

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083COMMISSION MEETING AGENDA
July 16, 1992 - 10:00 A.M.
Red Lion Hotel
Sonoma I/II
7450 Hazard Center Drive
San Diego, CA 92108
(619) 297-5466

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

HONORING COMMISSIONER RONALD E. LOWENBERG - CHAIRMAN, APRIL 1991
- APRIL 1992

RECOGNITION OF ADVISORY COMMITTEE MEMBERS PRESENT

INTRODUCTIONS

APPROVAL OF MINUTES

A. Approval of the minutes of the April 9, 1992 regular
Commission meeting at the Red Lion Hotel in San Diego.CONSENT CALENDARB.1 Receiving Course Certification Report

Since the April meeting, there have been 40 new certifications, 89 decertifications, and 29 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Fourth Quarter FY 1991/92

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 Entry Into the POST Regular (Reimbursement) Program

The Los Angeles County Coroner's Office has met the Commission's requirements and has been accepted into the POST Regular (Reimbursement) Program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.4 Receiving Information on New Entries Into the Public Safety Dispatcher Program

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

In approving the Consent Calendar, your Honorable Commission notes that since the April meeting, the Banning Police Department and the Kern County Sheriff's Department have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program. These new entrants bring to 314 the number of agencies joining the program since it began July 1, 1989.

B.5 Approving Resolutions Commending Retiring Advisory Committee Members Carolyn Owens and Joe McKeown

In approving the Consent Calendar, your Honorable Commission adopts Resolutions recognizing the service of POST Advisory Committee members, Carolyn Owens (January 1984 to July 1992) as a public member, and Joe McKeown (January 1980 to July 1992) representing the California Academy Directors' Association.

PRESENTATION

Presentation of the Resolution honoring Carolyn Owens for her service as a member and former Chair of the Commission's Advisory Committee. Mr. McKeown is not planning to be at the meeting. The Commission Resolution will be forwarded to him.

TRAINING PROGRAM SERVICES

C. Report on Establishing a Policy Relating to Review of Video Tapes in POST-Certified Training: Recommendation to Schedule a Public Hearing for October 15, 1992

Concern has existed for some time that audio/visual training aids, particularly videotapes, may not always be appropriately screened before being used in POST-certified

training courses. The consequences of inappropriate video training tapes being used include potential erroneous actions by officers and liability for employers, trainers, and POST.

The report under this tab proposes a public hearing to consider adoption of regulations requiring audio/visual aids to be reviewed before use in certified courses. Guidelines for conducting a review have been developed in concert with trainers and are included with the report. The Long Range Planning Committee has reviewed the proposal and recommends consideration by the Commission.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing for October 15, 1992, to consider adopting the proposed regulations.

D. Report and Recommendation that the Commission Approve Voluntary Guidelines Relating to Evaluation of Canine Teams

In December 1991, a request was received for POST to consider adoption of standards for law enforcement canine programs. Representatives of 26 agencies were brought together in a workshop. These representatives reached consensus on a proposal that POST promulgate guidelines for evaluating performance of officer/canine teams. Evaluation would be conducted by the departments using evaluators who are experienced and trained in a POST-certified evaluator's course. Proposed guidelines are described in the enclosed report.

There are approximately 200 California law enforcement agencies with canine programs. Promulgation of POST guidelines for evaluation of canine teams could assist those agencies by:

1. Enhancing performance and improving professional image; and
2. Reducing liability and frequency of lawsuits;

As described in the report, it is proposed that the Commission approve dissemination of guidelines; but not consider any further program involvement at this time.

If the Commission concurs, the appropriate action would be a MOTION to approve dissemination of guidelines as proposed.

E. Report on Study of the Basic Course and Recommendation for Initial Actions

Over the past several years, and more particularly since September of 1991, the Commission has devoted considerable time and energy to studying the Basic Course. The Basic Course traditionally takes up a major share of POST's resources. In addition, the Basic Course represents great effort on the part of the 35 certified presenters of both agency and community college academies.

The Commission's charge in ordering the study was to discover and recommend ways to improve the effectiveness of the Basic Course. As a result, the study took a "clean sheet" approach by challenging assumptions. The result is a finding that the Basic Course has a lot of virtues as presently constituted, but that there are also significant opportunities for improvement.

The report and its executive summary represent current best thinking of what an ideal Basic Course might look like. The recommended changes would certainly strengthen the Basic Course, but they also would require changes in the current practices and policies of POST, trainers, and agencies. Whether the changes are worth the required efforts and whether the results will offset the costs of change are decisions which will ultimately rest with the Commission, with the appropriate input of those involved.

In the new course, departments would become directly involved in delivering a portion of the Basic Course through Field Training Programs. Recruits will have pre-academy learning responsibilities. Practical experience will be interspersed with academic preparation. Substantial training development work is called for to assure a high additional level of learning support for the trainees.

As noted in the report and executive summary, a number of steps are necessary in order to accomplish the recommendations. The recommended steps which follow are suggestive of both the process and the results in getting from the current course to the new one:

- o Conduct a patrol officer job task analysis - we need to know exactly what the job now entails; the last one was done in 1978
- o Add a ride-along component to the academy
- o Add a community-based cultural relations experience
- o Divide curriculum between the academy and department field training programs

- o Re-sequence instruction for maximum learning effect and standardize sequencing among all presenters
- o Expand/amplify certain parts of existing curricula
- o Add new curricula
- o Shift some curricula to outside study
- o Convert instructor guides to student workbooks

The report and recommendations under the tab give more detail on the costs (money and effort) and projected benefits of making the change to a different Basic Course training system. Fundamentally, the new approach is designed to strengthen the initial training period and deliver a better prepared journeyman officer at the end of three years.

This report comes to the Commission with the intent that the recommendations pertaining to the basic course be correlated with the Training Review Committee and Symposium recommendations. Common factors include the need for: (1) greater attention to Field Training Officers' training; (2) stronger instructional development and support generally; (3) closer participation/monitoring by departmental leadership; and (4) matching instructional subjects with the most effective corresponding instructional methods.

The matter before the Commission at this time is whether to approve the proposal in concept, as well as discussing how best to obtain field review and input. Upon conceptual approval, each of the steps would be individually prepared as a separate report and brought to the Commission for approval to proceed. The cumulative effect would be a gradual transition over a period of several years.

STANDARDS AND EVALUATION

F. Development and Implementation of Selection Standards for Public Safety Dispatchers

Upon establishment of the Public Safety Dispatcher Program in 1989, the Commission adopted initial selection standards for dispatchers with the expectation that more definitive standards would be forthcoming upon completion of a statewide job analysis. The job analysis was recently completed and resulted in the identification of 22 abilities and 14 personality traits that are both essential for successful performance of dispatcher work and necessary upon entry into the profession.

As outlined in the full agenda report, a program of research to develop selection procedures for these abilities and traits is underway, and will extend into late 1994. Initial efforts are being focused on the development of written and audio-tape based performance tests for various cognitive abilities (verbal, reasoning, memory and perceptual abilities), with initial field testing of an experimental battery of such tests scheduled to begin later this month.

This report is presented to both inform the Commission of progress being made in the development of more definitive selection standards for public safety dispatchers, and to confirm that the directions being taken with regard to developing and implementing such standards are supported by the Commission. If the Commission concurs, the recommended action would be a MOTION to authorize staff to proceed as outlined in this report.

G. Results of Field Survey Regarding Fiscal Year 1992/93 Expenditures

As directed by the Commission, law enforcement representatives from throughout the state were surveyed in May concerning their preferences for training reimbursement in light of a potential continued revenue shortfall in fiscal year 1992/93. A detailed summary of the survey methods and findings is presented in the full agenda report. The major findings were as follows:

- o With respect to reimbursement options, greatest support was found for maintaining current reimbursement practices (i.e., reimbursing for travel, per diem and tuition first, and then paying out any remaining monies in the form of salary reimbursement).
- o With reference to ways to reduce reimbursement costs, greatest support was expressed for: (1) reimbursing for closest available training only, and (2) placing a limit on the number of trainee hours reimbursed for a given time period (for example, in accordance with the POST continuing professional training requirement of 24 hours of training every two years).
- o With the exception of reducing reimbursement for commuter meals, little to no support was found for reducing or eliminating other categories of reimbursement (i.e., travel, per diem, or tuition) in order to increase salary reimbursement.

- o Considerable support was expressed for:
 - (1) continuing/expanding satellite training;
 - (2) giving priority (financial and otherwise) to mandated training;
 - (3) facilitating greater utilization of regional/in-house training;
 - (4) working with law enforcement to identify training priorities, eliminate duplications in training, and "streamline" courses.

- o No clear cut sentiment was expressed with regard to the advisability of reducing POST programs (including POST training programs) in order to increase reimbursement funds.

EXECUTIVE OFFICE

H. Report on a New Basis for POST Financial Training Support

With POST revenue dropping and with POST Local Assistance being challenged in the Legislature, the Commission's Finance and Long Range Planning Committees have reviewed an alternative to the current way the Commission allocates resources. This preliminary concept is described in the report under the tab. It represents a shift in emphasis away from reimbursement for salary toward support for preparation and local or regional presentation of high priority training of statewide applicability.

This concept is before the Commission for initial review as an option, not a recommendation. The report outlines several possible next steps including preparation of reports on: (1) identifying a set of priorities (including mandated training); (2) matching the most effective corresponding presentation methods to the training identified; and (3) developing the alternative financial support concept.

The Commission may alternatively take this report under advisement, refer it to a committee for further study, or ask that work begin on one or more of the three studies which would give further substance to this initial idea.

I. Report and Recommendation to Pilot Test Several Outreach Presentations of the Supervisory Leadership Institute

The Supervisory Leadership Institute program has proven highly successful and is believed to significantly enhance leadership capabilities of first line supervisors. The current volume of training results in approximately 200 graduates per year. While significant, this volume is less

than annual attrition for the supervisory position. A waiting list of 400 currently exists.

Increased volume of supervisory leadership training could be attained if the program could be presented on an outreach basis. By focusing presentation on a host department and surrounding departments, travel and per diem costs could be greatly reduced. While there are concerns that elimination of live-in requirements and allowing multiple attendees from individual departments may lower effectiveness, outreach presentations offer sufficient savings to warrant consideration of experimental pilots. The report under this tab describes a proposal for several pilot outreach offerings over the next eighteen months. The pilots would be carefully evaluated and a report brought back to the Commission.

If the Commission concurs, the appropriate action would be a MOTION to approve the pilot project as described in the report.

J. Report and Recommendation to Eliminate Salary Reimbursement to Agencies Whose Officers Attend the Command College, and to Conduct a Study on the POST Executive Training and Command College Programs

Executive training and development is a critical part of the Commission's training program. It currently includes the Executive Development Course, the Office of the Sheriff series, Area Executive Workshops, and the Command College. The recommendation before the Commission is that POST study the training and development needs of California law enforcement leadership from a fresh perspective and report back with recommendations. This review of the Command College and other programs would include input from a committee of top experts as well as law enforcement representatives.

Also before the Commission is the recommendation of the Finance Committee that POST eliminate salary reimbursement for those who attend the Command College. An equitable approach would be to make cessation effective with Class 18 which begins this month. As Command College salary reimbursement is phased out, only mandated courses would remain salary eligible. This step would reduce salary expenditures approximately \$178,000 annually.

The semi-annual seminars on the future and the annual update seminar associated with the Command College were discussed by Commission Committees. These are not comparatively costly and have been considered a part of the Command College program from the onset. In view of this, it might

be well to withhold any decisions on this until after the recommended study on executive training is completed.

If the Commission concurs, the appropriate action would be a MOTION to eliminate salary reimbursement to agencies having officers attending the Command College effective with Class 18 which begins in July, 1992, and to authorize a study of executive and leadership training and development program needs.

K. Report and Recommendation for a One-Year Pilot Program Allowing Conditional Continuing Professional Training (CPT) Credit for POST-Approved Telecourse Videos

There is widespread support in the California law enforcement community to permit viewing of videotape recordings of POST-certified telecourses to be credited toward meeting the continuing professional training requirement. Staff has been studying this issue for several months and is proposing that a one-year pilot project be conducted wherein local agencies would be certified to present POST telecourse recordings, and related instructional materials, for the purpose of meeting the CPT requirement. Agencies seeking to use the recordings for this purpose would be required to meet a detailed list of certification conditions.

A number of potential pluses and minuses identified with this proposal are set forth in the report under the tab. Because of this, a proper evaluation of the pilot is viewed as a critical program component. It would be designed to provide data needed to assess the overall effectiveness of this method of training delivery, and determine the value of continuing the program past the pilot stage.

At its June meeting, the Long Range Planning Committee reviewed a report on the proposed pilot project and recommended that it be forwarded to the Commission for consideration.

If the Commission concurs, the appropriate action would be a MOTION to authorize a pilot project for this purpose consistent with the conditions described in the report.

L. Report and Recommendation to Authorize Staff to Apply for a \$3.5 Million Federal Grant Relating to Law Enforcement Satellite Training for Both Courseware and Hardware

A preliminary proposal has been submitted requesting a grant from the Federal Department of Justice, Bureau of Justice Administration (BJA) for \$3.5 million. The BJA has solicited requests for proposal for a project that includes

research, training, technical assistance, and evaluation in the areas of Narcotics and Violent Crime. POST would propose to complete the work by implementing a State Model Distance Learning Program.

A major portion of the grant funds would be used to purchase 500 satellite receiver dishes, one for California law enforcement agencies. The grant requires completion of ten tasks and several sub-tasks, including serving as a national model, providing technical assistance to other states, establishing a Grant Management Information System (GMIS), a Narcotic Management Information System (NMIS) and assistance to those agencies implementing Community-Based Policing Programs. All are proposed to be accomplished using satellite distance learning technology.

The enclosed report describes the major tasks and responsibilities that would be required. A significant number of the tasks relate to improvements in BJA and state planning agency administrative processes. Federal funds would support employment of consultants to carry out those tasks under POST's direction. Federal funds would also fully support costs of the development and delivery of telecourse training programs.

If the Commission concurs, the appropriation action would be a MOTION to authorize the Executive Director to submit a grant application as described.

M. Request and Recommendation to Approve a \$21,000 Contract with Ingres Corporation for Data Base Technical Support

POST's data base management software was changed in 1991 from INFO DB+ to Ingres. A software support agreement, a normal cost associated with such software, was entered into with Ingres. This agreement must now be renewed for the 12-month period commencing July 1, 1992. The previous agreement, calling for POST payment of approximately \$18,000, was confirmed and paid by purchase order. The State Department of General Services now requires such agreements be paid through contract. Accordingly, the report under this tab recommends approval of a contract for the purpose.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign a contract with Ingres for support services for an amount not to exceed \$21,000. (ROLL CALL VOTE)

N. Request and Recommendation to Approve a \$50,000 Contract for Maintenance of the VAX Computer and Some Peripherals

The POST VAX minicomputer supports essential services relating to POST's primary data bases including training records, certificates, and reimbursements. The computer also enables word processing and electronic mail. Normal maintenance services have for the past five years been provided by System House, Inc. with payments pursuant to contract as approved in the original procurement which included hardware, software, and maintenance. The five-year maintenance agreement is now expiring.

The report under this tab describes the proposal to go to bid in order to select a provider of maintenance services for the 12-month period commencing September 1, 1992.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign a contract with the successful bidder for an amount not to exceed \$50,000. (ROLL CALL VOTE)

COMMITTEE REPORTS

O. Training Review Committee

Commissioner Wasserman, Chairman of the Training Review Committee, will report on the Committee meetings held June 11, and July 15, 1992.

P. Long Range Planning Committee

Chairman Maghakian, who also chairs the Long Range Planning Committee, will report on the Committee meeting held in Los Angeles on June 23, 1992.

Q. Finance Committee

Commissioner Wasserman, Chairman of the Finance Committee, will report on the Committee meetings held on June 11, 1992 in Orange County and July 15, 1992 in San Diego. The report will address:

1. 1991/92 Year End Financial Report
2. Potential Program Adjustments
3. Recommended Reimbursement Rates for FY 1992/93
4. Budget Change Proposals for FY 1993/94

R. Legislative Review Committee

Chairman Block, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held July 16, 1992 in San Diego.

S. Advisory Liaison Committee

Raquel Montenegro, Chairman of the POST Advisory Liaison Committee, will report on the Committee meeting held July 15, 1992 in San Diego.

T. Advisory Committee

Donald L. Forkus, Chairman of the POST Advisory Committee, will report on the Committee meeting held July 15, 1992 in San Diego.

OLD/NEW BUSINESS

U. Appointment of Advisory Committee Members

Each of four organizations represented on the POST Advisory Committee has submitted the name of a nominee to fill a three-year term of office beginning in September 1992. The nominees are:

Charles Brobeck, representing California Police Chiefs' Association (CPCA);

Don Brown, representing California Organization of Police and Sheriffs (COPS);

Norm Cleaver, representing California Academy Directors' Association (CADA); and

Cecil Riley, representing California Specialized Law Enforcement.

Two current terms are also being vacated by their incumbents and the Commission should consider filling the vacancies:

1. The Women Peace Officers' Association of California, Inc. (WPOA) has submitted the name of Alicia Powers to fill the unexpired term of Dolores Kan who resigned. The appointment will expire September 1994.
2. The Commission may act to appoint a public member to fill the unexpired term of Carolyn Owens who resigned. The appointment will expire September 1993. In the past, the Commission members have submitted names for

the Chairman's consideration. The Chairman has made the appointment from among the names so submitted.

W. Report on Activities Resulting from Joint Labor/Commission Workshop

Please see the report under the tab.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

October 15, 1992 - Radisson Hotel - Sacramento
January 21, 1993 - Holiday Inn Embarcadero, San Diego
April 15, 1993 - Pan Pacific Hotel - San Diego
July 22, 1993 - San Diego

COMMISSION MEETING MINUTES

April 9, 1992
Red Lion Hotel
San Diego, CA

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

Advisory Committee Chairman Donald Forkus led the flag salute.

WELCOME TO NEW COMMISSIONERS

Chairman Lowenberg welcomed newly appointed Commissioners Jody Hall-Esser and Marcel Leduc.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Ronald E. Lowenberg, Chairman
Sherman Block
Jody Hall-Esser
Marcel Leduc
Edward Maghakian
Devallis Rutledge
Floyd Tidwell
Robert Wasserman

Commissioners Absent:

Edward Hunt
Raquel Montenegro
Daniel E. Lungren, Attorney General

POST Advisory Committee Members Present:

Jay Clark
Donald Forkus, Committee Chairman

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Mike DiMiceli, Bureau Chief, Management Counseling
Ken O'Brien, Bureau Chief, Training Program Services
Otto Saltenberger, Bureau Chief, Administrative Services
Darrell Stewart, Bureau Chief, Information Services

Ken Whitman, Senior Consultant, Training Program Services
Frederick Williams, Bureau Chief, Compliance and Certificates
Vera Roff, Executive Secretary

Visitor's Roster:

Robert Berry, San Francisco PD
M. Klippert, San Diego Sheriff's Department
Kelson McDaniel, LETN
Carly Mitchell, Rio Hondo Community College
Gary Reed Naylor, DMV, San Diego
Al Nyman, San Diego Marshal's Department
Robert W. Riley, Captain, LAPD
M. Peltier, San Diego Sheriff's Department

A. APPROVAL OF MINUTES

MOTION - Wasserman, second - Tidwell, carried to approve the minutes of the January 23, 1992 regular Commission meeting held at the Bahia Hotel in San Diego. (Abstain: Hall-Esser)

CONSENT CALENDAR

B. MOTION - Maghakian, second - Tidwell carried unanimously to approve the following Consent Calendar:

- B.1 Receiving Course Certification Report
- B.2 Receiving Financial Report - Third Quarter FY 1991/92
- B.3 Receiving Information on New Entries into the POST Regular (Reimbursement) Program
- B.4 Receiving Information on New Entries into the Public Safety Dispatcher Program
- B.5 Approving Resolution Commending Retiring Advisory Committee Member Dolores Kan

PUBLIC HEARING

C. Receiving Testimony on the Proposal to Change POST Regulations to Implement P.C. 832 Course Regualification Requirements

The purpose of the public hearing was to receive testimony in regard to proposed amendments to POST regulations to implement P.C. 832 Course regualification requirements.

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

Staff reported that with the passage of SB 474, Penal Code Section 832(a) requires that any person who successfully completes 832 training, but either: (1) does not become employed as a peace officer within three years of successfully completing such training; or (2) has a three year or longer break in service as a peace officer, must "requalify" to exercise the powers of a peace officer.

Senate Bill 474 also added Penal Code Section 832(f), which grants the Commission the authority to charge fees for all "requalification" exams, with the amount of such fees not to exceed actual costs. In order to comply with the new provisions, it was proposed that a new subsection be added to Commission Regulation 1080 with key provisions as follows:

- (1) Persons seeking to satisfy P.C. 832 Course requalification requirements via testing would be permitted two opportunities to pass each applicable test (i.e., Arrest Procedures exam and Firearms exam), as is the case for persons who take the tests at the conclusion of P.C. 832 training. Failure to pass any test upon the second attempt would result in the need to successfully repeat the applicable P.C. 832 training.
- (2) Those persons who are exempt from the P.C. 832 Course requalification requirements would be enumerated in the proposed regulations. Employing agencies would be required to retain, as a permanent record, all documentation in support of an employee's exemption.
- (3) As provided for in law, POST would charge examination fees, not to exceed actual costs, to those who wish to test for purposes of satisfying the P.C. 832 Course requalification requirements.

Following the staff report, Chairman Lowenberg invited oral testimony from those in favor or opposed to the recommendation to address the Commission. No one present indicated a desire to testify.

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

MOTION - Wasserman, second - Maghakian, carried unanimously to adopt the proposed additions to Commission Regulation 1080, concerning P.C. 832 course requalification requirements, to be effective upon approval as to form and procedure by the Office of Administrative Law.

COMPLIANCE AND CERTIFICATES

D. Fee Setting - P.C. 832 Requalification Testing

Following adoption of the preceding agenda item, it was recommended that the Commission approve fees that will be charged to persons taking P.C. 832 course requalifications tests.

MOTION - Tidwell, second - Leduc, carried unanimously to approve fees of \$100 for the written exam, \$150 for the firearms test, and \$100 for the skills exam associated with arrest techniques and defensive tactics.

STANDARDS AND EVALUATION

E. Approval to Distribute a POST Drug Screening Manual for Voluntary Use by Agencies in Initial Hiring

Staff reported that drug screening guidelines have been developed for voluntary use by agencies in the POST program. The guidelines are advisory in nature, address pre-employment drug screening only, and cover the full range of legal, technical, and other issues which must be considered when implementing a pre-employment drug screening program.

Don Forkus reported that the Advisory Committee discussed the possibility of also providing guidelines for random drug testing at its meeting on April 8. Chairman Lowenberg requested that the Advisory Committee further discuss this issue and report its findings to the Commission.

MOTION - Maghakian, second - Block, carried unanimously to approve publication and general distribution of the POST Pre-Employment Drug Screening Guidelines (1992).

MANAGEMENT COUNSELING

F. Review of a Peace Officer Feasibility Study for the Department of Insurance and Recommendation to Finalize and Submit the Report to the Insurance Commissioner and the Legislature

State Insurance Commissioner John Garamendi requested a study concerning the extension of peace officer powers to certain investigators of the Department of Insurance. The Department of Insurance currently employs some peace officer

investigators [authorized by P.C. 830.3 (i)]. The study addressed non-peace officer investigators of the department.

Staff reported that the work of the non-peace officer investigators does not include sufficient need for peace

officer powers. Staff noted that it appears feasible for the Department to rely upon its existing peace officers to provide as needed support for the non-peace officer investigators who work in a separate division.

MOTION - Wasserman, second - Tidwell, carried unanimously to submit the completed feasibility study report, including recommendations, to the Insurance Commissioner and the Legislature.

TRAINING PROGRAM SERVICES

G. Amendment to Contract with General Physics re Making Minor Out-of-Contract Refinements to the IVD Driver Training Course Prior to Its Delivery to POST and Ordering Additional Initial Copies at a Reduced Rate

POST currently has a contract with General Physics of Columbia, Maryland to develop the Driver Training IVD courseware, and deliver fifty (50) sets of the courseware to POST for \$388,565. On-going beta testing of the courseware by subject matter experts and law enforcement trainees suggested several areas of courseware improvements.

Staff proposed amending the contract to purchase a minimum of 50 additional sets of courseware at a cost of \$87 per set. After the initial order, copies will require additional setup costs and will cost approximately \$178 per set. It was observed that a case could be made for increasing the initial supplementary order.

Commissioner Wasserman reported that the Finance Committee discussed this issue at its April 8 meeting in San Diego and recommended approval of the expenditure which would provide additional needed courseware at a cheaper cost now rather than later. The Committee also recommended the scenario selection feature which would be an extensive time saver for students and instructors.

During discussion there was consensus that an additional 150 sets of courseware should be ordered in order to ensure an adequate supply for all agency needs in the immediate future.

MOTION - Maghakian, second - Block, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to amend the original contract with General Physics to provide 150 sets of courseware at a cost not to exceed \$14,505.

Staff also recommended modifying the contract to include an enhanced scenario selection feature that will allow instant access to all scenarios and decision points in the course.

This will help assure greater user-friendliness of the course and save untold hours of trainee time by making use of the program more nimble and with less user frustration. This feature was not included in the original proposal.

MOTION - Wasserman, second - Leduc, carried by ROLL CALL VOTE to authorize the Executive Director to increase the original contract with General Physics by \$6,960 to include the enhanced scenario selection feature. (ABSTAIN: Block)

EXECUTIVE OFFICE

H. Reinstatement of Reimbursement for Mandated Training for Claims Received after the November 1, 1991 Suspension of Salary Reimbursement

Commissioner Wasserman reported that the Finance Committee met April 8 in San Diego and reviewed projections for revenue levels and training projections for the remainder of the year. Approximately \$5.6M will be available for salary reimbursements. The Committee recommended that salary reimbursement be resumed at the rate of 20% for basic and 25% for other eligible courses retroactive to November 1, 1991 and continue throughout the remainder of the fiscal year. It was noted that this action was possible because Basic Course training volume had dropped off, and because the shortfall in revenue was less deep than originally projected. The Commission took note that this action would potentially use virtually all POST financial reserves, and that revenues and training volumes would be closely monitored. In the unexpected event of further shortfalls, the Commission could call a special meeting to adjust to the problem.

MOTION - Wasserman, second - Rutledge, carried unanimously by ROLL CALL VOTE to resume salary reimbursement at the rate of 20% for basic and 25% for other eligible courses retroactive to November 1, 1991.

I. Report and Recommendation of Field Survey Regarding Reimbursement Options

The Governor's 1992/93 budget includes \$42.9 million for POST plus a proposed supplement of \$3.1 million in asset forfeiture monies. If these are approved, and if revenues are forthcoming as projected, the Commission will be in a position to sustain its present standards and training services and provide reimbursements, including salary, to the field. However, there is the possibility that the budget could be cut or revenues fall below projections. Against the possibility of protracted revenue shortfalls, the Finance Committee has begun

formulating and evaluating options and alternatives to allow POST to provide the best possible standards and standards services with available resources. The Committee recommended a survey be sent to the field both by way of advising the field of the threat and by way of marketing research. The survey responses would be among the factors the Commission might take into account if the need arises.

The Advisory Committee also recommended support of sending the survey.

During discussion it was pointed out that the survey will serve to educate program participants since it creates an awareness of potential fiscal problems. However, concern was expressed that the Commission will still have to make the decisions, and the survey may be divisive due to the variety of viewpoints and interest that exist.

MOTION - Maghakian, second - Tidwell, carried to authorize dissemination of the survey. (NO: Block)

COMMITTEE REPORTS

J. Finance Committee

Commissioner Wasserman reported the Finance Committee met on April 8, 1992 in San Diego and recommended approval of the following contracts for FY 1992/93:

MOTION - Wasserman, seconded, - Hall-Esser, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign them on behalf of the Commission.

Training Contracts

1. Contracts for the Management Course are \$327,448 proposed for the following presenters
California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center
2. A contract with San Diego Regional \$562,166 Training Center for support of Executive Training (e.g., Command College, Executive Seminars, and Executive Development Course)
3. A contract with CSU Long Beach for \$403,873 support of the Supervisory Leadership

Institute

4. An Interagency Agreement with the State Department of Justice \$928,109
5. An Interagency Agreement with San Diego State University for 12 satellite broadcasts \$ 54,000
6. Contracts with Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production \$ 52,000
7. A contract with San Diego State University for 1992/93 Telecourse Programs \$420,000

Standards Contracts

8. An Interagency Agreement with Cooperative Personnel Services - Basic Course Proficiency Exam \$ 33,800
9. An Interagency Agreement with Cooperative Personnel Services - Entry-Level Reading and Writing Test Battery \$ 98,400
10. An Interagency Agreement with the Cooperative Personnel Services - P.C. 832 Written Examination \$ 78,560

Administrative Contracts

11. A contract with the State Controllers Office - Agreement for Auditing Services \$ 85,000
12. An Interagency Agreement with the Teale Data Center for Computer Services \$ 89,000
13. An Interagency Agreement with the Health and Welfare Data Center - CALSTARS Contract \$ 25,000

K. Long Range Planning Committee

Chairman Lowenberg, who also chairs the Long Range Planning Committee reported that the Committee met in Los Angeles on

February 27, 1992. The Committee received updates on the following items:

- o Use of Videotapes to Satisfy CPT Requirements
- o Policy on Marketing/Royalty Agreements
- o Policy on Review of Video Tapes Used in POST-Certified Courses
- o Basic Course Study
- o Canine Standards

The report was for information only and no formal action was required.

L. Ad hoc Labor/Commission Committee

Chairman Lowenberg, who also chairs the ad hoc Labor/Commission Committee, reported on the first Committee meeting held in Sacramento on March 11, 1992.

The meeting was requested by law enforcement labor leaders who have been concerned that the Commission has become too management-oriented and non-responsive to rank and file concerns. The meeting provided opportunity to discuss those concerns. There was a general commitment to work positively to strengthen areas where Commission's and labor's interests coincide.

It was recommended that the Commission consider the following:

1. Establish an ad hoc Commission committee to meet periodically and as needed with law enforcement labor associations.
2. Approve exploration of the feasibility and desirability of establishing an Institute for Labor/Management Relations to provide a permanent forum for communications, problem solving, and cooperative approaches.

The exploration committee would consist of labor representatives, representatives from Chiefs and Sheriffs, and POST staff. Their purpose would be to draft a charter of any potential labor/management institute and bring back the report at an early Commission meeting.

3. Assign the Commission's Advisory Liaison Committee to consider labor's request to expand the POST Advisory Committee to include additional labor representatives.

MOTION - Block, second - Maghakian, carried unanimously to approve the recommendations.

M. Legislative Review Committee

Committee Chairman Block reported on the results of the Legislative Review Committee meeting held April 9 prior to the Commission meeting and recommended the following positions on new legislation of interest to POST:

	<u>Recommended Position</u>
1. ACR 93 (Woodruff) - Requests community colleges to present sufficient state mandated public safety training courses	Support
2. SB 1283 (Ayala) - Adds two rank and file peace officer members to the POST Commission	Neutral
3. SB 1335 (Torres) - Mandates cultural awareness training for the Basic Course	Oppose
4. SB 1408 (Torres) - Mandates hate crime and cultural awareness training for basic, in-service, field, and management training	Oppose
5. SB 1457 (Mello) - Adds \$400,000 to Traumatic Brain Injured Fund from state penalty assessments	Oppose
6. SB 1645 (Calderon) - Adds penalty assessment on Vehicle Code violations	Oppose
7. SB 1705 (Maddy) - Continues revenue for POTF from Drug Asset Seizures	Support w/Amendments
8. AB 1823 (Bentley) - Authorizes the use of social security numbers to fines and penalty assessments	Support
9. AB 2308 (Cannella) - Exempts narcotics and canine instructors from Uniform Controlled Substances Act (allows to possess drugs)	Support w/Amendments
10. AB 2311 (Katz) - Deletes POST from Drug Asset Forfeiture revenue	Oppose
11. AB 2409 (Isenberg) - Establishes	Watch

percentage formulas for state penalty assessments

and oppose if negative impact on POTF

12. AB 3407 (Klehs) - Mandates hate crime training for Basic Course. Neutral
13. AB 3614 (Epple) - Authorizes peace officer status for investigators of the State Student Aid Commission and Department of Toxic Substances Control. Oppose

It was also recommended to support law enforcement labor union proposed amendments to AB 401 that would delete the proposed Commission on Law Enforcement Polices, Procedures, and Training, and instead include corrective legislation on POST's revenue shortfall, language of SB 1283 (Ayala) adding two rank and file peace officers to the POST Commission, language to authorize the establishment of the proposed Institute on Labor/Management Relations, and language from last year's SB 1075 (Roberti) concerning mandating cultural awareness training for the Basic Course.

MOTION - Block, second - Leduc, carried unanimously to approve the recommendations of the Legislative Committee.

N. Advisory Committee

Committee Chairman Donald Forkus reported that the Committee received reports on the Use of Force Study, Basic Course Revisions, and the Cultural Awareness Training Program.

Chairman Forkus reported that CHP training has been cut back due to financial problems and suggested that staff explore the possibility of using the CHP training facility on an interim basis.

OLD/NEW BUSINESS

O. Progress on Accreditation Standards Development

Chairman Lowenberg reported that the Standards Development Committee met in January and February. The Committee is charged with the definition of the content and format of accreditation standards and the preliminary drafting of specific standards. It is expected that the draft report will be reviewed by the Accreditation Committee in early 1993.

P. Correspondence (For Information Only - No Action Required)

- o Letter from Willis A. Casey, Chief of Police, City and County of San Francisco, and staff response
- o Letter from Dr. James Garrick, Center for Sports Medicine, and response from Attorney General Daniel E. Lungren
- o Letter from Jeannette McCahan, Computer Consultant for Training and Instruction
- o Letter from Robert Kristic, Chairman, California Academy Directors' Association

Q. Report of Nominating Committee for Election of Officers

Commissioners Wasserman reported that he and Commissioner Tidwell met by telephone, and the Committee recommended Edward Maghakian as Chairman and Sherman Block as Vice Chairman for the Commission.

MOTION - Wasserman, second - Lowenberg, carried unanimously that the nominees be elected.

ANNOUNCEMENTS

The Executive Director announced that the Senate Budget and Fiscal Subcommittee will meet this afternoon to review again the \$3.1M that POST should receive from the Asset Forfeiture Fund.

Ken O'Brien, Chief of the Training Programs Services Bureau, has accepted a Governor's appointment to be Deputy Director of the California Youth Authority, effective April 13. Ken joined POST in 1989 as a Law Enforcement Consultant II and was promoted to Bureau Chief in 1991.

Ellen Stetson, Senior Law Enforcement Consultant with the Management Counseling Bureau, passed away on March 7, 1992 as a result of cancer. Ellen joined POST in July 1990 and retired in 1992 as a result of her illness.

Bud Perry, Law Enforcement Consultant with the Compliance and Certificate Bureau, passed away on April 2, 1992 as a result of cancer. Mr. Perry began his service to POST in 1978, and has made many contributions to law enforcement during his career.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 16, 1992 - Red Lion Hotel - San Diego
October 15, 1992 - Radisson Hotel - Sacramento
January 21, 1993 - Holiday Inn Embarcadero, San Diego
April 15, 1993 - San Diego

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date July 16, 1992
Bureau Training Delivery Services	Reviewed By Ronald T. Allen, Chief <i>RAA</i>	Researched By <i>[Signature]</i> Rachel S. Fuentes
Executive Director Approval <i>[Signature]</i>	Date of Approval 6-26-92	Date of Report June 19, 1992
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 9, 1992 Commission meeting:

CERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	Skills & Knowledge Modular Training	Dept. of Coroner City of Los Angeles	Technical	IV	\$22,500
2.	Officer Safety/Field Tactics	Dept. of Parks & Recreation	Technical	IV	12,000
3.	Dispatcher Supervisory Update	San Jose P.D.	Technical	IV	3,600
4.	Complaint Dispatcher - Update	San Jose P.D.	Technical	IV	9,600
5.	Driver Training Update	Palto Alto P. D.	Technical	IV	4,000
6.	Skills & Knowledge Modular Training	San Joaquin Co. S. D.	Technical	IV	7,680
7.	Crowd Control, Instr.	Chabot College	Technical	IV	2,940
8.	Bicycle Patrol	Santa Monica P.D.	Technical	IV	-0-
9.	Advanced Officer	Porterville Law Enforcement T.C.	AO	IV	19,200
10.	Contemporary Mgmt. of Criminal Investigation	San Diego RTC	Mgmt. Sem.	III	12,441

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
11.	Driver Awareness	Rancho Santiago College	Technical	IV	\$43,120
12.	Police Photography	FBI, San Francisco	Technical	IV	3,360
13.	Skills & Knowledge Modular Training	Los Angeles International Airport	Technical	IV	3,600
14.	Drug Influence - 11550 H&S	Mono County S.D.	Technical	IV	1,200
15.	Advanced Officer - FTC	San Diego County S.D.	AO	II	46,000
16.	Radar Operator	Riverside Co. SD	Technical	IV	3,034
17.	Ofcr. Safety: Unarmed Defensive Tactics	Modesto CJTC	Technical	III	1,700
18.	Drug Influence - 11550 H&S	El Camino College	Technical	IV	9,768
19.	Hazardous Materials First Responder	Calaveras Co. SD	Technical	IV	-0-
20.	Fitness Advisor Course	FBI, Los Angeles	Technical	IV	15,680
21.	Field Evidence Tech.	Evergreen Valley College CJTC	Technical	IV	12,000
22.	Community Service Officer	Evergreen Valley College CJTC	Technical	IV	20,000
23.	Reserve Training, Module C	College of the Desert	Reserve Training	IV	-0-
24.	Def. Tactics - Instructor Update	Los Medanos College	Technical	IV	3,432
25.	Motorcycle Training, Basic	San Bernardino Co. SD	Technical	III	190,080

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
26.	Motorcycle Training, Instructor	San Bernardino Co. SD	Technical	III	\$95,040
27.	Report Writing	Grossmont College	Technical	IV	6,720
28.	Traffic Collision Inv. Basic	Bakersfield PD	Technical	IV	1,250
29.	Arrest & Firearms P.C. 832	Dept. of Forestry	P.C. 832	IV	-0-
30.	Civilian Supervisory	Evergreen Valley College CJTC	Supv. Trng.	IV	59,637
31.	Communications Trng. Officer	Evergreen Valley College CJTC	Technical	IV	68,346
32.	Skills & Knowledge Modular Training	Riverside Co. SD	Technical	IV	44,000
33.	Baton Instructor - Impact Weapons	Los Medanos College	Technical	IV	5,148
34. - 40.	7 additional Proposition 115 Hearsay Evidence Testimony Course Presenters have been certified as of 06-19-92. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 233 presenters of Proposition 115 have been certified.				

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Category</u>	<u>Reimbursement Plan</u>
1.	Traffic Collision Inv.	Kern Co. CJTC	Technical	IV
2.	Reserve Training, Module B	Kern Co. CJTC	Reserve Training	N/A
3.	Sexual Assault Inv.	Kern Co. CJTC	Technical	IV
4.	Field Training Officer	Kern Co. CJTC	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
5.	Reserve Training, Module C	Kern Co. CJTC	Reserve Training	N/A
6.	Inter. & Interrogation Update	Kern Co. CJTC	Technical	IV
7.	Supervisory Course	Kern Co. CJTC	Supv. Trng.	II
8.	Advanced Officer	Kern Co. CJTC	AO	II
9.	Basic Course	Kern Co. CJTC	Basic	I
10.	Skills & Knowledge Modular Training	Kern Co. CJTC	Technical	IV
11.	Restraint System - Instr.	San Diego PD	Technical	IV
12.	Boating Safety & Enf.	San Diego Unified Port Dist Harbor	Technical	IV
13.	Missing Persons/Runaways	San Bernardino PD	Technical	IV
14.	Cults, Sects & Deviant Movements	San Bernardino SD	Technical	IV
15.	Laser Firearms III	Los Angeles SD	Technical	IV
16.	Laser Firearms Trng-II, Update	Los Angeles SD	Technical	III
17.	White Collar Crime	FBI, San Diego	Technical	IV
18.	Tactical Communication	Santa Ana PD	Technical	N/A
19.	Scenario Role Play Eval. Update	San Diego SD/ Southwestern Col.	Technical	IV
20.	Basic Course, Ext.	Golden West Col.	Basic	N/A
21.	Canine Handler	Long Beach PD	Technical	III

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Category</u>	<u>Reimbursement Plan</u>
38.	Firearms Inst.-Semi Automatic	Dept. of P&R	Technical	N/A
39.	Defensive Tactics Upd	Mountain View PD	Technical	IV
40.	Defensive Tactics Instr.	Gavilan College	Technical	IV
41.	Special Weapons & Tactics, Advanced	Gavilan College	Technical	IV
42.	Child Victims-Interv.	Gavilan College	Technical	IV
43.	Baton Instruct.-Impact Weapons	Gavilan College	Technical	IV
44.	Driver Training Update	Gavilan College	Technical	IV
45.	Defensive Tactics Instr. Update	Gavilan College	Technical	IV
46.	Missing Persons/ Runaways	Oakland PD	Technical	IV
47.	Semi-Automatic Pistol	Sacramento PSC	Technical	IV
48.	Missing Persons/ Runaways	Sacramento PSC	Technical	IV
49.	Firearms/Fully Auto Weapons	Sacramento PSC	Technical	IV
50.	Combat Shotgun Trng.	Sacramento PSC	Technical	IV
51.	Defensive Tactics Instr.	FBI, San Francisco	Technical	IV
52.	Special Weapons & Tactics Update	FBI, San Francisco	Technical	IV
53.	Hostage Negotiations, Advanced	FBI, San Francisco	Technical	IV
54.	Field Evidence Techn.	West Valley Col.	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Category</u>	<u>Reimbursement Plan</u>
55.	Missing Persons/ Runaways	Chabot College	Technical	IV
56.	Missing Persons/ Runaways	Ventura College	Technical	IV
57.	Fraud Invest, Carnival Games	Chapman College	Technical	III
58.	Team Building Wkshp.	Ernest Solano	TBW	III
59.	Team Building Wkshp.	Jamieson Consult- ing Group	TBW	III
60.	Livestock - Rural Crime Inv.	Modesto CJTC	Technical	IV
61.	Ofcr. Safety/Field Tactics Update	Modesto CJTC	Technical	IV
62.	Missing Persons/ Runaways	Yuba College	Technical	IV
63.	Drug Alcohol Recogni- tion Update	Los Medanos College	Technical	IV
64.	Missing Persons/ Runaways	Los Medanos College	Technical	IV
65.	Conflict Management	Los Medanos	Technical	IV
66.	Traffic Collision Inv. Adv.	San Diego PD	Technical	IV
67.	Traffic Coll.-Inter., Skidmark	San Diego PD	Technical	IV
68.	Traffic Collison Inv.	San Diego PD	Technical	IV
69.	Baton Instr., PR-24	San Diego PD	Technical	IV
70.	Criminal Investigation	San Diego PD	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Reimbursement Category</u>	<u>Plan</u>
71.	Special Weapons & Tactics Update	San Joaquin Delta College PSTC	Technical	III
72.	Cannabis Eradication	U.S. DEA, SD	Technical	IV
73.	Chief Executive Sem.	DOJ-BOCCI	Executive Trng.	IV
74.	Special Weapons & Tactics Update	Evergreen Valley College CJTC	Technical	IV
75.	Basic Course, Ext.	Evergreen Valley College CJTC	Basic	N/A
76.	Ofcr Safety-Unarmed Defensive Tactics	Modesto CJTC	Technical	III
77.	Communications Trng.	West Valley Col.	Technical	IV
78.	Supv. Course, Civilian	West Valley Col.	Technical	IV
79.	Violent Crime Info Center (VCIC)	DOJ Training Ctr.	Technical	IV
80.	Fingerprint, Basic	DOJ Training Ctr.	Technical	IV
81.	Weapons, Disguised & Concealed	DOJ Training Ctr.	Technical	IV
82.	Missing Persons/ Runaways	Shasta College	Technical	IV
83.	Communication with Impact	CPOA	Supv. Trng.	III
84.	Mgmt./Eval.-Improv.	CPOA	Mgmt. Trng.	III
85.	Mgmt. Controls & Audits	CPOA	Mgmt. Trng.	
86.	Traffic Safety Seminar (LETS)	Office of Traffic Safety	Supv. Trng.	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Category</u>	<u>Reimbursement Plan</u>
87.	Haz. Materials-First Responder	Calaveras Co. SD	Technical	IV
88.	Child Victims-Interv.	Allan Hancock College	Technical	IV
89.	Hostage Negotiations	Rio Hondo RTC	Technical	IV

TOTAL CERTIFIED	<u>40</u>
TOTAL DECERTIFIED	<u>89</u>
TOTAL MODIFICATIONS	<u>29</u>

1307 Courses certified as of 06-19-92
373 Presenters certified as of 06-19-92

626 Skills & Knowledge Modules certified as of 06-19-92
56 Skills & Knowledge Presenters certified as of 06-19-92

1,933 TOTAL CERTIFIED COURSES

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Financial Report - Fourth Quarter 1991-92		July 16, 1992
Bureau	Reviewed By	Researched By
Administrative Services	<i>Octo H. Saltenberger</i>	Staff
Executive Director Approval	Date of Approval	Date of Report
<i>Mouman C. Boehm</i>	7-13-92	July 10, 1992
Purpose:		Financial Impact:
<input type="checkbox"/> Decision Requested	<input checked="" type="checkbox"/> Information Only	<input type="checkbox"/> Yes (See Analysis for details)
<input type="checkbox"/> Status Report		<input type="checkbox"/> No

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

This report provides financial information relative to the local assistance budget through June 30, 1992. Revenue which has accrued to the Peace Officer Training Fund is shown as are expenditures made from the 1991-92 Budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH

This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officer Training Fund. Through June 30, 1992, we received \$31,842,969. The total is \$12,992,031 (41%) less than originally anticipated on a straight line projection (see Attachment 1A) and is \$10,401,918 (25%) less than received the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 60,055 trainees total represents a 5,067 decrease (7.8%) compared to the 65,122 trainees reimbursed last fiscal year. The most significant reduction was in basic course attendees, down 2,317 (-52%) from the 4,438 trainees last year.

