taxation Code, for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act.

**DRAFT**

ADDENDUM

The following are suggested definitions of terms which may be administratively incorporated into POST regulations subsequent to the bill's passage:

1. Working Alone (Section 2 (a)(1)) - For purposes of this reserve officer legislation, working alone would not preclude the reserve officer working with another peace officer.
2. Immediate Supervision (Section 2 (a)(2)) - Physical presence.
3. Limited Functions (Section 2 (a)(3)) -

To be later determined by the Commission.

4. Proficiency Testing (Section 2 (c)(1)) - Testing designed to measure the level of skills and knowledge required of the job. Testing may include written examinations and/or demonstration of proficiencies.
5. Professional Certificate (Section 2 (c)(3)) - A certificate issued based upon training, education and experience requisites.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

7100 BOWLING DRIVE, SUITE 250  
SACRAMENTO, CALIFORNIA 95823

December 13, 1976



BULLETIN: 76-8  
Subject: NOTICE OF PUBLIC HEARING

In accordance with the provisions of the Administrative Procedure Act and pursuant to the authority vested by Section 11422 of the Government Code, NOTICE IS HEREBY GIVEN that a hearing will be held by the Commission on Peace Officer Standards and Training. This hearing will be concerned with the following POST Regulation change:

Section 1006. Extension of Time Limit for Course Completion

- (a) The Commission may grant an extension of time limit for completion of any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer is unable to complete the required course within the time limit prescribed because of illness, injury military service, or special duty assignment required and made in the public interest of the concerned jurisdiction.
- (add) Time extensions granted under this sub-section shall not exceed that which is reasonable, bearing in mind each individual circumstance.
- (new) (b) The Commission may grant an extension of time limit for any course required by Section 1005 of the Regulations upon presentation of evidence by a department that an officer was unable to complete the required course within the time limit prescribed for reasons other than those specified in sub-section (a). In the event that an agency does not require an individual to complete the applicable training by the end of the extension period, such agency shall not be eligible for the reimbursement of any expenses which are incurred as a result of the training when it finally occurs.

The above action was deemed essential by the Commission to reflect the continuity of Commission procedures relative to fiscal and training compliance.

Written suggestions for changes to the proposed regulation change

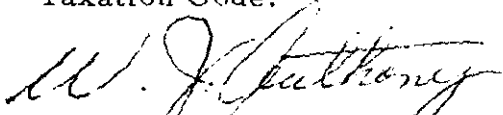


will be accepted only prior to the hearing. No other regulation changes can legally be considered at the January hearing. Whenever a change in the Regulations is deemed advisable, please forward the suggested change to the Commission for consideration at future hearings.

Hearing Date: THURSDAY, JANUARY 20, 1977  
10 a. m. - Sky Room  
El Mirador Hotel  
13th and N Streets  
Sacramento, California

The proposed change has been submitted to all law enforcement organizations. All interested persons are cordially invited to attend the hearing.

The Commission on Peace Officer Standards and Training has determined that there is no provision in these regulations requiring an additional cost to any unit of local government; nor do the regulations mandate a new program or increased level of service on any unit of local government; nor do the regulations obligate the State to make any payment to any unit of local government as set forth in Section 2231 of the Revenue and Taxation Code.



WILLIAM J. ANTHONY  
Chairman

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Financial Report - 1st and 2nd Quarter 1976-77 F.Y.		Meeting Date January 20-21, 1977
Division Administration	Division Director Approval O. H. Saltenberger <i>OH</i>	Researched By
Executive Director Approval <i>W.R. Darlington</i>	Date of Approval January 19, 1977	Date of Report January 14, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

This report covers the first two quarters of the 1976-77 Fiscal Year, showing revenue for the Peace Officer Training Fund and reimbursements made by POST for training costs to cities, counties, and districts in California. Included is a breakdown of training costs by category of expense, i.e., subsistence, travel, tuition and salary of the trainee (Schedule I). Also included is a quarterly summary of reimbursements (Schedule II) made from the Peace Officer Training Fund providing detailed information on:

- Reimbursements made for each category of training
- Number of trainees
- Cost per trainee
- Man-hours of training
- Number of training courses presented.

REVENUE

Revenue for the first two quarters of the 1976-77 Fiscal Year totalled \$6,099,440.23 compared to \$5,694,380.00 for the same period 1975-76 Fiscal Year, an increase in revenue of \$415,976.00 (+7.1%). See page 3 showing detail of revenue by month.

REIMBURSEMENTS

Reimbursements to cities, counties, and districts during the first half of 1976-77 Fiscal Year totalled \$2,167,159.78 compared to \$2,385,052.00 for the same period 1975-76 Fiscal Year, a decrease of \$217,893.00 (-9.1%). See page 4 showing detail of reimbursement by month.

A total of \$756,587.58 was reimbursed during the first half of 1976-77 Fiscal Year for training occurring in the 1975-76 Fiscal Year. This increases the amount of reimbursement paid for 1975-76 Fiscal Year training to a total of \$7,484,831.47.

75/76 Reimbursement as of 6/30/76 F.Y.	\$6,728,243.89
75/76 Training paid in 76/77 F.Y.	756,587.58
	\$7,484,831.47

Utilize reverse side if needed

Commission on Peace Officer Standards and Training  
PEACE OFFICERS' TRAINING FUND

Accumulated Surplus July 1, 1976	\$1,690,515.04	
Revenue - July 1, 1976 through December 31, 1976	6,099,440.23	
Total Resources		\$7,789,955.27
<u>Expenditures</u>		
Administrative Costs	1,094,866.79	
Aid to Local Governments		
Reimbursement for Training	\$2,167,159.78	
Contractual Services	101,129.06	
Total Aid to Local Government	2,268,288.84	
Total Expenditures		3,363,155.63
Accumulated Surplus December 31, 1976		\$4,426,799.64

Commission on Peace Officer Standards and Training

ADMINISTRATION DIVISION

Amount of Revenue Received for the  
Peace Officer Training Fund for the Fiscal Year 1976-77

<u>Month</u>	<u>Traffic</u>	<u>Criminal</u>	<u>Total</u>
July	\$ 665,264.92	\$320,646.24	\$ 985,911.16
August	717,704.14	300,141.18	1,017,845.32
September	<u>733,551.89</u>	<u>336,677.01</u>	<u>1,070,228.90</u>
1ST Qtr. Total	\$2,116,520.95	\$957,464.43	\$3,073,985.38
October	\$ 734,398.70	\$320,037.51	\$1,054,436.21
November	517,685.32	211,217.79	728,903.11
December	<u>864,982.75</u>	<u>377,132.78</u>	<u>1,242,115.53</u>
2ND Qtr. Total	\$2,117,066.77	\$908,388.08	\$3,025,454.85
Year to date as of December 31, 1976			\$6,099,440.23

## REIMBURSEMENTS - BY MONTH

Commission On Peace Officer Standards and Training  
Administration Division - Claims Audit Section

MONTH	1974-75	1975-76	1976-77	TOTAL
July		\$ 328,367.96	\$ 16,293.92	\$ 344,661.88
August		303,883.86	192,006.92	495,890.78
September		102,778.34	196,578.64	299,356.98
October		6,743.19	343,659.37	350,402.56
November		17,786.79	254,263.28	272,050.07
December		2,774.43	1,159,024.24	1,161,798.67
January				
February				
March				
April				
May				
June				
Total Before Adjustments		\$ 762,334.57	\$ 2,161,826.37	\$ 2,924,160.94
Adjustments on Prior Reimb.		(-) 335.64	(+) 29,228.52	(+) 28,892.88
Audit Adjustments by Controller		(-) 5,411.35	(-) 23,895.11	(-) 29,306.46
Total After Adjustments		\$ 756,587.58	\$ 2,167,159.78	\$ 2,923,747.36

## DISTRIBUTION OF REIMBURSEMENT

During the first two quarters of the 1976-77 Fiscal Year, \$2,167,159.78 was reimbursed for training. Of this amount \$1,498,808.69 (70%) was reimbursed for mandated training and \$663,017.68 (30%) was reimbursed for training in Technical Courses, the balance of \$5,333.41 is for adjustments to prior reimbursement payments.

Basic	\$ 861,188.88	40%
Advanced Officer	408,787.99	19
Supervisory Course	84,616.97	4
Management Course	144,214.85	7
Technical Courses	663,017.68	30
Subtotal	\$2,161,826.37	100%
Adjustments	+ 5,333.41	
	\$2,167,159.78	

### PERCENT COMPARISON

The following chart shows a percent comparison of reimbursement and training between the first two quarters of 1975-76 and the first two quarters of 1976-77 Fiscal Years:

#### MANDATED TRAINING

<u>Courses</u>	<u>REIMBURSEMENTS</u>			<u>NUMBER OF TRAINEES</u>		
	<u>1975-76</u>	<u>1976-77</u>	<u>% of Chg.</u>	<u>1975-76</u>	<u>1976-77</u>	<u>% of Chg.</u>
Basic	\$1,348,068.00	\$ 861,188.88	-36	866	504	-42
Advanced Officer	353,842.65	408,787.99	+16	1681	2301	+37
Supervisory	116,453.57	84,616.97	-27	196	145	-26
Management	145,871.30	144,214.85	- 1	133	147	+11
<b>TOTAL MANDATED COURSES</b>	<b>\$1,964,235.52</b>	<b>\$1,498,808.69</b>	<b>-24</b>	<b>2876</b>	<b>3097</b>	<b>+ 8</b>

#### TECHNICAL TRAINING

Technical Courses and Seminars	513,633.22	663,017.68	+29	2487	3042	+22
Net Adjustments	(-) 92,816.28	(+) 5,333.41	-	-	-	-
<b>GRAND TOTAL</b>	<b>\$2,385,052.87</b>	<b>\$2,167,159.78</b>	<b>- 9%</b>	<b>5363</b>	<b>6139</b>	<b>+14%</b>

REIMBURSEMENT BY CATEGORY OF EXPENSE  
FROM PEACE OFFICER TRAINING FUND

STATE OF CALIFORNIA - DEPARTMENT OF JUSTICE  
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

To Date For 1976/77 Fiscal Year

MONTH December

PAGE 1 OF 2

PREPARED BY: ADMINISTRATION DIVISION - CLAIMS AUDIT SECTION

COURSE CODE	MANDATED COURSES		SUBSISTENCE	%	TRAVEL	%	TUITION	%	SALARY	%	TOTAL	%
1001	Basic Course	Total This Month	42,492.26		11,547.87				458,696.88		512,737.01	
		Previous Months	76,677.71		19,873.60				251,900.56		348,451.87	
		Total To Date	119,169.97	14	31,421.47	4			710,597.44	82	861,188.88	40
2001	Advanced Officer Course	Total This Month	22,277.52		11,321.79				245,403.68		279,002.99	
		Previous Months	25,685.82		7,722.86				96,376.32		129,785.00	
		Total To Date	47,963.34	12	19,044.65	5			341,780.00	83	408,787.99	19
3001	Supervisory Course	Total This Month	13,981.45		4,170.17				56,203.72		74,355.34	
		Previous Months	2,421.79		1,050.15				6,789.69		10,261.63	
		Total To Date	16,403.24	19	5,220.32	6			62,993.41	75	84,616.97	4
4001	Middle Management Course	Total This Month	26,835.79		4,494.99		20,790.00		53,891.52		106,012.30	
		Previous Months	4,152.08		1,482.74		4,680.00		27,887.73		38,202.55	
		Total To Date	30,987.87	21	5,977.73	4	25,470.00	18	81,779.25	57	144,214.85	7

COURSE CODE	COURSE CATEGORY		SUBSISTENCE	%	TRAVEL	%	TUITION	%	SALARY	%	TOTAL	%
1000	Basic Training	Total This Month	42,951.65		11,600.07				458,696.88		513,248.60	
		Previous Months	76,845.21		19,897.60				251,900.56		348,643.37	
		Total To Date	119,796.86	14	31,497.67	4			710,597.44	82	861,891.97	40
2000	Advanced Officer	Total This Month	22,277.52		11,321.79				245,403.68		279,002.99	
		Previous Months	25,685.82		7,722.86				96,376.32		129,785.00	
		Total To Date	47,963.34	12	19,044.65	5			341,780.00	83	408,787.99	19
3000	Supervision	Total This Month	13,981.45		4,170.17				56,203.72		74,355.34	
		Previous Months	2,421.79		1,050.15				6,789.69		10,261.63	
		Total To Date	16,403.24	19	5,220.32	6			62,993.41	75	84,616.97	4
4000	Management Training	Total This Month	34,309.65		8,459.07		26,689.27		53,891.52		123,349.51	
		Previous Months	11,785.81		5,596.70		16,355.00		28,142.73		61,880.24	
		Total To Date	46,095.46	25	14,055.77	8	43,044.27	23	82,034.25	44	185,229.75	9
5000	Executive and Administrative	Total This Month	4,895.76		2,786.65		4,978.00				12,660.41	
		Previous Months	8,842.14		2,958.32		7,263.00				19,063.46	
		Total To Date	13,737.90	43	5,744.97	18	12,241.00	39			31,723.87	2
6000	Field Operations	Total This Month	37,248.48		10,749.59		8,028.00				56,026.07	
		Previous Months	105,155.08		34,821.07		38,413.47				178,389.62	
		Total To Date	142,403.56	61	45,570.66	19	46,441.47	20			234,415.69	11
7000	Traffic	Total This Month	5,712.58		1,381.90		6,247.00				13,341.48	
		Previous Months	13,419.97		5,147.86		13,110.45				31,678.28	
		Total To Date	19,132.55	42	6,529.76	15	19,357.45	43			45,019.76	2
8000	Driver Training	Total This Month	5,119.92		3,282.50		33,258.75				41,661.17	
		Previous Months	13,082.53		8,436.37		60,163.45				81,682.35	
		Total To Date	18,202.45	15	11,718.87	9	93,422.20	76			123,343.52	6

REIMBURSEMENT BY CATEGORY OF EXPENSE  
FROM PEACE OFFICER TRAINING FUND

STATE OF CALIFORNIA - DEPARTMENT OF JUSTICE  
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

To Date For 1976/77 Fiscal Year

MONTH December

PAGE 2 OF 2

PREPARED BY: ADMINISTRATION DIVISION - CLAIMS AUDIT SECTION

COURSE CODE	COURSE CATEGORY		SUBSISTENCE	%	TRAVEL	%	TUITION	%	SALARY	%	TOTAL	%
9000	Criminal Investigation	Total This Month	10,174.19		2,847.39		4,634.00				17,655.58	
		Previous Months	41,257.15		9,909.04		6,048.00				57,214.19	
		Total To Date	51,431.34	69	12,756.43	17	10,682.00	14			74,869.77	4
10000	Criminalistics	Total This Month	60.00		87.30						147.30	
		Previous Months	268.47		249.38						517.85	
		Total To Date	328.47	49	336.68	51					665.15	0
11000	Intelligence Operations	Total This Month	3,680.25		1,318.94						4,999.19	
		Previous Months	23,229.65		5,960.31						29,189.96	
		Total To Date	26,909.90	79	7,279.25	21					34,189.15	2
12000	Juvenile	Total This Month	9,437.00		1,210.49		610.00				11,257.49	
		Previous Months	5,290.77		1,880.06		4,392.00				11,562.83	
		Total To Date	14,727.77	64	3,090.55	14	5,002.00	22			22,820.32	1
13000	Personnel	Total This Month	735.55		513.77		1,508.75				2,758.07	
		Previous Months	1,161.27		1,206.07		2,635.00				5,002.34	
		Total To Date	1,896.82	25	1,719.84	22	4,143.75	53		19	7,760.41	0
14000	Communications	Total This Month	1,566.47		465.97		425.00				2,457.44	
		Previous Months	918.77		1,067.52		2,125.00				4,111.29	
		Total To Date	2,485.24	38	1,533.49	23	2,550.00	39			6,568.73	0
15000	Training	Total This Month	2,193.15		1,784.40		400.00				4,377.55	
		Previous Months	7,864.65		5,518.50		1,147.00		166.00		14,696.15	
		Total To Date	10,057.80	53	7,302.90	38	1,547.00	08	166.00	1	19,073.70	0
16000	Community Police Relations	Total This Month										
		Previous Months	-0-		141.60						141.60	
		Total To Date	-0-		141.60	100	-0-				141.60	0
17000	Jail	Total This Month	879.94		449.51		135.00				1,464.45	
		Previous Months	7,312.01		2,214.19		2,295.00				11,821.20	
		Total To Date	8,191.95	62	2,663.70	20	2,430.00	18			13,285.65	0
18000	Language	Total This Month										
		Previous Months	2,430.25		803.87		3,355.00				6,589.12	
		Total To Date	2,430.25	37	803.87	12	3,355.00	51			6,589.12	0
19000	Miscellaneous	Total This Month	115.00		111.60		35.00				261.60	
		Previous Months	345.00		121.65		105.00				571.65	
		Total To Date	460.00	55	233.25	28	140.00	17			833.25	0

TOTAL FOR MONTH	195,338.56		62,541.11		86,948.77		814,195.80				1,159,024.24	
TOTAL FOR PREVIOUS MONTHS	347,316.34		114,703.12		157,407.37		383,375.30				1,002,802.13	
GRAND TOTAL TO DATE	542,654.90	25	177,244.23	8	244,356.14	11	1,197,571.10	56			2,161,826.37	100



Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENTS PAID DURING  
SECOND QUARTER ENDING DECEMBER 31, 1976  
1976/77 FISCAL YEAR

Course Number	Course	Amount of Reimbursement					Number of Trainees					Cost Per Trainee					Man Hours of Training					Course Presentations				
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total
1001	Basic	\$163,469.92	\$697,718.96			\$861,188.88	89	415			504	\$1836.74	\$1681.25			\$1708.71	33,975	155,253			189,228	17	25			42
2001	Advanced Officer	70,238.05	338,549.94			408,787.99	408	1893			2,301	172.15	178.84			177.66	15,880	63,674			79,554	100	139			239
3001	Supervisory	808.56	83,808.41			84,616.97	2	143			145	404.28	586.07			583.57	160	12,071			12,231	4	19			23
4001	Middle Management Course	25,106.62	119,108.23			144,214.85	37	110			147	678.56	1082.80			981.05	3,100	10,697			13,797	4	8			12
	Total All Other Courses	145,256.33	517,761.35			663,017.68	704	2338			3,042	206.33	221.45			217.95	31,770	96,066			127,836	217	308			525
	Subtotal	404,879.43	1,756,946.89			2,161,826.37	1240	4899			6,139						84,885	337,761			422,646	342	499			841
	Adjustments to Prior Payments	(-)1,200.88	(+)30,429.40			(+)29,228.52																				
	State Controller Audit Adjustments	-115,997.62	(-)7,897.49			(-)123,895.11																				
	Total Reimbursement	337,680.98	1,779,478.80			2,167,159.78	1240	4899			6,139						84,885	337,761			422,646	342	499			841
	* Breakdown of All Courses																									
1000	BASIC TRAINING	163,661.42	698,230.55			861,891.97	91	418			509	1798.48	1670.41			1693.30	34,055	155,293			189,348	55	115			170
1001	Basic Course	163,469.92	697,718.96			861,188.88	89	415			504	1836.74	1681.25			1708.71	33,975	155,253			189,228	17	25			42
1050	Arrest and Firearms (P.C. 832)	191.50	511.59			703.09	2	3			5	95.75	170.53			140.62	80	40			120	38	90			128
2000	ADVANCED OFFICER	70,238.05	338,549.94			408,787.99	408	1893			2,301	172.15	178.84			177.66	15,880	63,674			79,554	100	139			239
2001	Advanced Officer Course	70,238.05	338,549.94			408,787.99	408	1893			2,301	172.15	178.84			177.66	15,880	63,674			79,554	100	139			239
3000	SUPERVISION	808.56	83,808.41			84,616.97	2	143			145	404.28	586.07			583.57	160	12,071			12,231	4	19			23
3001	Supervisory Course	808.56	83,808.41			84,616.97	2	143			145	404.28	586.07			583.57	160	12,071			12,231	4	19			23
3050	Supervisory Update																									
3055	Civilian Supervisory School																									
4000	MANAGEMENT TRAINING	29,794.11	155,435.64			185,229.75	67	321			388	444.69	484.22			477.40	3,784	16,024			19,808	12	18			30
4001	Middle Management Course	25,106.62	119,108.23			144,214.85	37	110			147	678.56	1,082.80			981.05	3,100	10,697			13,797	4	8			12
4050	Supplemental Management Trng.																									
4055	Program Evaluation and Review Techniques		614.55			614.55		5			5		122.91			122.91		120			120		1			1
4060	Cost Analysis and Budgeting	28.44	83.29			111.73	1	2			3	28.44	41.65			37.24	24	48			72	1	1			2
4062	Field Management Training	577.57	7,170.60			7,748.17	5	51			56	115.51	140.60			138.36	84	1,231			1,315					

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENTS PAID DURING  
SECOND QUARTER ENDING DECEMBER 31, 1976  
1976/77 FISCAL YEAR

Course Number	Course	Amount of Reimbursement					Number of Trainees					Cost Per Trainee					Man Hours of Training					Course Presentations					
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total	
4065	Planning, Research and Development	\$	\$			\$						\$	\$		\$												
4066	Research and Development		4,937.30			4,937.30		16		16			308.58		308.58		640			640		1				1	
4067	Research and Design																										
4070	Team Building Workshop	686.84	11,699.64			12,386.48	4	65		69	171.71	179.99			179.51	96	1560			1656	4	3				7	
4075	Middle Management Seminar	3,394.64	11,822.03			15,216.67	20	72		92	169.73	164.19			165.40	480	1728			2,208	3	4				7	
4080	Organizational Development Seminar for Police Agencies																										
5000	EXECUTIVE AND ADMINISTRATIVE	3,208.19	28,515.68			31,723.87	13	136		149	246.78	209.67			212.91	316	3936			4,252	4	11				15	
5001	Executive Development Course		6,559.36			6,559.36		16		16		409.96		409.96		1280			1,280		1					1	
5050	Executive Development Seminar	3,208.19	21,956.32			25,164.51	13	120		133	246.78	182.97			189.21	316	2656			2,972	4	10				14	
6000	FIELD OPERATIONS	65,732.46	168,683.23			234,415.69	266	803		1,069	247.11	210.07			219.29	12,398	38,132			50,530	41	51				92	
6005	Advanced Patrol Special Enforcement Training																					1				1	
6010	Analysis of Urban Terrorist Activities		2,493.81			2,493.81		8		8		311.73		311.73		640			640		2					2	
6020	Boating Safety and Enforcement																										
6030	Breathalyzer Course																										
6040	Civil Emergency Management	3,042.63	5,705.29			8,747.92	19	29		48	160.14	196.73			182.25	886	1363			2,249	1	2				3	
6045	Commercial Enforcement Training		1,704.40			1,704.40		7		7		243.49		243.49		560			560		1					1	
6047	Crime Prevention Institute	15,154.43	12,425.94			27,580.37	26	21		47	582.86	591.71			586.82	2,081	1,680			3,761	1	1				2	
6050	Crisis Intervention																					1				1	
6052	Disaster and Riot Training																										
6053	Evidence Technician																										
6054	Field Evidence Technician	13,432.35	30,471.68			43,904.03	19	52		71	706.97	585.99			618.37	1,980	5,616			7,596	2	4				6	
6055	Field Evidence Techniques		1,618.40			1,618.40		12		12		134.87		134.87		960			960		1					1	

## Commission on Peace Officer Standards and Training

## Administration Division - Claims Audit Section

REIMBURSEMENTS PAID DURING  
SECOND QUARTER ENDING DECEMBER 31, 1976  
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Course Number	Course	Amount of Reimbursement					Number of Trainees					Cost Per Trainee					Man Hours of Training					Course Presentations					
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total	
6060	Field Command Post Cadre School	\$	\$			\$					\$	\$			\$												
6065	Field Training Officer Seminar		1,551.00			1,551.00		10			10			155.10						450					1		1
6066	Field Training Officer School		72.00			72.00		3			3			24.00						72					1	2	3
6070	Field Training Officer Course		10,088.06			10,088.06		119			119			84.77						4294					3	7	10
6075	Law Enforcement Legal Education Program	2,554.04	6,656.50			9,210.54	12	31			43	212.84	214.73			214.20	480	1240						1	2	3	
6080	Law Enforcement Legal Education Update	3,978.41	4,116.82			8,095.23	29	25			54	137.19	164.67			149.91	608	540						2	1	3	
6095	Narcotic Enforcement for Patrolmen	677.65	151.90			829.55	9	9			18	75.29	16.88			46.09	180	180						6	5	11	
6100	Officer Survival and Internal Security	11,576.99	50,317.51			61,894.50	66	255			321	175.41	197.32			192.82	3069	11929						3	5	8	
6105	Political Violence and Terrorism	5,854.79	17,998.65			23,853.44	33	90			123	177.42	199.99			193.93	1516	4202						5	3	8	
6110	Protective Services Operations Briefing	2,034.68	4,665.12			6,699.80	12	34			46	169.56	137.21			145.65	480	1360						3	3	6	
6115	Protective Services	1,571.68	4,243.11			5,814.79	8	22			30	196.46	192.87			193.83	280	785						1	1	2	
6120	School Resource Officer	1,509.11	5,396.27			6,905.38	7	28			35	215.59	192.72			197.30	168	695						2	2	4	
6121	School Resource Officer Institute																								1		1
6125	School Security Course	301.25	3,536.95			3,838.20	2	18			20	150.63	196.50			191.91	94	846						2	2	4	
6130	Security for Law Enforcement																										
6135	Team Policing Leadership																									2	2
6140	Underwater Search and Recovery																								2		2
6145	Unusual Incident Tactics	196.05	1,099.44			1,295.49	3	10			13	65.35	109.94			99.65	72	240						1	2	3	
6150	Workshop on the Mentally Ill	3,848.40	4,370.38			8,218.78	21	20			41	183.26	218.52			200.46	504	480						2	2	4	
7000	TRAFFIC	6,355.65	38,664.11			45,019.76	38	161			199	167.25	240.15			226.23	1688	7912						11	10	21	
7005	Traffic Accident Investigation	3,614.85	9,317.56			12,932.41	34	87			121	106.32	107.10			106.88	1360	3480						5	3	8	
7010	Advanced Traffic Accident Investigation		259.00			259.00		8			8		32.38			32.38		320							1	1	
7015	Advanced Accident Investigation																										
7025	Traffic Program Management Institute		4,867.38			4,867.38		14			14		347.67			347.67		616							1	1	

## Commission on Peace Officer Standards and Training

## Administration Division - Claims Audit Section

REIMBURSEMENTS PAID DURING  
SECOND QUARTER ENDING DECEMBER 31, 1976  
1976/77 FISCAL YEAR

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		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total
7030	Speed from Skidmark	\$	\$ 2,029.26			\$ 2,029.26		19			19	\$	\$ 106.80		\$ 106.80			760		760	1	2			3	
7050	Motorcycle Training	2,740.80	22,190.91			24,931.71	4	33		37	685.20	672.45			673.83	328	2736			3,064	5	3			8	
7055	Motor Officer Training School																									
8000	DRIVER TRAINING	17,142.19	106,201.33			123,343.52	81	418		499	211.63	254.07			247.18	1832	10,002			11,834	48	59			107	
8005	Driver Training, Allied Agency	5,295.48	16,442.07			21,737.55	22	72		94	240.70	228.36			231.25	528	1,728			2,256	6	5			11	
8010	Driver Training Program	344.79	78.00			422.79	14	3		17	24.63	26.00			24.87	224	48			272	14	12			25	
8020	Driver Training School		20,639.26			20,639.26		74		74		278.91			278.91		1,776			1,776	9	15			24	
8030	Advanced Driver Training Program	11,501.92	69,018.00			80,519.92	45	267		312	255.60	258.49			258.08	1080	6,408			7,488	19	26			45	
8040	Police Defensive Driving Course		24.00			24.00		2		2		12.00			12.00		42			42		1			1	
9000	CRIMINAL INVESTIGATION	21,434.97	53,434.80			74,869.77	103	202		305	208.11	264.53			245.47	7848	11,519			19,367	19	28			47	
9001	Criminal Investigation	93.60				93.60	3			3	31.20				31.20	120				120	1	2			3	
9005	Crime Scene Investigation		6,955.66			6,955.66		19		19		366.09			366.09		760			760	3	6			9	
9006	Physical Evidence Presentation		14,012.96			14,012.96		22		22		636.95			636.95		1440			1440	1	4			5	
9010	Crime Specific																									
9015	Economic Crime Investigation Training	3,927.30	6,186.34			10,113.64	10	16		26	392.73	386.65			388.99	800	1280			2,080	3	4			7	
9020	Investigators School		1,385.32			1,385.32		2		2		692.66			692.66		240			240		2			2	
9025	Practical Investigative Case		106.32			106.32		11		11		9.67			9.67		330			330		1			1	
9050	Basic Auto Theft Investigators Workshop																									
9055	Advanced Auto Theft Investigators Workshop																									
9065	Basic Vehicle Theft Investigation		1,058.60			1,058.60		10		10		105.86			105.86		370			370	1				1	
9100	Rape Investigation		2,620.54			2,620.54		31		31		84.53			84.53		483			483	1	1			2	
9125	Sex Crime Investigation	293.60	388.41			682.01	16	9		25	18.35	43.16			27.28	384	216			600	1	1			2	

