

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING AGENDA

April 24, 1997 - 10:00 A.M.
Holiday Inn Capitol Plaza
300 J Street - Fresno Room
Sacramento, CA 95814
(916) 446-0117

AGENDA**CALL TO ORDER****FLAG SALUTE****MOMENT OF SILENCE HONORING PEACE OFFICERS KILLED IN THE LINE OF DUTY**

Since the last Commission meeting, the following officers have lost their lives while serving the public:

- o Officer Van D. Johnson, Los Angeles Police Department
- o Deputy Patrick S. Coyle, San Diego County Sheriff's Department
- o Deputy Brian Meilback, Yuba County Sheriff's Department

ROLL CALL OF COMMISSION MEMBERS**HONORING PAST COMMISSIONERS**

- o MANUEL E. ORTEGA
- o DEVALLIS RUTLEDGE

INTRODUCTIONS**APPROVAL OF MINUTES**

- A.1. Approval of the minutes of the January 23, 1997 regular Commission meeting held at the Wyndham Hotel in Los Angeles.
- A.2. Approval of the minutes of the March 5, 1997 special Commission meeting held at the Sheraton Newport in Newport Beach.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the January meeting, there have been 119 new certifications, 9 decertifications, and 97 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Third Quarter FY 1996/97

The third quarter financial report is under this tab 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 (Reimbursable) Program

The Hesperia Unified School District Police Department has met the Commission's requirements and has been accepted into the POST Regular Program. In approving the Consent Calendar, your Honorable Commission receives the report.

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

The Ontario International Airport Police Department has met the Commission's requirements and has been accepted into the POST Specialized (Non-Reimbursable) program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.5 Receiving Information on Withdrawals from the POST Program

The Santa Barbara County Marshal's Department has merged with the Santa Barbara County Sheriff's Department, and the Colfax Police Department has disbanded, and have withdrawn from the program. In approving the Consent Calendar, the Commission takes note they are no longer part of the POST Program.

B.6 Confirming Policy Statement for Inclusion in Commission Policy Manual

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

At its January 23, 1997 meeting the Commission, upon recommendation of the Finance Committee, approved the following new policies regarding the driver training simulator program.

- a. Do not fund the purchase, maintenance, or upgrading of driving simulator equipment except in special circumstances.
- b. Encourage agencies interested in purchasing driving simulators to seek funding through grants or other means.
- c. Continue to work closely with agencies to ensure that their driving simulator courses can be certified.
- d. Grant reasonable reimbursement of tuition for POST-certified driving simulator courses to cover some of the presentation costs (not possible for POST to assume all costs associated with these programs).
- e. Continue support of Driver Simulator Committee to promote cooperation, information sharing, and development of standards for driving simulator instructors and programs.
- f. Continue working in partnership with companies in the private sector that are interested in developing driving simulators by providing information on requirements for law enforcement driver and technical specifications that will assist these companies in using their technology most appropriately.

B.7 Approving a Resolution Commending Retired Deputy Chief Norwood E. "Woody" Williams

In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending Woody Williams, who retired on March 1, 1997 as Deputy Chief of the San Bernardino County Sheriff's Department, for his outstanding service to California law enforcement for 36 years. Woody Williams also serves as Vice-Chairman of the POST Advisory Committee.

C. Report on Strategic Plan Progress

At a special Commission meeting held March 5, 1997 in Newport Beach, it was recommended that the following Vision Statement be presented for adoption by the Commission at the April 24, 1997 meeting:

To be the leading organization in establishing professional standards, assuring top-quality training, and providing effective services to develop and support the world's finest peace officers and law enforcement organizations.

If the Commission concurs, the appropriate action would be a MOTION to approve the Vision Statement.

In addition, Commissioner Ter Borch, Chairman of the Committee for Strategic Plan Implementation, will report on the Committee meeting held April 15, 1997 in Newport Beach.

PUBLIC HEARINGS

D. Receiving Testimony on Proposed Changes to POST Public Safety Dispatcher Certificate Program

The certificate program for public safety dispatchers was established in Commission Regulation 1018(f) in 1990. The certificate program is voluntary in that dispatchers from agencies in the POST Public Safety Dispatcher Program are not required to obtain the certificate for purposes of initial or continued employment. Pursuant to Commission Procedure F-5-3, dispatchers employed by agencies in the POST dispatcher program prior to the effective date of the certificate program (i.e., July 1, 1990) may qualify for the certificate by passing the POST Basic Dispatcher Training Equivalency Examination in lieu of completing the Public Safety Dispatchers' Basic Course.

The number of dispatchers who have taken the exam has steadily declined in recent years, with fewer than 60 individuals taking the exam in the past 12 months. If the testing program is to be maintained, there is a need to develop a new exam at a cost of approximately \$30,000. For these reasons, it is recommended that the testing option be removed from Commission Procedure F-5 effective January 1, 1998, thereby giving those who remain eligible to take the exam approximately nine more months to exercise this option.

If the Commission concurs, and subject to the results of the public hearing, the appropriate action would be a MOTION to amend Commission Procedure F-5 as shown in the attachment to the full agenda report, with such changes to become effective January 1, 1998, contingent upon approval by the Office of Administrative Law.

E. Receiving Testimony on Proposed Amendments to Regulation 1007 and Addition of Commission Procedure D-12 to Establish a Waiver Process for Reserve Training Modules B and/or C

At its January 23, 1997 meeting, the Commission reviewed a proposal to enact Commission regulations to provide for the evaluation of prior law enforcement training for reserve peace officers. The Commission directed that appropriate regulatory language be drafted and that a public hearing be scheduled for April 24, 1997 to receive testimony on the proposed regulatory changes.

The proposal before the Commission is to modify Regulation 1007 and enact new Procedure D-12 to provide the authority and establish the process for evaluation of prior law enforcement training for reserve officers and a waiver of POST-certified training for Modules B and/or C.

The proposed modification to Regulation 1007 would add section (d) to provide that the Commission may waive attendance at POST-certified reserve training for an individual who has completed training that is equivalent to the current requirements of Modules B and/or C. New Procedure D-12 would establish procedures and guidelines for evaluation of prior law enforcement training, eligibility for the process, POST evaluation of training, a written and skills examination, and issuance of the waiver upon completion of the process.

Subject to the results of the public hearing, and if the Commission concurs, the appropriate action would be a MOTION to approve amendments to Commission Regulation 1007 and the enacting of Procedure Commission D-12 as proposed. The changes would go into effect July 1, 1997, subject to approval by the Office of Administrative Law.

F. Receiving Testimony on Proposed Baton/Impact Weapons Training for Sheriff Security Officers and Addition of Commission Regulation 1081(a)(24)

Recent enactment of P.C. Section 831.4 has given sheriffs' departments the authority to employ non-peace officer personnel as public officers in the capacity of a sheriff security officer for the purpose of providing security for specified facilities and activities. Of importance to POST was the related amendment of P.C. 12002. Sub-section (f), was added and requires the Commission to identify a course of instruction for these persons in the carrying and use of an impact weapon. Presently, only the Los Angeles, Sacramento, and Orange County Sheriffs' Departments are known to employ personnel in this classification.

After a review of the impact weapon training needs of sheriff security officers, a review of existing POST-certified curriculum, and consultation with subject matter experts -

including trainers from the Los Angeles, Sacramento, and Orange County Sheriffs' Departments, an eight-hour minimum training curriculum was developed. At its January 1997 meeting, the Commission approved the eight-hour Baton/Impact Weapon Training course subject to results of a Notice of Regulatory Action.

In response to that Notice, the Association for Los Angeles Deputy Sheriffs has requested a public hearing on this proposal. The Association opposes development of a course in baton training for unsworn security officers unless additional funding is appropriated by the Legislature. Notwithstanding this funding concern, it appears the Commission is obligated by law to enact a training course for this purpose.

Subject to the results of the Public Hearing, and if the Commission concurs, the appropriate action would be to approve the proposed baton/impact weapons training for sheriff security officers and add Regulation 1081(a)(24) to show the additions of this new legislatively mandated course. The changes would go into effect July 1, 1997, subject to regulatory approval by the Office of Administrative Law.

STANDARDS AND COMPETENCY

G. Modifying Regulations for Clarity: Procedure D-1 Relating to Definitions of Basic Course Delivery Formats and Regulation 1018 Relating to Applicability of Public Safety Dispatcher Standards

Procedure D-1 defines the Basic Course Reserve Format as encompassing Modules A, B, C, and D. The Transition Pilot Basic Course Format is defined as Part 1 and Part 2. The construction of these definitions is such that student enrollment in Part 1 (Community College AJ courses with Basic Course subjects embedded) and enrollment in Module A (P.C. 832 course) constitutes enrollment in the Regular Basic Course.

Enrollment in the Basic Course invokes the fingerprint/criminal history requirement of P.C. Section 13511.5. In the case of the Reserve Format, this places the Commission's regulation in conflict with P.C. Section 832 which does not require fingerprinting. In the Transition Format Pilot, presenters have complained that requiring fingerprinting before enrollment in Part 1 is unnecessary, is creating student hardship, and is causing reduced level of enrollment.

As described in the report under this tab, it is proposed these delivery formats be redefined in a manner that does not invoke the fingerprint requirement. It is believed that redefinition is consistent with the Commission's original intention.

Regulation 1018 describes the selection and training standards for Public Safety Dispatchers. Regulation 1001(w) defines a Public Safety Dispatcher in a manner that exempts peace officer employees from the standards and applies the standards to all non-

peace officers employed (whether full time or part time) to either receive emergency calls or dispatch law enforcement personnel. Notwithstanding this definition, there is evidence of confusion as to whether standards apply to peace officers who may be temporarily assigned to dispatch functions and as to the applicability of the standards for part-time employees.

As described in the report, it is proposed that Regulation 1018 be modified to more clearly express these standards applicability issues.

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to the results of the Notice of Proposed Regulatory Action process, the changes as set forth in the report. If approved, changes would go into effect July 1, 1997, subject to approval of the Office of Administrative Law.

H. Report and Recommendation to Adopt Changes to Regular Basic Course Training Specifications Using the Notice of Proposed Action Process

As part of an ongoing review of Regular Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review learning domain content to determine if revisions are necessary. This process occurs in regularly scheduled workshops during which curriculum and supporting material for specific domains are updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

Proposed changes to the training specifications for Learning Domains #3 Community Relations, #39 Crimes Against the Justice System and #40 Weapons Violations are as follows:

o Learning Domain #3 (Community Relations)

The proposed modifications add language to existing instructional goals that require the student to understand the responsibility of law enforcement within the community. Further changes would add clarity to existing goals and a new goal is proposed regarding benefits of maintaining effective news media relations which relates to an already existing topic on news media relations. It is proposed that existing topics be expanded to add more detail to the required instruction in communication skills and techniques to obtain voluntary compliance. Two scenario tests that require the student to use tactical communication skills to encourage voluntary compliance are proposed for deletion. Two exercise tests are proposed to replace these scenario tests to reduce testing costs.

It is also proposed that existing learning activities be expanded with detailed instructional requirements.

o Learning Domain #39 (Crimes Against the Justice System)

Minor modifications are proposed to topics to more closely align the training specification with language in the Penal Code. Two additional topics related to the false reporting of emergencies and destructive devices are proposed.

o Learning Domain #40 (Weapons Violations)

Changes to Instructional Topics - The proposed modifications provide more explicit instructional goals aligned with language in the Penal Code. Three additional topics related to possession of firearms and negligently discharging a firearm are proposed changes to the specification.

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to the results of the Notice of Proposed Regulatory Action process, the changes as set forth in the report. If approved, changes would go into effect July 1, 1997, subject to approval of the Office of Administrative Law.

I. Report and Recommendation to Adopt Proposed Changes to the Regular Basic Course Performance Objectives

Changes to the performance objectives are proposed in four learning domains: Community Relations, Domestic Violence, Crimes Against the Justice System and Weapons Violations. All changes in the Community Relations Domain comport with the modifications to the scenario testing, exercise testing and learning activity requirements for the domain as described in the previous agenda item. Changes in the remaining domains pertain to objectives that call for written test questions and consist largely of modifications to existing objectives or the splitting of existing objectives into separate objectives to improve clarity and the ability to assess student achievement. Additionally, it is recommended that one objective be added in the Weapons Violations Domain, and two objectives be added and one deleted in the Crimes Against the Justice System Domain.

All proposed changes have been approved by the Consortium of Academy Directors and are described in detail in the report under this tab.

If the Commission concurs, the appropriate action would be a MOTION to adopt the recommended changes to the Regular Basic Course performance objectives effective for academy classes that begin on or after July 1, 1997.

PARTNERSHIPS

J. Advisory Committee

Norman Cleaver, Chairman of the POST Advisory Committee, will report on the Committee meeting held April 23, 1997 in Sacramento.

RESOURCES

K. Report on Proposed POST/CHP Royalty Agreement for Shooting Judgment Training Scenarios

At its meeting on July 18, 1996, the Commission authorized POST staff to look at alternative methods for producing shooting judgment scenarios, including working with other state agencies and community college systems. These scenarios would also be marketed to all enforcement agencies outside the State of California. Subsequent to that authorization, POST has joined with the California Highway Patrol to design and produce a set of force option scenarios.

POST staff and CHP have designed an agreement for sharing royalties that may accrue from the sale of shooting judgment training scenarios. Through joint discussions, POST staff and CHP representatives have determined that future royalty accrual and distribution can best be managed by an agreement between POST and the CHP. The agreement would specify the following:

1. POST and CHP will share equally in any royalties accrued from out-of-state sales;
2. Separate accounts for POST and CHP will be created with each vendor;
3. The contracts with the hardware vendors will be negotiated by POST staff for both POST and CHP; and
4. POST will have advance approval of all sales to out-of-state agencies.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into an agreement with the California Highway Patrol regarding the management and distribution of any royalties that accrue from the sale of video scenarios to out-of-state law enforcement agencies.

L. Request for Contract Services in conjunction with *POST Entry-Level Dispatcher Selection Test Battery*

At its January 1997 meeting the Commission acted to make the *POST Entry-Level Dispatcher Selection Test Battery* available at no cost to agencies in the POST Public Safety Dispatcher Program as of July 1, 1997. The July 1, 1997 date coincides with the effective date of Commission Regulation 1018(c)(4), which requires that verbal, reasoning, memory, and perceptual abilities measured by the test battery be assessed as part of the selection process for entry-level dispatchers.

The test battery has been available to agencies in the POST dispatcher program on a pay-for-use basis since January 1996. Cooperative Personnel Services (CPS) has performed the same services under this arrangement that would be performed under the proposed contract between POST and CPS for Fiscal Year 1997/98 (i.e., printing and distribution of all test materials).

The proposed contract is for an amount not to exceed \$116,354.30. The amount assumes that the test battery will be used by approximately two-thirds of the 344 agencies in the POST Dispatcher Program during the 1997/98 Fiscal Year and that the test battery will be taken by a total of 11,500 job candidates.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with CPS for printing and distribution of the *POST Entry-Level Dispatcher Selection Test Battery* during Fiscal Year 1997/98 for an amount not to exceed \$116,354.30 (ROLL CALL VOTE).