REIMBURSEMENT BY COURSE CATEGORY

This report, identified as Attachment 3, compares the reimbursement paid by course category this year with the amount reimbursed last fiscal year. End of year reimbursement of \$23,184,615 represents a \$9,108,705 (28%) decrease compared to the \$32,293,320 reimbursed last fiscal. The significant factor which contributes to the decreased level of reimbursement is the dramatic reduction in basic course trainees. Attachment 3A shows the status of the local assistance budget as of June 30, 1992.

END OF YEAR REVIEW

Legislative changes in the distribution of fines, forfeitures and assessments to the Penalty Assessment Fund became effective at the beginning of the fiscal year. As a consequence dramatically reduced POST revenues compelled the Commission to temporarily suspend salary reimbursement in November. The exhaustion of budget reserves and a less than anticipated training volume enabled a retroactive

resumption of a partial salary reimbursement in April. Total year revenue fell \$13 million short of original projections and about \$1 million short of the revised Department of Finance estimate of \$32.8 million. Nonetheless, due to a less than anticipated training volume, an unexpended end of year reimbursement balance remains. Specific details regarding fund status, and Fiscal Year 1992-93 projections will be reported on by the Finance Committee under a separate agenda item.

Comparison of Revenue by Month Fiscal Years 1990-91 and 1991-92								
<u>1990-91</u>					<u>1991-92</u>			
	Penalty Assessment Fund	Other	Cumulative Total	Cumulative Monthly Estimate	Penalty Assessment Fund	Other	Total	Cumulative Total
July	\$ 3,822,890	\$ 541	\$ 3,823,431	\$ 3,647,000	\$ 2,886,023	\$25,676	\$ 2,911,699	\$ 2,911,699
August	4,467,623	5,433	8,296,487	7,294,000	1,992,791	24,624	2,017,415	4,929,114
September	3,096,014	3,690	11,396,191	10,941,000	1,467,766	7,359	1,475,125	6,404,239
October	4,468,976	16,184	15,881,351	14,588,000	2,378,813	13,105	2,391,918	8,796,157
November	3,207,368	412	19,089,131	18,235,000	1,722,707	12,819	1,735,526	10,531,683
December	4,971,707	273	24,061,111	21,882,000	2,970,202	36,376	3,006,578	13,538,261
January	3,641,274	538,309	28,240,694	26,062,000	3,461,559	242,073	3,703,632	17,241,893
February	3,069,568	402	31,310,664	29,709,000	2,382,614	18,219	2,400,833	19,642,726
March	3,515,682	16,549	34,842,895	33,356,000	3,589,609	30,578	3,620,187	23,262,913
April	4,482,331	14,204	39,339,430	37,003,000	2,244,871	32,143	2,277,014	25,539,927
May	2,388,687	4,495	41,732,612	40,650,000	2,770,155	15,149	2,785,304	28,325,231
June	0	512,275	*42,244,887	44,835,000	3,275,015	**242,723	3,517,738	31,842,969
Total	\$41,132,120	\$1,112,767	\$42,244,887	\$44,835,000	\$32,804,000	\$ 700,844	\$31,842,969	\$31,842,969

* End of FY 90-91 revenue reported as \$44,273,729.
Due to posting error, Controller's Office reversed \$2,028,842.

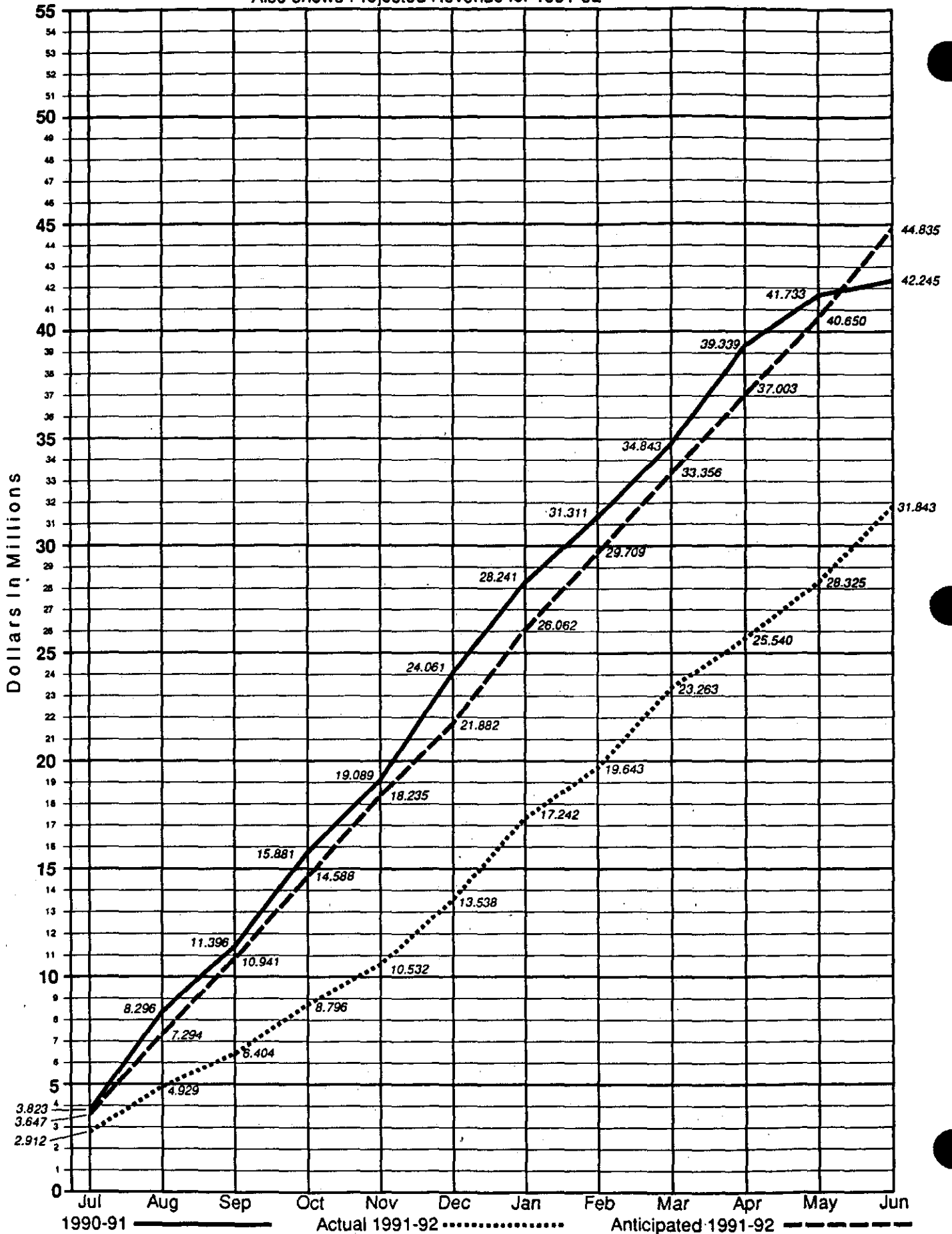
** Includes an estimate of \$200,000 from the SMIF.

Comparison of Revenue by Month

Attachment 1A

Fiscal years 1990-91 and 1991-92

Also shows Projected Revenue for 1991-92



NUMBER OF REIMBURSED TRAINEES BY CATEGORY - FOR CLAIMS PROCESSED

June 1992

	1990-91			1991-92		
	Actual Total For Year	Actual Jul-June	% of Total	Projected Total For Year	Actual Jul-June	% of Projection
Basic Course	4,438	4,438	100	4,500	2,121	.47
Dispatchers - Basic	814	814	100	820	614	.75
Advanced Officer Course	18,672	18,672	100	19,500	18,045	.93
Supervisory Course (Mandated)	1,200	1,200	100	1,275	735	.58
Supervisory Seminars & Courses	3,088	3,088	100	3,200	3,471	1.08
Management Course (Mandated)	384	384	100	390	311	.80
Management Seminars & Courses	2,882	2,882	100	2,910	2,366	.81
Executive Development Course	443	443	100	520	708	1.36
Executive Seminars & Courses	155	155	100	200	625	3.13
Other Reimbursement	570	570	100	600	258	.43
Technical Skills & Knowledge Course	30,901	30,901	100	32,500	29,295	.90
Field Management Training	27	27	100	40	24	.60
Team Building Wokshops	544	544	100	575	536	.93
POST Special Seminars	935	935	100	1,000	873	.87
Approved Courses	69	69	100	80	73	.91
TOTAL	65,122	65,122	100	68,110	60,055	.88

6/30/92
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COMMISSION ON POST
REIMBURSEMENT BY COURSE CATEGORY

Course Category	1990-1991		1991-1992	
	Total For Year	Actual July - June	June	Actual *July - June
Basic Course	\$ 12,356,552	\$12,356,552	\$ 641,776	\$ 5,890,494
Dispatchers-Basic	426,520	426,520	56,484	384,097
Advanced Office Course	4,620,685	4,620,685	487,214	3,565,749
Supervisory Course (Mandated)	1,145,719	1,145,719	39,283	659,964
Supervisory Seminars and Courses	1,157,463	1,157,463	139,412	1,223,975
Management Course (Mandated)	566,879	566,879	81,843	402,092
Management Seminars and Courses	1,074,787	1,074,787	69,378	917,098
Executive Development Course	352,868	352,868	48,882	470,456
Executive Seminars and Courses	73,438	73,438	16,628	207,442
Other Reimbursement	498,739	498,739	13,313	172,062
Technical Skills and Knowledge Courses	9,538,765	9,538,765	922,363	8,840,713
Field Management Training	11,197	11,197	1,088	9,740
Team Building Workshops	241,188	241,188	13,507	225,749
POST Special Seminars	216,509	216,509	3,888	200,552
Approved Courses	12,011	12,011	1,759	14,432
TOTAL	\$ 32,293,320	\$ 32,293,320	\$ 2,536,818	\$ 23,184,615

*Includes funds charged to 90-91 F. Y. for training

6/30/92

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1991-92 LOCAL ASSISTANCE BUDGET
YEAR END RECONCILIATION

	Allocated	Expended	Balance
AID TO LOCAL GOVERNMENT:			
FUNDING:			
Local Assistance Budget	33,500,000		
Transfer to Training Contracts	(1,505,000)		
Revenue shortfall	(7,014,000)		
	24,981,000		
Sub-total, Funding	24,981,000		
Carryover from 1990-91	2,455,690		
	27,436,690		
Total, Funding	27,436,690		
EXPENDITURES:			
Course Reimbursement **	24,981,000	20,728,925	\$4,252,075
Carry Over from FY 90-91	2,455,690	2,455,690	0
	27,436,690	23,184,615	\$4,252,075
Total, Expenditures	27,436,690	23,184,615	\$4,252,075

- ** 1. Initial salary reimbursement @ 20/35%
2. Salary suspended as of 11-1-91
3. Salary restored @ 20/25% retro to 11-1-91

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Topic Item Title New Agency - Los Angeles Department of Coroner		Meeting Date July 16, 1992
Bureau Compliance and Certificate Services	Reviewed By <i>[Signature]</i> Frederick Williams	Researched By Thomas Farnsworth <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 5-5-92	Date of Report May 1, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Los Angeles County Department of Coroner is seeking entry into the POST Reimbursable Program on behalf of its investigators.

BACKGROUND

The provisions of 830.35 Penal Code permit the Department of Coroner to employ sworn investigators. The County of Los Angeles has submitted the proper documents supporting POST objectives and regulations.

ANALYSIS

The Department of Coroner has 42 full-time sworn investigators. Adequate background investigations have been conducted and the agency is complying with POST Regulations.

Fiscal impact for reimbursement of training costs approximate \$42,000 per year.

RECOMMENDATION

The Commission be advised that the Los Angeles Coroner's Department be admitted into the POST Reimbursement Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date	
Public Safety Dispatcher Program		July 16, 1992	
Bureau	Reviewed By	Researched By	
Compliance and Certificate Services	<i>Frederick Williams</i> Frederick Williams	Gay Clark	
Executive Director Approval	Date of Approval	Date of Report	
<i>Thomas C. Bohan</i>	7-2-92	June 21, 1992	
Purpose:		Financial Impact:	
<input type="checkbox"/> Decision Requested	<input checked="" type="checkbox"/> Information Only	<input checked="" type="checkbox"/> Yes (See Analysis for details)	<input 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.

ISSUE

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Section 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.

ANALYSIS

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.

RECOMMENDATION

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

NEW AGENCIES IN THE PUBLIC SAFETY DISPATCHER PROGRAM

MARCH 1992 - JUNE 1992

<u>AGENCY</u>	<u>ORD/RES/LETTER</u>	<u>ENTRY DATE</u>
Banning PD	Ord. 1045	5-14-92
Kern County S.D.	Ord. G-5731	5-7-92



Resolution OF THE *Commission on Peace Officer Standards and Training* STATE OF CALIFORNIA

WHEREAS, Joseph McKeown has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training (POST) from January 1980 to July 1992; and

WHEREAS, Joseph McKeown has effectively represented the California Academy Directors' Association during his tenure on the POST Advisory Committee; and

WHEREAS, Joseph McKeown has demonstrated leadership and diligence in his service as a member of the POST Advisory Committee; and

WHEREAS, California law enforcement has benefitted greatly from his advice and counsel; now

THEREFORE, BE IT RESOLVED, That the members of the California Commission on Peace Officer Standards and Training (POST) do hereby commend Joseph McKeown for his outstanding service and dedication to California law enforcement; and

BE IT FURTHER RESOLVED, That the Commission extends best wishes to Joseph McKeown in his future endeavors.



Chairman

Executive Director

July 16, 1992

Date



Resolution OF THE
Commission on Peace Officer Standards and Training
STATE OF CALIFORNIA

WHEREAS, Carolyn Owens has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training (POST) from January 1984 to July 1992; and

WHEREAS, Carolyn Owens has effectively represented the public sector during her tenure on the POST Advisory Committee; and

WHEREAS, Carolyn Owens has demonstrated leadership and diligence in her service as a member of the POST Advisory Committee; and

WHEREAS, California law enforcement has benefitted greatly from her advice and counsel; now

THEREFORE, BE IT RESOLVED, That the members of the California Commission on Peace Officer Standards and Training (POST) do hereby commend Carolyn Owens for her outstanding service and dedication to California law enforcement; and

BE IT FURTHER RESOLVED, That the Commission extends best wishes to Carolyn Owens in her future endeavors.



Chairman

Executive Director

July 16, 1992

The proposed POST Guidelines for Reviewing and Using Audio-Visual Training Materials developed by the committee (see Attachment) provides a standard for screening audio-visual training materials. Use of these guidelines by training presenters and instructors would assist considerably in preventing inappropriate audio-visual training materials from reaching the classroom. The committee feels that use of the guidelines should not be limited to only a few issues, as all training carries some degree of liability. However, in order to ensure the guidelines are used by presenters or instructors of POST-certified training, a regulation requiring previewing of the materials and use of the guidelines is needed. This would be an addition to Title II, Chapter 2, Section 1052 of the California Code of Regulations as found in the POST Administrative Manual on pages B-15 and B-16. Section 1052 and Sub-sections (a) through (f) deal specifically with "Requirements for Course Certification". It is proposed that Sub-section (g) be added to read as follows:

(g) The presenter of a POST-certified course shall review all audio-visual training materials prior to use in the classroom. The POST Guidelines for Reviewing Audio-Visual Training Materials shall be employed in any such review. The review of audio-visual training materials shall emphasize the avoidance of depicting situations, tactics, and procedures that could lead a trainee to take inappropriate action on the job. Accordingly, this review should carefully examine all depictions of law enforcement work to assure consistency with California law and accepted practices.

(1) When the subject matter addressed by the audio-visual training material involves any of the following:

use of force,
officer safety,
field tactics,
driver training,
or other subjects that might impact the safety of the public or the officers

the presenter shall include input from a law enforcement command officer, a law enforcement supervisor, a trainer, and a subject matter expert.

(2) For the purposes of this regulation, "audio-visual training materials" are defined as: audio tapes, videotapes, films, slides, and other similar media. They do not include classroom hand-out material.

Together the addition to the regulations and the guidelines would greatly assist presenters of POST-certified courses in avoiding inappropriate audio-visual training materials. It is quite conceivable that the guidelines would receive wide use by agencies

presenting non-certified, in-service training as well. Additionally, the guidelines may serve to assist both public and private producers of law enforcement training aids.

If the Commission concurs that the proposed guidelines and regulation additions have merit and would be beneficial to law enforcement training, the next step would be to schedule a public hearing. The public hearing could be scheduled for the October 15 meeting to receive input from certified presenters on the proposed guidelines document.

RECOMMENDATION

Approve a public hearing for the October 15 meeting to consider adoption of the proposed regulation.

**GUIDELINES FOR REVIEWING
AUDIO-VISUAL TRAINING MATERIALS**

GUIDELINES FOR REVIEWING
AUDIO-VISUAL TRAINING MATERIALS

In the past inappropriate or inaccurate audio-visual training materials have been used in law enforcement training. The use of these materials have resulted in civil litigation, poor tactical decisions, and on occasion have been patently offensive to students based on negative stereotyping. The purpose of these guidelines is to give direction and assistance to the various presenters and instructors.

GUIDELINE I

AUDIO-VISUAL TRAINING MATERIALS SHOULD GUIDE THE STUDENT TO RESPOND APPROPRIATELY TO SIMILAR SITUATIONS ON THE JOB.

1. Audio-visual training materials should eliminate controversy and confusion to ensure that students do not under or over-react to similar situations on the job. To this end the instructor should:
 - a. identify, clarify, and discuss any controversial part within the training material and any appropriate civil liability issues.
2. The information in audio-visual training material should not conflict with POST Safety Guidelines.

GUIDELINE II

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE COMPATIBLE WITH EXISTING LAW, LAW ENFORCEMENT ETHICS, PROFESSIONAL TRAINING PHILOSOPHIES, AND/OR INDIVIDUAL AGENCY POLICIES AND PROCEDURES.

GUIDELINE III

THE PRESENTER SHOULD PREVIEW THE AUDIO-VISUAL TRAINING MATERIAL PRIOR TO ANY PRESENTATION TO ENSURE COMPLIANCE WITH COPYRIGHT LAWS AND ANY POST REGULATION OR LOCAL POLICY REQUIRING REVIEW PRIOR TO USING THE MATERIAL.

GUIDELINE IV.

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE FREE OF BIAS OR STEREOTYPING ON THE BASIS OF RACE, GENDER, NATIONAL ORIGIN, RELIGIOUS BELIEF, POLITICAL AFFILIATION, DISABILITY, OR SEXUAL ORIENTATION.

1. It may be necessary to depict stereotypes in order to add realism, such as in courses dealing with:
 - a. sexual harassment,
 - b. hate crimes,
 - c. gangs, or
 - d. other "group specific" training.

GUIDELINE V

AUDIO-VISUAL TRAINING MATERIAL SHOULD BE FREE OF OFFENSIVE LANGUAGE OR INAPPROPRIATE HUMOR.

1. Offensive language may be necessary to illustrate a point or create a realistic training experience.
2. Humor that is demeaning to any group or individual should be avoided.

GUIDELINE VI

AUDIO-VISUAL TRAINING MATERIALS SHOULD BE RELEVANT TO THE SUBJECT MATTER BEING TAUGHT.

1. Instructors should only use audio-visual training materials related to the subject matter. Audio-visual training materials involving other issues may be interesting, but can tend to dilute the intended training and use up valuable class time.

Note: The use of brief audio-visuals unrelated to the subject matter which provide a needed break in instruction may be use if they meet the criteria within these guidelines.

2. Instructors should be familiar with the audio-visual training material prior to classroom use.

GUIDELINE VII

THE CONTENT OF AUDIO-VISUAL TRAINING MATERIAL SHOULD BE AT THE APPROPRIATE LEVEL FOR THE INTENDED AUDIENCE.

1. Presenter and instructor consideration should include, but not be limited to the intended audience being:
 - a. entry level personnel
 - b. advanced personnel
 - c. sworn personnel
 - d. non-sworn personnel
2. Presenters and instructors need to consider their audience when using audio-visual training materials that contain confidential or sensitive information.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

TRAINING MATERIAL REVIEW ADVISORY COMMITTEE

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Sergeant Roy Levario
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Lieutenant Jim Cooper
South San Francisco Police
Department

Sergeant Steve Foulds
California Highway Patrol
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The participants strongly felt that the standards/guidelines should come from POST. They also suggested that POST facilitate a smaller committee to develop a one day evaluators course to train K-9 team evaluators.

The participants were divided into small workshops and developed rough draft standards/guidelines for K-9 teams.

After that meeting POST mailed out first draft copies to all seminar participants and others that had expressed an interest. There was excellent feedback from the first draft and most respondents suggested only minor changes. Based upon all inputs received, POST staff completed the final draft dated 4-15-92, (attached).

The participants believed that the evaluation guidelines should be used by agencies to evaluate performance of new teams (officer and dog) before the teams are assigned to field work, and at least once annually. Doing so would provide assurance that minimum performance requirements are met. It was believed that the person(s) conducting the evaluation should be experienced (2 yrs. minimum) as a canine handler or trainer, and have been trained in an evaluators course.

There was also a consensus that departments employing this evaluation strategy be made eligible to apply for POST recognition as meeting minimum standards for canine programs. Such a process would entail POST establishing forms and procedures including records keeping.

ANALYSIS

There is a strong feeling from California K-9 Officers Associations and others that standardized guidelines are needed to reduce liability and to professionalize K-9 programs. They also believe that these guidelines should come from POST.

At the present time there are over 200 law enforcement agencies in California that have K-9 programs.

If POST is going to offer these guidelines to law enforcement agencies, then the majority of the work has already been completed. POST would still need to develop a one-day K-9 team evaluator's course to train evaluators.

The guidelines address very fundamental criteria for performances. They do not address operational policies. There appears to be wide spread interest in and support for the guidelines. The following benefits may be expected from agency use of the guidelines:

- o Improved performance - fewer inadequately prepared teams would be assigned to daily operations.
- o Enhanced law enforcement professionalism.
- o Reduce liability exposure.

At this point, a sufficiently compelling need does not appear to exist for a POST program involving certification and records keeping for local agency canine programs. Should needs grow, a more formal approach could be considered in the future. At this time, it is proposed that Commission action be limited to considering approval of the guidelines for distribution.

RECOMMENDATION:

Approve publication and distribution of the K-9 team guidelines for agencies wishing to use them on a voluntary basis.

**K-9 TEAM GUIDELINES DEVELOPMENT WORKSHOP
FEBRUARY 1 & 2, 1992
ORANGE COUNTY**

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K-9 TEAM GUIDELINES

DRAFT 4/15/92

OBEDIENCE:

The handler shall demonstrate the ability to control the canine during an obedience performance test. Testing will be conducted using reasonable job related distractions.

1. The Canine will perform a basic routine of left, right, and about turns, both slow and quick pace, and on and off leash.
2. The handler shall "down" the canine in motion and then recall the dog to a heel position from a distance.
3. The handler shall "down" the canine from a distance and then recall the dog to a heel position.

SEARCH:

Under the direction and reasonable control of the handler, the canine will locate a hidden person in a structure or building, and in an outdoor area within a reasonable period of time. The dog will "alert" the handler after finding the person. The "alert" will be a recognized signal from the dog to the handler which indicates the presence of a hidden person. The handler will notify the evaluator of the recognizable signal prior to testing.

1. In a structure or building of at least 2,500 sq. ft., with multiple rooms and hiding places, the dog will locate a hidden person and "alert" the handler.
2. In an outdoor area, at least one acre in size with multiple hiding locations, the dog will locate a hidden person and "alert" the handler.

APPREHENSION:

Under the direction of the handler and while off leash, the canine will pursue and apprehend a person acting as a suspect.

1. On command from the handler the canine will pursue and apprehend the suspect.
2. From a reasonable distance and on verbal command only, the canine will cease the apprehension.

3. The K-9 team shall demonstrate a pursuit and call off prior to apprehension.

HANDLER PROTECTION:

The canine will demonstrate the ability to defend the handler during a physical attack.

1. During a testing scenario simulating an attack on the handler, the canine will defend the handler against the physical attack.
2. On verbal command from the handler, the canine will cease physical contact with the attacking person.

K-9 HANDLER SELECTION:

The following guidelines are recommended for consideration in the selection of a K-9 handler.

1. Strong character traits such as:
 - Maturity
 - Patience
 - Initiative
 - Flexibility
 - Dependability
 - Enthusiasm
 - Emotional stability
 - Communication skills (verbal and written)
2. Good physical health
3. Should be comfortable and have an understanding of dogs
4. Good interpersonal relationships with the public, other employees and animals
5. Home life should be compatible with canine
6. Possess a POST Basic Certificate

EVALUATION:

The K-9 Team shall be evaluated by a POST approved K-9 Team Evaluator prior to general law enforcement deployment and at least once annually. If the K-9 Team fails testing, the retest shall not be retaken on the same day.

1. The K-9 Team Evaluator should have a minimum of two years experience as a Law Enforcement K-9 Handler or Law Enforcement K-9 Trainer; and,
2. Must attend a one day POST Certified K-9 Team Evaluators course.
3. In order to avoid any perceived conflict of interest between the Evaluator and the K-9 Team, the evaluator:
 - A. Cannot have a monetary interest in training of the K-9 Team being evaluated.
 - B. Cannot be the dog's handler.
 - C. Cannot be the trainer for the dog or the handler.

NARCOTICS DETECTION K-9 TEAM GUIDELINES

SEARCH:

While demonstrating reasonable control and coordination between the handler and Canine used in narcotics detection, the canine must find a minimum of three different types of narcotics (Heroin, Cocaine, and Marijuana) within a reasonable period of time in three different types of locations.

The Quantity and quality of narcotics used in testing shall be obtained from or certified by a certified lab.

1. Building search
2. Vehicle search
3. Outside area search

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Study of the Basic Course and Recommendation for Initial Actions		Meeting Date July 16, 1992
Bureau Training Program Serv.	Reviewed By O. Saltenberger	Researched By Rick Baratta
Executive Director Approval <i>Mouvan C. Boehm</i>	Date of Approval 7-1-92	Date of Report June 30, 1992
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 express conceptual agreement with the proposed restructuring of the basic training/field training, and direct staff to develop a time frame for implementation?

BACKGROUND

A comprehensive review of the basic course was initiated in 1989 with a view towards evaluating all aspects, including length, content and instructional methods. Due to staffing constraints and competing priorities, limited progress was made until September 1991 when full time staff arrangements were made. At that time the Commission was also involved in a more general review of training issues being examined in a major symposium. The renewed basic course study therefore was expanded to also take into special consideration Symposium recommendations.

The Basic Course study has resulted in proposals for:

- o a patrol officer job task analysis
- o developing a universal training core module,
- o adding a ride-along component to the academy,
- o adding a community based cultural relations experience,
- o dividing curriculum between the academy and department Field Training Program,
- o re-sequencing of instruction,
- o expansion of some existing curriculum,
- o addition of new curriculum,
- o shift of some curricula to outside reading,
- o conversion of instructor unit guides to student workbooks
- o expansion of PC 832 curriculum,
- o integrating and sequencing reserve officer training.

Proposed changes are described in a report titled Basic Training Review which is provided under separate cover. An executive summary of the report is enclosed. The approach described in the report calls for an emphasis on basic training which commences

with an academy and concludes approximately three years later with the attainment of "journeyman status."

ANALYSIS

Major aspects of the proposed basic training system are described as:

- o pre-academy study (certain existing curriculum: History of Law Enforcement, Criminal Justice Systems, etc., is removed from the academy curricula and converted into handouts for reading or reviewing before a recruit begins the basic course),
- o initial academy instruction focusses on fundamental skills and knowledge and the role of the backup officer (cover officer or second officer in a patrol vehicle),
- o a break in academy instruction to provide for direct exposure to work including community cultural relations experience, through ride-along or field training during the academy,
- o assumption by law enforcement agencies of a formal responsibility for basic course training in the final phase of field training,
- o preparation of the field training officer (FTO) to assume the role of basic course trainer due to the shift of performance objectives from the basic academy to the field training program,
- o revision, standardization, and mandating of the FTO training to accommodate need to train FTOs to assume an expanded role in basic training,
- o shifting final responsibility from academies to law enforcement agencies to attest to completion by recruits of basic course requirements,
- o altering the concept of basic training to include the post probationary work period up to three years after employment, and the consideration of in-service training during this time as part of the basic training,

Implementation of the proposed system will require additional focus on certain skills and knowledge which are designed to instill confidence in the officer; and other subjects that address the organizational dynamics that influence the professional development of the officer and the contemporary role of a patrol officer in today's society. This training includes Cultural Awareness, Use of Force/Intervention, Verbal skills, Crises intervention, Mediation, Problem solving/analytical

skills/decision making, Role of the Peace Officer, Management of fear/paranoia, and influences of the law enforcement sub-culture of patrol officers. Suggestions are also made to improve the POST reading and writing entry test as well as defensive skills and weapons training, and the adoption of a mentor system to assist trainees and recruits.

The bringing about of these changes will require the acceptance, cooperation, and support from all academy directors and law enforcement agencies. Academy directors and department heads will need to accept new and different responsibilities. Department heads will have to see themselves as having a direct role in and responsibility for basic training. A significant shift in responsibility would be imposed on the field training officer, whose role would be greatly expanded.

Complete conversion to the basic training concept envisioned should be expected to require several years to bring to full implementation. This amount of time is suggested because of the need for:

- o conducting a patrol officer's job task analysis,
- o developing and sequencing basic course curriculum,
- o studying FTO selection criteria and developing new curriculum for FTO courses,
- o reviewing and revising basic course publications, performance objectives publications, scenario publications, reserve officer training publications, and other POST documents affected by the change in the basic course must be reviewed and revised,
- o reviewing and converting unit guides to study guides,
- o preparing videos/instructional technology to meet the requirements of certain performance objectives,
- o developing tests to support new and revised curriculum,
- o preparing guidelines for selection and training of FTOs system which must be in place in each department to accommodate recruits,
- o consideration of potential approaches for:
 - small departments unable to meet requirements for FTO basic training programs,
 - sheriff's departments where jail assignments may be interjected between completion of the basic academy and the commencement of field training,

- unaffiliated students,
- specialized peace officers using the Basic Course

A thorough analysis of the financial impact of the proposed system remains to be completed. Certainly there will be offsetting factors as increased cost in some areas and lower cost in others. Also weighing in is the expected improvements in training effectiveness. Conversion costs will likely be significant. Costs of upgrading FTO programs will be higher. However, overall operating costs will be similar to those experienced today if academy time and attrition can be reduced. Other increases may occur as a result of:

- o training of academy trainers,
- o administrative costs in the academies and departments for transition into the system,
- o increased in-service training activities for the first three years of employment.

On the positive side, reductions of costs are expected associated with:

- o more effectiveness and efficiency in the training system,
- o fewer washouts during the FTO program,
- o less redundant training,
- o increased retention during training,
- o a more effective patrol officer with fewer citizen complaints, and fewer incidents of excessive force and disciplinary problems.

Overall, assuming full statewide conversion into the proposed system, it is reasonable to expect that law enforcement training will be enhanced and a better peace officer developed. There will be increased costs for training peace officers on one side while priorities are shifted, but there is an expectation that this will be more than balanced by a more effective law enforcement officer and a more efficient law enforcement system.

Should the Commission agree that implementation of the proposed model should be pursued, there are certain initial steps that could be taken. Other steps need of course be delayed pending developmental work. An appropriate sequencing would appear to be:

- o conduct consensus-building meetings,
- o establish an FTO consortium,

- o work with academies on sequencing and time tables,
- o seek academies and agencies that will conduct pilot programs,
- o develop a patrol job task analysis,
- o restructure the FTO program,
- o develop curriculum for the basic FTO training course,
- o work with agencies and presenters to train FTOs,
- o develop new basic course subjects and POs,
- o develop pre-academy readings,
- o convert unit guides to work books,
- o develop videos for those POs amenable to this treatment.

Some of these tasks may be performed concurrently with other tasks, while some must follow a staging sequence.

RECOMMENDATIONS

A series of recommendations for specific actions are included with the enclosed Executive Summary. The recommendation here is that the Commission approve the overall concept of the proposed basic training system. If the Commission concurs, implementation planning will begin and reports brought back for Commission approval of specific changes as they are developed.

1. Authorize conducting a patrol officer job task analysis.
2. Research those areas of the proposed model that must be developed further for integration into the basic course, and reevaluate the basic course curriculum in the context of the following:
 - a. Report writing assessment device
 - b. Role of the second officer
 - c. Pre-academy readings and videos
 - d. Unit guides to study guides and videos
 - e. Management of fear
 - f. Patrol Subculture
 - g. Role of the peace officer
 - h. Verbal Skills
 - i. Cultural awareness
 - j. Dynamics of excessive force/intervention
 - k. Confidence and control techniques
3. Evaluate and restructure the basic course based upon job task analysis (including the above subjects), and determine:
 - a. POs most amenable for development into text, videos, and other instructional technology for pre-academy learning

- b. POs best learned in the academy setting, and those best learned in the field training
 - c. Phase 1 subjects amenable to scenarios, role playing, and simulations. Integrate them into the curriculum.
 - d. Intensity and frequency of compliance-control techniques and weapons training needed to achieve a practical level of effectiveness
4. Approve an initial bifurcated basic course which permits the basic course to be taught totally in the academy setting as is now the case, but encourages agency academies to teach and test designated basic course performance objectives in the FTO setting.
5. Develop curricula for the supervisory course which will include a review of the elements of Phase 1, and curricula on supervising the probationary officer.
6. Research further the feasibility of expansion of 832 PC training (Includes Reserve Module A) to include all of Phase 1.
7. Restructure Reserve Module B training to include Phase 1 and Phase 2.
8. Restructure the FTO program
- a. Establish an FTO Consortium
 - b. Determine basic course performance objectives best learned in the FTO program
 - c. Restructure the Field Training Officer Course to include training for those subjects that will be taught by the FTO and familiarization of Phase 1 curricula
 - d. Certify FTOs
 - e. Recommend placing FTOs on academy advisory boards
9. Plan for a future date certain, when all agencies will be required to adopt the proposed basic training system which will entail:
- o restructuring the academy with content organized into modules as described in this report,
 - o integration of the academy and the FTO program with some current basic course PO's taught and tested in the FTO program,

- o restructuring the FTO program with Post specified content and standardized FTO training courses that prepare the FTOs to teach and test required POs,
 - o all law enforcement agencies having an FTO program as prescribed, or making arrangements for their officers to receive FTO training in other qualified departments.
10. Develop a certificate of completion of the academy (as distinguished from the full basic course process)..
 11. Develop a trainee's evaluation device to provide a critique of the academy and the FTO training.
 12. Develop a three year program of continued professional development (AO) which provides continual reinforcement in the skills and knowledge in Phase 1. Provide financial assistance to departments, so that the course may be repeated every six months.
 13. Develop the mentor concept further, and encourage departments to adopt the concept.

BASIC TRAINING REVIEW

Executive Summary

BACKGROUND

In April of 1989 the Commission approved a recommendation of the Long Range Planning Committee to examine all aspects of the existing Basic Course delivery system with a view to improving its efficiency and effectiveness. This recommendation was initiated because of the growth of the course and its resulting reimbursement costs, increasing frequency of legislative training mandates, and new instructional technology being developed. The scope of the study was to be as broad as possible so as to enhance the potential for the development of new ideas, as well as a reevaluation of the present system. Constraints of staffing and other priorities resulted in only limited progress, until the project was renewed in September of 1991. At that time it was decided to also consider the recent recommendations of the San Diego Symposium on Training Issues (September 1991) within this framework.

To obtain current opinions of basic training from practitioners, two day workshops were held with recent graduates from basic academies, and additional workshops were conducted with field training officers, labor leaders, trainers, mid-managers and executives. The findings suggested that the study consider a basic training system, as opposed to a narrow focus on just the basic course. At this point it should be acknowledged that many issues were raised that will require extensive research before implementation should be considered.

A conceptual system was therefore developed which addresses the opinions and concerns expressed by practitioners during the workshops as well as the suggestions from the San Diego Symposium on Training Issues. The system addresses basic training from the selection process through journeyman competency, and considers the role of the academy, the FTO program, and the department as parts forming a cohesive whole in this training process. The most significant change from the present basic course is the division of the current basic training course between the academy and field training, and need to conduct an up-dated patrol officer's job task analysis.¹

¹In keeping with the original purpose of the study to make it more effective or efficient, it is recommended that the learning occur in the setting most effective for the acquisition of skills and knowledge, and the performance objectives in the POST Basic Course determined that an up-to-date patrol officer's job task analysis was needed to evaluate the relevancy of the performance objectives in the Basic Course.

The system represents one conception of an ideal model. It is recognized that if the model were approved, it should become a goal for long term implementation as further analysis and resources permit. The system was presented to POST staff, various academy directors, the Commission's Long Range Planning Committee, the Commission's Training Review Committee, a group of FTOs, and a group of chiefs and sheriffs. Problems with immediate implementation of the model were identified as revolving about the unaffiliated students attending the basic academies and the integration of the Field Training Program into the POST Basic Course. These issues are addressed in the report. The input received was favorable, if not modestly enthusiastic.

DESCRIPTION OF PROPOSED SYSTEM

The law enforcement basic training system proposed is divided into separate modules titled "phases," from Phase 1 through Phase 9. An illustration is found on the next page.

Pre-Academy Preparation

Some of the performance objectives in the basic course may be designated as material which provides important professional knowledge, but lack immediate job relatedness. These performance objectives can be converted into texts or videos and provided to the trainee just prior to the start of the academy. The material can be discussed at the commencement of the academy.

Phase 1 - Core Module

The first phase (Phase 1) of the academy training shall be designed as a core module for law enforcement officers. The goal of this phase shall be to develop in the trainee the knowledge and skills that instill confidence, and are required of every peace officer regardless of classification or specialization. These knowledge and skills should prepare the officer to interact with the community, and build the confidence to secure compliance in a professional, ethical, and legal manner, with a minimum of force.

This training will include: ethics, cultural awareness, use of force/intervention, verbal skills, crises intervention, mediation, problem solving/analytical skills/decision making, role of the peace officer, management of fear/paranoia, sub-culture of patrol officers, control holds/weaponless defense, use of weapons, and report writing.

In addition to the above, the POST P.C. 832 course will be placed within phase 1 of the basic course. This is desirable for employed students since it allows for the trainee, if desired by the department, to exercise peace officer powers during the field operations portion of the academy (Phase 3).

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BASIC TRAINING CONCEPT

<p>Phase Nine-Journeyman Level Experience Continued Professional Training (AOT) in Phase 1 knowledge and skills every six months</p>	<p>This period of training is from the passage of probation to 3 years of employment</p>		<p>3 Years</p>
<p>Phase Eight-Training Evaluation (by trainee) Phase Seven-Final Probationary Evaluation Phase Six-Probationary Ride-alone</p>	<p>Phases eight and seven occur at the end of the probationary period</p>		
<p>Phase Five-FTO Program Performance objectives from the FTO program and the POST Basic Course</p>	<p>Phase five will consist of field training and portions of the current basic course which are best learned in the field</p>	<p>16 Weeks</p>	
<p>Phase Four-Training Academy Performance objectives POST Basic Course</p>	<p>Phase four is the finalization of POST Basic Course which is taught in the academy setting</p>	<p>6 Weeks</p>	<p>17 Weeks</p>
<p>Phase Three-Field Operations Ride-along patrol familiarization, and/or FTO train for agency academies. Cultural experience in the community.</p>	<p>Phase three will include ride-along for patrol familiarization and/or training in specific POs for agency academies It will also include a week of cultural experience in the community</p>	<p>3 Weeks</p>	<p>11 Weeks</p>
<p>Phase Two-Patrol Preparation Back-up officer/Second officer's role Reserve Module B</p>	<p>Phase two will prepare the trainee to ride as a second/back-up officer and will include prisoner security, and transportation, officer safety, and related topics</p>	<p>2 Weeks</p>	<p>8 Weeks</p>
<p>Phase One-Core Module 832 PC Reserve Module A</p>	<p>Phase one may be a core module which also includes 832 PC, Reserve Module A; and, cultural awareness, use of force, verbal skills, crises intervention, decision making, problem solving, mediation, control holds, weaponless defense, and the use of weapons</p>	<p>6 Weeks</p>	<p>6 Weeks</p>
<p>Pre-Academy</p>	<p>The Pre-academy activities include various readings and videos currently included in the basic POs</p>		

Note: Time frames are approximate only, and will depend upon curriculum and probation period.

It is suggested that the curricula in Phase 1 is the minimum basic knowledge all peace officers must acquire and be able to use proficiently. Therefore the P.C. 832 course which is currently a requirement for all peace officers should be expanded to include all the curriculum in Phase 1. This will also include Reserve Module A, which is presently P.C. 832 training.

Phase 2 - Role of the Second Officer (Cover Officer)

This phase of the academy training shall be devoted to those POs which will prepare a trainee to operate as the second officer in a two officer patrol unit during the initial field training portion of the basic training. Another consideration will be the re-evaluation of Module B of the Reserve Police Officers Course, which may be fit into this phase. Since Module B includes P.C. 832 training and other subjects designed to prepare a reserve officer to be a second officer in a patrol car, it may be feasible to redefine Reserve Module B as Phase 2 training. This will have the advantage of integrating reserve training (for Reserve Officer Level 2 and Reserve Officer Level 3) into the basic course in a practical and rational manner, thus eliminating redundant training for those reserves desiring to become regular officers.

Phase 3 - Field Operations

In this phase of the training it is suggested that trainees participate in a ride along program so as to familiarize themselves with actual conditions of the job. Trainees in agency academies with only affiliated (employed) students may return to their agency for structured field training in patrol.² The purpose of this phase is to familiarize the trainee with the actual conditions of the job, thus providing practical experience which will allow the trainee to better relate the academic training to actual performance.

It is anticipated that all trainees will also be scheduled for a week of community involvement, working with agencies that address the needs of minorities, indigents, and others that the trainee will come in contact with as a peace officer in the community.

Phase 4 - Training Academy

This portion of the training will be a continuation of the academy portion of the POST Basic Course curriculum. As previously noted the POST Basic Course will be taught in both an academy setting and a field training program. At this point part

²Structure field training means the trainee will be under the supervision of a field training officer, learning specific performance objectives from the Basic Course.

of the remaining basic course curriculum deemed most suitable for academic or academy setting will be taught. The remaining curriculum deemed most suitable for learning in the "real life" environment will be deferred to the FTO program (Phase 5).

Phase 5 - FTO Program

This portion of the basic training will be the field training, and the trainee must be under immediate control of a certified field training officer. The performance objectives required by POST for the basic course and determined to be best suited for learning in the field training will be taught and tested in this phase.

Phase 6 - Probationary Ride-Along

The trainee has passed the FTO portion of the course and should now be assigned to regular patrol duties riding alone. This is a time when the trainee will be most vulnerable to mistakes in judgment since they will be working unobserved for the first time since entering the department, and it is essential that they be carefully guided by their supervisor.

Phase 7 - Final Probationary Evaluation

The administration of the department should determine if the trainee has successfully completed the probationary period, and will continue employment as an apprentice patrol officer.

Phase 8 - Training Evaluation

Following the passage of the probationary period the trainee should have the opportunity to evaluate the training received at the academy and department, and offer suggestions for improvement. This feedback is currently missing in the training system and should enhance training quality control.

Phase 9 - Journeyman Level Experience

This phase includes the time from the passage of the FTO program to three years after employment.

The officer should continue professional training in a structured professional development course which includes consistent reinforcement of the skills and knowledge from Phase 1 of the training. This course should be repeated every six months as a minimum, and POST should mandate and provide additional financial assistance to agencies in the POST reimbursement program.

CURRICULUM/INSTRUCTIONAL ISSUES

A variety of basic course instructional and curriculum changes are recommended including:

- o conversion of some performance objectives to pre-academy readings
- o conversion of other curriculum to outside study (readings and videos)
- o conversion of the existing instructor unit guides to student workbooks

In addition, there will be a review of all curriculum to assure an appropriate match of instructional methods and curriculum.