Commission on Peace Officer Standards and Training

Administration Division - Claims Audit Section

REIMBURSEMENTS PAID DURING  
SECOND QUARTER ENDING DECEMBER 31, 1976  
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Course Number	Course	Amount of Reimbursement					Number of Trainees					Cost Per Trainee					Man Hours of Training					Course Presentations						
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total		
9150	Advanced Investigation for Coroners Cases	\$	\$ 1,001.40			\$ 1,001.40		12			12	\$	\$ 83.45		\$ 83.45			960			960					1		1
9155	Coroners Course																											
9160	Homicide Institute	7,578.40	1,898.72			9,477.12	38	9		47	199.43	210.97			201.64	3760	720			4,480	1						1	
9210	Basic Narcotic and Dangerous Drugs	870.00	3,684.15			4,554.15	9	21		30	96.67	175.44			151.81	720	1680			2,400	2	2					4	
9225	Narcotics Investigation	8,619.37	14,051.78			22,671.15	25	37		62	344.77	379.78			365.66	1984	2920			4,904	3	2					5	
9230	Narcotics Investigation, Advanced		15.00			15.00		1		1		15.00			15.00		40			40		1					1	
9235	Narcotics Investigation, Basic	52.70				52.70	2			2	26.35				26.35	80				80	1						1	
9250	Vice School		69.60			69.60		2		2		34.80			34.80		80			80	1	1					2	
10000	CRIMINALISTICS	10.00	655.15			665.15	1	11		12	10.00	59.56			55.43	40	436			476	3	2					5	
10005	Fingerprints School																										1	
10006	Latent Fingerprint School																											
10010	Advanced Latent Fingerprint School	10.00	655.15			665.15	1	11		12	10.00	59.56			55.43	40	436			476	2	2					4	
10025	Advanced Bloodstain Analysis																											
10050	Controlled Substance Analysis																											
10075	Firearms and Toolmark Identification																											
10106	Forensic Microscopy																											
10107	Forensic Alcohol Supervisor																											
11000	INTELLIGENCE OPERATIONS	8,937.32	25,251.83			34,189.15	38	95		133	235.19	265.81			257.06	1949	5052			7,001	11	13					24	
11005	Chief Executive Criminal Intelligence Seminar		328.38			328.38		5		5		65.68			65.68		80			80		1					1	
11010	Criminal Intelligence Commanders Course	168.55	1,338.95			1,507.50	1	7		8	168.55	191.28			188.44	36	252			288	1	1					2	
11020	Criminal Intelligence Data Analyst	2,212.49	3,438.29			5,650.78	6	9		15	368.75	382.03			376.72	480	720			1,200	4	1					5	
11030	Criminal Intelligence Data Collector	1,591.20	11,218.59			12,809.79	4	26		30	397.80	431.48			426.99	315	2080			2,395	2	3					5	
11040	Organized Crime Informant Development and Maintenance	45.00	5,541.48			5,586.48	1	29		30	45.00	191.09			186.22	40	1160			1,200	1	4					5	
11050	Specialized Surveillance Equip.	4,920.08	3,386.18			8,306.26	26	19		45	189.23	178.22			184.58	1078	760			1,838	3	3					6	

## Commission on Peace Officer Standards and Training

### Administration Division - Claims Audit Section

 REIMBURSEMENTS PAID DURING  
 SECOND QUARTER ENDING DECEMBER 31, 1976  
 1976/77 FISCAL YEAR

Course Number	Course	Amount of Reimbursement					Number of Trainees					Cost Per Trainee					Man Hours of Training					Course Presentations				
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total
12000	JUVENILE	\$ 675.61	\$ 22,144.71			\$ 22,820.32	2	52			54	\$ 337.81	\$ 425.86			\$ 422.60	80	4924			5,004	3	5			8
12035	Delinquency Control Institute		11,257.49			11,257.49		15			15		750.50			750.50		3470			3,470		1			1
12010	Juvenile Justice Update																									
12020	Juvenile Law Enforcement Officer's Training Course	675.61	10,634.44			11,310.05	2	34			36	337.81	312.78			314.17	80	1334			1,414	1	1			2
12025	Juvenile Officers Course		252.78			252.78		3			3		84.26			84.26		120			120	1				1
12040	Juvenile Procedures School																					1	3			4
13000	PERSONNEL	1,174.28	6,586.13			7,760.41	8	45			53	146.79	146.36			146.42	192	1068			1,260	1	4			5
13005	Background Investigation		290.86			290.86		4			4		72.72			72.72		84			84		1			1
13025	Internal Affairs	1,174.28	6,295.27			7,469.55	8	41			49	146.79	153.53			152.44	192	984			1,176	1	3			4
14000	COMMUNICATIONS	2,570.56	3,998.17			6,568.73	15	24			39	171.37	166.59			168.43	360	858			1,218	3	2			5
14005	Complaint/Dispatcher Dispatcher/Complaint		1,996.44			1,996.44		9			9		221.83			221.83		498			498	2	1			3
14010	Desk Operator																									
14015	Criminal Justice Information Systems	2,570.56	2,001.73			4,572.29	15	15			30	171.37	133.45			152.41	360	360			720	1	1			2
15000	TRAINING	7,772.70	11,301.00			19,073.70	61	81			142	127.42	139.52			134.32	1906	2630			4,536	12	7			19
15005	Behavioral Objectives Course	1,725.85	1,000.52			2,726.37	11	8			19	156.90	125.07			143.49	264	148			412	2				2
15010	Criminal Justice Role Training Program																									
15015	Chemical Agents Instructors Course																									
15020	Firearms Instructors Course	2,296.78	5,390.01			7,686.79	18	40			58	127.60	134.75			132.53	784	1794			2578	3	2			5
15025	Instructor Development Course		222.35			222.35		2			2		111.18			111.18		80			80	1				1
15045	Police Training Managers Course																									
15050	POST Special Seminar	3,750.07	4,688.12			8,438.19	32	31			63	117.19	151.23			133.94	858	600			1,458	6	5			11
15055	Techniques of Teaching Criminal Justice Role Training																									
15065	Upgrading Instructors Training																									

Commission on Peace Officer Standards and Training  
Administration Division - Claims Audit Section

REIMBURSEMENTS PAID DURING  
SECOND QUARTER ENDING DECEMBER 31, 1976  
1976/77 FISCAL YEAR

Course Number	Course	Amount of Reimbursement					Number of Trainees					Cost Per Trainee					Man Hours of Training					Course Presentations				
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Average	1st	2nd	3rd	4th	Total	1st	2nd	3rd	4th	Total
16000	COMMUNITY POLICE RELATIONS	\$	\$ 141.60			\$ 141.60		3			3	\$	\$ 47.20			\$ 47.20		135			135	1	1			2
16005	Community Police Relations		141.60			141.60		3		3			47.20		47.20		135			135	1	1			2	
17000	JAIL	1,140.96	12,144.69			13,285.65	39	85		124	29.26	142.88			107.14	1557	3471			5,028	9	12			21	
17005	Jail Management		6,413.78			6,413.68		18		18		356.32		356.32		792			792		2				2	
17010	Jail Operations	1,140.96	5,730.91			6,871.87	39	67		106	29.26	85.54			64.83	1557	2679			4,236	9	8			17	
17015	Jail Operations and Property Procedures																					2			2	
18000	LANGUAGE	4,222.45	2,366.67			6,589.12	7	4		11	603.21	591.67			599.01	840	480			1,320	1				1	
18005	Total Immersion Spanish	4,222.45	2,366.67			6,589.12	7	4		11	603.21	591.67			599.01	840	480			1,320	1				1	
19000	MISCELLANEOUS		833.25			833.25		4		4		208.31		208.31		144			144		4	3			7	
19005	Aviation Security Course																1					1			1	
19010	Fire Investigation		833.25			833.25		4		4		208.31		208.31		144			144		2				2	
19015	Non-Sworn Police Personnel Training																									
19020	Security Guard Baton Training																					4			4	

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET			
Agenda Item Title Status Report - F.Y. 1977/78 Budget		Meeting Date January 20-21, 1977	
Division Administration	Division Director Approval O. H. <i>Saitenberg</i>	Researched By --	
Executive Director Approval <i>W. R. Burlington</i>	Date of Approval December 30, 1976	Date of Report December 29, 1976	
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>			

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

The following is a brief report on the status of the POST budget.

A revised F.Y. 1977/78 budget was submitted to the Department of Finance in mid-December which reflected the POST reorganization and the Commission's instruction to increase Aid to Local Government.

- Changes in divisional allocations were submitted and approved by the Department of Finance. The total POST Administration budget remains as previously approved by the Commission.
- A budget change proposal was approved by the Department of Finance increasing Local Assistance from \$9,152,392 to \$11,152,392 for the fiscal year.
- In addition, budget resources include a \$1,000,000 Stabilization Fund for Aid to Local Government.

The budget process continues on schedule with no problems at this time. It is anticipated Legislative Hearings will begin in March 1977. Commissioners will be notified when exact dates are known.



TO: COMMISSIONERS

DATE: December 26, 1976

FROM: EXECUTIVE DIRECTOR

SUBJECT: CERTIFICATION AGENDA -- JANUARY 20 and 21, 1977

<u>CERTIFICATION REQUEST</u>	<u>COURSE CATEGORY OR TITLE</u>	<u>REIMBURSEMENT PLAN</u>	<u>HOURS</u>	<u>COMMENTS</u>
1. A. Department of Justice	Technical Course "Narcotic Influence Investigation"	IV	100	
B. Riverside City College	Special Course "Security Guard Baton Training"	N/A	16	
<u>CERTIFICATION AND FUNDING REQUEST</u>				
2. Department of Justice	Technical Course "Law Enforcement Skills and Knowledge Modular Training Program"	IV	24 to 40	
3. Department of Justice	Three Technical Courses- "Narcotics Investigation" "Narcotics Investigation for Peace Officers" and "Narcotic Influence Investigations" (new certification)	IV		80-Narcotics Investigation 20-Narcotics Investigation for Peace Officers 20-Narcotic Influence Investigations

INTERAGENCY AGREEMENT

4. California Specialized Training Institute	Technical Courses - "Officer Survival" "Civil Emergency Management" "School Security" "Political Violence and Terrorism" Executive Seminars - "Political Violence and Terrorism"			
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<u>MODIFICATIONS</u>	<u>COURSE CATEGORY OR TITLE</u>	<u>REIMBURSEMENT PLAN</u>	<u>HOURS</u>	<u>COMMENTS</u>
5. California Highway Patrol	Technical Course "Driver Training for Allied Agencies"	III	24	Increase tuition from \$172 to \$235
6. Department of Justice	Technical Course "Protective Services Techniques"	IV	40	Increase course from 35 hours to 40 hours
7. FBI	Technical Course "Homicide Investigation Institute"	IV	80	Request course certification transferred from Yuba Coll to FBI
8. Cal. State U., San Jose	TECHNICAL COURSE: "ADVANCED HOSTAGE NEGOTIATIONS"	III	24	Tuition - \$106

REIMBURSEMENT PLANS

I.	Meals & Lodging	100%
	Travel	100%
	Tuition	100%
	Salary	60%
II.	Meals & Lodging	100%
	Travel	100%
	Salary	60%
III.	Meals & Lodging	100%
	Travel	100%
	Tuition	100%
IV.	Meals & Lodging	100%
	Travel	100%

COURSE CATEGORIES PLANS

Basic	Plan II
Advanced Officer	Plan II
Supervisory	Plan II
Management Course	Plan I
Management Seminar	Plan III
Executive Development Course	Plan III
Executive Development Seminar	Plan III
Technical/Special	As Specified

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Certification - Department of Justice - Narcotic Influence Investigation		Meeting Date Jan. 20-21, 1977
Division Standards and Training	Division Director Approval	Researched By Jack Beecham
Executive Director Approval	Date of Approval	Date of Report 12/21/76
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact		Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

BACKGROUND

The California Department of Justice is requesting certification of a Narcotic Influence Investigation course so that law enforcement personnel will gain the needed expertise to enforce Health and Safety Section 11550. The enforcement of this section allows an arrest solely on the basis of the arrestee being under the influence of a narcotic.

ANALYSIS

Narcotic Investigation has been identified as a priority one job specific training need by the POST Training Needs Assessment Survey. This course is a 20 hour on-site program designed to give law enforcement officers the tools to enforce Section 11550 of the Health and Safety Code through expert investigation and courtroom testimony. This type of enforcement has a direct relationship to the reduction in crimes against property. The Department of Justice is requesting that this course be included in the 1977-78 fiscal year inter-agency agreement for instructional costs. During the remainder of the 1976-77 fiscal year it will be presented without funding for instructional costs.

FISCAL IMPACT

Based on 200 students per year.  
 Travel .15 cents x 50 miles round trip x 200 students x 3 days = \$4,500.00  
 Commuter allowance \$3.00 per day x 200 students x 3 days = 1,800.00  
 TOTAL \$6,300.00  
 Staff time - 100 hours

RECOMMENDATION

It is recommended that the Department of Justice "Narcotic Influence Investigation" course be certified under Plan IV. The course will be a twenty hour presentation, 8 hours per day for two days and four hours on the third day.

Utilize reverse side if needed

## GENERAL DESCRIPTION

A 20-hour course in narcotic investigation designed and presented to specific areas of law enforcement, both uniform and plainclothes, which have professional interaction with narcotic violators and violators of crimes against property.

The 20-hour course emphasizes techniques in the identification, medical symptoms and legal considerations in the investigation of under the influence of narcotic violations. Specific areas of concentration include developing courtroom expertise to prosecute and convict violators of use or under the influence of opiates; a violation of the California Health and Safety Code Section 11550.

The course is instructed by experienced Special Agents from the Bureau of Investigation and Narcotic Enforcement, special consultants from the law enforcement community, and a physician with a background in the treatment and identification of narcotic use and abuse.

The course is presented at the facility of the requesting agency and is presented a total of ten times per year. The agency requesting presentation of the Narcotic Influence Investigations course need only provide facility and coordinate students to attend the course. Applications are accepted based on need of the agency and the date the application is received.

## COURSE OBJECTIVE

The Department has developed a training program for law enforcement with the following objectives:

To provide 20 hours of training to approximately 200 officers per year which will give law enforcement the tools to enforce Section 11550 of the H & S Code (under the influence of narcotics) through expert investigation and court testimony based on training and experience. This type of enforcement has a direct relationship to the reduction in crimes against property.

## NARCOTIC INFLUENCE INVESTIGATIONS

### Course Outline

<u>Segment Title</u>	<u>Segment Length (Hours)</u>	<u>Number of Instructors</u>	<u>Instructor Hours</u>
Introduction and Opiate Identification	2	2	4
Methadone Program	2	2	4
Search, Seizure and Prosecution Problems in Influence Cases	4	2	8
Psychological Aspects of Addiction (Physician)	1	1	1
Puncture Wound Identification (Physician)	1	1	1
Physical Signs of Opiate Influence in Comparison to Methadone (Physician)	2	1	2
Addict and Influence Reporting	2	2	4
Courtroom Testimony in Influence Cases	1	2	2
Investigative Techniques in Influence Cases	1	2	2
Addict Mark Documentation	1	2	2
Interviews and Examinations	2	2	4
Review and Critiques	<u>1</u>	2	<u>2</u>
	20		36

AGENDA ITEM SUMMARY SHEET		
Agenda Item Title Certification-Security Guard Baton Training-Riverside City College		Meeting Date
Division Standards and Training	Division Director Approval	Recommended By <i>Eugene D. Pember</i> Eugene D. Pember
Executive Director Approval	Date of Approval	Date of Report December 19, 1976
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page _____).		

BACKGROUND

Penal Code Section 12002 (Uniform Security Guard Training Requirements) requires each individual operating under a private security licensee to utilize only a baton of a type approved by the California Crime Technological Research Foundation and the Department of Justice and to successfully complete a course of instruction approved by the Commission on Peace Officer Standards and Training.

ANALYSIS

Riverside City College is certified to present Advanced Officer, Supervisory, non-sworn police personnel training and PC 832 Arrest and Firearms Courses and is requesting certification for Baton Training Course.

This course will not exceed 16 hours in length, presented normally four hours a day for four weeks. It will be presented 10 times a year. The maximum number of students per class is 35.

Fiscal Impact

Staff Time 16 hours per year

RECOMMENDATION

The Security Guard Baton Training Course be certified as a Special Course to Riverside City College. Reimbursement is not applicable as the course is not designed for peace officers.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Certification and Funding - Department of Justice Law Enforcement Skills and Knowledge Modular Training Program		Meeting Date Jan. 20-21, 1977
Division Standards and Training	Division Director Approval	Researched By Jack Beecham
Executive Director Approval	Date of Approval.	Date of Report 12/21/76

Purpose: Decision Requested  Information Only  Status Report  Financial Impact  Yes (See Analysis per details)  No

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

BACKGROUND

The Department of Justice is requesting certification of a technical course entitled "Law Enforcement Skills and Knowledge Modular Training Program" based on prioritized skills and knowledge training needs identified in the POST Training Needs Assessment Survey.

ANALYSIS

The program is designed to be presented on a 24 hour to 40 hour format. The format will allow the course to be presented in 8 hour segments over a maximum 12 week period or it can be presented in consecutive 8 hour days depending on the expressed need.

Advantages of this program are:

1. A consistent training program of the highest quality being made available throughout the state.
2. The course subject areas have been identified as priorities in specific geographical areas through the POST Training Needs Assessment Survey allowing the curriculum to be tailor made or adjusted to local agency needs.
3. The course reduces travel and per diem expenses of individual officers by bringing the training program to the department.

FISCAL IMPACT

Fiscal year 76/77 not to exceed \$15,739.00 for two pilot 40 hour programs to include developmental cost..

Fiscal year 77/78 not to exceed \$66,619.50 for ten 40 hour programs.

TRAVEL AND PER DIEM

250 students x .50 mi. x .15 x 5 days = \$9,375.00  
 250 students x \$3.00 x 5 days = 3,750.00

TOTAL \$13,125.00

Utilize reverse side if needed

RECOMMENDATIONS

1. It is recommended that POST contract with the Department of Justice Advanced Training Center through an interagency agreement to present two pilot programs during fiscal year 76/77 for a technical course entitled "Law Enforcement Skills and Knowledge Training Program." The cost for the two pilot programs are not to exceed \$15,739.00. ✓
2. It is recommended that POST contract with the Department of Justice Advanced Training Center through an interagency agreement to present ten programs during fiscal year 76/77 for a technical course entitled "Law Enforcement Skills and Knowledge Training Program." The cost for the ten programs will not exceed \$66,619.50.



AGENDA ITEM SUMMARY SHEET

Agenda Item Title Certification and Funding Request - Three Courses (Department of Justice)		Meeting Date Jan. 20-21, 1977
Division Standards and Training	Division Director Approval	Researched By Jack Beecham
Executive Director Approval	Date of Approval	Date of Report 12/21/76
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact		Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND

The California Department of Justice is requesting re-certification and approval for a continuation of an interagency agreement between POST and the Department of Justice for instructional costs on the Narcotics Investigation and Narcotics Investigation for Patrolmen courses for the 1977-78 fiscal year. The Department of Justice is also requesting that a third course entitled Narcotic Influence Investigations be added to the agreement.

For the past four years, POST funds have been used to pay for instructional costs, program coordinator and travel. The Department of Justice's fifth year proposal for the 1977-78 fiscal year requests \$159,805. as follows:

	<u>Narcotics Investigation</u>	<u>Narcotics Investigation for Patrolmen</u>	<u>Narcotics Influence Investigation</u>
Instruction	\$8,100.00	\$ 1,200.00	\$ 1,000.00
Coordination	240.00	100.00	100.00
Clerical	400.00	200.00	200.00
Travel	-0-	507.60	472.60
	<u>\$8,740.00</u>	<u>\$ 2,007.60</u>	<u>\$ 1,772.60</u>
Indirect costs	874.00	200.76	177.26
	<u>\$9,614.00</u>	<u>\$ 2,208.36</u>	<u>\$ 1,949.68</u>
	x 10 presentations	x 20 presentations	x 10 presentations
	<u>\$96,140.00</u>	<u>\$44,167.00</u>	<u>\$19,498.00</u>

TOTAL \$159,805.00

ANALYSIS

The request for continued funding of instructional costs through an interagency agreement appears to be in order. Narcotic training was identified as a number one Job Specific Training Need by the POST Training Needs Assessment Survey. The costs have been examined and found to be consistent with POST tuitional guidelines. The Department of Justice provides at no cost to POST all student supplies, notebooks, printing of handouts and vehicles for student exercises.

Utilize reverse side if needed

Agenda Item Summary Sheet  
Certification and Funding Request -  
Three Courses (Dept. of Justice)  
Page Two

RECOMMENDATION

It is recommended the Commission approve an interagency agreement between POST and the Department of Justice for costs on the three narcotic courses in the amount of \$159,805.00 subject to the attached conditions.

FISCAL IMPACT - TRAVEL AND PER DIEM

Narcotic Investigation

100 students x \$56.00 air fare =	\$5,600.00
100 students x 200 mi. x .15 cents =	3,000.00
200 students x \$35.00 x 12 days =	<u>4,000.00</u>
TOTAL	\$92,600.00

Narcotic Investigation for Patrolmen

700 students x 50 mi. x .15 x 3 days =	\$15,750.00
700 students x \$3.00 x 3 days =	<u>6,300.00</u>
TOTAL	\$22,050.00

Narcotic Influence Investigation

350 students x 50 mi. x .15 x 3 days =	\$7,875.00
350 students x \$3.00 x 3 days =	<u>3,150.00</u>
TOTAL	\$11,025.00

## AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>Interagency Agreement - CSTI</b>		Meeting Date <b>January 20-21, 1976</b>
Division <b>Standards and Training</b>	Division Director Approval	Researched By <b>Fravel S. Brown</b> <i>FSB</i>
Executive Director Approval	Date of Approval	Date of Report <b>December 23, 1976</b>
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

ISSUE

The California Specialized Training Institute (CSTI) requests Peace Officer Training Fund support in the amount of \$360,000 for presentation of peace officer related courses in FY 1977/78.

BACKGROUND

Over the years, funding for CSTI has been from a combination of sources, including POST, LEAA, and CCCJ (OCJP).

For FY 1976/77 funding sources are:

Block Grant Funds (OCJP)	\$350,000
State Buy-In	31,500
Training Funds (OCJP/LEAA)	262,214
POST Funds (Interagency Agreement)	<u>315,100</u>
TOTAL	\$958,814

Indirectly involved is POST reimbursement for travel and per diem for California law enforcement officers attending which is credited by the Institute as matching funds of \$215,412. In addition to these funding sources, the Military Department makes major contributions of equipment, materials, sites, and personnel assistance.

For FY 1977/78, the Institute has been awarded an OCJP Block Grant of \$300,000, assured of an additional \$300,000 from OCJP from 1973 Reversionary Funds, and seeks \$360,000 from POST to meet it overall budget of approximately \$960,000. Precise budget/project breakdowns have not been made available from the Institute.

ANALYSIS

In FY 1976/77, the Institute will make 52 course presentations (47 hours of instruction each) in the following areas: Officer Survival - 18, Civil Emergency Management - 10, School Security - 12, Political Violence and Terrorism - 12. Additionally, the Institute will present six 2-day Executive Seminars on Political Violence and Terrorism in different locations throughout the state.

Utilize reverse side if needed

On the basis of presentations made during the first five months of the fiscal year, total attendance is projected at 2,600 of which 1,650 will be POST reimbursable. Total cost to the POTF is projected as:

Interagency Agreement	\$315,100
Travel/Per Diem Reimbursement	<u>352,500</u>
TOTAL	\$667,600

For FY 1977/78, the Institute proposes to make 45 course presentations: Officer Survival - 20, Civil Emergency Management - 8, School Security - 8, Political Violence and Terrorism - 9. Three 2-day Executive Seminars on Political Violence and Terrorism will be offered. Total attendance is projected at 2,200 of which 1,475 will be POST reimbursable. Total cost to the POTF is projected as:

Interagency Agreement	\$360,000
Travel/Per Diem Reimbursement	<u>319,250</u>
TOTAL	\$679,250

CSTI is unique among those institutions providing POST-reimbursed law enforcement training. It is a public, non-law enforcement, non-"educational" agency devoted exclusively to offering repetitive, intensive presentations of closely structured training courses. Its uniqueness makes it difficult to make direct cost comparisons with other institutions providing training on a tuition basis within POST tuition guidelines. The following points are of pertinence.

- a. The Institute's major cost is its permanent, full-time staff of 25 positions: 3 administrative, 10 instructional, 2 technical, 7 clerical, and 3 plant. When non-support staff is distributed over the total weeks of instruction proposed, the cost for instructional time is eight times that normally allowed.
- b. Although costs are distributed equally by the Institute among its course/weeks, student enrollment is not equally divided. Overall average attendance at each of recent presentations has been:

	<u>Average Enrollment</u>	<u>POST Reimbursed</u>
Officer Survival	53	45
Civil Emergency Management	50	18
School Security	32	13
Political Violence	39	27
Political Violence Seminar	47	31

- c. Since the major cost item is permanent staff, total cost is relatively fixed and would be relatively unchanged if the number of course/weeks was increased, decreased, or redistributed among the four courses offered.

- d. For OCJP purposes, POST funds are shown as covering administrative and instructional salaries. For Inter-agency Agreement purposes, POST funds are shown as guaranteeing 15 POST reimbursed training slots for each course. Actually, for both FY 1976/77 and FY 1977/78, POST funds are required by the Institute to cover an undistributed one-third of the total operation.
- e. The costs of training for each trainee is born equally by funding sources, but ancillary costs are not:

<u>Trainee</u>	<u>"Tuition"</u>		<u>Per Diem/Travel</u>
California Local Law Enforcement	1/3	POTF; 2/3 OCJP	POTF
Out-of-State Law Enforcement	"	"	LEAA
CHP	"	"	Agency
School District Administrator	"	"	LEAA
FBI or Military	"	"	Agency

- f. Because of the nature of the funding, the Institute has never come under the normal budgetary scrutiny of the Department of Finance or of POST.

The Military Department has proposed sponsoring legislation during the current legislature to place the Institute on a permanent basis within the State General Fund departmental structure. This will probably have no effect on FY 1977/78 funding. The Department of Finance already accepts the Institute as permanent, although sources of funding are indeterminate.

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AGENDA ITEM SUMMARY SHEET

Agenda Item Title Modification - California Highway Patrol Driver Training for Allied Agencies		Meeting Date January 21, 22, 1976
Division Standards and Training	Division Director Approval	Researched By Jack Beecham
Executive Director Approval	Date of Approval	Date of Report December 21, 1976

Purpose: Decision Requested  Information Only  Status Report  Financial Impact  Yes (See Analysis per details)  No

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

BACKGROUND

The California Highway Patrol was first certified to present Driver Training on October 22, 1969. The present tuition is \$172.00. The California Highway Patrol is requesting an increase in tuition to \$235.00.

ANALYSIS

The Driver Training for Allied Agencies Program is designed to provide peace officers with an understanding of the knowledge and skills necessary to secure maximum efficient use of the patrol vehicle. The course is further designed to stimulate in the peace officer a desire to excell in skills and instill the knowledge that accident-free enforcement driving can be accomplished.

The budget for the course has been reviewed and the increased costs identified. The need to modify the present tuition results from increased labor costs, part costs, and increased costs of gas, oil, tires and insurance.

The course has been continuously evaluated as excellent by attending peace officers.

The POST Training Needs Assessment Survey identified Driver Training as a number one priority skill and knowledge.

FISCAL IMPACT (present)

Based on 200 students annually \$34,400  
Staff time - 150 hours

(recommended)

Based on 200 students annually \$47,000  
Staff time - 150 hours  
Increased fiscal impact \$12,600

RECOMMENDATION

The tuition for the technical course, "Driver Training for Allied Agencies" be increased to \$235.00 per student.

Utilize reverse side if needed

AGENDA ITEM SUMMARY SHEET		
Agenda Item Title Modification - Protective Services Techniques - Department of Justice		Meeting Date Jan. 20-21, 1977
Division Standards and Training	Division Director Approval	Researched By Jack Beecham
Executive Director Approval	Date of Approval	Date of Report December 20, 1976
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

BACKGROUND

The Advanced Training Center, Department of Justice, has requested modification of their Protective Services Techniques course from 35 hours to 40 hours. This course has been certified by POST since December 1972. The course is designed to familiarize California peace officer with techniques of personal security of elected or appointed public officials and has received excellent evaluations from attending students.

ANALYSIS

Student critiques of the present course have pointed out the need for additional instructional time in the following subject areas:

- a. 1 hour - Hostage Negotiation
- b. 1 hour - Practical Problems in Routes and Motorcades
- c. 1 hour - Applicable Laws and Dangerous Weapons
- d. 2 hours - Orientation and Pre-test

FISCAL IMPACTTravel

50 students x \$56. air fare = \$2,800.00

50 students x 200 mi. x .15 = 1,500.00

Per Diem

100 students x 35 x 5 days = \$17,500.00

\$21,800.00

RECOMMENDATION

It is recommended that the certification of the Protective Services Techniques course be modified from its present 35 hours of instruction to 40 hours. ✓

## AGENDA ITEM SUMMARY SHEET

Agenda Item Title		Meeting Date
Modification - Homicide Investigation Institute		Jan. 20-21, 1976
Division	Division Director Approval	Researched By
Standards and Training		Jack Beecham
Executive Director Approval	Date of Approval	Date of Report
		December 20, 1976
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND

The Homicide Investigation Institute was certified under Plan IV to Yuba Community College on 12/10/70. Since that time the 80 hour course has been presented only once a year during the summer months. The course receives excellent ratings from participating students.

ANALYSIS

Homicide Investigation has been identified as a number one priority job specific training need in the Training Needs Assessment Survey. The one presentation per year has not been enough to meet the demand. The Yuba College coordinator Fred Bowman, and FBI special agent in charge of the Sacramento office, Paul Young, have requested that the certification be transferred to the FBI so that the course can be offered throughout the State based upon user request and POST approval. (FBI personnel teach the course). It is estimated that there will be three presentations per year - two in the south and one in the north.

