

COMMISSION MEETING AGENDA
July 20, 1989, 10 a.m.
Marriott Hotel, Columbia Room
333 West Harbor Drive
San Diego, CA 92101-7709
(619) 234-1500

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

PRESENTATIONS

Honoring immediate past Commission Chair
C. Alex Pantaleoni

APPROVAL OF MINUTES

- A. Approval of the minutes of the April 20, 1989 regular Commission meeting at the Hilton Inn in Sacramento.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the April meeting, there have been 37 new certifications, 34 decertifications, and 86 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Fourth Quarter FY 1988/89

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

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

The Stockton Judicial District Marshal's Office and the City of Calipatria have met the Commission's requirements and have been accepted into the POST Regular (Reimbursement) Program. In approving the Consent Calendar, your Honorable

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B.4 Receiving Information on New Entry Into the POST Specialized (Non-Reimbursable) Program

Procedures provide for agencies to enter into the POST Specialized (Non-Reimbursable) Program when qualifications have been met. In approving the Consent Calendar, your Honorable Commission notes that the Los Angeles Airport Police Department and the Employment Development Department have met the requirements and have been accepted into the POST Specialized (Non-Reimbursable) Program.

B.5 Acknowledging Withdrawal of AMTRAK Police Department for the Specialized POST Program ^{SPROM}

In approving the Consent Calendar, the Commission notes that AMTRAK has voluntarily withdrawn from the Specialized Program. The agency has had continuing difficulty complying with POST's training requirements and has been unsuccessful in efforts to adopt POST's probationary period for peace officer employees. They have been participants in the Program since 1983.

B.6 Receiving Information on New Entries Into the Public Safety Dispatcher Program

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

In approving the Consent Calendar, your Honorable Commission notes that the 62 agencies listed in the enclosed report have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program.

Additionally, the Department of Parks and Recreation has met the requirements and been accepted into the Specialized Public Safety Dispatcher Program.

B.7 Confirming Policy Statements for Inclusion in Commission Policy Manual

Consistent with Commission instructions, statements of policy made at a Commission meeting are to be submitted for affirmation by the Commission at the next meeting. In approving the Consent Calendar, your Honorable Commission affirms the following policy:

Persons who have graduated from a high school in a foreign country shall pass a General Education Development test indicating high school graduation level.

TRAINING PROGRAM SERVICES

C. Basic Course Curriculum Modifications - Gang Awareness

Recent escalation of gang violence in major urban areas, in conjunction with its spread to other parts of the state, has prompted a recognition of a need to instruct basic course trainees on the characteristics of gangs. Due to the mobility of gangs, officers in all parts of the state are increasingly involved in identifying, controlling, reporting, and investigating gang related activity. Heretofore, Gang Awareness has been taught at several academies, but has not been in the POST minimum curriculum.

Experts in gang activity have developed seven performance objectives to help peace officers understand gangs as they apply to officer safety and investigation of criminal activity. These proposed changes would require two hours of instruction and testing for those academies not now teaching the subject. No formal increase in Basic Course hours is requested.

If the Commission concurs, the appropriate MOTION would be to approve the Basic Course curriculum additions relating to Gang Awareness, effective September 1, 1989.

D. Proposed Contract for Basic Course Scenario Manual Update

POST's Basic Course Scenario Manual was developed in 1983-84 to provide guidance to basic academies in teaching and testing certain performance objectives requiring exercises and interaction with role players. The Manual describes realistic situations, e.g., domestic violence situations, landlord-tenant disputes and others, in which students must interact with role players and are evaluated by trained evaluators. Virtually all academies use the scenarios described in the Manual.

Since the Manual was first developed, eight performance objectives have been modified and one has been added to the list of POST-required performance objectives to be tested by scenarios. To keep pace, the Scenario Manual and related processes need updating. A component is needed defining specific performance dimensions. Enhanced checksheets for evaluating student performance are also needed to improve the quality and standardization of scenario testing.

The San Diego Sheriff's Department is certified to present the Basic Course and has been the sole provider of POST-certified training to staffs of other academies for scenario management and evaluation. Its academy staff is well qualified to perform the needed research and field testing to update the Manual. To perform the project work, a one-year contract is proposed with the County of San Diego for actual costs not to exceed \$100,000. Staff services, printing, related office supplies and indirect cost rate not to exceed 15% are charged to the contract. Travel and per diem costs associated with project travel will be reimbursed separately.

If the Commission concurs, the appropriate MOTION would be to approve a contract with the County of San Diego to update the POST Basic Course Scenario Manual as described for actual costs not to exceed \$100,000 during a one-year period from the date of contract approval. (ROLL CALL VOTE)

E. Proposed Contract for 1989-90 Video Training Tape Distribution

At the April 1989 meeting, the Commission approved recommended future direction on video training tape distribution including the use of satellite broadcasting as the primary means for delivery with hard copies made available to agencies unable to receive the broadcasts. Satellite broadcast was identified as the most cost effective and timely means for delivering videos that can serve as a valuable supplement for law enforcement personnel updating.

To implement the Commission's direction, staff is proposing to begin the distribution program with four two-hour broadcasts for the 1989-90 fiscal year. Based upon the Executive Director's contract approval authority, a \$4,000 contract has been awarded to San Diego State University for the first broadcast scheduled in August. This amount covers purchase of time on the satellite and broadcast coordination including up-link services. This contract should be augmented by \$12,000 for the three additional video broadcasts for the 1989-90 fiscal year.

If the Commission concurs, the appropriate MOTION would be to authorize the Executive Director to augment the San Diego State University contract by \$12,000 (for a total \$16,000) for three additional satellite video broadcasts. (ROLL CALL VOTE)

STANDARDS AND EVALUATION

F. Report on Symposium on Recruitment

Pursuant to Commission instructions, a Symposium on Recruitment was held on May 31 to June 2, 1989. The symposium was attended by approximately 50 chiefs and sheriffs from agencies of various sizes throughout the State. A number of Commissioners and Advisory Committee members also attended. A draft summary of proceedings is included with the report under this tab.

The purpose of the symposium was to look at the emerging recruitment crisis that law enforcement faces; to learn what other (competing) professions are doing to address current and future recruitment needs; and to explore what actions POST might take to enhance recruitment on a statewide basis.

Attendees heard presentations from a number of prominent speakers and then met in small groups to discuss ways to address existing and anticipated recruitment needs. Specific suggestions for POST involvement included:

1. Adding the recruitment issue as a component of appropriate POST courses to enlist support of individual officers;
2. Establishing a POST development committee to explore statewide image advertising;
3. Exploring statewide standardized testing;
4. Organizing a follow-up symposium to develop the most important plans for action; and
5. Preparing a follow-up report after one year on the progress of the suggestions made at the symposium.

The above listed activities represent a substantial future undertaking and vary considerably with respect to specificity, breadth, ease and timeframe for implementation. For example, incorporating recruitment ideas into training could be done relatively quickly. On the other hand, developing recruitment programs, conducting market research and developing marketing strategies are longer term activities that would require substantially greater resources with less certainty as to outcome.

California law enforcement is confronted with long-term recruitment needs and has expressed the desire that POST provide assistance. This assistance cannot be provided

provide assistance. This assistance cannot be provided without additional staff. In order to begin some of the proposed shorter-term activities, as well as to start establishing the framework for longer-term activities, it is proposed that POST obtain the services of a Management Fellow for the 1989/90 fiscal year.

The Management Fellow would be responsible for conducting additional workshops on recruitment, incorporating recruitment-related instruction into training, and evaluating the feasibility and advisability of POST involvement in more costly, longer term activities (e.g., marketing). The proposal has been reviewed by the Long Range Planning Committee and comes to the Commission with its endorsement.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract for a Management Fellow for up to 12 months in an amount not to exceed \$100,000 to provide services related to law enforcement recruitment. (ROLL CALL VOTE).

EXECUTIVE OFFICE

G. Recommendation for Management Fellow to Initiate a POST Instructor Development Program Including Development and Pilot Testing of a Master Instructor Course

The Commission certifies over 900 ongoing courses in a wide variety of subjects to 160 presenters every year. More than 5,000 part-time or full-time instructors teach in these courses. Many instructors have subject matter expertise, but are not trained in the latest training techniques which result in greater training effectiveness. Existing instructor courses focus on lecture techniques and do not take the comprehensive approach to instructional quality the Commission has identified.

Within the Commission's plan for improving training quality, progress is being made in the areas of content validity, presentation methods, and learning receptivity. The next concern is to begin strengthening training resources. It is now appropriate to consider establishing the groundwork for development of a POST Instructor Development Program. An eight-month POST Management Fellowship is proposed to provide necessary initial staff resources. One key result of this work will be the research, development and pilot testing of a master instructor course.

The Long Range Planning Committee reviewed and approved the concept (including the proposal for the eight-month management fellowship) as an appropriate direction to improve instructional quality. This program is seen as voluntary and cooperative.

If the Commission concurs, the appropriate MOTION would be to approve a contract not to exceed \$70,000 for a POST Management Fellow to do the initial work on a POST Instructor Development Program and to research, develop and pilot test a Master Instructor Course. (ROLL CALL VOTE)

H. Computer Programming Services in Support of OTS Grant

In 1986 the Commission approved acceptance of federal grant funds through the State Office of Traffic Safety (OTS) in order to develop a model computer based traffic management program. The program is widely needed in small and moderate sized law enforcement agencies to maintain accident records and manage enforcement efforts.

Completion of the project has been delayed for a variety of reasons, but is now ready for the software development phase. It is proposed that system design and programming be accomplished by spending grant funds via contract as outlined in the enclosed report. Negotiations for these services are currently underway with a state college and with the State Department of General Services.

The OTS approved budget for the project includes \$97,100 for these services.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to execute contracts not to exceed \$97,100 (\$61,000 for system design and \$36,100 for programming) for the described services. (ROLL CALL VOTE)

I. Report and Recommendation to Approve Design Approach for the Facilities and Equipment Study (ACR 58) and to authorize the Chairman to Appoint a Commission Representative to the ACR Study Committee

Assembly Concurrent Resolution (ACR) 58 has been passed by the Assembly and is now in the Senate for concurrence. It is expected to pass without opposition. ACR 58 requests the Commission to establish a committee to study the use of advanced technology, equipment, and facilities for law enforcement training. The final report of findings to the Assembly and Senate is due by January 15, 1991.

Design of the study is currently underway, and will be completed in final draft form before the committee holds its first meeting this Fall. The study will collect data, assess needs and review current practices. Data will be gathered by on-site visits, demonstrations, surveys, and other appropriate means. POST will provide the necessary staffing services and financial support for the study. Law enforcement officials, trainers, experts in instructional technology, and others will be involved to assure thorough input. The study result will be findings and recommendations on optimal use of technology, equipment, facilities and systems to build upon current law enforcement training approaches.

Prior to the November Commission meeting, ACR 58 is expected to pass and the first committee meeting. To assure the study proceeds in a timely fashion, this item is before the Commission now for review. If the Commission concurs, the recommended MOTION would be to approve the study approach, and to authorize the Commission Chairman to appoint a Commission representative on the ACR study committee.

COMMITTEE REPORTS

J. Finance Committee

Commissioner Hicks, Chairman of the Finance Committee, or a representative, will report on results of the Committee meeting held July 19, 1989 in San Diego.

1. Review of 1988/89 Year End Financial Report
2. Report on Recommended Reimbursement Rates for FY 1989-90
3. Recommendations on Budget Change Proposals for FY 1990-91
4. The Committee will also review several proposed contract amounts. The Committee recommendations will have been reported on when the items came up earlier on this agenda.

K. Accreditation Committee

Commissioner Wasserman, Chairman of the ad hoc Accreditation Committee, will report on the results of the Committee meeting held May 18, 1989 in Palm Springs.

L. Long Range Planning Committee

Commissioner Block, Chairman of the Long Range Planning Committee, will report on the following issues discussed at the Committee meeting held June 27, 1989 in Los Angeles:

1. Expansion of certificate revocations;
- *2. Review of ACR 58, training facilities and equipment study;
3. Potential for setting standards for oral board raters;
4. Minimum education standards;
- *5. Review of Recruitment Symposium;
- *6. Proposal for Master Trainer Course and Instructor Development Program;
7. Review of Executive Director's vacation allowance.

Notes of the results of the Committee meeting are included under the tab. Topics with asterisks (*) appear earlier on the agenda with the Committee's recommendations noted in the accompanying narrative.

M. Advisory Liaison Committee

Commissioner Maghakian, Chairman of the POST Advisory Liaison Committee, will report on the Committee meeting held July 19 in San Diego.

N. Legislative Review Committee

Commissioner Van de Kamp, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held July 20, 1989 in San Diego.

O. Advisory Committee

Ron Lowenberg, Chairman of the POST Advisory Committee, will report on the Committee meeting held July 19, 1989 in San Diego.

OLD/NEW BUSINESS

P. Appointment of Advisory Committee Member

At its April 1989 meeting, the Commission requested the Advisory Liaison Committee to study the CAUSE request for representation on the Advisory Committee and to report back with recommendations. Supporting documentation is found under Tab "M" and a Committee recommendation will be reported to the Commission.

Q. Santa Clara County Department of Corrections

On January 1, 1989, Santa Clara County began operation of a County Department of Corrections. The new department was staffed by transfer of approximately 350 deputy sheriffs from the Sheriff's Department. The county has requested continuation of POST program participation for the transferred deputies (reimbursement for inservice training and eligibility for professional certificates). The county has recently been notified that the request must be denied. Correspondence on the matter is included under this tab.

This is an information item at this time.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

November 2, 1989 - Holiday Inn Capitol Plaza - Sacramento
January 18, 1990 - Marriott Hotel - San Diego
April 19, 1990 - Sacramento
July 19, 1990 - Marriott Hotel - San Diego

ADJOURNMENT

COMMISSION MEETING MINUTES
April 20, 1989
Hilton Inn
Sacramento, California

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

Commissioner Cecil Hicks led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Sherman Block, Vice-Chairman
Carm Grande
Cecil Hicks
Edward Maghakian
Raquel Montenegro
Floyd Tidwell
Robert Vernon
Robert Wasserman

Commissioners Absent:

Alex Pantaleoni, Chairman
Leslie Sourisseau
John Van de Kamp, Attorney General

POST Advisory Committee Members Present:

Ron Lowenberg, Chairman
Carolyn Owens
Bruce Rayl
William Shinn

Staff Present:

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|-----------------|--|
| Norman C. Boehm | - Executive Director |
| Glen Fine | - Deputy Executive Director |
| Doug Thomas | - Assistant Executive Director |
| John Berner | - Bureau Chief, Standards and Evaluation |
| Donna Brown | - Standards and Evaluation Bureau |
| Ken Krueger | - Standards and Evaluation Bureau |
| Holly Mitchum | - Bureau Chief, Special Projects |
| Ted Morton | - Bureau Chief, Center for Executive Development |

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|-------------------|---|
| Otto Saltenberger | - Bureau Chief, Administrative Services |
| Darrell Stewart | - Bureau Chief, Compliance & Certificate Services |
| Harold Snow | - Bureau Chief, Training Program Services |
| George Williams | - Bureau Chief, Information Services |
| Vera Roff | - Executive Secretary |

VISITORS' ROSTER

Dan De Leon, Sacramento Police Department
 David Lambros, Sacramento Police Department
 Bill Masters, California Highway Patrol
 Don Menzmer, California Highway Patrol
 Rodney Pierini, California Peace Officers Association
 Mike Roy, Sacramento Police Department
 Roger Robinson, C.D.A.I.A.
 William V. Spencer, Department of Corrections
 James Stalnaker, Lieutenant, San Bernardino County Sheriff's Department
 Doug Taber, Department of Corrections

A. Approval of the Minutes of the January 19, 1989 Commission Meeting

MOTION - Hicks, second - Montenegro, carried unanimously to approve the minutes of the January 19, 1989 Commission meeting at the Bahia Hotel Capitol Plaza in Sacramento.

B. Approval of Consent Calendar

MOTION - Hicks, second - Wasserman, carried unanimously to approve the Consent Calendar as follows:

B.1 Course Certification Report

Since the January meeting, there have been 28 new certifications, and 63 modifications.

B.2 Financial Report - Third Quarter FY 1988/89

The third quarter financial report provided information relative to the local assistance budget through March 31, 1989. The report was presented and accepted and is on file at POST headquarters.

B.3 New Entries Into POST Regular (Reimbursement) Program

The Butte College Police Department has met the Commission's requirements and has been accepted into the POST Regular (Reimbursement) Program.

B.4 New Entries Into the POST Specialized (Non-Reimbursable) Program

Procedures provide for agencies to enter into the POST Specialized Program when qualifications have been met. The California State Lottery has met the requirements and have been accepted into the POST Specialized (Non-Reimbursable) Program.

B.5 New Entries Into the Public Safety Dispatcher Program

Procedures provide for agencies to enter into the POST Public Safety Dispatcher Program when qualifications have been met. There have been 78 agencies accepted into the POST Reimbursable Public Safety Dispatcher Program and one agency accepted into the Specialized Public Safety Dispatcher Program.

B.6 Change Presentation Format for the Executive Development Course from Intensive to Modular

The 80-hour Executive Development Course has been presented in an intensive two-week format. Executives have expressed difficulty in scheduling two consecutive weeks to attend the course, and recommended that the course be split into 40-hour or 20-hour sessions, still totalling 80 hours. Study of the course format may result in changes to make the course more convenient and interesting. The Commission concurred in the concept of a split-session format for the Executive Development Course.

B.7 Policy Statements for Inclusion in Commission Policy Manual

Consistent with Commission instructions, statements of policy made at a Commission meeting are to be submitted for affirmation by the Commission at the next meeting. In approving the Consent Calendar, the Commission affirmed the policy for staff to work with the Legislature to satisfy the intent of proposed legislation through alternative means which keeps course content within the judgment of the Commission, rather than have course content become a matter of state law.

B.8 Resolution Commending Former Management Fellow Bill Masters

The Commission adopted a Resolution commending Bill Masters, Television Supervisor with the California Highway Patrol, for his service as a POST Management Fellow in developing the POST Video Distribution/Library Study.

PRESENTATION

Vice-Chairman Sherman Block presented a resolution to Bill Masters commending him for his outstanding work as a POST Management Fellow.

PUBLIC HEARINGS

The purpose of the public hearing was to: (1) receive testimony to consider increasing the length of the Basic Course from 520 to 560 hours along with course modifications relating to administration and success criteria; and (2) receive testimony to consider adopting testing requirements for the P.C. 832 course and incorporating existing Commission specified curriculum for statutorily mandated training courses into regulations.

C. Proposal to Consider Increasing Length of Basic Course From 520 to 560 Hours Along With Course Modifications Relating to Administration and Success Criteria (Part I of the Public Hearing)

Consistent with its previous public notice, the Commission considered the following changes to the Basic Course:

1. Increase the minimum length of the District Attorney Investigators, Marshals, and Regular Basic Courses by 40 hours each.
2. Establish standardized testing methodology for Basic Course performance objectives (i.e., specify which performance objectives require skill demonstration and which require only paper/pencil testing). This includes requiring 24 hours of Practical Exercise/Scenario Testing as part of the 40-hour increase in Item #1 above.
3. Require the POST-developed physical conditioning program in the Regular Basic Course with a must-pass physical abilities test at the conclusion of the conditioning program.
4. Make various technical changes to Procedure D-1 and Regulation 1013.

Following the staff report, the Acting Chairman invited oral testimony. No one present indicated the desire to testify either for or against the proposed action, and Part I of the public hearing was closed.

MOTION - Wasserman, second - Tidwell, carried unanimously to adopt proposed changes to Procedure D-1 relating to increasing the minimum length of specified basic courses, standardized testing methodology, physical conditioning program and test, and other technical changes (see Attachment A).

D. Proposal to Adopt Testing Requirements for the P.C. 832 Course and Incorporate Existing Commission Specified Curriculum for Statutorily Mandated Training Courses Into Regulations (Part II of the Public Hearing)

The Commission reviewed the publicly noticed proposal to adopt revised curriculum and testing requirements for the P.C. 832 Course and incorporate specified curriculum for statutorily mandated training courses into regulations.

Following completion of the staff report, the Acting Chairman invited public testimony. No one present indicated the desire to testify and Part II of the public hearing was closed.

MOTION - Hicks, second - Maghakian, carried unanimously to approve regulation and procedure changes that would: (1) adopt a performance-based curriculum for the P.C. 832 Course; (2) establish testing requirements and procedures pursuant to Penal Code Section 832[a]; and, (3) convert all past-approved curriculum for legislatively mandated training to the status of regulation (see Attachment B).

TRAINING PROGRAM SERVICES

E. Video Distribution/Library Study

The Video Distribution Library Study presented results of video related research and pilot testing to: (1) identify the most appropriate methodology and technology to make video information and training tapes available to law enforcement agencies and training institutions; (2) assess video tape library or repository alternative; and (3) suggest proposed future directions with regard to the use of satellite broadcast technology.

Based on field input and pilot testing, the report concluded that:

1. Satellite broadcast of video training tapes is an effective means for distribution;
2. Availability of videos to law enforcement agencies is more related to POST distribution services than to

establishing a lending library. Of course, POST keeps track of the location and accessibility of all videos in the catalog; and

3. Other valuable applications of satellite broadcast technology exist for law enforcement (e.g., distribution of teleconference training).

MOTION - Maghakian, second - Montenegro, carried unanimously to accept the report and approve continued development of a POST law enforcement training video satellite broadcast service to the field.

F. Interagency Agreement for Development and Presentation of Training on Missing Persons for Public Dispatchers Using Satellite Teleconference Training Technology

In response to the provisions of Penal Code Section 13519.1, POST is developing a required two-hour training course for in-service public safety dispatchers on handling missing persons calls. Staff requested approval of an interagency agreement with San Diego State University (SDSU) for development and presentation of this training using satellite teleconference training technology for actual costs not to exceed \$45,000.

MOTION - Hicks, second - Wasserman, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into an interagency agreement for actual costs not to exceed \$45,000 with San Diego State University for development and presentation of a two-hour satellite teleconference training program on missing persons for dispatchers.

G. Policy on Waiving Minimum Hours for Certified Self-Paced Training

Results of pilot testing of the P.C. 832 Interactive Videodisc Course indicate that most trainees completed the training and testing in significantly fewer hours than the POST minimum 56 hours. It was requested that the Commission establish policy which would allow staff to approve the waiver of minimum hourly requirements for certified self-paced courses.

MOTION - Maghakian, second - Montenegro, carried unanimously to approve modifying Procedure D-10 with the following policy:

"The minimum hour requirement for any certified course may be waived with prior POST approval if the course uses self-paced learning technology or systems where trainees demonstrate course proficiencies."

COMPLIANCE AND CERTIFICATES

H. Amendment of Regulations Regarding Education Standard

The Commission discussed amending the minimum high school educational requirement in POST regulations. Afterwards, the following action was taken:

MOTION - Vernon, second - Montenegro, carried unanimously to adopt as a matter of policy that either a high school diploma (U.S.) or the General Education Development Test (GED) be the POST education standards.

Because Government Code Section 1031(e) establishes a two or four-year degree from a college or university as an additional means to satisfy the education requirement for peace officers, the Commission directed that the Long Range Planning Committee further study this issue and prepare recommendations for presentation at the next Commission meeting.

EXECUTIVE OFFICE

I. Request for Management Fellow Relating to Study of the Basic Course

The Commission previously requested a study of the Basic Course content, organization and approaches to delivery. The study will examine all aspects of the existing Basic Course delivery system and ideas for potential improvement that may lead to optimal productivity, effectiveness, and possible cost efficiencies. All ideas would be initially considered, evaluated, and documented as to potential and feasibility. With input from a representative advisory committee, those ideas considered deserving would be the subject of further in-depth research.

MOTION - Wasserman, second - Grande, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract for up to one year for the services of a POST Management Fellow at a cost not to exceed \$100,000 to facilitate the study of the Basic Course.

J. Request for Management Fellow to Develop Curriculum on Handling Carcinogenic Materials

Legislation in 1988 added Health and Safety Code Section 1797.187. This law requires POST to develop instruction on the identification and handling of possible carcinogenic materials for inclusion in the Basic and other courses on or before January 1, 1990. The course is to cover potential

health hazards associated with these materials. Protective equipment and clothing available to minimize contamination, handling, and disposing of materials will be emphasized. Also specified are procedures that can be adopted to minimize exposure to possible hazardous materials.

MOTION - Wasserman, second - Tidwell, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract for up to six month's services of a Management Fellow at a cost not to exceed \$50,000 to conduct research and develop curricula pursuant to Health and Safety Code Section 1797.187.

K. Review of Revenues and Training Volumes

After the staff report concerning revenues and training volumes, the following action was taken:

MOTION - Vernon, second - Maghakian, carried unanimously by ROLL CALL VOTE to authorize the Finance Committee to increase the salary reimbursement rate by up to 5% percentage points between now and the end of the fiscal year based on staff's recommendation and Committee review. Any percentage increase would be retroactive to the beginning of this fiscal year.

L. Increase in the Interagency Agreement for Microfilming Services

POST has an Interagency Agreement with the Department of Water Resources during Fiscal Year 1988/89 to do microfilming at a cost of \$9,800. The amount of work was underestimated, not taking unplanned file purging into account. In order to complete the microfilming services, it was proposed that the current Interagency Agreement be increased by \$4,700 (from \$9,800 to \$14,500).

MOTION - Vernon, second - Hicks, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign an amendment to the Interagency Agreement with the Department of Water Resources for microfilming services during the remainder of Fiscal Year 1988/89 for a total amount not to exceed \$14,500.

M. Report on the Law Enforcement Driver Training Simulator System (LEDTSS) Study: Amendment and Extension of the Contract with Hughes Aircraft

The Commission discussed the report completed by Hughes Aircraft Company for Phase I of the Front End Analysis for a Driver Training Simulator. The study findings indicated that many of the components for a full-scale simulator are

on the cutting edge of technology and some have yet to be validated. Accordingly, the report recommended that preparation of technical specifications for a simulator not be pursued at this time. Approximately two thirds of the Hughes contract has been used up.

With the remaining portion of the contract, and in lieu of the full-scale simulation specifications, Hughes proposed to develop specifications for computer-based driver training (to teach driving concepts) and part-task trainers (to separately teach specific-skills, e.g., backing, braking, steering, etc.). These would form critical components for an integrated driver training system.

MOTION - Tidwell, second - Grande carried unanimously to amend and extend the contract with Hughes Aircraft Company to provide a plan for procurement of a computer-based driver training system and part-task trainers and to extend the contract from June 30 to November 15, 1989 at no additional cost to POST.

N. Contract with Cooperative Personnel Services for P.C. 832 Testing

Effective July 1, 1989, persons must pass a POST-developed or POST-approved examination to successfully complete the P.C. 832 course. POST developed two examinations: a written examination to evaluate mastery of the arrest portion of the course; and a "course of fire" that must be passed to successfully complete the firearms portion of the course. Course presenters will administer the "course of fire". POST will administer the written examination where the presenter either does not request or is not able to meet the conditions for delegated testing. It is estimated that the written examination will be administered approximately 375 times annually to a total of around 10,000 trainees.

MOTION - Tidwell, second - Wasserman, carried unanimously by ROLL CALL VOTE to approve a contract with Cooperative Personnel Services for an amount not to exceed \$84,620 to provide testing for P.C. 832. Presenters shall be encouraged to administer the POST test rather than have POST administer it.

O. Management Fellow to Instruct and Prepare Instructor's Guide for Supervisory Leadership Institute

The Commission approved a contract for a Management Fellow from June 1987 to June 1988 to develop curriculum for the Supervisory Leadership Institute. The first pilot presentation received outstanding reviews. The second pilot of the Institute, which begins in September 1989, is

completely enrolled and there are sufficient enrollees to fill a third class.

It was recommended that the Commission renew the fellowship of the Management Fellow for eight months to instruct and develop instructor guides for the Supervisory Leadership Institute.

MOTION - Wasserman, second - Montenegro, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract for up to eight month's services of a Management Fellow at a cost not to exceed \$67,000 to instruct and develop instructor's guides for the Supervisory Leadership Institute and to increase the contract with the California State University - Long Beach from \$98,000 to \$146,000 (an increase of \$48,000) to conduct a third pilot of the Supervisory Leadership Institute.

COMMITTEE REPORTS

P. Finance Committee - Approval of Contracts for FY 1989/90

Commissioner Tidwell, Chairman of the Finance Committee, reported that the Committee met March 29, 1989 via telephone conference call and recommended approval of the following contracts and contract amendments.

MOTION - Tidwell, second - Wasserman, carried unanimously by ROLL CALL VOTE to adopt the recommendations of the Finance Committee Report, approve the contracts for Fiscal Year 1989/90 as recommended, and authorize the Executive Director to sign them on behalf of the Commission.

1. Management Course \$319,132
California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center
2. A contract with California State \$ 78,925
Polytechnic University, Pomona, for five
presentations of the Executive Development
Course.
3. A contract with San Diego Regional \$359,093
Training Center for Executive
Leadership Training. The contractor
provides a variety of training services
for the Center for Executive Development.
The largest single portion of the increase

(\$17,504) is for conference room costs which previously were charged students as part of their per diem with POST reimbursing their agencies. Now POST will pay Cal Poly those costs directly. The balance of the increase is for a variety of qualitative and quantitative instructional improvements and cost increases.

4. An Interagency Agreement with the Department of Justice Training Center to provide training in their areas of expertise. They will be training an estimated 3,593 students in 31 separate courses. \$760,126
5. A contract with Cooperative Personnel Services to administer the Basic Course Proficiency Test. \$ 28,837
6. Contract with Cooperative Personnel Services to administer the POST Entry-Level Reading and Writing Test. This is a decrease from last year's cost of \$113,264 due to POST doing some of the optical scanning. \$ 89,134
7. An Interagency Agreement with the State Controller's Office for auditing Services. \$ 85,000
8. A computer services contract with Third Party Maintenance Company for maintenance of the Four Phase Computer equipment. \$ 14,000
9. A contract with the State's Teale Data Center for computer services. The contract provides for a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's minicomputer can provide. \$ 89,000
10. CALSTARS Contract to provide computer linkage and necessary services with the Health and Welfare Data Center. \$ 25,000

Q. Accreditation Committee

Commissioner Wasserman, Chairman of the ad hoc Accreditation Committee, reported that the Committee met on March 8, 1989 in Ontario. The Committee's recommendation is to proceed gradually with the California accreditation proposed for law enforcement agencies. As directed by the Committee, proposed legislation is being drafted by a representative from California Police Chiefs' Association, California State Sheriffs' Association, and CPOA's Legislative Advocate (Al Cooper). The Committee will review the proposal at its next meeting on May 18 at the CPOA conference in Palm Springs.

R. Long Range Planning Committee

In Chairman Pantaleoni's absence, staff reported that the Committee met on March 8, 1989 in Ontario. Agenda items included:

1. Recruitment Symposium

A symposium to address problems and future solutions related to law enforcement recruitment will be held May 31 to June 2, 1989 in San Diego. Attendance is restricted to law enforcement chief executives, POST Commissioners and Advisory Committee members only.

2. Team Building Workshops Program

The Committee recommended that the Commission adopt the following recommendations:

- a. Authorize an immediate one-time expenditure in order that staff can approve all currently backlogged requests by departments for team building workshops. The backlog has accumulated over time as requests have exceeded the annual spending cap. Fiscal impact is estimated at approximately \$140,000.
- b. By policy, preclude routine approval of annual POST funded team building workshops, and instead require that funding of workshops be no more frequent than every other year.
- c. Continue to authorize funding of team building workshops in all instances when bonafide emergency need exists.
- e. Review the program again in one year.

2. Certificate Revocation

The Committee reviewed the feasibility of revocation of POST Professional Certificates for acts involving moral turpitude by peace officers and made the following recommendations:

- a. Staff develop a proposal for legislation that would authorize or require the Commission to revoke professional certificates of officers convicted of crimes involving moral turpitude. In this regard, current revocation provisions would be expanded from all felonies to selected misdemeanor convictions.
- b. Staff continue to assess the feasibility of including in proposed new certificate revocation provisions revocation based upon adjudication by administrative procedure or by a court of law, of a determination that an act involving moral turpitude was committed.

MOTION - Wasserman, second - Grande, carried unanimously to adopt the recommendations of the Long Range Planning Committee.

5. Instructional Technology & Institutes Committee

Commissioner Grande, Chairman of the Instructional Technology & Institutes Committee, reported that the Committee met March 17, 1989 in Ontario. Agenda items included:

1. Video Distribution/Library Study

It was recommended that a two-year pilot program on missing persons training be distributed via satellite and continue to examine different methods of video distribution.

2. P.C. 832 Interactive Training Program

The committee received a report that the P.C. 832 Interactive Videodisc Training Course began extensive field testing beginning in the latter part of March 1989.

3. Shoot/No Shoot Judgment Simulator

It was recommended that the Commission advise the

field by bulletin of the progress and developments of this project.

4. Supervisory Leadership Institute Evaluation

Staff is currently examining the feasibility for conducting an evaluation to determine the effectiveness of the training being presented by the Supervisory Leadership Institute. The problem of attracting and keeping a sufficient number of qualified instructors to expand the program in the future and to maintain continuity was also discussed.