M. Report of the Finance Committee

The agenda for the Finance Committee meeting to be held April 23, 1997 is under this tab. As noted, the Committee will review and report on current year and proposed FY 1997/98 budgets and may offer recommendations on the following issues:

- o Request from the Contra Costa County Police Chiefs' Association for Commission funding of driver training simulator equipment.
- o Request from Alameda County Police Chiefs' and Sheriff's Association for Commission reconsideration of policy disallowing overnight per diem for attendance of courses within 25 miles.
- o Review of cost effectiveness of sole source agreements for services from other state agencies (report requested by the Commission at its January 1997 meeting).

At its January meeting, the Commission authorized negotiation of a number of training, standards, and administrative contracts. Commissioner Ter Borch, Committee Chairman, will report the Committee's recommended actions on the following contracts. If the Commission concurs with the Committee's recommendations, the appropriate action would be a MOTION to authorize the Executive Director to sign them on behalf of the Commission (ROLL CALL VOTE).

Proposed Fiscal Year 1997/78 contracts which were negotiated as authorized by the Commission in January are listed below:

Training Contracts

- | | | |
|----|--|-------------|
| 1. | Contracts for the Management Course are proposed for the following presenters: | \$325,449 |
| | California State University - Humboldt | |
| | California State University - Long Beach | |
| | California State University - Northridge | |
| | California State University - San Jose | |
| | San Diego Regional Training Center | |
| 2. | San Diego Regional Training Center for support of Executive Training (e.g., Command College, Executive Training, and Executive Seminars) | \$444,972 |
| 3. | CSU Long Beach for support of the Supervisory Leadership Institute | \$540,840 |
| 4. | Department of Justice Training Center | \$1,193,380 |
| 5. | San Diego State University for 12 Satellite Video Broadcasts | \$ 68,000 |
| 6. | Alameda County District Attorney's Office and Golden West College for Case Law Update Video Production | \$ 58,000 |
| 7. | Telecourse Programs | \$550,000 |
| 8. | Master Instructor Program | \$226,947 |
| 9. | Robert Presley Institute for Criminal Investigation | \$530,000 |

10.	Robert Presley Institute of Criminal Investigation Instructors' Workshops	\$ 58,000
11.	Basic Narcotic, Basic Motorcycle, and Basic Academy Driver Training	\$1,576,991
12.	Labor/Management Partnerships Course	\$ 43,440
13.	Building High Performance, Inclusive Organizations Diversity Course	\$100,942
14.	Simon Wiesenthal Museum of Tolerance Diversity Training	\$1,556,000

Standards Contracts

15.	Cooperative Personnel Services for Basic Course Proficiency Exam	\$ 65,900
16.	Interagency Agreement with Cooperative Personnel Services for Entry-Level Reading and Writing Test Battery	\$113,800
17.	Interagency Agreement with Cooperative Personnel Services for P.C. 832 Written Examination	\$ 41,500

Administrative Contracts

18.	State Controller's Office Interagency Agreement for Auditing Services	\$ 85,000
19.	Interagency Agreement with Teale Data Center for Computer Services	\$ 65,000
20.	CALSTARS Contract	\$ 25,000
21.	Eastman Kodak Copier Maintenance Contract	\$ 16,000

LONG RANGE PLANNING

- N. Commissioner Block will report on the Committee meeting held March 17, 1997 in Monterey Park.

LEGISLATION

- O. Report of the Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held April 24, 1997 in Sacramento.

OLD/NEW BUSINESS

- P. Report of Nominating Committee for Election of Officers

Commissioners Block, Kolender, and Lowenberg, members of the Nominating Committee, will report the results of the Committee's recommendations for nominations for Commission Chairman and Vice-Chairman.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 17, 1997 - Hyatt Regency - Irvine
November 6, 1997 - Mission Inn - Riverside
January 22, 1998 - Sheraton Newport - Newport Beach
April 16, 1998 - Piccadilly Inn - Fresno

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING MINUTES

January 23, 1997

Wyndham Hotel

Los Angeles, CA

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

WELCOMING COMMISSION TO LOS ANGELES

The Honorable Richard Reardon, Mayor, City of Los Angeles, welcomed the Commission to Los Angeles and expressed appreciation for the work being done in improving law enforcement training in California. On behalf of the Commission, Commissioner Hunt presented the Mayor with a symbolic check in the amount of \$360,000 for a driver simulator system to be used by the Los Angeles Police Department.

EXECUTIVE SESSION

The Commission adjourned the public meeting at 10:25 a.m. and went into executive session for the purpose of selecting a new Executive Director.

RECONVENE PUBLIC MEETING

The public meeting was called to order at 11:30 a.m.

Commissioner Hall-Esser led the flag salute.

MOMENT OF SILENCE HONORING PEACE OFFICERS KILLED IN THE LINE OF DUTY

Since the last Commission meeting, the following officers have lost their lives while serving the public:

- o Officer James D. Schultz, CHP - Winterhaven
- o Detective Charles D. Swanson, Eureka Police Department
- o Officer Mario Navidad, Los Angeles Police Department
- o Deputy James Lehmann, Jr., Riverside County Sheriff's Department
- o Deputy Michael P. Haugen, Riverside County Sheriff's Department

WELCOME TO NEW COMMISSIONER

Chairman Ortega welcomed newly appointed Commissioner Janice H. Scully, District Attorney, Sacramento County.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

David C. Anderson
Sherman Block
Collene Campbell
Michael T. Carre
Jody Hall-Esser
Bud Hawkins, Attorney General Representative
Ted Hunt
William B. Kolender
Ronald E. Lowenberg
Manuel E. Ortega
Devallis Rutledge
Jan Scully
Rick TerBorch

POST Advisory Committee Members Present:

Norman Cleaver, Chairman
Charles Byrd
Jay Clark
Joe Flannagan
Derald D. Hunt
Earle Robitaille
Alexia Vital-Moore
Woody Williams

Staff Present:

Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Michael DiMiceli, Bureau Chief, Management Counseling
Otto Saltenberger, Bureau Chief, Training Program Services
Ken Whitman, Bureau Chief, Basic Training Bureau
Frederick Williams, Bureau Chief, Administrative Services
Vera Roff, Administrative Assistant

Visitors Present:

Greg Boettrell, San Bernardino County Sheriff's Department/CADA
Michael Brooks, Los Angeles Police Department
Sam Constrom, Los Angeles Police Department
Steve Craig, Peace Officers' Research Association of California
Richard Eide, Los Angeles Police Department
Kathy Fontanetta, Los Angeles Police Department
Hugh Foster, Golden West College
Fred Freeman, Bell Gardens Police Department
Ed Garcia, Los Angeles County Safety Police
Wayne Guillary, Los Angeles Police Department
Linda Harvey, Los Angeles Police Department
Phyllis Hayes, Los Angeles Police Department
Ed Hendry, Orange County Sheriff's Department
Natalie Hyde, Los Angeles Police Department
Keith Jones, Montclair Police Department
Duane Keillihier, Los Angeles Police Department
Greg Kyristis, San Bernardino County Sheriff's Department/CADA
Ernest Love, Los Angeles Public Library
James Lombardi, Los Angeles Police Department/CRPOA
Rich Mallory, Corona Police Department
Frank Martinez, Los Angeles Public Library
Doug McLellan, ALADS
Kris Monte, Los Angeles Public Library
Bob Norman, Foster City Police Department
Jerry Panluaenko, Corona Police Department
Willie Pannell, Los Angeles Police Department
I. F. Patino, Rio Hondo Community College
Peter Repovich, California Coalition of Criminal Justice
Julyo Reyes, Los Angeles County Safety Police
Darla Singerton, Riverside Sheriff's Department
Mark Spurlock, Los Angeles County Safety Police
Michael Stovall, Long Beach Police Department
John Vargas, Los Angeles County Safety Police
Bob Wylie, San Diego Police Department
Gary Yoshonis, San Diego Police Department

HONORING FORMER COMMISSIONER

Chairman Ortega displayed a plaque prepared for former Commissioner Raquel Montenegro in appreciation for her outstanding public service and dedication to law enforcement as a member of the Commission from February 1985 to July 1996.

APPROVAL OF MINUTES

- A. MOTION - Campbell - second - Carre, carried unanimously to approve the minutes of the November 7, 1996 regular Commission meeting at the Embassy Suites in Seaside.

CONSENT CALENDAR

- B. MOTION - Lowenberg - second - Kolender, carried unanimously to approve the following Consent Calendar:
- B.1 Receiving Course Certification Report
 - B.2 Receiving Financial Report - Third Quarter FY 1996/97
 - B.3 Receiving Information on New Entries Into the POST Regular (Reimbursable) Program
 - B.4 Receiving Information on New Entries Into the POST Specialized (Non-Reimbursable) Program
 - B.5 Receiving Information on Withdrawal from POST Specialized (Non-Reimbursable) Program
 - B.6 Receiving Information on New Entry Into the Public Safety Dispatcher Program
 - B.7 Setting Command College/Executive Leadership Program Tuition for Non-Reimbursable Agencies (@ \$2,762 for Classes 26 and 27)
 - B.8 Setting Supervisory Leadership Institute Tuition for Non-Reimbursable Agencies (@ 1,636 for Classes beginning July 1997 through June 1998)

PUBLIC HEARING

The purpose of the public hearing was to receive testimony in regard to proposed amendments to Commission Regulations regarding minimum selection standards for regular and reserve officers. 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.

C. Receiving Testimony on Proposed Changes to Commission Regulations and Commission Procedures Regarding Minimum Selection Standards for Regular and Reserve Officers

Staff reviewed proposed changes to Commission Regulations 1001, 1002, 1007(a) and Commission Procedures C-1 and C-2 pertaining to minimum selection standards for regular and reserve officers. The most substantive included:

- o Add language on minimum education requirements for regular and reserve officers to make explicit that high school graduation must be from a U.S. high school.
- o Add language which specifies that the high school graduation requirement may be satisfied by achieving a passing score on the California High School Proficiency Examination (CHSPE). Per Education Code section 48412, passing the test is the legal equivalent of attaining a high school diploma.
- o Current language in the regulations for regular officers, which specifies the minimum scores that must be achieved on the General Education Development Test (GED) in order to satisfy the minimum education requirement, would be added to the regulations for reserve officers.
- o Delete Commission Procedure C-1, subparagraph 1-5(1), which requires the background investigator to collect medical information. This change is necessary to comply with the provisions of the Americans with Disabilities Act of 1991 (ADA), which prohibit the collection of medical information prior to a conditional job offer.
- o Change Commission Procedure C-1, subparagraph 1-5(g) to require that the background investigator contact all previous employers of the candidate during the last ten years. Currently there is no time limit and all previous employers must be contacted. The proposed change is consistent with what is recommended in the *POST Peace Officer Background Investigation Manual* and what the candidate is required to document in the *POST Personal History Statement*.
- o Expand current psychological screening requirements, as stated in Commission Procedure C-2, to require a clinical interview for all candidates. At present only candidates for whom the psychological test results are inconclusive or suggest disqualification must be interviewed. In 1985, when the current requirements were enacted, the Commission opted not to require that all candidates be interviewed due to concerns that such an action would place an undue burden on some agencies - both from the standpoint of cost and the limited availability of psychologists in certain remote areas of the state. The Commission has always **recommended** that a clinical interview be conducted for all candidates, and the

concerns raised in 1985 are now largely nonexistent, as it is now common practice for agencies in the POST program to require a clinical interview for all candidates. Expansion of the requirement is also consistent with the recommendations of both the International Associations of Chiefs of Police and the Division 18 of the American Psychological Association (Psychologists in Police Service).

- o Add a provision to Commission Procedure C-2 which requires that the results of the psychological examination be reported in writing to the hiring authority. The new requirement would parallel an existing requirement that the findings of the medical examination be reported in writing, and is necessary to document that the hiring authority received the required information before making the final hiring decision.
- o Add provision to Commission Procedure C-2 that requires the hiring authority to retain written verification that employed persons have been examined and found to be medically and psychologically suitable in accordance with the Commission's requirements. This requirement is necessary to verify compliance, as POST personnel are prohibited from accessing the actual medical records of such individuals per the ADA.
- o Expand current vision standards, as enumerated in Commission Procedure C-2, to require that candidates be screened for both corrected and uncorrected visual acuity, and visual field. Recommended evaluation criteria for these factors are included in existing POST guidelines.

Staff reported that persons who have graduated from schools outside the U.S. revealed that high schools in the U.S. Department of Defense Dependent School System (military schools), including those located outside of the U.S., are fully accredited by the North Central Association of Colleges and Schools. Thus, such high schools fall under the proposed revised definition of a "high school" as enumerated in Commission Regulation 1001(o), which includes any "U.S. school accredited as a high school by a recognized regional accrediting body." Proposed additional language to Regulation 1001(o), which would make this point explicit, reads as follows: "Inclusive of this definition are schools for the dependents of U.S. military personnel which comprise the Department of Defense Dependent School System."

Staff findings concerning the practices of California colleges and universities for evaluating the equivalency of education received in another country indicate there are no definitive and universally recognized standards for conducting such evaluations, and that the evaluations can be quite subjective, complex and costly to carry out. Given these circumstances, and given the ready availability of the General Education Development Test (GED) as an alternative means of satisfying the high school graduation requirement,

language has **not** been incorporated in the proposed regulation changes that would permit acceptance of education in another country that is "equivalent" to high school graduation.

The Advisory Committee reviewed the proposal at its January 22, 1997 meeting and recommended that proposed changes in Commission Regulation 1002(a)(8) concerning oral interview criteria be deleted. The Commission concurred with the recommendation.

Following the staff report, Chairman Ortega reported that no written correspondence had been received regarding the proposed changes. No one present at the meeting indicated a desire to be heard.

MOTION - Lowenberg, second - Carre, carried unanimously to amend Commission Regulations 1001, 1002, and 1007(a) and Commission Procedures C-1 and C-2 as proposed with the noted deletion of changes to Regulation 1002(a)(8), effective April 1, 1997, subject to approval by the Office of Administrative Law as to conformance with California rulemaking law.

STANDARDS AND COMPETENCY

D. Appeal of the Peace Officer Feasibility Study for the Los Angeles Public Library, Security Services Division, and Approval to Submit the Report to the Los Angeles Public Library and to the Legislature

Penal Code Sections 13540-42 require persons interested in being designated as peace officers to seek a feasibility study from the Commission. Such studies are conducted pursuant to a contract for recovery of costs. Such a study concerning the Los Angeles Public Library Security Services Division was completed and submitted to the Commission November 7, 1996.

After reviewing the work of the non-peace officer security officers of the Security Services Division, POST staff recommended the security officer positions at LAPL not be designated as peace officers.

On November 8, 1996, Los Angeles Public Library Business Manager Kris Morita, pursuant to Commission Procedure 1019(g), requested an appeal of the recommendation of the study and sought limited peace officer authority for the security officers.

Based upon additional analysis, staff recommended the appeal be resolved by adding to the feasibility study report the recommendation that "the City of Los Angeles seek legislation to include the Library security officer positions in P.C. Section 830.11." P.C. 830.11 provides limited powers for designated individuals who are not peace officers.

Los Angeles Public Library Business Manager Kris Morita and Ernest Love, Chief of Security for the Los Angeles Public Library, were present to request that the Commission approve the staff recommendation.