FISCAL IMPACT

Training reimbursement for travel and per diem \$27,850  
POST staff time - 52 1/2 hours

RECOMMENDATION

It is recommended that the Homicide Investigation Institute course certification be transferred from Yuba Community College to the FBI, Sacramento office.

Utilize reverse side if needed



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## AGENDA ITEM SUMMARY SHEET

Agenda Item Title CERTIFICATION - Technical Course- Advanced Hostage Negotiations-Calif. State Univ.,-San Jose		Meeting Date January 20-21, 1977
Division Standards and Training	Division Director Approval <i>Paul Koch</i>	Researched By Fravel S. Brown
Executive Director Approval <i>W. R. Garlington</i>	Date of Approval <i>January 11, 1977</i>	Date of Report January 7, 1977
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

ISSUES

California State University-San Jose requests certification of a Technical Course (Plan III) on Advanced Hostage Negotiations. The course will provide training to local law enforcement personnel in the latest techniques of management of the hostage negotiations effort.

BACKGROUND

For some time the training unit of the San Francisco Police Department has been presenting a course on hostage negotiation techniques under its Advanced Officer certification. This course and the instructors who present it have been generally recognized as outstanding in this field. The Administration of Justice Bureau of California State University-San Jose proposes to offer a short follow-up technical course in this area which will stress negotiations management and practical field exercises. The instruction will be from the training unit of the San Francisco Police Department, the Palo Alto Emergency Treatment Center (psychiatric), and the FBI. Completion of the San Francisco Police Department Hostage Course and/or the Santa Clara Valley Criminal Justice Training Center's Crisis Intervention Course will be a prerequisite.

ANALYSIS

California State University-San Jose plans to make three presentations of this 24-hour course in 1977. This course is among a number of training courses offered each year, some of which are POST-certified and some of which are not.

Each class will accommodate 20 local law enforcement students who have met the course prerequisite. It is anticipated that the bulk of the students will come from agencies in the San Francisco Bay Area and Central California. The subject of "Hostage Negotiations" is in Priority 1 for Zone V and Priority 2 for Zone III.

The curriculum covers such areas as managing negotiation tasks, analysis of inter-personal communications, negotiating strategies, crisis communications, fear and anxiety, perception of stress behavior, and a comparative study of negotiation programs. Approximately half the course (12 hours) will involve a practical field exercise.

Utilize reverse side if needed

FISCAL IMPACT (3 presentations, 1977)

Staff time	56 hours
Reimbursement	
Certs	\$14,010

The course budget submitted has been reviewed against  
POST Tuition Guidelines and supports the requested  
tuition of \$106.00

RECOMMENDATION

That California State University-San Jose be certified for three presentations  
of the Advanced Hostage Negotiations Course (24 hours), Reimbursement Plan III,  
Tuition \$106.00, maximum enrollment 20 students.

CERTIFICATION - Technical Course  
Advanced Hostage Negotiations -  
California State University - San Jose

FISCAL IMPACT STATEMENT - Hostage Negotiations Course

Staff time

20 students x 3 = 60	
clerical - 60 x 30 min	= 30 hrs
professional - 24 hrs audit	
2 hrs processing	= <u>26 hrs</u>
Total	56 hrs

Reimbursement

20 students x 3 days = 60	
Tuition - 60 x \$106	= \$6,360
Per diem - 60 x \$35 x 3 days	= 6,300
Travel - 60 x 150 mi x .15¢	= <u>1,350</u>
Total	\$14,010

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>COURSE CERTIFICATION DECISION DELEGATION</b>		Meeting Date January 20 - 21, 1977
Division Executive Office	Division Director Approval	Researched By Executive Office
Executive Director Approval <i>W. R. Darlington</i>	Date of Approval <i>December 20, 1976</i>	Date of Report December 20, 1976
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

BACKGROUND:

The Chairman of the Course Certification Committee has requested that a better way be found to handle the certification, decertification, and modification of courses designed to meet identified training needs and State mandates. In addition, several Commissioners have indicated a desire to make better use of their time in policy setting, rather than individual operational items.

ANALYSIS:

Commission policy currently requires each course to be individually acted upon by the Commission at a regularly scheduled meeting. Retroactive action is discouraged. Delays occasioned by the Commission's schedule of meetings occasionally causes inconvenience and financial loss to either presenters or users.

The current efforts of the Standards and Training Division in the areas of identifying training needs, job-specific training needs and master calendaring of courses, as well as improvement in the process of processing course certifications create a climate for extensive review by staff of each agenda item. Commission policy being developed relative to addressing the basics in the training program provides direction for both program and fiscal controls.

If the Commission were to delegate the decision-making authority to the Executive Director for course certification actions, several benefits would accrue:

1. Substantial time savings for the Commission from their normally full agendas.
2. Timely response to needs of both users and presenters.

Utilize reverse side if needed

ANALYSIS (Continued):

3. Assurance of "up-front controls" through identifying priorities of training, numbers of personnel to be trained, and fiscal impact within budgeted funds.
4. More efficient, effective management of the quality control process for certified courses, with the probability that the total number of courses could stabilize at a manageable level with new courses and new needs being substituted for old courses when needs have been met.
5. The Commission could serve more appropriately as a hearing board on appeal to resolve differences between presenters and/or users who may not be in agreement with staff decisions.
6. Reporting would be in keeping with the concept of the proposed consent calendar.

RECOMMENDATION:

Delegate the authority for course certification activity to the Executive Director.

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>Course Certification Processing Policy and Procedures</b>		Meeting Date <b>January 20-21, 1977</b>
Division <b>Standards and Training</b>	Division Director Approval <i>W.N. State (acting)</i>	Researched By <b>Gene DeCrona</b>
Executive Director Approval <i>W.R. Harrison</i>	Date of Approval <b>12-29-76</b>	Date of Report <b>December 27, 1976</b>
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/>		Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

The following policy and procedures outline in detail the requirements for certification as described in the POST Administrative Manual (CP D-10) and the Training Needs Assessment study. Should the Commission decide to delegate certification responsibility to the Executive Director, it would be a simple matter to change the wording to conform to the resolution.

Purpose of Training Program

The purpose of the POST training program is to provide a service to California law enforcement by providing a means for upgrading the quality of law enforcement agencies and their employees.

The reimbursement program was created to encourage participation and to relieve the financial burden of local agencies. The certification process becomes important, not only to ensure a high quality, relevant training program, but to make the most effective use of the Peace Officer Training Fund (POTF) through the development of a quality training program. The certification process has a significant effect on training patterns and provides POST with the capability of identifying training needs and resources, and of relating training presentations to demand.

Policy

Training zones identified by the POST Training Needs Assessment study and adopted by the Commission shall be formally recognized and used as a guide in the certification of courses.

Priorities established for each zone will be used as a planning tool by POST staff, local training agencies, and the Commission in the development and certification of training programs.

POST staff resources shall be directed primarily toward the development of training that meets the priorities identified by zone, and training that meets the needs of California law enforcement generally. Any need for training which is not consistent with or identified within these priorities shall be substantiated by the requesting agency.

Utilize reverse side if needed

POST Operational Procedures for Processing Request

Prior to a Course Certification Request submission, the course coordinator must contact the POST Standards and Training regional consultant regarding the proposed course. At this time the consultant has the opportunity of determining whether or not the course meets the needs and priorities of the law enforcement community to be served by the training facility. Many problems relating to the proposed course are resolved at this interview. If the course fails to meet the criteria established for a new course certification, the consultant is generally successful in discouraging the submission of the request; thereby avoiding unnecessary work for POST and the proponent.

The Commission through its training needs assessment process establishes a prioritized list of training needs which represent the nucleus of the training program but is not necessarily a totally inclusive list.

The content of the proposed course must address the need it is proposed to meet. The proponent must clearly state the training objectives and the objectives must be directed toward the skill, knowledge, or job addressed.

The course must demonstrate--through the quality of its instructors, facilities, administration, training aids, past experience, etc.--a promise of success in achieving its stated objectives. If it appears that the requested course is one that POST staff should recommend for approval, the regional consultant will advise the coordinator to submit all data required per PAM (CP D-10).

All reasonable requests for the certification of a training course will be given due consideration. While the ultimate decision rests solely with the Commission, requests that do not qualify should be disposed of at staff level whenever possible; however, any proponent requesting a course certification has the right to take his request to the Commission if not satisfied with staff's explanation.

Courses that do potentially qualify, whether the staff recommendation is positive or negative, or courses for which the proponent insists on presentation to the Commission, are documented and presented in essentially the same manner.

The Course Certification Requests (POST 2-103) are directed to POST Standards and Training Division. All requests are then processed in the following manner by the Course Control Clerk:

- Pertinent data is entered on the Course Certification Request Control Log and assign appropriate Request Identification number; e.g., 76-12-39, which denotes year-month=FY sequential number.

- Prepare copies of required documents for regional consultant and forward via concerned Bureau Chief, with the "Standards and Training Division Documents Received" form attached.
- Prepare separate control folder for each course certification request. This contains all original documents received relating to this request; e.g., Course Certification Request, Course Budget, course outline and instructor resumes. This folder is then retained by the Course Control Clerk.

The regional consultant, upon receipt of copies of all documents relating to the request for course certification, performs the following tasks:

- Examines request material to determine its completeness.
- Determines from Training Needs Assessment Guidelines, if the requested course meets the priorities established for the training zone; or if the request meets the general needs of the law enforcement community served by the requesting training institution or agency and that there are no other courses available which will meet the needs.
- Verifies all information on the Course Certification Request (POST 2-103) and on supportive documents.
- Reviews Course Budget (POST 2-106) to determine if it is consistent with the POST Budget Guidelines (PAM, CP D-10). The Course Budget is required only when tuition is to be charged for the course.
- If necessary, conducts an on-site inspection at the training institution to determine the adequacy of the facility to properly meet the needs to train the constituency.
- Secures any additional material necessary in making the determination of approval or rejection of the request.
- Prepares a Financial Impact Statement reflecting the maximum potential cost to the POTF.
- Reviews course outline for appropriateness and determines if objectives are attainable. If they are not realistic, consults with course coordinator and makes appropriate changes to the outline.
- Reviews instructor resumes to determine the qualifications and competency to instruct in the particular course.



When it has been determined that the course request should be addressed by the Commission, the consultant shall:

- Prepare a Commission Agenda Item Summary Sheet (POST 1-187), for presentation to the Commission. The consultant is responsible for preparing a narrative report tying all the documents together and summarizing the course. This report should be kept as brief as possible and in most cases should fit on the Agenda Item Summary Sheet. The following items shall accompany the agenda form:
  - Course Certification Request
  - Course Outline Summary
  - Fiscal Impact Statement
  - Budget (when applicable)
  - Any additional documents which would assist the Commission in making a decision.

The above Course Certification Request package shall be forwarded to the Executive Director via Bureau Chief and Assistant Director for review and mailing to the Commission 21 days prior to the next scheduled Commission meeting.

All remaining material relevant to the course certification will be forwarded to the Course Certification Clerk for inclusion in the file with the original copies of the request.

Upon return of the Course Certification Request from the Commission, the Course Certification Clerk, via notification from the Assistant Director of Standards and Training Division, will:

- Update the Course Certification Request Control Log, reflecting the Commission action; e.g., approved or denied.

#### Certification Approved

Course Certification Clerk shall:

- Place the proper certification number on the control log, the original request documents and all copies returned from the Commission.
- Prepare Correspondence and Course Announcement and Roster files for the new course.

- Forward copies of all data to regional consultant via the Bureau Secretary.
- Initiate POST Scripts announcements, and update course catalog for inclusion into PAM.

Regional Consultant shall:

- Initiate appropriate notification letters to presenter.
  - Letters shall be sent to agency or institution head and course coordinator.
- Prepare Certified Course Status Form (POST TF-31) and Course Log for his Course Announcement book.

Certification Denied

Course Certification Clerk shall:

- Make appropriate notation of denial on all documents and file in "Denied" category files.

Regional Consultant shall:

- Prepare certification denial letters to presenter with explanation as to reason(s) for denial.
  - Provide sufficient information for re-submission or request for additional review, if desired by presenter, of the certification request.
- If necessary, meet with the presenter to personally make explanations and to consult on future request.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>ATTORNEY GENERAL'S OPINION ON THIRD-PARTY CONTRACTS</b>		Meeting Date January 20 - 21, 1977
Division Executive Office	Division Director Approval	Researched By Executive Office
Executive Director Approval <i>W. R. H. ...</i>	Date of Approval December 20, 1976	Date of Report December 20, 1976
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

BACKGROUND:

The question was asked as to the specific authority that would allow POST to contract with a second agency which would then reimburse expenses of third parties participating in training programs. The question was also asked as to the legality of the Commission reimbursing personnel other than sworn officers of participating jurisdictions.

ANALYSIS:

The attached Opinion indicates the Commission may reimburse the necessary expenses of personnel other than sworn peace officers, as long as the Commission feels the particular activity is necessary to its program's success. However, it indicates that the Commission must directly reimburse such personnel, in order to maintain the appropriate filing of claims on State forms to substantiate expenses and allow for audit by the Controller.

This process is readily accommodated through the Commission's power to enter into either contracts or the more simplified and expedient process of establishing a letter of agreement between the Commission and the concerned individual.

We have examined all of our current and proposed contracts and find that we do not have any in violation of the constraints identified in this Opinion. Our current Commission policy requires an annual reporting relative to all of our contractual undertakings and letters of agreement, which will insure your being advised when this process is used in the future.

RECOMMENDATION:

Adopt as policy the elimination of "third-party agreements" and authorize the appropriate contract or letter of agreement procedure.

Utilize reverse side if needed



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

STATE BUILDING, SAN FRANCISCO 94102

(415) 557-1586

December 6, 1976

Mr. William R. Garlington  
Executive Director  
Commission on Peace Officer Standards  
and Training  
7100 Bowling Drive  
Sacramento, California 95823

Re: Opinion No. CV 76/175 I.L.

Dear Mr. Garlington:

You have requested the opinion of this office on the following questions:

1. "Is the Commission on Peace Officer Standards and Training empowered to reimburse for travel, per diem, and related training expenses of civilians who are not employed by local law enforcement agencies?"

2. "Is the Commission on Peace Officer Standards and Training empowered to execute contract arrangements providing POST funds to the contractor (the second party), the presenter of training, to disburse cash to individuals (the third party) attending a training course, to defray their costs of travel, per diem, and related expenses?"

The conclusions are:

1. Whether to reimburse civilians who are not employed by local law enforcement agencies under the facts presented herein is a matter which lies within the sound discretion of the Commission.

2. This office is not aware of any authority which would permit POST to contract so as to have a private contractor in effect act as a disbursing agent for state funds.

### ANALYSIS

The Commission on Peace Officer Standards and Training (hereinafter "POST") proposes to enter into a training contract with a private party whereby the private party will present a training seminar for criminal justice instructors. The trainees will include not only full-time peace officers of cities or counties, but also civilians who are full time instructors at community colleges. These civilian instructors, however, are persons who teach law enforcement in POST certified courses. Instead of reimbursing cities and counties for travel and other expenses of their peace officers who will attend the conference, POST desires to contract with the vendor of the training seminar to make direct payment to the trainees for such expenses based upon proper vouchers. Additionally, POST desires to pay the travel and other proper expenses of the civilian trainees, and also have payments of POST funds disbursed by the contractor to these trainees for their expenses.

These facts give rise to the questions whether (1) POST may pay the expenses of the civilian trainees, and (2) whether POST may contract so as to permit the vendor of the training seminar to make direct payments to all the trainees for their legitimate expenses incurred in attending the seminar.

This office concludes (1) that it is within the sound discretion of POST whether to pay the expenses of the civilian trainees, but that (2) there is no authority for POST to contract to permit the private contractor to act as a disbursing agent for POST's funds.

#### 1. The Expenses of the Civilian Trainees

No question is raised herein as to POST's power to, in effect, pay the legitimate travel expenses of peace officers of cities and counties who attend a POST training seminar. POST may make grants to local agencies for training reimbursements. See Penal Code §§ 13505, 13520-13523. 1/ 11 Cal. Admin. Code, § 1015. The question arises, however, whether POST may pay the expenses of the civilian instructors from the community colleges who teach POST certified courses.

POST's general powers are contained in section 13503, which states:

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1. All section references are to the Penal Code unless otherwise indicated.

"In carrying out its duties and responsibilities, the commission shall have all of the following powers:

(a) To meet at such times and places as it may deem proper;

(b) To employ an executive secretary and, pursuant to civil service, such clerical and technical assistants as may be necessary;

(c) To contract with such other agencies, public or private, or persons as it deems necessary, for the rendition and affording of such services, facilities, studies, and reports to the commission as will best assist it to carry out its duties and responsibilities;

(d) To cooperate with and to secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and in performing its other functions;

(e) To develop and implement programs to increase the effectiveness of law enforcement and when such programs involve training and education courses to cooperate with and secure the cooperation of state-level officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs;

(f) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government;

(g) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it."

The primary duties of POST are evident from the Commission's title - to insure that minimum standards for peace officers and their training are established and implemented. §§ 13510 - 13515. A contract such as is under consideration herein, whereby a private vendor will conduct a training seminar for criminal law instructors would appear to fall well within the powers of POST under subdivision (c)-(g) of section 13503, supra. The question, however, is whether POST has the power to reimburse the civilian instructors for their attendance at the training seminar through the payment of their legitimate travel and other expenses.

No specific statutory provision or rule sets forth such a power. Therefore, it would appear that the issue is whether this power may be found in section 13503, subdivision (g), supra, that is:

"To do any and all things necessary or convenient to enable it [POST] fully and adequately to perform its duties and to exercise the power granted to it." (Emphasis added.)

It is to be noted initially that when a statute provides that a public body may do all things "necessary" in furtherance of its powers, this does not mean that it may do only that which is absolutely necessary. As stated in Westphal v. Westphal, 122 Cal. App. 379, 382 (1932):

"[2] In the law, the word 'necessary' has not a fixed meaning, but is flexible and relative. It may mean something which in order to accomplish a given object cannot be dispensed with, or it may mean something reasonably useful and proper. (Marshall County v. Rokke, 134 Minn. 346 [Ann. Cas. 1918D, 932, 159 N. W. 791].) The word 'necessary' must be considered in the connection in which it is used, as it is a word susceptible of various meanings. It may import absolute physical necessity or inevitability or it may import that which is only convenient, useful, appropriate, suitable, proper or conducive to the end sought."

Since section 13503, subdivision (g) speaks in terms of the ability to do things which are both "necessary or convenient", it would appear that the factual issue is whether payment of expenses of the civilian trainees is - in the terms of the Court above - convenient, useful, appropriate, suitable, proper or conducive to the end sought. The end sought is to train these individuals so they may in turn better train law enforcement personnel who attend their POST certified courses.

An examination of the opinions of this office discloses that in some situations we have stated that certain expenditures by a governmental agency were proper, and others were not, based upon an analysis of the law under which they operated, see, e.g., 21 Ops. Cal. Atty. Gen. 181 (1953), equipping cafeteria in state-owned building proper; 9 Ops. Cal. Atty. Gen. 125 (1947), payment of travel and other expenses of lecturer for nursing institute proper. Compare, 34 Ops. Cal. Atty. Gen. 135 (1959), expenses of boxing referees' for attending referees' clinic not proper state expense; 3 Ops. Cal. Atty. Gen. 267 (1944), expenses of "project committees" of State Reconstruction and Reemployment Commission not authorized. As stated in 21 Ops. Cal. Atty. Gen. 181, 182, supra:

"As is often true in appropriation problems, the propriety of expenditures is primarily a matter for the discretion of the operating agency. The agency's discretion is not unbridled. The Controller must pass upon the legality of the claim, and he has the function of deciding whether the agency has abused its discretion, bearing in mind, however, that the initial decision is up to the agency charged with the expenditure . . . .

"Discretion is abused when the action exceeds the bounds of reason (DeSylva v. Ballentine, 96 Cal. App. 2d 503, 516, 215 P. 780). . . ."

The question, then, whether the payment of the expenses of the civilian trainees would be conducive to the holding of a successful training seminar would appear to be within the sound discretion of POST. It would seem logical that the payment of such expenses would act as an inducement for the community college teachers to attend the seminar. Cf. I.L. 56-1, LB 319/104 (at page 6), re payment of expenses of public health trainees. Therefore, we conclude that were POST to decide to reimburse these expenses, that decision would be supportable as "necessary or convenient" to the implementation of a training program to benefit law enforcement officers. See § 13503, subdivisions (e) and (g), supra.

It has been suggested, however, that the statutes under which POST operates themselves contain fiscal restraints which would prohibit such reimbursement of expenses. This office, however, does not agree with this suggestion.

The statutes from which this suggestion can arise are sections 13505 and 13520, particularly section 13520. Section 13505 states:

"In exercising its functions, the commission shall endeavor to minimize costs of administration so that a maximum of funds will be expended for the purpose of providing training and other services to local law enforcement agencies. All expenses shall be a proper charge against the revenue accruing under the provisions of Article 3 (commencing with Section 13520) of this chapter."

Section 13520 then provides:



"There is hereby created in the State Treasury a Peace Officers' Training Fund, which is hereby appropriated, without regard to fiscal years, exclusively for costs of administration and for grants to local governments and districts pursuant to this chapter."

The argument is that section 13520 is an "either or" proposition, and that expenses of civilian trainees are neither "costs of administration" nor grants to local government.

However, as already noted, the contracting for and holding of a training seminar appear well within POST's enumerated powers. Therefore, it would appear also that any proper charges or costs incurred by POST other than grants are "costs of administration" within the meaning of section 13520 by process of elimination. The payment of expenses to the trainees would merely be a segment of such "costs of administration." In short "costs of administration" does not appear to be tantamount to "administrative costs."

2. The Question of Disbursement of POST Funds  
By the Contractor

As part of the contract, POST desires, if legally possible, to have the contractor disburse POST's funds directly to trainees at the seminar for their expenses based upon the presentation of proper vouchers. In short, POST would like the vendor of the seminar to act as a conduit for the payment of state funds to the trainees, both peace officers and civilians.

It is the conclusion of this office that no authority exists for POST to so "contract."

Initially it is to be noted that the contractor in no way is obligating himself to pay the trainees. Therefore, it could not be held that the payment of POST funds to the contractor in some way would discharge POST's obligation to the contractor. Compare I.L. 66-42. Basically, POST asks if the contractor may act as a disbursing officer for the state.

Payment of state funds is normally made by warrants drawn by the controller on the state treasury based upon vouchers presented to him. See generally, Gov. Code, §§ 12324, 12410, 12440, 17000 et seq. Otherwise, state agencies may disburse their own funds only through a "revolving fund" or possibly an agency bank account. Neither of these, however, would permit POST power to disburse expenses directly to trainees at a training seminar. As to revolving funds, sections 16400 and 16401 specify the permitted amounts and uses. Section 16400 provides:

"Any state agency for which an appropriation is made, may, without at the time furnishing vouchers and itemized statements, draw from such appropriation for use as a revolving fund:

"(a) A sum not to exceed 3 percent of the total amount of such appropriation, or

"(b) With the approval of the Department of Finance, a sum in excess of 3 percent but not in excess of 10 percent of the total amount of such appropriation, or

"(c) With the approval of the Board of Control, made only upon the affirmative vote of the Controller and at least one other member of the board, a sum in excess of 10 percent of the total amount of such appropriation."

Section 16401 provides:

"Any revolving fund drawn under the provisions of Section 16400 may only be used, in accordance with law and Board of Control rules, for payment of compensation earned, traveling expenses, traveling expense advances, or where immediate payment is otherwise necessary."  
(Emphasis added.)

Section 16405 finally provides with respect to their use:

"No state agency or person shall use or disburse any money withdrawn under the provisions of this article for any purpose whatever, unless authorized by law."  
(Emphasis added.)

Though one might argue that section 16401, authorizing the use of a revolving fund account for "traveling expenses" and "traveling expense advances", would authorize payment by POST of the traveling expenses of the persons who will attend the training seminar, it is the view of this office that section 16401 was intended only to permit the payment of the traveling expenses of state employees. This is evident from the long established administrative custom concerning the use of revolving fund accounts for such purpose, as well as Board of Control Rules regulating in detail the travel allowances for state employees. See 2 Cal. Admin. Code, § 700 et seq. In short, no state law or Board of Control rule specifically contemplates the payment of traveling expenses of non-state employees. Therefore, there would have been no reason or necessity for the Legislature to have included that type of expense in the enumeration of the authorized uses of an agency revolving fund account.

Nor do we believe that it can be said that "immediate payment [of reimbursement for travel of trainees] is otherwise necessary" within the meaning of section 16401. The plan suggested by POST contemplates reimbursement upon proper voucher, thus negating the concept of requisite immediacy. This also would appear to be the proper time frame for the payment. If POST were to attempt to pay the trainees for travel and other expenses in advance, such would constitute an illegal advance payment. Absent statutory authorization, advance payments of state funds are not authorized. See 47 Ops. Cal. Atty. Gen. 11, 12 (1966); I.L. 75-254. Compare with regard to the necessity for immediate payment, I.L. 55-10, L. B. 315/230A, "Paymaster account" for necessary immediate payments at State Fair horse races in accordance with established custom for racing meets.

As to the possibility of the use of an "agency bank account", apparently the current contemplated use for such an account is for "petty cash". See Gov. Code, §§ 16305-16305.1.

It is therefore concluded that there is no statute which would permit POST to directly disburse state funds to trainees at the contemplated seminar. If POST itself cannot disburse its funds in such a manner, it is difficult to conceive how it could legally designate a private contractor as its "delegatee" to do so.

POST's problem is similar to the situation ruled upon by this office some years ago, and before a revolving fund account specifically provided for payment of traveling expenses as opposed to advances. In 1 Ops. Cal. Atty. Gen. 311 (1943) the Department of Natural Resources contended that it was necessary in order to encourage temporary state employees to remain in state service to pay them travel expenses promptly. The Department proposed to do this itself directly through its revolving fund account, and later justify the payments through vouchers it had received from the employees. This office held that the Department could not do so, since there was no statutory authority for use of a revolving fund account in this manner. The similarity between the 1943 proposal of the Department of Natural Resources and the question asked by POST herein, is readily apparent. Compare, I.L. 67-203 for an example of the disbursement of state funds by C.P.S. and others for Medi-Cal under a specific statutory plan.

Accordingly, it is concluded that if POST is to reimburse civilian trainees at the seminar for their necessary expenses, the claims for such reimbursement must be presented to

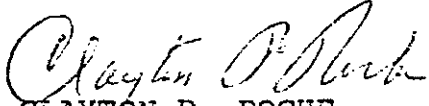
Mr. William R. Garlington  
Page 9

the Controller for audit and payment under normal procedures for the disbursement of state funds. POST may not permit a private contractor to make such disbursements.

It is hoped that the foregoing sufficiently meets your purposes.

Very truly yours,

EVELLE J. YOUNGER  
Attorney General

  
CLAYTON P. ROCHE  
Deputy Attorney General

CPR:am

Agenda Item H. : Validation Projects

This information is to be reviewed by the Validation Committee at a meeting on January 7.

The material and the Committee's recommendations will be submitted at the full Commission meeting on January 21.

# Memorandum

Members, Affirmative Action Committee

Date : December 30, 1976

Executive Director

From : Commission on Peace Officer Standards and Training

Subject: January 7th Committee Meeting

Enclosed are copies of correspondence and a summary which serve to explain the proposed OCJP grant request. Doug Cunningham will be present at the meeting and may suggest some changes in the conceptual proposal.

Also enclosed is a copy of a recent letter from Tom Clark, Regional Administrator, L.E.A.A., regarding the L.E.A.A. contract proposal.

Written materials will be handed out at the meeting to support discussion of the Background Investigators Manual.

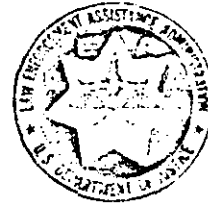


WILLIAM R. GARLINGTON

Attachments

UNITED STATES DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

1860 El Camino Real, Burlingame, California 94010



SAN FRANCISCO REGION

December 8, 1976

Mr. William J. Anthony, Chairman  
California Commission on Peace Officer  
Standards and Training  
7100 Bowling Drive, Suite 250  
Sacramento, California 95823

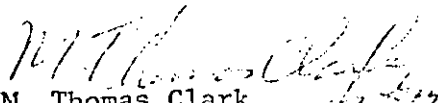
Dear Mr. Anthony:

Your letter of August 4, 1976, to Mr. Richard W. Velde, Administrator, Law Enforcement Assistance Administration, concerning POST Commission efforts to conduct validation studies of law enforcement selection and hiring criteria, has been forwarded to this office for response.

The Law Enforcement Assistance Administration can only commend the POST Commission for seeking to assist in accomplishing the above-mentioned endeavor, and would like to extend its appreciation to the POST Commission for its cooperative attitude in this regard. As you are no doubt aware, the Ad Hoc Committee addressing the validation question has been meeting on a regular basis in order to establish a specific workplan and proposal for implementation of this effort. This agency looks forward to continued cooperation from the POST Commission, and the Office of Criminal Justice Planning, in this matter of considerable mutual interest.

Again, thank you for your ready assistance and cooperation. If we can ever be of assistance, or provide information in any regard, please do not hesitate to contact me.