5. Command College Academic Credit Status

The Committee was informed that CSU-Chico would no longer seek to provide graduate level recognition of the Command College. Cal Poly recognition of the Command College will be 32 of the required 45 quarter-semester units for the Master of Science degree. The Command College students will be required to pay \$100 per quarter unit. This is strictly an arrangement between the school and individual students. The program is not retroactive and only applies to students who began in January 1989 and commit themselves at the beginning of the program.

6. Institute of Criminal Investigation

The Committee received a report that planning and development continues for the 80-hour Basic Criminal Investigation Course which will be the core training requirement for the Institute and its model for quality training. The second Train-the-Trainers Workshop was held March 30 through April 1.

It was the consensus of the Commission to accept the report of the Instructional Technology and Institutes Committee.

T. Advisory Liaison Committee

Commissioner Maghakian, Chairman of the POST Advisory Liaison Committee, reported that the Committee met on March 17, 1989 in Ontario. The Committee recommended that correspondence be sent to organizations represented on the Advisory Committee to encourage considering minority nominees when vacancies occur. The Committee also recommended that consideration be given to the nomination of minority candidates to the public member vacant positions on the Advisory Committee.

It was the consensus of the Commission to accept the report of the Advisory Liaison Committee.

U. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, reported that the Committee met April 20, 1989 just prior to the Commission meeting and recommended the following positions on current legislation:

MOTION - Hicks, second - Montenegro, carried unanimously to reaffirm the Legislative Review Committee's position recommendations on the following bills:

- o ACR 58 (Campbell) Requests POST and the Legislative Analyst to study the use of advanced technology for law enforcement training - SUPPORT
- o AB 670 (Bentley) Adds Transit Development Board to definition of "District" - OPPOSE
- o AB 1720 (Hayden) Establishes a Police Corps Program administered by POST and authorizes the Student Aid Commission to provide scholarship aid to applicants - OPPOSE
- o AB 1821 (Hansen) Requires POST to prepare curricula and establish standard procedures on the transmission and prevention of communicable disease - NEUTRAL
- o AB 2306 (Calderon) Requires POST to provide training on gang and drug law enforcement - NEUTRAL (SUPPORT IF AMENDED)
- o SB 309 (Seymour) Adds POST to State Master Plan and requires prevention seminars on drug and alcohol abuse be made a training priority - OPPOSE
- o SB 353 (Presley) Requires POST to do feasibility studies for persons desiring peace officer status and prohibits allocations from the POTF after 12-31-89 to agencies not already in program - SUPPORT POST PORTION IF AMENDED TO ALLOW POST TO CHARGE FOR STUDIES
- o SB 446 (Presley) Requires school peace officers to complete course of training on role of school peace officers approved by POST. OPPOSE

- o SB 457 (Stirling) Requires POST study on the possibility for instituting an Advanced Police Command Academy - NEUTRAL - WATCH
- o SB 533 (Torres) Requires POST to implement training on cultural differences and hate crimes. OPPOSE UNLESS AMENDED.
- o SB 860 (Kopp) Provides certain felons may be peace officers - OPPOSE
- o SB 1067 (Boatwright, et al) Requires POST to provide training in Sudden Infant Death Syndrome - OPPOSE
- o SCR 39 (Presley) Requests POST provide training on postpartum psychosis - SUPPORT

V. Advisory Committee

Ron Lowenberg, Chairman of the POST Advisory Committee, reported that the Committee met April 19, 1989 in Sacramento and expressed support for the Recruitment Symposium to be held in San Diego. The Committee also expressed appreciation for the excellent presentation made by staff concerning the Command College.

The Committee requested permission to explore the possibility of creating a national/international seat on the Command College. There was Commission consensus that the Advisory Committee pursue this issue.

OLD/NEW BUSINESS

W. Appointment of Advisory Committee Members

MOTION - Maghakian, second - Hicks, carried unanimously to re-appoint the following nominees to the POST Advisory Committee, to serve terms of office beginning September 1989 and continuing to September 1992:

- Ron Lowenberg, representing California Police Chiefs' Association
- Don Brown, representing California Organization of Police and Sheriffs
- Joe McKeown, representing California Academy Directors' Association

Discussion ensued concerning the nomination from California Union of Safety Employees (CAUSE). The Commission asked the Advisory Liaison Committee to study the best representation approach for specialized law enforcement groups in the POST program.

X. Report of the Nominating Committee for Election of Officers

Commissioner Wasserman, Chairman of the Nominating Committee, reported it was the recommendation of the Nominating Committee that Commissioner Sherman Block be nominated as Chairman and Commissioner Floyd Tidwell be nominated as Vice-Chairman of the POST Commission.

MOTION - Wasserman, second - Grande, carried unanimously to adopt the recommendation of the Nominating Committee and elect Commissioner Block as Commission Chairman, and Commissioner Tidwell as Vice-Chairman, both terms running through the April 1990 Commission meeting.

NEW BUSINESS

Commissioner Grande expressed concern over standardization of evaluating oral board raters and interviewers. By consensus, staff was directed to review the possibility of developing a training program designed to provide the expertise needed for this responsibility, and perhaps develop a list of eligible raters that agencies throughout the state could access. A preliminary report will be brought back to the Commission at an early meeting.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 20, 1989 - Marriott Hotel - San Diego
November 2, 1989 - Holiday Inn Capitol Plaza - Sacramento
January 18, 1990 - Marriott Hotel - San Diego
April 19, 1990 - Sacramento

ADJOURNMENT - 1:15 p.m.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: BASIC TRAINING STANDARDS

Proposed Language

1005. Minimum Standards for Training

(a) Basic Training (Required)

- (1) Every regular officer, except those participating in a POST-approved field training program, shall satisfactorily meet the training requirements of the Regular Basic Course before being assigned duties which include the exercise of peace officer power.

Requirements for the Regular Basic Course are set forth in PAM, Section D-1-3.

(The remainder of 1005 remains unchanged.)

1013. Code of Ethics

The Law Enforcement Code of Ethics, as stated in PAM Section C-3, shall be administered to all peace officer trainees during the Basic Course as specified in Procedure D-1-2 or at the time of appointment.

Procedure D-1, subparagraphs 1-3, 1-4, 1-5, and 1-6 are incorporated by reference into Regulation 1005, and a public hearing is required prior to their revision. See the Historical Note at the conclusion of this Procedure.

BASIC TRAINING

Purpose

1-1. Specifications of Basic Training: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorneys Investigators Basic Course, Marshals Basic Course, and Specialized Basic Investigators Course.

Training Content and Methodology Basic-Course

1-2. Requirements for Basic Course Training Content and Methodology: The minimum content standards for the Basic Course training are broadly stated in paragraphs 1-3 to 1-6. Within each functional area, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. More detailed specifications are the-Performance-Objectives

contained in the documents "Performance Objectives for the POST Basic Course. and "POST Prescribed Training Courses." ~~This document is part of a dynamic basic course training system designed for change when required by new laws or other circumstances.~~ Supporting documents, although not mandatory, that complete the system are the POST Basic Course Management Guide and Instructional Unit Guides (57).

Successful course completion requires attendance of an entire course at a single academy except where POST has approved a contractual agreement between academies. Instructional methodology is at the discretion of individual course presenters. The Law Enforcement Code of Ethics shall be administered to peace officer trainees. Requirements and exceptions for specific basic courses are as follows:

- a. For the Regular Basic Course specified in paragraph 1-3, pPerformance objectives must be taught and tested as specified in the document "Performance Objectives for the POST Basic Course". Successful course completion is based upon objectives meeting the established success criteria specified in this document. the-POST-Basic-Course-Unit Guides. Tracking objectives by student is mandatory; however, the tracking system to be used is optional.

The POST-developed physical conditioning program must be followed within Functional Area 12.0 and students must pass a POST-developed physical abilities test at the conclusion of the conditioning program as a condition for successful course completion. The use of alternatives to the POST-developed physical abilities tests is subject

to approval by POST. Course presenters seeking POST approval to use alternative tests shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative tests are equivalent to the POST-developed tests with respect to validity and reliability. Evidence of test score equating is required.

b. Training methodology is optional. For basic courses listed in paragraphs 1-4 to 1-6, the performance objectives of the Regular Basic Course are not required but illustrative only of the content for the broad functional areas and learning goals specified for each of these basic courses. Successful course completion shall be determined by each course presenter.

c. Tracking objectives by student is mandatory, however, the tracking system to be used is optional.

d. A minimum of 520 hours of instruction in the Basic Course is required.

Specific Content and Hours

1-3. Regular Basic Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Basic Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. The Regular Basic Course contains the following Functional Areas

and minimum hours. Within-a-functional-area, listed-below, flexibility-is provided-to-adjust-hours-and-instructional-topics-with-prior-POST-approval.

Functional Areas:

| | |
|--|---------------------------------|
| 1.0 Professional Orientation | <u>11</u> 10 hours |
| 2.0 Police Community Relations | <u>16</u> 15 hours |
| 3.0 Law | <u>52</u> 50 hours |
| 4.0 Laws of Evidence | 20 hours |
| 5.0 Communications | <u>32</u> 30 hours |
| 6.0 Vehicle Operations | 24 hours |
| 7.0 Force and Weaponry | <u>54</u> 50 hours |
| 8.0 Patrol Procedures | <u>125</u> 116 hours |
| 9.0 Traffic | 30 hours |
| 10.0 Criminal Investigation | 50 hours |
| 11.0 Custody | <u>4</u> 5 hours |
| 12.0 Physical Fitness and Defense Techniques | <u>87</u> 85 hours |
| <u>Practical Exercise/Scenario/Testing</u> | <u>24</u> hours |
| Examinations: | <u>31</u> 25 hours |
| Total Minimum Required Hours | <u>560</u> 520 hours |

1-4. District Attorney Investigators Basic Course Content and Minimum Hours:

The District Attorney Investigators Basic Course contains the following

Functional Areas and minimum hours. Within-a-functional-area, flexibility-is

~~provided to adjust hours and instructional topics with prior POST approval.~~

District attorney basic training may be met by satisfactory completion of the training requirements of the Regular Basic Course, plus the satisfactory completion of a certified Investigation and Trial Preparation Course.

Functional Areas:

| | |
|---|-----------------------------------|
| 1.0 Professional Orientation | <u>11</u> — 10 hours |
| 2.0 Police Community Relations | <u>16</u> — 15 hours |
| 3.0 Law | <u>52</u> — 50 hours |
| 4.0 Laws of Evidence | 20 hours |
| 5.0 Communications | <u>32</u> — 30 hours |
| 6.0 Vehicle Operations | 8 hours |
| 7.0 Force and Weaponry | <u>54</u> — 50 hours |
| 8.0 Custody | <u>4</u> — 5 hours |
| 9.0 Physical Fitness and Defense Techniques | <u>42</u> 40 hours |
| *10.0 Field Techniques | <u>79</u> — 70 hours |
| *11.0 Criminal Investigation and Trial Preparation | 50 hours |
| *12.0 Specialized Investigation Techniques | 30 hours |
| *13.0 Civil Process | 20 hours |
| <u>Practical Exercise/Scenarios</u> | <u>24</u> hours |
| Examinations | <u>20</u> —24 hours |
| Total Minimum Required Hours | <u>462</u> — 422 hours |

1-5. Marshals Basic Course Content and Minimum Hours:

Functional Areas:

| | |
|-------------------------------------|-----------------------------------|
| 1.0 Professional Orientation | <u>11</u> — 10 hours |
| 2.0 Police Community Relations | <u>16</u> — 15 hours |
| 3.0 Law | <u>37</u> — 35 hours |
| 4.0 Laws of Evidence | 20 hours |
| 5.0 Communications | <u>32</u> — 30 hours |
| 6.0 Vehicle Operations | 8 hours |
| 7.0 Force and Weaponry | <u>54</u> — 50 hours |
| 8.0 Criminal Investigation | 24 hours |
| 9.0 Physical Fitness and Defense | |
| Techniques | <u>42</u> — 40 hours |
| * 10.0 Field Techniques | <u>79</u> — 70 hours |
| * 11.0 Custody | <u>19</u> 20 hours |
| * 12.0 Civil Process | 60 hours |
| * 13.0 Bailiff | 40 hours |
| <u>Practical Exercise/Scenarios</u> | <u>24</u> <u>hours</u> |
| | |
| Examinations | <u>20</u> — 24 hours |
| | |
| Total Minimum Required Hours | <u>486</u> — 446 hours |

*Functional Areas that form the basis for the POST-Certified 80-hour Bailiff and Civil Process Course or the 40-hour Bailiff and Court Security Course and the 40-hour Civil Process Course.

1-6. Specialized Basic Investigators Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Specialized Basic Investigators Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provides a brief overview of the more specific content of the Performance Objectives. ~~Within-a-functional-area-listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval.~~ This course includes the curriculum of the 40-hour P.C. 832 Laws of Arrest and Firearms Course. Specialized Investigators Basic Training may be met by satisfactory completion of the training requirements of the Regular Basic Course.

Functional Areas:

| | | |
|------|--|----------|
| 1.0 | Professional Orientation | 10 hours |
| 2.0 | Police Community Relations | 15 hours |
| 3.0 | Law | 20 hours |
| 4.0 | Laws of Evidence | 15 hours |
| 5.0 | Communications | 15 hours |
| 6.0 | Vehicle Operations | 8 hours |
| 7.0 | Force and Weaponry | 33 hours |
| 8.0 | Field Procedures | 39 hours |
| * | 9.0 (Deleted) | 0 hours |
| 10.0 | Criminal Investigation | 24 hours |
| * | 11.0 (Deleted) | 0 hours |
| 12.0 | Physical Fitness and Defense Techniques | 12 hours |

13.0 Specialized Investigative

Techniques 18 hours

Examinations 11 hours

Total Minimum Required Hours 220 hours

*Since the majority of the Specialized Basic Course is taken directly from the regular Basic Course, it is important that the two numbering systems correspond. For that reason Functional Areas 9.0 and 11.0 (Traffic and Custody, respectively) are shown as deleted. Conversely, a new functional area, 13.0 Specialized Investigative Techniques, has been developed for the Specialized Basic Investigators Course.

Historical Note:

Subparagraph 1-3 adopted effective April 15, 1982, and amended and incorporated by reference on January 24, 1985.

Subparagraph 1-4 adopted effective April 27, 1983, and amended and incorporated by reference on January 24, 1985.

Subparagraph 1-5 adopted effective April 27, 1983, and amended and incorporated by reference on January 24, 1985 and January 15, 1987.

Subparagraph 1-6 adopted effective October 20, 1983

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PROPOSED NEW REGULATION ON PC 832 TESTING
REQUIREMENTS AND PROCEDURES

1080. PC 832 COURSE Testing Requirements

Pursuant to Section 832(a) of the Penal Code, persons who receive PC 832 training in a POST-certified course, other than the POST Regular Basic Course, shall demonstrate satisfactory completion of the training by passage of a POST-developed or POST-approved examination or examinations. Passage of a written examination shall be required for the arrest procedures curriculum; passage of a skills examination shall be required for the firearms curriculum.

(a) Examination Procedures:

- (1) All original examinations, when appropriate, required by this section shall be administered as part of instruction and immediately following the conclusion of the required PC 832 instruction in POST-certified courses (except the Regular Basic Course as noted above).
- (2) All examinations shall be scored pass/fail.
- (3) Administration and scoring of the written examination shall be delegated to qualified course presenters who have received training in the administration of the examination and who agree to abide by the terms of a formal test security agreement; the firearms examination shall be administered and scored by the firearms instructor(s) in accordance with the POST-specified course of fire and passing scores.
- (4) All examination results shall be mailed to POST by course presenters within 2 working days of the date of testing.

(b) Notification Procedures: Administrators of the examinations shall provide examinees with preliminary oral or written notification of examination results within 24 hours after the time of testing. Notification by POST of official examination results shall be mailed to each examinee within 2 working days of receipt by POST of the examinee's test materials.

(c) Retesting: Persons failing an the written examination shall be permitted one retest and shall be permitted reasonable time to prepare for the retest. Retests shall be administered at the same a POST-approved location as the original examination within 90 days of the date of the original examination. In order to continue to qualify pursue satisfaction of course requirements, persons who fail to achieve a passing score upon retesting shall be required to repeat the related appropriate training. Persons who repeat the related appropriate training shall have two opportunities to pass the examination be considered as new students for testing purposes.

(d)

POST-Approved Examinations: The use of alternatives to the POST-developed examinations is subject to approval by POST. Course presenters seeking POST approval to use alternative examinations shall present evidence that the alternative tests were developed in accordance with recognized professional standards, and that alternative examinations are equivalent to the POST-developed examinations with respect to curriculum validity and test reliability. Evidence of test score equating is required.

Proposed New Regulation on Approved Courses

1081. Minimum Standards for Approved Courses

Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours. More detailed minimum curricula content is contained in the document "POST Prescribed Curricula Manual."

- (1) Arrest and Firearms (Penal Code Section 832) - 40 Hours
(Certified course; requirement satisfied by Basic Course.)

*Arrest (24 hours)
(Required)

- A. Professional Orientation
- B. Law
- C. Laws of Evidence
- D. Investigation Examination

*Firearms (16 hours)
(Required for peace officers carrying firearms)

- A. Firearms Safety
- B. Handgun Familiarization
- C. Firearms Care and Cleaning
- D. Firearms Shooting Principles
- E. Firearms Range (Target)

Communications and Arrest (16 hours)
(Recommended for peace officers who make arrests)

- A. Community relations
- B. Communications
- C. Arrest and Control Examination

* Specific Basic Course performance objectives are required and specified in the POST Prescribed Curricula Manual

- (2) Aviation Security (Penal Code Section 832.1) - 20 Hours
(Certified Course)

- A. Introduction and Background
- B. Civil Threat to the Aviation Industry
- C. Federal Organization and Jurisdiction
- D. Legal Aspects
- E. Psychological Aspects
- F. Passenger Screening
- G. Aviation Explosives

H. Aviation Security Questions and Issues Examination and Critique

- (3) Basic (Regular) (Penal Code Section 832.3) (Certified Course) - 520 Hours

See PAM, Section D-1

- (4) Chemical Agent for Peace Officers (Penal Code Section 12403) (Requirement satisfied by the Basic Course) - 8 Hours

Exceptions: Chemical Agent Training for California Youth Authority Field Parole Agents and local field probation officers, as described in P.C. Section 830.5 shall be the training prescribed in P.C. Section 12403.7 and certified by the Department of Justice.

- A. Legal and Ethical Aspects
- B. Chemical Agents Familiarization
- C. Medical and Safety Aspects (First Aid)
- D. Use of Equipment
- E. Simulations and Exercises

- (5) Chemical Agent Training for Private Security (Penal Code Section 12403.5) (Not a POST-certified course) - 2 Hours

Chemical Agent Training for Private Security personnel shall be the training prescribed in P.C. 12403.7 and certified by Department of Justice.

- A. Self Defense, History of Chemical Agents, and Aerosol Weapons
- B. Effectiveness as a self-defense weapon
- C. Mechanics of Tear Gas Use
- D. Medical Aspects of First Aid
- E. Practical Use
- F. Field Training and Demonstration
- G. Discard of Weapons

- (6) Child Abuse and Neglect (Penal Code Section 13517) (Certified course; requirement satisfied by the Basic Course; optional Technical Course.) - 24 Hours

- A. General Child Abuse Investigative Procedures
- B. Child Neglect and Emotional Abuse/Deprivation
- C. Physical Child Abuse
- D. Sexual Abuse and Exploitation of Children
- E. Interview and Interrogation Techniques

- F. Community Child Care Facilities
- G. Course Critique and Student Evaluation

(7) Domestic Violence (Penal Code Section 13519) - 8 Hours

- A. Overview of Domestic Violence
- B. Legislative Intent/POST Guidelines
- C. Enforcement of Laws
- D. Court Orders
- E. Tenancy

(8) Humane Officer Firearms (Civil Code Section 607f) - 15 Hours

The required course is the Firearms portion of the P.C. 832 Course, with an examination.

(9) Missing Persons (Penal Code Section 13519.1) - 4 Hours

- *A. Benefits for Law Enforcement Involvement and sensitivity
- B. Initial Response Procedures
- C. Locating Missing Persons
- *D. Legal Requirements for Initial Response and Follow-up

*For in-service officers completing basic training prior to 1-1-89, supplementary training consists of 2 hours emphasizing the indicated topics.

(10) Reserve Peace Officer (Penal Code Section 832.6) - 214 Hours
(Certified course; requirement satisfied by the Basic Course.)

Level III Reserve (56 Hours)
P.C. 832 Arrest and Firearms Course (Level III Reserve is required for Level III, Level II, and non-designated Level I Reserve Officers.)

Level II Reserve (90 Hours) (Prerequisite - Level III Reserve Course)

- A. First Aid and CPR
- B. Role of Back-up Officer
 - 1. Orientation
 - 2. Officer Survival
 - 3. Weaponless Defense and Baton
 - 4. Traffic Control
 - 5. Crime Scene Procedures
 - 6. Shotgun
 - 7. Crowd Control
 - 8. Booking Procedures

9. Community Relations
10. Radio and Telecommunication
11. Examination
(Module B is required for Level II and non-designated Level I Reserve Officers.)

Level I Reserve (68 Hours) (Prerequisite - Level III & II Reserve Course)

- A. Professional Orientation
- B. Police Community Relations
- C. Law
- D. Communications
- E. Vehicle Operations
- F. Laws of Evidence
- G. Patrol Procedures
- H. Traffic
- I. Criminal Investigation
- J. Custody
- K. Physical Fitness and Defense Techniques
- L. Examination
(Level I Reserve is required for non-designated Level I Reserve Officers.)

Designated Level I Reserve Officers are required to complete the regular Basic Course as described in PAM Section D-1.

- (11) Sex Crime Investigation (Penal Code Section 13516)
(Certified Course)

- 24 Hours

Preliminary Sexual Assault Investigation and Sexual Exploitation; Exploitation/Sexual Abuse of Children (Required part of Basic): (6 Hours)

- A. Overview of Problems, Issues and Prevention Considerations
- B. Sensitivity of Responding Officer
- C. Treatment of Victim
- D. Preliminary Investigation Procedure

Follow-up Sexual Assault Investigation: (18 Hours)

- E. Collection and Preservation of Evidence
- F. Classroom Demonstration
- G. Basic Assault Investigation
- H. Review Report of Preliminary Investigation
- I. Re-interview the Victim
- J. Investigation of the Suspect
- K. Physical Evidence
- L. Prosecution
- M. Pretrial Preparation

(12) State Agency Peace Officers (Penal Code Section 13510.5)
(Certified Course)

The Advanced Officer Course as described in PAM Section D-2 shall satisfy the minimum training required by P.C. 13510.5, per Commission action of October 1978.

(13) Traffic Accident Investigation (Vehicle Code Section 40600)
(Certified Course.)

- A. Vehicle Law and Court Decision Relating to Traffic Accidents
- B. Report Forms and Terminology
- C. Accident Scene Procedures
- D. Follow-up and Practical Application

(14) Wiretap Investigation (Penal Code Section 629.44(a))

- 14 Hours

- A. Legal Aspect
- B. Technical Aspects
- C. Practical Aspects

Commission on Peace Officer Standards and Training

PUBLIC HEARING: PC 832 COURSE CURRICULUM AND TESTING STANDARDS

Proposed Language

1005. Minimum Standards for Training (continued)

(g) Approved Courses

- (1) Approved courses pertain only to training mandated by the Legislature for various kinds of peace officers and other groups. The Commission may designate training institutions or agencies to present approved courses.
- (2) Requirements for Approved Courses are set forth in PAM~~7~~-Section D-7 Regulation 1081.

(h) Seminars (Optional)

- (1) Seminars are designed to disseminate information or study and solve current and future problems encountered by law enforcement.
- (2) Requirements for Seminars are set forth in PAM, Section D-8.

(i) Field Management Training (Optional)

- (1) Field Management Training is designed to assist in the solution of specific management problems within individual Regular Program departments.

B.

COMMISSION AGENDA ITEM REPORT

| | | |
|---|--|--|
| Agenda Item Title Course Certification/Decertification Report | | Meeting Date July 20, 1989 |
| Bureau Training Delivery Services | Reviewed By <i>RAA</i> Ronald T. Allen, Chief | Researched By <i>Rachel S. Fuentes</i> Rachel S. Fuentes |
| Executive Director Approval | Date of Approval | Date of Report June 30, 1989 |
| Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |

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

The following courses have been certified or decertified since the April 20, 1989 Commission meeting:

CERTIFIED

| | <u>Course Title</u> | <u>Presenter</u> | <u>Course Category</u> | <u>Reimbursement Plan</u> | <u>Annual Fiscal Impact</u> |
|-----|-------------------------------------|------------------------------------|------------------------|---------------------------|-----------------------------|
| 1. | Sexual Assault Response Team Trng | Cabrillo College | Technical | IV | \$ 4,000 |
| 2. | SWAT/ReSWAT Update | FBI, Los Angeles | Technical | IV | 14,650 |
| 3. | Field Evidence Technician | Los Medanos College | Technical | II | 13,440 |
| 4. | Skills & Knowledge Modular Training | Dept. of Parks & Recreation | Technical | IV | -0- |
| 5. | Skills & Knowledge | Palo Verde College | Technical | IV | 1,500 |
| 6. | Performance Rating Workshop | PMW Associates | Supv. Sem. | III | 15,360 |
| 7. | Interviewing Child Victims | USC Delinquency Control Institute | Technical | III | 15,693 |
| 8. | Management Update | Cristano House, Inc. | Mgmt. Sem. | III | 6,480 |
| 9. | DUI, Driving under the Influence | San Bernardino Co. Sheriff's Dept. | Technical | IV | 3,672 |
| 10. | Report Writing for Instructors | Orange Co. S.D. | Technical | IV | 5,400 |
| 11. | Hazardous Mat. On-Scene Manager | San Diego LETC | Technical | IV | 6,480 |
| 12. | Hazardous Mat. Awareness Course | San Diego LETC | Technical | III | 2,160 |

CERTIFIED - Continued

| | <u>Course Title</u> | <u>Presenter</u> | <u>Course Category</u> | <u>Reimbursement Plan</u> | <u>Annual Fiscal Impact</u> |
|-----|---|---------------------------|------------------------|---------------------------|-----------------------------|
| 13. | Skills & Knowledge Modular Training | Orange Co. S.D. | Technical | IV | 7,800 |
| 14. | Supv. Response to Off. Inv. Shootings | Fullerton College | Supv. Sem. | IV | 5,632 |
| 15. | Complaint/Dispatcher | San Francisco P.D | Technical | II | 57,600 |
| 16. | Field Evidence Technician - Adv. | College of the Redwoods | Technical | II | 8,750 |
| 17. | Hazardous Mat. for Drug Lab Investigators | CSTI | Technical | III | 7,728 |
| 18. | Hazardous Mat. Executive Mgmt. | CSTI | Mgmt. Sem. | III | 5,141 |
| 19. | Worker's Comp. & Disability Ret. | CSU, Sacramento | Exec. Sem. | III | 29,226 |
| 20. | Tracking, Wilderness | College of the Siskiyou | Technical | IV | 7,600 |
| 21. | Traffic Court Preparation | Los Angeles P.D. | Technical | IV | -0- |
| 22. | Vehicle - Train Accident Inv. | Los Medanos College | Technical | IV | 11,529 |
| 23. | Basic Traffic Accident Inv. | Golden West College | Technical | II | 24,840 |
| 24. | Complaint/Dispatcher | Napa Valley College | Technical | N/A | -0- |
| 25. | Drug Influence - 11550 H&S | Napa Valley College | Technical | IV | 54,000 |
| 26. | Skills & Knowledge Modular Training | Ventura College | Technical | IV | 150 |
| 27. | Complaint/Dispatcher | Oakland P.D. | Technical | II | 12,000 |
| 28. | Driver Awareness Instructor Update | Los Angeles P.D. | Technical | III | 40,435 |
| 29. | Driver Awareness Course | Baldwin Park Police Dept. | Technical | IV | 2,880 |

CERTIFIED - Continued

| | <u>Course Title</u> | <u>Presenter</u> | <u>Course Category</u> | <u>Reimbursement Plan</u> | <u>Annual Fiscal Impact</u> |
|-----|----------------------------------|------------------------------------|------------------------|---------------------------|-----------------------------|
| 30. | Boating Basic Skills Training | Dept. of Boating & Waterways | Technical | IV | 8,400 |
| 31. | Vehicle, Special Oper. - 4 Wheel | Sacramento Public Safety Center | Technical | III | 20,426 |
| 32. | Child Abuse Update | USC, Delinquency Control Institute | Technical | III | 18,240 |
| 33. | Complaint/Dispatcher | Ventura College | Technical | II | 27,312 |
| 34. | Report Writing | Santa Rosa Training Center | Technical | IV | 17,280 |
| 35. | Driver Training Update | San Mateo Co. S.D. | Technical | IV | 4,000 |
| 36. | Firearms Inst. - Semi-Automatic | Rio Hondo College | Technical | IV | 4,800 |
| 37. | Hair & Fiber Ident. & Comp. | DOJ Training Center | Technical | IV | 6,912 |

DECERTIFIED

| | <u>Course Title</u> | <u>Presenter</u> | <u>Course Category</u> | <u>Reimbursement Plan</u> |
|-----|----------------------------------|---------------------------------|------------------------|---------------------------|
| 1. | Worker's Comp. - Exec. | Cal Poly, Pomona | Exec. Trng. | III |
| 2. | Computer Appl./ Emer Mgmt Update | CSTI | Technical | III |
| 3. | Terrorism Seminar | CSTI | Technical | III |
| 4. | Coroners Course | Kern Co. RCTJC | Technical | III |
| 5. | Field Evidence Technician | State Center Reg. | Technical | II |
| 6. | Dive Rescue I | San Francisco P.D. | Technical | IV |
| 7. | Search and Rescue | Santa Rosa Center | Technical | IV |
| 8. | Reserve Training, Module C | Santa Rosa Center | Technical | N/A |
| 9. | Critical Incident Mgmt. & Tactic | Redwoods Center | Supv. Trng. | IV |
| 10. | Special Weapons & Tactics | Redwoods Center | Technical | IV |
| 11. | Death Inv. | FBI - San Diego | Technical | II |
| 12. | Domestic Violence Update | Orange Co. S.D. | Technical | IV |
| 13. | Link Analysis Techniques Update | DOJ Training Center | Technical | IV |
| 14. | Visual Invest. Analysis Update | DOJ Training Center | Technical | IV |
| 15. | Domestic Violence Update | Ventura Co. CJTC | Technical | IV |
| 16. | Asset Seizure & Forfeiture | Sacramento Public Safety Center | Technical | IV |
| 17. | Planning for Tomorrow Today | Los Angeles Co. S.D. | Technical | IV |
| 18. | Domestic Violence Update | Los Angeles Co. S.D. | Technical | IV |
| 19. | Fingerprint, Basic | FBI - Sacramento | Technical | IV |

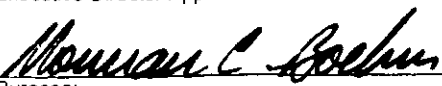
DECERTIFIED - Continued

| | <u>Course Title</u> | <u>Presenter</u> | <u>Course Category</u> | <u>Reimbursement Plan</u> |
|-----|--------------------------------------|------------------------------|------------------------|---------------------------|
| 20. | Fingerprint, Adv. Latent | FBI - Sacramento | Technical | IV |
| 21. | Firearms Instructors | FBI - Sacramento | Technical | IV |
| 22. | Special Weapons & Tactics | FBI - Sacramento | Technical | IV |
| 23. | Welfare Fraud Inv. Update | Ventura College | Technical | IV |
| 24. | Complaint/Disp. Update | Evergreen Valley CJTC | Technical | IV |
| 25. | Traffic Accident Inv. | Evergreen Valley CJTC | Technical | IV |
| 26. | Traffic Accident Inv., Inter. | Evergreen Valley CJTC | Technical | IV |
| 27. | Domestic Violence Update | San Mateo College | Technical | IV |
| 28. | Traffic Accident Inv. | Oakland P.D. | Technical | IV |
| 29. | Team Building Workshop | Management Dev. Associates | TBW | III |
| 30. | Commercial Vehicle Enforcement | Oakland P.D. | Technical | IV |
| 31. | Forensic Serology | DOJ Training Ctr. | Technical | IV |
| 32. | Narcotics Enforc. for Peace Officers | DOJ Training Ctr. | Technical | IV |
| 33. | Hazardous Mat. | Los Medanos College | Technical | IV |
| 34. | Aviation Security (P.C.832.1) | San Francisco Airport Police | Technical | IV |

| | |
|---------------------|-----------|
| TOTAL CERTIFIED | <u>37</u> |
| TOTAL DECERTIFIED | <u>34</u> |
| TOTAL MODIFICATIONS | <u>86</u> |

943 Course certified as of 6-30-89
 162 Presenters certified as of 6-30-89

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

| COMMISSION AGENDA ITEM REPORT | | |
|--|--|--|
| Agenda Item Title New Agency - Stockton Judicial District Marshal's Office | | Meeting Date July 20, 1989 |
| Bureau Compliance and Certificate Services | Reviewed By Darrell L. Stewart | Researched By Tom Farnsworth |
| Executive Director Approval  | Date of Approval 6-13-89 | Date of Report June 13, 1989 |
| Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>The Stockton Judicial District Marshal's Office is seeking entry into the POST Reimbursable Program on behalf of its Marshal and Deputy Marshals.</p> <p><u>BACKGROUND</u></p> <p>The provisions of 830.1 Penal Code permit a Marshal's Office to employ sworn officers. The San Joaquin County Board of Supervisors has submitted the proper documents supporting POST objectives and regulations.</p> <p><u>ANALYSIS</u></p> <p>The Marshal's Office has 15 full-time and 8 temporary deputies. Adequate background investigations have been conducted and the agency is complying with POST Regulations.</p> <p><u>RECOMMENDATION</u></p> <p>The Commission be advised that the Stockton Judicial District Marshal's Office has been admitted into the POST Reimbursement Program consistent with Commission policy.</p> | | |
| <p>wp/6/13/89 ag-stktn-marshal</p> | | |