After discussion, the following action was taken:

MOTION - Block, second - Scully, and carried to add the recommendation for P.C. 830.11 inclusion and to submit the completed feasibility study and appeal recommendation to the Los Angeles City Public Library and the Legislature.
(NO: Hunt/Kolender)

E. Scheduling a Public Hearing April 24, 1997 on the Proposed Changes to POST Public Safety Dispatcher Certificate Program

The certificate program for public safety dispatchers was established in Commission Regulation 1018(f) in 1990. Per Commission Procedure F-5-3, dispatchers employed by agencies in the POST dispatcher program prior to the effective date of the certificate program may qualify for the certificate by passing the POST Public Safety Dispatcher Training Equivalence Examination in lieu of completing the Public Safety Dispatchers' Basic Course.

The certificate program is voluntary and dispatchers employed by agencies in the POST dispatcher program are not obligated to obtain the certificate as a condition of continued employment.

Since the 1990 inception date of the certificate program, over 2,000 dispatchers have taken the POST equivalency exam for purposes of qualifying for the certificate. In recent years, as the influx of eligible agencies into the dispatcher program has slowed, so has use of the exam. During the past 12 months, only 51 dispatchers have taken the exam.

The exam is used solely for the purpose of determining eligibility for the dispatcher certificate, and needs major revision due to recent substantive changes in the Public Safety Dispatchers' Basic Course. The estimated cost to develop a new exam is \$30,000.

Due to the diminishing need for the test, and the substantial costs to develop a new exam, it is recommended that the Commission adopt proposed changes to Commission Procedures F-5 which would have the effect of eliminating the testing option as a means for dispatchers employed prior to 1990 to obtain the dispatcher certificate. It is further recommended that the proposed changes go into effect January 1, 1998, thereby permitting those who are eligible a period of one more year to take the test.

MOTION - Kolender, second - Scully, carried unanimously to schedule a public hearing in conjunction with the April 24, 1997 Commission meeting to receive comment on the proposed changes to Commission Procedure F-5.

F. Approval to Adopt Changes to Regular Basic Course Training Specifications Using the Notice of Proposed Action Process

As part of an ongoing review of Regular Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review learning domain content to determine if revisions are necessary. This process occurs in regularly scheduled workshops during which curriculum and supporting material for specific domains are updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

Proposed changes to the training specifications for Learning Domains #21 Patrol Techniques, #22 Vehicle Pullovers, #23 Crimes in Progress, #26 Unusual Occurrences, #27 Missing Persons and #41 Hazardous materials include:

o Learning Domain #21 (Patrol Techniques)

The proposed modifications will require the student to understand the responsibility of law enforcement to protect public safety and the use of patrol strategies to accomplish this goal. It is recommended that an exercise test that requires the student to make a simulated crime broadcast be deleted and replaced with a learning activity. This skill is more appropriately tested in other related patrol scenario tests. Enhancements are proposed to an existing scenario test that requires the student to use a patrol vehicle to safely approach pedestrian suspect(s).

It is also proposed that the learning activity currently required be expanded and enhanced to provide more detail and specificity to the training requirement.

o Learning Domain #22 (Vehicle Pullovers)

It is proposed that an exercise test that requires the student to conduct a vehicle search be deleted. The mechanics of vehicle searches varies from incident to incident and there are countless methods to conduct these searches making a test difficult to justify. The subject matter remains as required instruction. It is recommended that the exercise test that requires the student to determine the acceptability of identification be merged into the vehicle pullover scenario test and be deleted as a stand-alone testing requirement. It is further proposed that the scenario test that requires the student to make a simulated traffic enforcement stop during daylight hours be deleted. The skills, techniques and knowledge needed to handle a daylight stop are tested in the nighttime pullover which adds the variables of darkness and the use of artificial light. It is recommended that the existing scenario test that requires the student to make a simulated nighttime traffic enforcement vehicle pullover during the hours of darkness and high-risk

vehicle pullover be expanded and enhanced by requiring the performance of specific actions.

o Learning Domain #23 (Crimes in Progress)

The proposed modifications provide more explicit instructional goals which requires the student to master techniques related to handling crimes in progress. It is recommended that the existing scenario tests that require the student to demonstrate the skills necessary to effectively respond and investigate a prowler incident, burglary or robbery-in-progress be expanded and enhanced by requiring the student to perform specific actions. Because the components of a building search are proposed as additions to the burglary-in-progress test it is recommended that the scenario test that requires the student to conduct a building and area search for suspects be deleted.

Enhancements are proposed for the ambush scenario test. If the proposed modifications are approved to the in-progress incidents, the exercise test that requires the student to function as a contact officer and cover officer becomes redundant and are recommended for deletion. Enhancements are proposed to the existing learning activities that would require instruction in specific incidents that would reinforce the student's understanding of law enforcement response to a variety of high-risk situations.

o Learning Domain #26 (Unusual Occurrences)

Additional detail is proposed as a modification to an existing learning activity that would require the student to discuss how the first officer on the scene of a disaster should respond to minimize injuries, loss of life, and property damage.

o Learning Domain #27 (Missing Persons)

The proposed modifications continue the trend of providing more explicit instructional goals to more clearly support the design of the instructor unit guides. Other modifications propose new goals including ensuring that the student attains an understanding of the severity of the missing person problem in California; an understanding of missing person definitions and related Penal Code statutes; an awareness of the four broad categories of missing person cases; an understanding of the duty to accept any report of a missing person; an understanding of the elements of an effective preliminary investigation and other components of a missing persons investigation. Existing topics have been reorganized and expanded to ensure clarity.

o Learning Domain #41 (Hazardous Materials)

The proposed modifications provide clarity to existing instructional goals. Modifications are proposed to an existing learning activity to ensure that the student participates in an activity designed to reinforce an understanding of first responder actions at the scene of a hazardous materials incident. Modifications are proposed to a second existing learning activity that ensures that the student understands the indicators for determining the hazard potential of the suspected material.

MOTION - Hunt, second - Hall-Esser, carried unanimously to approve, subject to the results of the Notice of Proposed Regulatory Action process, the changes as described in the staff report. If approved, the changes would go into effect April 1, 1997, subject to approval of the Office of Administrative Law.

G. Approval to Adopt Changes for Module D Training Specifications Using the Notice of Proposed Action Process

Penal Code 832.6 requires POST to develop a supplemental course to enable reserve officers to satisfy requirements of the Regular Basic Course without unnecessary redundancy of previously completed Level I and Level II reserve training. Pursuant to this mandate, the Commission approved *Training Specifications for the Reserve Training Module D* on July 21, 1995. These Module D specifications were designed to include all Regular Basic Course specifications excluding those specifications that are instructed in Reserve Modules A, B, and C courses. Since the initial Module D specification document was adopted through the administrative law process, ongoing updates to the Regular Basic Course training specifications have been made and approved by the Commission.

As the Regular Basic Course training specifications are updated, the reserve Module D training specifications must be updated. The intent of this report is to make amendments to the document *Training Specifications for the Module D* to incorporate recent changes made in the Regular Basic Course specifications and to correlate instructional goals between the two documents. These amendments are proposed for consistency in delivery of the Course.

During discussion it was suggested that staff explore the possibility of making testing more relevant to the time of training.

MOTION - Block, second - Hall-Esser, carried unanimously to approve, subject to the results of the Notice of Proposed Regulatory Action process, the changes as described in the staff the report. If approved, changes would go into effect April 1, 1997, subject to approval of the Office of Administrative Law.

H. Approval to Adopt Proposed Changes to the Regular Basic Course Performance Objectives

Ongoing review of the Regular Basic Course performance objectives identified a number of changes that would improve the quality of the domain tests. All proposed changes correspond to changes in the *Training Specifications* for the Regular Basic Course as described in agenda item "F."

o Learning Domain #21 (Patrol Techniques)

The proposed changes in this domain would delete an exercise objective, modify a scenario objective, add a learning activity and modify a learning activity. The deleted objective, which requires the student to initiate a radio broadcast, will be replaced by the new learning activity. The ability to initiate a radio broadcast will be assessed in the modified scenario objective.

o Learning Domains #22 (Vehicle Pullovers)

The proposed changes to this domain would delete two exercise objectives, delete one scenario objective, and modify two scenario objectives. The deleted scenario objective, which requires the student to make a daylight traffic stop, taps the same basic skills as a more difficult exercise objective which requires the student to make a nighttime traffic stop. One of the deleted exercise objectives requires the student to conduct a vehicle search. The legal aspects of a vehicle search are addressed in Domain #16 (Search and Seizure), and the mechanics of conducting a vehicle search vary from incident to incident and thus are best addressed in field training. The skills required by the other deleted exercise objective, which requires students to determine the acceptability of different forms of identification, will be assessed in one of the modified scenario objectives.

o Learning Domain #23 (Crimes in Progress)

The proposed changes to this domain would delete two exercise objectives, delete one scenario objective and modify four scenario objectives. The two deleted exercise objectives, which require the student to perform the duties of a contact and cover officer, will be replaced by the four modified scenario objectives, which will provide for a comprehensive assessment of the ability to respond to crimes-in-progress calls. The skills assessed by the deleted exercise objective, which

requires the student conduct a building search, will be assessed by including a building search in one of the modified scenario objectives.

o Learning Domain #27 (Missing Persons)

The proposed changes in this domain would delete four knowledge objectives, thereby eliminating the knowledge test for this domain. Two of the deleted objectives call for knowledge of previously mandatory investigative procedures for handling missing persons reports that are no longer operative unless formally adopted by the governing body of the local law enforcement agency. Some agencies have elected not to adopt these procedures or to adopt different procedures, thereby removing the possibility of writing test items for objectives that have statewide applicability. A third deleted objective calls for memorization of material that need not be memorized as it is printed on the Department of Justice form that officers must complete on all missing persons. The fourth deleted objective calls for knowledge of procedures that should be followed in searching for a missing child. The subject matter represented by this remaining objective does not constitute a reasonable basis for constructing an entire paper-and-pencil test. In concurring with the proposed changes, many academy directors have indicated they intend to develop their own test based on locally-adopted procedures for handling missing persons. Furthermore, as described in agenda item "F," there will continue to be a minimum of four hours of instruction devoted to this domain.

o Learning Domain #41 (Hazardous Materials Awareness)

The proposed changes in this domain would add one knowledge objective, and modify four knowledge objectives and two learning activities. The new objective requires students to recognize and interpret National Fire Protection Association (NFPA) hazardous materials labels for materials at fixed site manufacturing and storage facilities.

MOTION - Block-, second - Hunt, carried unanimously to adopt the recommended changes to the Regular Basic Course performance objectives effective for academy classes that begin on or after April 1, 1997.

I. Scheduling a Public Hearing for April 24, 1997 to Receive Testimony on Proposal for Evaluation of Prior Reserve Officer Training

The Irvine Police Department hired a reserve officer in 1990, and based upon an evaluation of his prior training by the department, he was appointed as a Designated Level I reserve officer. The officer had completed a 200-hour non-POST certified academy and a 40-hour P.C. 832 course in 1975 and had also completed a 440-hour basic course for peace officers in Arizona in 1980. A recent request for a reserve certificate lead to the discovery that the reserve had never completed the Module B and C training requirements prior to his appointment.

The circumstances involved in this case suggest the Commission give consideration to regulations enabling the satisfaction of the reserve Modules B and C training requirement

through an evaluation of prior training. Especially compelling in this case is the officer's prior completion of the basic course required for regular full-time officers in Arizona. If an evaluation provision were established, it is unknown whether other individuals might be affected.

MOTION - Lowenberg, second - Carre, carried unanimously to schedule a public hearing in conjunction with the April 24, 1997 Commission meeting to receive comment on proposed regulations to evaluate prior training to satisfy the requirements of Modules B and C and to schedule a public hearing for the April 1997 Commission meeting.

J. Approval of Proposed Baton/Impact Weapons Training for Sheriff Security Officers Implementing Amended P.C. Section 12002

Recent enactment of P. C. Section 831.4 has given sheriffs' departments the authority to employ non-peace officer personnel as public officers in the capacity of a sheriff security officer for the purpose of providing security for specified facilities and activities. Of importance to POST was the related amendment of P.C. 12002. Sub-section (f), was added and requires the Commission to identify a course of instruction for these persons in the carrying and use of an impact weapon. Presently, only the Los Angeles, Sacramento, and Orange County Sheriff's Departments are known to employ personnel in this classification.

After a review of the impact weapon training needs of sheriff security officers, a review of existing POST certified curriculum, and consultation with subject matter experts - including trainers from the Los Angeles, Sacramento, and Orange County Sheriffs' Departments, an eight-hour minimum training curriculum was developed.

MOTION - Carre, second - TerBorch, carried unanimously to approve, subject to the results of a Notice of Regulatory Action, the proposed baton/impact weapons training for sheriff security officers and add Regulation 1081(a)(24), to show the addition of this new legislatively mandated course. The changes would go into effect April 1, 1997, subject to approval of the Office of Administrative Law.

MAXIMIZING TRAINING DELIVERY

K. Report on the Results of an RFP to Develop Student Workbooks for 35 Basic Course Learning Domains and Approval to Authorize the Executive Director to Execute a Contract with the Successful Bidder

At its November meeting, based upon the results of the Student Workbook Pilot Project, the Commission authorized the release of a Request for Proposal (RFP) to solicit bids for development of student workbooks for the remaining 35 Basic Course learning domains.

As a result of the vendor selection process, staff recommended that JWK International Corporation be approved as the vendor for development of student workbooks for the remaining 35 Basic Course learning domains.

The Commission recommended that workbooks address the critical, high liability subjects early in the development process.

The Finance Committee reviewed the proposal at its January 22, 1997 meeting and recommended approval.

MOTION - Carre, second - TerBorch, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign a contract with JWK International Corporation for development of student workbooks for the remaining 35 Basic Course learning domains at a cost not to exceed \$575,997.

PARTNERSHIPS

L. Advisory Committee

Norman Cleaver, Chairman of the POST Advisory Committee, will report on the Committee meeting held January 22, 1997 in Irvine.

1. Governor's Awards for Excellence in Peace Officer Training

The POST Advisory Committee, serving as a screening committee, met on January 7, 1997 in Bodega Bay to review 46 excellent nominations for the 1996 awards, and recommended the following:

For the **Organizational Achievement** award category, the **John F. Kennedy Police Academy Magnet School** is the recommended recipient. Nominated by Chief of Police Arturo Venegas, Jr. of the Sacramento Police Department, this unique school was formed in 1990 by the Department and the Sacramento City Unified School District. The purpose of this "police-school" marriage is to attract more females and minorities into the law enforcement field; produce mature, responsible, law-abiding and productive citizens; provide kids with strong academic, social, and physical skills necessary for college; and prepare students as successful applicants for any employer.

This "school-within-a-school" is a four-year program initially started with three police magnet high schools and has since expanded to four other high schools in the city and county of Sacramento. Students receive instruction on the POST Basic Course curriculum as well as conflict management and mediation. These students perform all conflict management on campus. Students are required to pass the POST Physical Agility Course by the end of the school year and take the POST entry written exam twice each school year.

The magnet school has achieved impressive results with growth in the number of students participating, placement of graduates in law enforcement agencies and colleges, reduced crime and violence on campus, and performance of community service by students. The program has been recognized by receiving several local and statewide awards.

For the **Individual Achievement** award category, **Leland "Terry" Cunningham** is the recommended recipient. Mr. Cunningham was selected for his development of the highly successful POST Supervisory Leadership Institute (SLI). In 1987, he was employed by POST as a Management Fellow to develop this program that would promote the leadership abilities for current and future law enforcement supervisors and managers. Drawing upon the input of law enforcement managers and executives, he designed and pilot-tested this first of its kind training program that has received national acclaim.