Sincerely,

  
M. Thomas Clark  
Regional Administrator

cc: Douglas R. Cunningham, Executive Director  
Office of Criminal Justice Planning

## OFFICE OF CRIMINAL JUSTICE PLANNING

OFFICE OF THE DIRECTOR

7171 BOWLING DRIVE

SACRAMENTO, CALIFORNIA 95823



December 30, 1976

Mr. William R. Garlington  
Executive Director  
Commission on Peace Officer  
Standards and Training  
7100 Bowling Drive  
Sacramento, California 95823

Dear Bill:

Thank you for your letter of December 16, 1976, summarizing the findings of your staff in relation to issues raised by the proposed fourth-year grant to support NCCJTES. Because POST, more than any other agency, has responsibility for the development of state policy in the area of criminal justice system manpower, I very much appreciate your help and involvement in this complex matter.

I met today with Jack O'Toole, NCCJTES Director, to review some of the questions posed by his Board's grant application. Jack readily acknowledged that the very large investment of state general fund money makes it necessary for OCJP to very carefully and openly approach issues involving the future ownership and use of real estate and equipment purchased for the project. In order to learn first-hand the plans and expectations of the nine-member TES Board of Directors, I have asked Jack to convene a meeting of that group at the earliest possible date. Hopefully, I will have met with the board prior to the meeting of the POST sub-committee on January 7th.

Assuming the POST Commission approves your further involvement in this matter, I would like you to join me in conducting a public meeting, of the nature of a hearing, at which we could receive recommendations from interested parties and establish the factual basis for a decision on the following three issues:

- (a) Use of the 17,000 sq. ft. office and classroom building on Bercut Drive;
- (b) Disposition of instructional equipment acquired for the project; and
- (c) Implementation of the \$600,000 grant authorized by CCCJ for the support of criminal justice training in Northern California.




Mr. William R. Garlington

-2-

December 30, 1976

Based on a property appraisal and other figures provided by Jack this morning, it appears that the state general fund investment in the Bercut Drive real property exceeds 60% of its total acquisition cost. In view of that, I can contemplate no transfer of title other than from American Justice Institute to the State, for at least the time being.

Cordially,

  
DOUGLAS R. CUNNINGHAM  
Executive Director

DRC:kh

cc: Jack O'Toole, NCCJTES  
Greg Lipscomb, Dept. of General Services

## AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>POST GRANT ADMINISTRATION FOR CRIMINAL JUSTICE SYSTEM</b>		Meeting Date <b>January 20-21, 1977</b>
Division <b>Executive Office</b>	Division Director Approval	Researched By <b>Executive Office</b>
Executive Director Approval <i>W. R. Harrington</i>	Date of Approval <b>December 28, 1976</b>	Date of Report <b>December 27, 1976</b>
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND:

The Executive Director of the Office of Criminal Justice Planning has sought our assistance in resolving several problems relative to a Fourth-Year Augmentation Grant to the Northern California Criminal Justice Training and Education System and the Sacramento Center of the System. He has proposed that monies earmarked for this augmentation could be better utilized throughout the criminal justice system in California under POST administration.

ANALYSIS:

POST staff has been active in attempting to resolve problems associated with the operation of the Northern California Criminal Justice Training and Education System. The attached letter to Mr. Cunningham, dated December 16, 1976, outlines some of our activities in this regard.

It seems apparent that there is considerable support among System users and presenters for POST to continue its current role on an expanded basis for other elements of the criminal justice system.

A strict separation of this grant-funded activity could be maintained so as not to commingle Peace Officer Training Fund resources while, at the same time, considerably broadening the scope of Commission activities in areas wherein we have expertise or resources. Specifically, it is proposed that POST coordinate the disposition of some \$600,000 with a primary emphasis on increasing training availability for local agencies not normally reimbursable from the POTF. This project could serve as a pilot demonstration that could be the forerunner of a Criminal Justice Standards and Training Commission.

RECOMMENDATION:

If deemed an appropriate undertaking, we recommend that you authorize formalization of a proposal to the Office of Criminal Justice Planning to address these areas.

Utilize reverse side if needed

December 16, 1976

Doug Cunningham  
Executive Director  
Office of Criminal Justice Planning  
7171 Bowling Drive  
Sacramento, California 95823

Dear Mr. Cunningham:

Our previous discussions relative to the NCCJTES Fourth-Year Augmentation have resulted in three main areas of inquiry:

1. The potential disposition of the physical facility constructed for the Sacramento Center on Bercut Drive.
2. The disposition of the \$600,000 Fourth-Year Augmentation Grant requested by the System.
3. The continuation of the Northern California Criminal Justice Training and Education System as a system, with the resolution of the problem of Sacramento Center composition and control.

Our staff has done considerable work in meeting with and discussing various alternatives with most of the principals involved in the controversy surrounding the Sacramento Center and the training facility. Staff of the Central Coordination Unit, employed by the American Justice Institute, have also made significant contributions toward a resolution.

It is my understanding that the meeting held on Thursday, December 9, between representatives of the Sacramento Center and the Los Rios Community College executive staff resulted in removing many of the barriers that had existed due to past problems. As a result of the meeting, it is probable that the Sacramento Center, representing all

segments of the criminal justice system, will request the Los Rios Community College District to be responsible for the provision of training and education in the criminal justice area. Center personnel are forming an advisory committee to insure appropriate inputs to Los Rios relative to meeting identified needs. Appropriate costs can be reimbursed to the district from ADA procedures, as well as several alternative procedures used in other parts of the State.

The cooperative resolution of this issue has also laid the groundwork for the disposition of the Bercut facility. The Los Rios Community College District can assume the operational activities necessary to utilize this facility to present criminal justice training and education courses. It is entirely possible that selected training staff from the major criminal justice users could be housed at that facility to assist in coordination and scheduling.

The last issue relates to the \$600,000 Augmentation Grant. In addition to this money, there is \$66,667 allocated for local buy-in, bringing the total to \$666,667. Little support for the continuation of the Central Coordination Unit staff and the Board of Directors for the System has been found. Elimination of these functions would result in a minimum of \$137,030 from the grant for these purposes. Support was expressed for the Commission on Peace Officer Standards and Training to administer these funds.

It was felt that POST staff currently fulfills most of the roles of both the Central Coordination Unit and the Board of Directors, and that a more economical way to insure systems coordination would be to convene POST problem-solving seminars to allow local inputs and identification of needs. Additional comments indicated that the local centers should identify training needs and create courses, rather than the Central Coordination Unit, and that duplication could be prevented through POST coordination. Additional comments indicated that there was not currently agreement on the make-up of the Augmentation Grant, and that it would be desirable to provide POST with the option of identifying current priorities, rather than specifically earmarking all of the monies as outlined in the grant.

The grant does not contain any funding for full-time staff at any of the four area centers and, consequently, no budgeted positions are in jeopardy.

There is a projection of only 450 non-POST reimbursable trainees to be trained at a cost for travel, subsistence, and tuition in the amount of \$67,479. We believe this is extremely necessary and, in fact, should probably be increased as courses are available and agencies can release trainees to attend either at centers or on an outreach basis. In the area of consultants and curricula development and improvement, we see only \$98,444 that appears to be immediately necessary and appropriate without being available on a more cost-effective basis elsewhere. This includes \$3,000 for duplicating video tapes; \$40,864 for systems implementation of Project STAR; \$36,000 for quality improvement in courses; and \$18,580 to train trainers.

The equipment category of the budget totals \$164,500 and includes most of the local monies supplied as match. Most of the equipment appears necessary and compatible with insuring a delivery system that can be operated on an outreach basis or in various agencies of the criminal justice system. This leaves approximately \$255,000 to be utilized as appropriate within the system. Some uses can include:

- Curricula development and delivery of specific training programs.
- Approximately \$4,000 for POST administrative costs.
- Development of mediated software for training programs.
- Administrative support in each of the four centers.

Specific uses should result from priorities established through POST problem-solving seminars.

It could well be desirable for POST to add a Corrections/Judicial Process specialist to our staff to facilitate the development of this pilot project for eventual replication throughout the State. This expense should not exceed \$30,000.

If this concept, administered by POST, appears to be appropriate to the Office of Criminal Justice Planning, we will offer a suitable recommendation to the Commission for further action.

Sincerely,

WILLIAM R. GARLINGTON  
Executive Director

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>ADA COMMITTEE REPORT</b>		Meeting Date January 20-21, 1977
Division <b>Executive Office</b>	Division Director Approval	Researched By Harold Snow
Executive Director Approval <i>W. R. ...</i>	Date of Approval <i>January 19, 1977</i>	Date of Report January 18, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input checked="" type="checkbox"/>		Financial Impact Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page\_\_\_\_\_).

The Commission's ADA Committee met on January 11, 1977, in Sacramento to review the status of ADA. Identified were several alternative courses of action for resolving the issue; but, because of its complexity and the need for additional information, the Committee was unable to make a positive recommendation.

The Committee did, however, develop the following information for Commission consideration:

A. Background Information

- Commission Policy and Direction on ADA
- ADA and Community College Training
- Open Enrollment Laws and Regulations

B. Summary of the Problem

C. Alternatives

D. Addendum

- Training Zones
- Questions and Answers Asked of Chancellor's Office

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COMMISSION POLICY AND DIRECTION ON ADA

Adopted July 29-30, 1976 Commission Meeting.

1. The Commission reaffirmed previous direction to staff to continue activities to resolve ADA problems.
2. The Commission directed that appropriate communications to the Chancellor of the California Community Colleges be made expressing its position on specific provisions of the proposed open enrollment guidelines.

Adopted October 28-29, 1976 Commission Meeting.

1. Commission authorized staff to continue to affect changes in the proposed community college regulations.

Comparison Between 1974-75 and 1975-76 Trainees\*

<u>Course Category</u>	<u>1974-75</u> <u>Trainees</u>	<u>1975-76</u> <u>Trainees</u>
Basic Course		
ADA Funded	2,290 66%	2,164 61%
Agency Funded	1,171 34%	1,372 39%
Total	3,461 100%	3,536 100%
Supervisory		
ADA Funded	648 59%	546 61%
Agency Funded	452 41%	368 39%
Total	1,100 100%	932 100%
Advanced Officer		
ADA Funded	4,805 66%	5,226 58%
Agency Funded	2,529 34%	3,807 42%
Total	7,334 100%	9,033 100%
Technical		
ADA Funded	2,220 22%	2,441 18%
Agency Funded - Local	3,579 36%	4,838 36%
Agency Funded - State	72 1%	
Agency Funded - Federal	803 8%	
Grant	2,211 22%	
POST	763** 8%	6,282 46%
Tuition paid by Consumers	250 3%	
Total	9,898 100%	13,561 100%
Special		
ADA Funded	8,504 79%	8,446 92%
Agency Funded	2,329 21%	706 8%
Total	10,832 100%	9,152 100%

\* Includes both reimbursable and non-reimbursable.

\*\*Does not include Plan III courses.



Comparison of ADA Revenue Generated  
Between 1974-75 and 1975-76 Fiscal Year  
For POST Certified Courses

<u>Course Category</u>	<u>Community College Funded Trainees</u>	<u>Actual Class Hours</u>	<u>Revenue Generated \$</u>
<b>Basic</b>			
1974-75	2,290	1,047,263	2,153,456
1975-76	2,164	958,636	2,157,840
<b>Supervisory</b>			
1974-75	648	56,445	118,185
1975-76	564	50,176	112,942
<b>Advanced Officer</b>			
1974-75	4,805	160,747	333,437
1975-76	5,226	182,566	410,943
<b>Technical</b>			
1974-75	2,220	105,310	226,265
1975-76	2,441	105,654	237,822
<b>Special</b>			
1974-75	8,504	332,973	708,686
1975-76	8,446	337,703	760,152
<b>Specialized Basic</b>			
1974-75	---	---	---
1975-76	22	4,400	9,910
<b>Total</b>			
1974-75	18,467	1,702,738	3,540,031*
1975-76			3,689,609*

\*These are conservative figures since there are other courses known to generate ADA. Additionally, several colleges make use of VEA and other funding for POST certified courses.

1975-76 FY BASIC COURSES

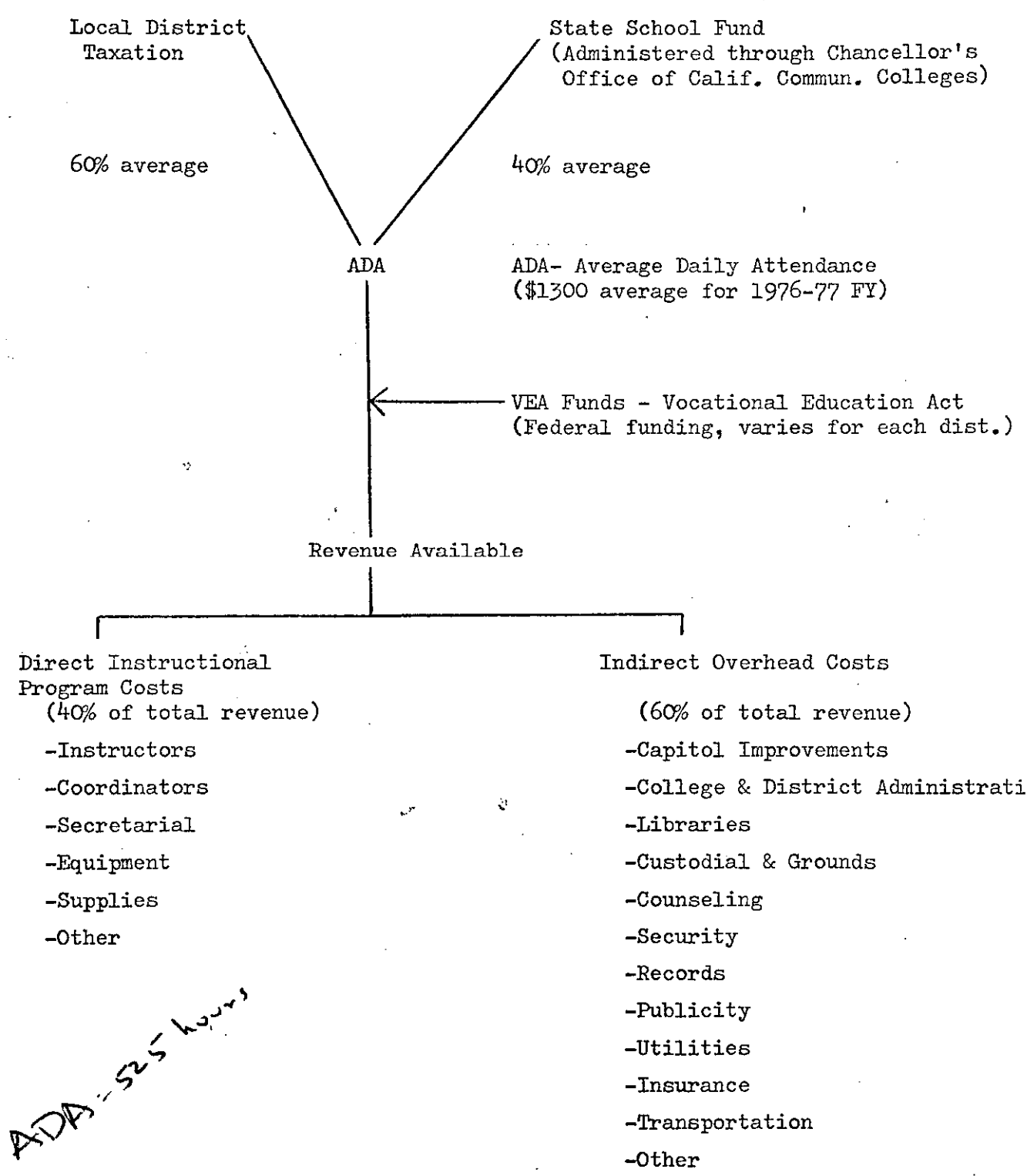
UND SOURCE	AGENCY OR COLLEGE	ACTUAL COURSE HRS.	POST REIMB. TRAINEES	OTHER TRAINEES (NON-REIMB.)	PRESEN- TATIONS
Agency	Los Angeles Co. S.D.	332,432	459	117	9
	Los Angeles P.D.	259,128	368	-	7
	Oakland P.D.	51,177	57	4	3
	Sacramento LETC	39,920	76	1	2
	San Bernardino Co. S.D.	53,023	90	2	4
	San Francisco P.D.	<u>118,800</u>	<u>198</u>	<u>-</u>	<u>4</u>
		854,480 (47%)	1,248	124	29
			1,372 (39%)		
ADA	Alameda Co.	43,611	107	2	4
	Allan Hancock	11,600	24	5	2
	Central Coast - Gavilan	45,435	71	43	4
	Fullerton	7,040	14	2	1
	Kern Co. - Bakersfield	29,754	57	17	3
	Long Beach P.D.	21,752	36	-	2
	Los Medanos	50,522	110	9	3
	Modesto Regional Tr. Center	70,430	137	24	7
	Butte NCCJTES	57,940	98	52	4
	Redwoods NCCJTES	24,662	44	18	3
	Santa Rosa NCCJTES	34,944	72	8	3
	Orange Co. P.O. - Golden West	6,068	15	4	1
	Orange Co. S.O.	64,947	152	31	5
	Rio Hondo College	70,374	121	54	4
	Riverside Academy	35,490	63	21	3
	San Diego Co. S.D.	45,665	60	16	3
	San Diego P.D.	81,128	91	2	2
	San Jose C.C.	21,743	47	-	2
	San Mateo, College	38,252	77	33	4
	Santa Clara Valley Reg.	105,316	178	45	11
	Sequoias, College	43,530	95	16	3
	State Center - Fresno	23,728	37	12	2
	Ventura College	<u>24,705</u>	<u>44</u>	<u>-</u>	<u>2</u>
		958,636 (53%)	1,750	414	78
		\$2,157,840*	2,164 (61%)		
	GRAND TOTALS	1,813,116	2,998 (85%)	538 (15%)	107
			3,536 Total Trainees		

\*ADA Generated

Comparison of Reimbursable and Non-Reimbursable  
Trainees by Course - 1974-75 and 1975-76

<u>Course Category</u>		<u>Reimbursable</u>		<u>Non-Reimbursable</u>		<u>Total</u>
Basic	1974-75	3,048	88%	413	12%	3,461
	1975-76	2,998	85%	538	15%	3,536
Supervisory	1974-75	599	54%	501	46%	1,100
	1975-76	758	81%	174	19%	932
Advanced Officer	1974-75	3,646	50%	3,688	50%	7,334
	1975-76	6,882	76%	2,151	24%	9,033
Technical (Plan IV)	1974-75	5,044	51%	4,854	49%	9,898
	(Plan IV) 1975-76	5,967	82%	1,312	18%	7,279
	(Plan III) 1975-76	5,202	83%	1,080	17%	6,282
Special	1974-75	9	0%	10,823	100%	10,832
	1975-76	2,501	27%	6,651	73%	9,152
Total	1974-75	12,346	38%	20,279	62%	32,625
	1975-76	19,106	64%	10,826	36%	29,932

ADA FLOW



VOCATIONAL EDUCATION ACT FUNDING \*

PART B ENTITLEMENTS

Community College District	1975-76	1976-77
Allan Hancock	\$ 115,129	\$ 115,074
Antelope Valley	61,372	71,178
Barstow	22,196	27,745
Butte	80,823	87,854
Cabrillo	94,303	86,721
Cerritos	264,244	292,727
Chaffey	182,957	228,696
Citrus	148,023	146,748
Coachella Valley	57,828	72,285
Coast Community	434,205	420,012
Compton	108,880	118,683
Contra Costa	354,227	359,145
El Camino	267,914	290,141
Foothill	289,140	275,087
Fremont-Newark	59,280	71,008
Gavilan	35,877	38,153
Glendale	98,192	122,740
Grossmont	148,066	146,743
Hartnell	92,424	108,236
Imperial	49,876	60,636
Kern	216,166	238,875
Lake Tahoe	20,000	20,000
Lassen	39,089	38,570
Long Beach	321,662	378,742
Los Angeles	1,565,012	1,706,480
Los Rios Joint	441,193	430,741
Marin	113,371	109,546
Mendocino	21,469	22,869
Merced	106,152	119,874
Mira Costa	46,688	44,119
Monterey Peninsula	115,225	138,001
Mt. San Antonio	265,799	302,899
Mt. San Jacinto	72,136	66,379
Napa	90,145	85,826
North Orange	430,968	418,039
Palo Verde	21,469	20,000
Palomar	142,505	178,131
Pasadena	297,729	281,502
Peralta	456,754	519,827
Rancho Santiago	192,131	192,786
Redwoods	60,815	67,546
Rio Hondo	185,057	181,347
Riverside	163,235	186,035
Saddleback	72,473	90,591
San Bernardino	185,453	171,772
San Diego	521,686	526,050
San Francisco	505,889	510,974
San Joaquin Delta	208,809	209,897
San Jose	195,335	244,169

\* Federal funding administered through the Chancellor's Office which supplements ADA. Community college districts have considerable latitude in spending these funds for vocational programs.

Community College District	1975-76	1976-77
San Luis Obispo	\$ 68,342	\$ 85,428
San Mateo	317,776	323,340
Santa Barbara	145,884	167,260
Santa Clarita	22,334	27,918
Santa Monica	113,600	127,066
Sequoias	102,982	96,791
Shasta-Tehama-Trinity	103,777	119,226
Sierra	82,268	78,572
Siskiyou	25,704	25,280
Solano	97,457	92,568
Sonoma	157,794	151,208
South County	173,447	160,292
State Center	229,029	229,818
Sweetwater	145,633	162,638
Ventura	259,486	285,801
Victor Valley	37,478	42,195
West Hills	24,189	26,805
West Kern	21,469	20,000
West Valley Joint	192,073	178,848
Yosemite	272,563	340,704
Yuba	102,364	103,104
	<u>\$12,735,020</u>	<u>\$13,486,061</u>

UPDATE ON OPEN ENROLLMENT REGULATIONS

Open Enrollment Laws

5753.1. No community college district shall report for attendance or average daily attendance to the board of governor for apportionment any classes: . . .or (2) if such classes are not located in facilities clearly identified in such a manner, and established by appropriate procedures, to insure that attendance in such classes is open to the general public, . . .The Board of Governors of the California Community Colleges may adopt such regulations as may be necessary to enforce this section. (Emphasis added.)

11251(c). For purposes of computing the average daily attendance of a community college district, attendance shall also include student attendance and participation in in-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations that conform to all apportionment attendance and course of study requirements otherwise imposed by law; provided that such courses are fully open to the enrollment and participation of the public pursuant to subdivision (2) of Section 5753 and provided further, that prerequisites for such courses shall not be established or construed so as to prevent academically qualified persons not employed by agencies in the criminal justice system from enrolling in and attending such courses. (Emphasis added.)

(d) In the event that certain in-service training courses are restricted to employees of police, fire, corrections, and other criminal justice agencies, attendance for such restricted courses shall not be reported for purposes either of state apportionments or district revenue limits. (Emphasis added.)

Regulations Adopted

The attached open enrollment regulations were adopted December 8, 1976 at a public hearing of the Board of Governors of the California Community Colleges in San Diego. The regulations, which apply only to community college ADA funded courses, cover such matters as district policies, course descriptions, prerequisites, dissemination of information, registration and enrollment procedures. It is anticipated further administrative guidelines affecting the conduct of academy courses will be developed based upon the regulations precluding non-academic barriers.

POST Suggested Amendments

During the development of these regulations by the Chancellor's Office, POST staff at the direction of the Commission suggested the following three modifications to the regulations:

<u>Suggested Modification</u>	<u>Status</u>
1. Felony disqualification of trainees for courses requiring the use of chemical agents and firearms.	Adopted. Covered by interpretation in Section 51823(f), "legal requirements"*.
2. Physical disability disqualification of trainees who can't perform course objectives.	Adopted. Covered by interpretation in Section 51823(b), "prerequisites may require demonstrated ability"*.
3. Preference to employed trainees who must meet legislatively mandated training requirements.	Rejected.

### The Issue

Since the basic can legally serve as a prerequisite to other POST certified courses, the open enrollment issue has focused on the basic course. Coordinators of most academies funded or operated by community colleges have stated they have successfully adjusted to open enrollment. Academy coordinators counsel course applicants about law enforcement entry requirements. Some academies report better than 80% of these graduates, some of which are reserves, have become employed. Many agencies, particularly small and medium size, reportedly employ these basic course graduates.

On the other side of the issue, many law enforcement administrators have stated they are against open enrollment for the following reasons: 1) lessening of standards, 2) sensitivity of course subject matter, 3) transfers the selection process to the college academies, 4) could act to preclude agencies from meeting minority hiring quotas, and 5) the prospect of employed trainees being turned away from open courses.

Others have concluded that what is really needed for law enforcement is to have available a two-track hiring option: 1) the traditional approach for agencies to employ recruits and then train them, and 2) agencies either require or give preference to applicants already trained.

### Apprenticeship Courses - Exception to Open Enrollment Requirement

AB 3676 by Howard Berman was signed into law by Governor Brown last year. The bill, backed by organized labor, is the only exception to the open enrollment laws in that it:

1. Provides for equal employment standards in the trades, and
2. Places the authority for apprentice selection and course admission in the hands of local apprenticeship councils.

\*It should be noted these interpretations by the Department of Finance and Chancellor's Office are subject to change.



CALIFORNIA COMMUNITY COLLEGES

388 S STREET  
SACRAMENTO, CALIFORNIA 95814



Assistant Chancellor's Memo F-312

December 15, 1976

TO: Assistant Superintendents, Business, and Business Managers  
 Assistant Superintendents, Instruction, and Deans of  
 Instruction

FROM: Archie L. McPherran, Assistant Chancellor  
 Administrative and Fiscal Services

SUBJECT: Title 5 Regulations on Open Courses

I'm enclosing the Title 5 regulations adopted by the Board of Governors on December 8, 1976, to insure that you are aware of their content.

Please note that Section 51821 requires each Community College district governing board to adopt a comparable statement as its policy on open classes and to publish the statement in the official catalog, schedule of classes, and addenda of courses for which ADA is reported for state apportionment.

The Chancellor's Office has requested an opinion from the Attorney General as to whether AB 3676 (Berman) authorizes closed classes for apprentices. The position of the Chancellor's Office and the Department of Finance is that such classes may be closed unless the Attorney General rules otherwise. If amending legislation to AB 3676 were then not enacted authorizing closure, the Chancellor's Office would call for apprenticeship classes to be conducted on an open basis beginning with the next succeeding semester or quarter.

Attachment

cc: Superintendents and Presidents

E.O.
T.S.
ADMIN.
A.C.
S.&T.

JAN 17 10 25 AM '77

COMMISSION ON POST

Be it resolved by the Board of Governors of the California Community Colleges, acting under the authority of Sections 193, 197, 5753.1, 11251 and 25510 of the Education Code, and to implement, interpret, or make specific Sections 5753.1, 11251 and 25510 of the Education Code, and pursuant to the Administrative Procedures Act, regulations in Title 5 of the California Administrative Code are added, amended, or repealed as follows:

First--Chapter 11 (commencing with Section 51820), is added to Division 2, Part VI of Title 5 to read:

#### CHAPTER 11. OPEN COURSES

51820. Open Enrollment. Unless specifically exempted by statute, every course, course section or class for which average daily attendance is to be reported for state aid shall be open for enrollment and participation by any person who has been admitted to the college and who meets the prerequisites of such course as defined in Section 51823 of this chapter.

51821. District Policy. The governing board of each Community College district shall adopt by resolution the following or comparable statement of State regulation: "It is the policy of this district that, unless specifically exempted by statute, every course, course section or class, the average daily attendance of which is to be reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to Chapter II, Division 2, Part VI, Title 5 of the California Administrative Code, commencing with Section 51820.

A statement regarding adopted board policy shall be published in the official catalog, schedule of classes, and addenda of courses for which average daily attendance is reported for state apportionment.

51822. Course Description. The description of each course shall be clear and understandable to the prospective student and shall be published in the official catalog, and/or schedule of classes, and/or addenda.

A course description may indicate that the course is designed to meet certain specialized needs. If so indicated, the availability of the course to all qualified students must also be affirmed.

51823. Prerequisites. Prerequisites shall not state or imply that enrollment in a course is limited to a specialized clientele, unless such limitation is specifically authorized by law.

- (a) Academic prerequisites for a course should be clearly related to course content and academic foundation of such course.
- (b) In activity or laboratory type courses, prerequisites may require demonstrated ability or technical performance to a level of proficiency to be determined by equitable district procedures. Experience requirements may not be established solely on the basis of "hours of exposure."

- (c) That a course is one in a related sequence of courses in which understanding or technical performance of the one is dependent upon successful completion of the preceding is acceptable as one aspect of prerequisite.
- (d) "Permission of the instructor" as an alternative to a prerequisite shall be limited in application to the determination of equivalence to stated academic prerequisites or performance standards in activity or laboratory type courses, pursuant to Section 51821 of this chapter.
- (e) Concurrent enrollment in a course may be a prerequisite only when the objectives of the courses are clearly complementary and the interrelation of the units of instruction is evident.
- (f) Where health, safety, legal requirements or the facility is a limiting factor in the conduct of a course, the governing board shall establish official policy delineating prerequisites, requirements and fair and equitable procedures to meet such limitation.
- (g) Prerequisites for Work Experience shall be as stated in Division 6, Chapter 3 (commencing with Section 55250) of Title 5 of the California Administrative Code.
- (h) Scoring on a relevant standardized examination or test at a level sufficient to clearly indicate ability to benefit from instruction is an acceptable prerequisite.

51824. Dissemination of Information. All courses to be conducted shall be described in the official general catalog and/or addenda and listed in the schedules of classes.

Courses which are established or conducted after publication of the general catalog or regular schedule of classes shall be reasonably well publicized.

Announcements of course offerings shall not be limited to a specialized clientele, nor shall any group or individual receive notice prior to the general public for the purposes of preferential enrollment, limiting accessibility, or exclusion of qualified students.