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

| COMMISSION AGENDA ITEM REPORT | | |
|---|---|---|
| Agenda Item Title City of Calipatria | | Meeting Date July 20, 1989 |
| Bureau Compliance and Certificates Services | Reviewed By Darrell L. Stewart <i>DL</i> | Researched By George Fox |
| Executive Director Approval <i>Norman C. Becken</i> | Date of Approval 6/7/89 | Date of Report |
| Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>The City of Calipatria has requested that its police department be included in the POST reimbursable program.</p> | | |
| <p><u>BACKGROUND</u></p> <p>The city has recently discontinued its contract with the Imperial County Sheriff's Department and reinstated a city police department. The city has furnished Ordinance No. 250 dated August 23, 1988 assuring adherence to POST standards.</p> | | |
| <p><u>ANALYSIS</u></p> <p>The department presently employs two sworn officers. Both officers have the required training and adequate background investigations have been conducted. The projected fiscal impact should be less than \$1,000 annually.</p> | | |
| <p><u>RECOMMENDATION</u></p> <p>The Commission be advised that the City of Calipatria has been admitted into the POST program consistent with Commission Policy.</p> | | |

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

| COMMISSION AGENDA ITEM REPORT | | |
|---|---|---|
| Agenda Item Title Los Angeles Department of Airports Police Department | Meeting Date July 20, 1989 | |
| Bureau Compliance and Certificate Services | Reviewed By Darrell L. Stewart <i>DS</i> | Researched By Bud Perry <i>LP</i> |
| Executive Director Approval <i>Norman C. Becker</i> | Date of Approval 5-17-89 | Date of Report |
| Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>The Los Angeles Department of Airports Police Department has requested entry into the POST Program.</p> <p><u>BACKGROUND</u></p> <p>The agency's law enforcement officers are peace officers per Section 830.4(k) of the Penal Code. The required Resolution adopted by the Los Angeles Board of Airports Commissioners on April 20, 1988, has been received by POST and the agency's management has expressed support of POST objectives and Regulations.</p> <p><u>ANALYSIS</u></p> <p>The Los Angeles Department of Airports Police Department, which comprises the LAX and Van Nuys Airport facilities, has 210 sworn peace officers. The fiscal impact is minimal as the agency is not reimbursable.</p> <p><u>RECOMMENDATION</u></p> <p>The Commission be advised that the Los Angeles Department of Airports Police Department has been admitted into the POST Specialized Program consistent with Commission policy.</p> | | |

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

| COMMISSION AGENDA ITEM REPORT | | |
|---|-------------------------------------|--|
| Agenda Item Title Law Agency - Employment Development Department | | Meeting Date July 20, 1989 |
| Bureau Compliance and Certificate Services Bureau | Reviewed By D. Stewart <i>DS</i> | Researched By Thomas Farnsworth <i>TF</i> |
| Executive Director Approval <i>William C. Becker</i> | Date of Approval 4/28/89 | Date of Report |
| Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>The State of California Employment Development Department, Investigative Division, is seeking entry into the POST Specialized Program on behalf of its investigators.</p> | | |
| <p><u>ANALYSIS</u></p> <p>Investigators in the Employment Development Department, Investigative Division, derive their peace officer status from P.C. 830.3(s). The Employment Development Department, Investigative Division, is included in a class of agencies approved by the Commission for entry into the POST Specialized Program.</p> | | |
| <p><u>RECOMMENDATION</u></p> <p>The Commission be advised the State of California Employment Development Department, Investigative Division, has been admitted into the POST Specialized Program consistent with Commission Policy.</p> | | |

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

| COMMISSION AGENDA ITEM REPORT | | | |
|--|--|---|--|
| Agenda Item Title | | Meeting Date | |
| AMTRAK, Decertification | | July 20, 1989 | |
| Bureau | Reviewed By | Researched By | |
| Compliance and Certificate Services Bureau | Darrell L. Stewart <i>DP</i> | George Fox <i>F</i> | |
| Executive Director Approval | Date of Approval | Date of Report | |
| <i>Norman C. Bachan</i> | <i>5/4/89</i> | | |
| Purpose: | | Financial Impact: | |
| <input type="checkbox"/> Decision Requested | <input checked="" type="checkbox"/> Information Only | <input type="checkbox"/> Yes (See Analysis for details) | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Status Report | | | |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | | |
| <p><u>ISSUE:</u></p> <p>The AMTRAK Police Department has requested to withdraw from the POST Program.</p> <p><u>BACKGROUND</u></p> <p>AMTRAK officers are all trained at the Federal academy in Georgia and when transferred to California must satisfy POST requirements through the Basic Course Waiver Examination process. In addition, the agency has a three month probation period and states they cannot meet POST one-year standard because of collective bargaining agreements. The agency has also had difficulty monitoring the POST Continuous Professional Training requirement. They, therefore, decided to withdraw from the POST program.</p> <p><u>RECOMMENDATION</u></p> <p>That the Commission be advised that the AMTRAK Police Department has withdrawn from the POST program.</p> | | | |

| COMMISSION AGENDA ITEM REPORT | | |
|---|------------------------------------|--|
| Agenda Item Title Public Safety Dispatcher Program | | Meeting Date July 20, 1989 |
| Bureau Compliance and Certificate Services | Reviewed By | Researched By Darrell Stewart <i>DS</i> |
| Executive Director Approval <i>Norman C. Boehm</i> | Date of Approval 6-15-89 | Date of Report June 13, 1989 |
| Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>Acceptance of agencies into the Public Safety Dispatcher Program.</p> <p><u>BACKGROUND</u></p> <p>The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed their willingness to abide by POST Regulations and have passed ordinances or resolutions as required by Penal Code Section 13522.</p> <p>Additionally, the California Department of Parks and Recreation has applied for the Specialized Public Safety Dispatcher Program.</p> <p><u>ANALYSIS</u></p> <p>All of the agencies presently employ full-time dispatchers, and some employ part-time dispatchers. The agencies have all established minimum selection and training standards which equal or exceed the standards adopted for the program.</p> <p><u>RECOMMENDATION</u></p> <p>That the Commission be advised that the subject agencies have been accepted into the POST Reimbursable and Specialized Public Safety Dispatcher Programs consistent with Commission policy.</p> | | |

NEW AGENCIES IN SINCE AGENDA ITEM DATED 4-20-89

4-7-89
 4-20-89
 5-3-89
 5-16-89
 5-24-89
 6-9-89

| <u>NAME</u> | <u>ORD/RES/LETTER</u> | <u>ENTRY DATE</u> |
|-----------------------------|-----------------------|-------------------|
| City of Angels(Angels Camp) | Ord. No. 301 | 4-19-89 |
| Arroyo Grande P.D. | Ord. No. 404C.S. | 4-3-89 |
| Atwater P.D. | Ord. No. CS 649 | 4-11-89 |
| Baldwin Park P.D. | Ord. No. 1013 | 4-19-89 |
| Barstow P.D. | Ord. No. 603 | 4-19-89 |
| Berkeley P.D. | Ord. No. 5910 N.S. | 4-3-89 |
| Beverly Hills P.D. | Ord. No. 89-0-2055 | 4-14-89 |
| Calexico P.D. | Ord. No. 902 | 5-16-89 |
| Chowchilla P.D. | Ord. No. 363-88 | 4-11-89 |
| Cloverdale P.D. | Ord. No. 431-89 | 5-22-89 |
| Coronado P.D. | Ord. No. 1727 | 3-29-89 |
| Cotati P.D. | Ord. No. 501 | 4-6-89 |
| Dixon P.D. | Ord. No. 8903 | 4-26-89 |
| El Cajon P.D. | Ord. No. 4160 | 4-19-89 |
| Fairfield D.P.S. | Ord. No. 89-4 | 4-3-89 |
| Fresno P.D. | Ord. 89-145 | 5-16-89 |
| Garden Grove P.D. | Ord. No. 2082 | 4-19-89 |
| Glendora P.D. | Ord. No. 1538 | 4-19-89 |
| Gridley P.D. | Ord. No. 538 | 4-12-89 |
| Inglewood P.D. | Ord. No. 89-2 | 4-13-89 |
| LaVerne P.D. | Ord. No. 784 | 5-15-89 |
| Livermore P.D. | Ord. 1291 | 6-7-89 |
| Lodi P.D. | Ord. No. 1435 | 5-22-89 |
| Millbrae P.D. | Ord. No. 539 | 6-6-89 |
| Montebello P.D. | Ord. No. 1970 | 4-11-89 |
| Napa P.D. | Ord. No. 4080 | 4-6-89 |
| Oxnard P.D. | Ord. #2187 | 3-28-89 |
| Pinole P.D. | Ord. 525 | 6-7-89 |
| Placentia P.D. | Ord. No. 89-0-102 | 4-11-89 |
| Roseville P.D. | Ord. No. 2195 | 4-3-89 |
| San Carlos P.D. | Ord. No. 1017 | 4-3-89 |
| San Clemente P.D. | Ord. No. 997 | 4-11-89 |
| San Francisco P.D. | Ord. No. 47-89 | 4-13-89 |
| San Jacinto P.D. | Ord. No. 859 | 4-11-8 |
| San Mateo P.D. | Ord. No. 989-12 | 6-6-89 |
| Sanger P.D. | Ord. No. 816 | 4-19-89 |
| Sausalito P.D. | Ord. No. 1045 | 4-13-89 |
| Sebastopol P.D. | Ord. No. 847 | 3-28-89 |
| Selma P.D. | Ord. No. 912 | 5-1-89 |
| South Gate P.D. | Ord. No. 1795 | 4-18-89 |
| Vallejo P.D. | Ord. No. 1022 | 5-2-89 |
| Weed P.D. | Ord. No. 264-88 | 5-22-89 |

| | | |
|----------------------------------|------------------|---------|
| Wheatland P.D. | Ord. No. 325 | 5-2-89 |
| Calaveras County S. D. | Ord. No. 2022 | 5-1-89 |
| Contra Costa Co. S.D. | Ord. No. 89-15 | 4-3-89 |
| Mono Co. S.D. | Ord. No. 89-UC-1 | 5-22-89 |
| Nevada Co. S.D. | Ord. No. 1564 | 4-12-89 |
| Shasta Co. S.D. | Ord. No. 551 | 3-28-89 |
| Solano Co. S.D. | Ord. No. 1337 | 5-12-89 |
| Trinity Co. S.D. | Ord. No. 1114 | 3-28-89 |
| Col. of Sequoias | Resolution | 4-11-89 |
| CSU Fresno | Resolution | 4-27-89 |
| CSU Fullerton | Resolution | 4-11-89 |
| CSU Hayward | Resolution | 4-12-89 |
| CSU Humboldt | Resolution | 3-28-89 |
| CSU Los Angeles | Resolution | 5-17-89 |
| Cal/Poly-Pomona | Resolution | 4-21-89 |
| CSU San Bernardino | Resolution | 4-11-89 |
| San Diego State U. | Resolution | 4-21-89 |
| CSU San Francisco | Resolution | 5-17-89 |
| CSU - San Jose | Resolution | 3-28-89 |
| CSU - Sonoma | Resolution | 4-21-89 |
| CA Dept. Parks and Recreation | Letter of Intent | 4-26-89 |

| COMMISSION AGENDA ITEM REPORT | | |
|--|-------------------------------|--|
| Agenda Item Title Affirmation of Commission Policy Statements | Meeting Date July 20, 1989 | |
| Bureau Information Services | Reviewed By | Researched By George W. Williams |
| Executive Director Approval <i>Merrill C. Behm</i> | Date of Approval 7-5-89 | Date of Report July 3, 1989 |
| Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>Should the policy statement that was adopted by the Commission at the April 20, 1989 Commission regular meeting be affirmed.</p> <p><u>BACKGROUND</u></p> <p>The Commission has directed staff to resubmit policy matters for affirmation by the Commission prior to inclusion in the Commission Policy Manual.</p> <p><u>ANALYSIS</u></p> <p>At the April 1989 Commission Meeting the Commission considered a proposal to amend Regulation 1002 (6) to make it consistent with the provisions of Government Code Section 1031 (e). See the attached Agenda Item Report for this item for the last meeting. At that meeting the Commission adopted policy regarding graduation from high school in foreign countries.</p> <p><u>RECOMMENDATION</u></p> <p>Affirm the following policy statement for inclusion in the Commission Policy Manual:</p> <p style="padding-left: 40px;"><u>Graduation from High School in a Foreign Country</u> Persons who have graduated from a high school in a foreign country shall pass a General Education Development (GED) test indicating high school graduation level.</p> | | |

COMMISSION MEETING MINUTES
July 20, 1989
San Diego Marriott Hotel
San Diego, CA

The meeting was called to order at 10:10 a.m. by Chairman Block.
Chairman Block led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Sherman Block, Chairman
Carm Grande
Edward Maghakian
Raquel Montenegro
Alex Pantaleoni
Leslie Sourisseau
Floyd Tidwell
John Van de Kamp
Robert Wasserman

Commissioners Absent:

Cecil Hicks
Robert Vernon

POST Advisory Committee Members Present:

Ron Lowenberg, Chairman
Don Brown
Don Forkus
Carolyn Owens
Mike Sadlier
Bill Shinn

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Doug Thomas, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Tom Liddicoat, Budget Officer, Administrative Services
Ted Morton, Bureau Chief, Center for Executive Development
Otto Saltenberger, Bureau Chief, Administrative Services
Hal Snow, Bureau Chief, Training Program Services
George Williams, Bureau Chief, Information Services

Visitors' Roster:

Ron Adamik, California State Police Association
Tom Beck, Santa Clara County Deputy Sheriff's Association
Bob Curry, San Diego Marshal's Office
Dennis Kollar, San Diego Sheriff's Department
Vincent Scally, Deputy Attorney General

A. Approval of the Minutes of the April 20, 1989 Commission Meeting

MOTION - Tidwell, second - Montenegro, carried unanimously to approve the minutes of the April 20, 1989 Commission meeting at the Hilton Inn in Sacramento.

B. Approval of Consent Calendar

MOTION - Pantaleoni, second - Wasserman, carried unanimously to approve the following Consent Calendar (Wasserman abstained on B.6):

B.1 Receiving Course Certification Report

Since the April meeting, there have been 37 new certifications, 34 decertifications and 86 modifications.

B.2 Receiving Financial Report - Fourth Quarter FY 1988/89

The fourth quarter financial report provided information relative to the local assistance budget through June 30, 1989. The report was presented and accepted and is on file at POST headquarters.

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

The Stockton Judicial District Marshal's Office and the City of Calipatria have met the Commission's requirements and been accepted into the POST Regular (Reimbursement) Program.

B.4 Receiving Report on New Entry Into the POST Specialized (Non-Reimbursable) Program

Procedures provide for agencies to enter into the POST Specialized Program when qualifications have been met. The Los Angeles Airport Police Department and the Employment Development Department have met the requirements and have been accepted into the POST Specialized (Non-Reimbursable) Program.

COMMISSION AGENDA ITEM REPORT

| | | |
|---|-----------------------------------|---|
| Agenda Item Title Minimum Education Standard | | Meeting Date April 20, 1989 |
| Bureau Compliance and | Reviewed By | Researched By Darrell Stewart |
| Executive Director <i>Morgan C. Boehm</i> | Date of Approval 4-3-89 | Date of Report Mar. 30, 1989 |
| Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No |

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

ISSUE

Should the Commission schedule a public hearing to consider amending the minimum high school educational requirement in POST Regulations?

BACKGROUND

Commission Regulation 1002(a)(6) requires high school graduation or passage of a General Education Development Test (GED). This is based on the same requirement in Government Code Section 1031(e).

Effective January 1, 1989, Government Code Section 1031(e) has been amended and includes attainment of a two-year or four-year degree from a college or university as an acceptable alternative to high school graduation.

Additionally, due to the number of naturalized citizens being hired by law enforcement agencies, a question keeps arising whether the Government Code or POST Regulations require the high school graduation be in the United States.

ANALYSIS

Government Code 1031(e) was recently amended to allow a 2-year or 4-year college degree to meet the high school graduation requirement. Commission Regulation 1002(a)(6), a similarly worded educational standard does not include the college degree as an alternative.

The Commission may modify Regulation 1002(a)(6) to update the language and make it conform to current law. The proposed language for the two or four-year degree is directly from Government Code Section 1031(e).

Regarding the issue of a peace officer applicant having graduated from a high school in a foreign country, it appears that a broad interpretation of the law and regulation may be appropriate at this time. In fact, a high school diploma issued within the United States is not a sufficient indication of even basic literacy abilities. Acceptance of foreign high school diplomas poses little risk given other screening procedures, such as the required POST reading and writing examination.

POST legal counsel believes that Government Code Section 1031(e) draws no distinction between high school graduates of California or the United States and foreign countries, nor does it preclude satisfaction of its requirement by high school graduates of a foreign country. Had the Legislature intended to limit satisfaction of 1031(e) to graduation from a high school in the United States or California, or intended to preclude satisfaction by graduation from a foreign high school, it could have done so readily by additional statutory language, as it has done in other related selection standards statutes.

It is recommended that Regulation 1001(m) be revised to specify that high school graduation in a foreign country also satisfies POST's educational requirement (see Attachment B).

RECOMMENDATION

If the Commission concurs, set a public hearing at the July 1989 meeting to modify the Regulations as proposed.

Attachment A

Regulation 1002 (a)(6) Proposed Amendments

Education. Government Code 1031(e): Requires high school graduation or passage of the General Education Development Test (GED)., or attained a two-year or four-year degree from a college or university accredited by the Western Association of Colleges and Universities.

When the GED is used, a minimum overall score of not less than 45, and a standard score of not less than 35 on any section of the test, as established by the American Council on Education, shall be attained.

Attachment B

Regulation 1001(m) Definition Proposed Change

"High School" is a school accredited as a high school by the department of education of the state in which the high school is located, or a school accredited as a high school by the recognized regional accreditation body, or a school accredited as a high school by the state university of the state in which the high school is located, or a high school in a foreign country.

C.

| COMMISSION AGENDA ITEM REPORT | | |
|--|-----------------------------------|---|
| Agenda Item Title Basic Course Curriculum Changes - Gang Awareness | | Meeting Date July 20, 1989 |
| Bureau Training Program Services | Reviewed By Hal Snow | Researched By Russ Kindermann |
| Executive Director Approval <i>Norman C. Bohm</i> | Date of Approval 7-5-89 | Date of Report May 22, 1989 |
| Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |
| In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required. | | |
| <p><u>ISSUE</u></p> <p>Commission approval of Basic Course Curriculum changes relative to Gang Awareness.</p> <p><u>BACKGROUND</u></p> <p>Escalation of gang violence in major urban areas, in conjunction with gang activity spreading throughout the state, has prompted a recognition of a need to present basic course officers with gang awareness information.</p> <p>Due to the mobility of gangs, law enforcement officers in all parts of the state are daily involved in identifying, controlling, reporting and investigating gang-related activity. Heretofore, Gang Awareness has been taught at several academies, but has not been in the POST minimum curriculum for the Regular Basic Course.</p> <p>Experts in gang activity have developed the proposed performance objectives to help peace officers understand gangs as they apply to officer safety and investigation of criminal activity.</p> <p><u>ANALYSIS</u></p> <p>The proposed curriculum would add seven new performance objectives. They require the student to identify types of gangs, reasons for gang membership, characteristics of gangs, uniqueness of particular gangs, graffiti, common types of gang-related criminal activity, and methods used by law enforcement to reduce gang activity.</p> <p>These curriculum changes have been endorsed by the Basic Course Consortium. It is estimated these proposed changes would require two hours for instruction and testing. Some academies are already teaching the subject. See attachment A for proposed revision language.</p> <p><u>RECOMMENDATION</u></p> <p>Approve Basic Course Curriculum changes relating to Gang Awareness, to be effective September 1, 1989.</p> | | |

GANG AWARENESS

8.50.0 GANG AWARENESS

(New) Learning Goal: The student will understand the characteristics and importance of recognizing gangs as they apply to officer safety and investigation of criminal activity.

PERFORMANCE OBJECTIVES

- (New) 8.50.1 The student will identify the following types of gangs which represent law enforcement concerns:
- A. Street gangs
 - B. Motorcycle gangs
 - C. Prison gangs
 - D. Cult/ritualistic gangs
- (New) 8.50.2 The student will identify the following primary reasons for gang membership:
- A. Peer pressure
 - B. Common interest
 - C. Protection/safety
- (New) 8.50.3 The student will identify the following characteristics which are common to most gangs:
- A. Cohesiveness
 - B. Code of silence
 - C. Rivalries
 - D. Revenge
- (New) 8.50.4 The student will identify the following methods which gangs use to distinguish their members from members of other gangs.
- A. Tatoos
 - B. Attire and accessories
 - C. Use of monikers
 - D. Use of hand signs
- (New) 8.50.5 The student will identify the following gang graffiti factors as significant to law enforcement operations:
- A. Identifying individuals and/or a specific gang
 - B. Identifying gang boundaries
 - C. Indications of pending and/or past gang conflicts

| COMMISSION AGENDA ITEM REPORT | | |
|---|-----------------------------|--|
| Agenda Item Title Proposed Contract for Basic Course Scenario Manual Update | | Meeting Date July 20, 1989 |
| Training Program Services | Reviewed By Glen Fine | Researched By Hal Snow |
| Executive Director Approval <i>Norman C. Bachur</i> | Date of Approval 6/29/89 | Date of Report May 17, 1989 |
| Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |

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

ISSUE

Should the Commission approve a contract with the San Diego Sheriff's Department to update and pilot test the POST Basic Course Scenario Manual for actual costs not to exceed \$100,000?

BACKGROUND

POST's Basic Course Scenario Manual was developed in 1983-84 by staff and basic academy instructors to provide a resource of well developed scenarios to teach and test certain Basic Course performance objectives. Scenarios describe a realistic job situation and instructions (script) for role players to follow which trainees are required to interact with. Trained evaluators monitor and critique the student's performance and feedback is provided on such situations as handling domestic violence, landlord-tenant disputes, and others. POST has facilitated scenario training of academy coordinators and evaluators. Virtually all academies use the scenarios described in POST's Manual. The Manual is in need of updating because eight PO's have been modified and one PO has been added to the list of POST-required PO's to be tested by scenarios. The Commission at its April 1989 public hearing in establishing POST minimum standards for testing Basic Course PO's approved 22 for scenario testing.

ANALYSIS

The POST Basic Course Scenario Manual needs to be updated by modifying some scenarios, adding a new PO and adding performance dimensions for each PO to be tested. Performance dimensions are the specific behaviors to be demonstrated for each PO which would include recommended minimum acceptable and unacceptable performance. Checksheets for each PO with specific behaviors associated with percentages and points would be developed as part of the Scenario Manual. Finally, these revised scenarios, including the added performance evaluation dimension, need to be pilot tested at some academies before they are finalized.

The San Diego Sheriff's Department is certified to present the Basic Course. Academy representatives participated in the original development of the Manual. In addition, the academy has been the sole provider through POST course certification of training for academy staff in scenario management and evaluation. This academy is eminently qualified and is willing to perform the above described tasks with supervision by POST staff and input of representatives from other academies.

It is proposed that the Commission approve a contract (interagency agreement) with the San Diego Sheriff's Department for actual costs not to exceed \$100,000 for up to a one-year period. Costs will be for \$77,000 in staff salaries (salary and fringe benefits), printing, related office supplies and an indirect cost rate not to exceed 15%. Travel and per diem costs associated with project travel outside the area will be reimbursed separately. The tentative list of contract deliverables include:

1. Revised Scenario Manual using current performance objectives, check-sheets for each PO and/or scenario with definitions of acceptable and non-acceptable performance levels, evaluator instructions, etc.
2. Report describing performance dimensions for each performance objective and rationale and process for identifying performance levels, and results of pilot testing.
3. Conduct a minimum of three pilot tests of the revised scenarios including orientation of affected academy staff.

This contract will benefit all 34 basic academies to present scenario testing and obviate the need for each to replicate the effort. The contract will also assist POST in assuring that academies are meeting our minimum Basic Course testing requirement. Once the project is concluded, a report will be furnished the Commission.

RECOMMENDATION

Approve a contract with the San Diego Sheriff's Department (County of San Diego) to update the POST Basic Course Scenario Manual as described for actual costs not to exceed \$100,000 during a one-year period from the date of contract approval.

E.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

| COMMISSION AGENDA ITEM REPORT | | |
|--|----------------------------|---|
| Agenda Item Title Proposed Contract for 1989-90 Video Training Tape Distribution | | Meeting Date July 20, 1989 |
| Bureau Training Program Services | Reviewed By Glen Fine | Researched By Hal Snow |
| Executive Director Approval <i>Norman C. Boehm</i> | Date of Approval 7-5-89 | Date of Report June 6, 1989 |
| Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |

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

ISSUE

To implement the Commission's previous direction to distribute video training tapes, should the Commission authorize the Executive Director to augment the contract with San Diego State University by \$12,000 for a total of \$16,000 for four satellite broadcasts.

BACKGROUND

The Commission, at its April 1989 meeting, approved a staff report containing recommended future directions on video distribution. One future direction consisted of POST implementing a regular and consistent program of satellite broadcasts to distribute video training tapes to California law enforcement agencies and training institutions. Satellite broadcast was identified as the most cost effective means for delivering videos but that hard copy distribution would also be provided on an interim basis to those agencies/institutions currently not able to receive the broadcast directly or indirectly. To implement this service, it is necessary to contract for the satellite broadcasts.

Four video training tape broadcasts of two hours duration each beginning in August are planned for the 1989-90 fiscal year. Based upon the Executive Director's contract approval authority, a contract for the August broadcast has been approved for actual costs not to exceed \$4,000 with San Diego State University.

ANALYSIS

Although video training tapes vary in length, it is estimated that an average of eight subjects will be included in each two-hour broadcast. The tapes will be primarily directed at the training/information needs of officers of varying assignments. Priority will be given videos directed at the most contemporary training/information needs. The videos will be largely produced by California law enforcement agencies but those developed by other states and producers will be considered. A carefully developed screening process involving the input of law enforcement users will be followed. Because law enforcement agencies are not generally equipped with descrambler

satellite receiver devices, no sensitive videos will be broadcast. In all cases, releases to distribute the videos will be obtained from the producers. POST bulletins announcing the schedule for satellite/hard copy distributions will be released with accompanying Instructor Discussion Guides.

It is proposed that the contract with San Diego State University be augmented for up to \$12,000 for three additional video broadcasts for the 1989-90 fiscal year, for a total contract cost of \$16,000.

A separate contract under existing Executive Director authority will be developed for distributing hard copies to agencies unable to acquire the broadcast signal either directly or indirectly.

RECOMMENDATION

It is recommended that the Executive Director be authorized to augment the contract with San Diego State University by \$12,000 for a total of \$16,000 for four satellite broadcasts.

Specific suggestions for POST involvement included:

1. Addressing recruitment in all appropriate POST courses;
2. Establishing a POST development committee to explore statewide image advertising;
3. Exploring statewide standardized employment testing;
4. Organizing a follow-up symposium to develop the most important plans for action; and
5. Preparing a follow-up report after one year on the progress of the suggestions made at the symposium.

In addition to constituting a substantial undertaking, the above listing is made up of activities that vary with respect to specificity, breadth, ease of implementation, and timeframe for implementation. For example, some of the training-related activities are quite specific, could be implemented relatively quickly, and are consistent with "traditional" POST functions and capabilities. Developing recruitment programs and conducting market research/developing marketing strategies are longer term activities which represent new endeavors for POST and for which resource needs and likely outcomes are less certain.

As expressed at the symposium and in the July 1988 report to the Commission, California law enforcement is confronted with long term recruitment needs and has expressed the desire that POST provide assistance. This assistance cannot be provided without additional staff. In order to undertake some of the shorter term activities, as well as to begin to explore and establish the framework for longer term activities, it is proposed that POST obtain the services of a Management Fellow for the 1989/90 fiscal year. Specifically, the Management Fellow would be responsible for conducting additional workshops on recruitment, incorporating recruitment into existing training courses, and for exploring and evaluating the potential costs and benefits of statewide recruitment programs and marketing strategies.

The recommended fellowship would be for one year at an estimated cost of \$100,000. At the end of the year, much more information would be available regarding the feasibility and advisability of POST making a longer term, more substantial commitment to law enforcement recruitment. If at that time the Commission wishes to make such a commitment, a Budget Change Proposal (BCP) could be submitted for fiscal year 1991/1992, and extension of the fellowship could be considered for fiscal year 1990/1991. At the June 27, 1989 meeting of the Long Range Planning Committee, the committee reviewed and endorsed the recommended fellowship.

COMMENDATION

Approve a contract with a governmental agency for the services of a POST Management Fellow for 12 months to provide various services related to law enforcement recruitment at a cost not to exceed \$100,000.

POST SYMPOSIUM ON RECRUITMENT

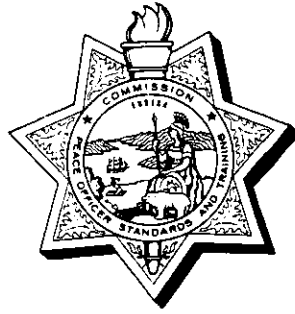
Summary of Proceedings

DRAFT

JUNE 1989



THE COMMISSION
ON PEACE OFFICER STANDARDS AND TRAINING
STATE OF CALIFORNIA



POST SYMPOSIUM ON RECRUITMENT

Summary of Proceedings

JUNE 1989

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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| Norman C. Boehm | Executive Director Commission on Peace Officer Standards and Training |

PREFACE

The recruitment of qualified applicants to become officers who will replenish the ranks of law enforcement, fill new openings, and be representative of the community, has often been of concern to California law enforcement in the past number of years. However, at no time in the past has the concern been so marked and the outlook for future success in this area been so unsure.

As part of its commitment to respond to the needs of California law enforcement, POST sponsored a Symposium on Recruitment for chief law enforcement executives to explore what might be done to address this area of concern from the statewide perspective. This document is a summary of the proceedings of that symposium.

The recommendations made during the symposium were the result of the dedicated work of the chief executives in attendance who participated in discussion groups and came to consensus in defining the issues/problems of recruitment and then made recommendations to address those issues/problems. For their work in this process, and for the success of the symposium, POST gives its thanks.

Also, POST would like to express its appreciation to the symposium speakers and panel members who so effectively stimulated thought and discussion throughout the symposium, and not least, provided reason for optimism.

NORMAN C. BOEHM
Executive Director

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This document is a summary of the proceedings of the POST Symposium on Recruitment held May 31 to June 2, 1989 at the Embassy Suites Hotel in San Diego, California.

BACKGROUND

On April 14, 1989, POST issued an invitation to California chiefs and sheriffs to attend and participate in a symposium on recruitment. The decision to host a symposium and to limit attendance to chiefs and sheriffs was made following the July 1988 POST Commission meeting when a report on the recruitment issue was presented.

That July 1988 report was the culmination of considerable staff investigation into the recruitment issue (an issue that was identified in the POST 1986 Field Survey as an important one to a sizable number of Chief Executives). The report was based upon information collected via attendance at job fairs and law enforcement recruitment association meetings; the convening of POST-sponsored meetings of local agency recruiters; and the conduct of two statewide surveys--one sent to approximately half of the Chief Executives in the State, the other to all then-currently enrolled academy cadets during the survey period.

After receiving the report, the decision of the Commission was to sponsor a symposium on recruitment in order to obtain first hand the perspective of chiefs and sheriffs on this important issue and to identify recruitment needs that could best be addressed at the statewide level.

SYMPOSIUM PARTICIPANTS

Upon the announcement of the symposium (see Appendix A), considerable interest was expressed by many people representing a variety of departments and a range of ranks within those departments. However, the decision made and adhered to was to limit symposium participants to chiefs and sheriffs. Allowances were made for one representative each from CPOA, PORAC, and CADA and a personnel representative. POST Commissioners and Advisory Committee members were also invited. In all, thirty-eight chiefs and sheriffs, three Commissioners (one a representative for a Commissioner), six Advisory Committee members, and four association/personnel representatives were in attendance (see Appendix B, Symposium Roster).

ORGANIZATION AND OBJECTIVES

The purpose of the symposium, "...bringing together chief law enforcement executives from throughout the State to identify consensus views regarding the need for cooperative efforts to focus on recruitment issues from a statewide perspective..." almost predetermined that discussion groups would be part of the program. In addition, speakers were scheduled to provide presentations that would be both informative and stimulating for the discussion groups. This format of speakers interspersed with discussion groups was carried throughout the 3 days (two half days, 1 full day) of the symposium (see Appendix C, Symposium Brochure). Continuity, cohesion, adherence to the objectives, and summations were provided by an experienced program moderator.

The focus of the symposium was structured around a deliberately cultivated atmosphere of cooperation rather than competition and oriented toward the common statewide good rather than local provincial needs. Within this common reference, it was hoped that the participants would be able to come to consensus about statewide actions that could address the declining availability of qualified applicants for law enforcement positions.