The SLI is an innovative training program because of its use of "self discovery" experiential learning methodology in exposing students to the concepts of leadership, loosely structured group discussions, and course structure of three days for once a month over a period of eight months. Students are "forced out of their comfort zones" during the program.

The SLI, arguably the most successful training program ever for California law enforcement, receives the highest ratings by students. Graduates and their sponsors routinely report the class turning themselves around and deeply impacting their personal lives and leadership abilities. Police executives have reported remarkable improvements in their supervisors. The program is enormously popular with over 1300 graduates and 700 people on a waiting list. Many other states have patterned their training programs after the SLI.

For the **Lifetime Achievement** award category, **Sheriff Sherman Block** is the recommended recipient. Sheriff Block commands a 12,000 member department and is the chief law enforcement officer in Los Angeles County. He oversees the largest county jail system in the United States and provides security to both the Municipal and Superior Courts.

Sheriff Block has been actively involved in law enforcement issues throughout his 40-year career with the Los Angeles County Sheriff's Department. Under his leadership and guidance, the LASD has developed numerous unique and innovative training programs including: the Force Training Program, Cultural Diversity, Emergency Vehicle Operations, and others.

Sheriff Block has been a POST Commissioner since 1984 and has twice served as its Chairman. He has remained very active on the Commission's subcommittees and has repeatedly chaired the Legislative Review and Long Planning

Committees. Realizing the critical impact technology would have on future training programs, he volunteered to Chair the ACR 58 Technology Committee that spent a year conducting investigatory study on technology for POST. An extensive report and video tape on the Committee's findings was produced and laid the foundation for most of POST's current use of technology. The result of this pioneering work has brought national recognition to California POST.

Sheriff Block's many years of leadership on legislative issues pertaining to POST training and funding are also recognized. Sheriff Block truly has a lifetime of outstanding achievements in law enforcement training excellence.

Chairman Ortega, on behalf of the Commission, thanked the Committee for their participation in the award selections.

MOTION - Campbell, second - TerBorch, carried unanimously to approve the nominations of the Committee for the recipients of the Governor's Award for 1997.

2. Ad Hoc Committee for Enhancing the Image of Law Enforcement

The Advisory Committee recommended Commission approval of a proposed plan developed by the Ad Hoc Committee to form a California Law Enforcement Image Coalition which will be dedicated to the purpose of establishing and maintaining an on-going public awareness media program that will objectively portray California law enforcement. The Coalition's Board of Directors would develop funding mechanisms for media development activities. It is anticipated the Coalition will devote much of 1997 to organizing and planning.

MOTION - Campbell, second - Carre, carried unanimously to approve the concept of the coalition and a public awareness media program being developed.

RESOURCES

M. Approval of an Interagency Agreement With the Department of Water Resources for Microfilming Services

For many years, POST has entered into an annual interagency agreement with the Department of Water Resources for microfilming services. Microfilming of various documents is necessary to conserve floor space and comply with the Department of General Services' requirements. For the past two years, microfilming volume and costs have been relatively low; however, current year expenditure to date and projections for the balance of the fiscal year show a substantial increased volume.

Staff was directed to explore whether using interagency agreements with state agencies is the most cost-effective method available for microfilming services.

MOTION - Campbell, second - Kolender, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign an interagency agreement with the Department of Water Resources, in an amount not to exceed \$19,998, for microfilming services for FY 96/97.

N. Approval for Contract Services to Write Feasibility Study Report (FSR) and Approval for Request for Proposal (RFP) for New POSTRAC System

POSTRAC is a computer-based system that permits basic academies to download, print and machine score POST-developed (and mandated) multiple-choice tests; keep records of student performance; and produce a variety of reports that serve both instructional and administrative purposes. While the system has worked very well, it was developed 10 years ago and is technologically antiquated.

In recognition of the need to update and expand the system, the Commission approved issuance of a Request for Proposal (RFP) for this purpose in 1993 at a cost not to exceed \$230,000. Due to the scope of the project, staff conducted a Feasibility Study Report (FSR) that had to be approved by the Department of Finance prior to the issuance of the RFP. The FSR was completed and approved and work was begun on the RFP when the Commission acted in July 1994 to delay the project for a period of one year as a means of reducing expenditures during fiscal year 94/95. The Commission has subsequently renewed authority for the new system up through the current fiscal year.

The need to replace the current POSTRAC system remains and with the technological advances since 1993 the total expenditures to develop the new system are likely to be less than the originally estimated \$230,000.

The FSR has become outdated and due to other commitments POST computer staff will not be available to revise the FSR and develop the RFP in the foreseeable future. The necessary resources to accomplish this work can be procured from contractors approved under the state's Master Services Agreement (MSA). It is estimated that a maximum of 600 contract hours will be needed to complete the work. At an hourly billing rate of \$58.00, the total amount of the contract will not exceed \$34,800.

MOTION - Carre, second - Scully, carried unanimously by ROLL CALL VOTE to approve a contract with a Master Services Agreement provider for an amount not to exceed \$34,800, revise the Feasibility Study Report, and write the Request for Proposal for the new POSTRAC system.

O. Report of the Finance Committee

Commissioner TerBorch, Chairman of the Finance Committee, reported the Committee met on January 22, 1997 in Los Angeles. In addition to items addressed earlier on the agenda, the Committee discussed the following:

1. Staff reported that through December 31, 1996, the second quarter of this fiscal year, we received \$18,838,256 revenue. The total is \$506,258 more than originally anticipated, and is \$3,580,878 (23%) more than received for the same period last fiscal year. Reimbursed trainees during this same period numbered 21,257, representing an increase of 534 (3%) compared to the 20,723 trainees reimbursed during the similar period last fiscal year. Reimbursements through the second quarter in the amount of \$6,570,632 represents a \$25,403 (.4%) decrease compared to this time last fiscal year.
2. The Governor's proposed FY 97/98 budget for POST is approximately the same as FY 96/97 without the one-time augmentation that was included this year. Funding for the Museum of Tolerance was continued at \$2,000,000.
3. The summary projections suggest we could end this Fiscal Year with \$5.5 million savings. This results from a combination of contract, administrative, and other savings. The Committee also discussed the desirability of an expenditure adjustment to accommodate the state's 14-month revenue year. This would have the one-time effect of an additional \$2-5 million available for expenditure next year. The Committee will review projections and options again at its April meeting.
4. Several law enforcement agencies are submitting community policing grant applications, some of these agencies are asking for partnerships with POST. POST would agree to provide some staff time and reimburse for training costs using grant monies. The Committee recommends staff be authorized to sign partnership agreements.
5. The Committee discussed the Commission's potential future role in supporting driver training simulator systems. The Committee recommended approval of the following staff recommendations:
 - a. Direct staff to continue its efforts to be informed about the field and to serve as a resource about the various systems available and what is involved in developing effective driving simulator programs.
 - b. The Commission should consider NOT funding the purchase, maintenance, or upgrading of driving simulator equipment except in special circumstances.

- c. Agencies interested in purchasing driving simulators should be encouraged to seek funding through grants or other means, such as the sharing of costs by groups of participating agencies.
 - d. Direct staff to continue to work closely with agencies to ensure that their driving simulator courses can be certified.
 - e. Continue reasonable reimbursement of tuition for POST-certified driving simulator courses to cover some of the presentation costs. The amount of tuition will likely have a cap since it is not possible for POST to assume all costs associated with these programs.
 - f. Continue support of Driver Simulator Committee to promote cooperation, information sharing, and development of standards for driving simulator instructors and programs.
 - g. Direct staff to continue working in partnership with companies in the private sector that are interested in developing driving simulators by providing information on requirements for law enforcement driver and technical specifications that will assist these companies in using their technology most appropriately.
6. Public Safety Dispatcher Entry-Level Test Fees - The Committee recommended that effectively July 1, 1997, the Commission underwrite the costs of providing the dispatcher test battery to agencies in the POST Dispatcher Program. Cost savings to POST will be approximately \$110,000.
 7. The Committee reviewed proposed contracts to be negotiated for FY 97/98 and recommended that the Commission authorize the Executive Director to negotiate contracts for training, standards, and administration monies and return them to the April meeting for formal approval.

MOTION - Carre, second - Hall-Esser, carried unanimously to accept the recommendations of the Finance Committee.

LEGISLATION

P. Report of the Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, reported the Committee met on January 23, 1997 in Los Angeles.

1. The Committee received a staff report on proposed law revisions concerning reserve peace officer classifications with no Committee action required.
2. The Committee reviewed a staff report on law enforcement agency policies for use of limited Level I reserve peace officers. The Committee directed staff to prepare some approval criteria for consideration at its next meeting.
3. Concerning a draft of the Public Safety Training Act of 1997 (formerly AB 1020 concerning a bond bill to establish regional public safety skills training centers), the Committee recommended a position of support for the concept of establishing regional skills centers but to withhold a position on the bill pending consideration by the Governor's Office.

MOTION - Campbell, second - Scully, carried unanimously to accept the report of the Legislative Review Committee.

Q. **CORRESPONDENCE**

1. Peter C. Sarna, Chairman, Contra Costa County Police Chiefs' Association, sent a letter requesting a partnership in initiating a project to design and develop a regional driver training facility and program in Contra Costa County. In response, Chairman Ortega replied that the Commission would agree that the partnership would be consistent with the POST strategic plan.

There was consensus to approve the request and direct staff to work with the Contra Costa County Police Chiefs' Association in this regard.

2. Assistant Chief Wayne Harp, San Bernardino Police Department, sent a letter describing creation of a part-time call taker position and requesting exemption from the 120-hour Public Safety Dispatcher training.

The Advisory Committee discussed the issue at its January 22, 1997 meeting and recommended that the request be denied based upon the potential erosion of training that has taken years to develop. The Committee suggested making the training more closely available to the department.

The Commission directed that staff conduct a study concerning the proposal and report back to the Commission via the Advisory Committee for additional input.

OLD/NEW BUSINESS

R. Appointment of Advisory Committee Member

Chairman Ortega appointed Dr. Leo Ruelas to fill the unexpired term of Dr. Ernest Leach, as the representative of the California Community Colleges on the Advisory Committee. The appointment will expire in September 1999.

S. Report of Executive Search Committee

Commissioner Hunt, Chairman of the Executive Search Committee, reported that after an extensive process of examining and evaluating the applications, personal interviews were held with the top four candidates. Kenneth J. O'Brien was the finalist selected as the Executive Director of POST.

During discussion, there was consensus that the Commission would schedule a special meeting prior to the April 1997 for the purpose of a team building exercise.

T. Appointment of Nominating Committee for Election of Officers

Commissioner Ortega appointed Commissioners Block, Kolender, and Lowenberg to serve as members of the Nominating Committee for election of Chairman and Vice-Chairman for 1997/98 with a Committee report to be made at the April 1997 meeting.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 24, 1997 - Holiday Inn Capitol Plaza - Sacramento

July 17, 1997 - Hyatt Regency - Irvine

November 6, 1997 - Mission Inn - Riverside

January 22, 1998 - San Diego

TOUR OF MUSEUM OF TOLERANCE

Due to the length of the meeting, Commissioners were unable to participate in the Museum of Tolerance tour with the Advisory Committee.

ADJOURNMENT - 2: 55 P.M.

Respectfully submitted,

Vera Roff, Secretary



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING MINUTES

March 5, 1997

10:00 A.M. - 5:00 P.M.

Sheraton Newport Hotel
4545 MacArthur Boulevard
Newport Beach, CA

The meeting was called to order at 10:20 a.m. by Chairman Ortega.

A calling of the roll indicated a quorum was present.

Commissioners Present:

David C. Anderson
Sherman Block
Collene Campbell
Michael T. Carre
Jody Hall-Esser
William B. Kolender
Ronald E. Lowenberg
Manuel E. Ortega, Chairman
Rick TerBorch

Commissioners Absent:

Ted Hunt
Daniel E. Lungren
Jan Scully

Staff Present:

Kenneth J. O'Brien, Executive Director
Vera Roff, Secretary

Visitors Present:

John Clough, San Bernardino County Marshal's Office
Reuben Harris, Consultant

A. Executive Director's Remarks

Kenneth J. O'Brien, newly appointed Executive Director, thanked the Commission for the opportunity to serve as Executive Director. Ken is extremely optimistic about the future directions for POST and expressed his commitment to implementing the strategic plan adopted by the Commission at its April 1996 meeting.

B. Discussion of POST's Strategic Plan

Consultant Reuben Harris provided the Commission with an overview of the efforts of the POST Management Team in the implementation planning process for the strategic plan. He has facilitated several offsite meetings and reported that preliminary implementation/action plans are well underway.

The Commission reviewed the Vision Statement developed by staff. With the exception of one word change, it was recommended that the following statement be presented for adoption by the Commission at its regularly scheduled April 24, 1997 meeting:

VISION STATEMENT - To be the leading organization in establishing professional standards, assuring top-quality training, and providing effective services to develop and support the world's finest peace officers and law enforcement organizations.

All state departments are required to submit strategic plans to the Governor's Office by July 1, 1997. Commissioners expressed a strong commitment to the POST strategic plan and confidence in staff's ability to finalize the plan by the submittal deadline. A special Commission meeting will be held on June 16, 1997 in Orange County for the purpose of reviewing the final plan.

The Executive Director announced that Hal Snow would be assigned as lead person on this project and staff would continue to work with the consultant in the development process. A workplan will be developed and monthly progress reports will be made to the Committee on Strategic Plan Implementation and the Commission.

Due to the importance of keeping the field informed of ongoing efforts, the Commission directed staff to prepare and distribute a monthly newsletter regarding implementation activities.

C. Old/New Business


The Executive Director reported that the following items of interest will be brought before the Commission, through the appropriate committees, at the April meeting:

- o Complaint from a Private Vendor Regarding Driver Training Simulator Procurement
- o Request from the Contra Costa County Police Chiefs' Association for Purchase of Two Driver Training Simulators
- o SB 350 - a bill which would appropriate \$1.7 million for training programs for domestic violence.

There was a brief discussion concerning effective communication between the new Executive Director and the Commission.