Recommendations

1. Conduct a patrol officer job task analysis.³
2. Research those areas of the proposed model that must be developed further for integration into the basic course and reevaluate the basic course curriculum in the context of the following activities:
 - a. Prepare a report writing assessment device,
 - b. Develop curriculum for the role of the second officer,
 - c. Develop pre-academy readings and videos,
 - d. Convert some unit guides to study guides and videos,
 - e. Research and develop curriculum for the management of fear,
 - f. Research and develop curriculum for patrol sub-culture,
 - g. Re-evaluate the role of the peace officer,
 - h. Integrate verbal skills into curriculum,

³A patrol officer job task analysis was conducted last in 1978. Input received suggests that the POST Basic Course should be evaluated on the basis of more contemporary research.

- i. Integrate cultural awareness training into curriculum,
 - j. Integrate dynamics of excessive force/intervention into curriculum,
 - k. Research and develop curriculum in confidence and control techniques,
3. Evaluate and restructure the basic course based upon job task analysis (including the above subjects), and determine:
 - a. POs most amenable for development into text and videos for pre-academy learning,
 - b. POs best learned in the academy setting, and those best learned in the field training,
 - c. Phase 1 subjects amenable to scenarios, role playing, and simulations. Integrate them into the curriculum,
 - d. Intensity and frequency of compliance-control techniques and weapons training needed to achieve a practical level of effectiveness.
 4. Develop curricula for the supervisory course which will include a review of the elements of Phase 1, and curricula on supervising the probationary officer.
 5. Consider the expansion of 832 PC training (includes Reserve Module A) to include all of Phase 1.
 6. Restructure Reserve Module B training to include Phase 1 and Phase 2.
 7. Develop an academy certificate of completion.
 8. Develop a trainee's evaluation device to provide a critique of the academy and the FTO training.
 9. Restructure the FTO program
 - a. Establish an FTO Consortium
 - b. Determine basic course performance objectives best learned in the FTO program

- c. Restructure the Field Training Officer Course to include training for those subjects that will be taught by the FTO and familiarization of Phase 1 curricula
 - d. Certify FTOs
 - e. Place FTOs on academy advisory boards
10. Approve an initial bifurcated basic course which permits the basic course to be taught totally in the academy setting as is now the case, but encourages agency academies to teach and test defined basic course performance objectives in the FTO setting.
11. Plan for a future date certain, when all agencies will be required to adopt the proposed basic training system which will:
- a. restructure the academy with content organized into modules as described in this report,
 - b. integrate the academy and the FTO program with some current basic course PO's taught and tested in the FTO program,
 - c. restructure the FTO program with Post-specified content and standardized FTO training courses that prepare the FTOs to teach and test required POs,
 - d. require that all law enforcement agencies have an approved FTO program as prescribed, or make arrangements for their officers to receive FTO training in other departments.
12. Develop a three-year program of continued professional development (AO) which provides continual reinforcement in the skills and knowledge in Phase 1. Provide financial assistance to departments, so that the course may be repeated every six months.
13. Develop the mentor concept further, and encourage departments to adopt the concept.⁴
14. Research and develop appropriate writing sample tests, and at some future date mandate the cut scores on both

⁴See Appendix I of the report for further discussion on the concept of a mentor.

the Test Battery and on the writing sample test developed.

15. Research and develop a policy that will permit a trainee/graduate of the academy portion of the Basic Course to successfully complete the field training as a reserve peace officer.

BASIC TRAINING REVIEW

Background of study

In April of 1989 the Commission approved a recommendation of the Long Range Planning Committee to examine all aspects of the existing Basic Course delivery system with a view to improving its efficiency and effectiveness. This recommendation was initiated because of the growth of the course and its resulting reimbursement costs, increasing frequency of legislative training mandates, and new instructional technology being developed. The scope of the study was to be as broad as possible so as to enhance the potential for the development of new ideas, as well as a reevaluation of the present system. Staffing constraints and other priorities resulted in only limited progress, until the project was renewed in September of 1991. At that time it was decided to also consider the recent recommendations of the Symposium on Training Issues (Sept. 1991) within this framework. The study also considered other organizational dynamics that influenced the professional development of the officer, and the contemporary role of a patrol officer in today's society.

To obtain current opinions of basic training from practitioners, workshops were held with recent basic academy graduates. Additional workshops were conducted with field training officers, labor leaders, trainers, mid-managers and executives.¹ The findings from these workshops suggested that the study consider developing a basic training system, as opposed to limiting focus on just the basic course. The goal of this system would be to transform the **citizen into an effective patrol officer.**²

A conceptual system was therefore developed which addresses the opinions and concerns expressed by practitioners during the workshops as well as the suggestions from the Symposium on Training Issues. The system addresses basic training from the selection process through journeyman competency, and considers the academy, the FTO program, and the department as integral parts forming a cohesive whole in this training process. The most significant change from the present basic course is the division

¹ The comments and recommendations from these bodies will be found in appendix A.

² The early professional development of an officer is influenced not only by training, but by the organization itself, the citizens the officer deals with, and most especially the officer's peers.

of the current basic training course between the academy and field training, as well as a need to conduct an up-dated patrol officers job task analysis.¹

The system represents one conception of an ideal model. It is recognized that if the model were approved, it should become a goal for long term implementation as further analysis and resources permit. The system was presented to POST staff, various academy directors, the Commissions's Long Range Planning Committee, the Commission's Training Review Committee, a group of FTOs, and a group of chiefs and sheriffs. The input received was favorable, if not modestly enthusiastic, regarding the concepts. However problems with immediate implementation of the model were identified as revolving about the unaffiliated students attending the basic academies and the integration of the Field Training Program into the POST Basic Course. Concerns were also raised regarding the utility of the field training integration for deputy sheriffs who will be assigned to the jail. Potential increase in costs was also identified as an issue. It should also be acknowledged that many issues were raised that will require extensive research prior to implementation considerations.

Description of Proposed System

The law enforcement basic training system proposed is divided into separate modules titled "phases," from Phase 1 through Phase 9. A graphic description is found on the next 2 pages.

Pre-academy Preparation

Some of the performance objectives (POs) in the basic course are viewed as material which provides important professional knowledge, but lack immediate job relatedness. These performance objectives can be readily converted into texts or videos and provided to the trainee just prior to the start of the academy. The material can be discussed at the commencement of the academy, but due to the nature of the subject matter it is suggested that the students not be

¹ In keeping with the original purpose of the study to make it more *effective* or *efficient* it is recommended that the learning occur in the setting most effective for the acquisition of skills and knowledge, and the performance objectives in the POST Basic Course be taught both in the academy and in a field training program, where ever deemed most effective.

tested.¹

Examples of these performance objectives are Introduction to law enforcement, Career orientation and Criminal Justice Systems.

The law enforcement applicant is usually eager to learn as much as possible about the job and his/her new career. It is not impractical nor unreasonable to expect them to review this material prior to the academy. There would be cost savings in this suggestions by converting some of the current training to pre-academy readings.

The development of such material is in keeping with another suggestion from this report which recommends that POST convert unit guides to study guides and videos, and would be the first step in implementation.

POST staff should develop all those POs amenable to this treatment.

Phase 1-Core Module

The first phase of the academy training shall be designed as the core module for law enforcement officers.² The goal of this phase is to develop in the trainee the knowledge and skills that instill confidence required of every peace officer regardless of classification or specialization. These knowledge and skills should prepare the officer to interact with the community, and build the confidence to secure compliance in a professional, ethical, and legal manner, with a minimum use of force.

Training in the core module will include:

- Cultural Awareness
- Use of force/Intervention
- Verbal skills
- Crises intervention
- Mediation
- Problem solving/analytical skills/decision making

¹ The performance objectives referred to have no immediate utilitarian value for a trainee in a basic academy. Those trainees that are interested in the material will remember it. Those trainees that are not interested in the material will forget it, with or without a test.

² See Appendix C for discussion of the "Universal Core Module."

Role of the Peace Officer
Management of fear/paranoia
Ethics/Sub-culture of patrol officers
Control holds/weaponless defense
Use of weapons
Report writing

In some fashion, all of these topics may now be taught in the academies. But more extensive curricula needs to be developed in many areas. The following discussion considers each topic.

Cultural Awareness, Use of Force, Verbal Skills

These subjects are under development by POST staff. The study of Cultural awareness, and the Use of Force study are currently in progress, and must include revised curricula for the basic course. Verbal skills (tactical communication) is currently being developed into a series of video tapes for role call training, a course is scheduled for "train the trainers" presentation, and the subject matter will be integrated into the basic system curriculum.

Crises Intervention, Mediation, and Problem Solving

Crises intervention, Mediation, and Problem Solving performance objectives are already in the course, and may easily be integrated into this phase of the basic training.

Role of the Peace Officer

As stated above, the goal of this basic training system is to change the citizen into an effective patrol officer. The role of the peace officer is commonly thought of by citizens and new officers as that of a "crook catcher:" placing strong emphasis on the enforcement activities. However, this perception must be corrected to reflect the actual role of the peace officer: that of a peace keeper and service provider. It is anticipated that the knowledge and skills the patrol officer needs within this definition are those that enhance the ability to deal with people and solve the myriad problems the patrol officer is called upon to resolve. Thus we turn to human relations, cultural relations, problem solving, analytical skills and verbal skills to assist the officer in this recognized role of keeper of the peace and general factotum to the community.¹

¹ See Appendix D for a discussion on the Role of the Patrol Officer.

Management of Fear and Paranoia

Unfortunately the citizens bring to the job the emotions, feelings, bias and fears accumulated by human beings as they progress through life. One of these mental encumbrances are the hidden fears for certain people, things, and situations. Fear, especially unreasonable fear, can result in emotional panic which result in unauthorized use of force. The basic training proposed in this system suggests that trainees be familiar with the dynamics surrounding fear and be trained in the management and control of fear, so as to enhance performance.¹

The Patrol Sub-culture

The recruit leaves the academy to enter the practical world of the patrol officer—the street cop.² Here, as tradition has it, the recruit is told to forget what was taught in the academy, and be prepared to learn things the way they really work. Nothing in the academy has prepared the recruit for the lore of the sub-culture, the demand for instant decisions with little practical guidance except that received from the officer's peers. The officer learns how to create instant informers by swapping little ones for big ones; may learn that one is owed a "free one" at the end of a pursuit; that a suspect who raises a hand is "bought and paid for;" and may learn that it is prudent to keep ones mouth shut regarding the activities of ones peers.³ This seldom discussed element of the job contributes significantly to the gradual development of the recruit's occupational personality and may

¹ See Appendix E for a discussion of Fear and Paranoia.

² Patrol officers prefer the cognomen of "street cop," because it appeals to their view of themselves—which speaks of an occupational personality—their thing, their sub-culture.

³ The above are indirect references to patrol situations: "little ones etc. . ." To ignore minor violations of an informer who provides information on greater criminal activities. "free one. . ." To subdue by force a fleeing suspect, even if the suspect is cooperative when finally apprehended. The "free one" refers to striking the suspect without the need for any further justification beyond the pursuit. "bought and paid for. . ." When a suspect attempts to strike an officer the officer needs no further justification in defending with force.

determine the character and behavior of the officer well into his or her career.¹

The management of fear, the patrol sub-culture and the role of the peace officer are areas that have not been addressed in the basic course, but which affect the behavior of peace officers, most especially the new recruit. Very little research has been done with these subjects by POST, and it will require additional study in order to develop appropriate lesson plans and performance objectives.

Control Holds, Weaponless Defense, and Weapons Training

Control holds, weaponless defense, and weapons training are means of securing compliance when subjects refuse to comply to verbal commands. Initial academy training in these areas generally provide a skills base upon which to build confidence. Unfortunately, with perhaps the exception of firearms, these skills are not reinforced after the recruit graduates from the academy. Only by constant training and practice will the trainee acquire the level of skill necessary to instill confidence and allow immediate reaction to threats and problems in securing compliance. The acquisition of these manual skills is predicated upon the belief that the department will require continual practice to maintain them. If the department does not address skills maintenance, teaching these skills in the academy may be ineffective and wasteful of resources. Unless officers practice on their own initiative control holds and defensive tactics skills will be forgotten.¹ In addition officers need training in moral, ethical, and legal aspects of using force, and assistance in developing the judgement necessary to use only the degree of force which will insure compliance. These aspects need to be reinforced whenever instruction is given on use of weapons and physical control techniques.

Report Writing

A universal complaint from academy instructors, FTO's, and supervisors has been that too many recruits lack sufficient writing skills to properly write police reports. Many FTO's report they have rejected trainees

¹ See Appendix F for a discussion of the patrol sub-culture.

¹ See Appendix G for further discussion of confidence, skills training and memory retention.

for poor report writing. Despite efforts to screen police applicants to ensure that they can read and write adequately, it appears that many who can do neither are being hired and admitted to academies.

One immediate solution would be to require each recruit in an academy to pass both a machine scorable test and a writing sample test. Those applicants that fail to meet required performance levels should be rejected, or if the agency considers it desirable, be remediated prior to beginning the academy curriculum. To elevate marginal individuals to an acceptable level of proficiency, however, requires sophisticated curriculum presented by individuals specifically trained in language remediation. Such pre-academy training could also prove useful for English as a second language students.

A long term solution would be for POST to mandate the cut scores on both its Test Battery and on the writing sample test. Efforts should also be made to get all of the junior college academies to accept the same standards as are applied to affiliated cadets.¹

Phase 1 Summary

The skills and knowledge first addressed in Phase 1 must be constantly reinforced during the rest of the basic training. Verbal skills, mediation, crisis intervention, problem solving, decision making, and cultural awareness are all amenable to role playing and scenarios. Manual skills are developed over a period of time and are reinforced by continual practice, hence the initial training and development early in the course. The management of fear, the patrol sub-culture, and the role of the peace officer should be researched further as mentioned above, so as to develop lesson plans and performance objectives.

In addition to the above, the POST 832 PC course will be placed within this phase of the basic course. This is desirable for employed students since it allows for the trainee, if desired by the department, to exercise peace officer powers during the field operations portion of the academy, (Phase 3).

¹ See Appendix K for further discussion of the reading writing test battery.

It is suggested that the curriculum listed in Phase 1 of this report is the minimum basic knowledge all peace officers must acquire and be able to use proficiently. Therefore the 832 PC course which is currently a requirement for all peace officers should be expanded to include all the curriculum in Phase 1. This will also include Reserve Module A, which is presently 832 PC training.¹

Phase 2-Role of the Second Officer (Cover Officer)

This phase of the academy training shall be devoted to those POs which will prepare a trainee to operate as the second officer in a two officer patrol unit during the initial field training portion of basic training. The term "cover officer" describes the second officer in a patrol unit, or the second (or cover) officer assisting at an incident. Such training has not been covered adequately in the current POST Basic Course, although many academies have added performance objectives describing the role of the primary or contact officer and the cover officer. New curriculum should be developed to consider the role of the cover officer in traffic stops, accident investigation, crimes in progress, prisoner control, prisoner and building searches, and other skills concerned with officer safety, and meant to insure that the second officer can function effectively as an assistant to the primary officer.

Since Reserve Officer Module B includes 832 training and other subjects designed to prepare a reserve officer to be a second officer in a patrol car, it may be feasible to redefine Reserve Module B as Phase 2 training. To do so will provide the advantage of integrating reserve training (for Reserve Officer Level 2 and Reserve Officer Level 3) into the basic course in a practical and rational manner, thus eliminating redundant training for those reserves desiring to become regular officers.

Phase 3-Field Operations

In this phase of the training the trainees are introduced to participation in a ride along program so as to familiarize themselves with actual conditions of the job. Trainees in agency academies with only affiliated (employed) students may return to their agency for structured field training in

¹ Further discussion of the relationship of 832 PC training, Reserve Module A training, and Phase 1 curriculum will be found in Appendix H.

patrol.¹ The purpose of this phase is to familiarize the trainee with the actual conditions of the job, thus providing practical experience which will allow the trainee to better relate the academic training to actual performance. It has been well established that learning, comprehension, and retention is a function of what is already known by the trainee, so that related material is better understood and retained.

If an agency academy with no unaffiliated students decides to use this time as structured field training, then the training may involve elements of the present FTO program found in the POST Field Training Guide, or selected POs from the Basic Course. These POs must be determined by subject matter experts, and should be directed towards better understanding of the material to be taught later in the academy.¹ It is understood that one cannot plan for the types of activities that an officer will be called on to perform, so the POs will be those most commonly occurring, and those which can be self initiated, i.e., traffic stops.

It is anticipated that all trainees will also be scheduled for a week of community involvement, working with agencies that address the problems and needs of minorities, indigents, and others that the trainee will eventually come in contact with as a peace officers. Many believe that cultural awareness and empathy is best acquired by working, associating, and interacting with people.²

Phase 4-Training Academy

This phase of the training will be the resumption of the academy portion of the POST Basic Course curriculum. As previously noted the POST Basic Course will be taught in both an academy setting and a field training program. At this

¹ Structure field training means the trainee will be under the supervision of a field training officer, learning specific performance objectives from the basic course.

¹ The proposed system calls for the basic course to be taught between an academy setting and a field training program. Phase 3 will consist of a break in the academy for three weeks, during which time the trainees will be allowed to ride-along, or if an agency academy, permitted to be placed in a structured field training program which anticipates the learning of specified performance objectives from the basic course.

² San Diego PD and San Bernardino SD have had successful programs of this nature, as have other departments in the country.

point part of the remaining basic course curriculum deemed most suitable for academic or academy setting will be taught, and the remaining curriculum deemed most suitable for learning in the "real life" environment will be deferred to the FTO program (Phase 5).

Upon completion of the academy portion of the training, successful trainees should be issued a certificate of completion by the academy, attesting that the trainee has successfully completed the academic portion of the POST Basic Course. The affiliated trainees will return to their department to continue the field training portion of the basic course, while those trainees still unaffiliated must await employment or appointment as a reserve officer to complete the basic course. Contents of Phase 4 will be determined after decisions are made regarding what training will occur in the FTO program.

Phase 5/FTO Program

This phase of the basic training will be field training under immediate control of a certified field training officer.¹ The POST required performance objectives determined to be best suited for learning in field training will be taught and tested in this phase.²

There may be some concern that the FTO will be responsible for both the teaching of basic course performance objectives and the testing. However, trained FTOs are considered qualified currently to evaluate performance. "The effectiveness of a training program should be measured not by the speed of acquisition of a task during training or by the level of performance reached at the end of the training, but,

¹ This report recommends that Field Training Officers be certified. See Appendix I, Field Training Program.

² In light of the criticism of the basic course received from many practitioners it is recommended that a new job task analysis be performed for the position of patrol officer, and the performance objectives for the basic course be reviewed. Based upon the findings those POs determined to be most amenable to learning in the FTO program should be designated as such.

rather, by a learners performance in the posttraining tasks and real world settings that are the target of training."¹

Examples of some areas best learned in the FTO program are:

- Vehicle Operations (patrol techniques)
- Vehicles pullovers
- Searching persons, buildings,
- Transporting prisoners.

Phase 6/Probationary Ride-alone

At this point the trainee has passed the FTO portion of the course and should now be assigned to regular patrol duties riding alone.² This is a time when the trainee will be most vulnerable to mistakes in judgment since they will be working unobserved for the first time since entering the department. It is essential that they be carefully guided by the field supervisor.

The trainee will be under the immediate supervision of a first line supervisor, who will provide continued guidance, training, and evaluation until the probationary period has been completed.³

The supervisor should also be aware of the training received during the academy and the FTO period, so that the trainee's performance may be practically evaluated and the training reinforced.

Phase 7-Final Probationary Evaluation

The administration of the department should determine if the trainee has successfully completed the probationary

¹ Druckman, Daniel, and Bjork, Robert. (1991). "In the Mind's Eye." Washington D.C.:National Academy Press.

² It is understood that some departments may use two person patrol cars on different shifts or beats. The probationary officers should be assigned by themselves so as to better determine their capability to work independently as a patrol officer.

³ POST must conduct research to determine the exact training needed for supervisors who are charged with the supervision, training, and evaluation of probationary patrol officers working alone.

period, and qualify for continued employment as an apprentice patrol officer. The evaluations of the field training officers, and supervisors should be considered. POST Basic Certificate should be applied for at this time if the officer is retained.

Phase 8-Training Evaluation

Following the passage of the probationary period the trainee should have the opportunity to evaluate the training received at the academy and department, and offer suggestions for improvement. This feedback is currently missing in the training system and its inclusion would enhance training quality control.

The trainee should also be counseled regarding personal strengths and weaknesses as well as career development in the agency and profession.

Phase 9-Journeyman Level Experience

This phase includes the time from the completion of the Field Training Program to three years after employment.

The officer should continue professional training in a structured professional development course which includes consistent reinforcement of the skills and knowledge from Phase 1 of the training. This course should be mandated and repeated every six months as a minimum. POST should consider providing additional financial assistance to agencies in the POST reimbursement program.

Implementation Issues

Two of the most common concerns raised by this model are the disposition of deputy sheriffs who are appointed to custody following basic training, and the treatment afforded the unaffiliated students attending a basic academy.

Deputy Sheriffs

A potential problem with an integrated basic course (a basic course taught in the academy and the field training program) currently is thought to exist when graduates of basic academies are placed directly into a custody position and do not enter an FTO program from the academy

Some sheriffs departments place their deputies directly into a custodial position after they have graduated from the basic academy and have taken the required custodial training. After several years the deputies are given patrol refresher training and placed in patrol. It may have been two or three years since they received basic training, with very little practical application or experience in subject matter taught in the basic course.

These departments can place their deputies into custody after Phase 1 of the suggested training, and enter them into Phase 2 when they leave custody for patrol. The curriculum contained in Phase 1 of this model is necessary for custodial officers, and this would eliminate redundant training and insure that practical experience follows classroom training.

A second alternative is to place the deputies into custody after they have passed the academy portion of the basic course. Unfortunately this would not permit the reinforcement of academic knowledge with timely field training, and the necessary transfer of cognitive knowledge to the posttraining task.

Another alternative would be to allow deputies to graduate the basic course and then place them into the custodial setting. When transferring back to patrol the deputies would be better prepared, having spent some months in patrol operations. However, if the tour in custody was several years long the officers would still have to attend a patrol refresher course, which would be a negative aspect to this alternative.

Unaffiliated Students

Upon graduation from the academy the unaffiliated student would have to obtain employment and pass the FTO portion of the basic training, before completing training and probation and obtaining a basic certificate. Currently unaffiliated students graduating from the basic training academy must obtain employment, pass a formal or informal FTO program, and pass probation before obtaining the basic certificate.

An advantage with the proposed system would be that the trainee, having completed Reserve Training Module A and B could possibly obtain appointment as a reserve officer, and

*complete the field training portion of the basic course.*¹ Additively, a regular officer that fails the FTO portion of the basic course could conceivably be re-appointed as a reserve officer and remediate this FTO portion of the course with little expense to the agency. This potential would have to be researched further.

There is a significant practical problem with the training concept at this time however. Less than half the agencies in the state are in the POST FTO program, and there is a shortage of trained/competent field training officers. Before the concept could be implemented the FTO program would have to be restructured and all departments hiring non-certified recruits would have to have a POST approved FTO program, or arrange to have their new officers receive FTO training in another department.

¹ Assuming that the Commission adopts the revised Reserve Officer Training within Phase 1 and Phase 2, and the trainee has successfully completed the academic portion of the basic course.

Implementation of Concept

Recommendations

1. Conduct a patrol officer job task analysis.¹
2. Research those areas of the proposed model that must be developed further for integration into the basic course and reevaluate the basic course curriculum in the context of the these activities:
 - a. Prepare a report writing assessment device,
 - b. Develop curriculum for the role of the second officer,
 - c. Develop pre-academy readings and videos,
 - d. Convert some unit guides to study guides and videos,
 - e. Research and develop curriculum for the management of fear,
 - f. Research and develop curriculum for patrol subculture,
 - g. Reevaluate the role of the peace officer,
 - h. Integrate verbal skills into curriculum,
 - i. Integrate cultural awareness training into curriculum,
 - j. Integrate dynamics of excessive force/intervention into curriculum,
 - k. Research and develop curriculum in confidence and control techniques,
3. Evaluate and restructure the basic course based upon job task analysis (including the above subjects), and determine:
 - a. POs most amenable for development into text and videos for pre-academy learning,
 - b. POs best learned in the academy setting, and those best learned in the field training,
 - c. Phase 1 subjects amenable to scenarios, role

¹ A patrol officer job task analysis was conducted last in 1978. Input received suggests that the POST Basic Course should be evaluated on the basis of more contemporary research.

playing, and simulations. Integrate them into the curriculum,

- d. Intensity and frequency of compliance-control techniques and weapons training needed to achieve a practical level of effectiveness.
4. Develop curricula for the supervisory course which will include a review of the elements of Phase 1, and curricula on supervising the probationary officer.
5. Consider the expansion of 832 PC training (Includes Reserve Module A) to include all of Phase 1.
6. Restructure Reserve Module B training to include Phase 1 and Phase 2.
7. Develop an academy certificate of completion.
8. Develop a trainee's evaluation device to provide a critique of the academy and the FTO training.
9. Restructure the FTO program
 - a. Establish an FTO Consortium
 - b. Determine basic course performance objectives best learned in the FTO program
 - c. Restructure the Field Training Officer Course to include training for those subjects that will be taught by the FTO and familiarization of Phase 1 curricula
 - d. Certify FTOs
 - e. Place FTOs on academy advisory boards
10. Approve an initial bifurcated basic course which permits the basic course to be taught totally in the academy setting as is now the case, but encourages agency academies to teach and test defined basic course performance objectives in the FTO setting.
11. Plan for a future date certain, when all agencies will be required to adopt the proposed basic training system which will:
 - * restructure the academy with content organized into modules as described in this report,

- * integrate the academy and the FTO program with some current basic course PO's taught and tested in the FTO program,
 - * restructure the FTO program with Post-specified content and standardized FTO training courses that prepare the FTOs to teach and test required POs,
 - * require that all law enforcement agencies have an approved FTO program as prescribed, or make arrangements for their officers to receive FTO training in other departments.
12. Develop a three year program of continued professional development (AO) which provides continual reinforcement in the skills and knowledge in Phase 1. Provide financial assistance to departments, so that the course may be repeated every six months.
 13. Develop the mentor concept further, and encourage departments to adopt the concept.¹
 14. Research and develop appropriate writing sample tests, and at some future date mandate the cut scores on both the Test Battery and on the writing sample test developed.
 15. Research and develop a policy that will permit a trainee/graduate of the academy portion of the basic course to successfully complete the field training as a reserve peace officer.

¹ See Appendix I for further discussion on the concept of a mentor.

Appendix A

Recommendations and Comments

There were recommendations and suggestions from six bodies that influenced the development of this Basic Training System. The first was the report of the original Basic Training Review Committee and the second was the findings of the Independent "Christopher Commission" who were appointed after a highly publicized police incident (the arrest of Rodney King) in Los Angeles. Because of concerns expressed by both the legislature and law enforcement practitioners POST held a series of workshops about the state, culminating in a general meeting in September of 1991, titled "San Diego Symposium on Training Issues." At this meeting various subject matter experts, the public, and a cross section of law enforcement practitioners participated in a two day workshop. Many suggestions were developed by the participants which echoed the prior two groups.

Input was also obtained from a group of twenty-six police officers who had been in the field 12-18 months, a group of field training officers, police labor leaders, and management personnel.

Those training issues which seemed to concern most of the groups are listed as follows:

A...Basic Training Review Com.	D...Basic Training Workshop..Recruit
B...Christopher Committee	E...Basic Training Workshop..FTO
C...Symposium on Training Issues	F...Basic Training Workshop..Labor
	G...Basic Training Workshop..Mgmt
.....	
Bystandership Training	B,C,D,E,F,G
Cultural Awareness/Cross-Cultural Awareness	B,C,D,E,F,G
Verbal Skills/Verbal Judo	B,C,D,E,F,G
Training Quality Control	A,C,D,E,F,G
Judgement/Decision Making/Analytical Ability	A,B,E,G
Interpersonal Relations	A,B,C,G
Community Based Policing (COP, POP, etc.)	A,B,D,G
Integrate the Academy with the FTO Program	A,B,C,D,E,F
Mandate the FTO Program	A,B,C,D,E,F
Problems of Police Sub-culture/protectionalism	B,C,D,F,G

Participants from each of the four workshops also expressed concerns with police training in their unique area of knowledge and experience. The following is a summation of some of the observations made by these groups:

The Basic training

The recruits had been selected because of their recent experiences in patrol in relationship to the academy training they had received. They were asked to review the performance objectives of the POST Basic Course, and comment on the relevancy of that training to their experiences. Their comments were then reviewed by the FTOs who also expressed their opinions. The results strongly suggested that there were many performance objectives in the basic course that were not relevant to their job in the field. The following are only some of the areas:

Chemical agent training should consider only personal chemical devices. More elaborate chemical weapons are reserved for usage by supervisors, and any incident of a serious nature will be handle by experts, i.e., SWAT. What is currently taught is perfunctory and will not be remembered, since there is no practice beyond the academy.

First Aid was not considered relevant, since other first responders are always available (para-medics, fire department, ambulance attendants). The training is also considered futile since most of the patrol units have no first aid equipment, not even a blanket.

Physical Fitness and Officer Stress was felt to be something that was already known by the trainees, and not needed in the basic course.

Some performance objectives were not really job related, and should really be pre-academy information.

Both groups felt that many of the PO's would be best taught in the FTO program, since that was where the actual learning took place. Many of the areas mentioned dealt with field

activities, such as vehicle operation, custody, patrol tactics etc..

Other subjects that the groups felt needed additional attention were: radio communications, narcotics identification, domestic violence, control holds, weaponless defense, traffic investigation, familiarization with other weapons, etc..

The recruits felt that they had not been prepared enough in the academy for the street, and that some areas of the training were not "real" compared to the actual job.

The group of FTOs differed dramatically in their perception of how well the recruits they evaluated were prepared by the basic training. This reflected not just the difference between recruits, but in the perception of differences between academies.

Both workshops suggested that many FTOs were not aware of the current performance objectives in the basic course, and did not have a good idea of what degree of preparedness should be expected of recent graduates from an academy. Both groups also recognised problems within many FTO programs; with the personnel, the training, and the program.

It was the consensus that the recruits could have benefited from having the availability of performance objectives and/or unit guides in the academy, and that a break from the academy setting into a field training program would have helped in both learning and understanding much of the curriculum.

Labor and Management Workshops

As can be seen by the above comparison Chart, many of the concerns of management were similar to the labor leaders. In addition the managers were concerned over the following:

Quality control of instructors, evaluating the basic learning environment and training philosophy.

The feeling seemed to be that police administrators had little knowledge or control of these elements in the basic academy.

What the future holds by way of types of recruits and training needs.

Some administrators believe more should be done to identify the law enforcement labor pool of the future, and plan for future training needs.

Coherency of all training.

The training process does not seem to follow a continuum, from basic training onward, but seems disjointed.

Training for wrong police role (crook catcher vs. peace keeper).

There seemed to be more awareness that recruits were not prepared for the many order maintenance and service activities they would be responsible for dealing with.

Lack of clarity of the supervisor/manager's role in the training process.

Officer paranoia caused by training

Discussion

This report suggests a concept which will address most of the concerns expressed by the various bodies. Those not specifically addressed were:

Bystandership Training. . . This is addressed by the ongoing POST study in the use of force. Basic course curricula should be developed.

Training Quality Control. . . All of the groups except the Christopher Commission were concerned with this issue. This training concept proposed suggests that the recruits evaluate the academy and FTO program at the end of the course. In addition the FTOs can provide immediate feedback on the quality of the recruits and the training received. It is also suggested that the FTOs become more involved with the academies, thus allowing for direct input from the officers evaluating the trainees under field conditions.

The effectiveness of a training program should be measured not by the speed of acquisition of a task during training or by the level of performance reached at the end of the training, but, rather, by a learners

performance in the posttraining tasks and real world settings that are the target of training."¹

Community Based Policing. . . This concern was addressed by recommending training in those subjects which will prepare officers to function under any of the community based programs. Subjects found in Phase 1 include verbal skills, problem solving, crisis intervention, mediation and cultural awareness.

Pre-Academy Assessment . . . Although this was a desirable activity, it was decided that the issue was best addressed by the agencies employing the recruits.

Recommendations

The above sampling of opinions suggest that the curriculum of the POST Basic Training Course should be reviewed and reevaluated in the context of patrol operations in 1992. Before this can be done it appears necessary to conduct a new job task analysis. The last one was done in 1978. The survey documents used with the recruit and FTO workshops are available for reference.

The Commission should evaluate the results of such a study, with consideration of the above criticism.

¹ Druckman, Daniel, and Bjork, Robert. (1991). "In the Mind's Eye." Washington D.C.:National Academy Press.

Appendix B

Unit Guides to Study Guides and Videos

Most educational systems employ text books and publications to assist in the transfer of knowledge and to help standardize the knowledge being taught. In addition the material allows students to study outside of class and to self pace. The instructors then can cover the material in class quickly, concentrating on clarifying, illustrating the material with examples, and encouraging class discussions. For the most part POST academies do not have individual text books or publications to assist the students. The following are suggestions for improving this situation.

Unit Guides to Study Guides

POST has published 58 "Unit Guides" which serve as lesson plans for the POST Basic Course. These guides may be as brief as 3 pages, or nearly 200 pages. The guides contain all the performance objectives as well as an outline and presentation. In addition, many of the guides have comprehensive reference notes and text covering the subject matter. The unit guides are purchased by the academies and used by the instructors. They have limited circulation, since there are only 35 basic academies, and several guides suffice for each academy.

The unit guides represent a valuable investment by POST, but are not used widely, considering the research and printing costs, and they must be constantly revised. The last general revision was in 1990. Several practitioners felt the unit guides would have great value to the students, if available, and allow for some degree of self-paced learning. The Basic Course Review Committee recommended that the unit guides be converted to curriculum guides, or study guides, for use by both students and instructors.

The unit guides are sorely in need of review and updating. It is feasible to have various knowledge domains (and the study guides) assigned to specific POST consultants for review, and text development. The consultant assigned should research the reference material and become thoroughly familiar with the subject matter, so that comprehensive study texts are developed for the student as well as the instructor. Subject matter experts could assist the consultants in this effort.

Study Guide Videos

There appears to be great interest among the trainees interviewed for a system of self-paced learning. Many student are eager to learn, and may be frustrated by the slower pace of the academy which is geared to the average student. Opportunities should be created for these students to move ahead, such as challenging some of the subject matter. These students can assist slower students, and act as tutors to the class. Frustration could then be turned into satisfaction and students rewarded by recognition.

POST has been training with interactive video disks and video tapes successfully for some time. While laser disk players are still not common, most people possess video tape players. The students would be able to take advantage of a subject matter video library if available, especially if the video followed the student study guides. This should have the advantage of reducing classroom time for some subjects.

Post should develop video tapes along the lines of the student study guides suggested above. These tapes would be given to each academy to be available to students. The same consultants assigned the update of the study guides would be responsible for the continued update of the videos. The development of the videos can be conducted incrementally, with practical feedback from the academies during the process.

Basic Course Performance Objectives

The Performance Objectives for the POST Basic Course are contained in a document by that name, and purchased by academies for \$10.00 each. Some of the recent academy graduates interviewed stated that they had not known of the existence of this publication until some weeks after starting the academy, and all stated that access to the publication was difficult as there were not many available at the academy and they were in great demand. One of the officers stated "My friends and I held study sessions every Sunday. Had we had access to the POST performance objectives it would have helped immensely." Since the performance objectives explain what the student should learn, it would facilitate the learning if the students had access to the documents.

The above suggestions are practical services that POST could provide the academies teaching the POST basic course. The

cost would not be significant, considering the overall outlay for each student and the millions of dollars spent for reimbursement. POST would be in a position to develop the actual subject matter being presented, and enhance the potential for standardization and quality control of the material presented.

Recommendations

POST should publish and distribute a sufficient number of Post Basic Course Performance Objective to basic course presenters, so as to provide a copy to each basic course student. This would be an interim project, pending the development of study guides.

POST should have the above committee review the study guides developed, and suggest subject matter that would lend itself to video presentation.

POST should establish a committee to review the current unit guides and develop a plan to convert the unit guides to study guides.

Appendix C

Basic Core Module-Phase 1 of Basic Training

The proposed basic training system incorporates the concept of a core module: a universal core basic course which is relevant to all peace officers in the POST program. The Commission has been interested in such a development since 1983, when they directed staff to research such a concept. At that time the Concept was defined as having five elements:

1. A universal core basic course consisting of approximately 310 hours of the basic course (at that time).
1. The universal course must be relevant to all peace officers in the basic program.
3. Each "broad" category of such peace officers must also complete a module course relevant to their job.
4. Existing basic course presenters can elect to continue offering the regular basic course, which includes the universal core and "patrol" model interspersed.
5. Some existing presenters of the basic course secured to present the universal core as a block and subsequently offer other modules, as the need dictates.

The commission approved the concept of the universal basic course module, but deferred any action on implementation.

The basic training system proposed would meet all five of the criteria offered, with some changes in the subject matter and length of the module. In addition the core module would incorporate the curriculum of the present 832 PC course, and the Reserve Level III course (Module A).

Core Module

The first phase (Phase 1) of the academy training should be designed as a core module for law enforcement officers

It is generally acknowledged that the underlying activity common to all who enforce the law is the need to obtain compliance while directing the activities of people.

Therefore the training necessary to provide competency would be the acquisition of the various compliance-control skills necessary to effect compliance.

Expressed in another way, the goal of a core module of training shall be to develop in the trainee the knowledge and skills that instill confidence, and are required of every peace officer regardless of classification or specialization. These knowledge and skills should prepare the officer to interact with the community, and build the confidence to secure compliance in a professional, ethical, and legal manner, with a minimum of force.

This training will include:

- Verbal skills
- Compliance-Control holds
- Dynamics of excessive force/intervention
- Use of weapons

- Crises intervention
- Mediation
- Problem solving/analytical skills/decision making
- Cultural awareness

- Ethics/sub-culture of patrol officers
- Role of the peace officer
- Management of fear/paranoia

- Report writing

Explanation

A full description and explanation for selecting these subjects is found in the main body of this report, as well as in these appendices.

Verbal skills (tactical communications) is the second step to obtaining compliance (official physical presence is the first step), and if it is unsuccessful, followed by force. The degrees of force are understood as control holds which include holding and stunning; controls with weapons, which includes impact weapons, chemical agents, shocking devices; and finally lethal weapons such as firearms. Weaponless defense is included in some of the above techniques.

Crises intervention, mediation, and problem solving are common examples of situations which call for dealing with people and problems under stressful conditions. Cultural awareness is an additional human factor that must be understood by the peace officer dealing with different cultures.

The management of fear, the patrol sub-culture and the role of the peace officer are dynamics that must be explored if officers are to understand themselves, their peers, and their job.

The peace officers job is not complete until after the report is written and the testimony offered. To do these effectively the officer must know how to take notes, write reports, and testify from the information in the reports. A universal complaint from academy instructors, FTOs and supervisors has been that too many recruits lack sufficient writing skills to properly write police reports. Therefore report writing is a basic element of the core module.

In addition to the above legislation requires that all peace officers must be trained in the laws of arrest and other ancillary subjects. POST has recently increase this course (PC 832) to 56 hours. These subjects should be placed within the above core module as they are consistent with the definition of the core module developed herein.

It is noted that the least amount of training required of Reserve Peace Officers has been defined as the training required by 832 PC. That is the same minimum training required of all peace officers in the state. By implementing this recommendation, all future Reserve Peace Officers would have to take the expanded PC832, Phase 1.

Certain subjects contained in the POST Basic course and/or in the 832 course must be treated in greater depth. These subjects relate to such topics as cultural awareness, crime prevention, interpersonal communication, citizen satisfaction, discretionary decision making, etc.. The following list of performance objectives from the POST basic course are suggested for inclusion in Phase 1. In addition the list includes those POs in the 832 course and those POs that must be expanded. Footnotes marked with asterisk are as follows:

- * Included in the 832 course
- ** Not 832 but included in Phase 1
- *** Subject must be treated with more depth
- **** May be treated as hand out-reading material.

1.0 Professional Orientation

- 1.1.0 History and Principals of Law Enforcement.** ****
- 1.2.0 Law enforcement profession.* ****
- 1.3.0 Ethics.* ***
- 1.4.0 Unethical behavior.* ***
- 1.7.0 Administration of justice components.* ****
- 1.8.0 Related law enforcement agencies.** ****
- 1.9.0 California court system.* ****
- 1.11.0 Discretionary decision making.* ***

2.0 Police Community Relations

- 2.1.0 Community Service Concept.**
- 2.2.0 Community attitudes and influences.* ***
- 2.3.0 Citizen evaluation.** ***
- 2.4.0 Crime prevention.** ***
- 2.6.0 Victimology** ***
- 2.7.0 Hate crimes** ***

3.0 Law

- 3.1.0 Introduction to law.*
- 3.2.0 Crime elements.*
- 3.3.0 Intent.*
- 3.4.0 Parties to crime.*
- 3.5.0 Defenses.*
- 3.6.0 Probable cause.*
- 3.8.0 Obstruction of justice.*
- 3.37.0 Constitutional rights law.*
- 3.38.0 Laws of arrest.*

4.0 Laws of Evidence

- 4.1.0 Concepts of evidence.*
- 4.6.0 Rules of evidence.*
- 4.8.0 Seizure concepts.*

5.0 Communications

- 5.1.0 Interpersonal communications.* ***
- 5.2.0 Note taking.*

- 5.3.0 Introduction to report writing.*
- 5.4.0 Report writing mechanics.**
- 5.5.0 Report writing application.**
- 5.8.0 Law enforcement radio communications.** ***

7.0 Force and Weaponry

- 7.1.0 Effects of force.* ***
- 7.2.0 Reasonable force.* ***
- 7.3.0 Deadly force.* ***
- 7.4.0 Simulated use of force.** ***
- 7.5.0 Firearms safety.*
- 7.6.0 Handgun.*
- 7.7.0 Care and cleaning of service handgun.*
- 7.10.0 Handgun shooting principles.*
- 7.15.0 Handgun/combat/day/range.*

8.0 Patrol Procedures.

- 8.7.0 Pedestrian approach.** (Phase 2)
- 8.8.0 Interrogation.*
- 8.14.0 Personal search technique.*
- 8.15.0 Vehicle search technique.** (Phase 2)
- 8.16.0 Building area search.** (Phase 2)
- 8.18.0 Search/control simulation.*
- 8.19.0 Restraint devices.*
- 8.20.0 Prisoner transportation.*
- 8.21.0 Crimes in progress.** (Phase 2)
- 8.24.0 Prowler calls.** (Phase 2)
- 8.26.0 Handling disputes.** (Phase 2)
- 8.27.0 Family disputes.** (Phase 2)
- 8.29.0 Landlord/tenant disputes. ** (Phase 2)
- 8.37.0 Officer safety.** (Phase 2)
- 8.49.0 Role of primary/cover officer.** (Phase 2)

10.0 Criminal Investigation

- 10.1.0 Preliminary investigation.*
- 10.6.0 I. D., collection, preservation of evidence.*
- 10.7.0 Chain of custody.*
- 10.8.0 Interviewing.*

11.0 Custody

- 11.3.0 Illegal force against prisoners.*

12.0 Physical Fitness and Defense Techniques

- 12.6.0 Principles of weaponless defense.*
- 12.7.0 Armed suspect/weaponless defense/retention.*
- 12.8.0 Baton Techniques.**
- 12.9.0 Baton demonstration.**

In the above list certain subjects are designated for a more in-depth treatment. They will be integrated into the Phase 1 subjects which are included into the basic core module.

In addition, the physical skills, both armed and unarmed, shall be initiated in Phase 1 and continued throughout the basic training. There must be a provision that those peace officers not permitted to carry firearms will be exempt from firearms training.

The curricula selected above are considered necessary as a base for preparation of all law enforcement personnel. Again, it is suggested that the 832 course be evaluated for inclusion of all of Phase 1, in effect making Phase 1 the prescribed 832 course, as well as Module A of the level III Reserve training.

Recommendation

This report recommends that Phase 1 be considered a core module, and that POST broaden the subject matter in PC 832 to include all of the above subjects in Phase 1.

In addition consideration should be given to providing increased salary reimbursement for Phase 1, so as to encourage participation.

Appendix D

The Role of the Patrol Officer

Researchers into police behavior and police administration have for many years puzzled over the question of the police role in a community, and the literature is replete with a consistent theme of dissatisfaction; dissatisfaction with the failure of law enforcement practitioners of all ranks to recognize that the police role is not what it pretends to be.

In 1920 the first scholarly assessment of the American police system was offered by Raymond Fosdick:

The heart of police work is the contact of the individual policeman with the citizen....The action that is first taken by the policeman of lower rank, operating independently, must, in each case, remain the foundation of the department's action....The edge, discretion, courage, and judgement of men acting as individuals....Only as the training of the policeman is deliberate and thorough, with emphasis on the social implications and human aspects of the task, can real success in police work be achieved. (Emph. added)

In 1931 A.G. Barry stated:

An analysis of the policeman's work shows his material to consist chiefly of people and social situations. It would seem logical to train him in those disciplines or sciences which would enable him to understand people and social situations, just as we would teach a mechanic to understand inanimate materials and their manipulation. (Emph. added)

August Vollmer wrote about the same time:

The policeman is no longer merely the suppressor of crime, but the social worker of the community as well. (Vollmer 1936) (Emph. added.)