51825. Registration and Enrollment Procedures. Procedures for registration and standards for enrollment in any course shall be only those which are consistent with these and other sections of Title 5 and uniformly administered by appropriately authorized employees of the district.

Except as otherwise provided by state law, no student shall be required to confer or consult with or be required to receive permission to enroll in any class from any person other than those employed by the college in the district.

Students will not be required to participate in any preregistration activity not uniformly required; nor shall the college or district allow anyone to place or enforce non-academic requisites as barriers to enrollment in or the successful completion of a class.

No registration procedures shall be used that results in restricting enrollment to a specialized clientele.

The following registration procedures are permissible: special registration assistance to the handicapped or disadvantaged student as defined by statute, for the purpose of providing equalization of educational opportunity; and enrollment of ~~continuing~~ students in accordance with an established priority system established by the local board of trustees pursuant to Section 51821.

With respect to accessibility to off-campus sites and facilities, no student is to be required to make any special effort not required of all students to register in any class or course section. Once enrolled in the class, all students must have equal access to the site.

51826. Enrollment Limitations. Nothing in this chapter shall be deemed to impose obligations upon colleges to admit students to classes, courses, or programs beyond the limitations imposed by physical facilities, availability of qualified instructors, funding limitations, and the constraints of regional planning. In all cases, when limitations do exist it is incumbent upon the governing board of a district to insure that each college establishes fair and equitable procedures for admission of qualified students.

Second--These regulations mandate no cost to local government within the meaning of Revenue and Taxation Code Section 2231.

## SUMMARY OF THE ADA PROBLEM

### Open Enrollment

Effective January 17, 1977, the attached open enrollment regulations became Administrative Code law and binding upon community colleges. Some law enforcement administrators conceptually oppose open enrollment, while others see some benefit. Open enrollment may cause a problem of employed trainees being turned away from legislatively mandated training.

### Out-of-District Cost

Regionally operated community college academies continue to absorb the cost for out-of-district trainees and, thus, is a deterrant to the regionalization of POST training courses.

### Funding Inequity

Several local agencies fund their own training academies because they do not want ADA strings attached to their programs. Local taxpayers fund the training and receive no benefit from the State School Fund. The attached chart indicates the level of ADA support these academies would have received from ADA had they been affiliated with a community college.

AGENCY FUNDED TRAINING PROGRAMS  
1975-76 Fiscal Year

(Funds For Which Academies Would Be Reimbursable Under ADA System)

<u>Academy</u>		<u>Basic</u>	<u>Supervisory</u>	<u>Advanced</u>	<u>Technical</u>	<u>Special</u>	<u>Totals</u>
Los Angeles S.D.	Trainees	576	167	472	1,376	---	
	Hours	332,432	19,620	32,392	39,984	---	
	ADA	633	37	61	76	---	
	Dollars	\$749,218	\$44,247	\$73,052	\$ 90,173	---	\$957,185
Los Angeles P.D.	Trainees	368	104	324	1,494	148	
	Hours	259,128	16,640	12,488	60,580	5,960	
	ADA	494	32	24	115	11	
	Dollars	\$584,395	\$37,527	\$28,163	\$136,622	\$13,441	\$800,148
Oakland P.D.	Trainees	61	74	288	81	58	
	Hours	51,177	6,290	10,656	3,645	2,300	
	ADA	97	12	20	7	4	
	Dollars	\$115,416	\$14,185	\$24,032	\$ 8,220	\$ 5,187	\$167,040
Sacramento LETC	Trainees	77	---	764	125	90	
	Hours	39,920	---	28,120	5,000	3,600	
	ADA	76	---	54	10	7	
	Dollars	\$ 90,029	---	\$63,417	\$ 11,276	\$ 8,119	\$172,841
San Bernardino S.D.	Trainees	92	---	---	---	---	
	Hours	53,023	---	---	---	---	
	ADA	100	---	---	---	---	
	Dollars	\$119,579	---	---	---	---	\$119,579
San Francisco P.D.	Trainees	198	---	114	---	---	
	Hours	118,800	---	4,560	---	---	
	ADA	226	---	9	---	---	
	Dollars	\$267,922	---	\$10,283	---	---	\$278,205
						TOTAL	\$2,494,998

Note: This is a partial listing of the agency funded training programs.

## ALTERNATIVES

### Non-Legislative

### Comments

1. Wait and see. 

Some have stated there is no problem or evidence of need for change.
2. Substitute POST for ADA as the funding source for instructional costs on the basic course. 

POST currently receives the benefit of approximately \$4,000,000 annually from ADA and local agencies for instructional costs on the basic course. This alternative calls for the cost to be borne by POST and thus removing the basic from the controls of ADA. This proposal may present a dilemma for small and medium size agencies in possibly not having trained candidates available since POST funding would likely be restricted to already employed persons. Also, if the basic becomes closed, it can no longer be used as a prerequisite to other POST certified courses.
3. Develop alternatives to the basic course consistent with the pre-employment training concept. 

Since the basic course is the primary concern of the open enrollment issue, POST could develop at least two alternatives:

  - 1) An A.A. Degree for satisfaction of part or all of the present basic course. Most frequently suggested is dividing the current basic into manipulative and non-manipulative content with the latter to be completed in a POST designed degree program prior to employment.
  - 2) A proficiency testing program in lieu of completion of the basic course per se which would leave the acquisition of minimum training up to the individual.

### Legislative

4. Modify Penal Code Section 832.3 to provide colleges authority to give preference to employment trainees. 

This alternative may be beneficial in allaying fear of employed trainees being turned away from the basic course. This would in effect provide for local college decision making (with input from advisory committees.)

5. Resolve the out-of-district cost problem.

Currently the regionally operated training academies are required to claim out-of-district trainees as district residents and thus pay for the local share (60%) of ADA. The district of residence where the trainee lives pays nothing. This proposal would mandate the Chancellor's Office to withhold the local share of ADA from the district of residence's apportionment and transfer the full ADA to the district of attendance.

6. Implement a "local control" training system.

This legislative proposal would continue to use the existing ADA funding mechanism but remove part or all of the current state strings attached to ADA. Control of admissions to POST-certified training courses would be given to the local advisory committees. Out-of-district costs would be resolved by transferring appropriate ADA funds from district of residence to district of attendance. See the attachment on page 19 for details.

7. Establish State General Funding for the basic course.

This alternative would relieve local taxpayers (both city-county and community college) by the State General Fund paying for instruction costs on the basic course. This proposal calls for the Legislature to annually appropriate funds to POST for dispersement to training presenters. Removal of the ADA restrictions is the advantage, while the uncertainty of annual funding is the disadvantage. The open enrollment issue may not be resolved by this alternative, but the funding inequity and out-of-district cost problems would be resolved for the basic. It is estimated this proposal would cost the General Fund approximately \$4,000,000 annually.

8. Increase the criminal and/or traffic penalty assessment.

As a source of revenue for instructional costs for POST-certified courses, the POTF could be augmented by raising the assessment on criminal and traffic fines. The attachment on page 20 explains the current assessment level and presents two alternatives for increasing revenue.

9. POST receive ADA funding as an educational body for dispersement.

Instead of community colleges receiving the 40% state share of ADA, POST could receive these funds for dispersement to training presenters.





CRIMINAL AND TRAFFIC FINE ASSESSMENTSCurrent Assessments

	<u>Assessment</u>	<u>Annual Funds Generated (1975-76)</u>	<u>Percent of POTF</u>
Criminal Offenses	\$5 on every \$20 or fraction	\$3,367,465	29%
Traffic Offenses	\$5 on every \$20 or fraction (25% or \$1.25 goes into the Peace Officers' Training Fund) (75% or \$3.75 goes into the Driver Training Penalty Assessment Fund)	\$8,442,062	71%
		Total \$11,809,528	

Alternatives

## A. Raise the \$5 assessment to \$7.50 (present level)

	<u>Additional Revenue Generated</u>	<u>Total Revenue Generated</u>
Criminal Offenses	\$1,683,732	\$5,051,119
Traffic Offenses	\$4,221,031	\$12,663,093
Total	<u>\$5,904,763</u>	<u>\$17,714,212</u>

## B. Raise to 50% the traffic assessment going into POTF

	<u>Additional Revenue Generated</u>	<u>Total Revenue Generated</u>
	\$8,442,062	\$20,251,590



COMMITTEE QUESTIONS ON ADA

The following questions were identified by the ADA Committee as needing answers from the State Department of Finance and Chancellor's Office. Some answers were obtained while others must be further pursued.

1. What is the effect of the Serrano decision on community college ADA?

Answer: No effect. The decision does not affect community colleges.

2. What is the effect of the 5% cap on enrollment?

Answer: There is no cap as a result of the new finance bill. However, if growth over 5% occurs, then the district in effect picks up the cost. This is not a serious problem at this time in view of the decline in college attendance.

3. Is there a requirement that VEA funds go to community colleges rather than some other entity?

Answer: \_\_\_\_\_

4. Is there a prospect of separate funding for POST certified courses?

Answer: \_\_\_\_\_

5. Has the Attorney General responded to the Chancellor's Office opinion request as to the constitutionality and effect of the Berman Bill AB 3676?

Answer: No

6. Can community college academies drop a trainee at the time he or she is failing?

Answer: Community colleges cannot force such a student out of a course. Students have a right to obtain an "F" grade.

7. What is the law on persons auditing community college courses?

Answer: This is within the discretion of each community college. However, ADA may not be claimed for persons auditing courses.

8. Is the Department of Finance continuing audits on community colleges regarding open enrollment.

Answer: It will resume audits next month.

9. What are the prospects for increasing the percentage of penalty assessments to pay for instructional costs?

Answer: Political issue. No one in Finance or Chancellor's Office will hazard a guess.

10. Will the Department of Finance expand the scope of ADA audits to include an assessment of the relative level of expenditures for similiar courses from one district to another?

Answer: Yes, the Audits Division of the Department of Finance will be conducting such audits on major college districts.

11. Will the Administration support community college authority to give preference to employed trainees for state mandated training?

Answer: \_\_\_\_\_

12. Will the Chancellor's Office and Department of Finance assist POST in drafting legislation?

Answer: Probably, but will depend on type of proposal desired by Commission and Administration's support.

13. Are there plans to develop additional guidelines for open enrollment?

Answer: None at this time.

14. How would the Department of Finance and Chancellor's Office feel about the development of an A.A. degree to meet part or all of the POST basic?

Answer: \_\_\_\_\_

# Memorandum

POST Commissioners

Date : December 21, 1976

Executive Director

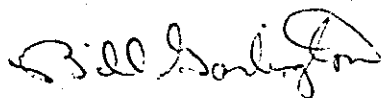
From : **Commission on Peace Officer Standards and Training**

Subject: ADA Committee Report on Possible Legislative Alternatives Regarding Law Enforcement Training

At the request of the Governor's Office, staff prepared the attached concept paper on possible legislative alternatives regarding law enforcement training. Without assuming an advocacy position, the report presents alternatives which address some of the community college ADA issues. The concepts were discussed at a meeting of chiefs and sheriffs with the Administration on December 17, 1976. It was the consensus of those present that alternative number 3 is the most promising and they supported the recommendation to convene a problem solving seminar to examine alternatives and develop legislative recommendations to the Commission.

Commissioner Gates, Chairman of the ADA Committee, was present and, as a result, has called a meeting of his committee for January 11, 1977. A report will be presented to the Commission at the January 20-21, 1977 meeting.

If you have comments, please notify Commissioner Gates or me as soon as possible.



WILLIAM R. GARLINGTON

Attachment

Previously Mailed to Commissioners

# Memorandum

To : William R. Garlington  
Executive Director

Date : December 16, 1976

Special Assistant, Executive Office

From : Commission on Peace Officer Standards and Training

Subject: Possible Legislative Alternatives Regarding Law Enforcement Training

At your request, this concept paper presents possible legislative alternatives regarding California's law enforcement training with particular attention to community college (ADA) training. The alternatives are presented in conceptual form for discussion purposes and should in no way imply advocacy by POST at this time. These concepts address the currently controversial issues of 1) open enrollment for community college courses, 2) out-of-district trainee cost problem for community college funded regional centers, and 3) possible inequity in our funding system for law enforcement training.

At the core of each of these issues is the body of existing laws governing the application of ADA or State School Fund for community colleges. Currently, POST certified training courses generate for community colleges approximately \$5,500,000 to \$6,000,000 annually of which approximately 44% is derived from the State and 56% is from local district taxation. Because the issues are controversial and complex, the following recommendation is made:

Recommendation: It is recommended POST convene a problem solving workshop or seminar to examine alternatives and develop legislative recommendations to the Commission.

## Alternative #1 - Wait and See

Open enrollment for community college courses is a relatively recent requirement. In February 1977, the open enrollment regulations (Title 5 of the California Administrative Code) will become effective and provide more precise direction for colleges. Many colleges have already successfully adjusted to open enrollment while others have not. One alternative would be to evaluate the effects of open enrollment after some experience. The effect of proposed reserve officer training legislation should also be examined for its relevance to the open enrollment issue.

## Alternative #2 - Modify Penal Code Section 832.3

The most often expressed problem with open enrollment is its effect on the basic course. One concern is that employed recruits are being turned away from the academy of their department's choice because seats are taken by

non-employed persons. Another concern is with the college regulations and the future guideline impact on the methodology, content and standards for operating such courses. Hence, this alternative would modify Penal Code Section 832.3. This law relates only to the required basic course and would confer to the community colleges the authority to give preference to employed peace officers. Community colleges would continue to be eligible for ADA.

832.3 Sheriffs, undersheriffs, deputy sheriffs, city and district policemen; employment after January 1, 1975; completion of training course

(a) Except as provided in subdivision (b), any sheriff, undersheriff, or deputy sheriff or a county, any policeman of a city, and any policeman of a district authorized by statute to maintain a police department, who is first employed after January 1, 1975, for the purposes of the prevention and detection of crime and the general enforcement of the criminal laws of this state, shall successfully complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training.

(b) *Notwithstanding Education Code Sections 5753, 5753.1, and 11251(c), community colleges may give preference in enrollment to employed law enforcement trainees who must complete training prescribed by this section. Average daily attendance for such courses shall be reported for state aid.*

### Alternative #3 - Local Control Using the Apprenticeship Model

Under AB 3676 by Howard Berman, the Legislature in the 1976 session provided that notwithstanding open enrollment laws, community colleges could accept only those apprentice trainees certified by local apprenticeship councils. Using this model, legislation could be drafted giving authority to community colleges and/or academy advisory committees the determination of such matters as:

- Open enrollment.
- Priority system of admission for:
  1. Employed peace officers
  2. Reserve officers
  3. Persons meeting POST-sanctioned employee selection criteria not then employed as peace officers.
  4. Others
- Methodology and standards for conducting academy courses (e.g., stress training, uniforms, physical training, etc.) subject to POST certification



This alternative may include all academy courses certified by POST. Other features which might be incorporated into this legislative alternative include:

- Clearly establishing POST's authority to designate which institutions and individuals will be certified to present training.
- Provide for greater POST control over training standards by giving authority to test for proficiency.
- Repeal of Education Code Section 11483 which requires that when 50% or more of trainees for academy courses are from out-of-district, all trainees shall be counted as district residents. This law deters regionalization of training and is inequitable. It is proposed that a substitute law provide that the district of residence mandatorily must pay the local share of ADA to the district of attendance and that the district of attendance also receives the State's share to make up the full ADA.
- Establish the "portability" of training programs out of regional centers by community colleges. Current law has barriers to preclude one college taking training courses into another's district.

The advantages of this alternative include:

- Provides for local determination on open enrollment.
- Resolves out-of-district cost problem.
- Reaffirms POST's responsibility in law enforcement training.
- Standardized instruction.
- Addresses the current inequity in the funding of law enforcement training in that several major training academies are not now affiliated with community colleges for purposes of receiving ADA because of various restrictions imposed by state law on the colleges. These agency operated programs are strictly funded by city and county budgets even though local taxpayers are paying state taxes and receiving no benefit from ADA. If restrictions were removed from community colleges, these agencies could well benefit from ADA funding to help run their training programs.

#### Alternative #4 - State Funded Training

This alternative would be to relieve local taxpayers (both city-county and community college) by having the State fund law enforcement training. Such a system might provide for the Legislature to annually appropriate the funding for POST to administer in payment to training institutions which would include both agencies and community colleges. This alternative would resolve the open enrollment issue, out-of-district cost problem and equalize the expenditure for instruction per trainee. It is conservatively estimated this proposal would cost \$10,000,000 per year for all POST certified courses.

Alternative #5 - Basic Training Prior to Employment

A relevant concept is the recently introduced notion that basic training, at least the minimum required basic, should be encouraged prior to employment. The attached correspondence indicates this topic generated considerable interest at the November 10, 1976 California Police Chiefs' Association Executive Committee meeting. This concept suggests that it should be an individual's responsibility to gain the minimum skills and knowledge needed to perform as a law enforcement officer and that an agency is only obligated to provide additional training such as orientation to department policies, procedures, on the job field training, etc. A growing number of agencies are already requiring basic training as a condition of employment. Related to this concept is the development of proficiency tests and/or an Associate of Arts degree program for satisfaction of POST's entry standards.

The implications for closing basic academies are obvious. Without open courses, there would be no available trained manpower. This concept also has important fiscal implications both for POST and local agencies as indicated on the attachment. This alternative, although not necessarily a legislative proposal, presents a dimension needed to consider other alternatives. This alternative could incorporate many of the features of the previous apprentice model alternative.

In conclusion, much can be said about these alternatives both pro and con, but in the interest of brevity, they are presented in capsule form. Numerous other alternatives are possible by combining parts of different alternatives.

HAROLD SNOW

Attachments

# City of Pasadena

ONE HUNDRED NORTH GARFIELD AVENUE

PASADENA, CALIFORNIA



THE OFFICE OF CITY MANAGER

November 16, 1976

Mr. William Garlington  
Commission on Peace Officers  
Standards and Training  
7100 Bowling Drive, Suite 250  
Sacramento, California 95823

Dear Bill:


Enclosed is a copy of a memorandum from Bob McGowan which results from a discussion held at a recent meeting of the Executive Board of the California Police Chiefs' Association.

The concept which is being suggested is one that is intriguing in that it seems to me that it might make a significant difference in the expenditure of P. O. S. T. funds for the basic training of prospective police officer candidates.

At first blush, the proposal appears to make good sense; but I would appreciate your thoughts concerning this proposal and an analysis of what the implications would be to the P. O. S. T. funds.

Thanks for your thoughts.

Very sincerely,

  
Donald F. McIntyre  
City Manager

McI:S

Enc.

NOV 17 1976  
CITY OF PASADENA  
RECEIVED

# MEMORANDUM—CITY OF PASADENA

To: City Manager Donald F. McIntyre

Date: November 15, 1976

Police Chief Robert H. McGowan

Re: Pre-Hiring Qualifications


On November 10, 1976, the Executive Board of the California Police Chiefs' Association held a meeting in El Segundo, California. Cities represented in addition to Pasadena were: Glendale, Inglewood, Santa Monica, El Segundo, Foster City, Carlsbad, Santa Maria, Chico, Visalia, Salinas, and Lompoc.

A lively discussion was held regarding pre-employment qualifications. All the chiefs present agreed with the concept that it would be very nice if police officer candidates would present themselves for hiring consideration fully credentialed. It was our opinion that cities should not be charged with the burden of training police officers in the basic skills after they were hired. It was pointed out that attorneys, secretaries, engineers, nurses, etc., all bring the basic skills with them when seeking employment.

Several of the chiefs, myself included, indicated that the local junior college police training academies were finding more and more students enrolling who were not affiliated with a law enforcement agency. Chief Walter Johnston of Chico, California said that many of the smaller cities in the northern part of the state were depending exclusively on candidates who had completed a POST-approved training academy successfully before applying to fill their ranks.

Advantages: There is not a three-month lag from the time an officer is hired until he is ready for on-the-job training. There is less cost to the City if an officer is already credentialed (the difference between POST reimbursement and other City overhead). Cities are not the appropriate agency to be responsible for vocational training. Background investigation costs, etc., are minimized (unlikely that a student would complete an academy on his own without tremendous commitment and a relatively good character background.)

The Executive Board of the California Police Chiefs' Association is going to continue to research this concept, which we look upon favorably. The main concern was that if the State Board of Education assumed the total responsibility for training police officers prior to employment, that it would be incumbent upon POST and academy advisory Boards to assure high standards and proper training. We also distinguished the difference between an academic background such as a baccalaureate degree and the necessity for specialized academy training. We favor both. Our continued study will look further into the costs which are now the responsibility of local government, POST, and ADA monies. The costs, of course, will go on; but we may find a shifting of the burden.



ROBERT H. MCGOWAN  
Police Chief

RHM:ds

## STRATEGIES TO ENCOURAGE BASIC TRAINING PRIOR TO EMPLOYMENT

As a follow-up to the topic discussed at the Chiefs' Association Executive Board meeting on November 10, 1976, this concept paper presents two possible strategies for encouraging local agencies to require basic training prior to employment.

### BACKGROUND:

Law enforcement, unlike other professions, trains its personnel after employment. In California no obligation is placed on the individual to acquire the necessary job skills and knowledge prior to employment. Local agencies and POST at great expense bear the cost for new employees' salary, fringe benefits, travel, subsistence and frequently instructional costs while undergoing training. In the 1975-76 Fiscal Year it required approximately \$5,000 to put a recruit police officer on the street. POST reimbursed \$1,609 per trainee in the 1975-76 Fiscal Year or \$4,081,236 for basic training which was 54% of our total reimbursement to local agencies. There is no question POST reimbursement policies have discouraged local agencies from exploring alternative means of basic training.

The recent controversy over community college open enrollment has stimulated interest in this issue. The percentage of reimbursable basic trainees is decreasing while non-reimbursable is increasing and thus creating an unanticipated surplus in the Peace Officer Training Fund.

The advantages of requiring training prior to employment include:

- Saves taxpayers considerable cost.
- Places the major training burden on the individual.
- Enables POST to divert funds to other more productive uses such as raising the salary reimbursement on post-employment training and perhaps job specific courses.
- Helps relieve local agencies from affirmative action/equal employment opportunity complaints since pre-training would be a valid screening device.
- Removes the major concern of present and past Administration critics over the POST reimbursement system.

Basic training as a standard for employment will not occur overnight. A gradual phase-in program will be necessary to develop an available manpower supply. Agencies should continue to be given the choice to either require training upon employment or train personnel after employment. The following strategies will accelerate what the open enrollment concept has begun to achieve on a small scale.

ANALYSIS:

Strategy #1 - Development of a Two-Part Basic Training Requirement

It is recommended that the concept of a two-part basic training requirement be examined. Part A would include the POST minimum basic which can be satisfied prior to employment. A standardized examination to test skills and knowledge should be developed by POST to serve as a check on training received in Part A training. The Part B training requirement would include content peculiar to each agency and presented by every agency either in a classroom setting and/or in a ride-along situation. This course would be a variable length course (1-3 weeks) covering department policies, procedures, organization, geography, and a field training check on manipulative skills acquired in the Part A basic. POST could standardize content areas, but could leave specifics to each department. With cost savings from Part A being an individual obligation, POST could afford to divert some financial resources to the Part B course and reimburse for such costs as salary of both the trainee and the field training officer. Local agencies would be eligible for Part B reimbursement only if they chose to require Part A training prior to employment or otherwise claimed no reimbursement.

The advantages of this strategy include:

- Encourages local agencies to begin requiring Part A training as an entry standard.
- Part B training would be compatible with the basic course revision project wherein a field training experience is needed.
- Providing POST financial resources would help stimulate departmental training which is frequently neglected training.

Strategy #2 - Development of a Two-Year Degree Curriculum to Satisfy the Part A Basic Training Requirement

To help encourage a ready supply of candidates who would be eligible to take the POST standardized entry examination, POST should design a two-year curriculum which includes the skills and knowledge now in the basic course. This two-year program would be equated with the Part A basic training requirement. Most community colleges would openly welcome such an opportunity. Many community college program directors have stated that the current general criminal justice Associate in Arts Degree is all right for transfer students but not meaningful for the majority of students who desire a job upon completion of the two-year program. Once such a program were developed, POST could annually publish comparative examination success rates of candidates from different community colleges. This kind of information would foster healthy competition among colleges and, at the same time, lead ultimately to some form of POST accreditation based upon success rates similar to law school accreditation. This would also eliminate much of the current duplication between the basic course and the degree courses and programs.

Agenda Item J: San Francisco Police Department Assistance Requests

1. Training

An oral report will be given on the request from San Francisco Police Department for assistance of training recruit officers.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>San Francisco Police Department</b>		Meeting Date
<b>Request for General Survey</b>		<b>January 20-21, 1977</b>
Division	Division Director Approval	Researched By
<b>Executive Office</b>		
Executive Director Approval	Date of Approval	Date of Report
<i>W. R. Maligan</i>	<i>December 30, 1976</i>	
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND

The San Francisco Police Commission has requested the POST Commission to authorize a General Survey to be made by POST staff.

Chairman Anthony gave tentative approval to start work, based on final approval of the Commission at this meeting.

Assistant Director Edward M. Toothman has been supervising the work to date. He will give the Commission a prognosis report and answer questions.

Attachment: Relative correspondence





OFFICE OF  
THE POLICE COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO  
HALL OF JUSTICE  
880 BRYANT STREET  
SAN FRANCISCO, CALIFORNIA 94103

RICHARD J. SIGGINS, President  
JUDITH CIANI, Commissioner  
HERMAN E. GALLEGOS, Commissioner  
REVEREND JAMES A. HALL, Commissioner  
JANE MCKASKLE MURPHY, Commissioner

December 16, 1976

WILLIE E. FRAZIER  
SECRETARY

Mr. Edward M. Toothman  
Director of the Law Enforcement  
Management Services Division  
Commission on Peace Officer Standards  
and Training  
7100 Bowling Drive - Suite 250  
Sacramento, California 95823

Dear Mr. Toothman:

] At a meeting of the Police Commission held on Wednesday,  
December 15, 1976, the following resolution was adopted:

RESOLUTION NO. 592-76

RESOLUTION REQUESTING A GENERAL SURVEY OF THE SAN FRANCISCO POLICE  
DEPARTMENT BY THE COMMISSION ON PEACE OFFICERS STANDARDS AND TRAIN-  
ING - APPROVED.

WHEREAS, the Chief of Police conferred with Mr. Edward M. Toothman, Director of the Law Enforcement Management Services Division, Commission on Peace Officers Standards and Training (POST) relative to POST undertaking a general survey of the San Francisco Police Department; and

WHEREAS, the general survey will consist of POST staff, specifically the Law Enforcement Management Services Division, undertaking surveys of organizational units designated by the Chief, such as the Patrol Division, the Youth Services Bureau, the Permit Bureau and eventually every organizational component of the Department; and

WHEREAS, the Director of the Law Enforcement Management Services Division, Mr. Edward M. Toothman, states that the survey will be undertaken at the request of the Police Commission; and

WHEREAS, the Chief of Police has hereby requested that the Police Commission adopt a resolution requesting that POST undertake the survey; therefore be it

Mr. Edward M. Toothman  
Commission of Peace Officers  
Standards & Training

December 16, 1976

Re: S.F. Police Department Survey

Page Two

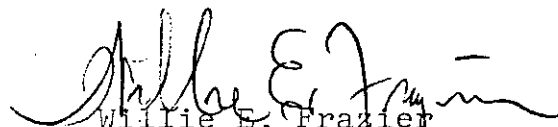
RESOLVED, that the request of the Chief of Police for the Police Commission to adopt a resolution requesting a General Survey of the San Francisco Police Department by the Commission on Peace Officers Standards and Training, be, and the same is hereby approved; and be it further.

RESOLVED, that the Police Commission does hereby request that the Commission on Peace Officer Standards and Training (POST) undertake a general survey of organizational units of the San Francisco Police Department as designated by the Chief i.e., the Patrol Division, the Youth Services Bureau, the Permit Bureau and eventually every organizational component of the San Francisco Police Department.

AYES: Commissioners Hall, Murphy, Siggins

ABSENT: Commissioners Ciani, Gallegos

Very truly yours,

  
Willie E. Frazier  
Secretary  
THE POLICE COMMISSION

942/129

cc: Chief Gain  
All Commissioners  
Police Academy

RECEIVED  
DEC 17 1976  
SAN FRANCISCO POLICE COMMISSION

# THE BAR ASSOCIATION OF SAN FRANCISCO

220 BUSH STREET • TWENTY-FIRST FLOOR • MILLS TOWER

SAN FRANCISCO, CALIFORNIA 94104

(415) 392-3960



ROBERT G. SPROUL, JR.  
*President*

MES J. BROSNAHAN  
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*Treasurer*

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IRVING F. REICHERT, JR.  
*Executive Director &  
General Counsel*

BRUCE BLUMBERG  
*Assistant General Counsel*

JOAN EVJENTH  
*Deputy Director*

LARRY LONG  
*Assistant General Counsel  
Lawyer Referral Service*

Edward Toothman  
Commission on Peace Officers  
Standards and Training  
7100 Bowling Drive  
Sacramento, California 95823

Dear Ed:

It is with great pleasure that I found on my desk this morning a memorandum showing that Chief Charles Gain and the Police Commission of San Francisco have invited POST to come to San Francisco to perform a management survey of the San Francisco Police Department. If one lives long enough, some good things do finally happen.