D. ADJOURNMENT - 2:35 P.M.

Respectfully Submitted,


VERA HOFF
Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date April 24, 1997
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief <i>[Signature]</i>	Researched By Rachel S. Fuentes <i>[Signature]</i>
Executive Director Approval <i>by: [Signature]</i>	Date of Approval 4-8-97	Date of Report April 4, 1997
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 checked="" 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 January 23, 1997 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Firearms/Tactical Rifle	DOJ Training Center	Technical	IV	\$ -0-
2. CCI-Animal Hairs & Feathers	CCI	Technical	IV	1,390
3. Firearms Instr. Update	DMV	Technical	IV	320
4. Baton/Impact Weapon Instr.	DMV	Technical	IV	576
5. Defensive Tactics Instr. Upd.	DMV	Technical	IV	7,000
6. Reserve Coordinator Update	Rocklin P.D.	Technical	IV	-0-
7. Drug Influence - 11550 H&S	Merced College	Technical	IV	7,000
8. Tactical Leadership	Alameda Co. S.D.	Technical	IV	11,100
9. Reserve Training Module B	Palo Verde College	Reserve Training	N/A	-0-
10. Motorcycle Officer Update	Alameda Co. S.D.	Technical	III	12,390
11. Natural/Cultural Resource Protection	Dept. of P&R	Technical	IV	-0-
12. Youth Access/Tobacco PC 308 Enforc.	San Jose P.D.	Technical	IV	6,000

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13.	Dispatcher in Emergency Mgt.	Alameda Co. S.D.	Technical	IV	\$ 7,850
14.	Driver Training Update	Alameda Co. S.D.	Technical	IV	15,120
15.	Special Weapons & Tactics - Cmdr.	Alameda Co. S.D.	Technical	IV	11,100
16.	Baton Instructor Update	South Bay RTC	Technical	IV	3,640
17.	Community Service Officer	South Bay RTC	Technical	IV	1,600
18.	Firearms Instructor Update	Sunnyvale DPS	Technical	IV	2,400
19.	Skills & Knowledge Modular Training	Monterey Co. S.D.	Technical	IV	5,400
20.	Community Oriented Policing	San Diego PSTI	Technical	IV	8,400
21.	Rifle Marksmanship & Sniper	Imperial Co. S.D.	Technical	IV	1,440
22.	Haz. Materials 1st Responder	Imperial Valley Col.	Technical	IV	3,150
23.	Skills & Knowledge Modular Modular Training	Feather River College	Technical	IV	4,000
24.	Drug Influence - 11550 H&S	Merced College	Technical	IV	7,000
25.	Reserve Coordinator Update	Rocklin P.D.	Technical	IV	-0-
26.	Baton Instructor Update	Kern Co. S.D.	Technical	IV	230
27.	Training Skills for L.E. Trainers	Kern Co. S.D.	Technical	IV	2,240
28.	Basic Course	Yuba College	Basic	IV	66,400
29.	Explosives-Post Investigation	Los Angeles S.D.	Technical	III	17,856
30.	Tactical Entry/Personal Weapons Instr.	Los Angeles S.D.	Technical	III	5,680

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
31.	Defensive Tactics Instr. Upd	Kern Co. S.D.	Technical	IV	\$ 992
32.	Emergency First Aid/Trauma	San Diego's Marshal's Office	Technical	IV	8,100
33.	Leadership Effectiveness Sem.	San Diego P.D.	Supv. Trng.	IV	10,500
34.	Skills & Knowledge Modular Training	DMV	Technical	IV	576
35.	Gang Awareness Update	South Bay RTC	Technical	IV	5,760
36.	Officer Safety (Internet)	Rio Hondo RTC	Technical	N/A	-0-
37.	Domestic Violence (Internet)	Rio Hondo RTC	Technical	N/A	-0-
38.	Cultural Awareness (Internet)	Rio Hondo RTC	Technical	N/A	-0-
39.	Critical Incidents (Internet)	Rio Hondo RTC	Technical	N/A	-0-
40.	Drug & Recognition (Internet)	Rio Hondo RTC	Technical	N/A	-0-
41.	Interview & Interrogation (Internet)	Rio Hondo RTC	Technical	N/A	-0-
42.	Professional Standards (Internet)	Rio Hondo RTC	Technical	N/A	-0-
43.	Patrol Operations (Internet)	Rio Hondo RTC	Technical	N/A	-0-
44.	Investigations (Internet)	Rio Hondo RTC	Technical	N/A	-0-
45.	Sex Crime Investigation (Internet)	Rio Hondo RTC	Technical	N/A	-0-
46.	Stress & Health (Internet)	Rio Hondo RTC	Technical	N/A	-0-
47.	Legal Issues (Internet)	Rio Hondo RTC	Technical	N/A	-0-
48.	Basic Course (Extended)	Butte College	Basic	N/A	-0-
49.	School Resource Officer Adv.	Redlands P.D.	Technical	IV	11,880

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
50.	Skills & Knowledge Modular Training	Cabrillo College	Technical	IV	\$ 9,000
51.	Skills & Knowledge Modular Training	Novato P.D.	Technical	IV	-0-
52.	Critical Incident Stress Debriefing	Sacramento PSC	Technical	IV	1,536
53.	FTO/Cultural Diversity Recruit	Orange Co. S.D.	Technical	IV	2,000
54.	SEMS - Train-the-Trainer	V.T. & Associates	Technical	III	54,000
55.	Training Conference	National Tactical Officers Assn.	Technical	N/A	-0-
56.	Firearms Instructor	Yuba College	Technical	IV	3,936
57.	Traffic Collision Inv.	Yuba College	Technical	IV	5,904
58.	Field Training Officer	Yuba College	Technical	IV	4,608
59.	Personal/Professional Survival	Shasta Co. S.D.	Mgmt. Trng.	IV	900
60.	Supervisory Course	Fresno State Center	Supv. Course	IV	24,000
61.	Firearms Instructor Update	Santa Rosa TC	Technical	IV	4,000
62.	Skills & Knowledge Modular Training	Southwestern Oregon Comm. College	Technical	N/A	-0-
63.	Skills & Knowledge Modular Training	Eureka P.D.	Technical	IV	-0-
64.	Skills & Knowledge Modular Training	Ridgecrest P.D.	Technical	IV	-0-
65.	Skills & Knowledge Modular Training	Ohlone College	Technical	IV	-0-

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
66.	Communications Skills - Language	Orange Co. S.D.	Technical	IV	\$ 2,024
67.	Firearms/Tactical Rifle	Gilroy P.D.	Technical	IV	1,200
68.	Instructor Development	Napa College	Technical	IV	2,000
69.	Fire Investigation IA	American River Col.	Technical	IV	400
70.	Fire Investigation IB	American River Col.	Technical	IV	400
71.	Homicide Investigation (ICI)	Los Angeles S.D.	Technical	III	25,152
72.	Drug Influence 11550 H&S	Santa Barbara P.D.	Technical	IV	296
73.	Drug Asset Forfeitures, Cmdr.	Calif. D.A. Assn..	Technical	IV	600
74.	Stalking	Calif. D.A. Assn.	Technical	IV	250
75.	Search Warrants & Arrest	Modesto CJTC	Technical	IV	1,800
76.	Dispatcher, Public Safety	Stanislaus Co. Emergency Dispatch	Dispatcher, PS	IV	67,500
77.	Arrest & Firearms, IVD	College of Siskiyous	P.C. 832	N/A	-0-
78.	Media Relations	Stanislaus Co. S.D.	Technical	IV	1,080
79.	Bomb Technician Update	FBI, Los Angeles	Technical	IV	13,200
80.	Child Abuse/Sexual Assault	San Diego S.D.	Technical	IV	750
81.	Reserve Training, Module D	Yuba College	Basic-Reserve Format	N/A	-0-
82.	Driving Training Update	Monterey Co. S.D.	Technical	IV	1,200
83.	Defensive Tactics Instr, Upd.	Sunnyvale DPS	Technical	IV	1,500
84.	Skills & Knowledge Modular Training	Sierra College	Technical	IV	-0-

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
85.	Interview & Interrogation, Adv.	South Bay RTC	Technical	III	\$ 6,000
86.	Defensive Tactics/Altercation Patterns	Kern Co. S.D.	Technical	IV	1,168
87.	Drug Prev/Reduction, Adv.	N.I.C.I.	Technical	IV	2,800
88.	Peer Counseling	Sacramento Co. S.D.	Technical	N/A	-0-
89.	Domestic Terrorism	DOJ Training Center	Technical	IV	2,160
90.	Instructor Development, Upd.	Fresno State Center	Technical	IV	-0-
91.	Cultural Awareness	Sacramento Co. S.D.	Technical	IV	6,200
92.	Cultural Awareness, Instr.	Sacramento Co. S.D.	Technical	N/A	-0-
93.	Child Abuse Inv.-1st Responder	San Diego. S.D.	Technical	IV	7,800
94.	D.R.E. Instructor	Palomar College	Technical	IV	1,650
95.	Spanish for Law Enforcement	Ventura College	Technical	N/A	-0-
96.	Less Lethal Force Instr.	Anaheim P.D.	Technical	IV	2,160
97.	Defensive Tactics Update	Sacramento Co. S.D.	Technical	N/A	-0-
98.	Off-Road Motorcyclic Trng.	Grossmont College	Technical	IV	4,000
99.	Skills & Knowledge Modular	Shasta Co. S.D.	Technical	IV	1,915
100.	Cultural Awareness	San Bernardino S.D.	Technical	IV	16,720
101.	CCI-DNA, Statistical Analysis	CCI	Technical	IV	1,920
102.	CCI-Adv. Fire Debris Analysis	CCI	Technical	IV	1,380
103.	CCI-Forensic Infrared Spectroscopy	CCI	Technical	IV	2,900
104.	Field Training Officer	Santa Rosa TC	Technical	IV	22,500

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
105. L.E. Awareness Disabilities	San Diego RTC	Technical	III	\$ 10,000
106. Arrest & Firearms-IVD	Santa Rosa TC	P.C. 832	N/A	-0-
107. Juvenile Police Accountability	Lodi P.D.	Technical	IV	2,000
108. Arrest & Control Instr.	UC Santa Barbara PD	Technical	IV	16,272
109. Criminal Investigation	PMW Associates	Technical	III	16,378
110. Firearms - Tactical Handgun	Santa Clara P.D.	Technical	IV	2,250
111. Traffic Collision Reconst.	Los Medanos College	Technical	III	26,975
112. Training Conference	OCJP	Technical	N/A	-0-
113. Crim. Invest. Core (ICI)	San Francisco P.D.	Technical	IV	71,340
114. Skills & Knowledge Modular Training	CSU, Long Beach PD	Technical	IV	5,000
115. Skills & Knowledge Modular Training	CSU, Sacramento PD	Technical	IV	-0-
116. Skills & Knowledge Modular Training	Dept. of Toxic Substances Control	Technical	IV	-0-
117. Skills & Knowledge Modular Training	Santa Rosa P.D.	Technical	IV	-0-
118. Civil Liability/Police Misconduct	CPOA	Mgmt. Trng.	III	7,560
119. Employee Discipline	CPOA	Mgmt. Trng.	III	2,400

120. - 135. 16 additional IVD courses certified as of 4-3-97. To date, 148 IVD certified presenters have been certified and 425 IVD courses certified.

--- There were no additional Proposition 115 Hearsay Evidence Testimony Course Presenters - certified as of 4-3-97. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 292 presenters of Proposition 115 have been certified.

136. - 141. There were six additional Telecourses certified as of 4-3-97. To date, 385 Telecourse presenters have been certified.

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1.	Advanced Officer	Ventura College	AO	IV
2.	Aviation Security (PC 832.1)	Ventura College	P.C. 832.1	IV
3.	School Peace Officer	Ventura College	Technical	IV
4.	Report Writing	Ventura College	Technical	IV
5.	Dispatcher, Public Safety	Modesto CJTC	Dispatcher, PS	IV
6.	Driver Training-IVD	Santa Barbara Marshal's Ofc.	Technical	N/A
7.	Telecourse	Colfax P.D.	Technical	N/A
8.	Telecourse	Sacramento DA, BFS	Technical	NA
9.	Sexual Harass-Trn-the-Trainer	Los Angeles P.D.	Technical	IV

TOTAL CERTIFIED	<u>119</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>0</u>
TOTAL TELECOURSES CERTIFIED	<u>6</u>
TOTAL IVD COURSES CERTIFIED	<u>16</u>
TOTAL DECERTIFIED	<u>9</u>
TOTAL MODIFICATIONS	<u>97</u>

2,248 Skills & Knowledge Modules certified as of 4-3-97
425 IVD Courses as of 4-3-97
385 Telecourses as of 4-3-97
2,069 Other Courses certified as of 4-3-97

718 Certified Presenters

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report - Third Quarter 1996/97		Meeting Date April 24, 1997
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval by: <i>[Signature]</i>	Date of Approval 4-9-97	Date of Report April 8, 1997
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.

This report provides financial information relative to the local assistance budget through March 31, 1997. Revenue which has accrued to the Peace Officers' Training Fund is shown as are expenditures made from the 1996-97 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through March 31, 1997, we received \$27,893,160. The total is \$175,163 more than originally anticipated and is \$4,969,021 (22%) more than received for the same period last fiscal year. (See Attachment 1)

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 33,171 trainees reimbursed through the third quarter represents an increase of 646 (2%) compared to the 32,525 trainees reimbursed during the similar period last fiscal year. (See Attachment 2)

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the third quarter of \$10,398,098 represent a \$391,841 (4%) increase compared to last fiscal year. (See Attachments 3A and 3B.)

SUMMARY - Revenue received for the first nine months of this fiscal year continues to be slightly ahead of projections. As a reminder, projected revenue was increased by approximately \$6.1 million for FY 96-97. This was effected by Section 24.10, Budget Act of 1996, which transfers 19.28% of the Driver Training Penalty Assessment Fund to the POTF. This is one-time funding that makes up past year and current year revenue shortfalls and provides funding for the "Tools for Tolerance" training program. Annual revenue and expenditure projections will be provided to the Finance Committee at its April 23, 1997 meeting.

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1995-96 AND 1996-97

1995-96

1996-97

MONTH	PENALTY ASSESSMENT		CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER *	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
	FUND	OTHER									
JUL	\$2,468,334	\$3,371	\$2,471,705	\$3,055,333	\$2,949,499	\$418,485	\$17,371	\$3,385,355	110.80%	\$3,385,355	110.80%
AUG	2,862,613	15,199	5,349,517	6,110,666	2,383,405	492,252	-9,197 **	2,866,460	93.82%	6,251,815	102.31%
SEP	2,409,839	8,653	7,768,009	9,165,999	2,623,487	541,853	10,492	3,175,832	103.94%	9,427,647	102.85%
OCT	2,539,486	11,431	10,318,926	12,221,332	2,572,472	531,326	10,230	3,114,028	101.92%	12,541,675	102.62%
NOV	2,246,004	19,665	12,584,595	15,276,665	2,499,089	516,168	14,367	3,029,624	99.16%	15,571,299	101.93%
DEC	2,640,773	32,010	15,257,378	18,331,998	2,699,270	557,515	10,172	3,266,957	106.93%	18,838,256	102.76%
JAN	2,472,777	240,337	17,970,492	21,607,331	2,489,548	514,198	257,848	3,261,594	99.58%	22,099,850	102.28%
FEB	2,514,104	30,716	20,515,312	24,662,664	2,370,382	489,586	23,684	2,883,652	94.38%	24,983,502	101.30%
MAR	2,388,904	19,923	22,924,139	27,717,997	2,384,370	492,475	32,813	2,909,658	95.23%	27,893,160	100.63%
APR	2,693,237	26,681	25,644,057	30,773,330				0	0.00%	27,893,160	90.64%
MAY	2,487,614	16,241	28,147,912	33,828,663				0	0.00%	27,893,160	82.45%
JUN	2,786,099	226,201	31,160,212	37,104,000				0	0.00%	27,893,160	75.18%
TOTAL	\$30,509,784	\$650,428	\$31,160,212	\$37,104,000	\$22,971,522	\$4,553,858	\$367,780	\$27,893,160	75.18%	\$27,893,160	75.18%

* - Includes \$115,834 from coroner permit fees (per Ch 990/90)