In the early sixties the President's Commission on Law Enforcement and the Administration of Justice stated that training focuses:

....almost entirely on the apprehension and prosecution of criminals. What a policeman does, or should do, instead of making an arrest, is rarely discussed. The peace keeping and service activities which consume the

majority of police time, receive too little consideration. Police officers must be given a much more solid foundation in the fundamental principles of democratic government and the society in which we live.

A. C. Germann, in 1968, questioned the training received by most police officers compared to the types of activities they were involved with:

We must radically alter our police training format. The police officer spends about 90% of his time in public service activities, and only about 10% (or less) of his time in "crook catching" activities. But, our training programs in the police academies stress crime repression to the point that about 90% of the training is in the "crook catching" area and only 10% in the community services-human relations area.

Many studies on policing have restated the above, and pointed to the police role as one of peace keeping and human services rather than crook catching, or crime attack roles (Wilson 1968; Bittner 1971; Reiss 1971; Banton 1964; Cumming 1965.)

Germann suggests the following subjects be added to the police academy curriculum:

- (1) Individual behavior-perceptions, motivation, attitudes, views and values of man and society, deviant behavior and mental illness
- (2) Interpersonal behavior-management of conflict, interaction processes, communication
- (3) Group behavior-group dynamics, influence, cohesion, leadership, problem solving
- (4) Inter-group relations-prejudice, discrimination, social, religious, economic and political values
- (5) Community issues-collective responsibilities, detection and analysis of tensions, environmental influences, community services, unpopular or extremist groups
- (6) Criminal justice administration-the role of the police in a democratic society, police policy and discretionary alternatives, relationships with prosecution, defense, courts, probation, corrections, and parole.

In 1977 Herman Goldstein wrote a popular text titled Policing a Free Society. He made the following comments about police basic training:

Extraordinary heavy emphasis is placed on maintaining neat notebooks and on committing to memory large numbers of irrelevant facts. Technical subjects are emphasized over basic principles of law, democracy, and human relations....They tend to portray the police officer's job as a rigid one, largely dictated by law, ignoring the tremendous amount of discretion officers are required to exercise....one gets the impression that the responsible administrators and faculty want their programs to convey to recruits how they think police should operate under ideal circumstances—as if such training might move police toward this image....Indeed it could be persuasively argued that many of the present programs not only fail to supply the orientation, they actually deceive the recruit by providing an inaccurate picture of what he can expect on the job. The major lesson this kind of training teaches the new officer is that he cannot take seriously the formal structure and administrative direction of the agency; that, as between the formal instruction of his superiors and the informal guidance of his peers, the latter has much greater validity. And....it means the problems on which the police spend most of the time should receive more attention. (Emph. added)

Twenty years ago the National Advisory Commission on Criminal Justice Standards and Goals (NAC) recommended police basic training concentrate on six general topics. One of the six topics was "Human Values and Problems," which included the following subjects:

- Public service and noncriminal policing
- Cultural awareness
- Changing role of the police
- Human behavior and conflict management
- Policy psychology
- Causes of crime and delinquency
- Community relations

NAC recommended 22% of training time be devoted to the above subjects, and quotes British police historian Charles Reith, who said about American police training:

It can be said of police training schools that the recruit is taught everything except the essential requirements of his calling, which is how to secure and maintain the approval and respect of the public whom he encounters daily in the course of his duties. (Reith, 1973)

However, in 1987 Robert J. Meadows surveyed criminal justice educators, and police administrators, to determine their training beliefs. They were asked to rate six training areas by importance. Of the six areas, both the administrators and the educators rated "Human Relations" at the bottom of the list, between 5%-6% of the basic course. (Emph. added.)

And in 1984 study of police training over a 30 year period by Frost and Seng concluded:

While, as expected, the total number of training hours has greatly increased, the percentage of time allocated to broad curriculum categories has remained virtually unchanged.

From the foregoing it may be concluded that the police think of themselves as crime fighters and crook catches. They have felt this way since the early part of this century, and this perception has influenced their training, which emphasizes crime fighting knowledge, skills, and techniques. This priority has not changed over the years and this is reflected by the current basic training.

The future is bleak, indeed, if the American police department continues to meet today's problems with yesterday's attitudes and habit. (Germann, 1968)

Although the above experts in the criminal justice field have concluded that continued reliance upon the belief that the police role is one of professional crime fighters can not, and will not succeed, the police have been slow to agree, and slower to change. They would apparently prefer to deride attempts to change the role of the police, than subject their methods to critical evaluation and self-appraisal. The fact remains that new police officers are still being taught that they are crime fighters, and most of their training is designed to support such a role.

The Failure of the Crime Fighter

The tactics of crime fighters are (1) highly visible patrol activities, followed by (2) quick response to calls for

service, and (3) investigation after the fact. The objectives are to reduce crime by means of crime prevention, crime suppression, and apprehending offenders.

Research conducted during the 1970s¹ established that increasing visible patrol in and of itself has had no effect upon potential offenders, except for traffic enforcement, and quick response time does not apprehend offenders in the act but serves to provide some citizen satisfaction. Investigation has never been effective in reducing crime, since clearance rates of major crimes are extremely low (i. e., robbery 20%, burglary 10%).

These facts appear to have passed unnoticed, and as the occupation was upgraded by more rigorous selection standards, civil service protection, training, and higher salaries and benefits, the perception of the police by the public enjoyed a surge of popularity. While once the radio and grade B films pictured the police as bumbling fools at best, the image gradually changed to one of effective crime fighters. Both images were somewhat exaggerated.

The police were actually spending most of their time providing services to the public, mediating disputes, and keeping the peace. Indeed, here in the west the "lawman" was also known as a "peace officer." But no one listened.

Despite many studies that demonstrated the police were involved in law enforcement activities for only 10%-15% of their time,² police training concentrated on enhancing the crime fighters skills. Only a perfunctory attempt was made to provide the officer with the knowledge and skills needed to deal with people - a task which involved most of the line officer's time.

The civil rights movement in the sixties found the police enforcing unpopular laws that resulted in a gradual alienation of the police from many of the citizens. Responding to this the government funded many grants in aid to increase the effectiveness of the police, prevent crime, and bring the police into closer, and friendlier relations with the community. Much of the funds were spent on elaborate equipment, and programs which were eventually

¹Kansas City MO experiments in pro-active patrol.

² Germann, 1968.

dropped as the grant funds dried up. Little, if any effort was given to training officers to understand, communicate, and get along with people.

Changing social conditions gradually caused increases in crime and violence, and the job of a police officer became more dangerous. Millions of unfortunate people in other countries fled from their troubled world, following in the footsteps of earlier generations, to a land that promised so much more. Culture piled on culture, and American ghettos expanded, crime increased, and America lost the war on drugs, as have most democratic nations. The huge profits generated competition and encouraged greater violence between warring gangs. These new criminal groups coalesced into heavily armed street terrorists. The police applied their efforts to reduce the criminality, but only succeeded in overloading the courts and overpopulating the jails. Some judges insisted upon housing criminals in better facilities and demanded that society provide more spacious jails or turn the criminals loose. Society struggled with this dilemma, as fewer and fewer workers supported more and more government spending.

The police placed more and more of their resources into fighting criminality, but crime increased faster than the size of the police forces. Gradually the police retrenched and stopped responding to lesser crimes. More reports were taken over the phone by civilians— if taken at all, with no attempt to even follow up. Misdemeanor warrants went unserved by the police, since there was no room in the jails, and counties began charging cities for holding city prisoners. Many non-violent felonies went uninvestigated, even when suspects were known.

The citizens gradually became disenchanted with the police, their failure to protect, and their inability to even serve. More than that, poor police response time to crimes and the inability to assuage the victims; compounded by the knowledge that the suspects would not be arrested, or if arrested either would not be convicted or would not spend time in jail, alienated the citizens even more.

The inability of police officers to resolve the problem increased their own frustration, stress, and medical retirements. They developed varying degrees of individual responses—at times questionable. The police departments, for the most part, responded by requesting more staff, more technical equipment and support, and increased training in catching crooks.

Conclusion

The POST Basic Course assigns approximately 5% of the curriculum to human relations as described by the performance objectives. The average percentage of time devoted to human relations by the academies is the same, except that there are about five more hours. The recent increase of the POST basic course by 40 hours included only 2 hours of human relations. By human relations we consider those performance objectives that teach the officer to understand and communicate with people (i.e., cultural awareness, interpersonal communications, etc.). The findings of Meadows and Frost¹ are still valid in demonstrating that police training has not changed in this respect over the years.

The police are not doing a very good job of protecting the population, and all the crook catching training in the world is not going to resolve the issue of overcrowded courts, overpopulated jails, and revolving door justice. In fact increased effectiveness of the police in crook catching will just exacerbate the problem.

It is time to recognize the reality of police work, and start training our officers to do their job. Their job is dealing effectively with people while engaged in, not only law enforcement activities, but the peace keeping and service activities that consumes a majority of their time. Their job is to deal effectively with the social situations to which they are called by the fearful and frustrated citizens who turn to them as a last resort.¹

It is time to initiate a paradigm shift in the way the police view themselves and their role in society. Time to concentrate on providing our officers with the training needed to enhance confidence and increase their sensitivity, compassion, and just plain respect in their day to day contact with the diverse population they serve.

¹ id.

¹ Many police and sheriff departments have adopted the concepts of community oriented police, first described by Herman Goldstein in 1977. It appears that this concept is enjoying a surge in popularity not only in America but in other countries as well. The basic training needed by patrol officers operating in this program are human relations training, people skills, and problem solving ability. The training system suggested in this report supports the concept of community oriented police, and is consistent with the training needs described.

Recommendation

POST should adopt the proposed curriculum changes suggested in Phase 1 of the POST Basic Course, which emphasize human relations subjects, problem solving, analytical training, and decision making.

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Appendix E

Fear

Two words appear to surface frequently during discussions of the present state of patrol activities: paranoia and fear. There seems to be an exaggerated level of conscious awareness of the risks inherent in the job of a patrol officer. This awareness has been encouraged by officer survival schools, training films, and training, as well as the telling of war stories. It is frequently heard that the streets are tougher than they used to be. Guns are more prevalent and the use assault weapons have increased dramatically.

A generation ago officers were returning from a popular survival school with a high degree of paranoia as a results of the training they had been exposed to. Today one may observe police training films dealing with cultural awareness, in which the officers demonstrate respect and empathy in voice and facial expression, while they keep one hand on their gun. A rather mixed message is conveyed to the citizen. The use of the two hand "weaver" or "isosceles" pistol grip is prevalent, and citizens observing officers in real life, and even on film, remark on the perceived aggression of the officers, and their apparent readiness to kill. One recent training film depicts two officers questioning a transient subject from over a dozen feet away--both have one hand on their gun.

Fear is an emotional response to a perceived threat of danger, while paranoia is a delusion that one is being threatened or in danger. A little paranoia is a healthy thing for a patrol officer, and reasonable fear can be a instinctive advantage when reacting to danger.

However peace officers do not like to discuss fear. They are uncomfortable in such a discussion, as if the mere recognition of its existence is an undesirable admission of personal weakness. This feeling is not necessarily shared by women peace officers who do not have the macho self image, and are more inclined to discuss fear as just another occupational problem to be overcome. Indeed fear and paranoia are occupation problems which must be controlled so as to enhance proper performance. Failure to control them will result in the peace officer being controlled by them.

The instinctive reaction of most living creatures when faced with perceived danger is fear. Fear is an emotional reaction to perceived danger or threat, which if not controlled gives way to

panic. Panic is an emotional reaction which takes the form of flight, fight, or freezing (paralysis). Peace officers are not permitted to panic. Nor are peace officers allowed to avoid fearful situations. The patrol officers act under an imperative to place themselves in harms way, and resolve the situation by obtaining compliance from those involved. This often requires the officers to approach hostile and potentially dangerous situations, simply to determine if there is a violation of law., or to keep the peace. The officers have a strong imperative to act and usually too little information to base their actions upon. Fear is a normal occurrence in the occupational life of a peace officer. Officers should understand it, and know how to deal with it.

Understanding Fear

Dr. Roger M. Solomon describes fear in his monologue "Mental Conditioning: The Utilization of fear: "Fear is an automatic emotional reaction to a perceived danger or threat. It is an alarmed response that is characterized by high negative affect (or emotion) and arousal." (Solomon 1988)

He goes on to relate that fear causes the body to prepare for trauma. The heart rate increases, sugar is released into the bloodstream, acid flows into the stomach, blood clotting enzymes flow into the system minimize damage from wounds. More blood is directed to the muscles and internal organs to nourish them. More blood carrying oxygen goes to the part of the brain that controls the muscles, vision and hearing become more acute, as the body prepares to cope with the perceived danger and to survive.

Fear is beneficial since it is the body's adjustment for survival. But a peace officer who faces a fearful situation must recognize whether the fear is reasonable or unreasonable. It is a fearful thing to walk up the walk to a darkened house where unknown problems lie; to approach a group of rough looking types loitering in a darkened parking lot; to search an apparently empty building; or to physically attempt to take into custody an aggressive person nearly twice one's size. These are fearful situations, and to fear would be reasonable and justified. However, many situations which result in the use of unauthorized force are responses to unreasonable fear.

Unreasonable Fear

"Unreasonable fear. . . , is fear generated in the officer's mind that has no direct correlation to the facts or situation at hand." (McCarthy 1989).

Unreasonable fear has always preyed on peace officers, and the results are always unauthorized use of force. McCarthy describes the potential scenario.

Once the (unauthorized) response to unreasonable fear has happened, it is virtually certain that other acts of serious misconduct will follow. The officer who has reacted to a situation based upon unreasonable fear will use force that is not justified. Almost immediately he realizes that his actions were not appropriate, and another type of fear sets it, also unreasonable by definition. Fearful of the loss of his reputation, job, and position in the community and among his peers, the officer will often be tempted to lie about the circumstances to justify the level of force he was driven to use out of unreasonable fear, the officer employs false arrest and imprisonment, false police reports, and perjury as the tools to dig a hole where he is ultimately buried.

The causes of unreasonable fear are many, but they may spring from the officers background and experiences. Identifying and discussing these fears will prepare an officer to avoid inappropriate action. The International Association of Chiefs of Police (IACP) conducts a course on fear titles "Fear: It Kills!" as part of a deadly force training module. The principal authors are Dr. Roger Solomon and Ron McCarthy, cited above. They describe in detail many of the causes for unreasonable fear:

- Racial fear
- Culture fear
- Fear of physical harm
- Fear of doing harm
- Psychological fear
- Positional fear
- Fear of peer disapproval

Reasonable Fear

Solomon describes the reaction to a dangerous situation which has produced fear as occurring in six phases:

1. Perception of the threat.
2. Awareness of vulnerability.
3. Decision to take action.
4. Survival phase.
5. Decision to respond.
6. Response.

It is in the second phase that the officer faces his vulnerability and potential lack of control. If the officer's focus is solely on danger he tends to feel weak and helpless (Bandura, 1986). Continued awareness of vulnerability leads to an increase in fear, and the cycle is reinforced ending in panic: fight, flight, or freeze.

It is in the second phase that the officer can focus in on survival and take control. Focus will then be on evaluating the situation and determining what must be done to achieve this. This will depend on whether the officer has the knowledge, skills, and ability to cope with the situation. Bandura states that people fear and avoid threatening situations when they feel they do not have the ability to cope, but will enter into activities and behave assuredly when they judge themselves capable of handling situations that would otherwise be intimidating. Bandura's research led him to conclude that the level of fear arousal varied with perceived coping efficacy. Lazarus and Folkman (1984) found that the higher the efficacy, the less threatening the fearful situation is perceived, and the more coping is enhanced. Focus on efficacy, not vulnerability.

Bandura defines an efficacy expectancy as the belief that one can successfully implement behavior necessary to produce an outcome. But the basis of efficacy is a feeling of strength and confidence in behavioral skills, and the competence to use those skills, coupled with a will to survive.

Controlling fear

The major resources available to manage and control fear is mental efficacy, behavioral skills, and confidence in ones ability to use both. The basis of confidence is the knowledge of one's self and one's abilities to relate to people, things, and situations in an effective manner. The curriculum in Phase 1 of this training model was designed to provide this training.

In addition officers should become involved in the discussion of fear and its manifestations with other officers, sharing experiences and understanding the universal and ubique existence of fear. The IACP recommends better selection and training, self-assessment, and early race and cultural awareness training as means of controlling fear. They stress the role of the field training officer and the supervisor:

Field Training Officers (FTOs) and sergeants are absolutely crucial to address the problem of fear in

field officers. They must react to the symptoms identified earlier and stop a problem before it starts. Taking this proactive approach may save the life of the police officer, another officer, or a citizen.

Recommendations

The Commission should approve a course on the dynamics of fear, similar to that being presented by the IACP. The course should be available as a stand-alone presentation and integrated into the basic training system.

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Appendix F

Breaching The Sub-Culture

The new police officers learn about the realities of police work not in the lecture halls of the police academy and not from the fantasy world of Dirty Harry, but on the streets, highways, and back alleys of their beat during their first days on the job. Through the day to day interaction with occupational peers the officer learns the informal working procedures which resolve enforcement problems, satisfy administrators, and essentially get the job done. The organizational goals and the role of the police are defined for each new officer by the accumulated experiences of seasoned patrol officers, who will resist attempts to alter their perceptions of what they consider the practical reality of patrol work.

The patrol officer must handle many unique and variable situations which fall outside of department directives and policy, most especially while involved in order maintenance activities in diverse communities. Police administrators frequently don't know and cannot predict appropriate police behavior in advance and rely upon the patrol officer to make proper decisions.

Enforcement cannot be exercised all the time against all violators, but most police administrators choose not to admit this because it leads to questions of official discretion and raises issues of discriminatory enforcement. So the patrol officers are left to make discretionary decisions regarding enforcement and community tolerance. Peer pressure acts as a regulator among the officers and prevents "mavericking," i.e., individual behavior outside the approved peer norm.

In the American police organization adherence to informal but accepted rules is necessary for peer acceptance as well as for getting the job done without complaints. Discretion in violating policy is allowed by the administration so that many routine as well as emergency situations can be handled effectively. Indeed when a police union embarks on "work to rule" job action, they insist on following the formal policies and rules, and in doing so demonstrate that rigid adherence to these rules causes the system to bog down. This is a classic example of the need to have the "ideal" tempered with the "real" so as to make the system work and get the job done.

However, once the field of discretion is left to low-level subordinates, it broadens and develops into an informal authority structure that tends to control the exercise of discretion in addressing criminal situations as well. Traffic enforcement,

juvenile offenses, victimless crimes and the development of informants are examples of areas that are susceptible to informal tolerances with erratic and undesirable informal policy. Low level discretion substitutes for inadequate or non-existent formal policy and may eventually be accepted as the official policy of the organization.

Yet the patrolman is not prepared by training to deal with the realities of discretionary decision making. This often results in a policy vacuum, with the role of the department being determined and sustained as a consequence of daily decisions and behavior by patrolmen.

There is, thus, an informal code and value system which develops by precedence, outside of bureaucratic regulation. Once established, the code evolves into a sub-culture which tends to protect the patrol officers from the complaints of the citizens and the perceived vagaries of unrealistic administrative policy. "Little ones are traded for big ones" and suspects turned into informers. A suspect that swings at an officer is "bought and paid for," and a code of silence is created and sustained¹. New recruits are subjected to careful scrutiny to determine if they can be trusted to conform to the code. This seldom discussed element of the job contributes significantly to the gradual development of the recruit's occupational personality and may determine the character and behavior of the officer well into his or her career.

The conclusion one may reach from the foregoing is that the bureaucratic structure of the police department tends to create the patrol sub-culture, nurture it, and sustain it. Administrators may have trouble controlling it however, and it will eventually evolve into an autonomous policy base, which may obstruct the legitimate goals of the department and strongly influence the role of the department in the community.

A strong occupational bond among patrol officers is highly desirable, since it develops esprit de corps and enhances morale. One may argue that it is not only desirable, but necessary, since an officer must rely upon fellow officers for actual physical

¹ The above are indirect references to patrol situations: "little ones etc. . ." To ignore minor violations of an informer who provides information on greater criminal activities. "free one. . ." To subdue by force a fleeing suspect, even if the suspect is cooperative when finally apprehended. The "free one" refers to striking the suspect without the need for any further justification beyond the pursuit. "bought and paid for. . ." When a suspect attempts to strike an officer the officer needs no further justification in defending with force.

protection; a relationship not shared by any other occupation outside of the military.

Accepting the above as a working premise leads one to speculate on means to legitimize the process and influence, if not control, the informal policy setting that goes on within the patrol sub-culture. One obvious means is to provide awareness and training to the new recruits coming into the system before they are influenced undesirably by their peers. The first step in such a process is to officially recognize and identify the existence of the sub-culture and explore its character and activities. The trainee will thus become sensible to the issues and prepared to recognize the differences between the informal decision making and formal administrative policy. Whenever the curriculum deals with issues and situations which have both a formal (official) and an informal (unofficial) element in the handling and disposition, it should be recognized and discussed frankly and openly. Only when the bureaucracy has admitted the existence of the real (informal), as opposed to the ideal (formal), can the disparity be understood without the loss of credibility that now takes place between the academy and the field. Once this is done, the training that is necessary to assist the patrol officer in making proper decisions can take place. Decision-making, problem-solving, and analytical abilities all can be addressed in the basic training.

It is not enough however to only prepare the recruit in the academy setting. When trainees leave the academy setting to go into the field training program, it will be necessary to protect and insulate them until they can resist undesirable influences by their peers. This must be the redefined role of the field training officer (FTO).

The role of the FTO must be defined not only as a trainer, evaluator and supervisor, but increased emphasis must be placed upon their role as a guide, counselor and role model. While the FTO must train and evaluate the trainee, insuring that they have the ability to apply the skills and knowledge they have been taught, they should also emphasize the professional attitude and conduct expected of a peace officer. By demonstrating the proper behavior and pointing out undesirable conduct, the FTO shall continually reenforce the professional attitude initially required at the academy.

The FTO must also be prepared to identify situations when the informal policy departs from the formal, or only informal policy exists to provide guidance and direction. The practical reasons for selecting one or the other as alternatives should be discussed with the trainee to insure that the rationale is understood and

may serve as an example for similar situations the trainee may encounter in the future.

The FTO will also have the duty of guiding the trainee away from early association with officers who have demonstrated a proclivity for unacceptable conduct, and attempt to provide a "safe zone" where the trainee will not be subjected to negative peer pressure. The trainee should remain in the field training program, under the positive influence of the FTO, until it is determined that he or she has developed proper behavior patterns as well as the mastery of skills and knowledge to effectively do the job.

In addition to the FTO the department would be well advised to incorporate the concept of a mentor into the basic training system.

The Mentor Concept

There are some police department (New York City PD for one) that have adopted a mentor system within the department. The concept employs a senior officer (various ranks) who will act as a guide and confidant for each new patrol officer.

Frequently new officers are faced with personal problems arising from their new career for which they may need advise and counseling. The mentor provides the trainee with an informal and confidential means of reporting problems they may be having with the academy, the organization, or with other personnel, and advises them on the correct course of action.

Each recruit will thus be provided with an informal and confidential means of soliciting advise and solutions for some of the problems they will face-especially those of a personal nature and those involving fellow officers. When peer pressure creates ethical dilemmas the mentor will provide an unofficial means of obtaining solutions favorable to the department-and the officer.

The role of the mentor would begin just after employment of the trainee, and prior to the trainee entering the academy. The mentor would be assigned the responsibility of meeting with the trainee and describing what was expected of him/her in the academy, and following graduation, in the field training program. The mentor would keep in contact with the trainee during the academy, and be available as a counselor. The mentor would also keep in close communications with the staff of the academy, relative to the progress or problems of the trainee.

It is suggested that POST research this concept further, and evaluate existing mentor programs for the purpose of advancing this concept in California law enforcement agencies.

Only when the patrol sub-culture is recognized, identified, and accepted as part of the bureaucratic policy-making apparatus can law enforcement administrators reclaim a certain measure of control over the results. Only when patrol officers are given the tools for proper discretionary decision-making can they be expected to be held accountable for the decisions they make on the streets.

Recommendation

Research and develop curriculum that analyses the dynamics of the police "occupational personality" and the impact this has on the novice patrol officer.

Appendix G

Confidence

The Key to Professional Behavior

It is difficult for police officers to exhibit proper (professional) behavior in their dealing with the public, if they lack confidence in their ability as a law enforcement officers. Lack of confidence leads to lack of self-control and produces emotional response which often leads to compensating behavior. The POST Unit Guide #26, Legal Aspects of Force states in part that compensating behavior takes the forms of hesitation, bluff, verbal abuse, and unnecessary force. One of the greatest assets in overcoming this problem is to develop confidence and self-control through the training and practice of verbal and physical skills, on and off the job.

In an address to the POST Symposium on Training Issues, held in September, 1991, Dr. Irvin Staub, professor of psychology at the University of Massachusetts, stated:

"Another important thing is to develop physical and verbal skills in peace officers to deal with all kinds of situations. What do I mean by physical skills and verbal skills? One part of it is that the more confident you are of yourself, the more you feel good about your competence and your ability to handle situations, the less you need to use violence. If you have confidence in yourself and know you can do whatever you need to do, and somebody challenges you in some way, you don't need to respond to that challenge. Physical unarmed hostile conduct can be dealt with, without arms. What I am saying is that under many circumstances think of what you can do to make the situation non-dangerous. This is important. But also verbal skills are very important. There are many elements, and one of them is just communication skills."

The basis of confidence is the knowledge of one's self and one's abilities to relate to people, things, and situations in an effective manner. For a peace officer this requires an understanding of the people and the things and situations that one will interact with, and the ability to secure compliance and resolve problems. Basic training must be directed at instilling confidence, by the transfer of knowledge, and the development of skills in the trainee, by lecture, demonstration, and, most of all, practice.

Compliance-control skills

The patrol officer's primary role, in a generic sense, is to obtain compliance from the public. When presence and verbal persuasion fails to insure compliance, a degree of force necessary to effect compliance must be used. The degree of force may be identified as a continuum from less to more application of pain, shock or disabling force inflicted with only hands, to the use of mechanical, electrical, or chemical pain compliance weapons. The final degree of force is lethal force, used only to defend oneself or another from imminent lethal attack, or threat of a lethal attack. The application of force against a person is called by several names: control holds, defensive tactics, weaponless defense, impact techniques, baton techniques etc.. The use of force against a person to obtain compliance can be logically called "compliance skills." The use of force to defend oneself against physical attack of an armed or unarmed person can be best described as "defensive skills." Peace officers are required to use force to obtain compliance and to defend themselves. The use of the term "control" is the object of the use of force, and since officer's actions may be defensive and offensive at once, and changing (as in a boxer's actions), "control" will serve to define both defense and compliance.

It has not been determined as yet the extent of training necessary to bring the average trainee to a level of competency in any of the control techniques, with the possible exception of electrical and chemical weapons. Nor has the duration and frequency of training or practice been established.

In any of the physical sports and marshal arts it is accepted that one first learns (is trained) the physical movements and coordination of eye and limb necessary to be able engage in the activity. Then constant practice is necessary to develop the skill level needed to compete (effectively demonstrate proficiency).

The police officer acts in real world time, when performance of a task or skill must be without hesitation, and most times entirely reactive. To perform effectively under these conditions there can be no thoughtful reflection, or hesitation, but the decision to act followed immediately by the act. This type of competency is acquired only by continuous practice until the muscles develop their own reflex memory, apparently independent of the mind. The development of this ability builds confidence, which

enhances self control and reduces the potential for unauthorized force.

This information is not really new, nor is so esoteric as to defy common sense. Most everyone in our society recognizes that you only become good at a skill by training and constant practice. On any given day in American one can find students of all ages engaged in practicing some sport so that they may good at it. From Little League to professional baseball the participants know that they must practice continually if they are to be permitted to play with the others. They have to be good to compete. And being good comes only with practice.

Apparently this lesson is not shared with many in the field of law enforcement, and this is reflected in POST approved courses and curriculum.

Reserve Module A (also PC 832) requires about two hours of Weaponless Defense and Control techniques

Reserve Module B require eight hours in Baton Techniques and Demonstration of Baton Techniques.

Reserve Module C require no additional skills training.

From the above one may gather that reserve peace officers need very little training in defensive tactics—from 2-8 hours. Apparently reserve peace officers need significantly less training than regular officers, since they may not need to use the skill as often. But this is hardly logical, since the officer must be able to use the skills properly and effectively *whether used once or many times*.

All peace officers, by the very nature of the job, frequently must obtain compliance by means of verbal or physical skills. Infrequent use of these skills does not justify insignificant training. In fact the officers that use these skills infrequently have more reason for effective training and frequent practice. As noted above, without these skills the officer lacks confidence, loses self-control, and reacts improperly.

Degree of Force

Assuming one has the ability to effectively call into action one or more of the control techniques available in the continuum of force, the next crucial element is the decision to use a particular level of control. This decision is subject to a great deal of public criticism when it is perceived that an officer used excessive control—control more severe than the circumstances required. The officer has the

problem of making a proper decision, one that is effective yet justifiable and reasonable to the administration, the public, and to a court of law evaluating the officer's actions. The administration has the problem of providing unambiguous and practical direction to the officer.

Desmedt and Marsh have developed a use of force model that seems to provide the answers to the above described problems.¹ In their model they discuss the problems involving the decision to invoke force.

They maintain that in the use of less-than-lethal control techniques there are no defacto standards for determining one's qualifications, as in the use of firearms. In addition there are certain difficulties that do not exist when a decision to use firearms is made. In general the less-than-lethal control techniques requires touching the subject, which places one within arms reach of the subject. This creates a condition of vulnerability for the officer. Further, when grabbing a subject, the officer, in effect, becomes attached to the subject and may lose balance if a struggle ensues.

This type of control device is less than reliable "Because less-than-lethal force may involve a great many variables such as:

physical stature,
strength,
endurance,
ability to withstand psychogenic shock,
ability to perform and adopt skilled movements,
knowledge of expected outcome of mechanical actions.
experience and drive in dealing with violence,
ability to produce different types of force,
courage, and

ability to control panic (fear) in emergencies." (Desmedt, 1982)

Therefore the outcome is always subject to chance gatherings of the above variables, and the officer's actions, always subject to criticism, are difficult to explain, much less justify. In addition no two officers are alike and their responses may be entirely different, but still justifiable.

¹ Desmedt, John C.; and Marsh, James F. "The use of Force Paradigm for Law Enforcement and Corrections." Copyright 1982, 1990. Much of the following discussion was obtained from their publication.

Standards of Force

Desmedt and Marsh state " The correct amount of force is the amount necessary to establish and maintain control over the subject, neutralizing threat or resistance." In determining amount of force to use the officer must insure that the action taken is timely, with consideration of distance, barriers, shielding, obstructions, type of attack or resistance, risk, and probable effect on others. In addition the officer will be responding to his/her perception of the facts, which may be flawed, i.e. mistaking an object in the suspect's hand as a weapon. Finally, the officer must be certain that the type and degree of force is applied professionally, in an effective manner

The Model

The model used by Desmedt and Marsh takes into consideration the subjects actions and potential threat by degrees, and then matches them with the proper responses:

Action

Cooperative subject

- Low level cooperative
- High level cooperative

Resister

- Active resister
- Passive resister

Assailant

- Aggressive, offensive, without weapons
- Actions will probably cause physical injury
- Actions will probably cause death or serious injury

Control options available for above situations:

- Social control (presence)
- Verbal control
- Social and verbal

Weaponless control

- Pain producing holds (pressure)
 - Low probability of injury to subject
 - Unpredictable effect, (may not control)
- Stunning (hand strike to stomach, rib cage, head, etc.)
 - Unpredictable

May produce physical injury
More reliable than pressure holds
Temporary effect
Direct mechanical techniques
Concentrated impact pressure with body
Massive non-impact pressure (against joints)
Neck holds (vascular/choke holds)

Impact weapons (batons etc)

Control instruments (non-impact pressure to pain sensors)

Electrical shocking devices

Chemical agents

K-9

Firearms/other lethal force

The above model is diagramed so that the subject's actions and possible threat is matched to the alternatives available, in such a way as to avoid ineffective control or excessive control and arrive at reasonable force as a proper choice.

As the control options increase in severity so does probability of establishing positive control, so does possibility of creating physical harm to subject, and the irreversibility of the action.

The above model has been successfully tested in various courts. It appears to be an acceptable answer to many issues raised by the use of force. It does not take into consideration all of the variables that a peace officer experience, such as the appropriate actions of two or more officers facing a single subject; or two or more subjects facing a single officer. It must also be tempered with the local agency's use of force policy, and augmented by the necessary supervision.

Conclusion

From the above discussion one may conclude that a system of training is needed that provides peace officers with the necessary physical skills to obtain compliance, and an effective model by which to make reasonable judgments as to the degree of force to exercise to effect control.

Recommendation

The degree, intensity, and length of all defensive/compliance skills training must have as its objective the goal of making the officer proficient and effective in these skills. Time for continued practice must be allocated by the officer's department.

POST should place control skills training as the basis of all continued professional training (AO) for the first three years of an officers employment.

The Commission should direct staff to continue research into the training necessary to train officers in the available controls, and to provide a model which will assist the officers in making the correct use of force decisions.

REFERENCES

Druckman, Daniel, and Bjork, Robert. (1991). "In the Mind's Eye." Washington D.C.: National Academy Press.

Desmedt, John C.; and Marsh, James F. "The use of Force Paradigm for Law Enforcement and Corrections." Copyright 1982, 1990.

Appendix H

Reserve Peace Officer Training

In 1978 the legislature enacted legislation which created three levels of reserve peace officers, and required training for each level which would be established by POST.. Although all reserve officers had the same peace officer powers, the new legislation limited the police activities for each level of reserve officer.

Level 1 reserve peace officers were allowed to function in the same unrestricted capacity as regular peace officers; Level II reserve peace officers could only work under the immediate supervision of a peace officer possessing a basic certificate; and Level III reserve peace officers were deployed in such limited functions as would not usually require general law enforcement powers.

Level I reserve peace officers were later divided into designated and non-designated Level 1 reserve peace officers, therefore establishing four classes of reserve peace officers.

Training

POST established the training required of Level III reserve peace officers as Module A-(POST-certified Penal Code 832 Arrest and Firearms and Communications and Arrest Methods Course). This course is currently 56 hours.

The training POST established for Level II reserve peace officers was Module A (56 hours), and (Module B, 90 hours). In addition Level II reserve peace officers were required to continually be engaged in a POST approved field training program (unless appointed before January 1, 1979).

Level I (non-designated) reserved peace officers were required by POST to complete Module A, Module B, and Module C, (68 hours)-a total of 214 hours of training.

Level I (designated) reserve peace officers were required to have successfully met the requirements of the POST Basic Course. The difference between designated and non-designated Level I reserve peace officers is that designated reserves peace officers have all the authority, on and off duty, of a regular officer.

Training Problems

While the decision to assign PC 832 training as Module A, the minimum training required of all peace officers, establishing the next two levels were not as easy.

There was strong interest from the field to require Level I reserve peace officers to complete the regular basic course, since the reserve peace officer would have all the authority of a regular officer. The Commission however, decided to require Modules A and B, and an additional 68 hours for Module C—a total of 214 hours.

Reserve Level II training fell someplace between Level I and Level III, and 90 hours of performance objectives from the basic course were designated as Module B.

The various modules of reserve officer training are not sequential, matching the performance objectives in the basic course. Therefore the modules must be taught outside of the basic course, in a course designed specifically for reserve peace officers. Reserve peace officers wishing to become regular officers must complete the regular basic course, including the subjects they have already been taught.¹ This of course is not efficient and perhaps dissuades reserve peace officers from considering employment as a regular officer.

The original intention of the authors of the reserve peace officer legislation was that the Level II reserve peace officers would function as second persons in a patrol car. The Commission therefore required that Level II reserve peace officers participate continually in a field training program. The Module B (90 hour) training requirement consisted of performance objectives from the basic course, but not performance objectives developed for the role of the second person in the patrol car.

Summary

The training system suggested in this report incorporates PC 832 training into Phase 1. In addition other subjects are included which completes a "core module" which should be required of all peace officers. The system recommends that PC 832 training be expanded to include the whole of Phase 1. This will therefore integrate the PC 832 required training into the beginning of the regular basic course, allowing any type of peace officer to attend.

Phase 2 of the suggested system anticipates basic course performance objectives which prepare an officer to function effectively as a second officer in a patrol car. In addition

¹ Designated Level I reserve peace officers are excluded if they have successfully completed the basic course.

the system requires the development of new performance objectives which address the specific role of the second officer in a patrol car. Were POST to redefine the performance objectives in Module B as those in Phase 2, then the second element of reserve peace officer training would be integrated sequentially into the basic course.

Logic would then suggest that Module C of reserve peace officers training would be the rest of the basic course.

Recommendations

The Commission should redefine PC 832 training, and Reserve Module A, as Phase 1 of the proposed basic course.

The Commission should redefine Phase 2 of the proposed basic course as Reserve Module B.

The Commission should redefine Reserve Module C as those performance objectives contained in Phases 3, 4, and 5 of the proposed basic course.

Appendix I

The Field Training Program

The Field Training Officer (FTO) program is a process whereby a basic course graduate is assigned to ride with one or more experienced officers, who train and evaluate the trainees performance. The process is a structured one, and POST has developed a Field Training Officer Guide, a Field Training Officer Course, and a Field Training Management Guide, to assist those departments that choose to participate in this voluntary program.

The major thrust of the POST FTO program is to train the new officer and assist in the transfer of knowledge learned in the academy to the posttraining task in the field. The role of the Field Training Officer (FTO) is described as a Role Model, a Trainer, an Evaluator, a Supervisor, and a Counselor.

The recommended FTO course is 18 weeks, and the training guide covers many of the performance objectives in the basic course, as well as local administrative rules and processes, and familiarization with the agency, the jurisdiction, and hands on demonstration of skills and knowledge learned at the academy. Much of the training in the guide is redundant with that taught at the academy so as to reinforce skills and knowledge.

The POST FTO model recommends the trainee be rotated through three FTOs, so as to expose the trainee to different styles, but most especially to have evaluations from several FTO's should they terminate the trainee.

There are 21 POST approved FTO Training courses of 32-40 hours available throughout the state, and two 16 hour FTO Refresher courses. Some departments send their FTOs to the POST course, but many do not. Some departments follow the recommended POST model, and again, many do not. POST records reflect less than two hundred law enforcement agencies in the POST approved FTO Program, and about 1,400 officers attending the POST approved FTO Training Courses each year.

The FTO program has not been as successful as anticipated, and has come under continued criticism from the practitioners as well as the POST staff. At the same time there has been constant recommendations that the program should be mandated as well as updated. In 1980 The Symposium on Professional Issues recommended that POST mandate the program, and this has been echoed by several other task forces and committees. The recent San Diego Symposium on Training Issues also recommended that the FTO:

- * program be mandated,
- * program have a mandated, universal curricula,
- * course be updated,
- * esteem be raised,
- * program be integrated with the basic academy, and,
- * the FTOs be certified.

The Basic Course Revision Committee also recommended integrating the FTO into the basic course and developing and mandating the standards for field training.

It appears that many people involved in law enforcement have for the last decade suggested that something more be done with the FTO program. The basic course and the FTO program are viewed as part and parcel of the basic training a peace officer receives but they have not been integrated, nor has the subject matter been viewed as a whole. The recruit and FTO workshops, emphasized the problems existing when the field training program is separate and apart from the basic training received in the academy. Of all the recommendations concerning the POST FTO Program, integration of the FTO program with the basic academy is probably the most difficult to implement.

Integrating the FTO Program Into the Basic Course

Recent studies have demonstrated that training should take place in an environment that most closely resembles the posttraining task.¹ Basic training should be formatted so that the performance objectives are taught in the setting most feasible for learning and retention. Some of the cognitive POs are best taught in a classroom environment, while some skills are learned more readily in the field.

The Field Training Program would therefore be the first choice for the assignment of some skills training, since it would be under the actual conditions of the task that is performed. At the same time the actual demonstration of performance under real conditions would be a realistic testing of the trainees ability.

This basic training model suggests the trainees be placed into a ride-along program during the academy. This would provide the familiarization and context setting that is so useful for learning in the classroom. For those agency academies with only affiliated students this time could be

¹ Druckman, Daniel, and Bjork, Robert. (1991). "In the Mind's Eye." Washington D.C.:National Academy Press.

used to teach some of the performance objectives in the basic course deemed best taught in the field.

Before examining the POST Basic Training Course to determine those POs most amenable to actual field learning, a current job task analysis survey should be conducted. The last job task analysis was conducted in 1978, and many changes have occurred in the patrol officers function since then. Once this was completed and the basic course performance objectives updated, a committee of subject matter experts could recommend a division of the curriculum between the academy and the FTO program.

Integration of the FTOs with Academies

One critical comment of the FTO program has been that there is little, if any, relationship between the FTO and the academy, and the FTOs do not have a grasp on what is currently being taught in the academy. It was a unanimous consensus among the workshops and the San Diego Symposium on Training that the academy and the FTO program be integrated so that basic training was a coherent continuum from the academy through the FTO program.

The FTO should be familiar with the academy and the basic course; and, maintain awareness of what is being taught, and any changes made in the curriculum. In fact the FTO should have a part in any considerations of course content, since he/she is the practitioner and aware of the problems officers are facing in the street. The FTO must be able to provide feedback to the academy, as well as offering suggestions for the improvement of the academy program and the basic course.

FTOs should be brought into the academy as role players, and if possible, used as instructors. They should also have a yearly review of the academy curriculum. During the year each department should have an FTO manager or FTO representative, liaise with the academy, so that any substantial changes in curriculum be brought to all the FTOs attention.

The FTOs may also fill the need for quality control of the basic course, in as much as they are evaluating the performance of the trainees who have just left the academy. The FTOs can provide feedback to the academies as well as informing the administration of any shortcomings perceived in the trainee.

The Role of the Field Training Officer

Each department defines the role of the FTO according to their interests and needs. In some department the FTO

program is considered primarily as a means of legally terminating a probationary employee. In other departments the FTO role is considered primarily that of a trainer.

While the FTO must train and evaluate the trainee, there should be more emphasis on training than evaluation, and paperwork should be kept to a minimum, especially when the FTO is responsible for handling a normal workload—a situation prevalent in many departments.

In addition to insuring that the trainees have the ability to apply the skills and knowledge they have been taught, the FTO should be responsible for teaching those performance objectives, part of the basic course, that are determined to be best learned in the field training setting. The FTO must be trained to teach these POs as well as to test for them. Sufficient time in the field must be allowed for this to occur.

"The effectiveness of a training program should be measured not by the speed of acquisition of a task during training or by the level of performance reached at the end of the training, but, rather, by a learners performance in the posttraining tasks and real world settings that are the target of training." (Bjork, 1991)

It is one of the roles of the FTO to develop confidence in the trainee, by instruction, practice, correction, and praise. As the confidence and self control develops the trainee should become more adept at making decisions, and judgement should improve. The trainee will gradually be less dependent upon the FTO, and anxious to pass from the FTO program and assume responsibility of independent patrol.

The role of the FTO is also that of a role model. In this capacity the FTO shall continually emphasize the professional attitude and conduct expected of a peace officer. By demonstrating the proper behavior and pointing out undesirable conduct, the FTO shall continually reenforce the professional attitude initially required at the academy.

The FTO also has the duty to guide the trainee away from early association with officers who have demonstrated a proclivity for unacceptable conduct, and should attempt to provide a "safe zone" where the trainee will not be subjected to negative peer pressure. The FTO should strive to insure that the trainee possesses enough good judgement and confidence to maintain ethical standards and reject any undesirable peer pressure from fellow officers.

Since trainees learn at different speeds, some will need more time in the FTO program than others. The trainee should remain in the field training program, under the positive influence of the FTO, until it is determined that he or she has developed proper behavior patterns as well as the mastery of skills and knowledge to effectively do the job. Rather than setting a fixed length for the FTO program, it would be desirable to extend the FTO training until it is determined that additional training would not be cost effective.

Supervising the FTO

While the FTO supervises the activities of the trainee, the field supervisor is still responsible for supervising the field activities of the FTO and the trainee while they are performing normal patrol functions.

During the field training program the supervisors must make a conscious effort to see that the FTOs inculcate professional attitudes in the trainee when dealing with the public, especially minorities. The FTOs can do this by personally demonstrating proper behavior as well as lecturing; and observing the trainee's performance in practical field situations. It is essential that the trainee's interpersonal habits and behavior be acceptable, as well as the demonstrated use of skills and knowledge. The supervisor should insure that this is being done.

Enhancement of the Role of the FTO

Currently there appears to be some difficulty obtaining desirable officers to volunteer for the FTO program. The reason seems to be that additional work is placed upon the officer without compensation or recognition. In order to make the FTO program succeed, the department must have a qualified pool of volunteers who are anxious to participate in the program. This will require the enhancement of the field training officer by tangible recognition of the importance of the position. The Commission should approve a professional certification program for FTOs, and the department should provide increased promotional opportunities, training preferences, and other tangible incentives.