As you may know, because of the proposal of this Bar Association to the Police Commission that there be created an Office of Citizen Complaints which will have civilian investigators investigating complaints of citizens against police officers, we are being criticized in some quarters as being "anti-law enforcement." A strange charge indeed to be leveled against an association of 4200 lawyers, a considerable portion of whom are in the large law firms of this city and represent the largest business and industrial companies in the United States. As you know I have long worked for good law enforcement and, like POST, want this city to have a first-rate Police Department that can give the city the greatest protection possible. And, of course, that is what this Bar Association desires. But I need not reiterate the obvious.

My purpose in writing this letter is to request that when you and the other officers from POST come to San Francisco, you keep in mind the strong desire of this Bar Association to assist in every way possible the Police Department to perform its job well. We

## BOARD OF DIRECTORS:

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A. B. (TONY) ROTHSCHILD, JR.  
*Treasurer*

December 17, 1976

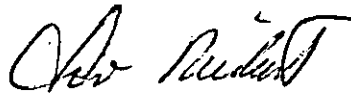
Mr. Toothman  
December 17, 1976  
Page Two

solicit any recommendations that you can make as to how our local bar association can aid the Chief, the Commission and the rank and file.

I hope that when you do come to San Francisco you will call me as I would like to arrange for the members of your team to get together with Jim Brosnahan, the President of this Association and our other officers and directors so we may convey our support to you and lend you any assistance that lies within our capabilities.

With personal best wishes for the coming year I am

Sincerely,



Irving F. Reichert, Jr.  
Executive Director and General Counsel

IFRjr/tc

cc: James Brosnahan  
Charles Gain  
Richard Siggins  
Board of Directors

DEPARTMENT OF JUSTICE

EVELLE J. YOUNGER, Attorney General

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

70 BOWLING DRIVE, SUITE 250  
SACRAMENTO 95823EXECUTIVE OFFICE  
(916) 445-4515ADMINISTRATION  
Certificates  
Reimbursements  
(916) 322-2235STANDARDS AND TRAINING  
(916) 322-2187ADMINISTRATIVE COUNSELING  
(916) 445-0345TECHNICAL SERVICES  
(916) 445-4515

December 21, 1976

Mr. Willie E. Frazier, Secretary  
The Police Commission  
City and County of San Francisco  
850 Bryant Street  
San Francisco, California 94103

Dear Mr. Frazier:

Thank you for inviting the Commission on Peace Officer Standards and Training to conduct a general survey of the San Francisco Police Department. I have directed the POST staff to proceed immediately with the work of the survey. At our quarterly Commission Meeting in Sacramento, January 20 - 21, your request for the survey will be presented to the full Commission for formal approval.

We are pleased with your interest in the management services offered by the Commission, and look forward to working with Chief Charles Gain and members of his staff in this study.

Sincerely,

A handwritten signature in cursive script that reads "W. J. Anthony".

WILLIAM J. ANTHONY  
Chairman

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>Activity Report</b>		Meeting Date <b>January 20 - 21, 1977</b>
Division <b>Law Enforcement Management Services</b>	Division Director Approval <b>Edward M. Toothman</b>	Researched By
Executive Director Approval <i>W.R. Burlington</i>	Date of Approval <i>December 30, 1976</i>	Date of Report <b>December 30, 1976</b>
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

The following is a status report for the Law Enforcement Management Services Division for the second quarter of the 1976-77 Fiscal Year ending December 31, 1976.

Eleven Special Surveys were completed during the second quarter. They were:

- |                          |                          |
|--------------------------|--------------------------|
| Redlands P.D.            | South San Francisco P.D. |
| Trinity County S.O.      | Daly City P.D.           |
| Baldwin Park P.D.        | Rio Vista P.D.           |
| St. Helena P.D.          | Eureka P.D.              |
| Corcoran P.D.            | Willits P.D.             |
| City of San Joaquin P.D. |                          |

As of December 31, there were twenty-two Special Surveys assigned to the consultants, which were in various stages of completion. They were:

- |                       |                   |
|-----------------------|-------------------|
| Plumas County S.O.    | Marina P.D.       |
| Patterson P.D.        | Bakersfield P.D.  |
| Delano P.D.           | Napa P.D.         |
| Placer County S.O.    | Kern County S.O.  |
| Hillsborough P.D.     | Calexico P.D.     |
| Pinole P.D.           | El Centro P.D.    |
| San Francisco P.D.    | Simi Valley P.D.  |
| El Dorado County S.O. | Riverbank P.D.    |
| South Pasadena P.D.   | Palm Springs P.D. |
| Ceres P.D.            | Mendota P.D.      |
| Alameda County S.O.   | Foster City P.D.  |

There were twelve Special Survey requests and one General Survey request pending assignment. They were:

- |                                      |                   |
|--------------------------------------|-------------------|
| <u>Special Surveys</u> - Novato P.D. | La Mesa P.D.      |
| Chino P.D.                           | Wasco P.D.        |
| Berkeley P.D.                        | Guadalupe P.D.    |
| Santa Cruz County S.O.               | Taft P.D.         |
| Morgan Hill P.D.                     | Le Moore P.D.     |
| Suisun P.D.                          | Rohnert Park P.D. |

General Survey - San Francisco P.D.

## AGENDA ITEM SUMMARY SHEET

Agenda Item Title Commission Rules of Order and Procedure		Meeting Date January 20-21, 1977
Division Executive Office	Division Director Approval	Researched By
Executive Director Approval <i>W.R. [Signature]</i>	Date of Approval December 28, 1976	Date of Report
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

The Commission had indicated its desire to conduct its business in the most productive, efficient manner possible. The following proposal may be an acceptable means to achieve this goal.

### RULES OF ORDER AND PROCEDURE

In my research, I have found few instructions from the Commission for the conduct of Commission meetings, preparation of the agenda, appeal hearings, public hearings, etc. Adoption of the attached rules of order and procedure would, in effect, give the Commission a written policy which may be followed by all concerned. It will also allow the Commission to change its procedures in an orderly manner.

The major features of this proposal are:

Agenda Preparation: Included in the addendum to this report is a model agenda. The example represents what would have been the agenda for this meeting under the new procedure.

1. **Consent Calendar:** This format would be used for items that need little or no discussion by the Commission or public and for which there is satisfactory written staff work. The consent calendar can speed up the process with no loss of communication. In fact, persons in attendance or on our mailing list will have better information, since there is a short explanation of the item on the agenda. Should anyone have an interest, they may look at the back-up material in the agenda package located at the Commission office or in the meeting room.
2. **Regular Agenda Items:** There is no intent for the consent calendar to replace the regular process of debating issues before the Commission. Any item on the consent calendar may be removed to the regular agenda. As you will notice in the example, the public is somewhat better informed regarding regular agenda items by virtue of the short explanation.

Public Hearings: The present public hearing procedure has been satisfactory, and there would be little or no change in the process. However, meeting rules should be spelled out, just in case the Commission ever has a highly controversial issue to adjudicate.

Appeals to Decisions of the Executive Director (Staff): It is anticipated most appeals to the Commission will derive from course certification decisions or from revocation of Basic Certificates. The certificate appeal process has not yet been worked out with the Attorney General but, when accomplished, it should become part of the rules of order and procedure.

Written Communications: A considerable number of letters to the Commission are requests for relief from previous Commission or staff decisions. Because they are addressed to the Commission, they should be acted upon in a specified manner. The procedure outlined in Section 2.03 gives the Commission more control in responding to these requests and the ability to decide whether or not to conduct a hearing, call for more staff input, etc.

Implementation Alternatives:

1. Since the Commission has had little time to evaluate this proposal, the Chairman may wish to appoint a committee to work with the Executive Director and an attorney to incorporate changes suggested by the Commission.
2. If the Commission approves a portion of the report, such as agenda preparation, direction may be given to follow the suggested agenda preparation process for the next meeting.



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RULES OF ORDER AND PROCEDURE  
FOR THE CONDUCT OF MEETINGS OF THE  
CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

THE CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING DOES ADOPT  
002 AS FOLLOWS:

003 SECTION 1. PURPOSE. That it is the intention and purpose of the Commission  
004 on Peace Officer Standards and Training, by adoption of this resolution, to  
005 provide rules of order and procedure for the conduct of its meetings.

006 SECTION 2. RULES OF ORDER AND PROCEDURE. The rules of order and procedure  
007 for the meetings of the California Commission on Peace Officer Standards and  
008 Training are as follows:

RULES OF ORDER AND PROCEDURE

009 1.00 MEETINGS

010  
010

010 1.01 Regular Meetings. Regular meetings of the Commission will be set by  
011 the Commission for the calendar year at the last meeting of the preceding  
012 year. If at any regular meeting, business before the Commission remains  
013 unfinished, the Commission may adjourn and reconvene from time to time to dispose of the  
014 same or to transact any other business. Less than a quorum may so adjourn  
015 from time to time. If all members are absent from any regular or adjourned  
016 regular meeting, the Executive Director may declare the meeting adjourned to  
017 a stated time and place, and he shall cause a written notice of the adjournment  
018 to be given in the same manner as provided in Section 1.02 for special meetings,  
019 unless such notice is waived as provided for special meetings. A copy of the  
020 notice of adjournment shall be conspicuously posted on or near the door of  
021 the place where the regular, adjourned regular, special, or adjourned special  
022 meeting was held within 24 hours after the time of the adjournment.

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023 1.02 Special Meetings. Special meetings may be called at any time by the  
024 Chairman or on the request of six Commissioners. The Commission Secretary will  
024 deliver personally or  
025 mail a written notice to each member of the Commission and to each agency  
026 and person requesting notice in writing. Such notice must be delivered  
027 personally or by mail at least twenty-four hours before the time of such  
028 meeting as specified in the notice. The call and notice shall specify the  
029 time and place of the special meeting and the business to be transacted.  
030 No other business shall be considered at such meetings by the Commission.

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036 1.03 Meetings to be Public. All regular and special meetings of the  
037 Commission shall be open to the public, except for such executive sessions  
038 which may be allowed to be held in private by the State Agency Act or other  
039 laws of the State of California.

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040 1.04 Study Sessions. The Commission shall have the right at any time to  
041 assemble so as to be apprised of the various matters  
042 coming up at a regular meeting or special meeting and obtain such detailed  
043 information in regard thereto as will enable them to dispose of such matters  
044 more intelligently at the regular or special meeting to follow. The public  
045 may attend, as provided in Section 1.03; however, discussion by the public  
046 will not be encouraged, so that the Commission may use the time to ask and  
047 answer questions of the staff and other resource people. The public may  
048 address the Commission in Study Session following the same procedure as in  
049 Section 3.07. Notices of the meeting shall conform to Section 1.02, and an  
050 agenda shall be published as part of the notice.

051  
051 1.05 Executive Sessions. The Commission may hold Executive Sessions during  
052 a regular or special meeting to consider the appointment, employment or  
053 dismissal of an employee or to hear complaints or charges against such  
054 employee by another public officer, person or employee unless such employee  
055 requests a public hearing. The Commission may also exclude from such  
056 Executive Sessions, during the examination of a witness, any or all other  
057 witnesses in the matter being investigated by the Commission.

058  
058 The Commission may hold Executive Sessions to consult privately with the  
059 Attorney General and such other officers and employees whose presence is  
060 determined by the Commission to be necessary and/or other attorneys  
061 representing the Commission under circumstances in which the lawyer-client  
062 privilege governed by Evidence Code Sections 950-962 may be lawfully  
063 asserted.

064  
064 1.06 Facilities for Commission Meetings. Regular and Special meetings of  
065 the Commission shall be held in a suitable facility. Arrangements for use  
066 of such facility shall be made by the Executive Director. If a suitable  
067 facility is not available, the public hearing may be continued  
068 to a date when a suitable alternate facility will be available. The  
069 Commission shall not conduct any regular meeting or special meeting in any  
070 facility that prohibits the admittance of any person, or persons, on the  
071 basis of race, religion, creed, color, national origin, ancestry or sex.  
071 Section 13510 of the Penal Code provides that public hearings shall be held  
072 to adopt, amend or repeal Commission Regulations. Such hearings shall be conducted  
072 pursuant to the Administrative Procedure Act.

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1.07 Public Hearings. The Commission, in setting the time and place for public hearings, may state the amount of time to be devoted to said public hearings. Anyone desiring to speak to the Commission on the subject of the public hearing may submit a written request therefore in advance of the meeting. The Commission Secretary shall provide the Commission copies of such written requests in the order in which received. Persons submitting such requests will be heard as time permits in the order determined by the Commission. Requests to speak received by the Secretary at the meeting at which the public hearing is held shall also be heard. In the conduct of the public hearing, the Presiding Officer or any member of the Commission may direct those making the presentations to avoid repetition in order to permit maximum information to be provided the Commission within the time allotted to the presentations. The Commission shall evaluate all testimony prior to final adoption of any proposed revision.

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1.08 Continuance of Hearings. Any hearing being held, or noticed or ordered to be held, by the Commission at any meeting may by order or notice of continuance adopted by the Commission be continued or recontinued to any subsequent meeting in the same manner and to the same extent set forth in Section 1.01 for the adjournment of meetings; provided if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or notice of continuance was adopted.

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094 2.00 AGENDA  
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095 2.01 Declaration of Policy Re Agenda. It is hereby established as the  
096 policy of the Commission that no resolution, motion or item of business,  
097 except of an emergency or administrative nature, shall be introduced before  
098 the Commission at its regular meetings without having prior thereto been  
099 placed upon a written Agenda furnished to each member of the Commission  
100 at least one week prior to such regular meeting. All Commission meetings  
101 shall follow the prepared Agenda unless changed by direction of the  
102 Chairman.

103 2.02 Written Agenda to be Prepared. Not later than one week  
104 prior to any regular meeting, or at such earlier time as the Commission may from  
105 time to time, specify, the Executive Director shall prepare and furnish to  
106 each member of the Commission, and to such other persons as the Commission  
107 and law shall designate, a written Agenda for such regular meeting. Such  
108 Agenda shall also be available to the press and the public prior to the  
109 meeting. The Commission Agenda, with all  
110 attachments, shall be available at the office of the Commission for perusal  
111 by interested citizens by 9:00 a.m. of the day before the Commission meeting.  
112 Any item of business shall be placed  
113 upon the written agenda prior to the deadline announced or observed for the  
114 preparation thereof at the request of the Chairman or of any individual  
115 Commissioner or of the Executive Director.

116 2.03 Written Communications. The Commission agenda will include an  
117 item entitled "Written Communications". Each written communication directed to  
117 the Commission will be acknowledged  
118 by a form letter indicating when the written communication will be referred

119 to the Commission. Written communications will not appear  
120 upon the Commission agenda as individual matters, but will be distributed  
121 to the Commission and the Executive Director separate from the agenda. Each  
122 communication will be considered and acted upon by the  
123 Commission only upon the request of the Chairman or a member of the  
124 Commission. Those not brought up for consideration shall be deemed received  
125 without any formal action by the Commission. Appropriate replies will be  
126 made by the Executive Director or other person designated.

127

127 If a written communication includes a request to address the Commission on  
128 a subject not scheduled for discussion by the Commission, the Commission will  
129 consider such request at the time the item "Written Communications" is before  
130 it. It will determine if it wishes to have such matter discussed and, if so,  
131 will designate the meeting at which it will be discussed.

132

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### 132 3.00 CONDUCT OF THE MEETING

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133 3.01 Consent Calendar. The Executive Director may place agenda items  
134 on the consent calendar for action by the  
135 Commission. Any item placed on the consent calendar shall appear in its  
136 regular order on the agenda together with the recommendation of the Executive  
137 Director as to the action to be taken by the Commission with respect to such  
138 item. The items to be considered on the consent calendar shall be listed at  
139 the head of the first page of the agenda. Upon the motion of any member of  
140 the Commission, all items placed upon the consent calendar may be acted upon  
141 together, and each shall be deemed to have received the action recommended by  
142 the Executive Director; except that if any member of the Commission objects



143 to the placement of an item on the consent calendar, or if any member of the  
144 public wishes to address the Commission on any such item, the item shall be  
145 deemed removed from the consent calendar and shall be heard and acted upon  
146 as part of the regular agenda.

147  
147 3.02 Order of Business. At the hour set for each regular meeting, the  
148 Commission and Executive Director, Commission Secretary or their alternates and such  
149 staff members as have been requested by the Executive Director to be present,  
150 shall take their seats. The business of the Commission shall be taken up  
151 for consideration and disposition in the following order as set forth in the  
152 agenda published by the Commission Secretary, except upon direction of the  
153 Chairman of the Commission matters may be taken up out of order.

- 154  
155 1. Roll Call and Introduction of Guests  
156  
157 2. Approval of Minutes  
158  
158 3. Consent Calendar, Approval of Agenda  
159  
159 4. Public Hearings  
160  
160 5. Agenda Topics. Those with spokesmen to be considered earlier than routine  
161 items of business.  
162  
162 6. Written Communications  
163  
163 7. Emergency and/or Administrative Items  
164  
164 8. Adjournment  
165

165 3.03 Call to Order - Presiding Officer. The Chairman, or in his absence, the  
166 Vice Chairman shall take the chair precisely at the hour appointed for the  
167 Commission meeting, and shall immediately call the meeting to order.  
168 Upon the arrival of the Chairman, the Vice Chairman shall immediately  
169 relinquish the chair at the conclusion of the business immediately before the  
170 Commission. In the absence of the Chairman or Vice-Chairman, the Executive

Director shall call the meeting to order, whereupon a temporary chairman shall be elected by the members of the Commission present. Upon the arrival of the Chairman or Vice-Chairman, the temporary chairman shall immediately relinquish the chair at the conclusion of the business immediately before the Commission. The person holding the chair in accordance with this rule is deemed the presiding officer.

3.04 Roll Call. The Secretary shall call the roll of the members and the names of those present shall be entered in the minutes.

3.05 Copy of Minutes to be Mailed to Commission Members. The Secretary shall send a copy of the unadopted minutes thereof to each member of the Commission with the agenda package for the subsequent meeting.

3.06 Reading of Minutes. Unless the reading of the minutes of a Commission meeting is requested by a member of the Commission, such minutes may be adopted without reading.

3.07 Requests to Address the Commission. Any person who wishes to address the Commission may request to do so by asking permission of the presiding officer. Subject to majority vote of the Commission, an oral request to address the Commission shall be approved. Written requests to address the Commission will follow the procedure as outlined in Section 2.03.

3.08 Manner of Addressing Commission; Time Limit.

- a. Protocol. Each person addressing the Commission shall give his name and address in an audible tone of voice for the record and, unless further time is granted by the Commission, shall limit his address to five (5) minutes. All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than the Chairman and Commission

199 and the person having the floor, shall be permitted to enter into any  
200 discussion, either directly or through a member of the Commission, without  
201 the permission of the presiding officer. No question shall be asked of a  
202 Commissioner or member of the staff except through the presiding officer.  
203

203 b. Speaker for Group of Persons. Whenever any group of persons wishes to  
204 address the Commission on the same subject matter, it shall be proper for the  
205 presiding officer to request that a speaker be chosen by the group to  
206 address the Commission and, in case additional data or arguments are to be  
207 presented at the time by any other member of said group, to limit the number  
208 of persons so addressing the Commission and the scope of their remarks, so  
209 as to avoid unnecessary repetition.  
210

210 3.09 Decorum. No member of the public shall approach the Commission  
211 table while the Commission is in session, unless specifically requested to do  
212 so by the presiding officer. Any message to or contact with any member of  
213 the Commission while the Commission is in session shall be through the  
214 Secretary. Unruly conduct, such as undue noise, hissing, profanity, insults  
215 or physical disturbance shall not be permitted. Any person making personal,  
216 impertinent, or slanderous remarks or who shall become boisterous while  
217 addressing the Commission shall be forthwith barred by the presiding officer  
218 from further audience before the Commission at said meeting, unless permission  
219 to continue is granted by a majority vote of the Commission.  
220

220 3.10 Enforcement of Decorum. Any staff member on duty or whose services are  
221 commandeered by the presiding officer shall be Sergeants-At-Arms of the  
222 Commission meetings. Such person, or persons, shall carry out all lawful orders and  
223 instructions given by the presiding officer for the purpose of maintaining  
224 order and decorum at the Commission meetings. Upon instructions of the  
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231 presiding officer, it shall be the duty of the Sergeants-At-Arms to place  
232 any person who violates the order and decorum of the meeting under arrest, and  
233 cause him to be prosecuted under provisions of applicable law, the complaint  
234 to be signed by the presiding officer.

235  
236 3.11 Continuation of the Meeting. In the event that any meeting is willfully  
237 interrupted by a person, a group, or groups of persons so as to render the orderly  
238 conduct of such meeting unfeasible, and order cannot be restored by removal of  
239 individuals who are willfully interrupting the meeting, the members of the  
240 Commission may order the meeting room cleared and continue in session. Only  
241 matters appearing on the agenda may be considered in such a session. Duly  
242 accredited representatives of the press or other news media, except those  
243 participating in the disturbance, shall be allowed to attend any such session.  
244 As a matter of public policy, it is in the public interest to allow duly  
245 accredited representatives of the press or other news media who were not involved  
246 in the disruption to attend the sessions from which members of the general  
247 public have been excluded by reason of a willful disturbance. The Commission  
248 may direct the Sergeants-At-Arms to readmit any individual, or individuals,  
249 who in their judgment were not responsible for interrupting the orderly  
conduct of the meeting.

001 4.00 DUTIES AND PRIVILEGES OF COMMISSION MEMBERS

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4.01 Rules of Debate

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a. Presiding Officer. The Presiding Officer may debate and vote. The Presiding Officer shall not be deprived of any of the rights and privileges of a Commissioner by reason of his acting as the Presiding Officer, except as set forth in Section 5.02.

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b. Obtaining the Floor; Improper References to be Avoided. A Commissioner desiring to speak shall address the chair and, upon recognition by the Presiding Officer shall confine himself to the question under debate.

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c. Interruptions. A Commissioner, once recognized, shall not be interrupted when speaking unless it is to call him to order. If a Commissioner is called to order while speaking, he shall cease speaking until the question of order be determined and, if in order, he shall be permitted to proceed.

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d. Limitation of Debate. No Commissioner shall speak more than once upon any one subject until every other Commissioner wishing to speak thereon has spoken. Each Commissioner may speak for not more than thirty (30) minutes at any one time. He may speak longer, if he so requests, subject to a majority vote of the Commission.

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4.02 Voting.

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a. Quorum. A majority of the Commissioners shall constitute a quorum.

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b. Abstention. A Commissioner abstaining from voting on an issue has forfeited his right to vote, and it shall not be counted.

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c. Vote; Tie Vote. Except as otherwise provided by law, the vote of the majority of the members of the Commission shall be necessary to adopt any resolution or motion. Any question on which the vote is tied, is lost. The

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030 Presiding Officer or any Commissioner may request the Executive Director to  
031 carry over the item to the next regular meeting where a full Commission will  
032 be present.

033 d. Demand for Roll Call. Upon demand of any Commissioner, or by discretion of  
034 the Presiding Officer expressed before the negative has been put, the roll  
035 shall be called for yeas and nays upon any motion before the Commission. A  
036 Commissioner shall not explain or comment on his vote during or after roll  
037 call.

038 e. Sequence of Voting. Whenever a roll is taken, Commissioners shall be called  
039 for their vote in alphabetical order.

043 4.03 Dissents and Protests. Any Commissioner shall have the right to dissent  
044 from any action of the Commission or ruling of the Presiding Officer and have  
045 the reason therefore entered in the minutes. Such dissent shall be in writing  
046 and presented to the Commission not later than the  
047 next regular meeting following the date of said action.

050 5.00 COMMISSION PROCEDURES

051 5.01 Precedence of Motions. When a question is before the Commission, no  
052 motion shall be entertained except:

- 053 a. to adjourn  
054 b. to fix the hour of adjournment  
055 c. to lay on the table  
056 d. for the previous question  
057 e. to postpone to a certain day  
058 f. to refer  
059 g. to amend  
060 h. to substitute  
061 i. to postpone indefinitely  
062

062 These motions shall have the precedence in the descending order indicated.

063 Any such motion, except a motion to adjourn, amend or substitute, shall be put  
064 to a vote without debate.

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065 5.02 Motions and Resolutions to be Stated by Chair. When a motion or  
066 resolution is made and seconded, it shall be stated by the Chair before debate.  
067 Any Commissioner may demand that it be put in writing.  
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072  
072 5.03 Withdrawal of Motions. A motion may not be withdrawn by the mover without  
073 consent of the second.  
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074  
074 5.04 Motions Out of Order. The Commission, by majority vote, may permit a  
075 member to introduce a resolution or motion out of the regular  
076 order of the agenda.  
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077  
077 5.05 Motion to Adjourn - When Not in Order - When Debatable. A motion to  
078 adjourn shall be in order at any time, except as follows:  
079  
079 a. When repeated without intervening business or discussion  
080  
080 b. When made as an interruption of a member speaking  
081  
081 c. When the previous question has been ordered  
082  
082 d. While a vote is being taken, a motion to adjourn is debatable only as to  
083 the time to which the meeting is to be adjourned.  
084  
084  
084 5.06 Motion to Lay on Table. A motion to lay on the table shall preclude all  
085 amendments or debate of the subject under consideration. If the motion  
086 prevails, consideration of the subject may be resumed only upon motion of a  
087 member voting with the majority.  
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088  
088 5.07 The Previous Question. When a Commissioner's motion for the previous  
089 question gets a second, the Presiding Officer shall allow no further debate  
090 and shall ask "Shall the main motion now be put?" If the question carries,  
091 the Presiding Officer shall put pending amendments to vote, without debate,  
092 in the inverse order of their introduction, before putting the main question.

If the question, "Shall the main question now be put?" is decided negatively,  
the main question and its amendments remain before the Commission.

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5.08 Division of Question. If a question put before the Commission with a  
second contains two or more separable propositions, the Presiding Officer  
may, and upon request of a Commissioner shall, divide the question.

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5.09 Amendments. When a motion to amend a question gets a second, the  
Presiding Officer shall first cause the question to be read as it stands, then  
the words proposed to be stricken and added and finally, the question as it  
would stand if so amended.

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5.10 Amend an Amendment. When a motion to amend an amendment has been  
seconded and installed for debate, a motion to amend the same amendment further  
shall not be in order.

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5.11 Motion to Postpone. A motion to postpone, except one to postpone  
indefinitely, may be amended as to time. If a motion to postpone indefinitely  
carries, the main motion is lost.

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5.12 Reconsideration. Any Commissioner who voted with the majority on a  
question may move a reconsideration of that question at the same meeting in  
which the decision was made, provided, however, that a resolution authorizing  
or relating to a contract may be reconsidered at any time prior to execution  
of the contract. After a motion for reconsideration has been acted on, no  
other such motion on the same question shall be made without unanimous consent.

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5.13 Anonymous Communications. Anonymous or unsigned communications shall  
not be introduced.

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5.14 Procedure in Absence of Rule. In the absence of a rule to govern a  
point of procedure, "Robert's Rules of Order, Revised" shall be used to  
decide a point or procedure.



119  
119 5.15 Procedure for Appeal from Decision of Executive Director  
120  
120

- 121 a. The Commission Secretary shall read any correspondence received from the  
122 person, hereinafter called "applicant" or "appellant", whose application or  
123 appeal is being heard, and all other correspondence.  
123 b. The staff report or summary will be presented by the Executive  
126 Director or his designee.  
126 c. The Presiding Officer shall call on the appellant to be heard.  
127 Presentations shall be limited to ten (10) minutes and rebuttal  
127 to five (5)  
128 minutes, unless extended by permission of the  
129 Commission.  
130 The Presiding Officer shall rule out of order the presentation of information  
131 containing changes from the applicant's documents upon which the Executive  
132 Director has acted.

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145 6.00 OFFICERS, EMPLOYEES AND COMMITTEES.  
146

146 6.01 Attendance. The Executive Director and the Commission Secretary, or their  
147 authorized designees shall attend each Commission meeting.

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149 6.02 Executive Director. The Executive Director may participate in the  
150 Commission's discussion, but shall have no vote.

151  
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151 6.03 Advisory Committee. The Advisory Committee Chairman shall attend each  
152 meeting designated by request of the Commission  
153 or the Presiding Officer and shall report to the Commission the progress and  
154 action of his Committee.

Commission on Peace Officer Standards and Training

Commission Meeting

AGENDA

El Mirador Hotel, Sky Room (14th Floor)  
13th and N Street, Sacramento  
Phone: (916) 444-8400

January 20, 10 to 5 p.m.  
January 21, 9 to 3 p.m.

A. Opening of Meeting

1. Roll Call
2. Introduction of Guests

B. Approval of Minutes of October 28-29 Quarterly Meeting and  
Special Meeting of December 8, 1976

Action

C. Consent Calendar, Approval of Agenda

Action

Notice: Items that need little or no discussion by the Commission, public, or applicant are considered "consent" items and are listed under Agenda Item C. The Commission may act on these items in one motion.

1. Quarterly Financial Report

Due to the time financial data becomes available, this report will be a hand-out at the Commission meeting.

Recommendation: Accept report for information.

2. Status Report - F. Y. 1977/78 Budget

The attached report indicates the budget process is on schedule, with no anticipated problems. Legislative budget hearings are expected to begin in March. Commissioners will be notified when exact dates are known.

Recommendation: Accept report for information.

3. Attorney General's Opinion - Civilian Reimbursement and Third-Party Contracts

The attached Attorney General's Opinion indicates:

1. The Commission may reimburse non-local law enforcement trainees; and
2. POST may not contract with a training presenter to make direct payments to the trainee.

A procedure for processing contracts and claims of this type is attached.

Recommendation: Approve the attached procedure.

4. Course Certification/Decertifications

Attached is a report of course certification/decertification activities from October through December.

There are now a total of \_\_\_\_ POST-certified courses.

Recommendation: Accept report for information.