SYMPOSIUM PROGRAM

Day One: The first day of the symposium was a half day session which began with a welcome by Norm Boehm, Executive Director of POST and with an overview of the symposium process and goals by Norm Stamper, the program moderator. Following was a presentation by Dr. Manuel Perry, Manager of Human Resource Planning and Development at the Lawrence Livermore National Laboratory, whose well-received speech "Strategic Human Resource Opportunity" gave the participants a broad overview of expected demographic, economic and other changes that will affect the workforce of the future. (See Appendix D for summaries of presentations.)

The second speaker of day one was Lewis Griggs, a management consultant and a principal of Copeland Griggs Productions, which has produced award winning training films on cultural differences. Mr. Griggs' presentation "Recruiting From A Multicultural Workforce" was followed by a panel discussion among four California peace officers who represented various cultural groups (Blacks, women, Asians, and Hispanics). Those officers were Officer Millard Hampton of the San Jose Police Department, Officer Rose Melendez of the San Francisco Police Department, Officer Trung Nguyen of the San Diego Police Department, and Deputy Eric Parra of the Los Angeles Co. Sheriff's Department. The officers individually told their personal stories of their initial interest in a law enforcement career and the responses they received from family, friends, and the departments where they sought employment.

Day Two: Dr. David Jamieson, President of the Jamieson Consulting Group and first speaker of the second day, spoke about "Changing Workforce Values: Implications for Recruitment and Retention." He was followed by Dr. John Berner of POST who reported "What We Know About Recruitment: Results of Two Recent POST Surveys."

At this point, the participants had been given a considerable amount of background information with which they could approach their first group discussion. Their charge, in that first breakout was to discuss "What are the major recruitment issues/problems facing California law enforcement? (short term/long term)." Each participant had been pre-assigned to one of five discussion groups that had been carefully organized to be representative of a mix of departments based upon size, type, and location. A POST staff member was assigned as a group facilitator for each of the five discussion groups. After "brainstorming" the major recruitment issues/problems facing California law enforcement, each group, through a designated "reporter," presented the five most important issues/problems to the general session. Not surprisingly, there was a good deal of overlap among the reports. The total of twenty-five issues/problems presented by the five discussion groups were reduced to fifteen and written in the form of questions by the Program Moderator.

Following group reports to the general session, three more speakers were scheduled. These three speakers, representing professions other than law enforcement, spoke about activities within their own fields that were relevant or parallel to the recruitment situation in law enforcement. Mr. Glenn Foreman, Advertising and Public Affairs Officer for the U.S. Army Recruiting Battalion Headquarters in Sacramento spoke about the successful recruiting program the U.S. Army employs. Ms. Patricia Hunter, President of the California Board of Registered Nursing, spoke about the nursing shortage and what that profession has done to address the problem. Mr. Howard Trekell, Magnet Coordinator of Santa Teresa High School spoke about the success of a high school law enforcement magnet program. All three speakers generated a good deal of interest as well as some reason for optimism.

Day Three: On the final day of the symposium, Deputy Chief John Clements provided a law enforcement viewpoint of the recruitment situation in his presentation "A Law Enforcement Administrator's Perspective of Recruitment Needs."

Following Chief Clements speech, the participants returned to their discussion groups, charged with the important task of deciding "What should California law enforcement do to address current and future recruitment needs? (priorities for action, methods of implementation)." Each of the five discussion groups was given three issues/problems posed in the form of questions that were summarized from the previous day's group discussions.

As in the day before, the discussion groups reported the results of their work to the general session. The issues/problems with which they dealt, and their recommendations were as follows:

1. What can we do to speed up the hiring process?

Train all involved personnel. Set timelines. Combine phases of the selection process. Tighter coordination with groups involved. Contract for background investigation services when processing large groups. Hire recruits provisionally. Continuous testing. Non-superfluous exam/interview questions. Regional testing (automated results). Cooperative testing. Cards issued to persons passing tests.

2. How can we remove or reduce other bureaucratic barriers (the policies or practices of councils, managers, employee associations, civil service commissions, personnel departments, POST)?

Make presentations to local city managers' association (ICMA). Explain the process to them to educate them. Could include League of California Cities. Police executives have the responsibility to make sure all personnel know what the recruitment problems are. Establish training for police executives on recruitment and retention. Consider training for police managers also.

3. How can the pool of qualified candidates be expanded?

Law enforcement has done a poor marketing job. Example: brochures with just salaries--more explanation is needed.

Expand recruitment efforts on college campuses (not just campuses with Administration of Justice departments). Send lieutenants and captains to campuses along with a "sharp" entry-level person--shows upward mobility possibilities.

Target other candidates, for example, older candidates. Recruit at military bases for discharged military personnel.

Work with younger people through DARE, PAL, and other ROTC-type long-term programs.

Make use of resources readily available to cities and counties such as CSO and PSO programs to start young people on a career path. Start them in academies as trainees.

4. What can be done to finance recruiting efforts?

Incorporate money for recruiting under the budget in advance.

POST money.

Asset seizure money.

Community groups' sponsorship (not necessarily money but perhaps in-kind contributions). Example: LASD has a media resource group that can use Hollywood production facilities. Go to marketing people and ask them for help--often can be done with no upfront money.

Percentage of user fees for POST reimbursement funds.

Some financial support from POAs or DSAs (also gets their commitment).

Get executive level involvement.

5. How can we more effectively market a career in law enforcement?

Approach marketing more like the military does with a statewide effort. Perhaps POST, Cal Chiefs or CPOA can develop a statewide marketing program with videos or paid-TV ads like the Army uses.

Involve the entire staff in the marketing program.

Image improvement is necessary.

More involvement in schools early on to do marketing.

More honesty in recruitment. Example: regarding shift work.

Lobby media to portray the career in a more positive light (executive involvement is important).

Might need to broaden recruitment efforts beyond individual cities and counties to out-of-state or even out-of-country. (Need to know "how" somehow.)

Perhaps free media exposure on TV, radio, and in print is available.

6. How should we approach the issue of substance abuse?

Perhaps legislation to relieve the liability of breaking confidentiality when one agency learns of drug abuse in the background process. Agencies should be able to share information.

A potential strategy: Relax the standard. The reality is that there is no statewide standard that all agencies subscribe to. Example: cocaine use.

Educational and prevention efforts--let people know what the standards are statewide. (Not just law enforcement, but other employers as well, e.g., IBM.)

Need for early age prevention advertising.

POST and some professional organizations could take an active role in statewide standards.

[General Statement of Group 2: POST NEEDS TO TAKE A LEADING ROLE IN STATEWIDE RECRUITING EFFORTS.]

7. What can we do to target younger potential candidates?
Other target populations?

Support magnet programs or mini-corps programs in schools. Support cadet programs or explorers. Support "Adopt-A-Cop," P.A.L. and similar programs that promote officers on campus or in contact with kids. Apply these programs to specific target groups as well.

Go to where the kids are: Video arcades, martial arts studios.

Support career development programs. Example: Jr. colleges.

Recruit from military personnel--both those who have been in for short enlistments and those who have had military careers (will probably be in good physical shape).

8. How should we approach the issue of competition with the private sector, other law enforcement agencies?

Competition from other law enforcement agencies:

Address the ethical issues involved (candidate or officer stealing creates bad feelings and inhibits future relationships between agencies).

Explore salary parity by region (though fraught with problems).

Explore making transfers more difficult. Example: Make it difficult to transfer retirement systems from one agency to another.

Explore employee contracts. Make employees pay back money if they leave.

Competition with the private sector:

Give triple time for holidays.

Research child care options. Pay for costs.

Research housing and relocation costs.

9. **What can we do to improve public perceptions of law enforcement, i.e., our image?**

Recommend that POST take the leadership role in a marketing effort to improve/clarify the image of the career by:

- doing a marketing study on what the public thinks of the image.
- determining the viability of using a management fellow to do the initial research (staffing, funding, development of RFP, etc.).
- determining what to sell, what parts of the job to advertise.

Image building needs to be a statewide effort.

Support TV and radio usage to present quality public service announcements.

Accelerate local/regional public relations, community outreach activities which support image improvement.

Emphasize the individual officer role in public relations/career image and resultant public perception of the job.

Take a stance regarding faulty/false image of law enforcement on TV.

[General Recommendation of Group 3: POST AS THE APPROPRIATE MECHANISM/RESOURCE TO COORDINATE STATEWIDE RECRUITMENT OF LAW ENFORCEMENT CANDIDATES AND SOURCE TO INITIATE MARKET RESEARCH ACTIVITIES.]

10. **What can we do to improve the quality of the applicant pool?**

[General comment that we now use a shotgun rather than a laser approach.]

School approach--marketing/advertising.

Salary and benefits--improve benefit structure and do a better job of explaining.

Target 2nd career groups. Example: Airline layoffs.

Establish generic statewide standards in area of applicant qualifications (with feedback).

Influence policymakers (education policymakers, city councils, etc.)

Expand on reserves, explorers, cadet, DARE programs.

11. What can be done to enhance our understanding of the values of the modern candidate pool, and to ensure that standards are appropriate?

Increased awareness and training--especially supervisory and management personnel. Should be an understanding of values that have changed. Should also look at different cultures with different values.

12. How should law enforcement respond to failures in the educational system?

Is there a failure in the educational system? More a failure statewide in a variety of disciplines.

13. What can be done to reduce the negative aspects of the job?

Law enforcement needs to refrain from the negatives. Talk more about the positive aspects of the job, e.g., attractive assignments.

Perhaps law enforcement needs to follow the nurses' lead (they removed "Nightingales" from TV). Perhaps Chiefs, PORAC, etc. can remove the negative image of law enforcement on television.

Sell the positive aspects of the job through media.

Do marketing surveys with minorities.

14. How should we deal with the issue of pay and fringe benefits?

Wage & benefits: As a rule, the entry-level pay is good. Do a selling campaign with comparisons with engineers and other professions. Talk about how much an officer can make with benefits and overtime.

More danger in construction work than in law enforcement.

Explain 20-year benefits which may be of interest to young.

15. How can law enforcement create a system of candidate development and coaching?

Sell your community. Example: Weed has great fishing.

Early orientation to young. Bring in chiefs, etc. Talk to families at orientation (and have command staff present).

Talk to new young officers and ask what their perceptions were coming in (example: about jail work, etc.)

Extracurricular activities: PAL, etc.

Across the board, all departmental personnel should be informed about the job opportunities (including dispatchers, clerks, etc.). Educate them. Don't put marginal people in contact with the public. Make recruitment material available in the department.

Screen and identify those who just barely didn't make the screening process. Work with them to help them. Example: Remediate spelling.

All sworn and non-sworn personnel should be aggressive in recruitment.

RECOMMENDATIONS

In addition to the recommendations on how to address fifteen identified recruitment issues/problems, the participants had five recommendations for future POST action:

1. The recruitment issue to become a component of all appropriate POST courses
2. A POST committee for statewide image advertising be explored within the next 6 months
3. POST exploration of statewide standardized testing
4. A followup symposium to distill the most important plans for action (including perhaps a similar symposium for city and county officials)
5. A followup from POST in one year's time

APPENDIX A

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

April 14, 1989

BULLETIN: 89-6

SUBJECT: SYMPOSIUM ON RECRUITMENT

The Commission on Peace Officer Standards and Training (POST) is sponsoring a Symposium on Recruitment. The Symposium is in response to widespread concerns regarding the recruitment of qualified law enforcement candidates.

The Symposium will focus on the identification of statewide recruitment issues. Presentations will be made by keynote speakers and attendees will be divided into problem-solving discussion groups to address identified recruitment issues.

Attendance at the Symposium is limited to chiefs of police and sheriffs. The number of participants is limited to 85; reservations to attend must be made through POST by contacting the individual listed below on or before May 1.

The Symposium will be held at the Embassy Suites Hotel in San Diego from noon May 31 to noon June 2. Reimbursement of attendance will be handled under Plan IV or by Letter of Agreement.

If you have any questions regarding the Symposium or if you are interested in attending, please contact Luella Luke, Standards and Evaluation Services Bureau, at 916/739-3884.

Handwritten signature of Norman C. Boehm in cursive.

NORMAN C. BOEHM
Executive Director

APPENDIX B

SYMPOSIUM ROSTER

| <u>Name</u> | <u>Department</u> |
|--------------------------------|--------------------|
| 1. Joseph T. Molloy, Chief | Anaheim PD |
| 2. Robert Sessions, Chief | Barstow PD |
| 3. Harold Taylor, Chief | BART PD |
| 4. Gary Lester, Chief | Belvedere PD |
| 5. James A. Cost, Chief | Campbell PD |
| 6. John Cleghorn, Chief | Corona PD |
| 7. Nicholson Pottorff, Chief | Crescent City PD |
| 8. Jack G. Smith, Chief | El Cajon PD |
| 9. John Kunkel, Chief | Exeter PD |
| 10. Max Downs, Chief | Fresno PD |
| 11. Philip A. Goehring, Chief | Fullerton PD |
| 12. Brad Posey, Chief | Glendora PD |
| 13. Raymond Johnson, Chief | Inglewood PD |
| 14. John Smith, Sheriff | Kern Co. |
| 15. Neil Purcell, Chief | Laguna Beach PD |
| 16. Ted J. Mertens, Chief | Manhattan Beach PD |
| 17. John Dineen, Chief | Millbrae PD |
| 18. Larry Dean, Chief | Morgan Hill PD |
| 19. John Smith, Chief | Mountain View PD |
| 20. Daniel Monez, Chief | Napa PD |
| 21. Ken Jones, Chief | Newark PD |
| 22. Oliver Lee Drummond, Chief | Oceanside PD |
| 23. Theodore A. Barnes, Chief | Pinole PD |
| 24. Donald Nunes, Sheriff | Placer Co. |
| 25. Richard M. Tefank, Chief | Pomona PD |

| | | |
|-----|-------------------------------|---|
| 26. | Forrest Brown, Chief | Reedley PD |
| 27. | James Corrigan, Chief | Salinas PD |
| 28. | Albert Ehlow, Chief | San Clemente PD |
| 29. | Robert Maginnis, Chief | San Leandro PD |
| 30. | William Fraass, Chief | Sausalito PD |
| 31. | William Stearns, Chief | Seal Beach PD |
| 32. | Charles Byrd, Sheriff | Siskiyou Co. |
| 33. | Dick Michaelson, Sheriff | Sonoma Co. |
| 34. | Ronald George, Chief | South Gate PD |
| 35. | Ernest R. Munoz, Acting Chief | So. Calif. Rapid Transit District PD |
| 36. | Richard Thomas, Chief | Ventura PD |
| 37. | Martin Nicholas, Chief | Weed PD |
| 38. | James F. Bale, Chief | Whittier PD |

COMMISSIONERS

1. Duane Preimsberger, Chief
(for Sheriff Block) Los Angeles Sheriff's
Department
2. Alex C. Pantaleoni
Assistant Dean Dept. of Public Services
Rio Hondo College
3. Robert Wasserman
Chief of Police Fremont Police Department

ADVISORY COMMITTEE MEMBERS

Chairman

- | | |
|---|--|
| 1. Ronald Lowenberg California Police Chiefs Association (CPCA) | Chief of Police Cypress Police Department |
|---|--|

Members

- | | |
|---|--|
| 2. Cois Byrd California State Sheriffs' Association (CSSA) | Sheriff Riverside Co. |
| 3. John Clements California Highway Patrol | Chief Personnel and Training Division California Highway Patrol |
| 4. Donald L. Forkus California Peace Officers' Association (CPOA) | Chief of Police Brea Police Dept. |
| 5. Derald Hunt California Association of Administration of Justice Educators (CAAJE) | California Justice Educators' Association |
| 6. William Shinn Peace Officers' Research Association of California (PORAC) | Captain Contra Costa County Sheriff's Department |

PERSONNEL AND ASSOCIATION REPRESENTATIVES

1. Tom Young
Chief of Management Services
Contra Costa Co.
Sheriff's Dept.
2. Rodney Pierini
Executive Director
CPOA
3. Mike Nagaoka, Capt.
LASO
CADA
4. Rick Shipley, Deputy
Mendocino Co. Sheriff's
Department
PORAC

POST STAFF

1. Norm Boehm
2. John Berner
3. Luella Luke
4. Mike DiMiceli
5. Bob Fuller
6. Lou Madeira
7. Bob Spurlock
8. Gene Rhodes
9. George Williams
10. Anna Solorio

6-2-89

APPENDIX C

WEDNESDAY - MAY 31

- 11:00 - 1:15 Registration
- 1:15 - 1:30 Welcome/Orientation to the Symposium
 Dr. Norman C. Boehm
 Executive Director, POST
 Dr. Norman Stamper
 Program Moderator
- 1:30 - 3:00 "Strategic Human Resource Opportunity"
 Dr. Manuel Perry
 Manager, Human Resource Planning and Development
 Lawrence Livermore Laboratory
- 3:00 - 3:15 Break
- 3:15 - 4:45 Panel Discussion: "Recruiting From A Multicultural Workforce"
 Chair: Lewis Griggs
 Copeland Griggs Productions
 Panel Members: California peace officers representative of various cultural groups
- 4:45 Summary and Adjournment

THURSDAY - JUNE 1

- 8:30 - 8:45 Housekeeping
 Overview of Day 2 Activities/Goals
- 8:45 - 10:15 "Changing Workforce Values: Implications for Recruitment and Retention"
 Dr. David Jamieson
 President, Jamieson Consulting Group
- 10:15 - 10:30 Break
- 10:30 - 10:45 "What We Know About Recruitment: Results of Two Recent POST Surveys"
 Dr. John Berner, POST
- 10:45 - 12:15 Discussion Groups
 What are the major recruitment issues/problems facing California law enforcement? (short term/long term)
- 12:15 - 1:30 Lunch
- 1:30 - 2:30 Discussion Groups Report Back to General Session
- 2:30 - 2:45 Break
- 2:45 - 3:30 "Recruitment Practices of the U.S. Army"
 Mr. Glenn Foreman
 Advertising and Public Affairs Officer
 U.S. Army Recruiting Battalion
 Headquarters in Sacramento
- 3:30 - 4:00 "The Nursing Shortage: Process for Identifying and Addressing the Problems"
 Patricia Hunter, President
 California Board of Registered Nursing
- 4:00 - 4:15 Break
- 4:15 - 5:00 "What Role Can A Public School Play?"
 Mr. Howard Trekell
 Magnet Coordinator
 Santa Teresa High School
- 5:00 Summary and Adjournment

FRIDAY - JUNE 2

- 8:30 - 8:45 Housekeeping
 Overview of Day 3 Activities/Goals
- 8:45 - 9:15 "A Law Enforcement Administrator's Perspective of Recruitment Needs"
 John Clements, Deputy Chief
 California Highway Patrol;
 member, POST Advisory Committee
- 9:15 - 11:00 Discussion Groups
 What should California law enforcement do to address current and future recruitment needs? (priorities for action, methods of implementation)
- 11:00 - 12:00 Discussion Groups Report Back to General Session
- 12:00 - 12:15 Summary and Adjournment

THE SPEAKERS

Manuel Perry, Ph.D., is manager of Human Resource Planning and Development at the Lawrence Livermore National Laboratory where he has overall responsibility for identifying workforce trends in order to meet the Laboratory's future human resource needs. He is also a part-time professor at California State University, Hayward, and is a widely-acclaimed speaker on the demographic, economic and other changes that will affect the workforce of the future.

Lewis Griggs, MBA, is a management consultant and a principal of Copeland Griggs Productions. He is the co-author of *Going International: How to Make Friends and Deal Effectively in the Global Marketplace*, and is Executive Producer of the GOING INTERNATIONAL and VALUING DIVERSITY film series. Mr. Griggs is a frequent speaker on the impact of culture on business.

David Jamieson, Ph.D., is President of the Jamieson Consulting Group. He has been a management consultant for over thirteen years and speaks regularly on a variety of topics related to human resources management and planning. He also serves on the adjunct faculty at UCLA, USC, and the Union Graduate School, and is currently co-authoring a book entitled *Managing With the Changing Workforce*.

Glenn Foreman is the Advertising and Public Affairs Officer for the U.S. Army Recruiting Battalion Headquarters in Sacramento, where he is responsible for directing all advertising and public affairs activities for U.S. Army Recruiting from Bakersfield, north to the Oregon border and from Fairfield, east to Central Nevada.

Patricia Hunter, MSN, is Director of Surgical Services at Community Hospital of Chula Vista and president of the California Board of Registered Nursing. She is also co-chair of the RN Special Advisory Committee on the Nursing Shortage.

Howard Trekel is Magnet Coordinator at Santa Teresa High School in San Jose. He has 25 years of experience as a coach, teacher, counselor, and program administrator, and was previously the head counselor at Santa Teresa High School.

John Clements, M.A., is Chief of the California Highway Patrol's Personnel and Training Division where he is responsible for recruitment, testing, psychological screening, background investigations, research and selection, physical fitness testing, training, academy operations, and the department's personnel bureau. He currently serves on the POST Advisory Committee.

John Berner, Ph.D., has been Chief of the Standards and Evaluation Services Bureau of the Commission on Peace Officer Standards and Training since 1983. The bureau is responsible for conducting all research leading to the establishment of POST entry-level selection standards, as well as for maintaining and administering several statewide testing programs.

ABOUT THE SYMPOSIUM

This Symposium on Recruitment is being sponsored by POST in response to widespread concerns regarding the recruitment of qualified law enforcement candidates.

During the course of the Symposium, a number of highly regarded speakers will make presentations on such recruitment-related topics as demographic projections, recruiting from a multicultural workforce, changing workforce values, etc. In addition, selected presentations will be made by persons involved in recruitment from professions other than law enforcement.

Interspersed with the presentations, participants will meet in assigned discussion groups for purposes of defining current and future statewide recruitment needs and identifying ways to address those needs.

By bringing together chief law enforcement executives from throughout the State, POST seeks to identify consensus views regarding the need for cooperative efforts to focus on recruitment issues from a statewide perspective.

Program Moderator

Norman Stamper, Ph.D., is Assistant Chief of Police of the San Diego Police Department. His considerable experience as a trainer and organizational development consultant dates back to 1972.

SYMPOSIUM ON RECRUITMENT

May 31 - June 2, 1989
Embassy Suites Hotel
San Diego



THE COMMISSION
ON PEACE OFFICER
STANDARDS AND TRAINING

APPENDIX D

POST SYMPOSIUM ON RECRUITMENT

Summary of Presentations

"Strategic Human Resource Opportunity"

Dr. Manuel Perry

Dr. Manuel Perry is manager of Human Resources Planning and Development at the Lawrence Livermore National Laboratory. He heads a group in Human Resources which studies work and the changing nature of work and analyzes internal and external trends which may affect future human resource needs. He is a widely acclaimed speaker on the demographic, economic, and other changes that will affect the workforce of the future.

Dr. Perry presented a wealth of information which gave the symposium participants a solid overview of future workforce trends, as well as a foundation for the work of the symposium. He has been studying futures for approximately the last eight years. In 1983, he made the proposal to Lawrence Livermore that the institution pay much more attention to future change. Consequently, a group was formed (which now numbers ten) to look five to fifteen years into the future to identify key issues that their organization would have to deal with through institutional decisions.

Dr. Perry shared some of the trends that his group has identified at Lawrence Livermore. These trends affect his organization, but many have implications for criminal justice institutions also. In fact, Dr. Perry emphasized that there are "some future changes that you absolutely have to be aware of." In his talks to various kinds of organizations, Dr. Perry has not seen one that will be immune to these future changes. How executives address them will be critical.

Dr. Perry stated that, "Recruitment will not be a law enforcement issue." Recruitment will cut across almost every organization. There will be tremendous competition for skilled, talented individuals. How institutions position themselves to deal effectively with this issue will be the critical issue for organizations. In the past the issues revolved around dollars and facilities, but in the future, the critical issue will be recruitment.

Dr. Perry asked his audience to wear two hats as they listened to his presentation--the first hat being that of an institutional manager, and the second, that of a parent (because the understanding of these issues is so essential for the children as they choose a career).

Dr. Perry requested that his audience at some point, ask someone in their own organization to do a profile of their workforce--how many people? how old are they? years of service? general

retirement age? where recruited in past? general acceptance/decline of positions? Such profiles can be very revealing and will probably foretell some major problems in the next five years (retirements will increase). This is an internal profile.

To do effective planning, internal profiles need to be coupled with changes outside the organization. There are four main areas outside the organization to be aware of: (1) sociological changes--changes in people, in values, in education, etc.; (2) economic changes--the labor force, spending policies of our society; (3) technological changes--the impact of technology on how we live as well as how we work; (4) political changes--public policy, public spending, etc. Investigation into these areas constitutes the external profile.

When internal profiles and external profiles are combined, Dr. Perry stated, key issues begin to appear for managers that involve survival of the institution five, ten, or fifteen years into the future.

At Lawrence Livermore National Laboratory, with over 8,000 employees, 60% are high school graduates or community college graduates. So, law enforcement would certainly be in competition with them as well as IBM, Xerox, Dow Chemical, etc. Law enforcement will be looking at the same qualified individuals that these organizations will be looking at. The question then becomes, "How effective will you be, either individually or collectively, compared with some of the rest of us, who will individually or collectively be your competitor?"

Dr. Perry requested the group to keep in mind, as he brought up key issues, whether those issues should be addressed individually or whether there would be added value by looking at regional or statewide strategies. The importance of keeping strategies in mind comes to bear when law enforcement goes against all types of public and private agencies for a shrinking labor force.

Dr. Perry heads up a group called "Planning and Development." The planning part involves internal and external analyses, while the development aspect involves assisting in developing the future workforce. No longer is recruitment assumed to be the responsibility for going into high schools and colleges and recruiting the best candidates. Instead, there is an effort to develop the future workforce. Lawrence Livermore has programs in place through sixty-five outreach programs from kindergarten all the way to graduate school. The purpose of those programs is to develop interest and awareness, assist in the development, and increase effectiveness of recruiting. Lawrence Livermore is being very active in "drawing a circle around a very limited and shrinking labor force" to recruit them into their organization. Dr. Perry stated that they are only one of many organizations moving towards such strategies.

Given this background, Dr. Perry presented his goals for his presentation. He stated that he wanted to share information about change (looking forward to the future), challenge (some of what we are looking for in the future are going to be challenges for us), and finally opportunity (there are going to be fantastic opportunities). We cannot view change in terms of problems. "Issues become problems when in fact we've given up on them." After presenting information on change, challenge, and opportunity, Dr. Perry stated that he would be prescriptive in what he believes executives should be thinking of doing.

In looking toward the future, Dr. Perry first raised some issues concerning the state of California. In the 12th and 13th centuries, most commerce and travel was over the Mediterranean. In the 18th-20th centuries, it was the Atlantic. However, in the 21st century, the significant body of water is the Pacific. This shift increases the importance of the west coast. Further, markets are now global economies. To do world business, international airports and deep water seaports are among the necessary infrastructure. Only California (among Washington, Oregon, and California) has four cities (San Diego, Long Beach, Los Angeles, San Francisco) that meet the requirements. In addition, California has the advantage of different races, languages, and cultures for global business. National and international corporations have begun to buy land or build new facilities.

Our nation has not had a global strategic strategy in the past; but the picture has changed. We now must address many global issues which will provide much change, challenge, and opportunity. Dr. Perry stated that change, challenge and opportunity in the 21st century will have an impact--where will we get the skilled quality people to push us forward? The issue will be shrinking numbers for increased opportunities for which there will be increasing competition.

The Pacific Rim

Anything touching the Pacific Ocean is part of the Pacific Rim (includes South America, Central America, Mexico, United States, Canada, Soviet Union, Japan, Australia, etc.--over 30 countries). The Pacific Rim is tomorrow's giant--its influence will continue to grow, especially in banking, import-export, technology, the labor force, and people power and economic power. Two billion people (43% of the world's population) currently live in countries touching the Pacific Ocean. In the next eleven years, half the world's population will be in Pacific Rim countries. In terms of economic power, U.S. investment is over \$30 billion; Japan in 1986 alone invested \$75 billion in the U.S.; and eight of the top 10 banks in the world originate in Japan.

Combined national product of the Pacific Rim is enormous--\$9 trillion dollars or 40% of world economic production. In 1985, 1986, 1987, 1988, U.S. trade in the region surpassed trade in Europe.

Competition from Pacific Rim is now intense in high technology. In the area of manufactured goods, the U.S. is starting to lose world global markets to Japan, Taiwan, and South Korea. Several Pacific basin nations are focusing on key technologies that had their origin in California; i.e., biotechnology, microelectronics, computer integrated manufacturing, lasers, fiber optics, etc.

California's share of the region's economy is significant. In 1985 trade to the region was over \$75 billion; 85% of our total imports to California were from the region; and 74% of California's worldwide exports are to the region.

California's dominant trading partner is Japan. Forty-five percent of total imports are from Japan; 23% of the state's total exports are to Japan; 30% of California's agriculture production goes to Pacific Rim countries; and Japan is California's best customer with over \$1.5 billion in foreign products.

Jobs in California depend upon the Pacific Rim. One out of ten jobs in the state depends on international trade; 50,000 Californians work in Japanese companies; and there are more Japanese companies in California than any other state. (Great Britain owns more real estate in the U.S. than any other country--but the focus is usually on Japan which does not own a significant share because of its global focus.)

Jobs are being lost from California's smokestack industries. In 1985 the state lost 6,000 jobs in the high-tech industry to Asia-Pacific Rim countries and from 1979-1982 California lost 27,000 jobs in the auto industry and 6,000 jobs in the steel industry.

Dr. Perry concluded this portion of his presentation with the statement that California has the opportunity to be the main player among the western states because of its exports, research and development facilities, technology, infrastructure and different races, languages, and cultures. We have opportunities for the 21st century. The major challenge in taking the leadership role of bringing the country into the 21st century will involve "strategic human resource opportunity." Dr. Perry elaborated that for something to be strategic it has to be "key, important and unique." "Human resources" refer to people. "Opportunities" will be tremendous. The question will be will we (as a state or as individual organizations or collective organizations) be effective in moving toward opportunity.

Strategic Human Resource Opportunity

In addressing movement toward strategic human resource opportunity, Dr. Perry spoke of change in three areas: (1) change in business; (2) change in the workforce; and (3) change in educational institutions.

Changes in the needs of business: Includes the need for businesses to fill new jobs; the need for competent workers; and the need for workers with updated skills and knowledge.

In terms of new jobs, the fastest growing areas in the next eleven years will be medical services, business services, and computer services, peripheral equipment, material handling, transportation services, and professional services. In the next eleven years, one half of all the new jobs in the U.S. will fall into the top three (will include CAD/CAM workers, telemarketing, software writers, technology). The fastest growing job types are computer programmers, medical assistants, electronic engineers, physical therapists, and lawyers. Teachers, nurses, and law enforcement will soon be added also.

Eighteen to twenty-four year olds, as part of the U.S. population, have gone from 16 million in 1950 to a peak in 1982. As we move toward 1995, we are headed toward a deep trough--we're running out of young workers in the United States.

The trend in the "pipeline," as it begins in middle school or high school and funnels toward organizations, is interesting and can be looked at through a longitudinal study that began in 1977 on students interested in science and engineering. In 1977, 400 million sophomores were in high schools. 700,000 were interested in science and engineering. By their senior year, 600,000 were interested. As entering college freshmen, 300,000 were interested. 200,000 of those received a bachelor's degree; 47,000 of those received a master's degree; and only 10,000 will end up with a Ph.D. in science or engineering by 1992. Japanese graduates ten times as many engineers.

The need of businesses for competent workers has changed also. Businesses are looking for people with higher cognitive skills, reasoning skills, and analytical skills. From a survey of the Fortune 500 CEOs in the U.S., the ideal worker for the 21st century was defined as,

"A generalist who is computer literate, flexible, creative, has good communications and people skills."

Everyone would want such a worker for the global strategy. Law enforcement would also want the same type of worker.

Workers are also needed with updated skills. In 1987 the New York Telephone Company administered a basic reading and writing exam to entry level telephone operators. Over 21,000 took the

exam; 16% passed. Now that over 70,000 people have taken the exam, still only 16% are passing. This presents a tremendous challenge. Businesses are now losing \$25 billion per year from poorly educated workers not knowing the significance of moving a decimal point to the left or right. Many companies are setting up their own special education programs--Dow Chemical, Prudential Insurance, Coca Cola, Metropolitan Insurance, etc.

Dr. Perry emphasized that, "Tomorrow's jobs are going to require more education."

Changes the nature of work, the skills necessary, and the workers themselves: At the turn of the century, most worked in agriculture. During the 1920's the move was to the factories. We are now into the post-industrial era. From 1860-1910, the country was into Agriculture, followed by Industry, Service, and Information. From 1910-1960, the country's labor force was moving toward Industry; Service was holding its own, but Agriculture was declining. From 1960 to 2000, the majority of the labor force will be in Information and Services. Only 1% of the labor force will be in Agriculture by the year 2000. Fewer workers will be in Industry because of automation.

Projected are fewer jobs for middle class offspring within our own state because we are headed toward a two-tiered economy in California: Technical/Professional/Managerial jobs and Service/Industry jobs.

In terms of job skills, employers will need higher analytical skills from its workers, better reasoning skills, and post-secondary education. Sixty-six percent of the jobs created in the 1990's will require post-secondary education (some schooling beyond high school). Of the jobs requiring post-secondary education, Executive/Administrative will grow 22% from 1984-1995; Professional will grow 22%; Technical will grow 29%.