The Modesto Police Department have been operating a highly successful FTO program for some years. The FTOs are corporals, one step below sergeants. They are selected by the chief after a written and oral selection process. They are responsible for all the in-service training, including role call training, and are given enhanced benefits for the position. They also replace the sergeant when necessary and

are considered supervisors. Since the position is vested, they receive corporals compensation even if they are not training a recruit. They are provided additional training, as well as training preferences. Some of the FTOs are given assignments within specialized units in the department. One of the FTOs is assigned as a training manager, and provides some administrative supervision of the program. The training manager (FTO) also maintains contact with new recruits during the academy, and insures that remedial tutoring is available to those recruits needing additional assistance. The moral is high, turnover and burnout low.

Selection of FTOs

The POST Field Training Officers publication suggests five roles for an FTO: Trainer, Supervisor, Counselor, Role Model, and Evaluator. A recent workshop of FTOs considered the qualifications necessary for a good FTO and suggested that an FTO applicant should demonstrate the following characteristics consistent with the five roles:

Supervisor:

Applicant should have demonstrated personal authority, ability to influence, and control the people about them. They should have self-initiative, and demonstrate leadership qualities.

Role Model:

Applicant has command presence and is respected by peers. Has good appearance and shows consistently excellent/strong performance and self initiation.

It was noted by FTOs that some departments set de facto standards for role models by the type of personnel they assign to FTO positions. The relevant issue is that those officers assigned to this position meet the department's expectation of a role model.

Trainer

The following characteristics were considered desirable:

- Maturity
- Knowledge on the Job (skills)
- Teaching Credential/Certificate
- Ability to transfer information to someone (to teach)
- Demonstrated desire to train
- Verbal Skills

Culturally Awareness
Patience
Creativity
Flexibility

It was also suggested that the department should create opportunities to demonstrate these characteristics (i.e. Sacramento SD requires FTO applicant to be a Reserve Training Officer before applying for FTO).

Some of these characteristics can be determined by general reputation, while others by supervisor evaluations and personal knowledge of the FTO applicant.

Evaluator:

Honesty (demonstrated through reputation and openness)
Ability to articulate
People Skills
Analytical skills
Investigative ability

In addition the ability to document the negative and still maintain a learning environment - retain objectivity.

Counselor:

Listener
People Skills
Able to offer constructive criticism
Tactful
Worldly
Understanding
Empathetic

Other qualifications:

Have been a patrol officer for at least 3 yrs.

Consideration of prior discipline record....Although it was important that an FTO candidate not have disciplinary problems or personnel complaints, each officer should be evaluated on the facts and merits of each case. There was unanimous agreement that evaluation should be on a case by case basis, and not automatic rejection because of one or disciplinary problems.

Possessing special qualifications or experience.

Selection Process:

The selection process suggested was to have the FTO applicant submit a resume which would be evaluated. The applicant would then appear before an oral board composed of a peer, an FTO, a supervisor and an administrator.

A majority of the FTOs felt that the position should not be civil service or promotion, but remain "at will," subject to the discretion of the CEO. Others felt that a specific limited time in the FTO assignment would be better. A specific limited time with reevaluation was also suggested.

Training for FTOs

The FTO should be familiar with all academy basic training and be extremely competent in those performance objectives which the FTO is responsible for teaching and testing. Assuming that this report is implemented, FTOs should receive training in all new subjects added to the basic course in which they have not received training. The FTO Training Course should cover the following subjects:

- Supervision of personnel
- Role Expectation of recruits
- Peer Counseling
- Training techniques
- Verbal Judo/tactical communication
- Decision making/problem solving
- Crises intervention/mediation
- Cultural Awareness
- Human Relations
- Ethics
- The patrol sub-culture
- Dynamics of excessive force/bystandership
- Management of Fear

FTO officers must also be proficient in compliances techniques: control holds, weaponless defense, and use of weapons. These skills must be practiced continually with the trainee during the FTO program.¹

Continued Professional Training

It is not enough to insure that the FTO is trained properly to fulfill the responsibilities of the position, but training must be maintained and kept up to date. The FTO must be trained in each new subject added to the basic course, and

¹ These manual skills are discussed in Appendix G. They are termed "control techniques."

aware of any deleted. The FTO should also be the first to received new or mandated training.

The department may choose to select in-service trainers from among the FTOs. The FTO program is an excellent tool to evaluate those officers who may possess the interest and capabilities to advance in a law enforcement training career.

The present FTO refresher course should be updated and required of all FTOs as a condition of continued certification. Through such a course, a continuous evaluation of the FTO programs would be maintained. This course should be attended once a year, as an AO course, with appropriate financial support from POST.

Conclusion

Law enforcement in California has recognized the importance of the Field Training Officer. This report, and others that are being prepared about this state, reflect, or will reflect this opinion. There does not appear any doubt that a change is being called for--only doubt that change will occur and, if so, how it will be manifested.

The FTO stands at the apex of the patrol force, as the quintessence, the ideal patrol officer, and should be the embodiment of those qualities the chief executive desires as a standard for the department. The selection, training, retraining and supervision of the FTO is critical to the development of the officers that make up the department, and in time, the importance of the FTO in law enforcement will manifest itself. For although they may or may not become the chiefs and sheriffs of tomorrow, assuredly, they will have trained them.

Recommendations

Restructure the FTO program

- a. Establish an FTO Consortium
- b. Determine basic course performance objectives best learned in the FTO program
- c. Restructure the Field Training Officer Course to include training for those subjects that will be taught by the FTO and familiarization of Phase 1 curricula

Supervision of personnel
Role Expectation of recruits
Peer Counseling
Training techniques
Verbal Judo/tactical communication
Decision making/problem solving
Crises intervention/mediation
Cultural Awareness
Human Relations
Ethics
The patrol sub-culture
Dynamics of excessive force/bystandership
Management of Fear

FTO officers must also be proficient in compliances techniques: control holds, weaponless defense, and use of weapons.

- d. Plan for a future date certain, when all agencies will be required to adopt the proposed basic training system which will entail:
- * restructure the academy with content organized into modules as described in this report,
 - * integration of the academy and the FTO program with some current basic course PO's taught and tested in the FTO program,
 - * restructure the FTO program with Post specified content and standardized FTO training courses that prepare the FTOs to teach and test required POs,
 - * all law enforcement agencies have an FTO program as prescribed, or make arrangements for their officers to receive FTO training in other departments.
- e. Certify FTOs
- f. Recommend placing FTOs on academy advisory boards
- g. The present FTO refresher course should be updated and required of all FTOs as a condition of continued certification. Through such a course, a continuous evaluation of the FTO programs would be maintained. This course should be attended once a year, as an AO course, with appropriate financial support from POST.

Appendix J

Training Axioms

Police service has not yet achieved that professional and vocational level which requires pre-employment higher education or training. Doctors, lawyers, teachers and other professionals require thousands of hours of education and training before they are permitted to practice in their fields. This is not the case with law enforcement officers. Their primary training must be provided by the employing agency after their entry into the police service.¹ Even so, the amount of training received is minimal in comparison to other professions and is designed to equip new recruits with little more than the basic skills required to perform their difficult and demanding job. While most of the police departments of the world count their basic police training in years, we count ours in hours.

When incidents of police ineptness or misconduct are publicized, to often the critics suggest that the remedy to prevent further incidents of this nature is training. Police training seems to be perceived as a panacea for many of the ills afflicting our communities, yet the many governments are loath to part with additional finances to secure the training necessary to minimize unfortunate incidents.

Police training is expensive, and when a department is faced with a limited training budget, as most are, efforts must be made to insure that each precious training hour is of benefit to the department and the community. Not only must the training be effective, and efficiently conducted, but the person being trained should be the correct person and the training the correct training. The department may need a homicide investigator, but sending a middle manager to homicide training has not filled this need. Not unless the manager will be assigned to work homicide cases. Patrol officers may need more training in many areas, but sending them to forensic training may be totally wasted.

Training is a direct expense for an indirect benefit. Only when the benefit is received has the expense been justified. In law enforcement agencies the benefit from training should be clearly stated before the decision to train a particular officer is reached.

The underlying assumption which justifies the expenditure of tax dollars for support and recognition of personnel education and training programs is an expected increase

¹ In 1990 and 1991 6%-8% of police officers in the state obtained their basic police training before they were employed.

in efficiency and effectiveness. Thus ideally, law enforcement agencies assist their personnel to acquire additional training and knowledge to improve their performance so that the department may better achieve its goals and objectives.¹

The following general principals, or axioms, were developed by POST staff, or obtained from a recent study on memory retention, commissioned by the army.² If followed, they will help to make training both more effective, and more efficient.

The basic training shall attempt to insure that the biases and prejudices possessed by the recruits do not result in undesirable conduct. It would be highly desirable if the police applicants could be selected for good character traits, and tested to screen out those whose personal character will result in undesirable conduct on the job. If we cannot do this we must insure that the recruits will conduct themselves properly, by somehow developing good and acceptable habits and responses to the people and situations they will be facing on the street.

If skills or knowledge are not used within a year of the training, they should be re-evaluated and critically examined. With the exception of mandated subjects and firearms skills, the subjects taught in basic training should be used in the year following the training. If not, it is doubtful whether enough will be retained to be effective.

If a skill is not required to be maintained by the department it is doubtful if teaching it in the basic course can be justified. Certain skills taught in the basic course are not maintained after the recruit graduates, and unless used constantly will be forgotten. Manipulative skills require constant practice to maintain at an effective level.

Knowledge that degenerates should be constantly reviewed and updated by the department. Some knowledge subjects, like the law, are constantly changing and must be updated or the officer is armed with specious information which waits like a land mine.

Knowledge and skills that are not directly related and required by a patrol officer should not be taught in the

¹ POST. 1975. "Training Assessment and Planning."

² Druckman, Daniel, and Bjork, Robert. (1991). "In the Mind's Eye." Washington D.C.: National Academy Press.

basic training. There are many "nice to know" subjects that should be learned by peace officers, and a great deal of relevant material which will enhance the professional development of an officer. This assumption challenges the relevancy of this material in the basic course.

Mandated courses must be periodically evaluated for relevancy. The "issue" that resulted in a legislated mandate may no longer be a condition; or may no longer be significant enough to continue to maintain the current level of training. Legislated mandates can be amended or rescinded.

Verbal and physical skills training should commence early in the academy and extend through the probationary period and during the first several years in an officer's career. Extensive research has determined that "spaced" training is much more effective than "batched" training, in terms of long term retention; although it may appear that batched training is much more efficacious in the short term. Skills are a coordinated effort of mind and muscle which require a great deal of practice over a long period of time to become a reflex.

Expertise is not the sole criterion for selection as an instructor. People with expertise often know too much. They do not have to stop and think about what they are doing. It is difficult for them to explain to others how or what they are doing.

Training is a skill in itself. The ability to effectively train others goes beyond a technical professional skill. Characteristics compatible with effective teaching should be assessed rather than relying on tenure, varied assignment, etc.

Instructor evaluations should be conducted when students are required to perform in the field what they were taught in the class. Instructors are usually evaluated at the end of a course or series of courses. The evaluation is usually that of the classroom setting, the personality of the instructor, or how the test was related to the presentation. The most effective way of evaluating an instructor is to determine how well the student was able to apply classroom instruction to actual application. It is at this point the most valid feedback is received.

Training should be viewed as a continuum. Training should be viewed as having a starting point, but not a stopping place. Courses should build upon one another, and enhance abilities and skills.

The more people are involved in the learning process, the better they learn. Students should not be given answers. Whenever possible, they should discover the answers themselves.

During role-play for example, when an activity is performed incorrectly, the student should be stopped. Rather than being told what was being done incorrectly, they should be facilitated into identifying the problem and proposing the solution.

Mass practice does not hold up over time. Presenting information or conducting skills training in large blocks of time results primarily in short-term memory. Over sustained periods of time, it is likely the skill or knowledge will not be retained.

Optimal training is that which is expanded or retrieved. Once material is presented, regardless of the method used, it should either be expanded upon or retrieved. Expanding upon a learning domain suggests that a person starts from the simple and moves toward the complex. Retrieving information means that the student is asked to use information or a skill that had been taught at a point earlier in time. The phases at the onset are more frequent and progressively move to longer periods between times of retrieval.

Spaced repetitions/distributed practice is an effective learning technique. This theory is similar to expanded or retrieved training with the exception that repetitions are sequenced or distributed on a scheduled basis.

Some things are not learned by mere exposure. Watching, listening and other passive behaviors are poor activities for learning. Being exposed to material or a procedure without the opportunity to actually participate in some form of application will likely result in the material or procedure being forgotten or performed incorrectly.

Exception. In some instances learning by watching is effective when the student feels as though their turn to participate is coming up. It puts them on alert and consequently makes them more attentive. Because they will be asked to perform, the process becomes relevant and/or important.

Move from the easier to the more difficult. Simplify the learning process at the onset and as skills and knowledge increase, expand the variables.

Keep changing the conditions during the learning process. Linear training (predictable) tends to be less effective than that which is not anticipated. Predictability tends to influence complacency and lessen the learning edge.

Students learn nothing out of outright failure. Setting scenarios in which it is impossible to succeed (failure is inevitable) provides little or nothing for the student in the way of training or education.

Random training is beneficial. Random, non-predictable training adds a variable which helps create realism. Lack of predictable outcomes in all aspects of training helps people in training think about options and stay alert thereby enhancing learning.

Assess career development concept. Learning is enhanced when it is associated with career development. Linking present training with one's future, makes people attach more significance to the training being conducted. The basic theory is that training is enhanced when it is believed to be directly related to one's job, and can be applied on a relatively frequent basis.

Avoid putting training in modules. Modularized training is not the most effective means of teaching new skills. People have the view that once a module is completed, that information will not be revisited. In many cases that is true.

When feasible training should take place in the environment where the posttraining task will take place. The successful transfer of knowledge and skills from the classroom to the field is dependent on the perceived similarities between the training and the posttraining task. Training under field conditions (FTO) is superior to classroom training that requires greater learning to effect successful transfer of skills to the field.

When at all feasible, initial training shall replicate the conditions and environment in which the real-world execution will occur. Scenarios and simulations used in training should mirror the actual situations that the training is being directed towards.

We need to find ways to transfer skills. We need to continue to find ways to transfer classroom skills to the field. Any training that takes place out of the actual work environment loses its impact/influence when it is taken to the workplace and applied.

Transfer the process. Consider providing book-type learning after the academy. Do not spend academy time on things that can be done in another environment. Reading or self-paced learning that is not critical for entry-level officers should be conducted while in the field training program, while completing probation, or in a course at some point later in one's career.

Appendix K

Reading and Writing Test Battery

POST regulations establish that as a minimum standard for reading and writing ability, applicants shall "...be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability.

The POST Test Battery is a machine scorable test that focuses exclusively on language skills. One component of the test measures writing skills and the other measures reading skills. Agencies are free to set their own cut scores but they are provided by POST with a recommended score range within which to set the cut score. Agencies not wishing to use the POST Test Battery are allowed to use an alternative test if the test publisher asserts that the test is a job-related (validated) test of reading and writing. Almost all law enforcement agencies in the state are in technical compliance with the existing requirement.

While the POST reading and writing requirement does not technically apply to non-affiliated students attending junior college academies, almost all of the junior college academies do pre-screen with the POST Test Battery. It is not insignificant to note that non-affiliated students as a group (those prescreened with the POST test), consistently outperform affiliated students not screened with the POST test. Those junior college academies that do not use the POST test typically use one of the college placement tests or have English course prerequisites.

Thus, even though there is almost universal 'technical' compliance with the POST reading and writing requirement, there are still complaints that an unacceptable number of cadets are deficient in their language skills. There are various explanations for this.

One explanation regards the inherent limitations of the test format typically utilized to evaluate language skills. Almost all departments and academies rely on tests that are machine scorable. While reading ability can be very accurately be evaluated with machine scorable tests, it has been determined that approximately 25% of those individuals who pass the POST Test Battery will fail on a well written writing sample test. This is not an indictment of the POST test but rather a reflection of the fact that the multiple-choice test item is less than optimal for evaluating writing skill. No machine scorable evaluation of writing ability will accurately evaluate generative language ability. To measure generative writing ability requires a hand scored writing sample test.

A second explanation of the continuing problem with language skills focuses on the misuse of test information. While literally all departments and academies test language, an unfortunately large proportion of those departments and academies use the test information in an inappropriate manner with the result being bad employment decisions. Many individuals mistakenly assume that there is a magic point in the distribution of test scores (the cut score) where everyone above that score will be successful and all those below a failure. It is further assumed that all those above the cut score are equally skilled. These misconceptions result in numerous individuals at, or close to, the cut score being hired. In fact, the higher the score the more qualified the candidate. Those agencies that hire from at, or near, the top of the list will consistently encounter fewer problems with language deficiencies than those who select from further down the list.

A third explanation is that the test itself is not of good quality, or that it focuses on incorrect subject matter. Many examinations were developed to be used as diagnostic devices in the educational setting or were developed without specific focus on the law enforcement profession. In either case, the resultant test is suboptimal for use in selecting new officers.

Candidates who lack the required reading and writing skills should not be admitted into the academy, but if they are they certainly should not be permitted to remain after this deficiency has been identified. If students have not learned to write reports properly by the time they graduate the academy, it would hardly be practical or cost effective to attempt to remediate them in the field.

One immediate solution would be to require each recruit in an academy to pass both a machine scorable test and a writing sample test. Those applicants that fail to meet required performance levels should be rejected, or if the agency considers it desirable, be remediated prior to beginning the academy curriculum. To elevate marginal individuals to an acceptable level of proficiency, however, requires sophisticated curriculum presented by individuals specifically trained in language remediation. Such pre-academy training could also prove useful for English as a second language students.

A long term solution would be for POST to mandate the cut scores on both its Test Battery and on the writing sample test. Efforts should also be made to get all of the junior college academies to accept the same standards as are applied to affiliated cadets.

Recommendations

The Commission should direct staff to research and develop appropriate writing sample tests, and at some future date mandate the cut scores on both its Test Battery and on the writing sample test developed.

abilities (Manual Dexterity and Speed); and **Sensory-motor** abilities (Speech, Hearing, Vision). Of these, Verbal and Perceptual cognitive abilities and Speech and Hearing sensory-motor abilities were rated highest in importance for dispatcher work.

Tolerance of Stress was rated by supervisors as the most important trait for successful performance of dispatcher duties, followed by **Integrity, Dependability, Emotional Control, Tolerance of Unpleasant Work Environment, Adaptability, Teamwork, Maturity, Productivity, Positive Attitude, Assertiveness, Social Concern, Motivation, and Interpersonal Sensitivity.**

Test Development and Validation Research Activities

As described below, procedures to measure the identified essential entry-level abilities and traits are now being developed. Priorities for developing such procedures were established on the basis of expectations concerning the extent to which each of the abilities and traits can be measured in a reliable, valid and cost-effective manner.

Cognitive Abilities. A battery of written and performance tests has been designed to measure a wide range of cognitive abilities, including Verbal, Reasoning, Memory, and Perceptual abilities. The specific abilities measured by the various tests in the test battery are shown in Attachment A.

To date, prototypes for each of the written and performance tests comprising the cognitive battery have been developed and a focus group review was recently completed. Experimental test forms are now being generated in preparation for pilot testing, which is scheduled to begin early this summer. On the basis of examinees' performance during the pilot administration, the psychometric properties of the items comprising each test will be analyzed and a final experimental test battery will be constructed.

Test Format. The tests are designed to be administered in a group setting and machine-scored, thereby affording ease of administration at a minimum cost. The written tests will be printed in booklet form and employ a multiple-choice format. The performance tests are audio tape-based and generally require the examinee to listen to information, sometimes taking notes, and then answer a series of multiple-choice questions regarding the oral information. Overall time required to complete the battery of performance tests is less than one hour, while it is expected that the written battery will require approximately two hours to complete.

Planned Validation Study. A predictive criterion-related validity study is planned in which the cognitive test battery will be administered on an experimental basis to several hundred entry-level dispatcher candidates and new hires, followed by the

collection of various quantitative measures of the examinees' subsequent performance in training and on the job, and the completion of various statistical analyses examining empirical relationships between test scores and dispatcher training/job success. While the validation study is expected to require 18 to 24 months to complete, preliminary analyses may be available as soon as 6 months after the completion of the experimental test battery.

Personality Traits. Preliminary contacts have been made with a number of clinical psychologists who currently screen dispatcher candidates for psychological suitability. Several have expressed an interest in working with POST on a voluntary basis to assist in the development, experimental implementation, and analysis of a model dispatcher psychological assessment battery.

Planned Test Development and Validation Research. The planned approach is to assemble an advisory committee of psychologists to assist in the development and implementation of the model psychological battery and related research. A three component assessment model is envisioned, to include: (1) one or more personality inventories, (2) a biographical data (bio-data) inventory, and (3) a standard clinical evaluation form (the clinical evaluation will take into account examinee scores on the cognitive tests and personality and bio-data inventories). To the extent possible, existing instruments will be adopted, however, it is anticipated that at least some developmental work will be necessary to produce appropriate bio-data and clinical evaluation instruments.

The predictive validity of each component of the experimental psychological battery will be examined individually and jointly to identify valid single predictors, as well as the optimally predictive battery of tests. To the extent possible, the experimental psychological battery will be administered to the same examinees who complete the above cognitive test battery so that both the joint and incremental validities of personality and cognitive tests may be examined. An area of special interest will be the incremental validity of clinical prediction (based upon the clinical evaluation instrument) over and above actuarial prediction (based solely upon test scores, without clinical interpretation).

Initial formation of the psychological advisory committee is expected to occur this summer, with the development of assessment procedures occurring over the following months.

Oral Expression and Psycho-motor Abilities. Development of tests of these abilities has been deferred because they pose special problems with respect to development, administration and scoring. An initial investigation is planned to fully assess the feasibility and utility of developing such tests.

Background Investigation and Medical Screening Guidelines.

Background Investigation Guidelines will be developed to provide a job-related rationale for investigating the candidate's personal history to verify the absence of past behavior indicative of unsuitability to perform public safety dispatcher duties. Medical Screening Guidelines will be developed for verifying the absence of any medical condition which would preclude the safe and efficient performance of important dispatcher duties identified in the job analysis.

Time Frame

Development of the experimental **cognitive tests** is scheduled for completion by fall 1992, while development of the experimental **personality trait assessment procedures** is expected to be completed by early 1993. The batteries will be administered on an experimental basis starting in the last quarter of 1992 and continuing through mid-1993. Standard measures of dispatcher job performance will be developed in the first quarter of 1993 and collection of such data will begin immediately thereafter, continuing through mid-1994. Preliminary validity analyses will be conducted in mid-1993 based upon initially available criterion data. Interim analyses and a corresponding report regarding the prediction of basic training success are expected to be completed near the end of the same year. The final validity analyses and a report regarding prediction of on-the-job performance are expected to be completed in the third quarter of 1994.

During the same time period that the above activities are completed, the feasibility of developing tests of **Oral Expression** and **psycho-motor abilities** will be assessed; tentatively during the last quarter of 1992. Contingent upon the results of the feasibility study, any necessary developmental work will progress in conjunction with the above activities.

It is anticipated that **Background Investigation Guidelines** will be developed by mid-1993 and **Medical Screening Guidelines** are expected to be developed by early 1994.

Greater detail with regard to the time frame for completing the various selection standards development activities is provided in Attachment B.

Assumptions and Implications

Selection Standards. It is assumed that those abilities and traits that are found to be job related (i.e., to predict dispatcher training and/or job success) will be adopted as new entry-level selection standards, and that such standards will in effect be procedural requirements for entry-level dispatcher

selection. That is, entry-level dispatcher candidates will be required to demonstrate adequate levels of the various abilities and traits (e.g., Oral Comprehension, Stress Tolerance, etc.), but for purposes of assessing these abilities and traits, agencies will be given the option of using either the tests that have been developed and/or researched by POST, or alternative job-related tests. This approach is consistent with that taken for entry-level peace officers, wherein POST requires that entry-level peace officers be able to read and write at levels necessary to perform the job, with the choice of tests used to assess these skills (either the POST reading and writing tests or alternative tests) left to the individual agency.

Statewide Testing Program. It is further assumed that POST will support dispatcher testing at a level comparable to other POST testing programs. That is, POST will administer and maintain a statewide testing program, to include activities such as: (1) development and printing of all test forms, answer sheets, instructions and other related materials, (2) distribution of tests and related materials to local agencies, (3) scoring and reporting of test results to local agencies, (4) maintaining computer data files containing examinee and test item information, (5) continuous development of new test forms, and (6) monitoring examinee performance and periodically evaluating the standards. POST may also administer the tests for local agencies on a limited basis.

Resource Requirements. The majority of the above described **test development and validation research** activities will be completed by existing staff assigned to the program (i.e., one Personnel Selection Consultant, one Research Analyst [half-time] and one Office Technician [half-time]). Contract costs for administration of the pilot exams could total approximately \$7,500. Other resource needs will be minimal, and can be absorbed within the current administrative budget.

With regard to **administration of a statewide testing program**, resource requirements will depend upon the demand for the tests, as a function of the number of local agencies participating in the POST Dispatcher Program, their respective recruitment needs, and typical employee selection ratios.² The following resource

²There are approximately 5,000 public safety dispatchers in California. Average employee turnover is over 40% within the first 2 years of service. It is estimated that 1,000 dispatchers are hired annually (this corresponds roughly to the number who completed the Basic Course last year). Assuming an average test-to-hire ratio of 20 to 1 (many agencies report a much higher ratio), an estimated 20,000 examinees are tested annually to fill the 1,000 positions. Further assuming that 25% to 50% of dispatchers are selected using POST's tests, the testing demand

estimates are based upon annual testing volume estimates of 5,000 to 10,000 examinees, and 150 to 250 local test administrations.

Staffing needs: Unchanged
Annual printing and postage costs: \$12,000 - \$23,000
Annual contract costs for distribution, shipping & handling of test materials: \$18,000 - \$32,000
Annual contract costs for limited test proctor services: \$3,000

While these costs are noteworthy, ongoing maintenance of the POST-developed tests, and ongoing oversight of the use of the tests, are considered essential to maintaining the integrity of the tests, and thus the entry-level standards supported by the tests.

Summary

A major research and development effort is underway to develop definitive entry-level selection standards for public safety dispatchers. As proposed, implementation and maintenance of the resulting selection standards (i.e., POST-developed tests and other selection procedures) will require the ongoing commitment of additional POST resources totaling approximately \$50,000 per year as described above. This report was prepared to inform the Commission of the status of selection standards development activities, and to ensure that the directions being pursued with regard to selection standards development and implementation are consistent with the wishes of the Commission.

may range from 5,000 to 10,000 examinees annually.

Attachment A

Public Safety Dispatcher Experimental Cognitive Test Battery

WRITTEN TESTS:

<u>Ability</u>	<u>Test Component</u>
Reasoning:	
Deduction	1. Assigning Field Units
Induction	2. Making Inferences
Information Ordering	3. Setting Priorities 4. Organizing Broadcast Information
Memorization:	
	5. Recalling Facts & Details 6. Recalling Word/Number Pairs
Verbal:	
Written Comprehension	7. Reading Comprehension 8. Cloze test
Written Expression	9. Clarity 10. Word Use

PERFORMANCE TESTS:

<u>Ability</u>	<u>Test Component</u>
Verbal:	
Oral Comprehension	1. Following Oral Directions 2. Call-Taking
Memorization:	
	3. Recalling Facts and Details (oral) 4. Recalling Word/Number Pairs (oral)
Perceptual:	
Time Sharing	5. Checking and Listening
Selective Attention	6. Selective Listening
Speed of Closure	7. Associating Information with Incidents
Perceptual Speed	8. Checking Coded Information

Attachment B

Time Frame

Activity	1992					1993							
	J u n	J u l	A u g	S e p	O c t	N o v	D e c	J a n	F e b	M a r	A p r	M a y	J u n
Develop exp cognitive battery	X	X	X	X	X								
Develop exp personality battery			X	X	X	X	X	X					
Investigate oral expression & psycho-motor tests						X							
Develop background investigation guidelines									X	X	X	X	X
Develop medical screening guidelines													
Administer exp cognitive battery						X	X	X	X	X	X	X	X
Administer exp personality battery									X	X	X	X	X
Develop job performance criterion measures									X	X	X		
Collect job performance data												X	X
Preliminary validity analyses													
Interim validity analyses													
Final validity analyses													

Attachment B (Continued)

Time Frame

Activity	1993					1994						
	J u l	A u g	S e p	O c t	N o v	D e c	J a n	F e b	M a r	A p r	M a y	J u n
Develop exp cognitive battery												
Develop exp personality battery												
Investigate oral expression & psycho-motor tests												
Develop background investigation guidelines												
Develop medical screening guidelines		X	X	X	X		X					
Administer exp cognitive battery	X											
Administer exp personality battery	X											
Develop job performance criterion measures												
Collect job performance data	X	X	X	X	X	X	X	X	X	X	X	X
Preliminary validity analyses	X											
Interim validity analyses, report						X						
Final validity analyses, report												

Attachment B (Continued)

Time Frame

Activity	1994				1995							
	J u l	A u g	S e p	O c t	N o v	D e c	J a n	F e b	M a r	A p r	M a y	J u n
Develop exp cognitive battery												
Develop exp personality battery												
Investigate oral expression & psycho-motor tests												
Develop background investigation guidelines												
Develop medical screening guidelines												
Administer exp cognitive battery												
Administer exp personality battery												
Develop job performance criterion measures												
Collect job performance data	X											
Preliminary validity analyses												
Interim validity analyses												
Final validity analyses	X	X	X									

- o In terms of ways to reduce reimbursement costs, those options receiving the greatest support were: (1) reimbursing for closest available training only, and (2) placing a limit on the number of trainee hours reimbursed for a given time period (for example, in accordance with the POST continuing professional training requirement of 24 hours of training every two years). With the exception of reducing reimbursement for commuter meals, little to no support was found for reducing or eliminating other categories of reimbursement (i.e., travel, per diem, or tuition) in order to increase salary reimbursement.
- o Considerable support was expressed for:
 - (1) continuing/expanding satellite training;
 - (2) giving priority (financial and otherwise) to mandated training;
 - (3) facilitating greater utilization of regional/in-house training;
 - (4) working with law enforcement to identify training priorities/eliminate duplications in training/streamline courses.
- o Numerous comments were received about the Command College, with the number of positive and negative comments being almost identical.
- o No clear cut sentiment was expressed with regard to the advisability of reducing POST programs (including POST training programs) in order to increase reimbursement funds.
- o With few exceptions, no significant differences were found in the responses for the different groups surveyed (chief law enforcement executives, association presidents, etc.). Those few differences that were found are noted in the chart in the attachment.

Survey Population:

Chief Executives of Agencies in POST Reimbursable Program
(N=539)

Presidents of Local Associations in Agencies in POST
Reimbursable Program (N=425)

Presidents/Executive Officers of Statewide Law Enforcement
Associations (N=17)

Academy Directors (N=35)

Total: 1,016

Response Rates:

Law Enforcement Chief Executives: 65.7% (N=354)

Police Departments: 64.4% (228 of 354)
Sheriffs' Departments: 74.1% (43 of 58)
State Colleges: 42.1% (8 of 19)
Universities: 66.7% (6 of 9)
Community Colleges: 40.9% (9 of 22)
Marshals: 56.3% (9 of 16)
DA Investigators: 51.1% (24 of 47)
Others in POST program: 18.5% (5 of 27)

Police and Sheriffs' Departments of Size:

1 - 24	:	56.1%	(96 of 171)
25 - 49	:	70.1%	(61 of 87)
50 - 99	:	75.3%	(55 of 73)
100 - 199	:	72.3%	(34 of 47)
200 - 499	:	64.7%	(11 of 17)
500 +	:	64.7%	(11 of 17)

Local Association Presidents: 26.4% (N=112)

Statewide Association Presidents/Executive Officers: 17.6%
(N=3)

Academy Directors: 42.9% (N=15)

Overall: 47.6% (N=484)

Summary of Survey Ratings:

	Strongly Oppose	Oppose	Unsure/No Opinion	Favor	Strongly Favor	Percent Favor ¹
1a. Maintain Current Reimbursement Practices	4.8%	14.0%	8.3%	26.9%	46.0%	80%
2i. Reimburse Closest Training Only	9.2%	18.2%	5.2%	41.4%	25.9%	71%
2k. Limit CPT Reimbursement	9.4%	22.2%	11.1%	44.4%	13.0%	64%
2g. Reduce Reimbursement for Commuter Meals	13.6%	23.1%	10.2%	38.9%	14.2%	59%
2j. Reduce # Non-Mandated Courses	10.9%	27.6%	12.5%	38.8%	10.2%	56%
1c. Reduce Reimbursement for Optional Training	14.0%	27.3%	9.5%	32.4%	16.7%	54%
1e1. Reduce Expenditures for Training Programs	15.0%	24.0%	16.1%	32.4%	12.5%	53% ^a
1e2. Reduce Admin. Costs	11.3%	27.3%	19.8%	33.1%	8.5%	52% ^b
2e. Reduce Travel Reimbursement	21.6%	31.9%	9.9%	31.9%	4.8%	41%
2h. Eliminate Commuter Meal Reimbursement	31.9%	23.5%	9.2%	20.6%	14.7%	39% ^c
2a. Reduce Tuition Reimbursement	22.9%	36.9%	6.3%	29.8%	4.2%	36% ^a
2c. Reduce Subsistence Reimbursement	29.3%	34.9%	7.9%	24.1%	3.8%	30% ^a
1b. Reduce all Reimbursement by Like Percent	29.7%	39.2%	8.5%	17.2%	5.4%	25% ^a
1d. Eliminate Reimbursement for Optional Training	38.3%	38.1%	5.4%	10.6%	7.7%	19% ^a
2f. Eliminate Travel Reimbursement	52.8%	33.5%	4.7%	6.0%	3.0%	9%
2b. Eliminate Tuition Reimbursement	59.0%	31.8%	3.6%	3.6%	1.9%	6%
2d. Eliminate Subsistence Reimbursement	63.2%	28.5%	4.0%	3.2%	1.1%	4%

^aMore support among academy directors

^bAmong chief law enforcement executives, more support from large agencies

^cMore support among chief law enforcement executives

¹Excluding "Unsure/No Opinion" Ratings

Summary of Survey Comments (Response frequencies shown in parentheses):

1e1. Increase revenues available for all categories of reimbursement by reducing expenditures for the delivery of specific training programs (e.g., ICI, SLI, Command College, satellite training).

Oppose: Programs needed to prepare for future (14); oppose reductions in expenditures for SLI (10) and Command College (10); favorable mention of satellite training (8); very beneficial programs/need them now more than ever (5); would be short sighted/taking a step backwards (3); eliminate/reduce reimbursement for basic training (2); costs not that great; reduce staff and overhead; programs help small agencies keep up with large agencies; eliminate salary reimbursement; eliminate Command College; must continue to fund executive training.

Favor: Excluding satellite training (18); reduce/eliminate Command College (10); need to focus on needs of majority (7); good programs, but if reductions have to be made, should occur for non-mandates (6); need to concentrate on general enforcement training (5); excluding SLI (4); reduce reimbursement levels for these courses (4); agencies should assume more responsibility for this training (4) reduce SLI (2); reduce ICI (2); reduce expenditures for satellite training (2); reduce attendance at Command College graduations; need to re-evaluate long term benefits of Command College; too time consuming and costly; emphasis should be on training line personnel; geared more to large agencies.

1e2. Increase revenues available for all categories of reimbursement by reducing administrative costs by cutting back on services (e.g., Area Consultant services, selection and training standards development, selection and training testing programs, training development activities, course certification activities, management counseling services, training program evaluation activities).

Oppose: All services necessary and important to agencies/programs (7); services necessary for small agencies to upgrade/survive (6); services necessary to maintain professionalism/standards (4), would lead to collapse of program (2); more important than reimbursement.

Favor: Critically evaluate, and make cuts where possible (consolidate, economize, etc.) (7); should be secondary to training (5); if cuts are necessary, all things should be considered equally (4); reduce/eliminate Area Consultant/management consulting services (4); let police agencies provide some of these services; only if significant savings would result.

2i. Provide travel and subsistence reimbursement only for training received at the closest available site.

Oppose: Timing of training may dictate need to go outside area (15); closest isn't always the best (9); reduce salary reimbursement instead (2); would be administratively burdensome (2) good to get views of those outside area (2); as alternative, reduce level of reimbursement for training received outside area; distance to site doesn't necessarily mean it costs more; administrators should have latitude to select training best suited for agency.

Favor: If training available within reasonable period of time (10); as long as courses of good quality (7); need some flexibility in system (7); sounds reasonable/should be encouraged (6); in tough times, may be necessary (2); should be happening now (2); good way of cutting costs; would require better master calendar.

2j. **Reduce number of POST-certified courses of non-mandated training, thereby reducing number of events for which all categories of reimbursement would be available.**

Oppose: Varied training necessary for officers to be professional/maintain skill levels (4); too many excellent/needed courses that aren't mandated (3); limiting reimbursement for out of area training should control excessive school attendance (2); officers can't get enough training; would increase travel and subsistence costs.

Favor: Identify least important courses (get input from agencies) and reduce/eliminate (8); too many redundant courses (5); give priority to mandated training (2); emphasize quality over quantity (2); makes sense (2); contingent upon reinstatement when funds return.

2k. **For those persons who are subject to the CPT requirement, place a limit on the number of hours of training reimbursed each year for attendance at non-mandated training.**

Oppose: Limits department's flexibility (5); would limit the availability of important/needed training (4); training needs vary too much depending on assignment (3); don't limit training - make more cost effective; would put unfair burden on small departments.

Favor: Sounds reasonable (3); would force agencies/individuals to take closer look at training priorities (3); would spread reimbursement around (2); good idea; allow for certain exceptions; implement a graduated reimbursement system - more training, less the reimbursement rate.

3. **Describe any fundamental changes you would like to see in the way POTF revenues are allocated to support law enforcement training.**

Reduce/eliminate salary reimbursement (31); reduce reimbursement for non-mandated training/give priority to mandated training (12); support/certify in-house/regional training (10); reduce/eliminate reimbursement for basic training (9); doing a good job/make no changes (7); discontinue funding of training for "non-traditional" agencies/personnel (6); lobby to protect/restore Penalty Assessment Fund (5); more emphasis on line officer training (4); consider STC approach (4); eliminate Command College (3); more satellite training (3); allocate more funding to smaller agencies (3); go to actual cost formula (3); eliminate unnecessary/redundant training (2); eliminate SLI.

4. Describe any specific actions or general directions you believe the Commission should be taking with regard to POST programs and services during the coming years.

Give priority to mandated training (including reimbursement) (20); more satellite training/buy dishes (19); establish priorities/eliminate duplication/streamline courses (17); more regional/in-house training (13); keep doing what you are doing/moving in right direction/doing a good job (12); greater lobbying efforts to protect/restore/obtain additional funding (10); reduce/eliminate salary reimbursement (9); pros (4) and cons (5) regarding Command College; no new mandates/reduce current mandates (6); reduce administrative costs/support services (5); emphasize line level training (5); control/reduce number of "peripheral" agencies in POST program (5); favorable comments regarding SLI (3); move instructors instead of trainees (2); increase reimbursement for tuition/per diem; establish "incentive program" to encourage agencies to use closest available training; become more involved in marketing law enforcement career; consolidate training with other agencies (FBI, STC, etc.); pursue accreditation; establish JPA training centers; reduce number of academies statewide; survey field to see what services they want.

Response Scale				
Strongly Oppose	Oppose	Unsure/No Opinion	Favor	Strongly Favor
1	2	3	4	5

1. Assuming that the revenue shortfall continues through Fiscal Year 1992/93, to what extent would you favor or oppose each of the following actions?

- a. **Maintaining** current reimbursement practices (i.e., making no changes to the reimbursement system, with the amount of salary reimbursement, if any, contingent upon revenues remaining after reimbursement for all other expenses).
- b. **Reducing** all categories of reimbursement by a like percentage, rather than reducing salary reimbursement rate alone.
- c. **Reducing** all categories of reimbursement for optional training in order to maximize reimbursement levels for mandated training (i.e., Basic Course, Advanced Officer Course, Supervisory Course, Management Course, and statutory requirements).
- d. **Eliminating** all categories of reimbursement for optional training in order to maximize reimbursement levels for mandated training
- e. **Increasing revenues available for all categories of reimbursement by:**
 - 1) **Reducing** expenditures for the delivery of specific training programs (e.g., Institute of Criminal Investigation, Supervisory Leadership Institute, Command College, satellite training).

Comments: _____

- 2) **Reducing** administrative costs by cutting back on services (e.g., Area Consultant services, selection and training standards development, selection and training testing programs, training development activities, course certification activities, management consulting services, training program evaluation activities).

Comments: _____

Response Scale				
Strongly Oppose	Oppose	Unsure/No Opinion	Favor	Strongly Favor
1	2	3	4	5

2. Assuming that the revenue shortfall continues through Fiscal Year 1992/93, to what extent would you favor or oppose the following **alternatives for increasing salary reimbursement?**¹

a. **Reducing** reimbursement for training tuition costs.

b. **Eliminating** reimbursement for training tuition costs.

Note: Total FY 90/91 reimbursement for tuition was \$5,641,000²; with approximately 56% going to technical skills and knowledge training; 19% to basic training; 6% to mandated management training; and 19% to other non-mandated training.

c. **Reducing** subsistence reimbursement.

d. **Eliminating** subsistence reimbursement.

Note: Total FY 90/91 subsistence reimbursement was \$9,138,000; with approximately 58% going to technical skills and knowledge/training; 16% to basic training; 10% to mandated advanced officer, supervisory, and management training; and 16% to other non-mandated training.

e. **Reducing** travel reimbursement.

f. **Eliminating** travel reimbursement.

Note: Total FY 90/91 reimbursement for travel was \$3,398,000; with approximately 51% going to technical skills and knowledge training; 20% to basic training; 15% to mandated advanced officer, supervisory, and management training; and 14% to other non-mandated training.

g. **Reducing** reimbursement for commuter meals.

h. **Eliminating** reimbursement for commuter meals.

Note: Total FY 90/91 reimbursement for commuter meals was \$1,383,000, with approximately 60% going to basic training; 20% to technical skills and knowledge training; 19% to mandated advanced officer, supervisory, and management training; and 1% to other non-mandated training.

¹Salary reimbursement is currently provided for mandated courses. Salary reimbursement rate is increased approximately 1% for every additional \$300,000 to \$500,000 in revenues, depending on type and volume of training.

²Includes tuition costs (i.e., presentation costs) paid via training contracts.

Response Scale				
Strongly Oppose	Oppose	Unsure/No Opinion	Favor	Strongly Favor
1	2	3	4	5

2. Assuming that the revenue shortfall continues through Fiscal Year 1992/93, to what extent would you favor or oppose the following **alternatives for increasing salary reimbursement?**

- i. Providing travel and subsistence reimbursement only for training received at the closest available site (i.e., withholding reimbursement when an individual could have attended the same course at a location closer to the individual's agency).

Comments: _____

- j. **Reducing** the number of POST-certified courses of non-mandated training, thereby reducing the number of training events for which all categories of reimbursement would be available.

Comments: _____

- k. For those persons who are subject to the continuing professional training requirement (i.e., persons below the rank of first-level middle management), placing a limit on the number of hours of training reimbursed each year for attendance at non-mandated courses.

Comments: _____

3. Please describe any fundamental changes you would like to see in the way POTF revenues are allocated to support law enforcement training.

4. In the space remaining, please describe any specific actions or general directions you believe the Commission should be taking with regard to POST programs and services during the coming years.

Thank you for completing the survey.

Historically, approximately 75% of revenues into the POTF have been used to reimburse local agencies for training, with the remaining 25% of the revenues used to contract directly for the delivery of training (approximately 8%) and for general staff support to administer all POST programs (approximately 17%). During fiscal year 1990/91, the last full year for which figures are available, total reimbursements by reimbursement category were as shown in Table 1 below. Final salary reimbursement rates were 25% for the Basic Course and 35% for all other salary reimbursable courses:

Table 1
Amount and Percent of Total
Reimbursements by Reimbursement Category
(Fiscal Year 1990/91)

Reimbursement Category	Amount Reimbursed	Percent of Total
Salary	\$14,138,000	44%
Residence Subsistence	9,138,000	29%
Tuition	4,236,000	13%
Travel	3,398,000	10%
Commuter Meal Allowance	1,383,000	4%
TOTAL	\$32,293,000	100%

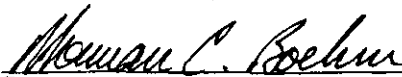
Table 2 shows how the total amount reimbursed was distributed among the major categories of training.