5. Law Enforcement Management Services Report

The attached LEMS work schedule reports \_\_\_\_ surveys underway and \_\_\_\_ surveys completed in the last quarter.

The Assistant Director's Report is attached.

Recommendation: Accept report for information.

END OF CONSENT CALENDAR

D. Public Hearing on Proposed Amendment of Regulations  
Section 1006(a)(b)

This hearing will concern POST Regulations change "Extension of Time Limit for Course Completion". The proposed change has been submitted to all law enforcement agencies via Bulletin 76-8, mailed December 13, 1976.

Action

E. Commission Rules of Order and Procedure

The Commission has expressed a desire to use its time at meetings in the most productive manner. Attached is a suggested model for the Commission's Rules of Order and Procedure which may help it to achieve that goal.

Action

F. Certification/Decertification Approval Process

This proposal would delegate the certification and decertification decisions to the Executive Director, with appeal to the Commission. Also attached are the guidelines to be used by staff in processing requests.

Action

G. Department of Justice Requests for Inter-Agency Agreement,  
F. Y. 1977/78

Action

1. Request for certification and funding of a Technical Course, "Law Enforcement Skills and Modular Training Program". Two presentations during 76/77, including developmental costs of \$15,739. Ten 40-hour presentations during 77/78. Costs not to exceed \$66,619. Total \$82,458.
2. Request for recertification and re-funding of the present inter-agency agreement during 1977/78 for two courses: Narcotics Investigation at \$96,140 and Narcotics Investigation for Patrolmen at \$44,167. In addition, desire a new course be added to the agreement, "Narcotic Influence Investigation", at \$19,498. Total of \$159,805.

A Department of Justice representative will be present to answer the Commission's questions.

H. California Specialized Training Institute (CSTI) Request for  
Inter-Agency Agreement, F. Y. 1977/78

Action

CSTI is requesting \$360,000 for presentation of peace officer-related courses during 1977/78.

Colonel Giuffrida will make an oral presentation. A copy of the request and the staff report are attached.

I. Validation Projects - Committee Report

The Affirmative Action Committee met on January 7, 1977, to receive a status report on the LEAA contract proposal and to consider two action projects:

1. Background Investigation Manual Action
2. An OCJP proposal for the POST Commission to administer a \$600,000 grant for criminal justice training. Action

Commissioner Grogan, Committee Chairman, will make an oral report with the Committee's recommendations.

J. ADA Committee Report

Attached is a report and back-up information concerning the Governor's meeting with law enforcement representatives on December 17, 1976. Due to the concern for a resolution of the ADA problem, Commissioner Gates, Chairman of the ADA Committee, called a meeting on January 11, 1977, to consider the alternatives. Chairman Gates will give an oral report on the meeting and his Committee's recommendations.

Action

K. Legislative Committee Report

Commissioner Ellingwood will give an oral report regarding his Committee's activities and its recommendation regarding the attached request from the Director of the Department of Motor Vehicles for Commission consideration of legislation to include DMV Inspectors in the POST training fund.

L. San Francisco Police Department Assistance Requests

1. At the special Commission meeting on December 8, 1976, Captain Conroy of the San Francisco Police Department requested assistance in training 300 recruit officers. To date, we do not have a written request. Either a written or oral report will be presented at this meeting.
2. The San Francisco Police Commission has requested the POST Commission to authorize a General Survey to be made by POST staff. Chairman Anthony gave tentative approval to start work, based on final approval of the Commission at this meeting. Assistant Director Edward M. Toothman has been supervising the work to date. He will give the Commission a prognosis report and answer questions.

Action

M. Life Experience Degree Programs

The staff evaluation of life experience units relating to POST certificates is attached.

Action

N. Advisory Committee Report

Chief George Tielsch of Santa Monica, representing the California Police Chiefs' Association, was elected Advisory Committee Chairman at the Committee's last meeting. Chief Tielsch will report on the meeting and request Commission consideration for:

1. Job-Specific Training Courses Action

As requested by the Commission, the Committee reviewed courses for job-specific content. The attached policy directs staff in designating job-specific courses.

2. Reimbursement of Civilians Attending Mandated Courses Action

The Committee passed the attached recommendation which would preclude reimbursement of non-sworn members of a department attending any mandated courses.

O. Commission Policy

1. The Policy Manual was held over from the last meeting for your comment and review. Attached is an updated report with suggested changes, based on Commission comments from the last meeting. Action

2. Commission policies developed at the two previous meetings are contained in the attached report. Action

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>DIRECTIONS AND POLICY MANUAL</b>		Meeting Date <b>January 20-21, 1976</b>
Division <b>Executive Office</b>	Division Director Approval	Researched By <b>Brooks W. Wilson</b>
Executive Director Approval <i>W. R. Barling</i>	Date of Approval <b>December 29, 1976</b>	Date of Report <b>December 29, 1976</b>
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

ISSUE

There is a need for the Commission and staff to be aware of existing policy based on past Commission action.

BACKGROUND

The Commission, at its July 1976 meeting, requested that a policy manual be prepared from past Commission meetings and that it be the initiation of a continuing process of policy development and review. A preliminary document was prepared for review at the October 1976 Commission meeting. Review was deferred until the January 1977 meeting.

ANALYSIS

The document has been reexamined by staff in light of additional developments since submitted in October. Where appropriate, individual analyses are indicated after the policy statement.

RECOMMENDATION

It is recommended that the Commission review each statement and comment as deemed appropriate.

It is recommended that the document be titled "Commission Policy Manual" and become a permanent and ongoing document for referral by staff and the Commission.

Utilize reverse side if needed

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

# Directions and Policy

## Manual



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1. Regional Training



## POST COMMISSION POLICY

### ADMINISTRATION

#### A1 Contracts

It is Commission policy that all contracts or interagency agreements in excess of \$5,000 shall be approved by the Commission.

Contracts or interagency agreements approved by the Commission which, subsequent to implementation, require:

- a. An extension of time.
- b. An increase of cost.
- c. A modification of contractual services or solutions to other technical problems.

Shall be discussed with the Commission Chairman or his designee. When, in the opinion of the Chairman, the alteration constitutes a material change in the contracts, action shall be subject to review by the Commission prior to such change or modification.

In all other circumstances, the Chairman, in his judgment, may authorize the Executive Director to make such modifications as may be deemed appropriate by the Chairman. Modifications of any contract shall be brought to the attention of the Commission at the next meeting.

In unusual cases where circumstances do not permit delay until a Commission meeting and the Chairman does not wish to assume responsibility for the modification, he may seek individual counsel or call a meeting of additional Commissioners.

Contracts or interagency agreements of \$5,000 or less may be entered into upon the authority of the Executive Director without approval of the Commission.

The Executive Director shall periodically report to the Commission on all contracts, and once each year submit a written report to the Commission which enumerates the contracts and interagency agreements entered into during the year, and the status of each, showing the amount of money encumbered for contracts.

Commission Meeting

1/23-24/75  
(Also see 7/18/74)

A2 Use of Commission Influence

Commission will not endorse or co-sponsor any outside institute meeting, seminar, or other program, nor will permission be granted for use of Commission's name unless the Commission takes part in the planning phase and is aware of the subject matter and the caliber of the speakers.

Commission Meeting

4/11/69

Analysis: Title is not descriptive. It should be changed to: "Commission Endorsement of Seminars".

A3 Incentive Pay Plans

It is Commission policy that it should not become a part of mandating anything that a city or county is required to pay an officer because of his personal achievements in acquiring POST certificates (incentive pay).

June 27, 1968, Legislative Policy reaffirmed.

Commission Meeting

6/12-13/70

Analysis: This policy was articulated in response to a proposed law. Application of the policy would probably be in response to a proposed law. Our legislative policy adopted in October (see attachment D of October minutes) along with our legislative liaison activities enables the Commission to consider this view in context of specific legislation.

A4 Consultants Not to Serve As Chiefs of Police

It is Commission policy that POST consultants shall not serve as interim chiefs of police (ref: request from City of Dunsmuir.)

Commission Meeting

A5 Lateral Transfers Relating to Retirement Systems

It is Commission policy that:

- a. POST is in favor of the philosophy of lateral transfer.
- b. There is a necessity for a minimum standard as it provides interchangeability of retirement systems.
- c. POST will make no recommendation as to the funding, but will strongly recommend the source not be the POTF.

Commission Meeting

12/10-11/70

Analysis: Accommodated by legislative policy.

A6 Public Safety Commission

The Commission endorses the concept of a Public Safety Agency which includes the Commission on POST as an integral part of the agency, provided that the Commission on POST shall continue to be independent of any officer or employee of the Executive Branch.

Commission Meeting

9/13-14/73

Analysis: Accommodated by legislative policy.

A7

Legislatively Mandated Training

It is Commission policy that the Commission be supportive of only those legislatively mandated training programs which include funding provisions.

Commission Meeting

9/13-14/73

Analysis: Accommodated by legislative policy.

A8 Specialized Program Eligibility

It is Commission policy that eligibility for participation in the Specialized Program shall be determined by the Commission.

Commission Meeting

6/15-16/72

Analysis: Superseded by Commission action at October meeting (see "M", Page 12 of minutes).

POST COMMISSION POLICY

ADMINISTRATIVE COUNSELING

AC1 Survey Findings

The Administrative Counseling Committee shall keep the Commission apprised of survey findings as each survey is completed.

Commission Meeting 6/12-13/70

Analysis: This policy needs clarification. There is no current Administrative Counseling Committee.

AC2 General Surveys

It is Commission policy that all requests for general surveys are subject to approval by the Commission.

Commission Meeting 11/20/75

AC3 Administrative Counseling Fees

It is Commission policy that there shall be no charge for Administrative Counseling services performed by POST staff.

Commission Meeting 11/20/75

Analysis: This was a response to a specific one-time suggestion. This policy is specified by the Regulations.

AC4 Peace Officer Training Fund - Subsidies

It is Commission policy that POTF shall not be used to provide subsidy to local agencies in order for the agency to employ private consultants.

Commission Meeting 11/20/75

AC5 Budget

The Commission directs that the Administrative Counseling Program shall be budgeted as "aid to local government."

Commission Meeting 10/31/74

Analysis: This is not within the Commission prerogative for practical budgetary purposes. The State Department of Finance has rejected the request.

AC6

Lengthy Surveys

The Commission directs that staff notify the Commission of any special survey requiring more than 30 consultant workdays for completion.

Commission Meeting

1/22/76

## POST COMMISSION POLICY

### COURSE CERTIFICATION AND CONTROL

#### CC1 Course Modification

It is Commission policy that staff be granted discretion to modify certified courses without prior Commission approval in the following instances:

- a. Increases in the length of courses where there is no tuition increase.
- b. Changes in curricula of Advanced Officer Courses and seminars.
- c. Changes of instructors.
- d. Changes in format of presentation.
- e. Adjustments in emphasis or length of subject in courses which have topic requirements with no stipulated topic length, and changes in orientation of topics, e.g., 832 P.C. topics from police to probation.

Commission Meeting

9/13-14/72

Analysis: If the staff recommendation for delegation of course certification is adopted, this policy will become irrelevant.

#### CC2 Course Certification Moratorium

The Commission has directed that effective 8/1/75, there be declared a moratorium on the certification of new courses. If it is found that a course is needed on an emergency basis, it may be brought before the Commission.

Commission Meeting

9/1/75

Analysis: With Commission action at October meeting, this has become irrelevant.

## POST COMMISSION POLICY

### LEGISLATION

#### L1 Reimbursement Program

It is Commission policy that the immediate position of the Commission is to oppose any legislative mandate which would include categories in the reimbursement program other than those established by statute in Section 13522 P.C., e.g., police and sheriffs of cities, counties or districts authorized to maintain police departments. ✓

Commission Meeting

6/14-15/73

#### L2 Legislative Guidances

It is Commission policy that they 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:

- a. Violate principles of home rule by imposing mandated standards for compensation and fringe benefits for local government employees.
- b. Augment this Commission's work unless its currently defined programs are continuously financed.
- c. Impose by law specific of special programs which the Commission is now legally empowered to establish through the hearing process pursuant to the Administrative Procedure Act; or
- d. Violate the Administrative principle of delegating responsibility without commensurate authority for the administration of programs for which the Commission is responsible.

It was also pointed out that the Commission views are not necessarily restricted to the items specified in the policy statement.

Commission Meeting

6/27/68

Analysis: L1 and L2 have been superseded by adopted legislative policy--described below.

L3

Recommended Legislative Policy

1. The Commission shall assume a leadership role on selective legislation\* pertaining to its mission and goals in improving law enforcement.

\*"Leadership role" in the context of this policy is defined as: a) Identifying, anticipating and soliciting legislative needs related to POST and its objectives; b) Conducting research which relates to the evaluation and formation of legislative proposals; and c) Following and testifying on relevant legislative matters.

2. The Commission shall extend full cooperation to the Legislature, the Executive Branch, and other interested parties on all legislative matters.
3. The Commission may oppose or seek modification of legislation which would:
  - a. Augment the Commission's workload without adequate financing.
  - b. Impose by law programs which the Commission is now legally empowered to establish administratively.
  - c. Detrimentially impact a source of revenue for the Peace Officer Training Fund.

Staff Discretion

1. On legislative topics where there is established Commission policy, the POST Executive Director is authorized to speak in behalf of the Commission and perform necessary legislative activities without prior authorization.
2. On legislative topics of a controversial nature, or where substantive issues are involved, and time constraints preclude awaiting a regular Commission meeting, the Chairman of the Legislative Review Committee shall be solicited for direction.
3. On Legislative matters of a technical or non-policy nature, staff is authorized to testify or preform other legislative activities necessary to clarify issues, laws, procedures, or processes.

For Commission Consideration

10/76

see A7

L4

Distribution of Law Enforcement Equipment

It is Commission policy to oppose all future legislative efforts that would cause the Commission to be involved in the process of distributing equipment to law enforcement in California.

Commission Meeting

9/13-14/73

Analysis: Accommodated by new legislative policy.



POST COMMISSION POLICY

PERSONNEL CERTIFICATION

PC1 Certifications for Matrons

It is Commission policy that police certification programs shall include all County Deputy Sheriff/Matron classifications and that General Certificates continue to be issued to these personnel.

Commission Meeting

9/14/72

PC2 Management Certificate Awards, Eligibility of Sergeants

In determining eligibility to receive the Management Certificate, the Commission has directed staff to consider a sergeants actual functions within his department and commensurate pay, rather than his title.

Commission Meeting

11/19/74

## POST COMMISSION POLICY

### REIMBURSEMENTS

#### R1 Advanced Officer Course

It is Commission policy that departments shall not be reimbursed for an officer's attendance at Advanced Officer Courses more than once in a twelve-month period.

#### Commission Consideration

Analysis: This was formerly a provision of the Regulations but was inadvertently omitted in the recent integration of the Regulations into the PAM Manual. If this is still Commission policy, it should be specified in the Regulations.

#### R2 Tuition

- a. All agencies charging tuition to outside agencies for their training programs be required to submit budgets on POST forms, as colleges and universities charging tuition, to assure that costs passed on to outside agencies participating in the program are appropriate. Instructional costs should be identified as a cost that cannot be passed on to participating agencies. By affiliation with a community college, instructor salaries could be accommodated in the college budget which is financed through the general budget.
- b. Outside agency enrollment requirements be only that outside participation be encouraged except in courses where circumstances might be such that more specific requirements would be necessary.
- c. That LAPD and any other department of comparable size be recognized as a region for curriculum consideration in certifying training courses.
- d. For purposes of funding instructional costs. LAPD not be required to affiliate with a community college for presentation of their certified courses.

#### Commission Meetings

3/15-16/73

6/14-15/73

Analysis: In considering this policy statement, the second and third sentences in paragraph "a", regarding instructional costs, should be deleted. They are contradictory with paragraph "d". Paragraph "d" reflects the final Commission position in the issue which was considered at two meetings.

R3

Unit Fees

It is Commission policy that the cost of fees for the award of college units for individual officers not be considered an allowable cost as part of the tuition schedule established for a particular course.

Commission Meeting

6/14-15/73

POST COMMISSION POLICY

SELECTION STANDARDS

SS1 Reserve Standards

It is Commission policy to support the concept of developing selection and training standards for reserves.

Commission Meeting

4/22/76

Analysis: This has become redundant with the Commission direction to assist in developing reserve legislation.

7

## POST COMMISSION POLICY

### TRAINING STANDARDS

#### TS1 Regional Training

It is Commission policy that it recognizes the 12 training zones established in the report, Operational Plan/Training Needs Assessment, which was approved at the October 1976 meeting (Item G-1, Page 6); and that

- Priorities for each zone be used as a planning tool by POST staff, training agencies, and the Commission in the development and certification of training.
- Allocation of training responsibilities within these zones be decided, in POST Problem-Solving Seminars, by principals in the zone.

Commission Meeting

10/76

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>Commission Policy Manual</b>		Meeting Date <b>January 20-21, 1977</b>
Division <b>Executive Office</b>	Division Director Approval	Researched By <b>Brooks W. Wilson</b>
Executive Director Approval <i>W. R. [Signature]</i>	Date of Approval <b>December 30, 1976</b>	Date of Report <b>December 30, 1976</b>
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page _____).		

ISSUE: Commission Policy Manual update from October and December meetings.

BACKGROUND: Commission actions at each Commission meeting are to be analyzed and reviewed at the subsequent meeting before they are included in the policy manual or other appropriate document.

ANALYSIS: Provided with each action listed.

RECOMMENDATION: It is recommended that the Commission affirm their previous actions for formal documentation in an appropriate manual.

## COMMISSION POLICY MANUAL CONSIDERATIONS

### 1. Reimbursement of Civilian Employees in Basic Course

Action. A motion was passed (see Item J-3, page 9 of Commission minutes) at the October 28-29, 1976 meeting which established a new policy authorizing reimbursement of out-of-pocket expenses for non-sworn employees attending "selected portions of the Basic Academy" with prior approval for the Executive Director.

It was later requested that a restatement of current policy be presented by staff at the January 20-21, 1977 meeting.

Analysis. Current policy is that reimbursement is available for selected civilian employees of eligible agencies with prior approval if the civilian performs police tasks (Commission Procedure E-1-3-f). Requests are considered based on whether or not the tasks performed may be performed by police and whether or not the training is relevant to those tasks.

A second policy involved is that a trainee, with two exceptions, must complete the course in order for his agency to qualify for reimbursement for attendance at the course (Commission Procedure E-1-3-g).

Policy change implications of the Commission action extend only into the area of course completion requirements; reimbursement of civilians is an existing policy. The issue is whether or not reimbursement for portions of the Basic Course is appropriate.

A precedent for reimbursement for portions of the Basic Course for sworn officers has been set at the October 28-29, 1976 Commission meeting (see Item J-2, page 9).

### 2. Advanced Officer Course Format

Action. A motion was passed (Item J-4, page 10) accepting the following staff recommendation:

- a. Each Advanced Officer Course presentation may extend no longer than twelve weeks.
- b. The class must hold no less than one meeting each month.

Analysis. The old policy limited the duration of each presentation to five weeks. The modification was requested to make compliance easier; it should have that effect.

3. Reading Level Requirement

Action. A motion was passed accepting the staff recommendation that enforcement of Section 1002(a)(8) of the Regulations be withheld until April 29, 1978, a period of eighteen months. This section requires that "Every officer employed by a department shall be able to read at the level necessary to perform the job as a peace officer" as determined by passing a professionally developed examination to test this skill.

Analysis. Enforcement of the regulation before that time would create a hardship on agencies. The eighteen-month period will enable them to locate or develop appropriate tests and make necessary changes in selection procedures. POST staff will be providing assistance in this period.

4. Eligibility Criteria for Agencies in the POST Reimbursement Program

Action. A motion was passed at the October 28-29, 1976 Commission meeting (Item M-3, page 13) stating that the following criteria be formally adopted as eligibility criteria for inclusion in the POST Reimbursement Program:

- The agency must be a unit of local government.
- The agency must perform the following range of law enforcement functions:
  - a. Patrols a specified geographic area for the purpose of crime control.
  - b. Operates emergency vehicles.
  - c. Responds to calls regarding criminal or suspicious activities.
  - d. Generates crime specific reports.
  - e. Controls and coordinates crime scene activities.
  - f. Collects and preserves evidence.
  - g. Controls and/or disperses crowds and resolves violent conflicts.



- h. Intervenes in personal family crisis situations.
  - i. Arrest adults/juveniles for violation of criminal statutes. Determines legality of arrest and his authority to arrest, search and seize property.
  - j. Uses firearms and other weapons as authority and discretion may dictate.
  - k. Serves warrants of arrest and other orders of the court.
  - l. Conducts searches for missing children and disoriented adults.
  - m. Conducts criminal investigations.
  - n. Anticipates, recognizes and appraises crime risk situations and initiates action to remove or reduce it.
  - o. Engages in delinquency control and protective custody of juveniles. Makes dispositions on cases involving delinquent and/or dependent juveniles.
  - p. Renders assistance to sick and injured persons.
  - q. Has authority to engage in traffic law enforcement and traffic accident investigation.
- An agency allowed to participate which does not meet <sup>all</sup> these requirements must be funded from sources other than the Peace Officer Training Fund as it is presently constituted.

Analysis. Eligibility criteria are established by law with some degree of latitude in interpretation. This has resulted in periodic requests for "interpretive" reimbursement status by agencies who feel they qualify under the law. In addition, legislation is regularly introduced to change the law to add specified agencies to the reimbursement program.

Articulation of the Commission's philosophy will have the effect of providing it, in writing, to staff, legislators, and future Commissioners.

5. Salary Reimbursement Rate

Action. A motion was passed increasing the salary reimbursement rate from 40% to 60% for Fiscal Year 1976-77. In addition, it was

expressed by the Commission that it was desired to maintain this rate through the 1977-78 and 1978-79 Fiscal Year.

Analysis. The action will provide staff, for planning purposes, and state agencies involved in the budget process with documentation of the Commission's objective.

6. Job Specific Training

Action. A motion was passed to provide 60% salary reimbursement to job specific training courses for Fiscal Year 1977-78 and 1978-79.

Analysis. Same as above. This action should also generate an increase in job specific course applicants and result in an improved level of competency for those who are trained.

1/4/79  
for #

N.

## AGENDA ITEM SUMMARY SHEET

Agenda Item Title		Meeting Date
REVISED BASIC COURSE IMPLEMENTATION		January 20 - 21, 1977
Division	Division Director Approval	Researched By
Executive Office		Executive Office
Executive Director Approval	Date of Approval	Date of Report
<i>C. R. Balogh</i>	January 4, 1977	Executive Office
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND:

In January of 1975 the Commission adopted the "Behavioral Objectives for POST Basic Course" and authorized their use in meeting the basic training standards established in the Regulations. The Basic Course based on the 200-hour subject/topic outline was also continued. Direction was given to continue development of the system to establish a performance-based State standard.

ANALYSIS:

Success criteria have been established for the performance objectives in the Basic Course and a guidelines system, including expanded subject-matter outlines, and a management guide for academy directors have been completed. There has been statewide participation in the development and evaluation of the above. The Los Angeles County Sheriff's Academy has been teaching its recruit classes for over a year using this basic systems content, with notable success. Several other academies have made partial conversions, and many are eager to proceed.

Exact costs of conversion and implementation are not definitive. Scheduling problems are anticipated in some areas. An appropriate State examination needs to be developed. Training courses for coordinators and instructors need to be presented.

RECOMMENDATIONS:

1. Continue the "dual track" method of complying with basic training requirements until at least July 1, 1978, to allow an appropriate conversion process for the current certified academies.
2. Have staff select several academies, including both agency operated and community college operated, for evaluation of implementation progress, problems, costs, and time requirements.

Utilize reverse side if needed

RECOMMENDATIONS: (Continued)

3. Provide staff assistance to all academies that desire to implement the revised course.
4. Conduct periodic workshops to review progress and update instructional material.
5. Conduct necessary training seminars for coordinators and instructors.
6. Develop appropriate academy examinations, through the use of a contractor, to satisfy both quality maintenance of a State standard and expeditious processing of reserve officers if the Reserve Training legislation is enacted.

④

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>SUPERVISORY COURSE IMPLEMENTATION</b>		Meeting Date January 20 - 21, 1977
Division <b>Executive Office</b>	Division Director Approval	Researched By <b>Executive Office</b>
Executive Director Approval <i>W. J. Carl</i>	Date of Approval <i>January 4, 1977</i>	Date of Report January 4, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page \_\_\_\_\_).

BACKGROUND:

In March of 1976, the Commission adopted the content of the revised Supervisory Course to meet the training requirements established in the Regulations, and authorized pilot presentations to ensure applicability of the content and methodology.

ANALYSIS:

Presentations have been completed at three locations--Bakersfield Community College, Alan Hancock Community College, and the San Francisco Police Department. Newly appointed supervisors were the primary students in the first two instances; while sergeants with considerable street experience, who had completed the "old" Supervisory Course, were carefully selected for the San Francisco class. The content and methodology were deemed to be a vast improvement and appropriate to satisfy the training needs of new supervisors.

RECOMMENDATIONS:

1. To ensure availability of Supervisory Courses in the near future, adopt a "dual track" method of complying with Supervisory training requirements, using the revised course and the current subject/topic 80-hour course until January 1, 1978.
2. Evaluate the number of trainees that may require this course to establish the locations and numbers of presenters.
3. Certify new courses as appropriate.

Utilize reverse side if needed

P.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>MANAGEMENT COURSE IMPLEMENTATION</b>		Meeting Date January 20-21, 1977
Division <b>Executive Office</b>	Division Director Approval	Researched By <b>Executive Office</b>
Executive Director Approval <i>W. R. ...</i>	Date of Approval <i>January 4, 1977</i>	Date of Report January 4, 1977
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/>		Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND:

In March of 1976, the Commission adopted the revised content of the Management Course for compliance with the training requirements established in the Regulations, and authorized three pilot presentations to ensure appropriateness of content and method of presentation.

ANALYSIS:

The pilot presentations resulted in several modifications in instructional techniques and sequence of materials. The content was given outstanding ratings and was deemed applicable to managers from the largest agencies, as well as smaller agencies.

RECOMMENDATIONS:

1. To ensure availability of Management Courses in the near future, adopt a "dual track" method of complying with management training requirements, using the revised course and the current subject/topic 100-hour course until January 1, 1978.
2. Evaluate the number of trainees that may require this course to establish the locations and numbers of presenters.
3. Certify new courses as appropriate.

Utilize reverse side if needed

Q

AGENDA ITEM SUMMARY SHEET

Agenda Item Title <b>LIFE EXPERIENCE DEGREE PROGRAM</b>		Meeting Date <b>January 20, 1977</b>
Division <b>Administration Division</b>	Division Director Approval <b>Otto H. Saltenberger</b> <i>[Signature]</i>	Researched By <b>Administration Division</b> <i>[Signature]</i>
Executive Director Approval <b>William R. Garlington</b>	Date of Approval	Date of Report

Purpose: Decision Requested  Information Only  Status Report  Financial Impact  Yes (See Analysis per details)  No

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page \_\_\_\_\_).

BACKGROUND

A number of colleges and universities in California have initiated degree programs largely based upon an assessment of prior experience of enrolled students. This nontraditional educational process is widely referred to as the Life Experience Degree Program.

ANALYSIS

When the Commission began to issue Intermediate and Advanced Professional Certificates, it had in mind traditionally-acquired academic credit and degrees awarded by colleges and universities as the educational prerequisites in the certificate requirements formula which also includes training points and law enforcement experience.

In many states across the nation colleges and universities have begun nontraditional education programs which through appraisal, and sometimes testing, endeavor to provide formal academic recognition or credit to students for what they have "learned" in various ways, e. g., on-the-job experience, hobbies and reading, etc. Many proponents of nontraditional study believe that what is learned is more important than how it is learned.

For several years, colleges and universities have offered nontraditional study programs in California. In many of these programs experience (self study, occupational, vocational, etc.) is evaluated and equated to learning and subsequently college credit is awarded toward a B.A. degree, subject to fulfilling a 20 to 30 unit core curriculum which takes approximately one year to complete. Approximately 100 lower and upper division units may be awarded through the experience-evaluation process.

General acceptance of the life experience program within the educational community is an unsettled issue. Ultimately, any controversy which may exist hopefully will be resolved by the educators themselves.

Utilize reverse side if needed

Recognizing the use of POST certificates for lateral mobility, promotional prerequisites, and educational incentive programs, the Commission should ensure the continued acceptance of the certificate program through the continued maintenance of appropriate related standards.

The following may be acceptable to the Commission as a policy. If approved, it will become part of Commission Procedure F-1 (Professional Certification Program), Section 1-4. c. (attached).

Education points and college degrees which are acquired through the award of units based on experience are accepted only as follows:

- No more than 40 units of credit based on experience are included in the transcripts related to the award of a baccalaureate degree.
- No more than six units of credit based on experience are included in an individual's transcript that has not resulted in the award of a degree.
- No more than six units of credit will be allowed for other than law enforcement occupational, supervisory or managerial experience.
- Units of credit based on experience are limited to courses which are offered by the awarding educational institution.
- Transcripts which include units of credit based on experience are accompanied by an explanation by the educational institution relative to the award of such units.
- Experience or training related to law enforcement is allowable only once; either to satisfy the experience or training requisites for the issuance of a professional certificate, or as awarded units of credit for experience.



Rev. April 22, 1976

## Professional Certificates

## PROFESSIONAL CERTIFICATION PROGRAM

## Purpose

**1-1. The Professional Certification Program:** This Commission Procedure implements the Professional Certification Program established in Section 1011(c) of the Regulations.