Workers themselves are changing. We are headed toward a major shortfall, Dr. Perry predicts, in the growth of the U.S. labor force. The U.S. labor force will continue forward with continued high unemployment rates of 6-10%. By the year 1995, our labor force will expand by only 3%. By the year 2000, only 1%.

The demographics of the labor force are changing. Young workers will decline by 2 million from 1985 - 2000. The average age of the workforce will increase from 35 - 39. There will be an increase of new workers who are women, minority, and immigrants.

Dr. Perry continued that there are also changes taking place in the area of worker participation. Workers need to understand that we are moving toward a global perspective, in which California will be in the center, which will affect the nature of the work from the standpoint of the mix of different races and cultures and languages. In the Los Angeles School District today, there are sixty different languages being spoken. In

Oakland, over 30 different languages are spoken.

All organizations are aware that they are going to have many openings and the need for skilled workers. The question then becomes, said Dr. Perry, of what the educational institutions are doing to meet the issue of supply and demand.

Changes in educational institutions: Dr. Perry raised some issues that merit mention. Graduates from schools are changing, discipline enrollments of U.S. students are changing, number of students going to college is changing, educational institutions are changing, educational curricula are changing, college faculties are changing, and academic quality is changing.

Graduates are changing. Though from 1984 to 1985, the increase in bachelor's degrees granted was only 0.5%, of that number, 50% were to women, as were 49.9% of master's degrees, and 34.1% of doctorates.

The demographics of new workers are changing. Forty-seven percent of them are women (who account for many of the highly qualified, skilled workers). Many recruitment strategies that are in place are geared toward the 60's, 70's, and 80's (male dominated). Benefit packages are also male oriented. There must be major changes in marketing strategies to entice top qualified workers.

Another challenge is that by the year 2005, the majority of us in the state of California will be minorities (over 50%). Dr. Perry asked the question of how we are preparing minorities through educational institutions to move into the variety of different jobs and demands. As an example, he examined computer science. The percentage of minority groups receiving bachelor's and master's degrees in computer science are: Indian, 0.4% and 0.6%; Black, 5.5% and 2.5%; Hispanic, 2.1% and 1.3%; Asian, 5.2% and 8.3%.

Students going to college are changing. Graduate programs, especially in science and engineering, are only able to stay constant only because foreign students are in the programs. Too few American students are going for advanced degrees. Also, an eighteen percent drop in the number of college age students is anticipated by 1995. 700,000 students drop out of school in any one year in the U.S. 500,000 students who graduate every year are barely literate. We are now setting on the sidelines 1.2 million kids every year in a society that needs skilled young people. Thirteen percent of our 17-year olds can barely read.

Educational institutions are changing. These institutions must work in collaboration with industry and no longer independently. "Educational institutions must restructure their programs, redesign their laboratories, and retrain their faculties. Business, industry, and the community will directly benefit and

their involvement must increase."

College faculties are changing. Dr. Perry asked the question, "Who is going to do the teaching?" California's population will double from 1960 to 2038 (to 38 million). Teachers are retiring, and the population is growing. By the year 2000 in California there will be 20,000 openings in K-12 due to teacher retirements. In the state college system in the next 14 years there will be 8,000 faculty openings. There will be 10,000 openings in the UC system. Nationwide there will be 600,000 openings of K-12 by 1995 and 500,000 college faculty openings.

Student academic quality is changing. For 29% of our children and for 40% of our minority children, academic quality is academic. They drop out. Thirty-three percent of school age kids are at risk: failing at school, dropping out, victims of crime, drugs, teenage pregnancy, chronic unemployed parents.

In the State of California, the question should be asked where are we going to get tomorrow's leaders? Of the high school students qualified to move into the UC system: 26% of Asian high school graduates were eligible for UC; 13% of Anglos; 4.5% of Hispanics; and 3.6% of Blacks. UC accepts the top 12.5% of students. By 2005, Blacks and Hispanics will be 40% of the population. Where will we get leadership with numbers like that? Also, UC accepts the top 12.5% and many Asian students are qualified (larger than any other group). But at UC Berkeley in 1985-86, Asian enrollment was challenged by Anglos--racism reared. Unless we do something about racism now, it will be the next issue behind education. Dr. Perry believes that criminal justice must meet this challenge head on.

In summation, given the changes in the nature of business, changes in work in the workplace, and changes in educational institutions, Dr. Perry offered these organizational implications:

- All organizations need to be acutely aware that the labor force and the workplace will be different in the future.
- There will be a need to be able to respond to labor markets that will tighten more than any time in history.
- Organizations will have to invest in training and retraining of their existing employees.
- Organizations must develop strategies to insure an on-going and constant supply of new talent from educational institutions.

In final summary, Dr. Perry prescribed for serious discussion, either within individual departments, in regional strategies or statewide strategies, this thought:

"Organizations need to develop well-planned, well-orchestrated approaches to establish strong institutional relationships with key educational institutions."

Dr. Perry went on to summarize that "the competition for tomorrow will be people." Organizations are going to have to start thinking strategically on how to work individually, collaboratively, or collectively up and down the state to position themselves to move strategically. IBM is doing it, TRW is doing it, and Lawrence Livermore Laboratory is doing it.

"Recruiting From A Multicultural Workforce"
Lewis Griggs

Lewis Griggs is a management consultant and a principal of Copeland Griggs Productions. He is the co-author of Going International: How to Make Friends and Deal Effectively in the Global Marketplace, and is Executive Producer of the award-winning GOING INTERNATIONAL training film series as well as the VALUING DIVERSITY series. Mr. Griggs is a frequent speaker on the impact of culture on business.

Mr. Griggs began his presentation by stating that as a management consultant he is not part of the law enforcement culture-- business is his culture, and he is as "Anglo" as is possible; i.e., midwestern, 6th generation, Stanford MBA. He stated that we must recognize that we that we are all products of culture and that even white males, who make up 40% of the workforce nationally, are not necessarily the same.

Mr. Griggs described his task as to stimulate thought and discussion about diversity (which one does not have to like, given that we all like our own way best) and to communicate that we all should want and value diversity. He emphasized the latter point by asking the audience to consider the marketplace that law enforcement serves (that is, the community). Diversity is needed within departments to match the marketplace served (gender and ethnic and racial diversity) and that diversity needs to be represented all the way to the top. As parents, people already react differently to children who can be extremely different even when born to the same family. People need to transfer the skills they use as parents into new areas, such as when dealing with racial and gender and ethnic differences. However, people throw up defense mechanisms when dealing with uncomfortable differences. Those defense mechanisms, Mr. Griggs submits, become racism and sexism.

People might use three arguments to fight accepting differences in others:

1. "People are really mostly similar."

This statement makes us feel better, more comfortable. However, problems are caused by the differences. Race and gender are not always the cause of problems. There can also be problems caused by age, education, personality, class, and other differences.

2. "This would have been useful after the war, but now that the global village is beginning to happen, we have more in common--the message is too late."

The opposite is actually true. We are no more superficially alike, so the cultural differences are even more important to understand.

3. Like the analogy of an iceberg where more is hidden below the water line, people just feel that something is different below the water line when they are interviewing, recruiting or managing people who are different from themselves. They may come to conclusions made through language, body language, eye contact, dress, etc. that there is something untrustworthy, stupid, incompetent, shifty, etc. about people.

We need to know when these conclusions are true and when they are not.

Mr. Griggs stated that differences might be divided into these categories:

1. Mythical - Something one has always known (perceived but not real) about skin, eyes, etc.
2. Irrelevant - 100% of differences are irrelevant as prescribed by law.
3. Relevant - Differences might be real and relevant in a specific situation. Differences are sometimes positive, negative, or neutral. For example, skin color might be relevant when discussing suntan oil. Accents are not supposed to matter, but if too thick, might be a negative when dealing with some clientele. In another neighborhood, the accent might be positive (a huge asset).

Knowledge can be dangerous, but not as much as ignorance. Law enforcement, firefighters, and the military have one advantage-- all know what it feels like when their lives are on the line. Differences disappear. Mr. Griggs believes that this knowledge can be carried over to other areas of management, such as recruiting.

Following his presentation, Mr. Griggs chaired a panel of California peace officers representative of various cultural groups. Those officers were Officer Millard Hampton of the San Jose Police Department, Officer Rose Melendez of the San Francisco Police Department, Officer Trung Nguyen of the San Diego Police Department, and Deputy Eric Parra of the Los Angeles Co. Sheriff's Department. These officers each spoke about their decisions to become peace officers. Their stories, though highly personal and individual, were enlightening about the broader groups represented by the officers (Blacks, women, Asians, and Hispanics). They shared their early impressions of police work, their decisions to become officers, the reactions of their friends and family, and the receptions that they received within their employing agencies. More than one officer on the panel had to overcome early negative experiences with the

police--including one officer who had been stopped on a ruse by police when a young man and had his carseats ripped open for contraband, and another officer whose father had been tortured by French police. More than one officer had to overcome family opposition to their decision to enter law enforcement. In all cases, however, family opinion is now favorable and all officers have no regrets concerning their career decisions.

"Changing Workforce Values:
Implications for Recruitment and Retention"
Dr. David Jamieson

Dr. David Jamieson, President of Jamieson Consulting Group has been a management consultant for over eighteen years. He speaks regularly on a variety of topics related to human resources management and planning such as implementing change, understanding the future, managing the changing workforce, etc.

Dr. Jamieson expanded on several points that are key to understanding changing workforce values. Among those points:

- Change is taking place in the nature of work, the workplace, and workers.

Change is taking place at a rapid pace, prompted by new laws, different crimes, different tasks needing different skills, technology, decentralization and centralization in the workforce, differences in age, gender, educational background, and cultural mix of workers.

- The workforce has changed dramatically, but how we manage has not.

Management systems have been built around a workforce that was young, male, and primarily Caucasian, but the workforce is changing. For example, management practices have developed with a strong underlying theme of control, but managers must foster commitment in work rather than try to control behavior.

- The very nature of the "employment contract" is changing.

This is the unwritten, informal aspect of the employment contract. Years ago, people looked for less in the employment setting.

- Today's pluralistic values mix old rules, new rules, and changing values.

The old traditional values that have long existed are still held by many people, but there is a change in the emphasis as the population changes in its demographics and new values are introduced. We can no longer make assumptions about people's values because there is a diversity of values.

- People are often satisfied with their work, but alienated by their employer.

People generally are satisfied with their chosen work, but not always satisfied with the policies, practices, structure, and philosophy of their employers.

- Focusing on recruiting without also focusing on retention creates a "revolving door."

Focusing on recruiting solves the short term problem only. Employers need to find what they can do to make their organization a place that retains people. What people find attractive to join is very much what they find attractive to stay with.

- Recruiting today calls for innovation and creativity in who, where, when, and how.

Includes considerations of who's doing the recruiting, who the target group is, has that group been targeted well enough, are the methods adequate, both direct and indirect.

- In a "seller's" market, it's the employer who is really being interviewed.

This point needs to be recognized in the recruiting process. In markets where there are shortages and where there are high quality mobile people, they are in fact the sellers. When they are being interviewed, they are also interviewing the employer to find out if their needs will be met, and their values are guiding their choices. In contrast was the old recruitment model in which the employer had all the leverage and would choose the best candidates.

- The real issue is designing and managing organizations that attract and retain quality employees.

This is difficult, but something that leadership needs to be doing. They must rethink the way the organization is designed and managed in order to be comfortable, satisfying, and productive for the diverse, changing workforce. People will go to work in the kinds of places where some of their needs and preferences are being met.

- Retention involves a longer-term overhaul of how work is designed; how organizations are structured; and the

policies, systems, and practices used in managing people.

This will be the work of the 80's and 90's. Work on overhauling these areas can make organizations more attractive than many organizations in the public and private sector. This work involves looking closely at benefits, appraisals, reward systems, treatment of people, how tasks are put together into roles, whether there are opportunities for movement and variety, whether people work individually or in teams, etc.

In terms of some of the trends in today's values, Dr. Jamieson offered the following:

- Greater self-actualization and self-fulfillment

More people are looking beyond basic needs--security, housing, shelter, basic comforts--and beginning to look toward being more self-actualized and more fulfilled or being able to reach their potential. People are more inner directed than outer directed (though not to the exclusion of others). The need for security has lessened for people. Variety drives more people than routine. People are finding multiple avenues in finding fulfillment whereas in the past people found it mainly through their work life.

- Increased self-management and autonomy

There is a growing trend in people's desire for increased self-management and autonomy--more discretion in decision-making, more discretion in work-related tasks, more latitude rather than less latitude (a work situation in which the worker is partly managing too), and a work situation in which workers are not always having to ask for permission or given a directive.

- Increased interest in opportunities for learning and development

Desire for learning and development opportunities comes in many shapes and forms; e.g., professional updates, support for continuing higher education, development of skills and talent for career advancement, etc.

- Greater desire for information and involvement

This desire has been growing in the last 20 years, mainly because the workforce of the past was on the average was younger, less educated, and almost entirely white male. This led to management practices that were directive and controlling because managers knew more than the workers. This situation is not necessarily true today. Workers now are interested in being informed, respected as an individual with a knowledge base, and want to use that knowledge.

- Increased individualized concern for quality of lifestyle

Work has moved from being the center of people's lives to something less than that. People are questioning, "What is the quality of lifestyle I desire? What is it that I choose to do with my life? What is it that I find rewarding and satisfying in life, which includes my work, but is not limited to my work?" We can expect that people will be highly individualized about the answers, and that answers will shift as people get older and as people's economics change. Answers will be balanced between family, play, education, etc. In the past, there was more uniformity about the definition of success. In the past, people lived to work; now they work to live.

- Greater concern for individual respect and dignity

This trend involves concern for people's right to meaningful work, removal of status differentiations that make some people feel good and others demeaned, respect and dignity for each individual whatever their role in the organization, treating all people evenly and fairly.

- Increased pursuit of equality and fairness

There are greater pervasive values today concerning the search for equality--the search for equality in sex roles (women in work), across cultural groups. People are looking for fair choice--fairness in opportunity--yet recognizing the individual differences that exist in today's diverse workforce.

- Greater acceptance of individual differences and flexibility to meet diverse needs.

More people are starting to accept differences in people and allowing differences to exist without

negative judgment. Therefore, a manager or an organization will need to have greater flexibility to meet those diverse needs.

Dr. Jamieson stated that these trends are occurring now, and even though an employer will not find them one hundred percent in everybody, he will continue to find them more frequently. Further, there will be a different emphasis in values depending on the individual cultural group.

The next step involves taking an understanding of these values and determining what people will be looking for when they are considering employment in an organization. An understanding of people's values can help an employer determine what an individual will want to hear during an employment interview, and can affect the way an employer designs work, structures the organization, and develops policies and practices for managing people.

The implications that changing values carry for retention affect work design, organization structure, and policies, systems, and practices.

Changing values have implications for recruiting. People will go to work where their needs and preferences can be met. Employers must think about what they have to offer in terms that will meet people's values. For example, to attract applicants who desire greater variety, an organization might be designed to make it easier for employees to move around. Employers must also target more finely, just who it is they are trying to recruit (define the target groups, skills targeted, etc.). Employers should have people doing recruiting who can "speak the language" both symbolically and literally (have women recruit women candidates). When targeting specific candidates, employers must consider where and when to recruit (for example, recruiting for women at gyms, health clubs, and shopping malls in the afternoon).

In final summary, Dr. Jamieson stated that "people are going to go to work in places where their needs can be met." People are looking for a balance between an interesting job, reasonable pay, and concern for the quality of their lifestyle. The more employers learn about what values are in operation, the better they can adapt their organizations to become attractive places to work, and convey a message in recruiting that taps into the values.

**"What We Know About Recruitment:
Results of Two Recent POST Surveys"
Dr. John Berner**

Dr. John Berner has been Chief of the Standards and Evaluation Services Bureau of the Commission on Peace Officer Standards and Training since 1983. The bureau is responsible for conducting all research leading to the establishment of POST entry-level selection standards, as well as for maintaining and administering several statewide testing programs.

Dr. Berner presented a summary of two surveys conducted by POST in 1988 concerning the recruitment issue. One survey was sent to a sample of approximately half of the chief law enforcement executives in the state, the other was administered to every cadet in a POST-certified basic course during the survey period.

Results from chief executives on the POST Recruitment Needs Survey, revealed that 75% of departments are experiencing recruitment difficulties, and 21% are experiencing increased turnover. Further, attracting qualified applicants in general is as problematic as recruiting applicants from specific groups.

When asked about factors contributing to recruitment difficulties, chief executives reported competition from other law enforcement agencies (96%), lack of qualified applicants (93%), competition from the private sector (70%), uncompetitive salaries/benefits (69%), limited recruitment staff (68%), extended selection process/applicants dropping out (63%), and limited recruitment budget (60%). Interestingly, negative image of law enforcement drew a 39% response, and excessively difficult selection requirements a 14% response.

Chief executives reported using a variety of recruitment techniques, including newspapers (88.1%), referrals from officers (75%), direct mailings (54%), pamphlets (53%), recruitment of non-affiliated cadets (49%), job fairs (45%), out-of-area recruitment (41%), explorer scout programs (40%), regional recruitment (37%), speaking at jr./sr. high schools (35%), continuous testing (32%), posters (28%), magazines (26%), college internships/work study (23%), shortening the length of the selection process (21%), and radio (19%).

Chief executives believed that recruitment would be enhanced by: professionally developed media (71%), assistance in defining and locating target groups (71%), POST certification of reading/writing test scores (69%), courses on recruitment (64%), published guidelines on recruitment (63%), regionalized testing (61%), more stringent requirements for non-affiliated trainees (61%), development of statewide applicant pool (58%), and standardized application form (48%).

The POST Law Enforcement Career Interest Survey was administered to gain the perspective of academy cadets, those people who had

made relatively recent decisions to enter the law enforcement profession. Dr. Berner gave an overview of the profile of this cadet who typically was between the ages of 21-25, male, white, unmarried (though 40% were married), having some college education (40.1% had 1-2 years of college), and whose hobbies and interests leaned heavily to athletics and outdoor recreation. Further, 32% of the cadets in the survey reported having at least one relative in law enforcement. The average age when the cadet first became interested in law enforcement was 18. The average time from initial applicant to hire for cadets was 9 months, and the average number of departments applied to was 2.6.

Dr. Berner reported that personal contact with someone involved in law enforcement played a big role in how cadets learned about job opportunities. In fact, 48.4% of affiliated cadets had a friend who works for a department and 17.9% had a relative working in a department. For non-affiliated cadets, those numbers were 26.8% and 9.3%, respectively.

Of the single events or factors which were most instrumental in influencing cadets' choice of career, the following were often reported: a friend/relative in law enforcement, contact with a law enforcement officer, a ride-a-long program, and being/knowing a victim of a crime.

Reasons why cadets chose a law enforcement career included long-term career opportunities (93.4%), service to society (92.4%), excitement of the job (91.4%), working with the public (91.3%), opportunity to learn new skills (86.1%), job security (82.1%), working outdoors (81.1%), job diversity (80%), benefits (77.8%), prestige of the job (75%), independent work (75%), salary (72%), and flexible working hours (30.6%).

Cadets reported that these factors as reasons why they chose their departments: overall image of department (87.5%), opportunity for varied work assignments (79.8%), opportunity for promotion (78.4%), geographic location (76.8%), benefits (76.5%), department's philosophy (75%), salary (73.8%), initial work assignment (47.9%), assistance by the department during the selection process (47.2%), personal contacts with department recruiters (42%), first/only department to make an offer (37.2%), and friends/relatives in the department (32%).

When asked how departments could attract more qualified people to the profession, cadets reported: Improve salaries/benefits, increase advertising, improve the image of the profession, and increase contacts in schools/colleges.

Dr. Berner concluded his presentation with statistics on the selection and training process in terms of elapsed time between the selection steps, the number of "no shows," and the disqualification rates. From the time of the initial application to the point of permanent status, can take a cadet from 23-25 months (including basic training, field training, and probation).

Beginning with 100 applicants at the start of the selection process, departments can expect to lose candidates at every selection stage along with way, and can anticipate only about 4 candidates becoming sworn officers.

"Recruitment Practices of the U.S. Army"
Mr. Glenn Foreman

Glenn Foreman is the Advertising and Public Affairs Officer for the U.S. Army Recruiting Battalion Headquarters in Sacramento, where he is responsible for directing all advertising and public affairs activities for U.S. Army from Bakersfield, north to the Oregon border and from Fairfield, east to Central Nevada.

Mr. Foreman began his presentation by describing U.S. Army recruitment goals, their success in meeting those goals, and the staffing of their recruiting function. He then elaborated on their methods of recruitment.

The Army is currently successful in meeting some very impressive recruitment goals. The Army is now 1.2 million strong and is a 90-day Army (which means with full escalation, the country can be protected for 90 days, after which the reserves and national guard would be mobilized--65% of our forces). In order to maintain an army of 1.2 million, 200,000 people must be recruited every year. There are 67 career fields and 300 different jobs from infantry to medical specialists, from artillerymen to computer operators.

Within the U.S. Army Recruiting Command, which is responsible for recruiting for all of the Army and the Army Reserves, there are six regions. There are fifty-five recruiting battalions. The Sacramento battalion is one of the largest. There are about 150 recruiters in the Sacramento battalion, and they recruit 300 young men and women every month (mission is made every month). Occasionally, mission is made by category (e.g., a specific number of females, or a specific job category, etc.). There are 5 recruiting companies in the Sacramento battalion, each commanded by a captain and a first sergeant who have approximately 30 recruiters. In addition, in battalion headquarters there is a staff headed by a lieutenant colonel and a sergeant major. There is an Operations Section which takes care of mission processing, exceptions to policies, and monitoring the flow in the field of prospects (from contact to contract). (Excluding training time, they can get a person into the Army in a week and half.) There is an Administrative Section which takes care of supplies and motor vehicles (all recruiters have a vehicle) and a Budget Section which oversees the battalion budget of 3 million dollars. The advertising budget for the battalion is about \$200,000. The Advertising and Public Affairs Office is staffed by civilians who have backgrounds in marketing and advertising and work as writers and editors, media buyers, sales promotion experts, etc.

Recruiters are obtained from the ranks and are the best from every field. They are assigned for 4 years. Recruiters are trained through a 2 month recruiting course during which there is a weeding out process for those without natural sales skills. (About 10% are lost.) Mr. Foreman suggests that law enforcement

do the same; that is "take your best and put them in recruiting." In the Army, recruiters can apply for "career status" which has the advantage of promotions ahead of others as well as other advantages. A one-year internship is also available for recruiters. If after one-year's time, they want to go back to the regular Army, they can do so with no bad marks. Gold badges, which carry promotion points, are awarded to successful recruiters who meet mission every month.

The Army's market is close to law enforcement's market except a little younger. The Army recruits 18-24 year olds, using Nielsen (TV), Arbitron, and Burch (the latter two, radio) market research which have established areas of dominant influence. The Army's ads have been singled out for creative excellence by the advertising industry. Mr. Foreman stated that the public must learn what you have to offer through advertising. "Something happens when don't advertise--nothing."

Based upon research, the Army's main selling points are (1) the Army College fund, (2) skills training, and (3) the guarantee for new enlistees the unit of assignment, job (if qualified), part of the world, and length of time in writing. Two to four year enlistments are offered. Army reserve enlistment is for eight years (six with enlistment for two years in the regular Army).

Other market surveys have resulted in the Army promoting comradeship, adventure, and opportunities to mature, learn leadership, and "be all that they can be." The Army recruits to retain.

The Army uses a Youth Attitude Tracking Survey and a New Recruit Survey. The Army talks to groups of young people in their market (which Mr. Foreman states everybody needs to do). This is basic marketing. He recommends sampling the market through focus groups. In focus groups, attitudes towards many products, including the Army can be asked. From focus groups can come a smaller group of potential enlistees who can be asked specific queries whose answers can be used to align the product. Mr. Foreman stated that both the Army and law enforcement are at a disadvantage in a free enterprise system in which a need is usually first identified, then a product developed. Instead, both the Army and law enforcement have a product which must be matched to the needs of the public. To match those needs, the Army offers options and programs.

In its surveys, the Army has identified tangible and intangible benefits, but to young people tangible benefits mean little when it comes to Army enlistment. Young people are interested in an experience they can be proud of, an opportunity to develop leadership skills, an opportunity to develop their potential, an opportunity to develop self-confidence, and opportunity to become more mature, and a challenging experience. These benefits are what the Army "sells" in its advertising. Recruiters do not go in and talk about the Army because people know what the Army

does. Law enforcement sells to a slightly older market, so may need to address more of the tangible benefits such as pay and promotion.

The Army advertises in the circles in which young people travel, such as rock show broadcasts, television shows, sports shows etc. Commercials during Super Bowl can cost \$600,000, but cost per impression is a fraction of a cent. A radio commercial will cost \$.09 per impression. Advertising in a high school will cost \$.25 to \$.50. The best mediums are television (if you can afford it) or radio, for the most impressions for the least amount of dollars. Print is less effective, but can be free if produced internally. However, print alone won't be effective.

The Army spends \$80 - \$90 million dollars on advertising to recruit 200,000 people a year. They use Young and Rubicam as their advertising agency. Mr. Foreman emphasizes that "you have to have an advertising agency to have a good advertising and marketing program." The competition is too keen for the young men and women--someone is always trying to sell something. The advertising agency will also produce lead systems. Marketing and advertising experts are worth the money. The Army provides the audience, does the focus studies, tells the agency who to go to, what messages to portray, then the agency assembles their film crew and produces the items.

Television is one of the Army's best producing resources, and a 1-800 number is set up by the agency. Radio advertising spots are also provided by Young and Rubicam. The radio spots sell everything from generic infantry to basic Army to specific skills, so the Army can use whatever is suited to current mission needs. The agency also does the yellow page advertising--radio and TV advertising are inadequate without a "call to action" which includes invitations to stop in, 1-800 numbers or directions to look under the yellow pages under "Recruiting." Anyone who wants to recruit should be in the yellow pages.

The Army also uses direct mail because they have found that the "higher mental category" high school students respond more rapidly and with higher frequency to direct mail packages sent to their homes. That group will also tear out mail-back cards from magazines and send them back--lower mental categories are more likely to look up the Army and come in. The mail-back cards from Outdoor Life, Popular Science, Popular Mechanics, etc. provide "pre-warmed" leads for the recruiters.

Local advertising and sales promotion can be paid or unpaid. Some of the best events can use non-professional talent and non-funded events. Radio and print are costly. The Army does have funds to bring in soldiers from the Army and Army Reserves to events such as high school and college visits, flyovers, bands in parades, etc. National touring exhibits (vans) cost about \$600 a day to operate. The Army also participates in air shows with the Army Gold Knights (the public pays the \$3000 a day to see

them jump). National bands go on tour at a cost of \$3500, but local newspapers pay the costs by providing free advertising. Job fairs are one of the Army's best lead producing assets. "Point of sale items" (printed brochures) explain all the programs and options.

Some free items include news releases, weekend tours including Hispanic media tours, female media tours, etc. In addition, every general officer in the Army must go out on an annual basis and sell the Army (usually in their hometown). Everyone in the organization is considered to be in the Speakers Bureau, including clerks. Speech and talk kits are available as are TV videos that potential enlistees can take home. Public Service Announcements are also done.

The Army trains recruiters to make 20 contacts to make 1 enlistment. They sell the Army, not jobs. People qualify for jobs by virtue of tests. The Army "pre-qualifies"--before a recruiter starts processing, they ask for a "morals" form to be filled out. A mental pre-test is also given. Potential recruits are put through a national agency check and must reveal drug and alcohol use, etc. Experimental use of marijuana is ok, but not recreational use. Drug and alcohol tests are given. If the person tests positive for alcohol use, that person can come back in 6 months; but testing positive for drugs is unacceptable. Recruiters are taught to travel in the same circles as the best recruits (higher mental categories, high school graduates). Security interviews are conducted (part of the national agency check). Medical physical examinations are also conducted.

The Department of Defense takes between .2% and .3% of all eligible young people in the United States into the military. Of those, 40% are put into the Army, 28% into the Navy, 22% into the Air Force, 8% into the Marines, and 2% into the Coast Guard.

Mr. Foreman concluded his presentation by suggesting that law enforcement recruiters make use of the results of their vocational aptitude battery (they test 420,000 high school students). These tests are public property and could be used as law enforcement's pretest. He also stated that the military helps the law enforcement profession by providing leadership training, providing people with a more focused attitude, more maturity, and consequently a more recruitable audience. Law enforcement could put their advertising in all of the military processing centers to contact those people ending their military enlistments.

For the future population of California, Mr. Foreman sees a decline in the number of young people (there are a total of 121,000 fewer high school this year than last year) and predicts that four years from now, the military and law enforcement will be in heavy competition with one another.

"The Nursing Shortage: Process for
Identifying and Addressing the Problems"
Ms. Patricia Hunter

Patricia Hunter, Director of Surgical Services at the Community Hospital of Chula Vista, is currently serving her second term on the Board of Registered Nursing and is its president. She is also co-chair of the Registered Nurses Special Advisory Committee on the Nursing Shortage.

Ms. Hunter began with an overview of how her profession has defined the nursing shortage. She then elaborated on what her profession has done on a statewide level to meet the challenge of the shortage, and lastly addressed the multiple dimensions of the shortage that are being studied by the Special Advisory Committee.

Because nursing is a female dominated profession, there is often the perception that nurses are leaving to have families and that there is not really a shortage. So the profession has first had to conduct surveys to test the truth of this perception. (Less than 5% of the nurses in California are male.)

In the nursing profession, the shortages seem to occur every ten years. Two major studies have been conducted at the national level, organized by the American Nurses' Association and resulting in commissions under the Dept. of Health. The first study was conducted in 1977, the second in 1986. The first study identified reasons for the shortage such as salaries, work hours, benefits, other career options, lack of autonomy, and the lack of respect nurses received in the workplace. Recommendations were made to the Legislature, but by the time they were made, the profession was out of the shortage cycle--salaries had increased, benefits were improved, etc. There was actually a period when nurses were being laid off. Then, in 1985-86 another shortage was identified. Again, a commission was established by the Dept. of Health, and again was charged with determining the reasons for the shortage and making recommendations. The resulting 1988 report states that we are now in the middle of a critical shortage with predictions of the situation worsening. Instead of nurses leaving the profession, however, the report states that there are now more nurses working than ever, but there is also greater demand for nurses. In 1977 there were 1.5 million nurses (70% of them working); in 1986 there were 2 million nurses (79% of them working).

Unfortunately, in California, there are no statistics available on how many of the 240,570 nurses are active, where they are working, if they are near retirement, whether they are full-time or part-time, etc. To rectify this situation, legislation has been proposed and a bill has gone through both houses to provide money to set up a data base. The nursing community considers this data base very important in addressing the nursing shortage issue.

The nursing profession is also concerned that enrollment in California nursing programs, from which come the majority of newly-licensed nurses, has declined by 14% since 1982. The decline is attributed to the declining birthrate, fewer numbers of college age men and women, and other career choices made by women.

Because of the advent of ambulatory surgery centers, outpatient center, urgent care emergency centers, etc., people who enter hospitals are now those who need very acute care--requiring higher staffing levels. The aging of the population will also have an impact upon hospitals as will the AIDS epidemic.

To document the nursing shortage, the profession turned to the employer, that is hospitals, long-term care facilities, ambulatory care, and home care. The two measure of the shortage are vacancy rate and time to fill positions. In the 1987 there was an 11.3% vacancy. Whereas in the past it took 30 days to fill a position, it now takes up to 90 days.

There is a feeling that the "band-aid" approach (raising salaries and benefits) will not work this time. Instead, it is feared that there is a major problem with availability.

Initially, in response to the growing nursing shortage, the various interest groups within the profession dealt with their portion of the problem alone. That is, educators met with educators to come up with a plan, the hospital association assembled a committee, the nurses association had a committee. However, in 1986, an inter-organizational task force was convened by the California Nurses Association for a group effort. This group met for over a year and developed some consensus, but then determined that even their effort was not enough.

To generate interest in the nursing shortage as well as public understanding (which in turn facilitates financing) it was determined that Legislative help was needed. Senator Royce was asked to carry a bill on behalf of the California Nurses Association, California Society of Nursing Administrators, and the California Hospital Association. Consequently, SB 2755 resulted in the establishment of the nursing shortage committee. Significantly, this legislative bill recognized the nursing shortage and did not require re-documentation of the problem. The legislation requires only that the committee come back in 1990 with recommendations. The bill authorized the Board of Registered Nursing to establish an Advisory Committee of 20 diverse members representing various members of the nursing profession, as well as a representative of the retirement community and two public members.

Currently the RN Special Advisory Committee is attempting to collect all data available on the shortage in California. This data includes every study every group has done and information

gathered through public hearing. The committee's report will focus on three areas: (1) the development of nursing resources (including magnet school programs, recruitment in professional schools, recruitment of non-traditional and at-risk students, flexible class hours and accelerated degrees, a survey of recruitment strategies, the possible establishment of recruitment centers throughout the state, hospital tours, job fairs, and the acceptance of rehabilitated drug users); (2) utilization of nursing resources (including practice models to determine the most efficient use of RNs' time), and (3) maintenance of nursing resources (collection and maintenance of data on nurses).