Table 2
Amount and Percent of Total Reimbursements
by Major Training Categories
(Fiscal Year 1990/91)

Training Category	Amount Reimbursed	Percent of Total
Basic Course*	\$12,783,000	40%
Technical Skills & Knowledge Courses	9,539,000	30%
AO Course (Mandated)*	4,621,000	14%
Supervisory Seminars & Courses (Includes Supervisory Leadership Institute)	1,157,000	3%
Supervisory Course (Mandated)*	1,146,000	3%
Management Seminars & Courses	1,075,000	3%
Management Courses (Mandated)*	567,000	2%
Other Salary Courses	499,000	2%
Executive Development (Includes Command College)	353,000	1%
Team Building Workshops	241,000	<1%
POST Special Seminars	216,000	<1%
Executive Seminars & Courses	73,000	<1%
Approved Courses	12,000	<1%
Field Management Training	11,000	<1%
TOTAL	\$32,293,000	100%

*Eligible for salary reimbursement

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title REPORT ON A NEW BASIS FOR POST FINANCIAL TRAINING SUPPORT		Meeting Date July 16, 1992
Bureau Executive	Reviewed By Norman C. Boehm	Researched By Staff
Executive Director Approval 	Date of Approval 7-3-92	Date of Report July 3, 1992
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p>Salary reimbursement, a component of the Commission's Aid to Local Government budget, has been one of the "givens" of the POST program for many years. Now, the Legislature appears to be calling previously held assumptions into question, primarily because of financial and philosophical challenges. The argument seems to be "Why should the state support local law enforcement training, even to the extent of paying a portion of local salaries, while the state itself is in a deep financial crisis?"</p> <p>The answers, of course, lie in the historical foundations of the POST program: (1) POST has a separate source of revenue so as not to be a burden on the State's General Fund; (2) local government voluntarily subscribes to POST standards in return for financial support; and (3) the state benefits by having a statewide minimum standard for selection and training of peace officers.</p> <p>In effect, the POST program is a type of contract between the state and local governments. Value is mutually given and received. The result is a recognized high level of professional law enforcement statewide.</p> <p>Those calling the contract into question are not those who personally established the agreement more than thirty years ago. The questioning is not over the desirable results the POST program brings (indeed there is a sense for more and better training), but over the program's framing and vocabulary which at first blush appears to stress process (e.g. reimbursements) over results (e.g. training).</p> <p>The Finance and Long Range Planning Committees of the Commission have considered a new basis for POST which places primary emphasis on training and thereby clarifies the purpose and intent of the POST program. In the new paradigm, POST support would be based on the development and delivery of training with salary reimbursement being phased out as a basis for POST support.</p>		

In the environment of shrinking financial resources, the Commission is seeking to provide the proper balances between training and financial assistance. There is a paradox: if POST reduces programs to increase salary reimbursements, it creates a larger "target" of funds being questioned. The new paradigm sets resource allocation in the vocabulary of training developed and received.

The foregoing leads to key points for change. Each of these are conceptual and as yet not supported by the study, research, and discussion which would be necessary to develop specific recommendations for implementation. These are:

1. Identify a Set of Priority Courses from Recruit Through Executive Training

Working with trainers and departments, POST would identify a set of priority courses (including mandated courses) from recruit through top executive levels. This would include not only course titles, but content of courses based on needs. The content would be developed into a highly correlated overall training program. In essence, POST would certify fewer courses, but increase the quality and effectiveness of those selected.

2. Work to Develop Training As Needed Within the Priorities Identified

POST would work with departments and trainers to develop courses to fill any gaps within the priorities earlier identified. Development would include preparation of instructional and learning supports appropriate to what is being taught. The process would help prepare instructors and experts - whether the training is live or technology based. POST would also participate financially with departments having interest and capability to work on development of training.

3. Expand the Practice of Training Being Presented Locally

Whether traditional presentation or technologically supported training, POST and law enforcement should encourage training to be done within a department or regionally, depending on circumstances. While the need for travel and per diem support will always exist, reductions in this area could provide additional funds for presentation of training close to or at home. The desired result: better and more training with less lost time.

4. New Approaches to Cost Sharing

This approach calls for reduced levels of travel and per diem reimbursement, but dropping salary reimbursement.

These monies would instead be used to support development and delivery of specifically identified priority training courses. The specifics of this idea still need to be formed, let alone studied, but the idea is to equitably apportion available resources between training development and training presentation/attendance activities.

While this new paradigm is a long-term approach, certain portions of its development could start now. For example, if the Commission were of a mind to explore this concept further, work on the following could begin:

- (1) Identify the set of courses along with content from the basic to the executive training. The beginnings of this kind of effort can be found in the basic course review study and the work of the Training Review Committee as well as current needs assessment activities.
- (2) Make judgments on matching instructional methods (e.g., live presentations, satellite learning, workbooks, interactive video, scenarios, lectures, etc., with the priority training identified.
- (3) Develop the concept of a formula for financial support for preparation and presentation of training needs. If the idea seems reasonable on its face, the Commission could instruct staff to delve more deeply into how this might work and report back.

As noted, these concepts have been before the Finance and Long Range Planning Committees and come to the Commission with a general sense from both committees that the idea is worth exploring further.

This matter is before the Commission as a potential option, not a recommendation. The Commission's decision on whether and how to proceed will depend on the results of report and discussion at the meeting. Action by the Commission could range from tabling the matter, referring it to a committee, or asking that work begin to study one or more of the above options further.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Supervisory Leadership Outreach Pilot		July 16, 1992
Bureau	Reviewed By	Researched By
Center for Leadership Development	<i>Doug Thomas</i>	Neil Zachary Tom Hood
Executive Director Approval	Date of Approval	Date of Report
<i>Norman C. Boehm</i>	7-2-92	June 30, 1992
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input checked="" type="checkbox"/> Yes (See Analysis for details)
<input type="checkbox"/> Status Report		<input type="checkbox"/> No

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

ISSUE:

Should the Commission authorize several pilots to present outreach Supervisory Leadership Training?

BACKGROUND:

The Supervisory Leadership Institute (SLI) is designed to enhance the leadership abilities of first-line law enforcement supervisors. The Institute consists of eight 24-hour sessions (192 hours) presented over eight months. POST is currently presenting nine sessions of the SLI per year, graduating approximately 200 sergeants annually. This is less than the attrition rate for sergeants statewide. The Institute has been very successful and is widely acclaimed. There are approximately 400 sergeant candidates on the waiting list to be trained.

ANALYSIS:

It is our desire to increase the number of sergeants completing the course. Given the number of Institutes presented annually, the number of sergeants on the waiting list will not diminish. To increase the number of presentations in the manner they are conducted now would be fiscally inadvisable.

The current SLI program requires residency which is one of the attributes of the program. Residency allows for students to become better acquainted and builds trust quickly. However, the travel and per diem costs for students to come to the two locations where the Institute is presented for 1991/92 fiscal year is approximately \$500,000. Elimination of the residency requirement and conducting modified outreach courses regionally could reduce this cost.

The success of the SLI is predicated on several conditions:

1. Each class is comprised of a mixture of students statewide having a variety of experience--no one department's philosophy or culture dominates the learning process.
2. The structure of the class fosters confidence within each student to risk exposing their inner thoughts and divulging what supervisory traits they may personally lack.

3. The design of the course has been carefully orchestrated and involves a close-knit group of well trained instructors and group facilitators that have been carefully selected.

It may be possible, however, to modify the design and curriculum of Supervisory Leadership Training to provide more accessibility through outreach programs. Outreach pilot courses, or modified SLI's, could be designed and presented at various locations throughout the state in an effort to find a successful alternate for teaching Supervisory Leadership.

An outreach pilot course, for example, could be conducted which allows an agency to conduct the training and fill up to 50% of the class positions with its own personnel. While this format may deter students from being candid in the presence of other sergeants from the same department and thus inhibit learning, this assumption has not been tested. Another pilot might try an abbreviated course of shorter duration or the live-in requirement could be deleted in another pilot to test the viability of different formats for Leadership Training.

A group of subject matter experts should be involved in the design and oversight so that the outreach course would be as successful and dynamic as the original course. Conducting outreach pilot Supervisory Leadership courses would require the temporary suspension of one Supervisory Leadership Institute class to allow staff time to concentrate on the new pilot courses.

RECOMMENDATION:

It is recommended that the Commission authorize three different outreach pilots of modified versions of the SLI and that the SLI be reduced by one class offering during the conduct of the modified pilots. A report should be made to the Commission at the January 1994 meeting on the results of the modified Supervisory Leadership training.

Such a review would assess contemporary training needs and examine the overall integration of executive training in view of today's fiscal constraints. As in the past, this review would include a committee or group of top experts in the field, as well as law enforcement representatives.

The current budget short-fall also may require rethinking of the current Command College procedures. During the planning phase of the Command College (1982-84) economic considerations did not represent the dilemma currently confronting the Commission. The Commission may now want to eliminate the salary reimbursement for attendance in the Command College program since this is the only non-mandated POST course that currently receives and is eligible for salary reimbursement.

The economic impact of salary reimbursement for Command College participants is approximately \$178,000 per year. By eliminating salary reimbursement for new classes, beginning with Class 18 in July 1992, this amount could be saved annually. The elimination of salary reimbursement is not recommended for the three classes currently in the program since jurisdictions that enrolled in the program did so with the understanding that they would be reimbursed for attendance on the same basis that other salary-eligible courses are reimbursed.

Between 60 and 150 law enforcement managers and executives attend the semi-annual Special Seminars on the Future in conjunction with graduation. Each seminar costs approximately \$11,500 for travel and per diem reimbursements. An additional \$3,000 is spent for keynote speakers at each seminar. However, these semi-annual seminars are considered part of the overall Command College program, and the Commission may wish to suspend judgement on any additional changes to the Command College program pending completion of the Executive Training and Command College study.

RECOMMENDATION

It is recommended that the Commission eliminate salary reimbursement for Command College participants effective with Class 18 beginning on July 18, 1992; continue reimbursement for Classes 15, 16, & 17, consistent with program guidelines in effect at the time each class commenced; and direct a review of the Command College program and other executive training.

ANALYSIS

There is widespread support amongst California law enforcement agencies for POST training delivered via satellite. Results of a survey conducted last summer revealed that 85.3% of the responding law enforcement agencies favor permitting POST satellite training including the viewing of videotapes of POST broadcasts, to be credited toward meeting the Continuing Professional Training requirement. (Pursuant to POST regulation 1005(d), every peace officer below the rank of middle manager must satisfactorily complete a POST-certified Advanced Officer or Technical Course, of at least 24 hours, every two years after completion of the Basic Course.)

Since 1989, POST has conducted eight certified telecourses ranging in duration from one to three hours. Law enforcement personnel may view the live broadcasts at sites with satellite receive antennas. Live viewing of certified telecourses can be counted towards meeting the CPT requirement.

One of the eight telecourse broadcasts addressed Proposition 115 - Hearsay Evidence Presentation. Because Proposition 115 specified in law that training be POST certified, agencies have been certified to present the Proposition 115 telecourse using a videotape recording of the broadcast. Our experience with this program indicates that even though POST reimbursement is not provided for personnel attending the training, agencies are willing to complete the required certification process, reproduce instructional materials (workbook), and maintain attendance records in exchange for the convenience of being able to conduct CPT training in-house. Accordingly, it is staff's recommendation that the Commission approve a pilot project, of twelve months duration, commencing January 1993, to permit use of videotape recordings of POST certified telecourses to meet the CPT requirement. Agencies desiring to present recordings for CPT credit would be required to meet certification conditions described in the **attachment**.

The pilot project will afford POST the opportunity to assess the instructional effectiveness of this method of training delivery prior to committing to this approach on a long term basis. Evaluation is considered a crucial component of the project. Audit of viewing sessions by POST staff; interviews with students, training managers, and agency executives; and use of survey instruments are viewed as critical in providing data to assess overall effectiveness of the program, the need for on-site coordination, impact on administrative workload at the agency level as well as at POST, and suitability of this method of training delivery, on a long term basis, to meet the CPT requirement. While it is not required, as a condition of certification, that a qualified instructor or subject matter expert be present during viewing sessions, agencies will be encouraged to provide for the presence of such a person whenever

possible. The pilot will afford staff the opportunity to further evaluate issues that may arise as a result of using telecourse materials to deliver training in the absence of an in-site instructor or SME.

Perceived advantages associated with awarding CPT credit for viewing video recordings of POST certified telecourses include:

- o Agencies will save money due to a reduction in staff release time and per diem and travel expenses.
- o The Commission will save money due to a reduction in demand on the POTF for reimbursement to local agencies.
- o For both local agencies and POST, financial savings may be used to support other training opportunities.
- o In selected subject matter areas, training will be standardized statewide.
- o Agencies will have much greater flexibility in scheduling training based on the needs and availability of their personnel.
- o A tangible pay off for the investment in telecourse development will occur.
- o Implementation of the program is responsive to widespread demand from participating agencies.

Conversely, award of CPT credit for viewing telecourse recordings may:

- o increase POST administrative costs,
- o increase agency workload due to need for coordination, records keeping and reporting requirements,
- o result in numerous requests that the Commission award CPT credit for the viewing of a wide variety of commercially and locally produced video-based training programs,
- o reduce the incentive to attend live telecourse broadcasts,
- o lessen the quality and effectiveness of training due to absence of a "live" instructor, and
- o reduce the incentive for agencies to send personnel other training programs due to their ability to satisfy the entire 24-hour CPT requirement through use of telecourse recordings.

As with any new project, there are some unknowns associated with the proposed pilot. It is not known how many agencies will desire to participate in the program. However, if the Proposition 115 telecourse is reflective of agency interest, it is likely that at least 225 agencies will seek certification to use POST telecourse recordings to meet the CPT requirement. This will result in an increase in POST administrative workload primarily in the areas of records processing and data entry. It is believed that existing staff will be able to absorb the additional work. However, if the Commission is inundated with certification requests from agencies, it may be necessary for staff to come back to the Commission in October to seek limited assistance to support the project.

Finally, delaying commencement of the pilot until January 1993 will permit staff to assess and implement modifications in internal policies and procedures to support the project, design the evaluation methodology, develop and present training for Agency Distance Learning Coordinators, and develop required instructional materials to support the telecourse recordings.

RECOMMENDATION

Approve a pilot project of twelve months duration, commencing January 1993, to certify agencies to present training using videotape recordings of POST certified telecourses, and associated instructional materials, to meet the CPT requirement.

**AWARD OF CPT CREDIT FOR VIEWING POST TELECOURSE RECORDINGS
COURSE CERTIFICATION CONDITIONS**

1. An agency requesting certification shall submit to POST, and have approved, a Distance Learning Certification Request.
2. Prior to first time use of a specific POST developed telecourse, the agency shall submit a Course Announcement to POST. Upon approval of the announcement, POST will forward the following materials to the agency:
 - o A videotape copy of the telecourse recording,
 - o A copy of the student workbook which accompanied the broadcast and which may be reproduced,
 - o One set of pre- and post-tests (will either be included on the videotape recording or incorporated with the student workbook),
 - o One set of any additional instructional materials which accompanied the broadcast and which may also be reproduced.
3. Each certified agency presenter shall designate an Agency Distance Learning Coordinator who shall be responsible for ensuring that:
 - o Distance learning sessions are conducted in an environment with appropriate viewing equipment available, in good operating order, to accommodate all students.
 - o All course materials (i.e. student workbook, pre- and post-tests, handouts, etc.) associated with the live broadcast are distributed to each student viewing the recording.
 - o Attendance of each student is recorded.
 - o All course records (course announcements, rosters and evaluation instruments) are forwarded to POST as required.
 - o Viewing coordinators/proctors, if used, are fully briefed and understand their responsibilities as well as all distance learning certification conditions.
4. Each Agency Distance Learning Coordinator shall complete a POST-certified Distance Learning Coordinator's Course. Such course shall be completed prior to use of certified telecourse recordings to meet the CPT requirement.

The requirement that Agency Distance Learning Coordinators complete a certified coordinator's course is in keeping with POST's current policy requiring training for coordinators of all other POST-certified courses. It is anticipated that the

Distance Learning Coordinator's Course will be of brief duration, and will address overall design of the pilot project, certification requirements, POST's expectations of Agency Distance Learning Coordinators, use of pre- and post-tests and other supplementary instructional materials, monitoring practices for viewing sessions, and evaluation methodology.

This training is necessary due to the fact that a great number of agencies likely to seek certification will be doing so for the first time. Most will be unfamiliar with POST policies and procedures regarding presentation of certified training and POST's expectations of certified presenters.

Experienced presenters will also benefit from attending the training due to anticipated use of some new forms to implement the pilot project, as well as special data collection requirements to facilitate evaluation.

5. Distance learning programs shall be presented in an environment suitable for learning. Minimum criteria for certification includes:
 - o Sufficient work space must be available to permit each student to sit comfortably and have room to review the workbook, complete pre- and post-tests, and take notes.
 - o Freedom from outside distractions to permit students to concentrate, view the recording, complete tests, etc.. (Note: If a squad room is proposed as the training site, use of the room during each training session must be solely restricted to students viewing the program or assisting with its presentation.)
 - o Use of televisions/monitors in sufficient size and number, and strategically placed, to adequately accommodate the participants.
 - o Availability of heating/air conditioning.
 - o Sufficient lighting.
6. The Agency Distance Learning Coordinator, or an agency viewing coordinator/proctor, shall be present throughout the duration of each viewing session.
7. Certified presenters shall monitor attendance and maintain course completion records for each viewing session. Such data shall be reported to POST quarterly in accordance with pre-established time lines.
8. With the exception of a short (i.e. 10 - 15 minute) break

midway through each telecourse, all telecourse recordings must be shown in their entirety. Agencies are not precluded from presenting more than one telecourse at a single viewing session. However, to receive CPT credit, a student must view an entire recording at one sitting (i.e. One hour of CPT credit shall not be awarded for viewing one-half of a two hour telecourse.)

9. Telecourse recordings may not be edited in any manner. Presentation of the recording must be exactly the same as the live broadcast.
10. POST developed pre- and post-tests shall be used solely to assist participants in self-assessing mastery of telecourse content. (It is planned that staff will develop pre- and post-tests for all future telecourses as well as for telecourses previously developed.) Award of CPT credit shall not be predicated on achieving a minimum score on such exams.

Use of optional tests are viewed as a valuable mechanism to focus participants' attention on key instructional points considered critical, thereby reinforcing the learning process.

However, if award of CPT credit is contingent upon successfully passing an examination, then the exam becomes a test of student competency subject to legal challenges. To ensure validity and reliability of the tests, exam questions would need to be pre-tested and subjected to psychometric analysis. This procedure is not only economically unfeasible, but very time consuming. By the time a test is developed, some of the content may already be out of date. Furthermore, test security would be crucial and virtually impossible to maintain given the number of presenters and continual reuse of the exams.

11. No POST reimbursement shall be attached to use of telecourse recordings.
12. Award of CPT credit is solely limited to use of videotape recordings of POST-certified telecourses.
13. One hour of telecourse programming shall equate to one hour of CPT credit (i.e., a 2-1/2 hour telecourse shall equate to 2.5 hours of CPT credit, subject to all other terms described herein). There is no restriction on the percentage of the 24 hour CPT requirement that can be met through viewing telecourse recordings.
14. Certified agency presenters shall assist POST in evaluating the effectiveness of the pilot project.

Evaluation is viewed as a critical program component of the

pilot project. Evaluation design may include, but is not limited to, audit of viewing sessions by POST staff; interviews with a sample of students, Agency Distance Learning Coordinators, viewing coordinators/proctors, training managers and agency executives; and completion of telecourse evaluation instruments. It is planned that evaluation design for the pilot will be completed during the next six months prior to commencement of the pilot project. Results of the evaluation will provide data needed to assess effectiveness of the program, identify any corrective action required and determine the value of continuing the program past the pilot stage.

15. Training facilities, distance learning training sessions, and all training records are subject to review by POST staff. Failure to comply with certification conditions may result in loss of all training credits accumulated throughout the pilot project for all personnel who have attended distance learning sessions conducted by the presenter.

M E M O R A N D U M

To : Long Range Planning Committee Date: Feb. 20, 1992

From : NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards and Training

Subject : USE OF VIDEOTAPES OF TELECOURSES TO SATISFY CPT
REQUIREMENTS

ISSUE

Should use of videotape recordings of POST certified telecourses, and associated instructional materials, be approved to meet the Continuing Professional Training requirement?

BACKGROUND

At its April 1991 meeting the Commission increased funding for the distance learning program and directed staff to survey the field to determine the level of commitment that existed for the program. An analysis of the survey results revealed that 85.3% of the responding agencies favored permitting POST satellite training, *including the viewing of videotapes of POST broadcasts*, to be credited toward meeting the continuing professional training requirement. Pursuant to POST Regulation 1005(d), every peace officer below the rank of middle manager must satisfactorily complete a POST-certified Advanced Officer or Technical Course, of at least 24 hours, every two years after completion of the Basic Course.

Since 1989, POST has conducted eight certified satellite training programs (telecourses) ranging in duration from one to three hours. Law enforcement personnel may view the live broadcasts at sites with satellite receive antennas. Live viewing of certified telecourse broadcasts can be counted towards meeting the CPT requirement. Agencies that elect not to have their personnel view the broadcasts live, or that are unable to make viewing arrangements with a receive site, can obtain a videotape of the broadcast and the corresponding student workbook

from POST at no cost. Additionally, several receive sites make copies of POST broadcasts available to local law enforcement agencies for a nominal charge.

With the passage of time, the number of persons viewing live telecourses has dropped off dramatically (Attachment A). Over 1,000 persons attended POST's "Missing Persons" telecourse conducted in November 1989; less than 250 persons viewed the December 1991 Legislative Update broadcast, and fewer than 200 persons viewed last month's "Hate Crimes" telecourse. Input from the field suggests that agencies prefer to use videotape recordings of the broadcasts as the recordings provide agencies with much greater flexibility in scheduling training based on availability of personnel. The logistics of providing 24-hour per day service are such that even if a live broadcast is well attended, the vast majority of officers, especially in large agencies, won't be able to attend. Accordingly, many agencies have requested that POST allow post-broadcast viewing of telecourse programs to meet the CPT requirement.

Because Proposition 115 specified in law that training be POST-certified, agencies have been certified to present the Proposition 115 telecourse (Heresay Evidence Presentation) using a videotape recording of the broadcast. While agencies do not receive reimbursement for personnel completing the training, completion of the course is credited toward meeting the CPT requirement. Certification is subject to the following provisions:

- o The agency requesting certification must submit a Course Certification Request Form to POST;
- o Once certified, the agency must submit a Course Announcement Form for each presentation of the course;
- o Every student must be provided with a student workbook;
- o The agency is responsible for maintaining all attendance records.

Approximately 230 agencies are presently certified to present Proposition 115 training. Agencies are individually certified to present this course due to legal need, high demand for the training, and cost effectiveness associated with presenting the course in-house.

ANALYSIS

The use of videotape recordings of POST-certified telecourses offer a viable means for increasing availability of standardized training at a reduced cost and may provide local agencies greater ease in meeting CPT requirements. However, as with any new program, it is

critical that the instructional quality standards that have come to be associated with POST certification be maintained.

Staff has conducted a brief survey of colleges, private sector organizations, out-of-state law enforcement agencies and other POST commissions having previous telecourse experience in order to determine the extent and conditions under which video recordings of telecourse are being used for CPT or college credit. Agencies included, but were not limited to, Tennessee POST, Maryland Police Training Commission; Texas Commission on Law Enforcement Standards and Education; Kansas City, Missouri Police Department; Federal Bureau of Investigation; Coastline Community College (Fountain Valley); International Business Machines; and the American Bar Association. Survey results revealed the following (see Attachment B for more detailed description of findings):

- o One organization, IBM, prohibits use of telecourse recordings due to: (1) legal issues involving royalties to instructors for continued use of their materials; and (2) the belief that active exchange between instructors and students participating in distance learning programs strengthens instructional effectiveness.
- o Of the organizations that permit use of videotape recordings of telecourses to meet CPT requirements, two-thirds require that an approved or certified instructor/training coordinator be present when recordings are viewed. In cases where the presence of an approved instructor/training coordinator is not required, successful completion of an examination is.
- o Use of a workbook and/or participation in other learning activities is frequently required.
- o Virtually all organizations that credit use of telecourse recordings for CPT or college credit require that students successfully complete an examination in order to receive credit.
- o All POST agencies contacted require that video recordings be viewed in an appropriate learning environment.
- o There is a lack of standardization as to the number of viewing hours (or viewing and testing hours) that equate to CPT or college credit hours.

- o Of the POST agencies contacted in other states, all require that local agencies maintain records of training sessions wherein recordings of broadcasts are used. Typically, local agencies are required to report attendance and examination data to their state peace officer standards-setting agencies on a quarterly or annual basis.

Given this data, several options exist regarding award of CPT credit for viewing videotape recordings of telecourse broadcasts. All of the following options are based on the assumption that recordings will be viewed in their entirety (i.e., not shown in 10-15 minute segments over a period of time).

OPTION 1

Do not allow the use of videotape recordings of telecourse broadcasts and associated workbooks to meet the continuing professional training requirement.

Advantages:

- Avoids need to expend resources to determine conditions under which use of the recordings will be allowed.
- Avoids possible legal issues concerning royalties to instructors for on-going use of their material.
- Some may view that this action ensures instructional integrity of POST programs is maintained.

Disadvantages:

- Restricting CPT to live viewing of telecourse broadcasts limits the number of officers who can receive CPT credit.
- Opportunities to reduce training delivery costs, through a reduction in travel/per diem expenses, will not be realized.

Option 2

Permit the use of videotape recordings of telecourse broadcasts, with associated workbooks, to meet CPT requirements provided a qualified subject matter expert (SME) is available to answer questions, facilitate discussions, and reinforce key instructional points.

Advantages:

- Students viewing a videotape recording of the telecourse may have questions that were not posed to, and answered by, the telecourse panelists. Having a qualified SME available will provide a mechanism for resolving such questions and will strengthen the instructional process by reinforcing key learning points through facilitated discussion.

Disadvantages:

- Depending on course content, small agencies may have difficulty securing a qualified instructor.
- If the content of a telecourse is highly specialized, it may be necessary for POST to help identify qualified SMEs willing to work with local agencies.
- It may be necessary to provide POST-reimbursable training to orient in-house instructors in facilitation techniques using telecourse materials.

Option 3

Permit the use of videotape recordings of telecourse broadcasts, and associated workbooks, to meet CPT requirements provided students successfully complete a mandatory examination based on course content.

Advantages:

- Award of CPT credit would be based on demonstrated mastery of course content by students.
- Some would argue testing is necessary to maintain program integrity and POST standards.

Disadvantages:

- If award of CPT is contingent upon successfully passing an examination, then the exam becomes a test of student competency subject to legal challenges.
- Test security will be critical and may be virtually impossible to maintain given the number of agencies likely to seek certification.
- To ensure all tests are valid and reliable, examination questions will need to be pre-tested and subjected to psychometric analysis. Not only is

this process economically unfeasible, but by the time a test is developed some course content may already be out of date.

Option 4

Permit the use of videotape recordings of telecourse broadcasts, with associated workbooks, to meet CPT requirements subject to the following provisions:

- a. Each agency electing to participate shall minimally designate at least one agency representative to serve as course coordinator. Coordinator responsibilities shall include, but not limited to:
 - setting up all viewing equipment;
 - ensuring training is conducted in an environment suitable for learning;
 - distributing course materials;
 - maintaining all course records and providing required documents/reports to POST.
- b. Agencies must provide workbooks to every student.
- c. POST will develop pre- and post-tests that agencies shall make available to assist students in self-assessing mastery of course content. Award of CPT credit shall not be predicated on achieving a minimum score on such exam.

Advantages:

- Use of coordinators helps to ensure instructional integrity is maintained.
- Coordination responsibilities are centralized, thereby facilitating communication between POST and law enforcement agencies.
- Limitations associated with tests of competency are eliminated. Subject matter experts involved in the design of telecourse content can develop test questions that focus students' attention on key points they consider critical. Accordingly, the tests become a means to reinforce learning.
- Students can assess self-mastery of course materials in a risk-free environment.

Disadvantages:

- It may be necessary to provide POST-certified training to designated agency coordinators to ensure they are prepared to assume their full range of duties.
- Due to staff shortages and budgetary constraints, agencies may not be able to designate an agency representative to serve as course coordinator.

Option 5

Permit the use of videotape recordings of telecourse broadcasts, with associated workbooks, to meet CPT requirements provided that an agency representative verifies attendance.

Advantages

- Permits implementation of program with minimal impact on local agencies and POST in terms of administrative overload.
- Agency representatives verifying attendance will not require specialized training.

Disadvantages

- Some may view that this option does not provide adequate safeguards in terms of ensuring instructional integrity associated with POST certification.

Option 6

Some combination of options 2, 3, and 4.

OBSERVATIONS

- Some may argue that allowing use of telecourse recordings and associated workbooks will make it much easier for agencies to meet a CPT requirement that some perceive as already being too low. For example, Maryland requires 18 hours of continuing professional training every calendar year and Tennessee requires 40 hours every 12 months. In exchange for permitting use of telecourse video recordings to meet CPT, the Commission may wish to consider strengthening the current requirement.

- If the decision is made to allow recordings of POST telecourses to meet the CPT requirement, it is likely that the Commission will receive requests from public and private producers to allow use of non-POST produced telecourse recordings and video training tapes.
- Determining whether use of videotape recordings of telecourse broadcasts should be permitted to meet the CPT requirement, and under what conditions, is a complex issue.
- Distance learning programs continue to be viewed as "pilots" and it is appropriate that program issues and options be carefully researched and well thought out.

CONCLUSION

It is staff's intention to convene a committee in the near future to solicit input from the field concerning the various options available. This report is intended to keep the Long Range Planning Committee informed as to the status of the project and to provide a mechanism for input to staff, should Committee members so desire.

NUMBER OF ATTENDEES AT TELECOURSE
RECEIVE SITES FY 89/90 - PRESENT

COURSE TITLE	BROADCAST DATE	# CERTIFIED RECEIVE SITES	# RECEIVE SITES REPORTING ATTENDEES	# PERSONS IN ATTENDANCE
Missing Persons (a)	11/14/89	32	30	1,046
Developmentally Disabled/Mentally Ill (a)	06/07/90	34	32	607
Proposition 115 - Hearsay Evidence Presentation (a/b)	12/08/90	49	41	667
Legislative Update	01/03/91	44	24	279
Sudden Infant Death Syndrome (a)	01/31/91	42	26	269
Legislative Update	12/19/91	31	14	241
Hate Crimes (c)	01/23/92	30	19	186
Staying Healthy (d)	02/13/92	N/A	N/A	N/A

- (a) Legislatively mandated training.
 (b) Agencies also permitted to use video recordings of broadcasts to meet CPT.
 (c) Only includes data received through 02/14/92. Additional receive sites may report.
 (d) Attendance information not yet available.

NOTE: Many agencies either record telecourse broadcasts for later use or acquire a videotape recording of the broadcast from POST or a receive site. Staff distributes approximately 80-100 video recordings of each broadcast.

AGENCIES CONTACTED RE USE OF VIDEOTAPE
RECORDINGS OF TELECOURSE BROADCASTS FOR
COLLEGE CREDIT OR CPT REQUIREMENTS

LAW ENFORCEMENT SATELLITE TRAINING NETWORK

The Law Enforcement Satellite Training Network (LESTN) is co-produced by the Kansas City, Missouri, Police Department, and the Federal Bureau of Investigation. In existence for over five years, LESTN conducts six three-hour satellite training broadcasts annually which are received at approximately 1,500 downlink locations throughout the nation. Presently, no written materials are provided in conjunction with the broadcasts, although they were at one time. This practice was discontinued, in part, because several consultants and training presenters objected to having their materials distributed free of charge. Consideration is currently being given to including a test with each broadcast.

With the passage of time, the network has experienced a diminishing number of participants at broadcast receive sites. The co-producer attributes this, in part, to inadequate on-site coordination at receive locales. Network staff have worked to identify and use subject matter experts at each site to serve as facilitators to lead post-broadcast discussions. Training is not required or provided for these individuals to prepare them for their duties.

There is no continuing professional training requirements for peace officers in Missouri and the state's peace officer standards setting agency has had no involvement in producing or approving LESTN programs.

LAW ENFORCEMENT SATELLITE ACADEMY OF TENNESSEE (LESAT)

Co-sponsored by the Tennessee Law Enforcement Training Academy and University of Tennessee Center for Government Training, the LESAT annually conducts 13 satellite training broadcasts certified by Tennessee POST. Local agencies are permitted to make videotape recordings of LESAT broadcasts and use them at a later date to meet the state's 40-hour per year CPT requirement. Use of recordings is subject to the following provisions:

- o Officers must have access to student workbooks distributed with each broadcast.
- o Officers must achieve a passing score on an examination administered upon conclusion of the video. (Participants viewing live broadcasts are also tested.)
- o A POST-certified training officer must be present during viewing of the videotapes and is responsible for maintaining the course roster, distributing workbooks and examinations,

and forwarding examination instruments (scantron forms) to the University of Tennessee for scoring. To be certified as a training officer, an officer must possess at least four years of full-time law enforcement experience and complete a POST-approved instructor development course within 12 months of appointment.

Tennessee POST does not permit the use of LETN training programs to meet the state's CPT requirement.

MARYLAND POLICE TRAINING COMMISSION

The continuing professional training requirement for Maryland peace officers below the mid-management level is 18 hours per calendar year. The Commission has approved use of LETN training programs, including video tape recordings of LETN broadcasts, to meet the CPT requirement. Use is subject to the following provisions:

- o Local agencies are responsible for determining which LETN training programs are suitable for use. LETN programs are not pre-screened by the Maryland Police Training Commission.
- o Shift supervisors in local agencies are held accountable for ensuring that live broadcasts/videotape recordings of broadcasts are viewed in an appropriate learning environment, attendance records are maintained, and that LETN developed pre- and post-tests are administered and scored. Additionally, shift supervisors are expected to familiarize themselves with program content so that they can answer questions posed by viewing officers. The Commission elected not to require the presence of a POST-certified instructor during viewing of LETN programs due to the costs associated with training local agency personnel for purposes of certification.
- o Local agencies have responsibility for maintaining course attendance and examination records. Such information is to be provided to the Maryland Police Training Commission at the end of each calendar year.
- o Viewing of a 25-minute LETN training program and completion of the associated tests equals 30-minutes CPT credit.

TEXAS COMMISSION ON LAW ENFORCEMENT STANDARDS & EDUCATION

The Texas Commission on Law Enforcement Standards and Education has approved two video-based programs for CPT credit - LETN and LESTN programs co-produced by the Kansas City, Missouri, Police Department and the Federal Bureau of Investigation. Texas requires all full-time peace officers to complete 40-hours of continuing professional training every 24 months.

Award of CPT credit for viewing live broadcasts or videotape recordings of LETN and LESTN programs is subject to the following provisions:

- o The program must be presented by a Commission-approved training presenter (local agencies can be approved to present inservice training).
- o LETN/LESTN programs must be viewed in a classroom setting in the presence of a Commission-certified instructor/training coordinator. (To be certified, an individual must complete a Commission-approved Basic Instructor Course of at least 32-hours duration and pass a licensing examination.)
- o Officers must successfully pass an examination based on the course content.
- o Agencies are responsible for maintaining attendance and examination records and providing quarterly reports to the Commission.

CALIFORNIA COMMUNITY COLLEGES

Of the state's 109 community colleges, approximately one-half offer telecourses. A "telecourse" is defined as a complete learning system that combines video and print components, used under an instructor's direction, but without classroom instruction. Twenty-six half-hour videos, a course textbook and study guide, student activities, and at least two examinations comprise the typical telecourse. While instructional videos are usually broadcast, students can elect to rent or loan from designated libraries the entire videotape series for a telecourse. This practice enables students to view the videos and complete class assignment at their convenience in the privacy of their own homes. However, students must complete examinations in a proctored environment either on campus or at designed off-campus classrooms.

Coastline Community College in Fountain Valley has had extensive experience presenting telecourses. The college offers approximately 25 telecourses each semester and just under 3,000 students enrolled in telecourses last spring. Telecourses are developed by an advisory committee and are based on learning goals and performance objectives developed for each lesson. An instructional design specialist works closely with the video production team, as well as advisory committee members, to develop study guides and learning activities. Coastline College representatives estimate that it takes 18-24 months to develop a semester long telecourse. Development costs range from \$850,000 to \$1,000,000 per course. Units for telecourses are recognized by the CSU and UC systems.

CONTINUING LEGAL EDUCATION FOR ATTORNEYS

Thirty-six states have a mandatory continuing legal education (MCLE) requirement for attorneys.

The California Bar requires 36 hours of continuing legal education every 36 months. Such instruction must minimally include:

Legal Ethics/Law Practice Management	- 9 hours
Substance Abuse/Emotional Distress	- 1 hour
Elimination of Bias	- 1 hour

One-half of the required hours can be fulfilled through use of accredited "home study" programs. (California is one of 13 states that permits use of such programs to meet MCLE requirements.) The American Bar Association's home study program, "Video Law Seminars," is accredited by the California Bar and consists of a series of video tapes, associated study guides, and self-assessment examinations. Use of the examinations is not required. Rather, they are intended as a means to reinforce key instructional points and to assist students in self-evaluating mastery of course materials.

INTERNATIONAL BUSINESS MACHINES (IBM)

IBM conducts over 500 satellite training/education programs per year, many of which are accredited by Pace University. The programs are broadcast live, are interactive, and can be received at any of the company's 29 distance learning classrooms located at IBM corporate centers. To receive college credit for accredited programs, students must attend all class sessions (no provisions are made to make-up missed sessions), sign in on the course roster(s), and successfully complete all examinations. Classes vary in duration from two hours to three weeks. The number of college units awarded for completion of a specific course is determined by Pace University. Credits are determined on a case-by-case basis for which there is no set formula. Prior to participating in a satellite training/education course, all instructors complete a three-day training program (except subject matter experts who will appear briefly for a single session). Additionally, remote learning site administrators are asked to participate in two training sessions that address equipment operations, problem-solving, and class management. Administrators are required at each remote learning site.

IBM has examined the issue of allowing use of videotape recordings of live broadcasts to meet training/education requirements. The corporation has elected not to approve this alternative for delivery of instruction because training

administrators believe that active interaction between students and instructors provides for higher quality learning experiences. Additionally, IBM legal counsel has recommended the corporation forego use of videotape recordings due to several issues involving potential royalties to participating instructors for use of their materials.

1. Administrative Activities - These activities are designed to help state agencies (such as OCJP) develop their annual criminal justice plans and administer block grant funds to local agencies.
 - o POST will enhance OCJP state plan development through the use of regional teleconferencing techniques. Working with OCJP will develop video training tapes to instruct grantees in the appropriate reporting, auditing, and evaluating needs of OCJP/BJA.
 - o To assist other states in the development of their state plans, POST proposes to establish a satellite telecourse training and management information system within the state of California which will serve as a model to be transferred to other states.
 - o The proposed system will enable POST to assess the training needs of law enforcement and present training to address specific needs in a cost-effective and efficient manner. A major portion of the effort will aid criminal justice agencies in developing their statewide drug strategies. A survey instrument will be developed to ascertain the specific type and prevalent drug used, transported, and marketed in each specific area of the state. This information will be presented encrypted over satellite "C- or Ku-Band" to each affected agency.
 - o Research and produce concise summary documents concerning effective approaches to planning, implementation, and documenting programs dealing with drug control and violent crimes.
 - o Conduct regional summit conferences providing the opportunity for presentation, discussion and issues/concerns relative to violent crime.
 - o A variety of reporting, analyzing, planning, and coordinating activities relative to these training and technical assistance activities on behalf of BJA for this national program.
2. Training Activities - These activities involve the delivery of specific training and technical assistance to local agencies.
 - o State office and local agency training for compliance with federal formula grant requirements and development of state plans.

- o POST will develop training programs to enhance narcotics enforcement and violent crime awareness, recognition, enforcement and prevention, and "downlink" those training programs over satellite to the remote areas of the state.
 - o Provide training and technical assistance to State Formula Subgrantees Criminal Intelligence Systems Policies, involving the Regional Information Sharing System (RISS).
 - o Provide training and technical assistance and promote the concept of the community-based policing model for state and local agencies.
3. Research Activities - These activities concern the development of new programs and/or the gathering of existing resources for presentation in a comprehensive program including community-oriented policing and the President's "weed and seed" program.
- o Development of a Technical Assistance Resource Directory (TARD).
 - o To support the "seed" portion of the "weed and seed" equation, a unique, cost-effective community education delivery system will be piloted. This teleconferencing effort will take advantage of the existing resources available at many public school sites in California and other sites, and microwave receivers that link to county offices of education facilities. Teleconference training courses will be designed in conjunction with local law enforcement that will focus training at neighborhood schools.
 - o Development of an evaluation process to assess the benefits and results of each training and technical assistance.
 - o Develop Discretionary Grant Program material and promote and market two prototype programs for inclusion in state plans.
 - o Assist in the development and implementation of a Grant Management Information System (GMIS) and a Narcotic Management Information System (NMIS) from several models selected by BJA, including full system testing, documentation, installation, and follow-up system monitoring and technical assistance.
 - o Develop a model strategy for providing training and technical assistance concerning community policing.

ANALYSIS

This grant, in large part, assembles work that is currently being done by a number of different entities. Our initial effort would be to include, in our program, all of those existing efforts in order to perform the administrative functions of the grant.

While our application recognizes the administrative and research activities required by BJA, our proposal has emphasized the training component. Our proposal would allow us to purchase 500 satellite dishes for law enforcement organizations. Our focus would be on teleconferencing and the development of video training materials.

Should our proposal capture the interest of BJA, they would ask us to submit a revised proposal. That revision would be based on more detailed information that would be made available to us at that time. We would then be at a decision point where the Commission could consider whether to proceed with the application. That decision would be based on our belief that the grant would allow us to achieve our teleconference goals without a large investment of energy into areas outside our primary mission.

RECOMMENDATION

That the Executive Director be authorized to continue exploring this grant opportunity as a method of expanding the teleconferencing capacity of POST and California law enforcement.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Maintenance Contract for INGRES Software		July, 26, 1992
Bureau	Reviewed By	Researched By
Information Services	Glen Fine	Darrell Stewart <i>DS</i>
Executive Director Approval	Date of Approval	Date of Report
<i>Norman C. Boehm</i>	6-30-92	June 30, 1992
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input type="checkbox"/> Yes (See Analysis for details)
<input type="checkbox"/> Status Report		<input type="checkbox"/> No

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

ISSUE

Should POST award a Maintenance Contract to the INGRES Corporation which will provide annual technical support and modifications to the INGRES data base management system currently installed on POST's VAX minicomputer?

BACKGROUND

POST received the INGRES data base management software from Systemhouse Inc. in April of 1991 and has been developing the programs needed to convert from the old INFO DB+ software to INGRES software. A previous maintenance contract was executed last fiscal year for the INGRES software product for technical support and for POST to receive modifications to the software that are released during the contract year. This contract is a normal business practice for mainframe and minicomputer systems. Expenditure for this purpose has not previously been before the Commission, as state rules previously allowed it to be covered by a purchase order. Rules now require a contract.

ANALYSIS

The INGRES data base system is used for the operation of POST's reimbursement, certificate and peace officer record keeping. It is important that we have the latest version of the software installed and that we receive any corrections or warnings of problems from INGRES. The contract also provides for telephone technical support from INGRES on questions about performance, programming techniques, programming problems and software quirks. The amount of the contract should not exceed \$21,000. It will include support for the INGRES base package, applications, embedded C and Vision packages. The term of the contract will be from July 1, 1992 to June 30, 1993.

RECOMMENDATION

Authorize the Executive Director to sign a contract with a INGRES Corporation for software support services in Fiscal Year 1992/93 for an amount not to exceed \$21,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Maintenance Contract for VAX Minicomputer		Meeting Date July, 26, 1992
Bureau Information Services	Reviewed By Glen Fine	Researched By Darrell Stewart <i>DS</i>
Executive Director Approval <i>Norman C. Boelen</i>	Date of Approval 6-30-92	Date of Report June 16, 1992
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 POST award a Maintenance Contract to the lowest qualified bidder for POST's VAX minicomputer and peripheral equipment for a term from Sept 1, 1992 to June 30, 1993?

BACKGROUND

POST has had a contract with Systemhouse Inc. (SHI) since 1987 for maintenance of the VAX computer, terminals, printers and disk drives. This contract expires August 31, 1992. The maintenance contract was part of the original procurement process when POST purchased its VAX minicomputer. Actual prior year costs for maintenance were included in the total procurement costs of hardware, software and maintenance. The 5th year maintenance cost was \$91,068.00. State regulations require that we go out to bid for a new maintenance contract.

ANALYSIS

The VAX computer is used for the reimbursement and peace officer certificate and training data bases and is important to the daily operation of POST. With a contract in place, preventative maintenance can be scheduled and minimum response times for repair calls can be established. The printers, PCs and terminals that were part of the previous contract with SHI will not be included in the new contract. Much of this equipment will be replaced with new hardware that can be maintained on a time and materials basis. Because of the 10 month term of the contract and a smaller number of hardware items included, the amount of the contract should not exceed \$50,000.