** - Net difference of incorrectly reported PY revenue and CY July and August revenue

*** - Per Section 24.10, Budget Act of 1996

COMMISSION ON POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

MARCH

COURSE	1995-96			1996-97		
	Actual Total For Year	Actual Jul-Mar	% of Total	Projected Total For Year	Actual Jul-Mar	% of Projection
Basic Course	2,082	1,490	72%	2,200	1,545	70%
Dispatchers - Basic	347	226	65%	350	226	65%
Advanced Officer Course	3,966	2,698	68%	4,000	1,893	47%
Supervisory Course (Mandated)	497	306	62%	500	491	98%
Management Course (Mandated)	269	159	59%	300	198	66%
Executive Development Course	324	267	82%	400	238	60%
Supervisory Seminars & Courses	3,331	2,479	74%	3,400	2,342	69%
Management Seminars & Courses	1,898	1,251	66%	2,000	1,062	53%
Executive Seminars & Courses	500	267	53%	500	334	67%
Other Reimbursement	0	0	0%	0	0	0%
Tech Skills & Knowledge Course	32,308	22,719	70%	33,000	24,190	73%
Field Management Training	8	6	75%	10	30	300%
Team Building Workshops	583	421	72%	650	371	57%
POST Special Seminars	419	210	50%	450	189	42%
Approved Courses	44	26	59%	50	62	124%
TOTALS	46,576	32,525	70%	47,810	33,171	69%

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

COURSE	1995-96		1996-97	
	Total For Year	Actual Jul-Mar	Actual March	Actual Jul-Mar
Basic Course	\$1,958,399	\$1,414,134	\$202,464	\$1,506,656
Dispatchers - Basic	279,521	173,322	34,046	159,508
Advanced Officer Course	229,914	167,407	16,732	114,298
Supervisory Course (Mandated)	291,535	186,268	133,658	306,868
Management Course (Mandated)	249,210	157,235	33,908	193,763
Executive Development Course	226,686	182,780	33,199	183,572
Supervisory Seminars & Courses	1,321,727	986,570	158,614	914,141
Management Seminars & Courses	562,512	367,317	56,804	372,806
Executive Seminars & Courses	153,657	75,029	42,897	128,121
Other Reimbursement	1,391	0	0	0
Tech Skills & Knowledge Course	8,771,615	6,030,918	884,001	6,159,044
Field Management Training	2,955	2,159	0	16,856
Team Building Workshops	262,538	192,610	23,874	193,456
POST Special Seminars	105,505	63,023	11,222	55,029
Approved Courses	10,557	7,485	111	9,544
Training Aids Technology	0	0	47,797	84,436
TOTALS	\$14,427,722	\$10,006,257	\$1,679,327	\$10,398,098

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1995-96 Total	1995-96 July-Mar	1997 March	1996-97 Jul-Mar
Resident Subsistence	\$7,439,571	\$5,092,735	\$885,650	\$5,569,324
Commuter Meal Allowance	\$964,544	689,086	\$125,307	\$707,436
Travel	\$2,569,904	1,796,545	\$252,626	\$1,725,909
Tuition	\$3,453,703	2,427,891	\$367,947	\$2,310,993
Salary	\$0	0	\$0	\$0
Training Technology Assistance	\$0	0	\$47,797	\$84,436
TOTALS	\$14,427,722	\$10,006,257	\$1,679,327	\$10,398,098

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Ontario International Airport Police Department		Meeting Date April 24, 1997
Bureau Training Delivery and Compliance Bureau	Reviewed By For Ronald T. Allen, Chief <i>By mkb</i>	Researched By Bob Spurlock
Executive Director Approval <i>[Signature]</i>	Date of Approval	Date of Report January 21, 1997
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 checked="" type="checkbox"/> No

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

ISSUE

The Ontario International Airport Police Department is seeking entry into the POST Specialized (non-Reimbursable) Program on behalf of its officers.

BACKGROUND

The agency appoints sworn officers under the authority of Penal Code Section 830.33(d) and has submitted the proper documentation supporting POST objectives and regulations. The Agency operates under the authority of the City of Los Angeles Department of Airports but operates as a separate agency for budget and personnel purposes.

ANALYSIS

The Ontario International Airport Police Department has 45 full-time officers and there is no fiscal impact.

RECOMMENDATION

The Commission be advised that the Ontario International Airport police Department has been admitted into the POST Specialized (non-Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Hesperia Unified School District Police Department		Meeting Date April 24, 1997
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief <i>RA</i>	Researched By Bob Spurlock <i>BS</i>
Executive Director Approval <i>by: Glen Jue</i>	Date of Approval	Date of Report March 21, 1997
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Hesperia Unified School District Police Department is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

The department's officers are appointed pursuant to Section 830.32(b) of the Penal Code. Suitable background and other provisions of the Government Code regarding selection standards have been met.

ANALYSIS

The police department currently employs four peace officers.

Fiscal impact for reimbursement of training will cost approximately \$2,000 per year.

RECOMMENDATION

The Commission be advised that the Hesperia Unified School District Police Department be admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Santa Barbara County Marshal's Department -Withdrawal from POST Regular (Reimbursable) Program		Meeting Date April 24, 1997
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief <i>RTA</i>	Researched By <i>RS</i> Bob Spurlock
Executive Director Approval <i>by: [Signature]</i>	Date of Approval 3-25-97	Date of Report March 21, 1997
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 checked="" type="checkbox"/> No

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

ISSUE

The Santa Barbara County Marshal's Department has been merged with the Santa Barbara County Sheriff's Department as a result of a reorganization of county government. The effective date was January 1, 1997.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from Lieutenant Kenneth Shemwell, Santa Barbara County Sheriff's Department, has been received advising POST of that fact.

ANALYSIS

The department had 23 sworn officers.

This change will have no impact on the POST budget.

RECOMMENDATION

The Commission be advised that the Santa Barbara County Marshal's Department has been removed from the POST Regular (Reimbursable) Program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Confirmation of Policy - Driver Training Simulator Program		Meeting Date April 27, 1997
Bureau Information Services Bureau	Reviewed By Darrell L. Stewart <i>DL</i>	Researched By
Executive Director Approval <i>by: [Signature]</i>	Date of Approval 4-8-97	Date of Report April 8, 1997
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.

Background

All policies approved by the Commission are returned at the following Commission meeting for confirmation before being placed in the Commission Policy Manual.

Analysis

At the January 23, 1997 meeting, the Commission, upon recommendation of the Finance Committee, approved new policies regarding the driver training simulator program. The following recommendations are proposed to be placed in the Commission Policy Manual:

- B12.** Do NOT fund the purchase, maintenance, or upgrading of driving simulator equipment, except in special circumstances.
- Continue to be aware of field needs and be a resource on the various systems available.
- Encourage agencies interested in purchasing driving simulators to seek funding through grants or other means.
- Continue to work with agencies to certify their driving simulator courses.
- Grant reasonable tuition reimbursement for POST-certified driving simulator courses to cover some of the presentation costs (not possible for POST to assume all costs of these programs).
- Continue support of the Driver Simulator Committee to promote cooperation, information sharing, and development of standards for driving simulator instructors and programs.
- Continue to work in partnership with private sector companies to develop driving simulators by providing information on requirements for law enforcement driver and technical specifications that will assist these companies in using their technology most appropriately.

Recommendation

With concurrence of the Commission, include the above policy to be included in the Commission Policy Manual.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Colfax Police Department - Withdrawal from POST Regular (Reimbursable) Program		Meeting Date April 24, 1997
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief <i>RD</i>	Researched By Bob Spurlock <i>RS</i>
Executive Director Approval <i>by: [Signature]</i>	Date of Approval	Date of Report March 21, 1997
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 checked="" type="checkbox"/> No

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

ISSUE

The Colfax Police Department has been disbanded effective July 1, 1996. Law enforcement services will be provided by the Placer County Sheriff's Department.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from City Manager Gene Albaugh, has been received advising POST of that fact.

ANALYSIS

The department had one sworn officer.

This change will have no impact on the POST budget.

RECOMMENDATION

The Commission be advised that the Colfax Police Department has been removed from the POST Regular (Reimbursable) Program.



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

WHEREAS, Norwood E. "Woody" Williams has served California law enforcement with distinction for 36 years; and

WHEREAS, Norwood E. "Woody" Williams served the California Peace Officers' Association with distinction, including being Chairman of the Training Services Committee for the past 12 years; and

WHEREAS, Norwood E. "Woody" Williams served on the POST Advisory Committee since 1994 and currently serves as Vice-Chairman; and

WHEREAS, Norwood E. "Woody" Williams served as a member of the Strategic Planning Steering Committee for development of a strategic plan for POST; and

WHEREAS, Norwood E. "Woody" Williams served with distinction on numerous ad hoc committees for Governor Pete Wilson, Attorney General Daniel E. Lungren, POST, CPOA, and the League of California Cities; and

WHEREAS, Norwood E. "Woody" Williams has developed a reputation as a loyal, ethical, and dedicated law enforcement professional; and

WHEREAS, Norwood E. "Woody" Williams has become an outstanding role model for police administrators throughout the State of California; and

WHEREAS, Norwood E. "Woody" Williams retired on March 1, 1997 as Deputy Chief of the San Bernardino County Sheriff's Department; now therefore,

BE IT RESOLVED, the Commission on Peace Officer Standards and Training recognizes Chief Williams' many contributions to law enforcement and the people of California; and

BE IT FURTHER RESOLVED, That the Commission extends best wishes to Chief Williams for continued success and happiness in retirement.



Chairman

Executive Director

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

April 15, 1997

10:00 A.M.

Sheraton Newport Beach
4545 McArthur Boulevard
Newport Beach, CA 92660
(714) 833-0570**AGENDA**

- A. CALL TO ORDER
- B. Progress Report on Researching a POST Clearinghouse Function

Pursuant to Commission direction, staff convened a seminar March 18/19, 1997 to develop specifics of a clearinghouse function. The attachment provides recommendations for implementation which are provided for information and discussion purposes at this time.

- C. Agency Accreditation

Agency accreditation is included as a strategic direction in the *Beyond 2000: Making a Bold Adjustment* document. The accreditation strategy is set forth as more of a study issue than a clear goal that the Commission wants to achieve. As described in this agenda, staff is preparing a draft of the Strategic Plan to be submitted to the Governor's Office. It seems important to resolve whether agency accreditation is an affirmative goal or an issue for further study. The issue is presented for consideration by the Committee.

- D. Review Draft of Strategic Plan for Submittal to Governor's Office

POST's Strategic Plan must be submitted to the Governor's Office by July 1, 1997. Staff has prepared a draft of the strategic plan and is seeking input and confirmation from the Committee. A special Commission meeting will be held on June 16, 1997 to review the final draft prior to the plan being submitted to the Governor's Office on July 1, 1997.

The attached draft plan was developed using the following assumptions about POST's Strategic Plan:


1. Even though this is a five-year plan, it is viewed as a living document and subject to review and update annually.

2. *Beyond 2000: Making a Bold Adjustment* represents external needs assessment information and will be incorporated in POST's Strategic Plan and/or follow up Strategic Management Plan.
3. Internal needs assessment information is incorporated through staff reviews and consideration of input from the Management Team and employee groups.
4. This plan merges the external views of POST's customers and partners with those of staff.
5. Goals and objectives focus on general and future issues. Existing activities and programs are not addressed in this plan.
6. Some objectives are phrased as "study" to indicate the issue needs further research before a commitment to implement is made.
7. Some objectives include activities POST is already doing but are included to reflect our commitment to external needs assessment input and to indicate the work may not yet be completed.
8. POST will submit its Strategic Plan to the Governor by July 1, 1997 in a format that meets the requirements of the Department of Finance.

E. ADJOURNMENT

State of California

Department of Justice

M e m o r a n d u m**DATE:** March 28, 1997**TO:** Committee on Strategic Plan Implementation**FROM:** *for*  KENNETH J. O'BRIEN
Executive Director
Commission on Peace Officer Standards and Training**SUBJECT:** RECOMMENDATION TO ESTABLISH A POST CLEARINGHOUSE FUNCTION

At its November 8, 1996 Commission meeting, a proposal to convene a committee to address POST Clearinghouse issues was approved. The concept called for the gathering of a Focus Group of potential clearinghouse advisors and users for the purpose of providing indications on what is needed, and what is possible, both practically, and technologically.

On March 18-19, 1997, POST convened a Special Seminar in Sacramento. The purpose was to address clearinghouse issues, discuss solutions and alternatives, and provide recommendations for consideration by the Commission. Seminar participants included a Senior Program Manager from the National Institute of Justice, National Criminal Justice Reference Service; a Director of Research and Statistics Program of SEARCH GROUP Clearinghouse in Sacramento; Chairman of the Strategic Planning Steering Committee; representatives from major professional groups and associations including CPOA, CSSA, CAL-CHIEFS, PORAC; rank and file members, and representatives of the POST Advisory Committee.

Workshop participants were enthusiastic in their endorsement of POST establishing a clearinghouse function. But, they recommended several issues that need to be further studied. We propose to establish appropriate resource committees to commence studying key recommendations identified in the seminar. The initial priorities will include: 1) policy development; 2) development of an action plan; 3) identification of potential costs, including alternative sources of funding; and 4) establishing evaluation and management processes.

Enclosed are copies of the Executive Summary, Recommendations and other related materials that resulted from the seminar.

If the Committee concurs, staff will initiate development of an action plan.

**POST SPECIAL SEMINAR
CLEARINGHOUSE ISSUES
MARCH 18-19, 1997**

EXECUTIVE SUMMARY

Several themes emerged during the seminar that are worth identifying at the outset. First, it is critical for POST to identify the primary and secondary clients that will be served by the Clearinghouse. Without consensus on this point all that follows will fail, or worse, cause a loss of creditability for POST.

Second, once clarity of the clients is established, policy should be developed about the information that will be shared and developed. This policy must be understood by POST employees so that they can create the services, products, and delivery systems that will make up the Clearinghouse. This policy will also serve to develop expectations from the field of what to expect from the POST Clearinghouse.

Third, POST needs to develop an action plan to guide the logical movement from its existing information delivery systems through the building process to a mature clearinghouse program. The plan should include accurate assessment of existing services (including staffing and other costs) as a base-line, through growth phases (specific program design, equipment acquisition, and staff development) a step at a time. Each step should identify the new service to be delivered, to which target audience, at what cost.

Fourth, POST should immediately initiate partnerships with traditional and non-traditional organizations designed to incorporate the widest possible participation of future primary and secondary users of the Clearinghouse. This network of partnerships will also provide a platform for launching/marketing existing and future clearinghouse products.

Fifth, POST needs to carefully examine each growth phase of the action plan in light of its Mission Statement to ensure that such growth is being driven by the needs of the field, not by the technology available.

Sixth, POST must identify the costs associated with developing and implementing a Clearinghouse, including staffing, software and equipment, and maintenance. This should be done prior to deciding what alternate sources of funding to pursue. When this process is completed, POST should identify and consider appropriate strategies to assess availability and feasibility of alternative revenues to support the clearinghouse.

Finally, evaluation and management techniques must be incorporated in the Action Plan that will guarantee participation in the yield of the Clearinghouse by all levels of law enforcement personnel. For example, the controls on the systems need to ensure only primary users have access to all levels of the Clearinghouse, but not at the expense of easy access for officers wanting to use the system at 3 a.m. on a Sunday.