In conclusion, Ms. Hunter stated that whenever there is a nursing shortage, there is always a group that will come up with a "band-aid" approach such as developing a new practitioner position that will require less education and salary to take over some of the nursing duties. She feels strongly that the issues that cause the lack of interest in coming into the profession must be addressed or the same problems will reappear.

**"What Role Can A Public School Play?"
Mr. Howard Trekell**

Howard Trekell is Magnet Coordinator at Santa Teresa High School in San Jose. He has 25 years of experience as a coach, teacher, counselor, and program administrator. During his presentation, he described the law enforcement magnet program at Santa Teresa High School--how it was developed, who participates, its curriculum, its goals, its successes, and how others might establish similar programs.

The impetus for the magnet program in San Jose's East Side Union High School District was the segregation of its ten high school campuses (which includes 22,000 students and 1,100 teachers). Two high schools were deemed segregated. Santa Teresa High School was 90% white while most of the other schools were 80-90% minority (primarily Vietnamese and Hispanic). In an attempt to alter this imbalance, Santa Teresa High School made the decision to begin magnet school programs in business and in law enforcement. The law enforcement program eventually became the major program.

Development of the law enforcement program began two years ago with a federal grant, and Mr. Trekell is not aware of another program of its kind in California. In its second year, there are 200 students in the program (100 students enter each year as freshmen). Mr. Trekell expects that 100-150 will graduate yearly and will go into law enforcement. The program is more than a cadet program, which is primarily an extra-curricular activity. Rather, Mr. Trekell sees the program as actually producing people who will go into law enforcement as a career.

The staff at Santa Teresa chose law enforcement as a magnet program for a variety of reasons and have worked closely with the San Jose Police Department. The desegregation goals of the school were exactly the same as the recruiting goals of the department; i.e., more Hispanics, more Vietnamese, and more minorities in general--a natural partnership. In addition, the Santa Teresa staff found police salaries compared favorably even to teachers' (\$31,000 versus \$19,000 starting salary) and also noted that there are two police academies in Santa Clara County--Evergreen Valley College and Gavilan College. The relatively short time that elapses before an eighteen year old can become a police officer (as opposed to a doctor or engineer) and the good job opportunities were also attractive. Further, the fact that there are educational standards (in San Jose Police Department 56 units are required) was attractive to Santa Teresa. Lastly, in the San Jose area there is a high interest in law enforcement.

Teaching materials for the program were gathered from local basic course academies and POST. Staff diluted the material, making it appropriate for high school students. During the four years they are in the program, students will take one law enforcement course every year and a special P.E. class taught by

a special instructor.

Santa Teresa also formed a cadet squad (after school) to keep the students involved. They are affiliated with PAL and the Santa Clara Co. Sheriff's Department.

Uniforms were purchased with the federal money, and students have begun to participate in parades. In addition, staff has brought in many law enforcement activities to the campus--helicopters, canine corps, horse patrol, uniformed officers, etc.

Students are recruited into the magnet program from the eighteen junior high schools in the district. Mr. Trekell spends a month at these schools making presentations about the program. Eventually, there will be a maximum of 400-500 students (a fifth of the school's student body).

Students must ride on buses to get to the Santa Teresa campus, and some ride as long as 55-60 minutes to get to school. Next year, six busloads of students will come everyday to campus.

In terms of course work, students take the usual range of classes with the addition of a law enforcement course and a special P.E. course. In response to reported needs of law enforcement departments, the law enforcement course work will include a year of report writing in addition to regular English courses. Students may take college preparatory classes, but they and their parents are informed that the program is considered vocational.

Interestingly, the program's students are currently 50% girls, and the girls are primarily Vietnamese and Hispanic. (Santa Teresa has especially recruited students with a second language.)

Desegregation goals have been met, at least with the Hispanic student population. The white students already at Santa Teresa have been used to integrate the program.

Santa Teresa has built a facility for its law enforcement program, turning a metal shop into a squadroom/classroom and P.E. facility where students take their law enforcement classes and receive instruction in baton, martial arts, CPR, first aid, water rescue, etc.

The two teachers for the program are both ex-peace officers and were already teaching in the district when the program was developed. One teacher had been a beat officer for 4-5 years; the other, who had been a state wrestling champion, had worked seventeen years as a park ranger.

Expectations for the students include the hope that some will enter administration of justice courses in community colleges and that some will join the military which will offer experience. Some students have already been hired for summer work as quasi-security officers at entertainment parks in the area.

Mr. Trekell suggested that his program could be of interest to law enforcement departments because of its potential as a source of recruits. These students have essentially been "monitored" for four years--even physical charts have been kept. Background investigations should be fairly easy because the schools have had "control" from ages 14-18. Students are highly motivated and know that they must avoid drugs. Further, the students will have a very realistic view of the law enforcement profession--speakers from a variety of departments have made presentations and the students have participated in ride-along programs.

Mr. Trekell asked that the audience consider two important points. The first is that if more counties established programs such as Santa Teresa's, each producing 100 graduates with law enforcement interest a year, the recruitment problem could be significantly reduced. The last point Mr. Trekell offered is that "the timing has never been better." There is general acceptance on campus for this type of program. Santa Teresa has had no negative incidents. Mr. Trekell also believes that "the time has never been better for law enforcement community to get its oar into the educational community." He also advises that law enforcement administrators not discount their relationship with the local school board or the local principal--they will listen.

**"A Law Enforcement Administrator's
Perspective of Recruitment Needs"
John Clements**

Chief John Clements is beginning his twenty-fourth year with the California Highway Patrol. For the past 2 1/2 years, he has been assigned as chief of the CHP's Personnel and Training Division where his responsibilities have included recruitment, testing, psychological screening, background investigations, research and selection, physical fitness testing, training, academy operations, and the department's personnel bureau. He currently serves on the POST Advisory Committee.

Chief Clements shared some of his views of the recruitment situation. As the last speaker of the symposium, he had "good news and bad news." The bad news was that most of what he had planned to say had already been presented. The good news was that the overlap provided some validity to his prepared remarks.

As chief of the Personnel and Training, Chief Clements' multiple responsibilities included responsibility for recruitment until last January. At that time, Chief Clements recommended to the executive management that the function be elevated to a higher level.

Chief Clements believes that one of most important functions to organizational survival and prosperity is staffing departments with qualified personnel. However, at least three quarters of the departments are experiencing staffing problems, particularly with respect to targeting specific ethnic and gender groups. All projections are that the situation will worsen--as the population in California grows, there will be more people problems, congestion, and demand for services.

With these types of forecasts emphasizing the need to focus on the recruitment issue, Chief Clements shared some of his views based upon his years of experience, his participation in POST recruitment seminars, and his reading of the literature.

The POST recruitment seminars, held last year in June in Ontario and Sacramento, were attended by recruiters representing various sizes and types of agencies. Based upon those seminars, Chief Clements shared some of the concerns that surfaced during the meetings and in followup telephone calls. These concerns included: (1) the need for more personal involvement, support and commitment by top level management; (2) the lack of sufficient resources (including staff, money, and time) despite a significant responsibility to produce results; (3) the lack of formal training for recruiters; (4) the need for professional consultants to help them, their agencies, and law enforcement in general to do a better job; (5) the lack of qualified applicants--including reading and writing difficulties, drug use, the lack of interest in a law enforcement career, etc.; (6) the competition among agencies and the private sector; the

changing quality and values of the candidates; i.e., the "me" generation lacking job experience or military experience as well as life experience in general; (7) the lack of departmental recruitment plans; (8) serious problems with control agencies; (9) problems with failures and no shows throughout the hiring process; (10) the lack of involvement in recruiting by the rest of the organization; and (11) the negative image of law enforcement in the electronic and print media.

In his literature search (which includes readings over a number of years), Chief Clements had most recently reviewed many Command College papers, CPOA publications, and professional journals. This information supplemented his professional experiences, which included chairing a 9-month task force at the CHP and discussions with EEO people, personnel people, etc. about the recruitment situation. Chief Clements identified a consistent theme in his investigations: We need to do a lot more in the area of recruiting and probably need to bring in professional expertise and training.

Chief Clements summarized the a Command College paper, "How Will the Smaller Department Meet Its Recruitment Needs in the Year 2000?" which typifies some of the concerns about law enforcement recruitment. Some of the points made in the paper:

- As police managers, we cannot let recruitment take a backseat to other administrative tasks.
- Recruitment should not be viewed as a necessary evil.
- The recruitment staff must know where they're heading and how they fit into the rest of the organization.
- Of the 21 agencies surveyed for the paper, all were having recruitment difficulties, but only 5 were doing anything substantially different.
- Law enforcement should not concede responsibility to personnel entities outside their departments.
- Law enforcement must capitalize on its benefits in order to attract applicants from the private sector. Those benefits include retirement benefits, bonuses, relocation costs, education costs, child care, flex hours, etc.
- An important technique is to get into the schools with junior cadet programs, recruitment talks, outreach programs, ride-alongs, etc.
- Departments must be willing to finance recruitment programs.

- Recruitment personnel should not be "draftees" or people rotated in and out, but rather the best people.
- Essential elements of a good recruitment program include the chief's involvement and willingness to involve the entire department, the department's working with personnel entities if possible, and appropriate training for recruiters.

Chief Clements offered his personal assessment of law enforcement recruitment. His observations include:

- The executive officer must make an unequivocal commitment for and show a genuine interest in the recruitment process.
- The higher the level in the organization some of the recruitment processes are elevated, the stronger the message, internally and externally, of the premium put on recruitment.
- The chief executive officer must ensure that top management is involved in the process.
- Potential recruiters exist in all departmental personnel. A reward program involving awards, bonuses, etc. could be instituted.
- It is essential that managers and supervisors be held responsible for maintaining a discrimination-free workforce.
- Administrators must accept changing values and encourage subordinates to accept them.
- It is extremely important that personnel and recruitment units be supported by resources. This includes staffing with the best and supporting with training and money.
- Utilize minorities, females, bilingual speakers, etc. as role models who show interest and sensitivity to the applicants.
- Written departmental recruitment plans that address organizational objectives and purpose are important.
- It may be a good idea to have consultants do the departmental recruiting or do an appraisal of the program.
- Cooperative relationships with control agencies are worth the effort.

Chief Clements concluded his presentation with an description of CHP's experience with the POST written test. Before using the POST test, CHP was failing 80% of those taking the oral who had already passed the written. After switching to the POST test, which screens out about 75%, the failure rate on orals has dropped to 25%. Failure rates on the subsequent psychological test have dropped from 75% to 50%. No shows are generally down in most phases after the written. Background failures have dropped from 50% to 33%. Most importantly, academy failures have dropped from 35-50% down to 15%.

Before instituting the POST exam, CHP noted that the applicants were having great difficulties with reading and writing. CHP has also noted the correlation between the ability to read and write and the overall caliber of the candidate. Feedback from FTOs have been impressive. Academy instructors are also pleased with the quality of the students.

Interestingly, recruitment of protected groups has not been affected. Out of 21 Hispanics who recently went through the academy, 20 graduated (the one failure was for driving problems, not reading and writing). In fact Hispanic academy enrollment is up from 15% to 28%. It probably pays for unqualified candidates to take them out of the process as soon as possible.

Chief Clements summarized that the CHP is doing a fairly good job in recruitment. However, "good" may not be good enough in the future. He is encouraged, though, by the interest shown by executive level people and sees the possibility within agencies for potential recruiters who may be inspired by executive encouragement.

ANALYSIS

Evidence of need for a Master Instructor Course is also available in the form of highly successful train-the-trainer workshops that have been conducted to orient instructors teaching in the POST Supervisory Leadership Institute and Institute of Criminal Investigation. In both cases, instructors have been rated as outstanding by students and outside observers.

Besides a Master Instructor Course for new and seasoned instructors, long range consideration should be given to the need for a more comprehensive approach to instructor development. As envisioned, the instructor development needs for all levels of instruction and types of courses need to be identified and cataloged. Various training and development programs should be developed for differing needs. In addition to advanced teacher trainer courses, other approaches should be tried such as observation programs of master instructors, establishment of teacher excellence recognition programs, annual symposiums of instructors, model classrooms to maximize instructor observation and evaluation, computer assisted development laboratories, POST instructor standards for high liability subjects and others. But the development of a Master Instructor Course serves as a beginning foundation for these future more comprehensive approaches.

A Master Instructor Course would be made available but not required. Its content would be based upon research by the proposed POST Management Fellow, input from a panel of leading experts and trainers, and pilot testing. The literature would be surveyed for applicable research relevant to this study. Efforts to identify the most effective approaches/techniques to instruction would be made.

Existing staff workload does not permit this needed research and development. Accordingly, it is recommended a POST Management Fellow be contracted for up to eight months at a cost not to exceed \$70,000 for salary and fringe benefits. Travel and per diem costs would be reimbursed to the individual separately.

RECOMMENDATION

Authorize the Executive Director to enter into a contract, in an amount not to exceed \$70,000, for up to eight months services of a POST Management Fellow to research, develop and pilot test a Master Instructor Course.

| COMMISSION AGENDA ITEM REPORT | | |
|--|----------------------------|---|
| Agenda Item Title Request for Management Fellow to Develop Master Instructor Course | | Meeting Date July 20, 1989 |
| Bureau Training Program Services | Reviewed By Glen Fine | Researched By Hal Snow |
| Executive Director Approval <i>Monahan C. Boehm</i> | Date of Approval 7-5-89 | Date of Report June 6, 1989 |
| Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report | | Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No |

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract for up to eight months services of a POST Management Fellow to research, develop and pilot test a Master Instructor Course at a cost not to exceed \$70,000?

BACKGROUND

The need for a Master Instructor Course has long been recognized as necessary for a variety of reasons. Key to the success of presenting quality training is the ability of instructors.

The 60-hour California teacher training requirement for part-time community college instructors has long served as the benchmark for much of POST-certified instruction, but it contains serious deficiencies for law enforcement training purposes. Missing from this course are techniques of adult-experiential learning, adult learner characteristics, use of modern instructional aids such as satellite teleconference broadcasts and computer assisted instruction, and contemporary concepts of instructor as manager of the learning process. Little or no attention is devoted to the concepts embodied in POST's Training Effectiveness Model. Instead, the existing course continues with the presenter/lecture style of instruction which severely limits instructors to only one mode.

Even this 60-hour teacher trainer course will no longer be specifically required once the provisions of recent chaptered legislation are implemented leaving teacher development standards up to each community college district. Although the Commission does not require any particular teacher training course as a prerequisite to instruct in POST-certified courses, POST strongly recommends the 60-hour teacher trainer course. POST does offer one and two-day instructor workshops on selected newly adopted training curriculum as well as a two-day instructor refresher workshop on the fundamentals of lecture. Again, these efforts fall short of optimal instructor training.

ANALYSIS

Evidence of need for a Master Instructor Course is also available in the form of highly successful train-the-trainer workshops that have been conducted to orient instructors teaching in the POST Supervisory Leadership Institute and Institute of Criminal Investigation. In both cases, instructors have been rated as outstanding by students and outside observers.

Besides a Master Instructor Course for new and seasoned instructors, long range consideration should be given to the need for a more comprehensive approach to instructor development. As envisioned, the instructor development needs for all levels of instruction and types of courses need to be identified and cataloged. Various training and development programs should be developed for differing needs. In addition to advanced teacher trainer courses, other approaches should be tried such as observation programs of master instructors, establishment of teacher excellence recognition programs, annual symposiums of instructors, model classrooms to maximize instructor observation and evaluation, computer assisted development laboratories, POST instructor standards for high liability subjects and others. But the development of a Master Instructor Course serves as a beginning foundation for these future more comprehensive approaches.

A Master Instructor Course would be made available but not required. Its content would be based upon research by the proposed POST Management Fellow, input from a panel of leading experts and trainers, and pilot testing. The literature would be surveyed for applicable research relevant to this study. Efforts to identify the most effective approaches/techniques to instruction would be made.

Existing staff workload does not permit this needed research and development. Accordingly, it is recommended a POST Management Fellow be contracted for up to eight months at a cost not to exceed \$70,000 for salary and fringe benefits. Travel and per diem costs would be reimbursed to the individual separately.

RECOMMENDATION

Authorize the Executive Director to enter into a contract, in an amount not to exceed \$70,000, for up to eight months services of a POST Management Fellow to research, develop and pilot test a Master Instructor Course.

POST staff met with OTS during December 1988 and January 1989 to prepare continuation documents for the project. Unexpended funds were moved to fiscal year 1989/90. This item concerns only the funds necessary to obtain software design and programming services that are part of the project. Specifically:

- o \$61,000 in grant funds are allocated for the services of a systems designer. The designer will develop a design for the ATAARMS and provide all systems documentation.
- o \$36,100 are budgeted for programming services. The programmer will develop all software in accordance with the approved systems design.

The total amount proposed for contract expenditure, \$97,100, is funded by the Office of Traffic Safety for these services.

ANALYSIS

The approval to expend grant funds for Computer Programming Services is required in order to proceed with the ATAARMS project. The contract for these services will be negotiated with either the Department of General Services or a California State University Foundation.

RECOMMENDATION

Approve the expenditure of not more than \$97,100 to contract for systems design and computer programming in support of the Office of Traffic Safety grant project.

of a strategic plan draft for conducting the study and extensive data collection, along with research and analysis regarding the baseline of available training. After having established what exists, the focus will be directed toward exploring the optimal vision of law enforcement training in the future, and how to proceed toward those ends.

The goals of the study, as articulated by the ACR, are as follows:

- * Explore ways to overcome the shortage of training equipment and facilities
- * Examine the feasibility of greater utilization of emerging technology in the presentation of training
- * Seek cost-effective alternatives to current training
- * Seek to conserve training time
- * Explore ways to assure maximum training effectiveness, and
- * Endeavor to deliver more productive training

The methodology for achieving the purposes of the study will include regional meetings designed to receive information from law enforcement and training providers throughout the State. The California Academy Directors' Association (CADA) has already indicated a desire to participate and provide input in this study. Demonstrations of current and developing technology would be employed to inform committee members. Such demonstrations (including on-site visits), may include Interactive Video disc training, Laser Villages, Simulators for firearms and driver training, "Smart" classrooms, Satellite/teleconferencing training, and the use of computers in simulations. The approach will also include the conducting of cost-benefit analyses of different training systems which will be sought out through a variety of means of surveying the field.

Training needs may be further established through the collection of data showing the liability and costs for driving and firearms related incidents.

Experts need to be assembled to discuss scientific breakthroughs for adaptability to law enforcement training. Financial and personnel needs, including the geographical training locations and models for management, must be thoroughly examined.

An internal group of POST staff can provide assistance to the committee. The committee will most likely require subcommittees to provide technical expertise.

RECOMMENDATION

It is recommended that the Commission Chairman appoint a Commission representative to serve on the ACR study committee and that the Commission concur in the study directions outlined in this report.

FINANCE COMMITTEE

Wednesday, July 19, 1989
2:00 p.m.
Marriott Hotel
Columbia Room
333 West Harbor Drive
San Diego, CA 92101-7709
(619) 234-1500

AGENDA

- A. Call to Order
- B. Year End Financial Report
1. Review of Estimated Revenue and Local Assistance Expenditures Fiscal Year Ending June 30, 1989
 2. Fund Condition Report
- C. Report on Reimbursement Rates for FY 1989-90
3. Volume of Reimbursable Trainees in FY 88/89 and FY 89-90
 4. Report on Potential Salary Reimbursement Rates for FY 89-90
- D. Budget Change Proposals for FY 1990-91
5. FY 1989-90 Governor's Budget
 6. FY 1990-91 Budget Change Proposals (Approval in Concept)
- E. Proposed Contracts on July 1989 Commission Agenda
7. Basic Course Scenario Manual Update
 8. FY 1989-90 Video Training Tape Distribution
 9. Management Fellow - Recruitment
 10. Management Fellow - Master Instructor Course
 12. Computer Programming Services in Support of OTS Grant
- F. Adjournment

Memorandum

To: POST Commissioners

Date : May 25, 1989

Robert Wasserman, Chairman
Accreditation Committee

From : Commission on Peace Officer Standards and Training

Subject: ACCREDITATION COMMITTEE MEETING

The Committee met at the Wyndham Hotel in Palm Springs on May 18, 1989 at 9:00 a.m. Present were the following Committee members:

Commissioner Robert Wasserman, Committee Chairman
Chief Don Forkus, CPOA
Chief Ray Johnson, CPOA (Replacing Chief Forkus)
Chief Karel Swanson, CPCA
Sheriff Edward Williams, CSSA

Guests present:

Robert DeSteunder, San Diego County Sheriff's Department
John Clements, Advisory Committee member (CHP)

Staff members present:

Executive Director Norman Boehm
Assistant Executive Director Doug Thomas

The Committee reviewed the proposed language for legislation to establish a local law enforcement accreditation program. The Committee members expressed support for the proposed language and a new source of funding. The funding is proposed to come from Penalty Assessment monies now being shifted to the State's General Fund. The members will next present the proposed legislation to each of their associations and report back to the Committee. The members also expressed comfort with the way the accreditation study is progressing.

The next meeting of the Accreditation Committee will be on August 17, 1989 in Anaheim.

Memorandum

POST Commissioners

June 30, 1989

Date :

Sherman Block, Chairman

From : **Commission on Peace Officer Standards and Training**Subject: **REPORT OF LONG RANGE PLANNING COMMITTEE**

The Committee met in my office on June 27th at 12 Noon. Attending were myself and Commissioners Carm Grande, Alex Pantaleoni, Floyd Tidwell, Robert Vernon and Robert Wasserman. Also present were Executive Director Norman Boehm and Deputy Director Glen Fine.

After reviewing and discussing written reports, the Committee acted on the following matters:

Certificate revocation

Pursuant to Commission direction, staff is developing a proposal for legislation to expand current revocation provisions to include all acts involving moral turpitude. Definitive information developed to date on moral turpitude is attached to this report.

After discussing the planned approach to revocation expansion, the Committee is concerned that revocation based solely upon administration determination would potentially entail legal complexities and high staff cost. The Committee recommends:

That at this time the Commission seek only to expand revocation provisions to include convictions of misdemeanor crimes involving moral turpitude.

ACR 58 - Facility and Equipment Study

This Resolution is expected to be passed before the November 1989 Commission meeting. There was consensus that plans be completed now to form the oversight committee and implement study. Staff will present a full report at the July Commission meeting.

Standards for Oral Board Raters

At the April Commission meeting, staff was directed to evaluate the feasibility of addressing qualifications and preparedness of persons serving on oral boards. The Committee reviewed

evaluation of the issue. The conclusion is that though there is merit in this suggestion, two prominent considerations weigh in favor of this remaining a local issue:

- (a) There are a multitude of instances (promotions, hiring, panels, assessment centers, etc.) where raters may be used.
- (b) Each agency will have its own set of criteria to judge by; that is, looking for different qualities in candidates under differing conditions.

There was consensus that the issue be examined further by exploring the possibility of including training of the subject in an existing course, perhaps the Supervisory or Management Course.

Minimum Education Standards

At the April Commission meeting, the Commission acted by motion to set policy that graduates of high schools in foreign countries shall be required to pass the GED. Also included in the motion was policy that persons with two- and four-year college degrees shall be required to pass the GED if they do not also possess high school degrees.

The matter was later referred to the Long Range Planning Committee for review. The Committee reconsidered this latter policy due to conflict with current state law and recommends a MOTION to accept two- and four-year degrees as meeting the high school graduation requirement.

Report on Recruitment Symposium

Briefing was received on results of the symposium recently held for chief executives. This matter is scheduled for a full presentation to the Commission. Committee consensus was to proceed as proposed in the staff report.

Master Trainer Course/Instructor Development Program

This matter is also scheduled for full presentation to the Commission. The Committee was briefed on the proposal, and consensus is to approve recommendations in the staff report.

Review of Executive Director's Vacation Allowance

The Commission is required to annually determine the vacation allocation for the Executive Director. For the past several years, the Commission has awarded 33 days of vacation for the year. In addition, the Executive Director has specifically been authorized to expend up to \$5,000 during the year for professional development activities. The Committee recommends a MOTION to continue these allocations for FY 1989/90.

Memorandum

Long Range Planning Committee

Date : July 5, 1989



Norman C. Boehm
Executive Director

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

Subject: CERTIFICATE REVOCATION - MORAL TURPITUDE

As discussed at our meeting on June 29, 1989, enclosed is information providing a more detailed description of the moral turpitude concept. As suggested, this information will also be included as a reference with the Committee's reports to the Commission.

cc: Commission July 20, 1989 Agenda Books

Memorandum

To : GLEN FINE
Deputy Executive Director
P.O.S.T. MAY 15 3 38 PM '89

Date : May 15, 1989

FileNo.

Telephone: ATSS (8) 473-1993
(916) 323-1993

From : VINCENT J. SCALLY, JR.
Deputy Attorney General
Office of the Attorney General - Sacramento

Subject: Explanation of Concept of Moral Turpitude

You have requested an explanation of the concept of moral turpitude, in anticipation of legislation authorizing P.O.S.T. to revoke peace officer certificates for "misdemeanors involving moral turpitude." While a commonly accepted general definition of moral turpitude exists, the determination by P.O.S.T. of whether a particular misdemeanor violation "involves moral turpitude" will probably require reference to specific court decisions on a case by case basis.

"Moral turpitude has been defined by many authorities as an act of baseness, vileness or depravity in the private and social duties which a man owes to his fellowmen, or to society in general, contrary to the accepted and customary rule of right and duty between man and man." (In re Craig (1938) 12 Cal.2d 93, 97, 82 P.2d 442; see 7 Am.Jur.2d, Attorneys at Law § 74.) The meaning and tests are the same whether the dishonest or immoral act is a felony, misdemeanor, or not crime at all. (See 24 Cal.L.Rev. 9 et seq.; Drinker, p. 43; infra, § 383.) "Moral turpitude depends upon the state of public morals and may vary according to the community and the times. The term is defined by public morals and the common sense of the community." [Citations omitted.] (People v. Parrish (1985) 170 Cal.App.3d 336, 349.)

The California Supreme Court in People v. Castro (1985) 38 Cal.3d 301, 315, 317, fn. 13, equated moral turpitude with a "readiness to do evil." The court stated that a crime involves moral turpitude if it "evinces any character trait which can reasonably be characterized as 'immoral.'" Although the court failed to provide a specific definition of which crimes involve moral turpitude, it stated that some of the definitional problems may be ameliorated by resorting to other bodies of law concerning the characterization of felonies as involving moral turpitude. (Id., at p. 316, fn. 11.) The court referred to 1 Witkin, California Procedure (2d ed. 1970) Attorneys, section 195, and Annotation (1975) 23 A.L.R.Fed. 480, which deals with crimes involving moral turpitude within the meaning of the federal alien deportation statutes. (People v. Castro, supra, 38 Cal.3d at p. 316, fn. 11.)

No comprehensive list can be provided of which misdemeanors currently involve moral turpitude. However, in various contexts (cases concerning attorney disbarment, deportation, and use of felonies for witness impeachment), the courts have determined whether a particular felony offense involves moral turpitude. A partial list of such offenses includes the following:

Arson
Assault with a deadly weapon
Assault by means of force likely to cause great bodily injury
Assault with intent to rape
Assault with intent to murder
Auto theft
Auto theft (attempted)
Battery by inmate
Battery on a police officer
Bribery
Burglary
Conspiracy to possess unregistered firearm
Controlled Substance: see Sale, Possession, Transportation
Cultivation of marijuana
Driving another's car
Escape
Extortion
False Imprisonment
Forgery
Grand larceny
Joyriding
Kidnapping
Lewd and lascivious conduct with child under age 14
Manslaughter, voluntary
Murder, first
Murder, second
Perjury
Pimping and pandering
Possession for sale
Possession of concealable firearm
Rape
Rape (statutory)
Receiving stolen property
Robbery
Sale of controlled substance
Theft
Transportation of controlled substance

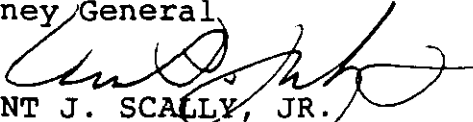
Because the concept may vary "according to the community and the times," any determination of moral turpitude could be overturned by the courts at a later date.

GLEN FINE
May 15, 1989
Page 3

Note for future reference that the Attorney General's Office, Criminal Division, maintains and updates a compilation of cases which have determined whether a particular felony involves moral turpitude.

If I can be of further assistance, please call me.

JOHN K. VAN DE KAMP
Attorney General



VINCENT J. SCALLY, JR.
Deputy Attorney General

VJS:ram

Memorandum

M

Advisory Liaison Committee Members

Date : July 5, 1989



Norman C. Boehm, Executive Director

From : Commission on Peace Officer Standards and Training

Subject: Specialized Agency Representation on the Advisory Committee

The Commission asked the Advisory Liaison Committee at the April 1989 meeting to study the specialized law enforcement position on the Advisory Committee. This request results from the expired term of Fish and Game Warden Michael Sadleir and the subsequent nomination of CAUSE president, Cecil Riley.

BACKGROUND

Prior to March 1976, the California State Employees' Association (CSEA) was represented on the Advisory Committee by Mr. Chuck Oliver, a Staff Analyst for Law Enforcement Programs. Fish and Game Warden Wayne Caldwell replaced Mr. Oliver in March 1976 as the CSEA representative.

With the passage of the State Employer-Employee Relations Act, the official bargaining agent for state specialized law enforcement changed to the Coalition of Associations and Unions of State Employees (CAUSE) which later changed its name to the California Union of Safety Employees. Fish and Game Warden Michael Sadleir has represented CAUSE since 1981.

ANALYSIS

The position on the Advisory Committee under discussion has frequently been called the specialized law enforcement representative. Specialized law enforcement is defined as an entity with peace officer powers to enforce one class of laws. Thus, Alcoholic Beverage Control, Airports, Consumer Affairs, Fish and Game, Harbors, State Police, U. S. Forest Service and similar agencies with peace officers are classified as specialized agencies. Specialized agencies are found at the local, state, and federal levels of government.

A number of state and local specialized agencies currently participate in the POST program. These agencies include 24 state agencies, 3 airport districts, 3 coroners, 3 harbor districts, 1 housing authority, 3 railroads, 3 utility and park districts, and 7 welfare fraud/child support for a total

of 47 specialized agencies in the non-reimbursable POST program. A number of specialized agencies also participate in the POST reimbursable program. These include 42 District Attorney Investigative units, 13 marshals, 5 school districts, and 3 transit districts for a total of 63 agencies.

Specialized law enforcement agencies are represented through a number of associations. Most specialties have their own individual associations that represent the interests of their members. Thus, there are associations such as the Fish and Game Wardens Protective Association, the California State Police Association, The Association of Motor Vehicle Investigators, and the California District Attorneys Investigators Association which each represent the special interests of a specific group.

In addition, specialized agencies are grouped together for the purposes of collective bargaining and benefits. At the state level, specialized agencies are represented by CAUSE. Specialized agencies at the local level and some state agencies are represented by PORAC.

Specialized agencies also group together for professional growth and information sharing. The California Peace Officers' Association Specialized Law Enforcement Committee represents the interests of both rank-and-file and management in specialized agencies at the local, state, and federal levels. This committee is now expressing an interest in representing specialized law enforcement on the Advisory Committee.

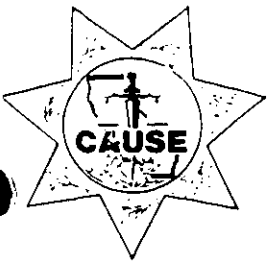
ANALYSIS

The designation of a position on the Advisory Committee as a specialized law enforcement representative may be a misnomer. Since 1981, the position has been filled by a CAUSE member. Prior to the establishment of CAUSE, the position was filled for many years by the CSEA. Thus, the position has been filled by a representative of a state union rather than a specialized agency in the purest sense.

Because the position has often referred to as the specialized law enforcement position, the CPOA Specialized Law Enforcement Committee would like to represent specialized law enforcement on the Advisory Committee.

RECOMMENDATION

Because this position on the Advisory Committee has been a state union position for over 15 years, it is recommended that the position be continued and redesignated as the CAUSE position to reflect its true representation in view of past precedent.



CAUSE

California Union of Safety Employees

915 20th Street • Sacramento, CA 95814 • (916) 447-5262 • (916) 447-9111
1-800-LA-CAUSE

- Association of Conservation Employees
- Association of Criminal Identification and Investigative Specialists
- Association of Criminalists -- DOJ
- Association of Deputy Commissioners
- Association of Motor Carrier Operations Specialists
- Association of Motor Vehicle Investigators of California
- Association of POST Consultants
- Association of Special Agents -- DOJ
- California Association of Criminal Investigators
- California Association of Deputy Registrars of Contractors
- California Association of Food and Drug Officials
- California Association of Fraud Investigators
- California Association of Lifeguards
- California Association of Regulatory Investigators and Inspectors
- California Association Special Investigators
- CHP -- Radio Dispatchers Association
- California Organization of Food and Agriculture Inspectors
- California Organization of Licensing Registration Examiners
- California State Police Association
- Fire Marshal's and Emergency Services Association
- Fish and Game Wardens Protective Association
- Hospital Police Association of California
- State Employed Fire Fighters Association
- State Park Peace Officers Association of California

June 28, 1989

Sherman Block
Commission Chairman
Commission of Peace Officer
Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816

Dear Mr. Block:

Thank you for your letter dated February 14, 1989 regarding the termination of Michael Sadleir's position to the Post Advisory Committee.