RECOMMENDATION

Authorize the Executive Director to sign a contract with a qualified vendor for VAX minicomputer maintenance services in Fiscal Year 1992/93 for an amount not to exceed \$50,000.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

TRAINING REVIEW COMMITTEE
1:30 P.M. - July 15, 1992
Red Lion Hotel
Sonoma I
7450 Hazard Center Drive
San Diego, CA 92108
(619) 297-5466

AGENDA

- A. Call to Order
- B. Symposium Implementation Report

The purpose of the meeting is to review the final draft of Symposium Implementation Report. Recommendations of the Symposium are reflected in both the Symposium Report and in the Basic Course Study Report. The Committee Chairman will bring up the idea of recommending the reconvening the Symposium in September to review work done and assess levels of support for implementation.

Appropriate action will be for the Committee to review the findings and make appropriate recommendations to the Commission.

- C. ADJOURNMENT

M E M O R A N D U M

To : POST Commissioners Date: June 30, 1992

From : Edward Maghakian, Chairman
Long Range Planning Committee
Commission on Peace Officer Standards and Training

Subject : REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met at the Los Angeles Sheriff's Department on June 23, 1992. Attending were myself and Commissioners Sherman Block and Devallis Rutledge. Staff present were Executive Director Norman Boehm, Deputy Director Glen Fine, Bureau Chiefs John Berner and Otto Saltenberger, Consultant Ray Bray, and Vera Roff, secretary.

Guests present: David Bower, Associate Director of Engineering, University of Tennessee; George Stiefelmeyer, Program Manager, IBM Washington Education Center, Arlington, Virginia; Tom Naugler and Wayne Evans, Hughes Network Systems.

Committee members reviewed the following issues:

Distance Learning Technology Discussion

Committee members received information from the above guests with respect to their area of expertise in the field of distance learning technology. Considerable discussion was had about the technology and training issues. At its next meeting, the Committee will consider other related issues and consider a proposed direction.

Results of Field Survey Concerning Reimbursement Options

Staff reviewed the results of the recently conducted field survey concerning reimbursement options. The major findings included:

- o Greatest support for maintaining current reimbursement practices which is to provide a full range of training services and use salary reimbursement as a flexible financial mechanism;

- o Considerable support for reimbursement for closest available training only, and limiting amount of reimbursable training for a given time period;
- o Considerable support was expressed for: Satellite training/priority for mandated training/regional and in-house training/eliminate duplication in courses

The report was presented for information only and no action was taken.

Update on POST Budget and Options for Program Adjustments

Staff presented an overview of alternatives for the Committee to consider in providing service to law enforcement if revenues are less than budgeted. This item was also discussed by the Finance Committee at its June 11 meeting.

The Committee considered an approach in which POST would seek to make training more available in departments or local areas and use the resulting savings in travel and per diem to enhance the development and delivery of training generally. Such a redirection would change POST's emphasis from process (e.g. salary, travel, and per diem reimbursements) to results (e.g. training developed and training presented). The Committee concurred with the concept.

The Committee also concurred with recommendations of the Finance Committee concerning salary savings from the Command College and the Supervisory Leadership Institute.

CPT Credit for Videotape Viewing of Telecourses

Staff presented a proposal on the use of videotapes to satisfy continuing professional training requirements. There is widespread support among law enforcement agencies for this approach and indications are that the recordings offer a means of standardizing training at a reduced cost while enabling greater ease in meeting the CPT requirement.

Following discussion of the proposal and a review of the proposed guidelines, there was consensus that the Committee recommend approval of a 12-month pilot

project to permit use of videotape recordings of POST-certified telecourses to meet the CPT requirement.

Policy on Review of Videos Used in Certified Courses

The Committee reviewed proposed guidelines for review of audio-videos training materials dealing with use-of-force, officer safety, field tactics, driver training, or materials dealing with high liability subjects.

Following discussion, there was consensus that the Committee recommend a public hearing to consider requiring a review of videos and other audio-visuals before use in a POST-certified course.

Guidelines for Canine Teams

As a result of a request in December 1991, staff worked with experts in the field to develop guidelines for law enforcement canine programs. The Committee reviewed the proposed guidelines for evaluating the performance of officer/canine teams.

The Committee recommended that approval be given for publication and distribution of the guidelines to be used by agencies on a voluntary basis.

Basic Course Equivalency Testing Examinations - Police Chiefs from Out-of-State

Informal inquiries have been received at POST regarding the training requirement for individuals hired as police chiefs and whose law enforcement training was in another state.

This item was on the agenda for information only and no action was required.

Progress Report on Selection Standards Development Dispatcher Job Analysis

Staff provided a status report on the development of selection standards for public safety dispatchers. The report described the current and proposed selection standards research activities and included information on resources that will be needed to administer and maintain the resulting selection standards program.

This item was on the agenda for information only and no action was required.

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 granted 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 1992/93.

ADJOURNMENT - 2:40 P.M.

FINANCE COMMITTEE MEETING
June 15, 1992 - 2:30 P.M.
Red Lion Hotel
Sonoma II
7450 Hazard Center Drive
San Diego, CA 92108
(619) 297-5466

A G E N D A

A. CALL TO ORDER

B. Year End Financial Report

Fiscal Year 1991/92 financial reports are provided to show end of year revenue receipts, reimbursement expenditures and the current year actual and a projected future POTF fund condition. Data contained in the reports, including unexpended balances, are reviewed to assess resources available when considering program modifications, contract needs, and establishing a training reimbursement rate. Reports are being finalized and will be brought separated to the meeting.

1. Review of Estimated Revenue and Local Assistance Expenditures for the Fiscal Year ending June 30, 1992.
2. Fund Condition Report

C. FY 1992/93 Governor's Budget

If available, a copy of the 1992/93 budget will be provided for informational and reference purposes.

D. Review of Reimbursement Rate Options for FY 1992/93

Information concerning past year actual and current year estimated trainees, past year local assistance budget expenditures, and an analysis of available training reimbursement funds are provided for review and discussion. Each year the Finance Committee recommends to the Commission a beginning salary rate(s) for eligible courses. The amount of funds available for salary is identified and a matrix of alternative rates is included for discussion and decision purposes. Reports are being finalized for review at the meeting.

1. Volume of Reimbursable Trainees in FY 91/92 and FY 92/93 (estimated).
2. Report of Potential Salary Reimbursement Rates for FY 92/93.

E. Budget Change Proposals for FY 1993/94

Three budget change proposals (BCPs) for 1993/94 are before the Committee for review. Two involve making permanent already approved positions for an Associate Governmental Program Analysis in Information Services Bureau (handling OAL and OIT responsibilities), and the other is an entry-level clerical office assistant. The other BCP is to make POST's claim formally for the asset forfeiture money for FY 93/94. This is in keeping with the existing policy which requires annual appropriation for this purpose.

F. Review of Potential Program Adjustments

At its June 11 meeting, the Committee considered long-term adjustments to the POST program and a report is included on the Commission's agenda (Item H). These can be reviewed again at the Committee's meeting. In addition, staff will bring forward a number of possible short-term or immediate adjustments for the Committee's consideration.

G. Request and Recommendation to Approve a \$21,000 Contract with Ingres Corporation for Data Base Technical Support

POST's data base management software was changed in 1991 from INFO DB+ to Ingres. A software support agreement, a normal cost associated with such software, was entered into with Ingres. This agreement must now be renewed for the 12-month period commencing July 1, 1992. The previous agreement, calling for POST payment of approximately \$18,000, was confirmed and paid by purchase order. The State Department of General Services now requires such agreements be paid through contract. Accordingly, the report recommends approval of a contract not to exceed \$21,000 for the purpose.

As customary, contract items are brought to the Finance Committee for recommendation to the Commission. This item is included on the Commission agenda (Tab M).

H. Request and Recommendation to Approve a \$50,000 Contract for Maintenance of the VAX Computer and Some Peripherals

The POST VAX minicomputer supports essential services relating to POST's primary data bases including training records, certificates, and reimbursements. The computer also enables word processing and electronic mail. Normal maintenance services have for the past five years been provided by System House, Inc. with payments pursuant to contract as approved in the original procurement which included hardware, software, and maintenance. The five-year maintenance agreement is now expiring.

The report describes the proposal to go to bid in order to select a provider of maintenance services for the 12-month period commencing September 1, 1992.

This item is included on the Commission's agenda (Tab N).

I. Report on Contracts Entered Into During FY 91/92

Contracts and interagency agreements that exceed \$10,000 are approved by the Commission. The Executive Director has been delegated the authority to enter into contracts and agreements to a lesser amount. The total number of contracts and Interagency Agreements are periodically reported to the Committee showing the purpose of each and the money encumbered. A list is provided under this tab for the Committee's review.

J. ADJOURNMENT

FINANCE COMMITTEE MEETING MINUTES
June 11, 1992
Newport Beach, CA

The Committee met in Newport Beach on June 11, 1992. Attending were Committee Chairman Bob Wasserman, Commission Chairman Edward Maghakian, and Commissioners Ronald Lowenberg and Raquel Montenegro. Also present were POST staff members Norman Boehm, Glen Fine, John Berner, Otto Saltenberger, Tom Liddicoat, Mike DiMiceli, and Vera Roff, Secretary.

a. Status of Current Year Budget

The Committee reviewed reports of revenue, training volume, and reimbursement expenditures through May 31st of this fiscal year. Revenue through 11 months remains below the revised projection and is 32.1% less than that received for the same time period last year.

b. Status of FY 92/93 Proposed Budget

The FY 92/93 proposed \$42.9 million has been approved by the Legislative Conference Committee and augmented with \$456,000 in Asset Forfeiture Funds. Department of Finance has revised its estimate of POST revenue in FY 92/93 down to \$36.9 million. The overall state budget has not yet been approved, however.

c. Results of Field Survey Concerning Reimbursement Options

Staff reviewed the results of the recently completed field survey concerning reimbursement options. The report was for the Committee's information and will be presented to the full Commission by staff in July.

d. Options for Program Adjustments

Staff presented an overview of alternatives for the Committee to consider in providing service to law enforcement if revenues are less than budgeted.

The Committee considered an approach in which POST would seek to make training more available in departments or local areas and use the resulting savings in travel and per diem to enhance the development and delivery of training generally. Such a redirection would change POST's emphasis from process (e.g. salary, travel, and per diem reimbursements) to results (e.g. training developed and

training presented). The Committee concurred with the concept and asked that it also be reviewed by the Long Range Planning Committee before being brought to the full Commission.

The Committee considered several possible ideas relating to improving effectiveness and reordering priorities including:

1. Command College

After a report and discussion, MOTION - Lowenberg, second - Maghakian, carried unanimously to recommend eliminating salary reimbursement for the Command College to the full Commission and to recommend a full review of the Command College and executive traomomg tp make sure needs are being met effectively.

2. Supervisory Leadership Institute

There was consensus in favor of pilot testing SLI presentations within two or three major departments "host" departments. A staff report and recommendation on the specifics will be made to the full Commission in July.

The Committee was adjourned at 3:35 p.m. The Committee will meet again on July 15 to consider forming its final recommendations to the Commission in light of the actual FY 92/93 budget which should be adopted by then.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Legislative Review Committee Meeting
Thursday, July 16, 1992, 9:00 a.m.
Red Lion Inn - Mission Valley Board Room
San Diego, CA

AGENDA

Attachment

1. Discussion of Legislative Activities in Support of POST Budget
2. New Legislation of Interest to POST A

Attachment A provides an analysis of new legislation of interest to POST.

 - a. AB 2782 (Campbell) - Mandates tuition of \$50/sem. unit at community colleges for persons possessing a BA degree
 - b. AB 2662 (Hayden) - Requires specified Hate Crime training to be included in the Basic Course
3. Proposed Amendments to SB 1126 (Presley) Concerning Agency Accreditation and Exemption for August Volmer University B
4. Proposed Amendments to AB 401 (Epple) Concerning Restoration of POST Funding, etc. C
5. Proposed Amendments to SB 1261 (Davis) Concerning Officer Bystandership and Intervention D
6. Status of Active Legislation E

Attachment E is a chart identifying the status of bills for which the Commission has taken positions.
7. Status of Informational Legislation F

Attachment F is a chart identifying the status of bills that are outside the scope of the Commission's interest in taking positions but are followed for their potential impact upon POST. The Committee may wish to receive a briefing on these.

BILL ANALYSIS

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

Attachment A

109

TITLE OR SUBJECT Postsecondary Education: Student Fees	AUTHOR Assemblyman Campbell	BILL NUMBER AB 2782
	RELATED BILLS AB 3319, AB 2488	DATE LAST AMENDED 3-25-92

SPONSORED BY

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

General

AB 2782 would:

1. Require each community college government board to charge a fee of \$50 per semester unit or quarter unit equivalent to each student who has previously been awarded a baccalaureate or graduate degree from any public or private postsecondary educational institution. This bill would permit those institutions to grant an exemption from the payment of those fees to students who meet certain financial need requirements.

Analysis

This bill is intended to lessen the financial burden upon the State for costs of higher education. Of particular concern is cost impact upon local and state law enforcement employers who would be required to pay the fees for their officers attending community college courses that satisfy state training requirements. (See attachment A for a list of training requirements.) Over 100,000 peace officers and public safety dispatchers complete various POST certified training each year. These courses are primarily presented by community college and local law enforcement agencies. The vast majority of law enforcement agencies rely upon courses presented regionally by community colleges. Approximately 20% of California's peace officers have been awarded a BA or graduate degree; therefore, would be required to pay the \$50/semester unit tuition.

AB 2782 would transfer an estimated \$1,764,000 cost to local law enforcement since law enforcement agencies are compelled to pay these expenses. Local law enforcement agencies collectively cannot afford to assume presentation costs now borne by community colleges. The POST program also lacks funds to assume those costs.

OFFICIAL POSITION

ANALYSIS BY <i>Pat Snow</i>	DATE 6-29-92	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Norman C. Boehm</i>	DATE	COMMENT	DATE

Many community colleges are already cutting back on funding of law enforcement training programs. Charging of tuition to law enforcement students with degrees will cause attendance drops that could cause cancellations of courses and push the colleges further in redirecting resources away from law enforcement training.

A significant number of citizens prepare themselves for a criminal justice career by voluntarily completing the basic law enforcement academies certified to community colleges. They pay their own way. Tuition would discourage the more highly educated from pursuing their interest in law enforcement careers.

This bill threatens to undermine California's entire law enforcement training system of shared costs between employing agencies, community colleges, and POST. For almost two decades, the Legislature has enacted training mandates directed at law enforcement. These were not opposed because the state provided the means to satisfy these through the community colleges. AB 2782 overturns this.

Therefore, an amendment is needed to exempt students attending community colleges courses that satisfy state-mandated public safety training requirements.

Comments

Recommend "oppose" position unless amended.

State Training Mandates for California Law Enforcement

<u>Subject</u>	<u>Reference</u>
Aviation Security	Penal Code Section 832.1
Arrest and Firearms	Penal Code Section 832
Basic Course	Penal Code Section 832.3
Carcinogenic Materials	H & S Code Section 1797.187
Chemical Agents for Peace Officers	Penal Code Section 12403
Chemical Agents for Private Security	Penal Code Section 12403.5
Child Abuse	Penal Code Section 13517
Continuing Professional Training	POST Regulation 1005 (d)
Developmental Disabled/Mental Ill	Penal Code Section 13519.2
District Attorneys Invest. Basic	POST Regulation 1005 (a)
Domestic Violence	Penal Code Section 13519
Humane Officers	Civil Code Section 607 (f)
First Aid/CPR	Penal Code Section 13518
Gang and Drug Enforcement	Penal Code Section 13519.5
Hazardous Materials Response	CFR 1910.120
Hearsay Testimony	Penal Code Section 872 (b)
Management Training	POST Regulation 1005 (c)
Marshals Basic	POST Regulation 1005 (a)
Missing Persons	Penal Code Section 13519.1
Narcotic Enforcement	Bus. & Prof. Code 25755
Public Safety Dispatcher Basic	POST Regulation 1018 (d)
Postpartum Psychosis	SCR 39
Racial and Cultural Diversity	Penal Code Section 13519.4
Reserve Officer Training	Penal Code Section 832.6
School Peace Officer	Penal Code Section 832.2
Sexual Assault Investigation	Penal Code Section 13516
Specialized Investigators Basic	POST Regulation 1005 (a)
State Agency Peace Officers	Penal Code Section 13510.5
Sudden Infant Death Syndrome	Penal Code Section 13519.3
Supervisory Training	POST Regulation 1005 (b)
Traffic Accident Investigation	Cal. Vehicle Code 40600
Visually/Hearing Impaired	ACR 89
Wiretap Investigation	Penal Code Section 629.44 (a)

COST IMPACT OF AB 2782
UPON LOCAL AND STATE LAW ENFORCEMENT

<u>Mandated Training Category</u> *	<u>Total Students</u> (Comm. College Students)	<u>#Students with BA/MA</u> (20%)	<u>Course Units</u>	<u>Costs at \$50 /Unit</u>
Basic Academy	7,300 (6,205)	1,241	22	\$1,365,100
Continuing Prof. Development	25,000 (21,250)	4,250	1	212,500
Supervisory	1,000 (850)	170	3	25,500
PC 832	10,000 (8,500)	1,700	1	85,000
Reserve/Other	3,000 (2,550)	510	3	76,500
		<u>Total</u>		<u>\$1,764,600</u>

* Excludes optional 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 Hate Crimes: Required Training in the Basic Course	AUTHOR Assemblyman Hayden	BILL NUMBER AB 2662
	RELATED BILLS AB 3407	DATE LAST AMENDED 5-4-92

SPONSORED BY

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

General

Assembly Bill 2662 would, among other unrelated issues:

1. Require the Basic Course to include instruction regarding the nature and extent of hate crime, prevention and identification of hate crime, and techniques for assisting the victims of hate crimes.

Analysis

POST's minimum curriculum requirements for the Basic Course currently includes hate crime recognition, applicable state laws, and the consequences of hate crime. There may be reason to question the necessity for officers to know the extent of hate crime as proposed in this legislation. Also unnecessary is the topic "prevention of hate crime" because law enforcement officers generally have little or no opportunity to perform such activity and if it is done at all by law enforcement it is done by a specialist, e.g., crime prevention or school resource officer. POST has technical courses for these specialists where prevention would be more appropriately addressed. Existing POST requirements address techniques for assisting crime victims in general.

Hate crimes have received considerable media attention recently. Although the Commission generally opposes legislation that mandates training which can be implemented administratively, this bill would likely have minimal impact upon the length of the Basic Course if the bill is amended to delete reference to unnecessary curriculum, e.g., "extent of hate crime" and "prevention of hate crime".

It would appear reasonable to suggest that the bill be amended to delete reference to extent and prevention of hate crime.

Comments

Oppose unless amended.

OFFICIAL POSITION

ANALYSIS BY <i>Hel Snow</i>	DATE 6-28-92	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Murray C. Boehm</i>	DATE 6-30-92	COMMENT	DATE

SEC. 7. Section 13510.1 of the Penal Code is amended to read:
13510.1.

(a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.

(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.

(c) (1) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.
(2) In determining whether an applicant for certification has the requisite education, the commission shall recognize as acceptable college education only the following:

- (A) Education provided by a community college, college, or university which has been accredited by the department of education of the state in which the community college, college, or university is located or by a recognized national or regional accrediting body.
- (B) Until January 1, 1998, educational courses or degrees provided by a nonaccredited but state-approved college that offers programs exclusively in criminal justice.

(d) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.

(e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.

(f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony.

SEC. 8. Article 5 (commencing with Section 13550) is added to Chapter 1 of Title 4 of Part 4 of the Penal Code, to read:

Article 5. Local Law Enforcement Accreditation

13550. For the purposes of this article the following terms apply:

(a) "Local law enforcement" means city police and county sheriffs' departments.

(b) "Accreditation" means 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.

13551. (a) The Commission on Peace Officer Standards and Training shall develop regulations and professional standards on or before July 1, 1994, for the law enforcement accreditation program. The program shall provide standards for the operation of law enforcement agencies and the program shall be available on or before July 1, 1994. The standards shall serve as a basis for the uniform operation of law enforcement agencies throughout the state to best serve the interests of the people of this state.

(b) The commission may, from time to time, amend the regulations and standards or adopt new standards relating to the accreditation program.

13552. (a) Participation in this accreditation program is limited to police departments, sheriffs' departments, and the California Highway Patrol. Other law enforcement agencies shall be eligible for accreditation after January 1, 1996.

(b) Participation shall be voluntary and shall be initiated upon the application of the chief executive officer of each agency.

13553. Nothing in this article shall prohibit a law enforcement agency from establishing standards that exceed the minimum accreditation standards set by the commission.

SEC. 5. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

PROPOSED AMENDMENTS TO AB 401

1. **Delete existing language** concerning the establishment of a Commission on Law Enforcement Use of Force Policy, Procedures, and Training.
2. **Add section concerning long term POST funding:**

Part 1

Section 1464 of the Penal Code is amended to read:
(Amendment effective with the beginning of the 1995-96 Fiscal Year)

(a) Subject to Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code, there shall be levied a state penalty in an amount equal to ten dollars (\$10) for every ten dollars (\$10) or fraction thereof, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including all offenses involving a violation of section of the Vehicle Code, except offenses relating to parking. Any bail schedule adopted pursuant to Section 1269b may include the necessary amount to pay the state penalties established by this section and Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code for all matters where a personal appearance is not mandatory and the bail is posted primarily to guarantee payment of the fine.

(b) Where multiple offenses are involved, the state penalty shall be based upon the total fine or bail for each case. When a fine is suspended, in whole or in part, the state penalty shall be reduced in proportion to the suspension.

(c) When any deposited bail is made for an offense to which this section applies, and for which a court appearance is not mandatory, the person making the deposit shall also deposit a sufficient amount to include the state penalty prescribed by this section for forfeited bail. If bail is returned, the state penalty made thereon pursuant to this section shall also be returned.

(d) In any case where a person convicted of any offense, to which this section applies, is in prison until the fine is satisfied, the judge may waive all or any part of the state penalty, the payment of which would work a hardship on the person convicted or his or her immediate family.

(e) After a determination by the court of the amount due, the clerk of the court shall collect the same and transmit it to the county treasury. The portion thereof attributable to Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code

shall be deposited in the appropriate county fund and the balance shall then be transmitted to the State Treasury with ~~70~~ 100 percent to be deposited in the State Penalty Fund which is hereby created and ~~30 percent to remain on deposit in the General Fund.~~ The transmission to the State Treasury shall be carried out in the same manner as fines collected for the state by a county.

(f) The moneys so deposited in the State Penalty Fund shall be distributed as follows:

(1) Once a month there shall be transferred into the Fish and Game Preservation Fund an amount equal to 0.33 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month, but in no event shall the total amount be less than the state penalty levied on fines or forfeitures for violation of state laws relating to the protection or propagation of fish and game. These moneys are to be used for the education or training of department employees which fulfills a need consistent with the objectives of the Department of Fish and Game.

(2) Once a month there shall be transferred into the Restitution Fund an amount equal to 32.02 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month. Those funds shall be made available in accordance with subdivision (b) of Section 13967 of the Government Code.

(3) Once a month there shall be transferred into the Peace Officers' Training Fund an amount equal to 23.99 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

(4) Once a month there shall be transferred into the Driver Training Penalty Assessment Fund an amount equal to 25.70 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

(5) Once a month there shall be transferred into the Corrections Training Fund an amount equal to 7.88 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month. Money in the Corrections Training Fund is not continuously appropriated and shall be appropriated in the Budget Act.

(6) Once a month there shall be transferred into the Local Public Prosecutors and Public Defenders Training Fund established pursuant to Section 11503 an amount equal to 0.78 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month. The amount so transferred shall not exceed the sum of eight hundred fifty thousand dollars (\$850,000) in any fiscal year. The remainder in excess of eight hundred fifty thousand dollars (\$850,000) shall be transferred to the

Restitution Fund.

(7) Once a month there shall be transferred into the Victim-Witness Assistance Fund an amount equal to 8.64 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

(8) (A) Once a month there shall be transferred into the Traumatic Brain Injury Fund, created pursuant to Section 4358 of the Welfare and Institutions Code, an amount equal to 0.66 percent of the state penalty funds deposited into the State Penalty Fund during the preceding month, until the amount deposited in the Traumatic Brain Injury Fund, as determined by the Department of Finance, for any fiscal year equals five hundred thousand dollars (\$500,000). All moneys in excess of that amount shall be distributed pro rata pursuant to paragraphs (1) to (7), inclusive, and utilized in accordance with this subdivision.

(B) Any moneys deposited in the State Penalty Fund attributable to the assessments made pursuant to subdivision (i) of the Section 27315 of the Vehicle Code on or after the date that Chapter 6.6 (commencing with Section 5564) of Part 1 of Division 5 of the Welfare and Institutions Code is repealed shall be utilized in accordance with paragraphs (1) to (8), inclusive, of the this subdivision.

Part 2

Amend Section 11489 of the Health and Safety Code:
(Effective January 1, 1993)

Notwithstanding Section 11502 and except as otherwise provided in Sections 11502, 11473.2, and 11473.3, in all cases where the property is seized pursuant to this chapter and forfeited to the state or local governmental entity and, where necessary, sold by the Department of General Services or local governmental entity, the money forfeited or the proceeds of sale, and any interest accrued thereon, shall be distributed by the state or local governmental entity as follows:

(a) To the bona fide or innocent purchaser or encumbrancer, conditional sales vendor, or mortgagee of the property, if any, up to the amount of his or her interest in the property, when the court declaring the forfeiture orders a distribution to that person.

(b) The balance, if any, to accumulate, and to be distributed and transferred quarterly in the following manner:

(1) To the state agency or local governmental entity for all expenditures made or incurred by it in connection with the sale of the property, including expenditures for any necessary costs of notice required by Section 11488.4 and any necessary repairs, storage, or transportation of any property seized under this

chapter.

(2) Ninety percent of the balance shall be distributed as follows:

(A) Eighty-five percent to the state or local or to the state and local law enforcement agencies that participated in the seizure, allocated between them to reflect the proportionate contribution of each agency.

(B) Fifteen percent to the prosecutorial agency which processes the forfeiture action.

(3) Five percent is to be deposited in the Peace Officers' Training Fund as set forth in Section 13520 of the Penal Code to be used for the reimbursement of costs for peace officer training as provided in Section 13523 of the Penal Code.

(3)(4) Ten Five percent of the balance for deposit in the Asset Forfeiture Distribution Fund, which is hereby created, and which shall be administered by the Office of Criminal Justice Planning.

(A) Notwithstanding Section 11340 of the Government Code, one million five hundred thousand dollars (\$1,500,000) is hereby continuously appropriated each fiscal year, as adjusted annually by the state and local implicit price deflator, to the State Department of Mental Health for the purposes of Chapter 6 (commencing with Section 5475) of Part 1 of Division 5 of the Welfare and Institutions Code. This subparagraph shall be funded prior to funding subparagraph (B).

(B) After the obligation specified in subparagraph (A) is satisfied, moneys in the Asset Forfeiture Distribution Fund are available for appropriation in the annual Budget Act for the following purposes:

(i) One million dollars (\$1,000,000), in 1989 and 1990 only, to the Los Angeles County Office of Education to fund grants and administer the Gang Risk Intervention Pilot Program as established pursuant to Assembly Bill 3723 of the 1987-88 Regular Session of the Legislature. This clause (i) shall be funded prior to funding clauses (ii) and (iii). This clause (i) shall remain operative only until January 1, 1991, and as of that date is inoperative.

(ii) An amount not to exceed 5 percent of the Asset Forfeiture Distribution Fund to cover administrative costs incurred by the Office of Criminal Justice Planning. Notwithstanding Section 16305.7 of the Government Code, any interest earned or other increment derived from investments made from moneys in the Assets Forfeiture Distribution Fund shall be deposited in the Asset Forfeiture Distribution Fund. This clause (ii) shall be funded prior to funding clause (iii).

(iii) The balance remaining, if any, shall be distributed, as follows:

~~(I) Eighty-five percent for deposit in the Peace Officers' Training Fund as set forth in Section 13520 of the Penal Code. State Agencies shall be entitled to allocations out of the funds generated by this section, in the same manner as provided in Section 13523 of the Penal Code, for drug related training~~

~~provided to full-time regularly paid peace officers employed by the state, to the extent that there are funds in the Peace Officers' Training Fund generated by this section.~~

(II) Fifteen percent for financial assistance to provide for a statewide program of education, training, and research for local public prosecutors, which shall be administered by a private nonprofit organization composed of local prosecutors and which provides statewide education, training, and research.

(c) Notwithstanding Item 0820-101-469 of the Budget Act of 1985 (Chapter 111 of the Statutes of 1985), all funds allocated to the Department of Justice pursuant to subparagraph (A) of paragraph (3) of subdivision (b) shall be deposited into the Department of Justice Special Deposit Fund-State Asset Forfeiture Account and used for the law enforcement efforts pursuant to Section 11493.

All funds allocated to the Department of Justice by the federal government under its Federal Asset Forfeiture program authorized by the Comprehensive Crime Control Act of 1984 may be deposited directly into the Narcotics Assistance and Relinquishment by Criminal Offenders Fund and used for state and local law enforcement efforts pursuant to Section 11493.

Funds which are not deposited pursuant to the above paragraph shall be deposited into the Department of Justice Special Deposit Fund-Federal Asset Forfeiture Account.

(d) All the funds distributed pursuant to paragraph (3) of subdivision (b) shall not supplant any state or local funds that would, in the absence of this subdivision be made available to support the law enforcement and prosecutorial efforts of these agencies. Funds so distributed shall be used by the law enforcement and prosecutorial agencies exclusively to support law enforcement and prosecutorial efforts of those agencies.

The court shall order the forfeiture proceeds distributed to the state, local, or state and local agencies as provided in this section.

All proceeds from forfeiture proceedings completed after January 1, 1989, shall be distributed in accordance with this section.

3. Add section concerning cultural awareness training mandate for law enforcement:

Section 13519.4 of the Penal Code is amended to read:

13519.4. (a) Effective July 1, 1991, the commission shall develop and disseminate guidelines and training for all law enforcement officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by the commission, on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative

methods of carrying out law enforcement duties in a racially and culturally diverse environment.

(b) The course of basic training for law enforcement officers shall, no later than August 1, 1993, include adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of cultural awareness and diversity. For purposes of this subdivision, cultural diversity is defined to include, but not be limited to, gender and sexual orientation issues.

(c) The sum of fifty thousand dollars (\$50,000) is appropriated from the Peace Officer Training Fund to the Commission on Peace Officer Standards and Training for the purpose of developing the training required by this act.

4. Add section to add two rank and file members to the POST Commission:

Section 13500 of the Penal Code is amended to read:

13500. (a) There is in the Department of Justice a Commission on Peace Officer Standards and Training, hereafter referred to in this chapter as the commission. The commission consists of ~~11~~ 13 members appointed as specified in subdivision (b). The members appointed by the Governor shall be made after consultation with, and with the advice of, the Attorney General, and with the advice and consent of the Senate.

(b) The commission shall be composed of the following members:

(1) Two members shall be (i) sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs, (ii) peace officers who are deputy sheriffs or city police officers, or (iii) any combination thereof.

(2) Three members shall be sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police.

(3) ~~One three~~ members shall be peace officers of the rank of sergeant or below with a minimum of five years' experience as a deputy sheriff or city police officer. One of these members shall be a state employed peace officer for whom the commission sets standards.

(4) One member shall be an elected officer or chief administrative officer of a county in this state.

(5) One member shall be an elected officer or chief administrative officer of a city in this state.

(6) Two members shall be public members who shall not be

peace officers.

(7) One member shall be an educator or trainer in the field of criminal justice.

The Attorney General shall be an ex officio member of the commission.

(c) Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

The additional member provided for by the Legislature in its 1973-74 Regular Session shall be appointed by the Governor on or before January 15, 1975, and shall serve for a term of three years.

The additional member provided for by the Legislature in its 1977-78 Regular Session shall be appointed by the Governor on or after July 1, 1978, and shall serve for a term of three years.

The additional members provided for by the Legislature in its 1991-92 Regular Session shall be appointed on or before July 1, 1993, and shall serve for a term of three years.

5. **Add section providing authority for POST to establish an Institute for Labor/Management Relations:**

Section 13509 is added to the Penal Code:

To the extent that existing resources permit, the commission is authorized to establish an Institute for Labor/Management Relations, which shall provide problem solving research and training services to maintain cooperation between law enforcement labor and management.

STATE OF CALIFORNIA

PETE WILSON, Governor

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO, CA 95816-7083GENERAL INFORMATION
(916) 739-5328EXECUTIVE OFFICE
(916) 739-3864**BUREAUS***Administrative Services*
(916) 739-5354*Center for Leadership
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 3, 1992

Mr. Gregory G. Cowart, Director
Division of Law Enforcement
State Department of Justice
P.O. Box 903281
Sacramento, CA 94203-2810

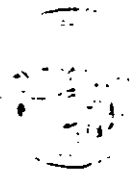
Dear Greg:

As a followup to our recent telephone conversation, I am placing on the agenda for the Commission's Legislative Review Committee discussion of the proposed amendments to Senate Bill 1261 by Davis. In response to Commission direction, staff is developing curriculum on officer intervention and bystandership.

If you have questions on this, please call me at 739-3864.

Sincerely,

NORMAN C. BOEHM
Executive Director



State of California

Office of the Attorney General

Daniel E. Lungren
Attorney General

March 31, 1992

Honorable Ed Davis
California State Senate
State Capitol
Sacramento, CA 95814

RE: SB 1261 - Police Officer Reporting

Dear Senator Davis:

Personally, as well as on behalf of Attorney General Dan Lungren, I wish to thank you for visiting with us on February 19, 1992 to discuss your bill SB 1261. You and your Legislative Assistant, Charles Fennessey, did an excellent job of explaining the bill and its intended operation in the field. We also appreciate your willingness to consider amendments as we might suggest to make the bill such that the Attorney General could support your legislative efforts in this regard.

However, after giving the matter a great deal of consideration, and discussing the approach of SB 1261 to the problem of excessive force by police officers with a number of chiefs and sheriffs, the Attorney General is still of the belief that the more positive approach, i.e., training, is the most effective means of promoting appropriate police conduct, as well as deterring the use of unreasonable force and violence by police officers. Periodic training to sensitize police officers to

creation of a buddy system approach, whereby fellow officers step forward to intervene and prevent the exercise of excessive force against a subject before it actually occurs, will, we believe, more effectively address conduct such as the Rodney King incident.

Recognizing that the Governor vetoed two bills last year which addressed the problem in the same manner as SB 1261, and on the possibility that you may be interested in our approach, I am enclosing proposed amendments to SB 1261.

Honorable Ed Davis
Page 2
March 31, 1992

The proposed amendments would strike the language of the present bill and require that the POST Commission develop and conduct training in the responsibilities of the officers to intervene. This training would protect the public by preventing the use of excessive force by officers and help assure that professional peace officers' conduct was above reproach.

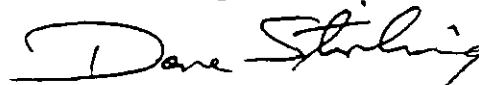
The proposed legislation would, through the requisite training, instill in officers the attitudes, courage, and assertiveness techniques necessary to intervene when an incident begins to get out of control. The training would reinforce the principle that agreeing to watch out for one another's integrity and ethical conduct is an act of true friendship.

This proposal is consistent with recommendations from the Commission's recent symposium on training which addressed needed changes in law enforcement training relevant to the Rodney King incident. We believe this proposal is a constructive and preventative response to those issues.

Please advise as soon as possible whether you would be prepared to amend SB 1261 to incorporate the proposed intervention training provisions.

Best wishes

Sincerely,



M. DAVID STIRLING
Chief Deputy Attorney General

Enclosure

Attorney General Lungren's
Proposed Amendments to SB 1261

1. Delete existing provisions of SB 1261.
2. Insert the following:

Add Penal Code section 13529.6

(a) The Commission shall implement by February 1, 1993, a course or courses of instruction for the training of law enforcement officers in officer intervention responsibilities and techniques related to use of force. The course or courses of instruction shall include, but not be limited to, the intervention concept as a duty for intervention, consequences for failure to act, intervention techniques, legal and ethical aspects. The intent of training is to cause fellow officers to intervene and prevent the use of excessive force.

(b) The course of basic training for law enforcement officers shall, not later than August 1, 1993, include adequate instructions in officer intervention responsibilities and techniques developed pursuant to subdivision (a).

(c) All law enforcement officers who have received their basic training before August 1, 1993, shall complete supplementary training on officer intervention responsibilities and techniques as prescribed and certified by the Commission. The training required by this subdivision shall be completed not later than February 1, 1995.

Commission on Peace Officer Standards and Training

Status of Legislation of Interest to POST

(1992)

KEY

P = Pending
 F = Failed Passage/or 2 yr. bill
 S = Suspense File
 Revised 7/1/92

Bill No./ Author	Subject	Commission Position	Legislative Process													
			Introduced	First Policy Committee	First Appropriations Committee (if applicable)	Floor of First House	Second Policy Committee	Second Appropriations Committee (if applicable)	Floor of Second House	To Governor for Action	Chaptered					
HR 22 (Brown)	POST Certificates - Resolution requests Commission not to revoke certificates for misdemeanor convictions	Opposed	7/17	-	-	P										
ACR 93 (Woodruff)	State Mandated Training: Resolution requesting Community Colleges to offer sufficient courses	Support	2/20	5/5	-	5/7	5/10	-	-				P	(Chapter 44)		
AB 401 (Epple)	Establishes California Commission on Law Enforcement Policies, Procedures, and Training	Opposed	2/4	4/30	5/15	5/24	6/18	7/8	P					(Senate Conference)		
AB 591 (Moore)	Peace Officer Excess Force Reporting Act	Neutral	2/19	6/25	7/10	7/17	P									
SB 1053 (Robbins)	Emergency Medical Services Dispatchers Training and Certification	Neutral	3/8	6/5	-	-	P									
SB 1126 (Presley)	Law Enforcement Agency Accreditation: Authorizes POST to establish this program	Support	3/8	5/14	-	6/6	6/30	-	P							
SB 1261 (Davie)	Peace Officer Disqualification - Conviction of official obstruction of justice or criminal interference with a peace officer	Neutral	5/16	8/20	-	5/19	6/9	P								
SB 1335 (Torres)	Peace Officer Training: Cultural Awareness	Opposed	1/29	6/10	P											
SB 1408 (Torres)	Peace Officer Training: Hate Crimes and Cultural Differences	Opposed	2/6	P										(Dead)		
SB 1457 (Mello)	Traumatic Brain Injury Fund: Increases fine for seat belt violations	Neutral	2/11	4/1	5/11	P										
SB 1705 (Maddy)	Drug Asset Seizures: Revenue for POST	Support W/Amends	2/20	5/3	5/21	P										
AB 1823 (Bentley)	Public Records: Social Security Numbers Access	Support	3/19	5/21	-	1/28	5/26	P								
AB 2280 (Eider)	Hazardous Materials Enforcement: Requires POST to develop/provide optional training	Neutral	1/6	4/7	5/13	-	-	P								
AB 2308 (Cannella)	Controlled Substances: Grants immunity from prosecution for substance abuse or canine trainers	Support W/Amends	1/9	3/3	-	3/18	-	-				P				
AB 2311 (Katz)	Drug Asset Forfeiture Revenue: Deletes POST	Opposed	1/13	4/21	5/20	5/27	6/30	P								
AB 2409 (Isenberg)	Penalty Assessments: Establishes Percentage Formulas	Watch	1/28	3/3	5/20	5/26	P									
HR 2537 (Moran)	Federal Legislation - Accreditation of Law Enforcement Agencies	Opposed	8/15													
AB 2662 (Hayden)	Hate Crimes: Required training for the Basic Course	Not Considered	3/25	P												
AB 2782 (Campbell)	Post secondary Education: Mandates full cost tuition for students with an equivalent or higher degree	Opposed Unless Amended	2/14	3/25	5/26	P										
AB 3407 (Kiehs)	Hate Crime Training: Requires POST to develop	Neutral	2/21	4/7	5/13	5/21	P									
AB 3614 (Epple)	Peace Officer Status: Student Aid Commission Investigators	Opposed	2/21	P										(Dead)		

Commission on Peace Officer Standards and Training
 Summary of Informational Bills of Interest to POST

<u>Bill</u>	<u>Author</u>	<u>Description</u>
ACA 42	Floyd	Constitutional amendment to protect the driver training penalty assessment fund percentage and use
ACR 67	Tucker	Urges Mayor of Los Angeles and others to adopt and implement the recommendations of the Christopher Commission
AB 183	Ferguson	Prohibits law enforcement officers from using pain compliance techniques upon a passive nonviolent protestor
SB 189	Dills	Appropriates \$21,236,000 from the Driver Training Penalty Assessment Fund to the State Dept. of Edu. to reimburse school districts for driver training
AB 198	Dills	Appropriates \$13,000,000 from the Driver Training Penalty Assessment Fund to the State Dept. of Edu. to reimburse school districts for driver training
AB 761	Horcher	Authorizes counties to levee an additional 50 cents for every \$10 or fraction thereof on criminal fines for the county's DNA identification system
SB 998	Rosenthal	Requires the establishment of a civilian board for each law enforcement agency to monitor implementation of procedures to investigate citizen's complaints against police
SB 1014	Calderon	Would authorize the interception of electronic communications for additional drug offenses
SB 1118	Presley	Transfers \$3,000,000 from the General Fund to the Victim-Witness Fund for the 1991-92 fiscal year
AB 1180	Murray	Authorizes the Director of Consumer Affairs to establish rules for the qualifications of private investigators and their employees to carry firearms and rules for the Director to issue concealed weapons permits

AB 1301 Klehs (Spot Bill) Requires POST to develop a course of training addressing prejudice-based incidents. This bill has been incorporated into AB 3407

AB 1364 Cortese Broadens authority of Fish and Game Director to designate any department employee as peace officer instead of designated members of the Wildlife Protection Branch

SB 1366 Leslie Authorizes a Nevada correctional officer or Nevada Division of Forestry crew supervisory authority when performing conservation-related projects or fire suppression duties within California to retake any inmate escaping

AB 1394 Speier Requires state agencies issuing any license, certificate, permit, registration, etc. to routinely provide names to State Department of Social Services for checks into failure to support family

SB 1566 Hill Proposes to establish the Correctional Peace Officers' Standards and Training Commission for CYA and CDC correctional peace officers

AB 1761 Knowles Requires the Attorney General to operate a telephone hotline to be available for use by school students 24 hours per day, 7 days per week to report drug activity

SB 1772 Hill Would ban the use of photo radar to issue traffic citations by law enforcement

AB 1871 Burton Increases the size of Board of Corrections from 11 to 17, to include the Director of the Parole and Community Services Division of CDC, 4 public members, a director of a local substance abuse treatment program, a director of county substance abuse program from a county over 700,000 population

SB 1949 Greene Repeals existing law that allows a peace officer to bring a civil action against an individual who has filed a false complaint with law enforcement about misconduct, criminal conduct or incompetence

AB 2067 Floyd Would make substantial changes to the Public Safety Officers Procedural Bill of Rights Act

AB 2288 Isenberg Would establish the Commission on California Fiscal Affairs who would select the Legislative Analyst

AB 2291 Boland Authorizes county parole officer to exercise the powers of arrest of peace officer but not designated as a peace officer

AB 2337 Conroy Requires a peace officer who arrests a person for an act of domestic violence to notify the designated judge regarding the arrest if there is not a valid protective order in effect and require the judge to decide as to whether to issue emergency protective order

AB 2340 Archie-Hudson Requires public officers who personally witness a violation to file a report with his or her employing agency.

AB 2527 Hayden Requires the governing boards of UC and the California State University to charge duplicate degree tuition

AB 2611 Burton Makes technical changes to the Public Safety Officers Procedural Bill of Rights Act

AB 3603 Umberg Would move parole officers of CYA and CDC from PC 830.5 to 830.2 thus giving them authority any place in the state without express restrictions provided their primary duty is conditions of parole or probationer

AB 3807 Hughes Makes it a felony or misdemeanor for a person acting under color of law to, by force or violence, willfully subject any person to deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of this state or the US Constitution.

Commission on Peace Officer Standards and Training

COMMISSION ADVISORY LIAISON COMMITTEE
Wednesday, July 15, 1992 - 9 a.m.
Red Lion Hotel, Board Room
San Diego, CA 92108

Meeting Agenda

9:00 a.m.

- A. Call to Order
- B. Welcome and Introductions
- C. Purpose of Meeting - Commission Assignment to Consider Labor's Request to Expand the POST Advisory Committee to Include Additional Labor Representatives
 - 0 Minutes of March 11 ad hoc Labor/Commission Committee Meeting (Attachment A)
- D. Discussion of Issue
 - 0 Roster of Current Advisory Committee (Attachment B)
- E. Conclusion and Recommendation
- F. Adjournment

AD HOC LABOR/COMMISSION MEETING
March 11, 1992
Clarion Hotel - Brannon Room
16th and H Streets
Sacramento, California

MINUTES

The meeting was called to order at 10:00 a.m. by Commission Chairman Ronald E. Lowenberg.

Chief Donald L. Forkus led the flag salute.