RECOMMENDATIONS

I. NEEDS ASSESSMENT

Recommendations:

POST Should:

- . define audience (critical to establish primary and secondary users) to include: **Primary** - CA law enforcement (574 agencies within POST program); Legislature; Training presenters, Academia; CA Professional associations; and Students enrolled in POST certified courses; **Secondary** - including federal/national agencies and non-California law enforcement, and **Tertiary**, including community groups and researchers. Screening should include asking: What information do you want?; What is it for?, and What is your deadline for needing the information.
- . develop a clear policy for the dissemination of information, service priorities (i.e., agencies, criminal justice students) and service standards (turn around time),
- . help agencies to help themselves in the area of managing information within their own agency for ease of information transfer and sharing; provide technical support to the field similar to the existing IVD support.
- . provide information related to law enforcement equipment (e.g., vehicles, ballistics vests, OC); this should cover product information, including specifications, testing and price.
- . keep clearinghouse strategy open for adjustments; make it a living system; provide for "hot topics" and recurrent visits to old, but continually germane topics that could be included as a "topic of the month".
- . provide information of value to all levels of law enforcement, e.g., police officers, deputies, supervisors, middle managers and executives.
- . identify and audit other clearinghouses and the types of information they have and their access policies (use NCJRS 10 question assessment document); need a mechanism for agencies to let POST know what information they have available.
- . evaluate information already available and not re-invent the wheel in terms of trying to provide information and services available through other sources.
- . develop a database of commendable programs that has proven effective or efficient by the field (model program and research) and have a comment section for the users to comment on programs and articles. develop guidelines for

identifying and advertising model programs, and the dissemination of information.

- . prioritize needs based on resources available; consider alternative funding mechanisms for the clearinghouse.
- . think 5 to 10 years in the future; changes in technology are occurring too rapidly to focus on present.
- . create and maintain a bulletin board on the Internet to allow access and freedom of posting data.
- . be the repository, library system of completed systems, policies, technical evaluations (equipment), training issues, risk management issues.
- . be the owner of selected information, not just be a pointer system (referrals).
- . provide services - analysis of some topical issues (e.g., Megan's Law, etc.)
- . provide a forum for specified clearinghouse issues
- . use and begin clearinghouse incremental (in case of revenue shortfall), with POST's existing collection (library, publications, command college papers, futures issue papers); include policies, programs, hiring information, other information of interest to the field, and evaluation reports.
- . commit to world class staffing and expertise; if adequate funding exists, utilize only a full approach to setting up and maintaining the clearinghouse. do the clearinghouse well, or not at all; provide appropriate POST staffing (skill mix, i.e., analyst, data entry, information specialist);
- . provide training to POST staff in collection, development, on-line searching and extended research.

II. SYSTEM ANALYSIS

Recommendations:

POST Should:

- . develop and manage a multi-faceted delivery system, with bridging capability to other sources of information.

- . identify appropriate funding sources.
- . incorporate those assets that can be included now, and add others as new needs are identified.
- . remain current with the evolving needs of clients (perhaps through user group advisory committee)
- . maintain hypertext referrals by including the following tools: 1) fax on demand, 2) 800 phone lines, 3) bulletin board, 4) internet, 5) intranet, 6) snail mail.
- . point the user directly to the area in other clearinghouses they need so that they don't have to search within a homepage trying to figure out where to go exactly.
- . think higher technology by considering website (Email, "html" browsing, FTL); own (local) resources, i.e., documents and databases; link to other sites; groupware; use of existing automated tools wherever possible, and identifying search engines such as webferret, to help user find more information.
- . analyze collected data according to defined scope for inclusion (policy issue?, workload issue? or what determines quality?).
- . address and resolve the following issues: 1) will provide hardcopy (space, cataloging, packaging); loaning original item(s); sending photocopy; Email information, and website downloads/links.
- . develop protection, i.e., password, firewall etc. for users; get user profile by asking for their interests and match with information, and develop guidelines to encourage agencies to standardize their data collection so they can share with each other and POST, and show them how to maintain the data.
- . create electronic mailing lists.
- . ensure that information or services requested from clearinghouse is timely.
- . consider initially operating parallel and information delivery systems.
- . help agencies with conversions to the electronic age since many have limited access to technology.

III. SYSTEMS DEVELOPMENT AND EVALUATION

Recommendations

POST Should:

- . identify additional clearinghouse providers and use pointers (referrals) to best sources.
- . develop criteria to determine what constitutes "best source" (link).
- . develop a system to query agencies regarding the availability of information to share, as well as quality of information disseminated.
- . track popularity of documents (hits) over time.
- . develop purge criteria and inclusion criteria.
- . develop an action plan; in case of limited funding, focus on phased-in development of POST's programs including specific subject areas, delivery methods, and technologies.
- . track who the users are and where they are from (primary and secondary).
- . train users to use system and help them make smarter decisions when buying computer equipment.
- . develop user surveys/evaluation forms as part of automatic delivery system online.
- . develop a management system that updates and deletes data systems; ensure that confidential information remains confidential; set up policies for restricted information; build in automatic purge criteria.
- . utilize whatever technical support necessary and available to get system up and running (including agencies that already have clearinghouses).
- . track frequency and type of contacts from local agencies and type of information sought (takes separate database to track effectively) to get future direction.
- . utilize existing resources, stimulate competition, establish private/public partnerships, find grant funding.

- . measure input from clients to determine effectiveness.
- . get professional help in developing the clearinghouse that includes use of experienced and technically competent people.
- . use list servers to connect people electronically with special interest information; this provides a way of quickly connecting people with rapidly developing or emerging trends or topics.
- . ensure that where POST staff creates abstracts of articles, publications, etc., the writer of the abstract must be a technically competent or knowledgeable person.
- . ensure that articles, studies, publications submitted to the clearinghouse by any source be abstracted by the originating source.

IV. INFORMATION PARTNERSHIPS AND CUSTOMER SERVICES

Recommendations

POST Should:

- . develop a marketing plan (press releases; newsletters; register with web search engines, including infoseek, yahoo, and others).
- . market at every level via phone fax, e-mail, hard copy, websites, use of searchers, newsletters, bulletins, and periodic geographical management workshops meetings, similar to the old attorney general meetings.
- . market through regional central points, e.g., regional academies and other professional associations.
- . identify those systems everyone has access to and expand upon them (i.e., county offices of education and other info structures).
- . use data systems which everyone can access, such as Z39.50; "html"; and JAVA.
- . design/identify point person to facilitate communication network (partnerships with primary clients).
- . designate/identify partnerships with private sector (e.g., software, hardware, technical development, staff, and consulting).

- . query state-level criminal justice agencies, (webmasters, information providers) for partnerships.
- . form inter-agency advisory groups, to include representatives of field users.
- . dedicate permanent staff to the clearinghouse project.
- . establish a consortium of users of resource information to get POST started.
develop steering committee made up of partners to POST to keep clearinghouse on track.
- . establish ongoing link with key partners (info. providers)
 - a. International
 - b. Federal
 - c. Local
 - d. State
 - e. Private industry
 - f. Military
- . set up marketing strategy to include POST area consultants to disseminate information by meeting with:
 - a. training managers/professional organizations
 - b. Basic Course consortiums
 - c. Community Colleges
 - d. Training center advisory committing meetings
 - e. Other specialty groups
- . disseminate information through the various associations members from POST Advisory Committee.
- . POST needs to let everybody know about all its services.
- . produce a user's guide

V. FUNDING

Recommendations

POST Should:

- . determine costs associated with developing, implementing and maintaining a

clearinghouse. A consideration may be hiring a consultant prior to determining what alternate sources of funding to pursue.

. establish strategies to assess availability/feasibility of alternative revenues of support, including:

- a. Federal grants (BJA funds; COPS funds for technology; state planning office, and federal surplus properties).
- b. forming alliances with businesses and private foundations.
- c. POST need to make sure mandatory funding is available before embarking on clearinghouse implementation; don't take from existing allocation, including training funds.
- d. consideration for allowing advertising (e.g., from auto manufacturers, equipment manufacturers, etc.).
- e. consideration for charging non-POST program members for services.

. establish costs associated with developing, implementing, and maintaining a clearinghouse. building a clearinghouse "database" should include the following considerations:

- a. need to determine how much POST will be responsible for updating/maintaining, and how much local agencies can do for themselves.
- b. need dedicated staff to monitor and facilitate exchange of information (to include librarians, computer technicians, managers etc.) plus need to contract with appropriate personnel for specialized services.
- c. need to buy appropriate software which will run on the Internet and also is compatible with other formats in which material may be submitted.
- d. need space, equipment, phone lines.

. ensure resources are up-to-date and relevant. the way in which POST provides some services and resources may change when the clearinghouse is implemented. this will both allow and require adjusting where and how funds are used.

- . reevaluate present methods of disseminating information to the field (i.e., multiple copies to agencies [may not need that many]; copies of all documents to all agencies [may only be of interest to a few]).
- . develop an action plan or operating plan that takes into account limitations of funding (might want to phase in clearinghouse over time).
- . consider that funds may shift from hard-copy development and distribution to electronic means and may not need as much new funding.
- . provide a central purchasing system to allow purchasing equipment and supplies in volume; this could reduce the cost of law enforcement equipment to agencies.
- . make certain that in situations where POST provides electronic access via the wide world web (www), access by the users should be done through the user's own internet provider (IP); the cost of an IP to agencies individually is fairly inexpensive; if POST bears the cost, the expense could be prohibitive.
- . state clearly that the way which POST provides some services and resources may change when the clearinghouse is implemented; this both allow and require adjusting where and how funds are used.

3/28/97

Glossary of Technology Terms
from the Computer Desktop Encyclopedia, Webster's Dictionary, or SME input

Browsing - To skim through the Internet, reading selected pages.

Bulletin Board System - A computer system used as an information source and message system for a particular interest group. Users dial into the BBS, review and leave messages for other users as well as communicate to other users on the system at the same time. BBSs are often used to distribute shareware. Software vendors use BBSs to obtain customer feedback and distribute updates and program fixes. A BBS may provide access to running an application via a technique known as a door.

BBSs had their heyday before the World Wide Web became popular. However, they still exist and many organizations maintain their support BBSs in order to provide an alternate to their own Web sites. A BBS may often be a faster source for downloading popular software.

A Web browser is not used to access a BBS. A general-purpose communications program such as Crosstalk or Qmodem Pro is required. In addition, each BBS has its own telephone number that must be dialed. The name/address lists in a communications program store telephone numbers just like Internet e-mail name/address lists hold recipients' e-mail addresses.

Fax on Demand - The automated faxing of a document to a caller who called a company with a phone tree system and provided their name, company name, mailing address, fax number, and document name/number being requested,

FTP - File Transfer Protocol. A service that supports file transfer between local and remote computers, including the Internet.

Hot spot - (1) An icon or part of a larger image used as a hyperlink to another document or file. When the hot spot is selected by clicking on it, the linked material is searched and displayed.

(2) The exact part of an icon or screen pointer that is sensitive to selection. A hot spot may be part of a larger image. For example, an image may have several hot spots, one for each of its components. When clicked, a greater explanation of the component is produced. Where hot spots begin and end determine how easy they are to select.

The screen pointer also has a hot spot, which is a small number of pixels that make contact with the icon's hot spot. For example, the tip of an arrow or finger pointer or the cross point of an X-shaped pointer may be the pointer's hot spot

HTML - HyperText Markup Language. This is the authoring software language used on the Internet's World Wide Web. HTML is used for creating World Wide Web pages. HTML is basically ASCII text surrounded by HTML commands in angle brackets.

Hyperlink - See Hot spot.

Internet - Several large computer networks joined together over high-speed data links. In 1995, the Government Accounting Office (GAO) said that the Internet linked 59,000 networks, 2.2 million computers and 15 million users in 92 countries.

Intranet - A private network that uses Internet software and Internet standards. In essence an Intranet is a private Internet reserved for use by people who have been given the authority and passwords necessary to use that network. Those people are typically employees and often customers of a company. An Intranet might use circuits also used by the Internet, or it might not. Companies are increasingly using Intranets -- internal Web servers -- to give their employees easy access to corporate information.

Java - Java is a programming language from Sun Microsystems designed primarily for writing software to leave on World Wide Web sites and downloadable over the Internet to a PC owned by you or me. HotJava, its brother, is another piece of software installed on a Web browser at your desktop... What's a Java application? According to Wired Magazine, point to Ford Motor Company's website today, for instance and all you'll get are words and pictures of the latest cars and trucks. Using Java, however, Ford could relay a small application (called an applet) to a customer's computer (the one on your desk which are using to surf the Internet). The customer could then customize options on an F-series pickup while calculating the monthly tab on various loan rates offered by a finance company or local bank. Add animation to these applications and you could get to "drive" the truck.

Links - Refer to Hot Spots.

NCJRS - National Criminal Justice Research System

Pointers - Refer to Hot Spot.

Search Engine (on the Web) - An Internet World Wide Web term. A search engine is a program that returns a list of Web Sites (URLs) that match some user-selected criteria such as "contains the words cotton and blouse." Basically, the procedure is simple. You surf to the search engine's site. You click a couple of times and type in what you're looking for. A few seconds later you get choices. You finally make your selection and you get instantly hotlinked over to that site.

Snail Mail - A term used to reference delivery of messages by your local postal service. In

short, mail that comes through a slot in your front door or a box mounted outside your house.

Tertiary - Third, in order of importance (Primary, Secondary, and Tertiary or First, Second, and Third)

Web site - Any machine on the Internet that is running a Web Server to respond to requests from remote Web Browsers is a Web Site. In more common usage, it refers to individual sets of Web Pages that can be visited with Web Browsers. It is also spelled as one word, namely WEBSITE.

Z39.50 - An ANSI standard query language that is a simplified version of SQL. It is used on the Internet to search for documents.