On behalf of the CAUSE Board, we wish to nominate Cecil E. Riley to represent California Specialized Law Enforcement, beginning in September 1989.

If you have any further questions, please contact me at the CAUSE office.

Sincerely,

Cecil E. Riley
President
CAUSE

CER/sas

68. H. J. E. T. 3 62 mm
COMMISSION ON P.O.S.

STATE LANDS COMMISSION

LEO T. McCARTHY, Lieutenant Governor
RAY DAVIS, Controller
ESSE R. HUFF, Director of Finance

EXECUTIVE OFFICE
1807 - 13th Street
Sacramento, California 95814
CLAIRE T. DEDRICK
Executive Officer

June 8, 1989

Mr. Norman C. Boehm
Executive Director
Peace Officer Standards and Training Commission
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Boehm:

The Specialized Law Enforcement Committee of the California Peace Officers Association is greatly honored by the opportunity to submit nominees for the Specialized Enforcement slot of the POST Advisory Board. After discussion, the committee suggested it might be appropriate to submit resumes of several candidates. Because we are unfamiliar with the rest of the Advisory Board we believed that a variety of candidates would allow the Commission to select someone that could add breadth to the group.

If this process will meet your needs we can submit names by June 25, 1989. Please, do not hesitate to call (327-3306) if you have questions or if you'd prefer an alternative approach.

Sincerely,



LISA BEUTLER, Manager
Enforcement Section
School Lands Section

cc: CPOA Specialized Law Enforcement
Committee
Terry Bristol
Rodney Pierini

JUN 8 1989
7 8 AM
CLERK

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95818-7083

GENERAL INFORMATION
(916) 739-5328

EXECUTIVE OFFICE
(916) 739-3864

BUREAUS
Administrative Services
(916) 739-5354

Center for Executive
Development
(916) 739-2093

Compliance and Certificates
(916) 739-5377

Information Services
(916) 739-5340

Management Counseling
(916) 739-3868

Standards and Evaluation
(916) 739-3872

Training Delivery Services
(916) 739-5394

Training Program Services
(916) 739-5372

Course Control
(916) 739-5399

Professional Certificates
(916) 739-5391

Reimbursements
(916) 739-5367

Resource Library
(916) 739-5353

June 22, 1989

Lisa Beutler, Manager
Enforcement Section
School Lands Section
State Lands Commission
1807 13th Street
Sacramento, CA 95814

Dear Ms. Beutler:

Thank you for expressing an interest, on behalf of the CPOA Specialized Law Enforcement Committee, to be represented on the POST Advisory Committee. The Commission is reassessing its approach to specialized law enforcement representation.

I am confident the Commission welcomes your interest in making nominations. At your request, I am enclosing a current list of the Advisory Committee membership so that you will better understand its composition.

A copy of a recent letter regarding representation of minorities that was sent to the various organizations on the Advisory Committee is also enclosed for your information.

While we would be pleased to receive your suggestions, you should be aware the Commission has made no decision at this point as to how to proceed regarding specialized law enforcement representatives. Staff is working on an informal survey and will make a report to the Commission in the future.

If you have any questions, please feel free to call Doug Thomas at 739-5333.

Sincerely,

Norman C. Boehm
NORMAN C. BOEHM
Executive Director

Attachments



N

Commission on Peace Officer Standards and Training
Legislative Review Committee Meeting
July 20, 1989, 9:00 a.m.
Marriott Hotel, San Diego

AGENDA

1. Review of Active Legislation
 - o SB 446 Review of Amendments
 - o SB 1067 Review of Amendments
2. New Legislation
 - o AB 1688 Adds Harbor District to definition of District in P.C. Section 13507
3. Open Discussion
2. Adjournment

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - ACTIVE LEG

AB 2306 PUBLIC SAFETY 06/29/89
CALDERON

SUMMARY: THIS BILL WOULD AUTHORIZE THE DESIGNATION OF AREAS OF GANG VIOLENCE AS HIGH DENSITY UNEMPLOYMENT AREAS, AS SPECIFIED. THIS BILL WOULD REQUIRE THE COMMISSION OF PEACE OFFICER STANDARDS AND TRAINING TO IMPLEMENT A COURSE OR COURSES OF INSTRUCTION TO PROVIDE ONGOING TRAINING TO THE APPROPRIATE PEACE OFFICERS ON METHODS OF GANG AND DRUG LAW ENFORCEMENT, PATROL, AND INVESTIGATION, AS WELL AS THE NEED TO INTERGRATE SPECIALIZED OPERATIONS WITH PATROL AND INVESTIGATION.

FISCAL

STATUS: SENATE COMMITTEE ON RULES

| TYPE | POSITION | TOPIC |
|------------|----------|------------------------|
| ACTIVE LEG | SUPPORT | TRAINING POST RELAT |

ACR 58 LAW ENFORCEMENT TRAINING 05/17/89
CAMPBELL

SUMMARY: THIS MEASURE WOULD REQUEST THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING IN COOPERATION WITH THE LEGISLATIVE ANALYST TO ESTABLISH A COMMITTEE COMPOSED OF SPECIFIED MEMBERS TO STUDY THE USE OF ADVANCED TECHNOLOGY FOR LAW ENFORCEMENT TRAINING; THE COMMITTEE WOULD BE DIRECTED TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE LEGISLATURE, AS SPECIFIED, NO LATER THAN JANUARY 15, 1991.

FISCAL

CALENDAR: 07/11/89 SENATE COMMITTEE ON JUDICIARY
74 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

| TYPE | POSITION | TOPIC |
|------------|----------|----------|
| ACTIVE LEG | SUPPORT | TRAINING |

 BILL-FILE - COMMISSION ON PEACE OFFICER-MASTER
 TYPE - ACTIVE LEG

 SB 309 DRUG AND ALCOHOL ABUSE: 07/05/89
 SEYMOUR MASTER PLANS

SUMMARY: THIS BILL WOULD ADD THAT THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING HAVE DRUG AND ALCOHOL ENFORCEMENT AS A PRIORITY WHEN DETERMINING TRAINING SUBJECTS. THIS BILL WOULD MAKE TECHNICAL CORRECTIONS TO, AND REVISIONS OF, THE 5-YEAR MASTER PLAN TO ELIMINATE DRUG AND ALCOHOL ABUSE IN CALIFORNIA BY INCLUDING REVISIONS REGARDING COUNTY DRUG AND ALCOHOL ABUSE MASTER PLANS.

FISCAL

CALENDAR: 07/11/89 ASSEMBLY COMMITTEE ON HEALTH
 * 2 2 p.m. Room 4202

STATUS: ASSEMBLY COMMITTEE ON HEALTH

| TYPE | POSITION | TOPIC |
|------------|----------|----------|
| ACTIVE LEG | OPPOSE | TRAINING |

 SB 353 PEACE OFFICERS 05/15/89
 PRESLEY

SUMMARY: EXISTING LAW SPECIFIES THAT MEMBERS AND SECURITY OFFICERS OF THE CALIFORNIA STATE POLICE DIVISION HAVE THE POWERS OF PEACE OFFICERS. THIS BILL WOULD DELETE REFERENCE TO SECURITY OFFICERS. THIS BILL WOULD RECAST SECTIONS OF EXISTING LAW BY DESIGNATING PEACE OFFICERS IN THE SEVERAL SECTIONS OF THE PENAL CODE ACCORDING, IN PART, TO OFFICERS' AND EMPLOYEES' OCCUPATIONAL CATEGORIES. THE BILL WOULD MAKE NUMEROUS CONFORMING AND TECHNICAL CHANGES.

FISCAL

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

| TYPE | POSITION | TOPIC |
|------------|----------|------------|
| ACTIVE LEG | SUPPORT | POST RELAT |

BILL-FILE - COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
TYPE - ACTIVE LEG

SB 840 PEACE OFFICERS: QUALIFICATIONS 05/04/89
XOPF

SUMMARY: THIS BILL WOULD PROVIDE THAT ANY PERSON WHO HAS BEEN CONVICTED OF A FELONY MAY HOLD OFFICE AND BE EMPLOYED AS A PEACE OFFICER BY A SHERIFF'S DEPARTMENT OF A CITY AND COUNTY, IF HE OR SHE HAS BEEN GRANTED A FULL AND UNCONDITIONAL PARDON FOR THE FELONY, HAS RECEIVED A CERTIFICATE OF REHABILITATION FROM A SUPERIOR COURT OF THIS STATE, AND HAS SUBSEQUENTLY BEEN EMPLOYED BY A STATE OR LOCAL AGENCY AS A PRISONER SERVICES COUNSELOR FOR AT LEAST 2 YEARS.

Failed Passage

STATUS: FAILED PASSAGE

| TYPE | POSITION | TOPIC |
|------------|----------|-----------|
| ACTIVE LEG | OPPOSE | STANDARDS |

SB 1067 SUDDEN INFANT DEATH SYNDROME: 06/23/89
BOATWRIGHT TRAINING; EMERGENCY PERSONNEL

SUMMARY: THIS BILL WOULD REQUIRE THE COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING, EFFECTIVE JULY 1, 1990, TO ESTABLISH A COURSE FOR CERTAIN SPECIFIED PEACE OFFICERS A COURSE ON SUDDEN INFANT DEATH SYNDROME AND REQUIRE THE COMPLETION OF THE COURSE AS A CONDITION OF CERTIFICATION OF COMPLETION OF THE BASIC TRAINING COURSE. THIS BILL ALSO WOULD REQUIRE OFFICERS WHO ARE EMPLOYED AFTER JANUARY 1, 1990, TO COMPLETE A COURSE IN SUDDEN INFANT DEATH SYNDROME AND COMPLETE TRAINING ON THIS TOPIC, ON OR BEFORE JULY 1, 1990. THIS BILL WOULD ALSO REQUIRE EMT-P'S AND EMT-B'S TO COMPLETE A COURSE ON THE NATURE OF SUDDEN INFANT DEATH SYNDROME, AS SPECIFIED.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON HEALTH

| TYPE | POSITION | TOPIC |
|------------|----------|----------|
| ACTIVE LEG | OPPOSE | TRAINING |

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

TOPIC OR SUBJECT

Training: School Peace Officers
Study: Guidelines and Procedures

AUTHOR

Senator Presley

BILL NUMBER

SB 446

RELATED BILLS

DATE LAST AMENDED
5-17-89

SPONSORED BY**BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)**General

Senate Bill 446 would:

1. Require the Commission on Peace Officer Standards and Training (POST) to approve a course of training, no later than January 1, 1991, relating to the role of school police officers.
2. Require school peace officers employed prior to the date the training is approved, to complete the course of training within one year, and any person who is not employed as a school peace officer until after the date the training is approved, to complete the training within three years from the date of employment.
3. Require the course to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on the campus and other school related matters.
4. Exempt any school peace officer, who possesses a POST basic certificate, from this training requirement.

Analysis

The sponsor indicates there is a need for school peace officers of Community Colleges and K-12 public schools to receive specialized instruction relating to their role. This bill would require POST to develop and approve a course of instruction relating to the role of school peace officers.

At the present time, school peace officers, not in the POST program, are required to only complete the 832 P.C. course. School peace officers in the POST program, currently representing 20 Community College and five School District Police Departments or 607 officers, are required to complete the basic course. This amended legislation would exempt school peace officers who possess the POST basic certificate from this training requirement. Neither 832 P.C. nor basic training courses include

OFFICIAL POSITION

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|---|----------------|-------------|------|
| ANALYSIS BY <i>Wong Y. Thomas</i> | DATE 7-5-89 | REVIEWED BY | DATE |
| EXECUTIVE DIRECTOR <i>Lawrence C. Gordon</i> | DATE 7-6-89 | COMMENT | DATE |

special instruction for school peace officers.

School peace officers employed prior to the date that POST approves the training course would have one year to complete the training. Persons employed as school peace officers after the date of the training course approval would be required to complete the training course within three years from the date employed.

Comment

Prior to the amended version of SB 446, a higher level of training would have been required of school peace officers than is required of other peace officers. Under the previous version school peace officers who attend the basic course would have been required to also attend an additional course on the role of school peace officers. Because of this, the Commission took an oppose position on this legislation.

Senate Bill 446 now would require POST to develop and approve a course of instruction for school peace officers who currently do not participate in the POST program. Thus, POST funds would be expended for training course development for officers who are eligible to participate in the POST program, but for whatever reason have chosen not to participate.

If a full job task analysis is required for school peace officers, the cost could be as much as \$150,000, and it could take as long as a year to complete. A job task analysis could reveal that the complete basic academy is not required for school peace officers.

Because of the author's amendments to this bill, however, it is recommended that the Commission change its position from oppose to neutral.

Recommendation

"Neutral"

AMENDED IN ASSEMBLY MAY 17, 1989
AMENDED IN SENATE APRIL 17, 1989
AMENDED IN SENATE MARCH 16, 1989

SENATE BILL

No. 446

Introduced by Senator Presley

February 13, 1989

An act to add Section 832.2 to the Penal Code, relating to peace officer training.

LEGISLATIVE COUNSEL'S DIGEST

SB 446, as amended, Presley. School peace officers: training.

Under existing law, the Commission on Peace Officer Standards and Training is charged, among other things, with the duty of developing and implementing programs, including training programs, to increase the effectiveness of law enforcement.

This bill would, except as specified, require every school peace officer, as defined, to complete a course of training approved by the commission which relates directly to the role of school peace officers.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 832.2 is added to the Penal Code,
2 to read:
3 832.2. (a) It is the intent of the Legislature to ensure
4 the safety of students, staff, and the public on or about
5 California's public schools, by providing school peace
6 officers with training that will enable them to deal with

1 the increasingly diverse and dangerous situations they
2 encounter.

3 (b) Every school peace officer, as described in
4 Sections 39670 and 72331 of the Education Code, shall
5 complete a course of training approved by the
6 Commission on Peace Officer Standards and Training
7 relating directly to the role of school peace officers. Any
8 person employed as a school peace officer prior to the
9 date that the Commission on Peace Officer Standards and
10 Training approves the course of training shall complete
11 the course of instruction within one year from the date
12 that the Commission on Peace Officer Standards and
13 Training approves the course of training. Any person who
14 is not employed as a school peace officer until on or after
15 the date that the Commission on Peace Officer Standards
16 and Training approves the course of training shall
17 complete the course of instruction within ~~one year~~ *three*
18 *years* from the date his or her employment commences.

19 The school peace officer training course shall address
20 guidelines and procedures for reporting offenses to other
21 law enforcement agencies that deal with violence on
22 campus and other school related matters, as determined
23 by the Commission on Peace Officer Standards and
24 Training. The Commission on Peace Officer Standards
25 and Training shall develop and approve the course of
26 training no later than January 1, 1991, and shall consult
27 with school peace officers regarding the content and
28 hourly requirement for this course.

29 (c) This section does not apply to any school peace
30 officer whose employer requires its school peace officers
31 to possess the basic certificate that is awarded by the
32 Commission on Peace Officer Standards and Training or
33 *any school peace officer who possess the basic certificate*
34 *that is awarded by the Commission on Peace Officers*
35 *Standards and Training.*

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

| | | |
|--|-----------------------------------|------------------------------|
| TITLE OR SUBJECT Training: Sudden Infant Death Syndrome | AUTHOR Boatwright, etc. | BILL NUMBER SB 1067 |
| | RELATED BILLS SB 1068, SB 1069 | DATE LAST AMENDED 6-23-89 |

SPONSORED BY
16 Senators and 22 Assembly Members

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Senate Bill 1067 would:

1. Require the Commission on Peace Officer Standards and Training (POST) to establish a course, effective 7-1-90, for peace officers assigned to patrol or investigations, on the nature of sudden infant death syndrome and the handling of cases involving sudden deaths of infants, and complete the training prior to July 1, 1992.
2. Require officers, who are employed after January 1, 1990, to complete a course in sudden infant death syndrome prior to the issuance of the POST basic certificate.
3. Require POST, in consultation with experts in the field of Sudden Infant Death Syndrome, to prepare guidelines establishing standard procedures for law enforcement agencies to follow in the investigation of sudden deaths of infants.
4. Require the POST basic course curriculum to include sudden death syndrome awareness as part of death investigation training rather than as part of child abuse training.

Analysis

Senate Bill 1067, as amended, requires POST to establish a course, effective July 1, 1990, for peace officers specified in subdivision (a) of Section 13510 (city police, county sheriffs, marshals, reserve officers, districts, and district attorney investigators) who are assigned to patrol or investigations, on the nature of sudden infant death syndrome and the handling of cases involving sudden deaths of infants. The training shall be completed by officers in these assignments prior to July 1, 1992. Officers in these assignments, employed after January 1, 1990,

| | | | |
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| OFFICIAL POSITION | | | |
| ANALYSIS BY <i>Thomas</i> | DATE 7-5-89 | REVIEWED BY | DATE |
| EXECUTIVE DIRECTOR <i>Thomas C. Boehm</i> | DATE 7-6-89 | COMMENT | DATE |

shall complete training on this topic prior to issuance of the POST basic certificate.

SB 1067 would also require POST to prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation of cases involving sudden deaths of infants.

The course relating to sudden infant death syndrome shall be developed by POST in consultation with experts in the field of sudden infant death syndrome.

This legislation would require POST to review and modify the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training rather than as part of child abuse training.

Comments

The POST Commission took an oppose position on this bill at April 20, 1989 meeting. As a result, POST staff met with the authors staff and amendments were subsequently made to SB 1067 and SB 1068, a companion bill. The requirements, that the training be included in the basic training course and be applicable to all peace officer in the classes included in the bill, were deleted and the above amendments were made to the bill.

The author also deleted a requirement in companion Senate Bill 1068 which would have required the Department of Health Services to provide the training on sudden infant death syndrome to peace officers.

Because of the legislative support for this bill and the author's amendments to address POST concerns, it is recommended that the Commission change its position from oppose to neutral.

Recommendation

"Neutral"

AMENDED IN SENATE JUNE 23, 1989

AMENDED IN SENATE MAY 9, 1989

AMENDED IN SENATE MAY 1, 1989

SENATE BILL

No. 1067

Introduced by Senators Boatwright, ~~Bergeson, Deddeh~~
Ayala, Bergeson, Campbell, Deddeh, Dills, Keene,
Lockyer, Marks, McCorquodale, Montoya, Nielsen, Petris,
Presley, Robbins, Roberti, Rosenthal, Russell, Torres,
Vuich, and Watson

(Coauthors: Assembly Members Bane, Bates, Bronzan,
Chacon, Clute, Cortese, Costa, Eastin, Elder, Farr, Filante,
Hannigan, Harris, Johnson, McClintock, Murray,
O'Connell, Peace, Polanco, Quackenbush, Speier, and
Tucker)

March 8, 1989

An act to amend Sections 1797.170, 1797.171, 1797.172, and
1797.213 of, and to add Section 1797.191 to, the Health and
Safety Code, and to add Section 13519.3 to the Penal Code,
relating to sudden infant death syndrome.

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, as amended, Boatwright. Sudden infant death
syndrome: training: peace officers and emergency response
personnel.

(1) Under existing law, there is in the Department of
Justice, the Commission on Peace ~~Officers~~ *Officer* Standards
and Training which is responsible for administering
numerous law enforcement training and certification
programs.

This bill would require the commission, effective ~~January~~
July 1, 1990, to ~~include in the basic training~~ *establish* a course
for certain specified peace officers a course on sudden infant

death syndrome and require the completion of the course as a condition of certification of completion of the basic training course. This bill also would require officers who ~~complete the basic training prior to~~ *are employed after* January 1, 1990, to *complete a course in sudden infant death syndrome and complete supplementary* training on this topic, on or before ~~January~~ *July* 1, 1992. This bill further would require the commission to prepare guidelines establishing standard procedures which may be followed by law enforcement agencies on the investigation of cases involving sudden deaths of infants. *It would require the commission to review the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training.*

(2) Existing law requires the Emergency Medical Services Authority to establish minimum standards and promulgate regulations for the training and scope of practice of EMT-I's, EMT-II's, and EMT-P's, and provides for the certification of EMT-I's by the authority and local EMS agencies and for the certification of EMT-II's, EMT-P's, and authorized registered nurses by local EMS agencies. Existing law also requires firefighters, except those whose duties are primarily clerical or administrative, to receive training in first aid and cardiopulmonary resuscitation, and requires the authority to prescribe standards regarding the training of firefighters in first aid and cardiopulmonary resuscitation.

This bill would require EMT-I's, EMT-II's, and EMT-P's to complete a course on the nature of sudden infant death syndrome, and, effective ~~January~~ *July* 1, 1990, would require any person certified as an EMT-I by the authority or certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse by a local EMS agency to complete the course as a condition of certification thereby imposing a state-mandated local program by adding a requirement to existing local programs. Persons who are certified prior to January 1, 1990, would be required to complete supplementary training on this topic on or before January 1, 1992. This bill also would require all firefighters in this state to complete a course on sudden infant death syndrome, thereby imposing a state-mandated local program by creating additional duties for local fire agencies.

The California Constitution requires the state to reimburse

local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$1,000,000, shall be made from the State Mandates Claims Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. The Legislature hereby finds and
2 declares as follows:

3 (a) Sudden infant death syndrome is the leading cause
4 of death for children under the age of one, striking one
5 out of every 500 children.

6 (b) Existing law generally requires an investigation to
7 determine the cause of all unexplained deaths, and law
97. 8 enforcement agencies often interview parents, day care
9 providers, and surviving children shortly after an infant
10 death has occurred to determine if a criminal act may
11 have taken place.

12 (c) Law enforcement officers and many other first
13 responders in emergency situations are not adequately
14 informed on the nature of sudden infant death syndrome,
15 its signs and typical history, and as a result, may
16 compound the family grief and child care provider grief
17 through conveyed suspicions of a criminal act.

18 SEC. 2. Section 1797.170 of the Health and Safety
19 Code is amended to read:

20 1797.170. (a) The authority shall establish minimum
21 standards and promulgate regulations for the training
22 and scope of practice for EMT-I.

cer23 (b) Any individual certified as an EMT-I pursuant to

1 this act shall be recognized as an EMT-I on a statewide
2 basis, and recertification shall be based on statewide
3 standards. Effective ~~January~~ July 1, 1990, any individual
4 certified as an EMT-I pursuant to this act shall complete
5 a course of training on the nature of sudden infant death
6 syndrome which is developed by the California SIDS
7 program in the State Department of Health Services in
8 consultation with experts in the field of sudden infant
9 seath syndrome.

10 SEC. 3. Section 1797.171 of the Health and Safety
11 Code is amended to read:

12 1797.171. (a) The authority shall develop, and after
13 approval of the commission pursuant to Section 1799.50
14 shall adopt, minimum standards for the training and
15 scope of practice for EMT-II.

16 (b) An EMT-II shall complete a course of training on
17 the nature of sudden infant death syndrome in
18 accordance with subdivision (b) of Section 1797.170.

19 SEC. 4. Section 1797.172 of the Health and Safety
20 Code is amended to read:

21 1797.172. (a) The authority shall develop, and after
22 the approval of the commission pursuant to Section
23 1799.50, shall adopt, minimum standards for the training
24 and scope of practice for EMT-P.

25 (b) An EMT-P shall complete a course of training on
26 the nature of sudden infant death syndrome in
27 accordance with subdivision (b) of Section 1797.170.

28 SEC. 5. Section 1797.191 is added to the Health and
29 Safety Code, to read:

30 1797.191. (a) By ~~January~~ July 1, 1992, existing
31 firefighters in this state shall complete a course on the
32 nature of sudden infant death syndrome taught by
33 experts in the field of sudden infant death syndrome. All
34 persons who become firefighters after January 1, 1990,
35 shall complete a course on this topic as part of their basic
36 training as firefighters. The course shall include
37 information on the community resources available to
38 assist families who have lost children to sudden infant
39 death syndrome.

40 (b) For purposes of this section, the term "firefighter"

1 has the same meaning as that specified in Section
2 1797.182.

3 SEC. 6. Section 1797.213 of the Health and Safety
4 Code is amended to read:

5 1797.213. (a) Any local EMS agency conducting a
6 program pursuant to this article may provide courses of
7 instruction and training leading to certification as an
8 EMT-I, EMT-II, EMT-P, or authorized registered nurse.
9 When such instruction and training are provided, a fee
10 may be charged sufficient to defray the cost of such
11 instruction and training.

12 (b) Effective ~~January~~ July 1, 1990, any courses of
13 instruction and training leading to certification as an
14 EMT-I, EMT-II, EMT-P, or authorized registered nurse
15 shall include a course of training on the nature of sudden
16 infant death syndrome which is developed by the
17 California SIDS program in the State Department of
18 Health Services in consultation with experts in the field
19 of sudden infant death syndrome, and effective January
20 1, 1990, any individual certified as an EMT-I, EMT-II,
21 EMT-P, or authorized registered nurse shall complete
22 that course of training. The course shall include
23 information on the community resources available to
24 assist families who have lost a child to sudden infant death
25 syndrome. An individual who was certified as an EMT-I,
26 EMT-II, EMT-P, or authorized registered nurse prior to
27 January 1, 1990, shall complete supplementary training
28 on this topic on or before January 1, 1992.

29 SEC. 7. Section 13519.3 is added to the Penal Code, to
30 read:

31 13519.3. (a) Effective ~~January~~ July 1, 1990, the
32 commission shall ~~include in the basic training~~ establish a
33 course for those peace officers specified in subdivision (a)
34 of Section 13510 *who are assigned to patrol or*
35 *investigations* a course on the nature of sudden infant
36 death syndrome and the handling of cases involving the
37 sudden deaths of infants. The course shall include
38 information on the community resources available to
39 assist families and child care providers who have lost a
40 child to sudden infant death syndrome. Officers who

1 complete the basic training prior to January 1, 1990, shall
2 complete supplementary training on this topic on or
3 before January are employed after January 1, 1990, shall
4 complete a course in sudden infant death syndrome prior
5 to the issuance of the Peace Officer Standards and
6 Training basic certificate, and shall complete training on
7 this topic on or before July 1, 1992.

8 (b) The commission, in consultation with experts in
9 the field of sudden infant death syndrome, shall prepare
10 guidelines establishing standard procedures which may
11 be followed by law enforcement agencies in the
12 investigation of cases involving sudden deaths of infants.

13 (c) The course relating to sudden infant death
14 syndrome and the handling of cases of sudden infant
15 deaths shall be developed by the commission in
16 consultation with experts in the field of sudden infant
17 death syndrome. The course shall include instruction in
18 the standard procedures developed pursuant to
19 subdivision (b). In addition, the course shall include
20 information on the nature of sudden infant death
21 syndrome which shall be taught by experts in the field of
22 sudden infant death syndrome.

23 (d) The commission shall review and modify the basic
24 course curriculum to include sudden infant death
25 syndrome awareness as part of death investigation
26 training.

27 SEC. 8. Notwithstanding Section 17610 of the
28 Government Code, if the Commission on State Mandates
29 determines that this act contains costs mandated by the
30 state, reimbursement to local agencies and school
31 districts for those costs shall be made pursuant to Part 7
32 (commencing with Section 17500) of Division 4 of Title
33 2 of the Government Code. If the statewide cost of the
34 claim for reimbursement does not exceed one million
35 dollars (\$1,000,000), reimbursement shall be made from
36 the State Mandates Claims Fund. Notwithstanding
37 Section 17580 of the Government Code, unless otherwise
38 specified in this act, the provisions of this act shall become
39 operative on the same date that the act takes effect
40 pursuant to the California Constitution.

AMENDED IN SENATE JUNE 23, 1989

AMENDED IN SENATE MAY 9, 1989

AMENDED IN SENATE MAY 1, 1989

SENATE BILL

No. 1068

Introduced by Senators Boatwright, Bergeson, Deddeh, Ayala, Campbell, Deddeh, Dills, Keene, Lockyer, Marks, Montoya, McCorquodale, Nielsen, Petris, Robbins, Rosenthal, Russell, Torres, and Watson

(Coauthors: Assembly Members Bane, Bates, Chacon, Eastin, Filante, Hannigan, Harris, Johnson, McClintock, Quackenbush, and Speier)

March 8, 1989

An act to add Sections 219 and 462.1 to the Health and Safety Code, relating to sudden infant death syndrome.

LEGISLATIVE COUNSEL'S DIGEST

SB 1068, as amended, Boatwright. Sudden infant death syndrome.

Existing law requires the State Department of Health Services to keep each county health officer advised of the most current knowledge relating to the nature and causes of sudden infant death syndrome (SIDS). Existing law also requires the county health officer or his or her designated agent, upon being informed by the coroner of any case in which sudden infant death syndrome is the provisional cause of death, after consultation with the infant's physician of record, to immediately contact the person or persons who had custody and control of the infant and explain to those persons the nature and causes of sudden infant death syndrome.

This bill would require the department to provide, or contract with a person to provide, regular ongoing SIDS educational and training programs for specified persons who

interact with parents and caregivers following a death from SIDS. This bill also would require the department to regularly produce, update, and distribute, or contract with a person to regularly produce, update, and distribute, literature on SIDS for specific target populations of persons who interact with parents and caregivers following a death from SIDS. This bill further would require the department to monitor, or contract with a person to monitor, whether the county health officer or his or her designated agent is performing the duties required by existing law.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares that
2 sudden infant death syndrome (SIDS) is the leading
3 cause of death in children under the age of one, striking
4 one out of every 500 infants, with a death toll in California
5 now approaching 800 annually. The Legislature further
6 finds and declares that the current level of state SIDS
7 support and training services is insufficient to adequately
8 train local health department staff, coroners, coroner's
9 investigators, child care providers, peace officers and
10 other emergency responders, and hospital emergency
11 room staff to assure SIDS awareness and sensitivity by
12 those who must interact with parents and caregivers
13 following a SIDS death.

14 SEC. 2. Section 219 is added to the Health and Safety
15 Code, to read:

16 219. (a) As used in this section, "SIDS" means
17 sudden infant death syndrome.

18 (b) The state department shall provide, or shall
19 contract with a person to provide, regular and ongoing
20 SIDS education and training programs for those who
21 interact with parents and caregivers following a death
22 from SIDS, including, but not limited to, the following:

- 23 (1) County public health nurses.
- 24 (2) Coroners and coroners' investigators.
- 25 (3) Forensic pathologist.

- 1 ~~(4)~~ Peace officers and others who are the first to
2 respond to emergencies.
3 ~~(5)~~
4 (4) Emergency room physicians and surgeons, nurses,
5 and other staff.
6 ~~(6)~~
7 (5) Licensed day care providers.
8 ~~(7)~~
9 (6) SIDS parent groups.
10 ~~(8)~~
11 (7) Medical examiners.
12 (c) The state department shall regularly produce,
13 update, and distribute, or contract with a person to
14 produce, update, and distribute, literature on SIDS for
15 specific target populations of persons who interact with
16 parents and caregivers following a death from SIDS,
17 including, but not limited to, the following:
18 (1) Clergy.
19 (2) Fire and police departments.
20 (3) Emergency medical service staff.
21 (4) Morticians.
22 (5) Funeral directors.
23 (6) SIDS parent groups.
24 SEC. 3. Section 462.1 is added to the Health and
25 Safety Code, to read:
26 462.1. The state department shall monitor, or contract
27 with a person to monitor, whether the county health
28 officer or his or her designated agent is performing the
29 duties required by Section 462 and whether they are
30 being performed within the time frames specified in
31 Section 462.

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

| | | |
|--|----------------------------------|-----------------------------------|
| TITLE OR SUBJECT Training: Peace Officers: District Definition | AUTHOR Assembly Member Tucker | BILL NUMBER Assembly Bill 1688 |
| | RELATED BILLS | DATE LAST AMENDED May 4, 1989 |

SPONSORED BY

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Assembly Bill 1688 would:

1. Move officers of the Harbor Department of the City of Los Angeles from Penal Code Section 830.31 to Section 830.1.
2. Add "a harbor district" to the definition of district in Section 13507 of the Penal Code thereby making an additional entity eligible to receive funds from the Peace Officers' Training Fund.

Analysis

Note: The analysis of this bill addresses only that portion of the bill relating to the Commission on Peace Officer Standards and Training.

This legislation would add "a harbor district" to the definition of "district" as defined in Section 13507 of the Penal Code. Thus, harbor districts would become eligible to receive reimbursement for training from Peace Officer Training Funds.

Assembly Bill 1688 would make additional entities eligible to receive funds from the POTF. Currently, there are three harbor district police departments, representing a total of 131 officers in the non-reimbursable POST. This legislation would make these officers eligible for reimbursement from the POTF for training expenses. Further, officers, who move from Section 830.31 to Section 830.1, have their training requirement increased from the 40 hour course required by Section 832 of the Penal Code to the 560 hour basic course required by Section 832.3 of the Penal Code.

There is no appropriation in this bill to add funds to the POTF to cover these additional costs.

OFFICIAL POSITION

| | | | |
|--|---------------------|-------------|------|
| ANALYSIS BY <i>W. Thomas</i> | DATE 6-2-89 | REVIEWED BY | DATE |
| EXECUTIVE DIRECTOR <i>Norman C. Boehm</i> | DATE 6-July 1989 | COMMENT | DATE |

Comment

Because this bill would make additional entities eligible to receive POTF funds, without an increase in funding, current programs would be reduced accordingly. For this reason, it is recommended that the Commission oppose this legislation unless amended to include the necessary funds.