## General Provisions

**1-2. Eligibility:** To be eligible for the award of a certificate, an applicant must be:

- a. A full-time, paid peace officer member of a California city police department, a California county Sheriff's department, the California Highway Patrol, the University of California Police, or the California State University and Colleges Police, OR
- b. A former full-time, paid peace officer member of a California city police department, a California county sheriff's department, or the California Highway Patrol, who, at the time of application is serving as a full-time, paid peace officer as defined by California law.

**1-3. Application Requirements:**

- a. All applications for award of certificates covered in this specification shall be completed on the prescribed Commission form entitled "Application for Award of Certificate."
- b. Each applicant shall attest that he subscribes to the Law Enforcement Code of Ethics.
- c. The application for a certificate shall provide for the following recommendation of the department head:
  - (1) "It is recommended that the certificate be awarded. I certify that the applicant has complied with the minimum standards set forth in Section 1002 (a)(1), (2), and (4) of the Commission's Regulations, is of good moral character and is worthy of the award. My opinion is based upon personal knowledge or inquiry, and the personnel records of this jurisdiction substantiate this recommendation."
  - (2) When a department head is the applicant, the above recommendation shall be made by the department head's appointing authority such as the city manager or mayor. Elected department heads are authorized to submit an application for approval by the Commission.

## Education, Training, Experience

**1-4. Basis for Qualification:** To qualify for award of certificates, applicants shall have completed combinations of education, training and experience as prescribed by the Commission.

- a. Education Points: One semester unit shall equal one education point and one quarter unit shall equal two-thirds of a point.
- b. Training Points: Twenty classroom hours of police training approved by the Commission shall equal one training point.

**Basis for Qualification (continued)**

- c. When college credit is awarded for police training, it may be counted for either training points or education points, whichever is to the advantage of the applicant.
- d. Law enforcement experience in California as a full-time, paid peace officer member of a city police department, a county sheriff's department, or the California Highway Patrol may be acceptable for the full period of experience in these agencies.
- e. In other law enforcement categories designated by the Commission, the acceptability of the required experience shall be determined by the Commission, not to exceed a maximum total of 5 years.

**Professional Certificates**

**1-5. The Basic Certificate:** In addition to the requirements set forth in paragraphs 1-2 and 1-3, the following are required for the award of the Basic Certificate:

- a. Shall have completed a period of satisfactory service of no less than one year, as attested to by the department head.
- b. Shall have satisfactorily completed the P.O.S.T. Basic Course or its equivalent as determined by the Commission.

**1-6. The Intermediate Certificate:** In addition to the requirements set forth in paragraphs 1-2 and 1-3, all of the following are required for the award of the Intermediate Certificate:

- a. Shall possess or be eligible to possess a Basic Certificate.
- b. Shall have acquired the following combinations of education and training points combined with the prescribed years of law enforcement experience, or the college degree designated combined with the prescribed years of law enforcement experience.

Minimum Training Points Including POST Basic Course	15	30	45	POST Basic Course	POST Basic Course
Minimum Education Points	15	30	45	Associate Degree	Baccalaureate Degree
Years of Law Enforcement Experience	8	6	4	4	2

**1-7. The Advanced Certificate:** In addition to the requirements set forth in paragraphs 1-2 and 1-3, the following are required for the award of the Advanced Certificate:

- a. Shall possess or be eligible to possess the Intermediate Certificate.
- b. Shall have acquired the following combinations of education and training points combined with the prescribed years of law enforcement experience, or the college degree designated combined with the prescribed years of law enforcement experience.

July 1, 1974

CP F-1

## The Advanced Certificate (continued)

Minimum Training Points Including POST Basic Course	30	45	POST Basic Course	POST Basic Course	POST Basic Course
Minimum Education Points	30	45	Associate Degree	Baccalaureate Degree	Master Degree
Years of Law Enforcement Experience	12	9	9	6	4

**1-8. The Management Certificate:** In addition to the requirements set forth in paragraphs 1-2 and 1-3, the following are required for the award of the Management Certificate:

- a. Shall possess or be eligible to possess the Advanced Certificate.
- b. Shall have been awarded a baccalaureate degree or an associate degree or no less than 60 college semester units at an accredited college as defined in Section 1001 (a) of the Regulations.
- c. Shall have completed satisfactorily the Middle Management Course or its equivalent as provided in Section 1008 of the Regulations.
- d. For a period of two years shall have served satisfactorily as a department head, assistant department head, or as a middle manager as defined in Sections 1001 (h), (c) and (l) of the Regulations. The required experience shall have been acquired within five years prior to date of application.
- e. The Management Certificate shall include the applicant's name, official title and name of his jurisdiction. When a holder of a Management Certificate transfers as an assistant department head or middle manager to another jurisdiction and upon the completion of one year of satisfactory service in a new department, upon request, a new certificate may be issued displaying the name of the new jurisdiction.

**1-9. The Executive Certificate:** In addition to the requirements set forth in paragraphs 1-2 and 1-3, the following are required for the award of the Executive Certificate:

- a. Shall possess or be eligible to possess the Advanced Certificate.
- b. Shall have been awarded a baccalaureate or associate degree or higher, or no less than 60 college semester units at an accredited college as defined in Section 1001 (a) of the Regulations.
- c. Shall have completed satisfactorily the Executive Development Course or its equivalent as provided in Section 1008 of the Regulations.
- d. For a period of two years shall have served satisfactorily as a department head as defined in Section 1001 (h) of the Regulations. The required experience shall have been acquired within five years prior to date of application.
- e. The Executive Certificate shall include the applicant's name, official title and name of his jurisdiction. When a holder of an Executive Certificate transfers as a department head to another jurisdiction and upon the completion of one year of satisfactory service in a new department, upon request, a new certificate may be issued displaying the name of the new jurisdiction.

# CALIFORNIA STATE UNIVERSITY • LOS ANGELES



5151 STATE UNIVERSITY DRIVE LOS ANGELES, CALIFORNIA 90032 (213) 224-3713

January 13, 1977

Commission on Peace Officers Standards  
and Training  
7100 Bowling Drive, Suite 250  
Sacramento, California 95823

Attention: Tony Anthony, Chairman

Regarding: Life Experience Programs

Dear Sir:

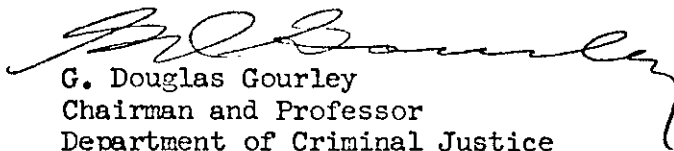
On January 20, 1977 the POST Commission will consider the above caption topic during its January meeting.

In the past decade law enforcement has moved from darkness to light academically and without doubt California has lead the way. POST is directly responsible for initiating the attitude of education through guidelines and standards.

POST and L.E.A.A. funded programs have always emphasized a well rounded or generalistic approach to education, to wit: A liberal education rather than one consisting only of law enforcement courses. Interaction on college campuses has been stressed over police training facilities.

Our faculty is of the opinion that the programs granting large blocks of credit towards college degrees for "Life Experience" is a step backwards from our previous objectives. Therefore, we are opposed to such programs and ask the Commission to adopt the same position.

Very truly yours,

  
G. Douglas Gourley  
Chairman and Professor  
Department of Criminal Justice

GDG/s

E.O.	T.S.	ADD.	A.C.	S&T
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JAN 17 10 45 AM '77

COMMISSION ON POST

R.

# Memorandum

POST Commissioners

Date : December 29, 1976

From : Commission on Peace Officer Standards and Training

Subject: Legislative Committee Report

The Legislative Committee Chairman will report on the following:

Attachment

1. DMV Request for POST Reimbursement -

(JOHN HOLMES, CHIEF  
DIVISION OF COMPLIANCE, D.M.V.)

A Legislative Committee recommendation regarding the Department of Motor Vehicles' request for POST reimbursement of training for their investigators will be made at the Commission meeting on January 21, 1977. Commission policy adopted at the October 28-29, 1976 meeting concerning POST reimbursement and correspondence regarding this matter is attached.

2. POST Legislation

B

A status report will be given on proposed POST legislation.

3. 1977 Legislation of Interest to POST

C

*Herbert E. Ellingwood*  
HERBERT E. ELLINGWOOD  
Chairman, Legislative Committee

Attachments

Eligibility Criteria for Agencies in the POST Reimbursement Program

Action. A motion was passed at the October 28-29, 1976 Commission meeting (Item M-3, page 13) stating that the following criteria be formally adopted as eligibility criteria for inclusion in the POST Reimbursement Program:

- The agency must be a unit of local government.
- The agency must perform the following range of law enforcement functions:
  - a. Patrols a specified geographic area for the purpose of crime control.
  - b. Operates emergency vehicles.
  - c. Responds to calls regarding criminal or suspicious activities.
  - d. Generates crime specific reports.
  - e. Controls and coordinates crime scene activities.
  - f. Collects and preserves evidence.
  - g. Controls and/or disperses crowds and resolves violent conflicts.
  - h. Intervenes in personal family crisis situations.
  - i. Arrest adults/juveniles for violation of criminal statutes. Determines legality of arrest, search and seize property.
  - j. Uses firearms and other weapons as authority and discretion may dictate.
  - k. Serves warrants of arrest and other orders of the court.
  - l. Conducts searches for missing children and disoriented adults.
  - m. Conducts criminal investigations.
  - n. Anticipates, recognizes and appraises crime risk situations and initiates action to remove or reduce it.
  - o. Engages in delinquency control and protective custody of juveniles. Makes dispositions on cases involving delinquent and/or dependent juveniles.
  - p. Renders assistance to sick and injured persons.

q. Has authority to engage in traffic law enforcement and traffic accident investigation.

- An agency allowed to participate which does not meet the first two requirements must be funded from sources other than the Peace Officer Training Fund as it is presently constituted.

# Memorandum

: William R. Garlington, Executive Secretary  
Commission on Peace Officers Standards & Training  
7100 Bowling Drive  
Sacramento, CA 95823

Date : December 9, 1976

File No.:

From : Department of Motor Vehicles

Subject: Proposed Amendment to Statutes and Regulations to Provide  
Reimbursement to State Agencies

Since the inception of the regulations within Title 11, Administrative Code, which prescribes specialized training for State agencies employing sworn peace officers, this Department affiliated with P.O.S.T., as did the other departments.

Two audits by your agency have affirmed total compliance with regulations concerning the hiring and training standards. Presently, all of our Investigators possess at least the Basic Specialized P.O.S.T. Certificate; and, a substantial percentage have earned their Intermediate and Advanced Certificates.

In addition, all of our Investigators in supervising positions have completed the P.O.S.T.-required Supervisor's Course; and, each of our managers (Supervising Special Investigator II level) has completed the P.O.S.T.-required Middle Management Course.

All sworn personnel (288 authorized) are required to receive advanced training biannually.

Because Sections 13522 - 13523, Penal Code, refer only to cities, counties and districts within the State as being eligible to receive reimbursement for required training, State agencies must presently bear the entire cost for such programs.

As the salaries are already budgeted, the actual additional costs are for meals, lodging, travel and school registration. However, these expenditures must be drawn from the Department's normal operating expense fund.



December 9, 1976

As our situation is no different than all other State agencies employing sworn peace officers, we believe that our position in seeking reimbursement for actual out-of-pocket expenses to comply with P.O.S.T.'s training standards is a justifiable one.

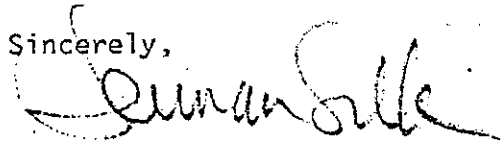
Although we realize that funding for reimbursement is derived from a share of fines imposed by the courts for criminal penalties, a sizeable portion of criminal fines is attributable to actions initiated and filed by the various State agencies, including the California Highway Patrol, Alcoholic Beverage Control, State Police, Fish and Game, Consumer Affairs and several other departments, including the Department of Motor Vehicles.

As the same degree of professionalism and training is required for State peace officers as for city, county and district officers, and rightfully so, it is our opinion that the reimbursement provisions merit equal application.

We would very much appreciate this matter being included as an agenda item for the Commission's consideration so that its position can be determined prior to State-initiated legislation to amend the Penal Code accordingly.

We would also like to be informed of when the subject is scheduled for hearing so that we may have the opportunity to testify, along with the other State agencies which may desire to provide input.

Sincerely,



HERMAN SILLAS  
Director

cc: Commissioner, CHP  
Director, Alcoholic Beverage Control  
Director, Department of Consumer Affairs  
Chief, California State Police  
Director, Department of Fish and Game  
Director, Division of Law Enforcement (DOJ)

DEPARTMENT OF JUSTICE

EVELLE J. YOUNGER, Attorney General

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

BOWLING DRIVE, SUITE 250  
SACRAMENTO 95823EXECUTIVE OFFICE  
(916) 445-4515

December 21, 1976

ADMINISTRATION  
Certification  
Reimbursements  
(916) 322-2225STANDARDS AND TRAINING  
(916) 322-2183ADMINISTRATIVE COUNSELING  
(916) 445-0345TECHNICAL SERVICES  
(916) 445-4515

Herman Sillas  
Director  
Department of Motor Vehicles  
P. O. Box 1828  
Sacramento, California 95809

Dear Mr. Sillas:

We are very pleased that you are voluntarily complying with the requirements of the Specialized Certification Program for the sworn peace officers of your department.

You have requested that we include the matter of reimbursement for your personnel as an agenda item for Commission consideration. This item has been considered on several prior occasions, and in each instance the Commission has opposed increasing the number of agencies, as they believe the intent of legislation was to provide reimbursement only for local agencies.

I will advise the Commission's Legislative Committee of your desire to initiate legislation to amend the appropriate Penal Code sections to allow reimbursement for actual out-of-pocket expenses. They will then be able to reaffirm or change the Commission's position at the next regularly scheduled meeting of January 20 and 21, 1977, to be held in the Sky Room of the El Mirador Hotel in Sacramento.

Sincerely,

WILLIAM R. GARLINGTON  
Executive Director

*D.M.V. copy  
see action  
of 1/24/77*

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

100 HOWLAND BLVD., SUITE 250

SACRAMENTO, CALIF. 95833

EXECUTIVE OFFICE  
(916) 445-4511

December 30, 1976

ADMINISTRATION  
Certificates  
Reimbursement  
(916) 322-2229STANDARDS AND TRAINING  
(916) 322-2159ADMINISTRATIVE COUNSELING  
(916) 445-8343TECHNICAL SERVICES  
(916) 445-4515

Richard Watson, Executive Director  
County Supervisors' Association of  
California  
11th & L Building, Suite 201  
Sacramento, California 95814

Dear Mr. Watson:

The Commission on Peace Officer Standards and Training is introducing four legislative proposals this session for which it desires CSAC's support. Three are simply technical changes to facilitate the Commission's work.

The fourth is proposed reserve officer training legislation. As you may know, Governor Brown recently vetoed a similar measure, AB 1127 by Assemblyman Suitt, on the grounds it would have created hardship for some local jurisdictions. The POST Commission on November 29, 1976 sponsored a meeting for representatives of concerned law enforcement associations to draft legislation which they will accept and which will overcome the Governor's objections. The attached draft is the product of that effort. It is highly probable the major law enforcement associations; Police Officers' Research Association of California, California Peace Officers Association, State Sheriffs and State Chiefs, will support the proposal in its present form.

Should you or your staff have questions or require an explanation of any of these proposals, please call Hal Snow at POST, (916) 445-4515. Your comments and suggestions will be appreciated.

Sincerely,

*Herbert E. Ellingwood*  
HERBERT E. ELLINGWOOD  
Commissioner  
Chairman, Legislative Committee

Attachments

cc: Bill Keiser  
Michael Scott

## COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

7100 BOWLING GREEN DRIVE, SUITE 210  
SACRAMENTO 95833EXECUTIVE OFFICE  
(916) 445-3111

December 30, 1976

ADMINISTRATION  
Certification  
Reimbursements  
(916) 322-3333STANDARDS AND TRAINING  
(916) 322-3199ADMINISTRATIVE COUNSELING  
(916) 445-0345TECHNICAL SERVICES  
(916) 445-4515

Don Benninghoven, Executive Director  
League of California Cities  
1108 "O" Street, Room 200  
Sacramento, California 95814


Dear Mr. <sup>Don</sup>Benninghoven:

The Commission on Peace Officer Standards and Training is introducing four legislative proposals this session for which it desires the League's support. Three are simply technical changes to facilitate the Commission's work.

The fourth is proposed reserve officer training legislation. As you may know, Governor Brown recently vetoed a similar measure, AB 1127 by Assemblyman Suitt, on the grounds it would have created hardship for some local jurisdictions. The POST Commission on November 29, 1976 sponsored a meeting for representatives of concerned law enforcement associations to draft legislation which they will accept and which will overcome the Governor's objections. The attached draft is the product of that effort. It is highly probable the major law enforcement associations; Police Officers' Research Association of California, California Peace Officers Association, State Sheriffs and State Chiefs, will support the proposal in its present form.

Should you or your staff have questions or require an explanation of any of these proposals, please call Hal Snow at POST, (916) 445-4515. Your comments and suggestions will be appreciated.

Sincerely,

  
HERBERT E. ELLINGWOOD  
Commissioner  
Chairman, Legislative Committee

Attachments

cc: Bill Keiser  
Michael Scott

1977 LEGISLATION OF INTEREST TO POST

1. AB 15 (McVittie) - Abolishment of State Regulatory Agencies  
SB 62 (Campbell) - (Similar to above)  
SB 63 (Campbell) - Requires State Agencies to File Regulations  
with Legislature  
SCA 8 (Campbell) - Legislative Approval of State Agency Regulations
  
2. SB 36 (Cusanovich) - Privacy of DMV Records of Peace Officers
  
3. SB 27 (Roberti) - Renaming Penal Code to Criminal Code  
SB 29 (Roberti) - Renaming the First Part of Penal Code to  
Criminal Procedure Code
  
4. SB 16 (Briggs) - Continuation of Indeterminate Sentencing System
  
5. SCA 10 (Gregario) - Unicameral Legislature

# Memorandum

To : William J. Anthony, Chairman  
POST Commission

Date : December 29, 1976

From : POST Advisory Committee Chairman  
**Commission on Peace Officer Standards and Training**

Subject: Report from December Advisory Committee Meeting

Advisory Committee members discussed a number of issues which are of current concern to the Commission. Two issues which resulted in recommendations to the Commission are covered in separate individual reports.

- Extension of salary reimbursement to Job Specific Training Courses
- Reimbursement of civilians attending mandated courses

Advisory Committee action was also taken on the following items:

#### Reserve Training Legislation

The Committee was briefed on the Problem Solving Seminar held on November 29th for the purpose of formulating reserve training legislation. It was the consensus that the Chairman express Committee support for the active role the Commission is taking with this legislation.

#### Request of San Francisco Police Department

It was reported the San Francisco Police Department has requested POST assistance in scheduling training academy attendance throughout the State for approximately 300 new officers.

The following action was taken:

MOTION by Jerome Lance, seconded by Sheriff Grant, the Advisory Committee recommends the Commission not make special concessions to the San Francisco Police Department; however, it be given the same consideration normally given any other law enforcement agency. MOTION CARRIED.

Basic Course Attendance Prior to Employment

The Committee reviewed the broad concept of basic course training prior to employment. This topic generated considerable interest at the November 10, 1976 California Police Chiefs' Association Executive Committee Meeting. That interest was communicated to the POST Executive Director by Chief Robert McGowan, Pasadena Police Department through Commissioner McIntyre.

This concept suggests that it should be an individual's responsibility to gain the minimum skills and knowledge needed to perform as a law enforcement officer, and that an agency should only be obligated to provide additional training such as orientation to department policies, procedures, on the job field training, etc. Some agencies are already requiring basic training as a condition of employment.

The following action was taken:

MOTION by Jerome Lance, seconded by Jack Pearson to advise the Commission to direct POST staff to continue studying this concept. MOTION CARRIED.

Selection Standards Validation Proposal

The Committee was brought up to date on the proposed L.E.A.A. contract for selection standards validation research.

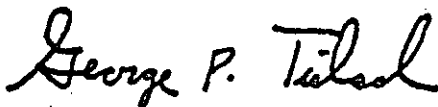
After discussion the following action was taken:

MOTION by Jack Pearson, seconded by Sheriff Grant, the Advisory Committee be closely involved as a law enforcement advisory group for the Selection Standards Validation Project. MOTION CARRIED.

Election of Officers

The Advisory Committee also held election of new officers. They are:

Chairman: Chief George P. Tielsch, California Police Chiefs' Association  
Vice Chairman: William A. Fradenburg, Inspector, California Highway Patrol



GEORGE P. TIELSCH

# Memorandum

: William A. Anthony, Chairman  
POST Commission

Date : December 29, 1976

From : POST Advisory Committee Chairman  
: Commission on Peace Officer Standards and Training

Subject: Salary Reimbursement for Job Specific Training Courses

At the request of the Commission, the Advisory Committee reviewed a staff prepared list of technical courses currently certified by POST. Based upon available information the Committee believed that all of the courses listed qualified as "job specific", with the exception of:

Narcotics Investigation Advanced - Los Angeles County  
Sheriff's Department

Research Design - California State University, Long Beach  
(Unless staff evaluation determines course to be basic  
Research and Development course.)

In making this determination, the Committee was guided by a working definition of Job Specific Training. Job Specific Training courses, for salary reimbursement purposes, were defined as courses of instruction which teach the basic skills required to perform sworn or civilian jobs in local law enforcement agencies. Training courses excluded by this definition are advanced job specific courses, and those courses which teach only a single skill or technique, i.e., driver training, firearms training, fingerprint collection, report writing, etc.

The Committee's approval of courses amounted to recommendation for approval of categories, rather than individual courses. The Committee also understands that staff will review questionable courses more closely to clarify their relatedness to specific jobs, and will review technical courses which may be certified in the future in the same manner.

Since it was believed that the Commission's intent is to extend salary reimbursement to all job specific courses, no effort was made to prioritize the approved categories.

*George P. Tielsch*

GEORGE P. TIELSCH



# Memorandum

: William J. Anthony, Chairman  
POST Commission

Date : December 29, 1976

From : POST Advisory Committee Chairman  
**Commission on Peace Officer Standards and Training**

Subject: Reimbursement of civilians for attendance at  
POST mandated courses.

The Advisory Committee members were briefed by staff on existing policy concerning reimbursement for the training of civilians. This briefing was provided as information to support discussion of reimbursement for civilian employees attending the basic course.

As presented by staff, a certain amount of confusion has existed with respect to such reimbursement, and an apparent need exists to clarify Commission policy.

In most cases, i.e., training for complaint dispatchers, the training course applicable to the civilian job is quite evident. Some confusion in the past has arisen, however, with respect to the training that may be provided for cadets and community services officers. Past practice in some departments has been to assign cadets and CSO's to the basic peace officer academy. There has been some question regarding whether the basic academy is an appropriate training vehicle for such personnel, and some have questioned the appropriateness of reimbursing salary for such civilian employees who attend the basic course.

Based upon Regulation 1014, salary reimbursement is automatically provided whenever a civilian employee is approved for attendance at the basic course. This reimbursement to some has seemed not in keeping with the basic reimbursement philosophy that has provided salary reimbursement for only mandated training.

After considerable discussion the following motion was passed:

MOTION by Jerome Lance, seconded by Jack Pearson that the Advisory Committee recommend to the Commission that POST not provide reimbursement for any civilian employee attending a mandated course. MOTION CARRIED.

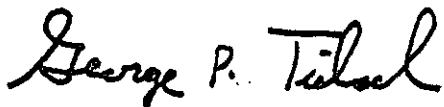
December 29, 1976

The intent behind this motion is to recommend that all mandated courses and their specific reimbursement plans be deemed applicable to peace officer employees only. The Committee believes that if need exists for the training of civilian employees in courses similar to the basic course or other mandated courses, then specific courses and reimbursement plans should be developed to meet those needs.

With regard to the Commission's action to extend salary reimbursement to "job specific" technical courses, the Committee believes that salary reimbursement for civilian employees may be appropriately provided when they are trained in courses specifically designed for their jobs. The following motion was passed:

MOTION by Jerome Lance, seconded by Wayne Caldwell that the Advisory Committee recommend to the Commission that civilian employees be allowed to receive salary and out-of-pocket expense reimbursement for job specific training assignments. MOTION CARRIED.

On a priority basis, however, the Committee believes that reimbursement for sworn personnel should always take precedence over reimbursement for civilians.



GEORGE P. TIELSCH

The following Advisory Committee Agenda Items will be forwarded in a subsequent mailing:

2. Public Member Appointment
3. Women's Peace Officer Association Appointment



# WOMEN PEACE OFFICERS' ASSOCIATION

*of California, Inc.*

PRESIDENT  
ROBERTA B. DORAN  
UNIVERSITY OF CALIFORNIA  
POLICE DEPARTMENT, LOS ANGELES

1st VICE PRESIDENT  
PATRICIA RUCH  
SANTA CLARA CO. SHERIFF'S DEPT.

2nd VICE PRESIDENT  
MARGARET HARTMANN  
SAN FRANCISCO POLICE DEPT.

3rd VICE PRESIDENT  
ANN MOORE  
SAN JOSE POLICE DEPT.

4th VICE PRESIDENT  
CAROL POWELL  
SAN DIEGO CO. SHERIFF'S DEPT.

SECRETARY  
DONA BURGESS  
MONTEREY CO. SHERIFF'S DEPT.

SERGEANT AT ARMS  
CHRISTINE BUCHANAN  
LONG BEACH POLICE DEPT.

CHAPLAIN  
SHIRLEY BASSFORD  
EL MONTE POLICE DEPT.

HISTORIAN  
SHIRLEY M. BURT  
SAN BERNARDINO CO. SHERIFF'S DEPT.

JR. PAST PRESIDENT  
CAROLYNN JOLLIFFE  
NAPA POLICE DEPT.

EDITOR  
CLARA M. HARRIS  
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POLICE DEPARTMENT, LOS ANGELES

EXECUTIVE SECRETARY  
MARGARET J. MORGAN (RET.)  
SANTA MONICA POLICE DEPT.

LEGISLATIVE CHAIRMAN  
MAXINE HAHN (RET.)  
TORRANCE POLICE DEPT.

TREASURER  
LOUISE JOHNSTON  
SANTA BARBARA CO. SHERIFF'S DEPT.

December 18, 1976

William J. Anthony, Chairman  
Commission on Peace Officer  
Standards and Training  
7100 Bowling Drive, Suite 250  
Sacramento, California 95823

Dear Mr. Anthony:

How honored we are to receive your invitation to nominate one of our members to represent our Association on the Advisory Committee.

At our December meeting, the Executive Board carefully reviewed the role of an Advisory Committee member and your policy on this appointment, and were unanimous in the choice of our President, Roberta Doran, to be our nominee.

Roberta will complete her term as President on May 18, 1977, and we believe she will truly represent the entire membership of this Association. She is familiar with the P.O.S.T. Rules and Regulations and has coordinated many of the training classes for our members with our P.O.S.T. Representative Gene Rhodes.

She is one of the few members who has continually had the full support of her department and we know that she will be available for all committee meetings.

Enclosed is a resume of our nominee.

Most Sincerely,

*Margaret J. Morgan*  
Margaret J. Morgan  
Executive Secretary

Enclosure

cc: Glen E. Fine

Roberta B. Doran  
10816 Holman Avenue  
Los Angeles, Ca. 90024  
(213) 474-1201

Born September 11, 1926  
Riverside, California  
5'7", 137, divorced  
three adult children

University of California Police Department  
405 Hilgard Avenue  
Los Angeles, Ca. 90024  
(213) 825-4406

#### Law Enforcement Experience

5/76 Lieutenant, Commander, Administrative Services Division  
6/75 - 5/76 Lieutenant, Commander, Patrol Division  
8/74 - 6/75 Lieutenant, Commander, Detectives and Services Divisions  
1/70 - 8/74 Sergeant, Commander, Detectives and Services Divisions  
9/66 - 1/70 Sergeant, Commander, Detective Division  
6/62 - 9/66 Police Officer, Detective Division  
6/58 - 6/62 Police Officer, Patrol Division  
2/57 - 5/58 City of Riverside Police Dept., Parking Enforcement Officer

#### Professional Affiliation

Women Peace Officers' Association of California, Inc.  
5/76 - President  
5/75 - 5/76 1st Vice President  
5/74 - 5/75 2nd Vice President  
5/73 - 5/74 3rd Vice President  
5/72 - 5/73 Historian-Editor  
5/71 - 5/72 Membership Chairman  
9/68 - 5/71 Active member

#### Education and Training

1976 Middle Management Course, Los Angeles Police Department  
Summary of Law Enforcement Legislation (1975), Golden West College  
1975 Women in Law Enforcement Seminar, FBI National Academy  
1973 Advanced Officer Course, Napa Jr. College  
Leadership for Women, California State University, L.A.  
Leadership Styles, California State University, L.A.  
1972 Management Principles, University of California Personnel Dept., L.A.  
1971 Special Weapons Training, Los Angeles Co. Sheriff's Dept.  
Basic P.O.S.T. Certificate  
1969 Technical Report Writing & Editing, Univ. of Calif. Extension, L.A.  
Psychology of Human Relations, Univ. of Calif. Extension, L.A.  
Supervisory Course, Los Angeles Co. Sheriff's Dept.  
1968 Vice Control Institute, California State University, L.A.  
Narcotics Investigation Institute, California State University, L.A.  
1958 Calif. Peace Officers Institute of Technical Training, Univ. of Calif. Ext., L.A.  
1944 Graduate of Polytechnic High School, Riverside, California  
(additional Law Enforcement related short courses - approximately 500 hrs.)