COMMITTEE MEMBERS

Present:

Ronald E. Lowenberg, Chair, POST Commission Chairman
Don Brown, COPS
Steve Fournier, CCPOA
Donald L. Forkus, POST Advisory Committee Chairman
Jody Hall-Esser, POST Commissioner
Marcel L. Leduc, POST Commissioner
Edward Maghakian, POST Commissioner
Roger Mayberry, State Marshals' Association
Shaun Mathers, ALADS
Wendell Phillips, CAL-Cops
Art Reddy, POPA
Cecil Riley, CAUSE
Devallis Rutledge, POST Commissioner
Bud Stone, PORAC

Absent:

Frank Grimes, LAPPL
Robert Wasserman, POST Commissioner

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine
Hal Snow
Vera Roff, Secretary

Visitor's Roster

Al Davila, CAHP
Richard Gregson, Sacramento PD
Roy Harmon, Yuba City CPCA
Bill Hemby, COPS
Monty Mauney, Huntington Beach PD POA

Randy Perry, PORAC
Rodney Pierini, CPOA
Dean Rewerts, CAUSE
Tom Simms, Roseville PD, CPCA
Richard Wright, Huntington Beach PD POA
Tim Yaryan, ALADS

ROLE OF POST

There was a discussion concerning the role of POST. It was pointed out that the Commission has the responsibility in law to raise the level of law enforcement by setting minimum training and selection standards, doing management counseling, and providing reimbursement. Though compliance inspections are essential and while there is a regulatory aspect to POST, the sense of the Commission is to be service-oriented in providing outstanding training programs and to work with all of law enforcement to accomplish the overall goal of raising the level of law enforcement in California as set forth in legislation. Discussion of this issue touched upon a variety of labor concerns described elsewhere in these minutes.

COMMISSION MEMBERSHIP

There was discussion concerning the Commission membership, which currently has only one rank and file member. Law enforcement groups are seeking legislation to add two additional rank and file positions to be appointed by the Governor. It was noted that the Commission changed last year from an "oppose" to a "neutral" position. Representatives of labor asked that the Commission consider going favorable on that legislation. The Chairman said the request would be referred to the Legislative Committee. Commissioner Marcel Leduc was appointed by Chairman Lowenberg to the Commission's Legislative Committee to assure that labor perspectives are present on that committee.

ADVISORY COMMITTEE MEMBERSHIP

There was a suggestion to expand the membership of the Advisory Committee to include more labor organizations. The Chairman will refer the suggestion to the Advisory Liaison Committee for action.

CERTIFICATE REVOCATION

Concern was expressed over the Commission's action last year in the face of opposition from rank and file to expand the provisions for revoking certificates. Labor representatives expressed apprehension that the Commission intends to move into areas involving internal discipline. It was made clear that Commission action on this issue is the single most important issue that has brought law enforcement labor groups together in

opposition to the Commission. There was a request that the Commission reconsider the action taken on revocations last July. After some discussion, there was consensus that POST staff and representatives from labor (Cecil Riley/Roger Mayberry/Wendell Phillips) will review all aspects of that action on a "frame by frame" basis so there could be an objective review of the history, reasons for proceeding, and reasons for objectives laid out in a clear and concise format. The emphasis will be on facts rather than on perceptions. A report will be brought back to the Commission.

ASSOCIATION AFFILIATION

Labor representatives observed their feelings that POST is too much associated with management, particularly with CPOA, noting that a number of Commissioners and the Executive Director serve on the CPOA Board of Directors. Labor views CPOA as management. While it is true that Commissioners have affiliation with other associations such as CPOA, it was explained that such membership is not exclusive and Commissioners can belong to a variety of associations and "wear different hats."

Commissioners pointed out that the Commission conducts business as a body and that the role of the Commission and the role of the associations are not commingled.

This labor concern was in part in context with certain training which is certified to CPOA, such as legislative updates. It was clarified that labor organizations could bid on legal update training contracts. The same is true with other training issues that labor has interest in. POST staff would be pleased to work with associations interested in course certification to go over Commission guidelines and requirements for presenters to be certified. Peer counseling was cited by labor as an example of the type of training labor associations may be in a position to present.

TRAINING ISSUES

The range of training issues was discussed, including leadership training, and specifically focusing on the Command College. During the discussion, it was pointed out that the Commission's goals and hopes are that a strong training program for all segments of law enforcement could be sustained. Sergeants and above represent approximately 20% of law enforcement and currently receive approximately 14% of the training resources, including the Command College.

The Executive Director observed that the underlying values for a balanced training program are that POST provides assistance in the selection process, and once people are selected, POST sustains training for developing the skills, attitudes, and

behaviors necessary to be an officer. Leadership training is to help ensure that the officers will have a good working environment in which to practice their services to the public. The Commission has long held that there needs to be a balance of all those values in the training program and this balance is worthy of being maintained.

Labor representatives indicated a desire to review curriculum of the Command College and SLI. Of concern, was the view that some Command College papers are anti-labor.

SUSPENSION OF SALARY REIMBURSEMENT

The Commission was questioned about the decision to suspend salary reimbursement which was perceived as the Commission abandoning the Basic Course while still continuing leadership and other training. It was pointed out that POST still reimburses all travel, tuition, and per diem expenses associated with the Basic Course and for all other qualifying courses. The travel, tuition, and per diem expenses probably most closely affect the officers individually and the Commission chose not to change that part of the formula. The Commission still supports the Basic Course and devotes a good deal of financial and staff resources to operating a successful Basic Course program in the state. POST also supports many other in-service training courses for which travel, per diem, and tuition are still provided.

When asked what cut-backs other than salary had been made to try to balance the budget, it was noted that the Commission had to delay inauguration of the Institute on Criminal Investigation which would provide high quality in-depth training for line level investigators. Also a number of POST staff positions have not been filled. The Commission also deferred action on a proposal to reimburse for satellite antennas to bring training directly to departments.

The Commission took the approach that suspending salary reimbursement would be the least disruptive in the short run. If funds are not forthcoming in the new year, then clearly the Commission is going to have to look at priorities and carefully consider how available resources might be allocated in the future.

POST has the best training program in the United States and this in part reflects the leadership position that California law enforcement has earned deservedly over the years. Commissioner Rutledge observed that Rodney King was newsworthy in part because of California law enforcement's high reputation generally.

Several in attendance urged that all involved should work, not only to retain the leadership the professional training programs have attained, but to improve upon them. It was the consensus

that effort should be made to ensure that the critical training funds are available in the future.

LABOR/MANAGEMENT ISSUES

As the meeting progressed a consensus emerged that there is great value in labor and management working together to move the profession forward. There was an almost simultaneous and mutual suggestion that the process of fostering labor/management issues be formalized in some way.

There was consensus that a report be developed on the feasibility of POST establishing an Institute on Labor/Management Issues. Representing labor on this study group will be Art Reddy, Shaun Mathers, and Bud Stone. They will work with POST staff and representatives of Chiefs and Sheriffs to explore what the charter of such an Institute might be. A report on this will be brought to the Commission as soon as it is completed.

ACTION ITEMS

- o Chairman to direct the Advisory Liaison Committee to review the proposal to expand the membership of the POST Advisory Committee to include more rank and file representatives. The Committee recommendation will be presented at the July Commission meeting.
- o Establish an ad hoc Labor/Management Committee consisting of those attending the March 11, 1982 meeting. The Committee will meet on an as needed basis. Any member of the Committee may request the convening of a meeting at any time. The next regularly scheduled meeting will be October 14, 1992.
- o Establish a Committee to review the Commission action to expand certificate revocation provisions taken last year. Members of the Committee will include POST staff Glen Fine and Frederick Williams along with Roger Mayberry, Wendell Phillips, and Cecil Riley.
- o Explore the feasibility of developing an Institute of Labor/Management Issues. Members of the Committee will include Shaun Mathers, Bud Stone, and Art Reddy, representatives of the Chiefs and Sheriffs, as well as POST staff representatives. A report on this will be made to the Commission.
- o Assign POST staff to prepare a report on the history of correctional peace officers' efforts to be included in the POST program. This is in response to a request expressing CCPOA's interest in peace officer standards and training.

CLOSING REMARKS

There was general agreement that this meeting was a very productive beginning for improving communications, perceptions and relationships. Although the basis of some of the concerns were clarified, there continues to be much room for improvement.

ADJOURNMENT - 3:40 p.m. to October 14, 1992 when a second meeting of this ad hoc Committee will be held.

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
July 15, 1992 - 10 a.m.
Red Lion Hotel, Sonoma II
San Diego, CA 92108
(619) 297-5466

AGENDA

- | | | |
|----|---|-------------------|
| A. | Call to Order | Chair |
| | 0 Roll Call | |
| | 0 Introductions | |
| | 0 Announcements | |
| B. | Approval of Minutes of April 8, 1992 Meeting | Chair |
| C. | Commission Assignment - Need for and Parameters of POST Drug Screening Manual for In-Service Officers | Staff/
Members |
| | 0 Staff Report | |
| | 0 Committee Discussion | |
| D. | Reports on Curriculum Development Projects | Staff |
| | 0 Use of Force | |
| | 0 Bystandership and Intervention | |
| | 0 Cultural Awareness | |
| E. | Review of Commission Meeting Agenda | Staff |
| F. | Followup on April 8 Meeting Issues | |
| | 0 Availability of Updated PC 832 IVD Program and Manuals | Staff |
| | 0 Availability of CHP Academy Facilities for Training | Staff |
| G. | Advisory Committee Member Reports | Members |
| H. | Old and New Business | Members |
| I. | Commission Liaison Committee Remarks | Commissioners |
| J. | Adjournment | Chair |

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083POST Advisory Committee Meeting
April 8, 1992 - 10 a.m.
Red Lion Hotel, Ballroom #4
San Diego, California**MINUTES****CALL TO ORDER**

The meeting was called to order at 10:00 a.m. by Chairman Don Forkus.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Charles Brobeck, California Police Chiefs' Association
Don Brown, Calif. Organization of Police and Sheriffs
Cois Byrd, California State Sheriffs' Association
Jay Clark, California Association of Police Training Officers
Joe Flannagan, Peace Officers' Research Assoc. of California
Donald Forkus, California Peace Officers' Association
Jack Healy, California Highway Patrol
Derald Hunt, California Association of Administration of Justice Educators
Ernest Leach, California Community Colleges
Cecil Riley, California Specialized Law Enforcement
Judith Valles, Public Member

Absent: Joe McKeown, Calif. Academy Directors' Assoc.
Carolyn Owens, Public Member

Commission Advisory Liaison Committee Members present:

Commissioner Edward Maghakian
Commissioner Raquel Montenegro

POST staff present:

Norman C. Boehm, Executive Director
Ken O'Brien, Bureau Chief, Training Programs Services
Hal Snow, Assistant Executive Director
Rick Baratta, Senior Consultant
Lou Madeira, Senior Consultant
Imogene Kauffman, Executive Secretary

ANNOUNCEMENTS

It was announced that a letter of resignation had been received from Dolores Kan, a public member representative. A replacement will be named by the Commission. There is a request on the Commission Consent Calendar that she be honored with a resolution for her services to the Advisory Committee. It was also announced that POST has lost two members of its staff to cancer, Ellen Stetson, and Bud Perry, both Senior Consultants. Further, Ken O'Brien will soon be leaving POST to take a position as Assistant Director with the California Youth Authority.

APPROVAL OF MINUTES

The minutes of the January 22, 1992 meeting were approved as distributed.

REVIEW OF COMMISSION MEETING AGENDA

Staff reviewed the April 9, 1992 Commission meeting agenda and responded to questions and discussion on the issues. Following the discussion on reimbursement options and financial matters, the availability of the California Highway Patrol Academy for use by other allied agencies was discussed. The possibility will be explored and brought back in July.

OLD and NEW BUSINESS

o Report on Meeting Between Commission and Police Labor Leaders

An Ad Hoc Labor/Commission Committee met on March 11. Eight major labor leaders throughout the state met with six Commissioners. Five action items resulted, including:

1. Establish an Ad Hoc Commission Committee to meet periodically with law enforcement labor associations.
2. Explore the feasibility and desirability of establishing an institute for labor/management to provide a permanent forum for communications, problem solving, and cooperative approaches. An exploratory study consisting of three labor people, representative from chiefs' and sheriffs' offices and POST staff is to be formed. Their purpose would be to form a charter and the purpose of a potential labor/management institute.
3. Assign the Commission's Advisory Liaison Committee to consider labor's request to expand the POST Advisory Committee to include additional labor representatives.
4. Staff to work with representatives of labor organizations to review the recent certificate revocation

action, on a step-by-step basis.

5. Assign staff to prepare a report on State Correctional Peace Officers' interest in POST program participation.

o Reports on Training Projects

- a. Use of Force Training:

It was reported that staff is in the process of evaluating each of the 104 issues that were identified by the symposium. A report is being prepared that should be finalized for the July meeting. Staff is also involved with CPOA which has a Use of Force Committee. The study on supervisory training has been approved.

- b. Basic Course Revision:

Rick Baratta reported on tentative directions for the project that includes adding some prerequisite reading and/or course(s) to the Basic, modularizing the Basic to isolate such aspects as the PC 832 training requirement at the beginning, establishing a required field training component of the Basic Course, and making greater use of student workbooks and technology. A more detailed report will be presented to the Commission's Long Range Planning Committee.

- c. Cultural Awareness Training:

It was reported that the program is on track. Arrangements are being made with the San Diego Regional Training Center to set up three courses for next year. There is a waiting list of a number of executives and departments to go into the class and get into that mode. The program continues to be revised. The second executive orientation on the program has been completed.

E. ADVISORY COMMITTEE MEMBER REPORTS

Calif. Assoc. of Police Training Officers - Jay Clark reported that CAPTO is anxious for the finalized distribution of the drug screening guidelines and the forthcoming distribution of the medical screening manual.

California Community Colleges - Dr. Ernest Leach reported that both projects he had reported on at the last meeting had been approved, i.e., expansion of equipment for the IVD program, \$93,000. The other one is the Smart Classroom, \$70,000. The RFP's will be going out at the end of April. Another activity that has been underway is a joint project with Ron Allen of POST and Leo Ruelas of Community Colleges staff, trying to bring

people together, including law enforcement, to identify key issues we should be addressing in terms of long-range training.

Calif. Administration of Justice Educators - Derald Hunt reported CAAJE is looking forward to its 27th Annual Conference on May 1-2 in Sacramento. The theme of the conference is "Behold the Future". IBM will be putting on a demonstration on Computer-Assisted Instruction. The Chancellor's Office will be presenting a program on Changing Demographics as well as a program on policing in the future. There will also be a report from the Christopher Commission.

Calif. Organization of Police and Sheriffs - Don Brown announced that COPS has scheduled their annual convention for Friday, June 26 in Harbor Town Marina, Ventura.

Calif. Police Chiefs' Assoc. - Charles Brobeck announced that CPCA has named a new president, David Snowden, who is the Chief of Costa Mesa Police Department. The Training Committee of CPCA is taking a close look at the Basic Course revision. There is a major change taking place in CPCA due to a recruitment and the many retirements coming up.

Peace Officers' Research Assoc. of Calif. - Joe Flannigan stated that PORAC would like to see every department in the state represented at the Police Memorial on May 13 in Sacramento. He also stated that PORAC is excited to see the "opening of the door" between management and rank-and-file.

California Highway Patrol - Jack Healy stated that the CHP is going through the same exercise that every agency has been directed to do. That is, to propose a 5, 10, or 15% cut in their budget. The 5% proposal came to \$5 million. With all the cuts proposed, they were still looking at elimination of 155 jobs.

California Peace Officers' Association - Don Forkus announced CPOA's annual conference will be May 18-22 in Palm Springs. CPOA will be hosting a workshop on accreditation. The Legal Update training that CPOA has been so involved in was concluded during the last quarter. Over 1,500 officers were trained, and that is considered another successful year for the Legislative Update.

Hal Snow thanked all the organizations for their assistance with POST's budgetary hurdles. There is one more hurdle, so they may be called upon again.

COMMISSION LIAISON COMMITTEE REMARKS

Commissioner Montenegro complimented the Advisory Committee and staff for the good reports that had been presented.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1300 hours.

Imogene

Imogene Kauffman
Executive Secretary

M E M O R A N D U M

To : Advisory Committee

Date: June 30, 1992

Norm
NORMAN C. BOEHM
Executive Director

From : Commission on Peace Officer Standards and Training

Subject : PRELIMINARY STAFF REPORT ON FEASIBILITY AND ADVISABILITY
OF PUBLISHING GUIDELINES FOR RANDOM DRUG TESTING OF
INCUMBENT OFFICERS

In April, the Commission approved distribution of pre-employment drug screening guidelines that were developed for voluntary use by agencies in the POST program (POST Pre-Employment Drug Screening Guidelines, 1992). At that time, the Commission was informed that in reviewing the guidelines the day before, the Advisory Committee had discussed the possibility of developing similar guidelines for random drug testing of incumbent officers. In response, the Chairman of the Commission directed that the Advisory Committee work with staff to further explore this possibility, and report back to the Commission at a later date. What follows is a preliminary analysis of some of the factors identified by staff as being important for the Committee to consider with regard to this issue.

Prevalence of Random Drug Testing Programs

Based on a limited telephone survey of selected agencies in the POST program, it appears that random drug testing programs are not yet very widespread and that those programs that do exist are in their infancy. Furthermore, the experiences of those departments that have given serious consideration to adopting a program have also varied. For example, the Los Angeles County Sheriff's Department has had a successful program since September 1990, while the Los Angeles Police Department, because of circumstances that may or may not be unique to its agency, has been unable to fully implement a random drug testing program. Another agency (San Clemente Police Department) has encountered opposition from its police union that so far has precluded adoption of a program; still another agency (Laguna Beach Police Department) foresees the

possibility that initial union opposition could be overcome in future collective bargaining. Finally, at the Anaheim Police Department, management and labor seriously studied the merits of random drug testing and concluded that in the absence of alcohol testing, drug testing was of questionable utility.

Reasons for Random Drug Testing

The predominate reasons for implementing such programs appear to be to foster public confidence and to ensure a safe work place. No one we talked to indicated that the program was adopted because of job performance problems related to drug use, or because the department "had a problem" with officers using drugs.

Technical Considerations

Whether testing all job applicants, or randomly testing employees, many of the technical considerations associated with drug testing (specimen collection, analytical methodologies, substances to be tested, etc.) appear to be the same. Consequently, if POST were to publish random drug screening guidelines, any recommendations with reference to these technical matters would most likely be identical to those appearing in the current pre-employment drug screening guidelines (e.g., that urine samples be collected, that the initial test be immunoassay, that the confirmatory test be gas chromatography/mass spectrometry, and that NIDA-recommended substances be tested and cutoff levels observed). While job applicants, however, commonly provide specimens during the medical examination, procedures for specimen collection from employees would obviously differ and have to be articulated.

Other Considerations

In addition to the differing procedural issues, testing of employees also requires consideration of collective bargaining agreements, allocation of departmental resources, possible unique legal issues, the consequences of positive test results, and careful consideration of the goals a department hopes to achieve through random drug testing (including the possible effects on public perception and employee morale). Presumably, all of these considerations would be addressed if POST were to publish random drug screening guidelines.

From the standpoint of possible POST involvement in the publication of random drug screening guidelines, the most significant of these "Other Considerations" is that of collective bargaining. Everyone agrees that employee drug testing constitutes a condition of employment that must be the subject of local collective bargaining. Historically, POST has attempted to limit its involvement in such local agency matters. Thus, even though POST would merely be publishing drug screening guidelines,

such action would run counter to POST's history of minimizing involvement in local agency matters, and would no doubt be interpreted by some as constituting at least an implicit endorsement of random drug testing by the Commission.

Summary and Conclusions

In the final analysis, it is not so much the **feasibility** but rather the **advisability** of developing random drug screening guidelines that merits discussion. Random drug testing programs are considerably newer and far less prevalent than pre-employment drug testing programs. Much of the information provided in the Pre-Employment Drug Screening Guidelines would be duplicated if another document were issued for employee testing. Perhaps most significantly, offering assistance on random employee drug testing would constitute involvement in an arena traditionally considered outside the purview of POST, i.e., local collective bargaining.

In fact, if POST were to produce any type of document concerning random drug testing, an **issues paper** might be preferable to guidelines. Such a document could simply point out and provide general background information on the kinds of issues described above under "Technical Considerations" and "Other Considerations." Even this approach, however, might be interpreted by some as constituting "meddling" by POST in a local agency matter.

If POST were to publish such an issues paper, a prudent first step would be to more thoroughly survey the agencies in the POST program regarding their experiences with the issues involved in random drug testing.



California POLICE CHIEFS Association Inc.

1455 Response Rd., Suite 190 Sacramento, California 95815 Telephone (916) 923-2375 (916) 923-1825 FAX (916) 924-2260

June 25, 1992

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- President
DAVID L. SNOWDEN
Costa Mesa
- 1st Vice President
FLOYD SANDERSON
Monterey
- 2nd Vice President
JOE MOLLOY
Anaheim
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JIM ANTHONY
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- Immediate Past President
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Vacaville
- STANDARDS AND ETHICS
DAN MONEZ
Napa
- TRAINING
JAMES NUNES
Pleasant Hill
- WAYS AND MEANS
OLSON

EXECUTIVE DIRECTOR
Rodney K. Pierini

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

Dear Chairman Maghakian:

The California Police Chiefs' Association's (CPCA) representative to the POST Advisory Committee will be Chief Charles Brobeck, Irvine Police Department. Chief Brobeck has served in this capacity representing CPCA and is committed to maintaining his participation and contributions to the Commission. *Committed*

I wish you and the Commission the best in these difficult economic times and reconfirm the assistance of CPCA to maintaining the integrity of POST funding.

Sincerely,

David L. Snowden
President

JUN 29 9 24 AM '92

**California
Organization of
Police and
Sheriffs**



175 E. Olive Ave., Suite 400
Burbank, CA 91502
(818) 841-2222
(800) 352-7516
FAX (818) 841-1201

May 6, 1992

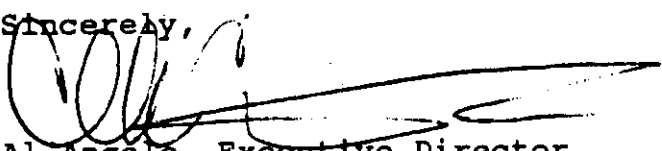
Edward Maghakian, Chairman
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Maghakian:

Pursuant to your letter of May 4, 1992, Don Brown is COPS' nominee to serve for an additional three-year term of office as a member of POST's Advisory Committee.

If I can be of further assistance please do not hesitate to contact me.

Sincerely,


Al Angele, Executive Director
California Organization of Police and Sheriffs

MAY 11 9 23 AM '92



DEDICATED TO EXCELLENCE IN LAW ENFORCEMENT
THROUGH EDUCATION AND TRAINING.

July 1, 1992

**Dr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard,
Sacramento, CA 95818-7088**

Dear Dr. Boehm:

It gives me great pleasure to recommend Norman Cleaver as a P.O.S.T. Advisory Committee Member. Norm has served the law enforcement training community for many years and is a genuine asset to his organization and California Academy Director's Association. Norm was unanimously elected by a CADA committee to represent CADA for this important assignment

Norm has been instructed to forward a resume to your office. If further clarification as to Norm's law enforcement background or any other questions concerning his nomination, please contact him at (707) 539-5210.

Thank you for your consideration in this matter.

Cordially,

Glen S. Mason
**Glen S. Mason
State Secretary**



CAUSE

California Union of Safety Employees

COMMISSION ON PEACE OFFICERS
JUN 22 9 56 AM '92

2029 H Street • Sacramento, CA 95814 • (916) 447-5262 • 1-800-522-2873
CAUSE Legal Defense Fund 1-800-533-5448

June 18, 1992

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 Special Agents - DOJ

California Association of Criminal Investigators

California Association of Judges and Drug Officials

California Association of Fraud Investigators

California Association of Lifeguards

California Association of Regulatory Investigators and Inspectors

California Association State Investigators

CHP - Radio Dispatchers Association

California Association 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

Park Peace Officers Association of California

Edward Maghakian
Commission Chairman
Commission on Peace Officer
Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Mr. Maghakian:

It is my understanding that Cecil Riley's POST Advisory Committee appointment terminates in September, 1992. The California Union of Safety Employees (CAUSE) believes that Mr. Riley has served the Advisory Committee well, and that he has represented the interests of the state peace officers. It is felt that it would serve everyone's interest for Mr. Riley to serve another term.

I therefore, as Senior Vice President, on behalf of the CAUSE organization, nominate Cecil E. Riley for another three year term to the POST Advisory Committee.

Respectfully submitted,

Steven C. Sanders
Senior Vice President
CAUSE

SCS/lch



WOMEN PEACE OFFICERS ASSOCIATION
OF CALIFORNIA, INC.

HUNTINGTON BEACH POLICE
OFFICE OF THE CHIEF
92 MAR 31 - 8 58

1991 - 1992

President

ALEXIA VITAL-MOORE
Los Angeles County
Sheriff's Dept.

March 26, 1992

First Vice President

SHARON EDWARDS
Contra Costa County
Sheriff's Dept.

Second Vice President

MARY LANDRETH
Los Angeles County
Sheriff's Dept.

Third Vice President

ESTER SMITH
Dept. of Justice

Fourth Vice President

LEISHA LEKAWA
Culver City
Police Dept.

Recording Secretary

LAURA LORMAN
West Valley College
Police Dept.

Sergeant-at-Arms/Chaplain

E. MYRTLE WILLIAMS
Los Angeles County
Sheriff's Dept.

Executive Director

LYNN G. HEYWOOD
Garden Grove Police
Dept. (Retired)

Treasurer

BETTY CUNNINGHAM
San Jose Police
Dept. (Retired)

Chief Ron Lowenberg
P.O.S.T. Committee Chair
c/o Huntington Beach Police Department
P.O. Box 70
Huntington Beach, CA 92648

Dear Chief Lowenberg,

This letter is to inform you of the nomination of Captain Alicia Powers, San Clemente Police Department as the Women Peace Officers Association's representative to the P.O.S.T. Committee.

The Executive Board of W.P.O.A. has selected Captain Powers to replace Captain Dolores Kan, B.A.R.T. Police Department (Retired) who has submitted her resignation effective this month.

If you have any questions, please do not hesitate to contact me at (714) 698-6216.

Thank you for your consideration and cooperation in this matter of mutual concern.

Sincerely,

Lynn G. Heywood
Lynn G. Heywood
Executive Director

M E M O R A N D U M

To : POST Commissioners Date: July 2, 1992

From : NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards and Training

Subject : ACTIVITIES AND ISSUES ARISING FROM JOINT MEETING BETWEEN
COMMISSIONERS AND ASSOCIATION PRESIDENTS

As previously reported to the Commission, there was a joint meeting between Commissioners and representatives of law enforcement rank and file associations on March 11, 1992. The purpose of that meeting was to explore issues of mutual concern. A variety of recommendations came out of that meeting which are being acted upon.

Certificate Revocation

One issue raised by rank and file representatives at that meeting concerned the Commission's action following public hearing in July 1991 to expand the bases for revocation of professional certificates to include certain felony convictions reduced to misdemeanors by virtue of sentencing under Penal Code Section 17. As Commissioners will recall, the regulations adopted by the Commission were opposed by the rank and file associations. The request of March 11th was that the Commission consider rescinding that action. There was agreement that before forwarding such a request that there would be a meeting for the purpose of a "frame-by-frame review" of all the considerations that led up to the proposal and the action by the Commission.

Members of POST staff met with presidents of two rank and file associations to provide such a review on May 11, 1992. Following that review, those association presidents reported on the matter to representatives of all the labor associations who participate in the California Coalition of Law Enforcement Associations. It was reported that the consensus of that coalition was to proceed with a formal request that the Commission rescind the July 1991 regulation. A letter communicating the coalition's request has been received and is attached. A copy of the agenda report that supported the action of July 1991 is also attached for your information.

If the Commission decides to honor this request it could, of course, schedule a public hearing for that purpose. Alternatively, the Commission might wish to refer the matter for consideration by a committee, or could schedule an informal hearing, or meet with rank and file leadership that proposes the action. The matter is before the Commission for discussion.

Labor/Management Institute

A meeting to consider the potential mission and benefits of a labor/management institute has been scheduled for July 16/17. Attendees will represent law enforcement management, several rank and file associations, the Commission, and the POST Advisory Committee. The meeting will be in San Diego at the same hotel hosting the Commission meeting. Interested Commissioners are welcome in sit in on all or part of the meeting.

Consideration of Expanding Labor Representation on the POST Advisory Committee

The suggestion was made that the Commission consider expanding membership on the POST Advisory Committee to include additional labor representatives. The Commission's Advisory Liaison Committee will meet to discuss this issue on July 15. The Committee's report is earlier on this agenda.

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO, CA 95816-7083GENERAL INFORMATION
(916) 739-5328EXECUTIVE OFFICE
(916) 739-3864

BUREAUS

Administrative Services
(916) 739-5354Center for Leadership
Development
(916) 739-2093Compliance and Certificates
(916) 739-5377Information Services
(916) 739-5340Management Counseling
(916) 739-3868Standards and Evaluation
(916) 739-3972Training Delivery Services
(916) 739-5394Training Program Services
(916) 739-5372Course Control
(916) 739-5399Professional Certificates
(916) 739-5391Reimbursements
(916) 739-5367Resource Library
(916) 739-5353

July 3, 1992

Jerry Pierson
President
California Coalition of
Law Enforcement Association
12314 West Fifth Street
Santa Ana, CA 92703

Dear President Pierson:

Chairman Maghakian has asked me to respond to your letter of June 24 requesting Commission action on the certificate issue. Please be assured that the matter is being considered. The issue is explained, with a copy of your letter, in a report being forwarded as part of the agenda for the Commission's July 16 meeting in San Diego.

We will provide you with a copy of the agenda when finalized. You are, of course, welcome and encouraged to be in attendance at the meeting.

Sincerely,

A handwritten signature in cursive script that reads "Norman C. Boehm".

NORMAN C. BOEHM
Executive Director



California Coalition of Law Enforcement Association
1314 West Fifth Street
Santa Ana, California 92703
(714) 285-2800

June 24, 1992

Mr. Edward Maghakian, Chairman
POST Commission
1601 Alhambra Blvd.
Sacramento, Ca. 95816-7083

Dear Sir:

On July 18, 1991 the POST Commission held a noticed hearing related to proposed changes to Commission Regulation 1011 and Commission Procedure F-2. Prior to this hearing, during and after the Commission action the leaders of numerous Law Enforcement Associations expressed their displeasure with the decision.

I appreciate the efforts by the POST Commission and staff to address these concerns by way of numerous meetings, phone conversations and personal contacts. However, we are approaching the one year anniversary of this decision and at the unanimous direction of the members of CCLEA I must strongly request the issue be revisited by the POST Commission keeping in mind the input from the aforementioned Associations.

Please understand that the members of CCLEA and other affected law enforcement organizations have attempted to address our concerns in a professional manner for nearly a year, further meetings at this point would appear to only cloud the issue.

We respectfully request the POST Commission rescind the action of July 18, 1991 so we all may move forward during these very difficult times.

Sincerely,


Jerry Pierson
President

JUN 25 9 30 AM '92

Representing California Peace Officers

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing: To Consider Adoption of Regulations to Expand Certificate Revocation Requirements		Meeting Date July 18, 1991
Bureau Compliance and Certificate Services	Reviewed By	Researched By <i>FW</i> Frederick Williams
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 6-21-91	Date of Report June 20, 1991
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 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 enact regulations expanding the grounds for cancellation of professional certificates to include all disqualifiers in Government Code Section 1029 (a), and specified felonies reduced to misdemeanors under Penal Code Section 17, subsections (b) (1) and (3)?

BACKGROUND

Pursuant to Penal Code Section 13510.1 (a) (Attachment A), the Commission is required to maintain a certification program for specified peace officers. Penal Code Section 13510.1 (b) establishes the Basic, Intermediate, Advanced, Supervisory, Management, and Executive certificates for purposes of fostering professionalism in law enforcement. Subsections of P.C. 13510.1 (e and f) also cite that the certificates remain the property of the Commission and that the Commission is empowered to cancel any certificate. The Commission is required to cancel certificates of persons convicted of a felony offense. These requirements have been incorporated in Commission Regulation 1011.

Since January 1, 1979, the Commission has cancelled 234 certificates of peace officers convicted of felony offenses.

Within the past five years, revocations for felony convictions have averaged 26 per year. It is estimated that there are 150 annual arrests of California peace officers and former peace officers for felony offenses. About 26 of these result in felony convictions, with about 40 being dismissed. The remaining 84 original felony arrests are disposed of as misdemeanor convictions. The reductions to misdemeanors may occur at time of filing by the prosecutor, or following conviction in Superior Court.

Sentencing practices of local superior courts may have the effect of reducing many felony convictions to misdemeanors. Such reductions are permitted under Penal Code Section 17, subsection (b) (1) and (3).

(9), in instances where specified felonies are reduced to misdemeanors pursuant to Penal Code 17 (b) (1) or (3), department heads, as well as the affected individual, will be afforded an opportunity to provide input to the Commission regarding the appropriateness of proposed certificate cancellation. All such inputs would be evaluated and presented to the Commission for consideration prior to the initiation of normal cancellation procedures. This input provision is recommended because cancellation for misdemeanors, even though narrow in scope, is a new area and there is concern that the appropriateness of cancellation be examined in the most careful manner.

It is important to consider, however, that this provision for case by case review by the Commission can give rise to questions as to the criteria to be used by the Commission in judging the cases. It is recommended that the Commission adopt the policy that all such cases will be pursued for cancellation when, in the judgment of the Commission, the circumstances support the conclusion that the conviction substantially relates to the qualifications, functions and duties of a peace officer.

Currently, Procedure F-2 provides that all hearings of individual appeals shall be conducted by a hearing officer. It is proposed that this provision be modified to retain latitude for the Commission to conduct the hearing should it so desire. Other related technical changes are also proposed.

Because staff does not now collect information on cases other than those involving felony convictions, there is uncertainty as to the increased volume of revocations that would occur under proposed regulations. The likelihood is that a modest increase will result.

Attachment C shows the proposed changes to Commission Regulation 1011 and Procedure F-2.

It has come to staff's attention that some law enforcement labor groups oppose these proposed changes. These groups have been specifically invited to voice the bases of their concerns at the hearing. They have been assured that the Commission has interest in hearing and considering all issues associated with the proposal prior to any action being taken.

RECOMMENDATION

Subject to results of the public hearing, it is recommended that the Commission adopt amendments to Regulation 1011 and Procedure F-2, concerning the expansion of certificate cancellation, to be effective January 1, 1992.

13510.1 Certification program; purpose; requirements; application; cancellation of certificates

- (a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.
- (b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.
- (c) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.
- (d) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.
- (e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.
- (f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony.

13510.2 Misuse of certificates; misdemeanor; punishment

Any person who knowingly commits any of the following acts is guilty of a misdemeanor, and for each offense is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail not to exceed one year, or by both a fine and imprisonment:

- (a) Presents or attempts to present as the person's own the certificate of another.
- (b) Knowingly permits another to use his or her certificate.
- (c) Knowingly gives false evidence of any material kind to the commission, or to any member thereof, including the staff, in obtaining a certificate.
- (d) Uses, or attempts to use, a canceled certificate.

LAW RELATING TO SELECTION AND STANDARDS

CALIFORNIA GOVERNMENT CODE

Title 1

GENERAL PROVISIONS

DIVISION 4

PUBLIC OFFICERS AND EMPLOYEES

CHAPTER 1

GENERAL

ARTICLE 2

DISQUALIFICATIONS FOR OFFICE OR EMPLOYMENT

1029. Conviction of felony as disqualification for peace officer

- (a) Except as provided in subdivision (b), (c), or (d), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county or other political subdivision, whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer:

- (1) Any person who has been convicted of a felony in this state or any other state.
- (2) Any person who has been convicted of any offense in any other state which would have been a felony if committed in this state.
- (3) Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent under Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code.
- (4) Any person who has been found not guilty by reason of insanity of any felony.
- (5) Any person who has been determined to be a mentally disordered sex offender pursuant to Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of

Division 6 of the Welfare and Institutions Code.

- (6) Any person adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a state institution as provided in Section 3051 of the Welfare and Institutions Code.
- (b) Any person who has been convicted of a felony, other than a felony punishable by death, in this state or any other state, or who has been convicted of any offense in any other state which would have been a felony, other than a felony punishable by death, if committed in this state, and who demonstrates the ability to assist persons in programs of rehabilitation may hold office and be employed as a parole officer of the Department of Corrections or the Department of the Youth Authority, or as a probation officer in a county probation department if he or she has been granted a full and unconditional pardon for the felony or offense of which he or she was convicted. Notwithstanding any other provision of law, the Department of Corrections or the Department of the Youth Authority may refuse to employ any such person as a parole officer regardless of his qualifications.
- (c) Nothing in this section shall be construed to limit or curtail the power or authority of any board of police commissioners, chief of police, sheriff, mayor, or other appointing authority to appoint, employ, or deputize any person as a peace officer in the time of disaster caused by

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

CERTIFICATE REVOCATION REQUIREMENTS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13506 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: July 18, 1991
Time: 10:00 a.m.
Place: Marriott Mission Valley
San Diego, California

Notice is also hereby given that any interested person may present oral or written statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Penal Code Section 13510.1(a) requires the Commission to maintain a certification program for specified peace officers. For purposes of fostering professionalization in law enforcement, the Commission has established the Basic, Intermediate, Advanced, Supervisory, Management and Executive certificates. Penal Code Section 13510.1, subsections (e) and (f), cite that the certificates remain the property of the Commission and that the Commission shall cancel certificates of persons convicted of a felony offense.

It is proposed that Commission Regulation 1011 and Commission Procedure F-2 (which is incorporated by reference into Regulation 1011) be modified relating to the cancellation of POST certificates.

Proposed modifications would require the cancellation of POST certificates issued to individuals who have been convicted of any felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17(b), subsection (1) or (3), in which the crime involved unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or illegal narcotic offenses. Modifications would also provide an opportunity for the department head of the subject individual to provide input to the Commission in these instances.

It is also proposed that Regulation 1011 and Commission Procedure F-2 be modified to require cancellation of POST certificates issued to persons who have been disqualified as peace officers for any reason specified in Government Code Section 1029(a)(1) through (a)(6).

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

COMMISSION REGULATIONS

1011. Certificates and Awards.

- (a) Certificates and awards are presented by the Commission in recognition of achievement of education, training, and experience for the purpose of raising the level of competence of law enforcement officers and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.
- (b) Professional certificates shall remain the property of the Commission. Certificates may be denied or cancelled when:
- (1) A peace officer ~~is~~ has been adjudged guilty of a felony or been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
 - (2) The person is adjudged guilty of a felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and constitutes either unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offense; or
 - ~~(3) if the certificate was obtained through misrepresentation, or fraud; or~~
 - ~~(4) The certificate was issued due to administrative error on the part of the Commission and/or the employing agency.~~
- (c) Whenever a peace officer, or a former peace officer, is adjudged guilty of a felony an offense described above, the employing department in the case of a peace officer, or the department participating in the POST Program that is responsible for the investigation of the felony charge against a former peace officer, shall notify the Commission within 30 days following the final adjudicative disposition. The notification shall include the person's name, charge, date of adjudication, case number and court, and the law enforcement jurisdiction responsible for the investigation of the charge.
- (d) Requirements for the denial or cancellation of professional certificates are as prescribed in PAM Section F-2.
- (e) Regular Certificates, and Specialized Law Enforcement

COMMISSION PROCEDURE F-2

ISSUANCE, DENIAL OR CANCELLATION
OF PROFESSIONAL CERTIFICATES

2-1. - 2-3. ****

Denial or Cancellation

2-4. Right to Deny or Cancel: Professional Certificates remain the property of the Commission, and the Commission has the right to deny issuance of a certificate when the person does not satisfy a prerequisite for issuance of a certificate, or cancel any certificate when:

- a. The person ~~is~~ has been adjudged guilty of a felony or been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
- b. The person is adjudged guilty of a felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and constitutes either unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offense; or
- ~~or~~ c. The certificate was issued by administrative error on the part of the Commission and/or the employing agency; or
- d. The certificate was obtained or the application was submitted involving misrepresentation or fraud.

2-5. Notification by Department Heads: When a department head obtains information that a certificate should be denied or cancelled because of any of the conditions listed in paragraph 2-4 above, the department head shall immediately notify the Commission.

Investigation

2-6. Initiation of Investigations: When the Commission is notified that a professional certificate has been issued involving conditions listed under paragraph 2-4, subsections a, b, or c ~~or d~~, the Executive Director shall investigate the allegation. The department head and the concerned individual shall be notified in writing of the initiation of the investigation.

~~e. If the facts determined in the investigation substantiate cause for cancellation involving a condition listed under paragraph 2-4, subsections b or c, the individual concerned shall be so notified by certified mail of the grounds for the proposed cancellation. The notice shall direct the individual to return the certificate. The individual's department head shall also be notified. The notice shall also state that the certificate shall be deemed cancelled on the 45th day following the mailing of the notice. Before the expiration of the 45th day, if the individual desires a hearing, he or she must respond in writing with documentation showing that the reason for cancellation of the certificate is unfounded.~~

2-9. Notwithstanding the provisions of Section 2-8, when cancellation is being considered for grounds described in Section 2-4, subsection b, the concerned individual and the employing department head will be notified that cancellation is being considered. Each will be invited to submit information to the Commission concerning the appropriateness of the proposed cancellation. Any information received will be considered by the Commission prior to initiating procedures described in Section 2-10 8.

Hearing

~~2-10. Procedures for Hearing: If the individual who has been issued a certificate which is proposed for cancellation based on paragraph 2-4, subsections b or c, desires a hearing regarding such action, the individual must notify the Commission in writing of the desire for a hearing within 45 days of the mailing of the notice of cancellation. The individual shall provide with the request for hearing all documentation he or she believes proves that the reason for cancellation of the certificate is unfounded.~~

- a. All hearings shall be conducted in conformance with the Administrative Procedures Act (Government Code Section 11340 et. seq.). At the Commission's discretion, the hearing shall be held before the Commission or All hearings shall be conducted by a qualified hearing officer who shall prepare a proposed decision in such form that it may be adopted as the decision in the case. The Commission shall decide the case.
- b. The Commission may decide the case on the basis of the transcript of the hearing conducted by the hearing officer.

Commission of Peace Officer Standards and Training

PUBLIC HEARING: CERTIFICATE REVOCATION REQUIREMENTS

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on July 18, 1991, for the purpose of receiving comments on proposed changes to Commission Regulation 1011 and Commission Procedure F-2.

Several nonsubstantive technical or clarity changes to Commission Regulation 1011 and Procedure F-2 are proposed. A description of each proposed substantive change and the accompanying reasons follows:

Commission Regulation 1011

(b) (1) - Government Code Section 1029(a) outlines a series of circumstances, other than felony conviction, that disqualify a person from holding the position of peace officer, including when the individual is: (1) adjudged by a Superior Court to be mentally incompetent; (2) found not guilty by reason of insanity of any felony; (3) determined to be a mentally disordered sex offender; (4) adjudged addicted or in danger of becoming addicted to narcotics and committed to a state institution; or (5) has been convicted of any offense in any other state which would have been a felony if committed in this state.

Current regulations do not provide for certificate cancellation even though these individuals are disqualified from holding peace officer positions. Expansion of revocation provisions to include these disqualifiers would provide for reasonable consistency between the certificate program and legal barriers to peace officer employment.

(b) (2) - Sentencing practices of local Superior Courts have the effect of reducing many felony convictions to misdemeanors. It is proposed that POST Regulation 1011 and Commission Procedure F-2 be revised to require the cancellation of POST certificates of individuals for any felony conviction which has been reduced to a misdemeanor pursuant to Penal Code Section 17(b), subsections (1) or (3), in which the crime involved unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offenses.

Offenses in these categories substantially relate to the qualifications, functions, and duties of a peace officer. Revocation following such convictions will serve to safeguard the integrity of the certificate program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Institute for Law Enforcement Labor/Management Relations
Planning Committee Workshop

Red Lion Inn, 7450 Hazard Center Drive
San Diego, CA 92108

AGENDA

Thursday, July 16 - 2:00 P.M.

- I. Introductions/"Housekeeping" Activities
- II. Project Overview
 - * How the idea of an Institute came into being
 - * Purpose of workshop
 - * POST's role
 - position of neutrality, coordination
 - Commission police re: labor/management training
- III. Presentation: Existing Labor/Management Institutes - Their Structure and Services Provided
- IV. What Should Be the Purposes/Services of the Institute?
 - * Identification of Possible Purposes/Services
 - * Identification of Purposes/Services the Institute Should Not Provide

Friday, July 17 - 8:00 A.M.

- V. Based Upon the Purposes/Services, What Should be the Mission Statement and Goals?
 - * Mission Statement
 - * Goals
- VI. What Should the Institute be Called?
- VII. Where Do We Go From Here?
 - * Review of conceptual design by associations and the Commission
 - * Need for additional meeting of this committee?
 - * Any suggested revisions in committee membership?
 - * Should future meetings include more detailed reports on existing labor/management institutes?
 - * How did we do with this workshop?

Adjournment: 12:00 Noon

Commission on Peace Officer Standards and Training

AD HOC COMMITTEE
INSTITUTE FOR LAW ENFORCEMENT LABOR/MANAGEMENT RELATIONS

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