Recommendation

"Oppose"

AMENDED IN ASSEMBLY MAY 4, 1989

CALIFORNIA LEGISLATURE—1989-90 REGULAR SESSION

ASSEMBLY BILL

No. 1688

Introduced by Assembly Member Tucker

March 9, 1989

An act to amend Sections 830.1 ~~and 830.31~~, 830.31, and 13507 of the Penal Code, relating to peace officers, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1688, as amended, Tucker. Peace officers.

(1) Existing law enumerates specified persons who are peace officers whose authority extends to any place in the state for purposes of performing their primary duty or when making an arrest under specified provisions of law. The authority of these peace officers to carry firearms is subject to prior authorization and terms and conditions specified by the employing agency. Included within this category of peace officers are persons employed as port wardens and special officers of the Harbor Department of the City of Los Angeles.

This bill would delete those peace officers from the above-described category of peace officers, and, instead, would include that category of peace officers within another category of peace officers whose authority extends to any place in the state without restrictions as to arrest powers and authority to carry specified firearms.

(2) *Under existing law, the Commission on Peace Officer Standards and Training may establish and maintain minimum standards relating to peace officer members of, among other entities, districts. These entities are entitled to apply for state aid from the Peace Officers' Training Fund. For those purposes, the definition of "district" does not include a harbor*

district

This bill would add harbor districts to that definition for those purposes. Because this bill would make additional entities eligible to receive state funds payable from the Peace Officers' Training Fund, which is a continuously appropriated fund, it would make an appropriation.

Vote: ~~majority~~ $\frac{2}{3}$. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

1 SECTION 1. Section 830.1 of the Penal Code is
2 amended to read:

3 830.1. (a) Any sheriff, undersheriff, or deputy sheriff,
4 regularly employed and paid as such, of a county, any
5 police officer of a city, any police officer of a district
6 (including police officers of the San Diego Unified Port
7 District Harbor Police) authorized by statute to maintain
8 a police department, any marshal or deputy marshal of a
9 municipal court, any constable or deputy constable,
10 regularly employed and paid as such, of a judicial district,
11 any port warden or special officer of the Harbor
12 Department of the City of Los Angeles, or any inspector
13 or investigator regularly employed and paid as such in
14 the office of a district attorney, is a peace officer. The
15 authority of any such peace officer extends to any place
16 in the state:

17 (1) As to any public offense committed or which there
18 is probable cause to believe has been committed within
19 the political subdivision which employs him; or

20 (2) Where he has the prior consent of the chief of
21 police, or person authorized by him to give such consent,
22 if the place is within a city or of the sheriff, or person
23 authorized by him to give such consent, if the place is
24 within a county; or

25 (3) As to any public offense committed or which there
26 is probable cause to believe has been committed in his
27 presence, and with respect to which there is immediate
28 danger to person or property, or of the escape of the
29 perpetrator of such offense.

1 (b) The Deputy Director, assistant directors, chiefs,
2 assistant chiefs, special agents, and narcotics agents of the
3 Department of Justice, and such investigators who are
4 designated by the Attorney General are peace officers.
5 The authority of any such peace officer extends to any
6 place in the state as to a public offense committed or
7 which there is probable cause to believe has been
8 committed within the state.

9 SEC. 2. Section 830.31 of the Penal Code is amended
10 to read:

11 830.31. The following persons are peace officers
12 whose authority extends to any place in the state for the
13 purpose of performing their primary duty or when
14 making an arrest pursuant to Section 836 as to any public
15 offense with respect to which there is immediate danger
16 to person or property, or of the escape of the perpetrator
17 of that offense, or pursuant to Section 8597 or 8598 of the
18 Government Code. Those peace officers may carry
19 firearms only if authorized and under terms and
20 conditions specified by their employing agency.

21 (a) (1) Members of an arson-investigating unit,
22 regularly paid and employed in that position of a fire
23 protection agency of the state, of a county, city, or
24 district, if the primary duty of the arson investigators is
25 the detection and apprehension of persons who have
26 violated any fire law or committed insurance fraud.

27 (2) Members of a fire department or fire protection
28 agency of the state, or a county, city, or district regularly
29 paid and employed in that position if the primary duty of
30 fire department or fire protection agency members other
31 than arson investigators when acting as peace officers is
32 the enforcement of laws relating to fire prevention and
33 fire suppression.

34 (b) Persons designated by a local agency as park
35 rangers, and regularly employed and paid as such, if the
36 primary duty of the peace officer is the protection of park
37 and other property of the agency and the preservation of
38 the peace therein.

39 (c) Members of a community college police
40 department appointed pursuant to Section 72330 of the

1 Education Code, if the primary duty of the peace officer
2 is the enforcement of the law as prescribed in Section
3 72330 of the Education Code.

4 (d) A welfare fraud investigator or inspector,
5 regularly employed and paid as such by a county, if the
6 primary duty of the peace officer is the enforcement of
7 the provisions of the Welfare and Institutions Code.

8 (e) A child support investigator or inspector, regularly
9 employed and paid as such by a district attorney's office,
10 if the primary duty of the peace officer is the
11 enforcement of the provisions of the Welfare and
12 Institutions Code and Section 270.

13 (f) The coroner and deputy coroners, regularly
14 employed and paid as such, of a county, if the primary
15 duty of the peace officer are those duties set forth in
16 Sections 27469 and 27491 to 27491.4, inclusive, of the
17 Government Code.

18 (g) A member of the San Francisco Bay Area Rapid
19 Transit District Police Department appointed pursuant
20 to Section 28767.3 of the Public Utilities Code, if the
21 primary duty of the peace officer is the enforcement of
22 the law in or about properties owned, operated, or
23 administered by the district or when performing
24 necessary duties with respect to patrons, employees, and
25 properties of the district.

26 (h) Harbor or port police regularly employed and paid
27 as such by a county, city, or district other than peace
28 officers authorized under Section 830.1, if the primary
29 duty of the peace officer is the enforcement of the law in
30 or about the properties owned, operated, or administered
31 by the harbor or port or when performing necessary
32 duties with respect to patrons, employees, and properties
33 of the harbor or port.

34 (i) Persons designated as a security officer by a
35 municipal utility district pursuant to Section 12820 of the
36 Public Utilities Code, if the primary duty of the officer is
37 the protection of the properties of the utility district and
38 the protection of the persons thereon.

39 (j) Persons designated as a security officer by a county
40 water district pursuant to Section 30547 of the Water

1 Code, if the primary duty of the officer is the protection
2 of the properties of the county water district and the
3 protection of the persons thereon.

4 (k) The security director of the public utilities
5 commission of a city and county, if the primary duty of
6 the security director is the protection of the properties of
7 the commission and the protection of persons thereon.

8 *SEC. 3. Section 13507 of the Penal Code is amended*
9 *to read:*

10 13507. As used in this chapter, "district" means any of
11 the following:

- 12 (a) A regional park district.
- 13 (b) A district authorized by statute to maintain a
14 police department.
- 15 (c) The University of California.
- 16 (d) The California State University and Colleges.
- 17 (e) A community college district.
- 18 (f) A school district.
- 19 (g) A transit district.
- 20 (h) A harbor district.

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
Marriott Hotel, Columbia Room
July 19, 1989 - 10 a.m.

AGENDA

- | | | |
|----|--|---------------|
| A. | Call to Order and Roll Call | Chair |
| B. | Approval of Minutes of Previous Meeting | Chair |
| C. | Announcements | Chair |
| D. | Executive Director's Remarks | Staff |
| E. | National/International Seat On Command College | Staff |
| F. | Recruitment Symposium Report | Staff |
| G. | Accreditation Update | Staff |
| H. | Commission Liaison Committee Report | Commissioners |
| I. | Advisory Committee Member Reports | Members |
| J. | Open Discussion | Members |
| K. | Adjournment | |



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
April 19, 1989
Hilton Inn, Columbia Room
Sacramento, California

MINUTES

CALL TO ORDER

The meeting was called to order at 10 a.m. by Chairman Ron Lowenberg.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Cois Byrd, Calif. State Sheriffs' Assoc.
John Clements, Calif. Highway Patrol
Donald Forkus, Calif. Peace Officers' Assoc.
Derald Hunt, Calif. Assoc. of Administration of Justice Educators
Dolores Kan, Women Peace Officers' Assoc. of Calif.
Carolyn Owens, Public Representative
Bruce Rayl, Calif. Assoc. of Police Training Officers
William Shinn, Peace Officers' Research Assoc. of Calif.

Absent: Don Brown, Calif. Organization of Police & Sheriffs
Joe McKeown, Calif. Academy Directors' Assoc.
Michael Sadleir, Calif. Specialized Law Enforcement

Commission Advisory Liaison Committee Members present:

Commissioner Edward Maghakian
Commissioner Raquel Montenegro
Commissioner Alex Pantaleoni

POST staff present:

Norman Boehm, Executive Director
Ted Morton, Bureau Chief
Doug Thomas, Assistant Executive Director
Imogene Kauffman, Executive Secretary

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION - Shinn, second - Hunt, carried unanimously to approve the minutes of the January 18, 1989 Advisory Committee meeting at the Bahia Hotel in San Diego.

EXECUTIVE DIRECTOR'S REMARKS

The Executive Director reviewed the April 20, 1989 Commission Meeting Agenda and responded to questions on the issues.

BRIEFING ON THE COMMAND COLLEGE

Ted Morton gave an update and briefing on the Command College, including selection, curriculum, faculty, some projects and their use both nationally and internationally.

It was well received, and Ted was commended for his fine work.

ADVISORY COMMITTEE MEMBER REPORTS

Due to the press of time and the length of the agenda, the Member Reports were not presented.

OPEN DISCUSSION

An interest was expressed by Bill Shinn on the current status of training in emergency preparedness. Ted Morton reported on the Instant Command System training and the possibility of combining I.C.S. with Mutual Aid training. This has been given to the Office of Emergency Services. Bill Shinn suggested a briefing on the status of Mutual Aid training be on a future Advisory Committee agenda.

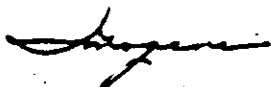
There was discussion on the recent change in policy of convening the Sacramento meetings at 9 o'clock. The following action was taken:

MOTION - Owens, second - Rayl, carried unanimously to return the Sacramento meetings to a convening time of 10 o'clock.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:15.

Respectfully submitted,



Imogene Kauffman
Executive Secretary

The research on the National\International Seat on the Command College will be a handout at the Advisory Committee meeting. The written material will allow the Advisory Committee to make decisions on the best way to proceed.

DRAFT LEGISLATION

FOR A LOCAL LAW ENFORCEMENT ACCREDITATION PROGRAM

DRAFT

Add Article ___ to Title 4 of the Penal Code.

Section 135__ . Local Law Enforcement Accreditation.

(a) Definition: For the purposes of this article: (1) local law enforcement is city police and county sheriffs' departments; (2) accreditation is meeting and maintaining standards that render the agency eligible for certification by ascribing to publicly recognized principles for the professional operation of local law enforcement agencies.

(b) Purpose: The commission shall develop regulations and professional standards for a local law enforcement accreditation program. The program shall provide standards for the operation of local law enforcement agencies. Such standards shall serve as a basis for the uniform operation of local law enforcement agencies throughout the state to best serve the interests of the people.

(c) The commission may, from time to time, amend the regulations and standards or adopt new standards relating to the accreditation program.

(d) Participation in the accreditation program shall be voluntary and shall be initiated upon application of the chief of police or sheriff of each agency.

(e) Regulations and standards shall be developed by July 1, 1991, and the accreditation program shall be available for local agencies by that date.

(f) Nothing in this article shall prohibit a local law enforcement agency from establishing standards which exceed the minimum accreditation standards set by the commission.

Revised 5/18/89

Add and amend Title II, Chapter 1 of the Penal Code:

DRAFT

Amend Section 1464:

(f) (4) Once a month there shall be transferred into the Driver Training Penalty Assessment Fund an amount equal to 28.23 percent of the funds deposited in the Assessment Fund during the preceding month.

Add to Section 1464:

(8) Once a month there shall be transferred into the Local Law Enforcement Accreditation Penalty Assessment Fund an amount equal to 1.5 percent of the funds deposited in the Assessment Fund during the preceding month. The remainder in excess of expenditures for any fiscal year shall be transferred into the Peace Officers' Training Fund.

ORGANIZATIONAL STRUCTURE FOR AN ACCREDITATION PROGRAM

Under the model developed by the Accreditation Study Committee, the POST Commission would establish a standing Accreditation Advisory Committee to oversee the accreditation program and serve as an advisory body to the full Commission. The Accreditation Advisory Committee would be represented by members of the professional law enforcement organizations as in the case of the current Accreditation Study Committee. The Accreditation Advisory Committee would recommend rules and procedures for adoption by the POST Commission.

A Steering Committee would be established beneath the Accreditation Advisory Committee to develop accreditation standards. The Steering Committee would oversee a number of Expert Committees that would develop standards in the various subject matter. For example, subject areas might include organizational structure, fiscal management, patrol, traffic, and similar areas subject to standards. The standards would then be submitted to the Accreditation Advisory Committee for review and recommendation to the POST Commission.

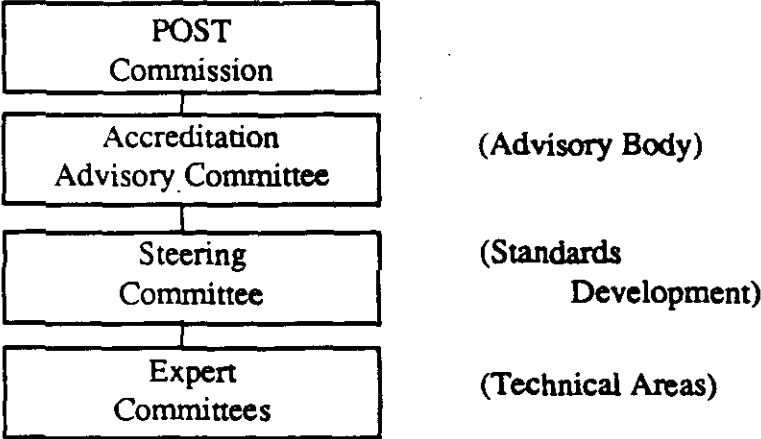
OPERATIONAL PROCEDURES

After the standards are developed and adopted by the Commission, staff would be required to operate the program. To assist departments in meeting the standards, a library of manuals, containing samples of policy statements governing each of the accreditation standards, would need to be assembled and periodically updated.

Staff would process applications from agencies wishing to become accredited and would oversee on-site accreditation inspection. Law enforcement experts from various technical areas would be used to assist agencies needing help. Responsibility for implementing the standards would remain with the agency requesting accreditation. Accreditation program funds would not be used to supplement or offset an agency's direct costs for personnel or supplies needed to meet accreditation standards.

Once an agency is accredited, a procedure for recertification will need to be established. A period of from five to eight years has been recommended as an appropriate time for recertification.

ACCREDITATION PROCESS



SUPPORTING DOCUMENTATION IS FOUND UNDER TAB 'M'

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3864

BUREAUS

Administrative Services

(916) 739-5354

Center for Executive

Development

(916) 739-2093

Compliance and Certificates

(916) 739-5377

Information Services

(916) 739-5340

Management Counseling

(916) 739-3868

Standards and Evaluation

(916) 739-3872

Training Delivery Services

(916) 739-5394

Training Program Services

(916) 739-5372

Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

June 28, 1989

Frank A. Hall, Director
 Santa Clara County Department of Corrections
 150 W. Hedding Street
 San Jose, CA 95110-1700

Dear Mr. Hall:

Subsequent to a meeting between our respective staffs in April, we have concluded review of Santa Clara County's request for certain employees transferred from the Sheriff's Office to the County Department of Corrections to participate in the POST program. We have concluded that these employees are not eligible to participate in the Commission on Peace Officer Standards and Training (POST) program, i.e., POST can not issue certificates or reimburse training expenses.

Penal Code Section 13510 limits participation in the POST program to "city police officers, peace officer members of a county sheriff's office, marshals or deputy marshals of a municipal court," etc. Correctional personnel are not listed in this authorizing legislation.

A thorough review of state statutes, Santa Clara ordinances, case law, and memoranda of understanding with the Santa Clara Deputy Sheriffs' Association indicate that the employees in question have been severed from the Sheriff's Department and are now employees of the Department of Corrections. Therefore, there appears to be no legal authority for employees of the Department of Corrections to participate in the POST program.

Sincerely,



NORMAN C. BOEHM
 Executive Director



Memorandum

To : NORMAN C. BOEHM
Executive Director
P.O.S.T.

Date : June 27, 1989

File No.

Telephone: ATSS (8) 453-1993
(916) 323-1993

From : VINCENT J. SCALLY, JR.
Deputy Attorney General
Office of the Attorney General - Sacramento

Subject: P.O.S.T. Authority to Issue Certificates to and Reimburse Santa Clara County for Training-Related Expenses of Persons Who Were First Hired by the County as Deputy Sheriffs But Transferred to the County's Local Department of Correction

You have asked whether P.O.S.T. may issue certificates to and reimburse Santa Clara County for training-related expenses of persons who were hired by the County as deputy sheriffs, but who were later transferred to the County's local Department of Correction. By County Charter Amendment, Santa Clara County created a local Department of Correction and transferred authority for the county jail from the sheriff to the Department of Correction and its director appointed by the Board of Supervisors. By local ordinance enacted after passage of the Charter Amendment, the director of the Department of Correction is exclusively responsible for the supervision, direction, training, and appointment of those persons rather than the sheriff, and is in charge of those persons rather than the sheriff. As explained below, P.O.S.T. is authorized to issue certificates to and reimburse local counties for training-related expenses for only those persons who are peace officer members and full-time regularly-paid employees of the county sheriff's office. Because the persons transferred from the Sheriff's Office to the local Department of Correction are not employees or members of the Sheriff's Office, then P.O.S.T. is unauthorized to issue certificates to them or reimburse Santa Clara County for their training-related expenses.

BACKGROUND

By County Charter Amendment approved by Santa Clara County voters in June 1988, the County of Santa Clara transferred to a new local Department of Correction headed by a county official appointed by the Board of Supervisors the management of the county jail facilities formerly under the jurisdiction of the sheriff. As part of the transfer of authority from the sheriff to the director of the Department of Correction, some 350 deputy sheriffs were transferred from the Sheriff's Office to the Department of Correction. Although generally it is the county sheriff who has statutory responsibility for the county jail (see Penal Code § 4000, et seq.; Gov't. Code § 26600, et seq.; and

Sheriffs' Association against Santa Clara County. The sheriff challenged the constitutional validity of the proposed transfer. Both the sheriff and the Deputy Sheriffs' Association argued that the transferred deputy sheriffs could lose their peace officer status as a result of the transfer to the Department of Correction. They argued that subordinates of the Department of Correction are not expressly named in Chapter 4.5 of the Penal Code as peace officers, although Penal Code section 830 provides that no person other than those designated in that Chapter is a peace officer. The sheriff and his deputies are designated peace officers (Penal Code § 830.1), but Penal Code section 831 provides that a custodial officer, that is, a public officer who maintains custody of county jail prisoners, is not a peace officer.

In Beck v. County of Santa Clara (1988) 204 Cal.App.3d 789, the court rejected the legal challenge to the transfer of the jail operation from the sheriff to the Department of Correction. The court declined to reach the issue of the impact of the transfer upon the peace officer status of the transferred deputy sheriffs, as it would have called for an advisory opinion on that issue. The court noted in dictum that notwithstanding the explicit language of Penal Code sections 830 and 831, it is not clear as a matter of law that the transferred deputy sheriffs are not peace officers. The court stated that if the Department of Correction has the authority to perform police functions it may have the concomitant authority to hire "peace officers," and therefore the director of the Department of Correction may have the authority to hire persons qualified to perform those functions, e.g., "peace officers."

With the litigation now final, the creation of the Department of Correction is complete and the deputy sheriffs have been transferred. Consistent with its local ordinances and the memorandum of understanding between the County and the Deputy Sheriffs' Association, Santa Clara County urges P.O.S.T. to continue to issue certificates to those deputy sheriffs transferred from the Sheriff's Office to the Department of Correction as deputy sheriffs and to reimburse Santa Clara County for the training-related expenses of those transferred deputy sheriffs.

P.O.S.T. AUTHORITY TO ISSUE CERTIFICATES TO PEACE OFFICERS AND TO REIMBURSE COUNTIES FOR TRAINING-RELATED EXPENSES OF THOSE PEACE OFFICERS

As you know, P.O.S.T.'s primary purpose is to raise the level of competence of local law enforcement officers. To that end, the Commission is authorized to adopt rules establishing minimum standards for the recruitment and training of certain specified peace officers. (Penal Code § 13510.) To the same end, the Commission is authorized to establish a certification program for certain specified peace officers. (Penal Code § 13510.1.) In

standards of section 13510 in order to continue to exercise peace officer powers.

Reading together the various Penal Code sections concerning P.O.S.T.'s authority to adopt for certain peace officers minimum standards for recruitment and training, certify certain peace officers with respect to that training, and to reimburse local jurisdictions for training-related expenses of certain peace officers, and the various P.O.S.T. training and certification requirements which must be met by peace officers, it is evident that P.O.S.T.'s authority to issue certificates and to reimburse local jurisdictions for training-related expenses is limited to certain specified peace officers employed by cities, counties, and districts. Under Penal Code section 13510, P.O.S.T. is authorized to adopt minimum standards relating to recruitment and training of city police officers, peace officer members of the county sheriff's office, marshals or deputy marshals of a municipal court, reserve officers, policemen of a district authorized by statute to maintain a police department, inspectors and investigators of a district attorney's office, and peace officer members of a district. Under Penal Code section 13510.1, the Commission is authorized to establish a certification program for peace officers specified in sections 13510 and 13522 and for the California Highway Patrol. Under section 13522 and 13523, P.O.S.T. is authorized to reimburse for training-related expenses incurred by employees of eligible agencies from those cities, counties, or districts, which adhere to the standards for recruitment and training established by the Commission. The standards for recruitment and training to which the cities, counties, or districts must adhere in order to receive reimbursement for training-related expenses incurred by employees are those standards which the Commission adopts for training of the peace officers specified in section 13510. Thus, P.O.S.T. is authorized to establish a certification program and to reimburse local jurisdictions for the training-related expenses of employees of those local law enforcement agencies described in section 13510. Among those are "employees" and "peace officer members of a county sheriff's office."

P.O.S.T.'S AUTHORITY TO ISSUE CERTIFICATES TO AND REIMBURSE SANTA CLARA COUNTY FOR THE TRAINING-RELATED EXPENSES OF THE TRANSFERRED DEPUTY SHERIFFS

Because P.O.S.T.'s authority to issue certificates and to reimburse local jurisdictions for the training-related expenses of peace officers is limited to employees or peace officer members of certain specific law enforcement agencies, then P.O.S.T. is unauthorized to provide certification to or reimburse Santa Clara County for the training-related expenses of those persons who were transferred from the Sheriff's Office to the local Department of Correction. Under sections 13510, 13510.1, 13522, and 13523, P.O.S.T. is authorized to issue certificates to

respondeat superior liability.¹ In fact, in two instances, the ordinances refer to the transferred deputy sheriff as an "employee of the department of corrections," and as "employed in the department of correction." See sections A20-3, A20-41(b).

Consistent with the ordinances, an agreement between the Deputy Sheriff's Association, the Sheriff, and the County provides that the Department of Correction and the Sheriff's Department are two departments, and that "discipline, promotions and all other employment matters will be the sole and exclusive authority of the respective department head . . . for all employees in that department . . ." Also, the MOU between the Deputy Sheriff's Association and the County also refers to the transferred deputies as "employed in the Department of Detention." See MOU, Appendix C, paragraph 3, subparagraph F.

Thus, by virtue of the local ordinances, the MOU, and the agreement between the sheriff, the county, and the Deputy Sheriff's Association, the transferred deputies are under the supervision and control of the Director of the Department of Correction, not the Sheriff, and are employees of the Department of Correction, not the Sheriff's Office. Because POST may issue certificates to and reimburse the County for the training-related expenses of "employees" or "peace officer members of the Sheriff's Office," not the Department of Correction, POST is unauthorized to issue certificates to and reimburse Santa Clara County for the training-related expenses of the transferred deputies.

Supporting the conclusion that P.O.S.T. is unauthorized to issue certificates to and reimburse the County for the training-related expenses of the transferred deputies is the fact that P.O.S.T. interprets the pertinent authority statute and its regulations to that same effect. P.O.S.T. limits its certification and reimbursement programs to only the eligible agencies specified in Penal Code section 13510 and 13510.1, and has not included within those programs local Department of Corrections, such as in Napa or Madera Counties, or their personnel.

"[T]he contemporaneous interpretation of a statute by an administrative agency charged with its enforcement and interpretation, while not controlling or required to be inevitably followed, is entitled to great weight unless it is clearly erroneous or

¹. Furthermore, upon review of these ordinances, the Santa Clara County Counsel has advised the Sheriff and Board of Supervisors that "[it] is clear from the legislative scheme that these employees work for and under the control of, the Department of Correction, not the Sheriff." Memorandum dated December 12, 1988, to Board of Supervisors and Sheriff from County Counsel.

as a result of deputization by the sheriff. See 31 Ops. Atty. Gen. 209, 210-211 (1958). Deputization alone is insufficient to render persons who are in fact employees of the Department of Correction, employees of the Sheriff's Office.

Because the conclusion that P.O.S.T. is unauthorized to issue certificates to or reimburse the County for the training-related expenses of the transferred deputy sheriffs is based upon the lack of an employment relationship between the deputies and the sheriff, then if such relationship were created or permitted by amendment of the existing county ordinances, P.O.S.T. could be authorized to issue certificates and reimburse. The county ordinances unequivocally provide that the transferred deputies are employees of the Department of Corrections. However, if the ordinances were amended to create an employer/employee relationship between the deputies and the sheriff rather than the Department of Corrections, P.O.S.T. authority may exist.

In the event that the county ordinances were amended to create or permit an employer/employee relationship between the deputies and the sheriff, then the Department of Corrections could be staffed by such deputies by agreement among the sheriff, the County, and the Department of Corrections. Such an agreement could provide the deputies would remain employees of the Sheriff's Office, and under the control of the sheriff. However, the sheriff would agree to provide the transferred deputies to assist the Department of Corrections in its custodial function for a certain specified time, when the deputies would return to duty with the Sheriff's Office. The sheriff could delegate day-to-day supervision to the Department of Corrections, but all other indicia of an employment relationship, such as authority to hire, promote, discipline, transfer, train and appoint, would remain, undelegated, with the sheriff. So long as it could be concluded that pursuant to the amended ordinances and any agreement between the sheriff and the Department of Corrections that there exists the "essential characteristic of employment relationship . . . the right to control and direct the activities" of the transferred deputies, then the deputies could be deemed employees of the sheriff.

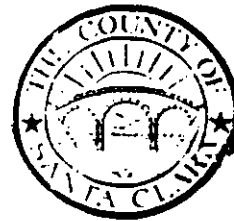
Given the history of the transfer of control of the jail from the sheriff to the Department of Corrections, it may be unlikely that the County would amend its ordinances to create an employer/employee relationship between the sheriff and the transferred deputies. In that event, legislation authorizing P.O.S.T. certification of the transferred deputies as deputy sheriffs under the existing arrangement would be necessary.

In conclusion, P.O.S.T. is unauthorized to issue certificates to or reimburse Santa Clara County for training-related expenses of persons transferred from the Sheriff's Office to the local Department of Correction. P.O.S.T. is authorized to issue

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April 11, 1989

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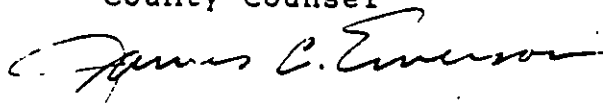
Dear Vince:

Enclosed please find a brief position statement relating to P.O.S.T. certification of deputy sheriffs who currently are assigned to the Santa Clara County Department of Correction. I have also attached supporting materials.

I look forward to our meeting on Friday, April 14, 1989. Should you have any further questions, please do not hesitate to contact my office.

Very truly yours,

DONALD L. CLARK
County Counsel


JAMES C. EMERSON
Deputy County Counsel

LIT3/357

Chief Assistant County Counsel: Steven Woodside
Chief Deputies: Robert J. Meniffee, Ann Miller Ravel, William I. Anderson.

FACTUAL BACKGROUND

The Department of Correction was created by the Board of Supervisors of Santa Clara County on June 25, 1987, pursuant to Government Code Section 23013. Shortly after its creation, the Department was the object of a lawsuit (Beck vs. County of Santa Clara, (1989) 204 CA3d 789) and an initiative petition which was presented to the voters in June, 1988. The Court of Appeal and the voters both affirmed the authority of the Board of Supervisors to create the Department of Correction and, when the Supreme Court refused to grant a hearing in the Beck case, the Department became fully operational.

Prior to the final decision in Beck, the Sheriff, his deputies, and the County of Santa Clara entered into a negotiation which led to a Memorandum of Understanding (hereinafter "MOU") which is attached hereto as Exhibit "A". In the MOU, the County, the Sheriff, and the Deputy Sheriff's Association agreed in paragraph 5, of Appendix C that the deputies so transferred would remain "County Peace Officers and retain all peace officer status and benefits". Subsequently, the parties agreed that the Deputy Sheriffs transferred to the Department of Correction, would enjoy dual status as a deputy sheriff and as a correctional deputy, thereby allowing permanent transfer from correctional duty to patrol duty. The Sheriff agreed to maintain the deputization of these deputies. (See Exhibit "B")

ISSUES

1. Whether the Sheriff may appoint deputy sheriffs who are under the control of the Department of Correction.

The Sheriff of Santa Clara County is an officer of the County pursuant to the Constitution County Charter and Government Code Section 24000(b). The Constitution grants to charter counties the power to determine the number of deputies and their duties. (Article XI, See 4(f)). In addition, Government Code Section 24101 gives the Sheriff discretion to appoint deputies so long as the number is "necessary for the prompt and faithful discharge of the duties of his office." The Sheriff, therefore, acting within the budgetary constraints imposed by the Board of Supervisors, has discretion over the appointment of deputy sheriffs. The decision is a local one, subject only to the wishes of the electorate, acting through their elected officials. (See 31 Ops.Atty.Gen. 121 at 124)

Once appointed, and until the appointment is revoked, a deputy sheriff is a peace officer pursuant to the express language of Penal Code Section 830.1. They are deputy sheriffs, "regularly employed and paid as such." (See Penal Code Section 830.1) Interestingly, PERS found these transferred deputies to be peace officers, and so opined in their letter of October 30, 1987. (See Exhibit "C")

That the deputies remain as such serves several legitimate governmental interests. First, the deputies who are temporarily assigned to the jail serve as a trained pool of law enforcement

employees, ready to fill positions of retiring or transferring deputies within the Sheriff's Department. The County currently faces a shortage of patrol deputies, and a continuing and urgent need to replace personnel on an ongoing basis (See Exhibit "D" attached hereto) and the deputies serving in the Department of Correction are being transferred regularly, on a permanent basis, to the patrol division. During the past four months alone, six deputies have, in fact, transferred from corrections duty to patrol, with seven scheduled to transfer on April 17, 1989. The public interest is clearly served by this ready supply of trained peace officers.

Secondly, the County has legally obligated itself, through the MOU, to those deputies working in the jails that they will be transferred to patrol duty when positions open. Without P.O.S.T. certification the County will not be able to honor its legal commitment to the deputies currently working in the jail.

Finally, when the Department of Correction became operational in late November, 1988, the deputy sheriffs who were working in the jail at the time formed an invaluable trained nucleus of correctional deputies whose service has enabled a smooth and safe transition under the new department. The master plan was, and still is, to transition the new Department of Correction with deputies who are trained in jail supervision. Thereafter, when a deputy wishes to transfer into the patrol division, the transfer can be made when a position exists. Continued certification from P.O.S.T., however, is crucial to those deputies may wish to make lateral transfer into patrol or to move to other law enforcement positions.

2. Whether the Deputy Sheriffs working in the Department of Correction are entitled to P.O.S.T. training and certification.

Penal Code Section 13510 provides P.O.S.T. jurisdiction over "peace officer members of a County Sheriffs Office". As has been discussed earlier, the Sheriff's authority to appoint deputies who are "neccessary for the prompt and faithful discharge of duties of his office" is a matter in the discretion of the Sheriff and is a matter of local control. Once the appointment to deputy status is made, a peace officer is created pursuant to Penal Code § 830.1. Thus, deputies properly appointed by the Sheriff and serving as such become subject to the P.O.S.T. standard and are therefore eligible for P.O.S.T. training and certification. Additionally, the County is entitled to the training funds for the cost of the administration of the P.O.S.T. program pursuant to Penal Code § 13523. These fund must be allocated in a manner "equally proportionate among cities, counties, and district". Therefore, not only are the peace officer entitled to certification, but the County is entitled to its proportionate share of the training funds.

CONCLUSION

It is the position of the County of Santa Clara that the Deputy Sheriff's, duly appointed by the Sheriff and serving in county jail under the Department of Correction are peace officers and, as such, are entitled to P.O.S.T. training and certification. The decision to appoint deputies and to place

them in the jail is a matter of local concern and must be accepted by P.O.S.T.. The County has demonstrated the need for the deputies within the county jail and also the need for a ready pool of deputies for future service in the patrol division. The County strongly urges that P.O.S.T. continue to certify the deputies and allocate training funds to the County.

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