ATTACHMENT B

**COMMISSION ON PEACE OFFICER STANDARDS & TRAINING
POST SPECIAL SEMINAR
CLEARINGHOUSE ISSUES
SACRAMENTO INN HOTEL, SACRAMENTO
MARCH 18-19, 1997**

I. TYPES OF INFORMATION TO BE PROVIDED

- Information systems
- Management systems
- Operational systems
- Funding sources
- Exemplar programs
- A.G. opinions
- Grants
- Resource information
- Products
- New technology
- Pending legislation
- M.O.'s for rashes of crime
- Statistics
- Recent case laws
- Futurist research (think tank)
- New weapons
- Critical threats
- Legal resources library
- Crime scene investigation methods
- Information on how to find the information using the Internet
- Vendor information/evaluation
- Purchase information (joint purchases)
- Easy quick access to system
- Guidelines for unusual incidents
- Hazardous materials information
- Upcoming training and new courses
- Instructor pool/subject matter experts
- Active formats for information where people are on line
- List servers for California law enforcement
- Menu of assistance currently offered by POST
- Activities/innovative programs that local agencies are involved in
- Product evaluation
- Categories of courses

- Curriculum development material
- Tactical assessment research
- Training records
- Need to provide emerging issues to field re: training, liability issues, legal changes
- Central process/means for agencies to provide information/communicate with other agencies
- Model programs
- Abstracts (a la NCJRS) of reports
- List of training programs
- Pending litigation and strategy used in successful suits
- List of Internal Clearinghouse Committee members so can communicate with them as needs change
- Command College paper titles
- Disposal/recycling of equipment (e.g., ballistic vests)
- Law enforcement associations
- Commission agendas
- Calendar of events with topics to be addressed
- Bulletin board to allow agencies to post information needs (as in I need help in ...) and get return information from others
- Access to individual training records
- Product alert or some type of system to let agencies know about faulty products or technology or fraudulent services offered
- Training tips and/or bulletins re: "Hot Topics"
- Application of former military technology to law enforcement use; many items being declassified by military and available to law enforcement (and what companies providing)
- Availability of surplus equipment from military or other agencies
- Purchasing groups or info. on availability of equipment
- On-line training
- On-line registration for training (both local and remote)
- New books available from publishers (by subject)
- Model policies
- Post own agency policies for review
- Model city/county ordinances (available from League of California Cities?)
- Branching of laws/legislation at Federal, State level
- Videos
- Publications, etc.
- Completed studies
- Model policies
- Vehicle studies
- Product alert
- Court decisions/personnel
- Hot topics notifications

ATTACHMENT C

COMMISSION ON PEACE OFFICER STANDARDS & TRAINING
POST SPECIAL SEMINAR
CLEARINGHOUSE ISSUES
SACRAMENTO INN HOTEL, SACRAMENTO
MARCH 18-19, 1997

II. TYPES OF SERVICES TO BE PROVIDED

- Develop pool of existing users of resource information to get POST started
- Develop steering committee made up of partners to POST to keep clearinghouse on track
- Clipping services
- Legal resources
- Product evaluation
- Safety equipment
- Access to government equipment
- Disposal of/recycling equipment
- Distance training and testing
- Registration
- Current exchange
- Video conferencing
- Risk management
- Studies/scheduling
- Free exchange (bulletin boards)
- Recurrent training and topic recycling
- Links to other data bases; other available information
- Means of delivery not limited to on-line
- Limit access to some information to an intra-net service, things like new implementation processes for new laws, etc., keep tactical information secure
- Provide different information for different levels of people (i.e., command, supervisory, line officer, etc.)
- Act as a "traffic cop" and direct inquiries to appropriate information source
- Create index and branches for getting further information
- Need standard disclaimer on information to relax agencies on potential liability
- Act as key resource, providing links and direction to varied agencies and services that have information
- Continue to provide POST subject expertise and broaden the accessibility
- Aggressively market the Clearinghouse (teach agencies, the benefits of new technologies)
- Coordinate/encourage partnerships with private/public organizations

COMMISSION ON PEACE OFFICER STANDARDS & TRAINING
POST SPECIAL SEMINAR
CLEARINGHOUSE ISSUES
MARCH 18-19, 1997
RED LION - SACRAMENTO INN

MINUTES

Everitt Johnson, Clearinghouse Project Manager, opened the seminar by stating the seminar was a two-day event to gather information to determine the feasibility of establishing a POST clearinghouse function. The purpose of the seminar was to address clearinghouse issues, discuss solutions and alternatives, and provide recommendations for consideration by the Commission. The desired outcomes were articulated as: 1) obtaining key recommendations as to what is feasible and necessary, both practically and technologically, to establish and maintain a clearinghouse for California peace officers, and 2) key recommendations as to what information and services the field (POST stakeholders and partners) needed, and what POST role should be in delivering clearinghouse information, referrals, and services.

POST Executive Director Kenneth J. O'Brien welcomed the participants and described six components of POST strategic plan, including the clearinghouse. Director O'Brien expressed POST support to establish the clearinghouse and thanked the participants for their time, efforts and assistance.

Bob Norman, Chief, Foster City Police Department, and Chairman, POST Strategic Planning Steering Committee, provided an overview of his committee's work in 1996 relevant to conducting one-on-one interviews of key stakeholders, and the committee's six regional workshops conducted on the *Future of Law Enforcement Standards and Training in California*. The committees' subsequent findings are contained in the document *Beyond 2000: Making A Bold Adjustment*. Chief Norman provided the following comments on what he would like to see in a clearinghouse:

- one-stop shopping for policies from an on-line system
- joint purchasing agreements for procurements
- access to model programs - example, Field Training Officer (FTO)
- link to other home pages
- access to research, articles, legislation
- notification of emerging trends and issues, and
- use of traveling scout reports

Cheryll Bissell, Senior Program Manager, National Criminal Research System (NCJRS) provided an overview of NCJRS which is the oldest and largest clearinghouse in the nation. Cheryll commented on the following points:

- NCJRS has been in existence for 25 years
- they exchange information world-wide
- they collect, maintain, produce and share information
- each of their 100,000 pieces are indexed with a 150 word abstract
- search is available through a free text or select word
- access to on-line dialog is available
- indexes are available for sale on CD or on-line
- they have teams available to edit documents
- they share data through a variety of mediums after defining who's the customer, what information is needed, and how they want it
- NCJRS has six incoming 800 lines with a phone tree that handles 14,000 calls monthly
- NCJRS releases an electronic newsletter with new items of interest
- NCJRS' website receives 20,000 hits monthly
- NCJRS is in the process of incorporating voice/video bytes within their website
- document release has increased as well as postage costs
- customers are surveyed regularly for satisfaction

Seth Jacobs, Director of Research and Statistic Program, SEARCH Group Clearinghouse in Sacramento, spoke to the problems and set-backs experienced in attempting to establish a clearinghouse. Mr. Jacobs provided the following information:

- the agency has experienced eight years of on-line services
- the cost of the "800" phone lines went up to \$5,000 per month, at which time they cancelled the "800" service and went to toll charge access
- technology and procedures must be scalable
- they eliminated identification requirement for access, and opened information to all
- data is time sensitive
- technology did not eliminate "hand holding" for some customers to learn how to go through their web page
- incorporated copyright laws/fair use policies for appropriate use of data
- established policies and rules for system access
- on-line data, screens, and other services will represent your organization; make sure it's as professional as possible
- annually survey customers for appropriateness of data and their needs, and
- 80% of their customers have modem connectivity

Seminar participants were divided into three break-out groups. POST' internal clearinghouse staff and other staff members assigned to Learning Technology Services, and Computer Services Bureaus participated in the discussions.

A participant from each of the three break-out groups was selected to report on their group's findings and recommendations. Following the group reports, consensus was achieved on all the group's recommendations.

The seminar was adjourned at 3:45 P.M. Wednesday, March 19, 1997.

Commission Procedure F-5-3 provides an alternative means for full-time dispatchers employed prior to July 1, 1990 (i.e., before the certificate program was established) to obtain the certificate. Specifically, such individuals may qualify for the certificate by passing the POST Basic Dispatcher Training Equivalency Examination in lieu of completing the Public Safety Dispatchers' Basic Course.

ANALYSIS

Irrespective of how one qualifies for the certificate, the certificate program is voluntary and dispatchers from agencies in the Public Safety Dispatcher Program are not required to obtain the certificate for purposes of initial or continued employment. Thus, the POST Basic Dispatcher Training Equivalency Examination exists solely for the purpose of permitting certain dispatchers (i.e., those employed prior to July 1, 1990) to qualify for the voluntary certificate.

The principal reasons for the proposed elimination of the testing alternative as a means of obtaining the certificate are the diminishing need for the exam and the cost to update the exam. As reported at the January 23, 1997 Commission meeting, while approximately 2,000 dispatchers have taken the exam since 1990, testing activity has steadily declined in recent years with fewer than 60 individuals taking the exam during the past 12 months. Further, testing volume is expected to continue to decline as fewer individuals remain who are eligible to take the examination, and there is no anticipated surge in test demand that would arise due to a large agency's late entry into the program. Also as reported in January, if the testing program is maintained, there is a need to update the exam to comport with the revised 120-hour Dispatcher Basic Course curriculum. The estimated total cost to develop a new exam is \$30,000.

The proposed effective date for elimination of the testing alternative is January 1, 1998. After this date, all persons who seek to obtain the Public Safety Dispatcher Certificate would be required to complete the Public Safety Dispatchers' Basic Course. By delaying the effective date until January 1, 1998, persons currently eligible to qualify for the certificate by passing the exam would have approximately nine more months to exercise this option.

All proposed changes to the actual language of Commission Procedure F-5 that would eliminate the testing option for obtaining the POST Public Safety Dispatcher Certificate are shown in Attachment A, along with a Statement of Reasons explaining the rationale for each change.

RECOMMENDATION

Subject to the results of the public hearing, amend Commission Procedure F-5 as proposed with an effective date of January 1, 1998, contingent upon approval by the Office of Administrative Law.

COMMISSION PROCEDURE F-5

PUBLIC SAFETY DISPATCHER CERTIFICATE PROGRAM

Purpose

5-1. The Public Safety Dispatcher Certificate Program: This Commission procedure describes the dispatcher certificate program established in Section 1018(f) of the Regulations and sets forth certificate eligibility requirements.

General Provisions

5-2. Eligibility of Dispatchers Employed After Agency Entry Into Public Safety Dispatcher Program or Specialized Public Safety Dispatcher Program: To be eligible for the award of a Public Safety Dispatcher Certificate, an applicant must:

- (a) Currently be a full-time, non-peace officer employee who performs duties which include receiving emergency telephone calls for law enforcement service and/or dispatching law enforcement personnel; and
- (b) Have been selected in accordance with minimum selection standards described in PAM, Section 1018(c); and
- (c) Have satisfactorily met the minimum training standards described in PAM, Section 1018(d); and
- (d) Have satisfactorily completed a probationary period with the agency of at least 12 months as described in PAM, Section 1018(e); and
- (e) Have been designated as a dispatcher by the employing agency and whose status has been reported to POST in accordance with Regulation 1003, Notice of Appointment/Termination.

5-3. Eligibility of Dispatchers Employed Prior to Agency Entry Into the Public Safety Dispatcher Program or Specialized Public Safety Dispatcher Program and employed prior to July 1, 1990: To be eligible for the award of a dispatcher certificate, an applicant must:

- (a) Have completed a minimum of one year satisfactory service with the agency as a full-time public safety dispatcher; and
- (b) Have been trained according to minimum training standards described in PAM Section 1018(d); ~~or have passed the POST Basic Dispatcher Training Equivalency Examination by obtaining a score which is equal to or greater than the cut score established by POST;~~ and
- (c) Have been designated as a dispatcher by the employing agency and whose status has been reported to POST in accordance with Regulation 1003, Notice of Appointment/Termination.

5-4. Application Requirements:

- (a) All applications for award of the certificate shall be completed on the prescribed Commission

form entitled "Application for Award of POST Public Safety Dispatcher Certificate", POST 2-289 (Rev. 3/91).

- (b) The certificate application form is not complete unless the following attestation which appears on the application is signed by the department head:
- (1) "I recommend that the certificate be awarded. I attest that the applicant is a full-time public safety dispatcher and has either:
- a. completed a probationary period of at least 12 months as provided in Commission Regulation 1018(e), was selected in accordance with the minimum standards in Section 1018(c), and meets the basic dispatcher training requirement set forth in Section 1018(d), or,
 - b. that the applicant was employed as a public safety dispatcher at the time the agency entered into the POST Public Safety Dispatcher Program ~~and prior to July 1, 1990~~, completed a minimum of one year satisfactory service as a full-time public safety dispatcher, and was trained according to minimum standards described in Commission Regulation 1018(d) ~~, or passed the POST basic dispatcher training Equivalency Examination.~~

The applicant in my opinion is worthy of the award. My opinion is based upon personal knowledge or inquiry. The personnel records of this jurisdiction/agency substantiate my recommendation."

5-5. Certificate Denial or Cancellation: The Commission shall deny or cancel a Public Safety Dispatcher Certificate if the application that was submitted, or the certificate that was issued, is based on misrepresentation, fraud, or administrative error on the part of the Commission and/or the employing agency.

Historical Note:

Procedure F-5 was adopted and incorporated by reference into Commission Regulation 1018 effective May 6, 1991, and amended effective _____*.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1018. Public Safety Dispatcher Programs.

(a) - (f) continued ****

PAM section D-1-6 adopted effective December 29, 1988 and amended December 19, 1994 is herein incorporated by reference.

PAM section F-5 effective June 5, 1991 and amended effective * _____ is herein incorporated by reference.

The document, *Training Specifications for the Public Safety Dispatchers' Basic Course* adopted effective December 19, 1994 is herein incorporated by reference.

Note: Authority cited: Sections 13503, 13506 and 13510, Penal Code. Reference: Section 13510, Penal Code.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: PUBLIC SAFETY DISPATCHER CERTIFICATE PROGRAM

Commission on Peace Officer Standards and Training
Amendments to Commission Regulation 1018 and Procedure F-5, To Eliminate the Equivalency
Examination from the Public Safety Dispatcher Certificate Program
STATEMENT OF REASONS

Background and Justification for Elimination of Equivalency Examination Process described in
Commission Procedure section F-5-3(b):

Commission Procedure F-5-3 was adopted in 1991 to provide for an alternative means of qualifying for the POST dispatcher certificate. It was adopted to accommodate previously hired, experienced dispatchers who possessed tenure in their agencies prior to their agency's entry into the Public Safety Dispatcher Program or the Specialized Public Safety Dispatcher Program and prior to the effective date of the certificate program.

Justification to amend F-5-3(b): Since the inception of the Public Safety Dispatcher Certificate Program in 1991, approximately 2,000 dispatchers have taken the POST Basic Dispatcher Training Equivalency Examination. Use of the examination has steadily decreased; only 51 dispatchers have taken the test in the past 12 months. Testing volume is expected to decrease further as fewer individuals remain who are eligible to take the examination. Moreover, there is no anticipated surge in test demand that would arise due to a large agency's late entry into the POST Public Safety Dispatcher Program as the 340 agencies participating in the program account for the vast majority of dispatchers eligible to take the examination, including all large police and sheriff's departments. If the testing program were to continue, the test must be updated to comport with the revised 120-hour Public Safety Dispatcher's Basic Course curriculum. Staffing and direct costs to develop a new test form are estimated to be approximately \$30,000.

The POST Basic Dispatcher Training Equivalency Examination exists solely for the purpose of permitting certain dispatchers (i.e., only those dispatchers employed prior to July 1, 1990) to qualify for the voluntary POST Public Safety Dispatcher Certificate. Given the limited utility and diminishing need for the examination program, coupled with the substantial costs to develop a new exam, it is proposed that the examination program be discontinued effective January 1, 1998. After this date, all persons who seek to obtain the Public Safety Dispatcher Certificate would be required to complete the Public Safety Dispatcher's Basic Course. By delaying the effective date until January 1, 1998, persons currently eligible to pass the examination as a condition of receipt of the certificate would have approximately ten months from the date of the published notice to exercise this option.

Commission Procedure F-5-3

The text "and employed prior to July 1, 1990" is proposed for deletion as it was eligibility criteria for taking the equivalency examination which is now proposed for deletion in section F-5-3(b).

The amendments to F-5-3(a) are nonsubstantive grammatical changes.

Commission Procedure F-5-4(b)(1)(b)

This sections is amended for consistency with the proposed changes to F-5-3.

Regulation 1018

The incorporation by reference statement for Commission Procedure F-5 is amended to provide the amendment date of this procedure section.

POST Form 2-289

The Application for Award of POST Public Safety Dispatcher Certificate (POST 2-289) is modified to reflect the proposed revisions to Procedure F-5-3, wherein the option for obtaining a POST Certificate via successful completion of the POST Basic Dispatcher Training Equivalency Examination is removed.

ANALYSIS

The proposed agenda before the Commission is to modify Regulation 1007 and enact new Procedure D-12 provide the authority and establish the process for evaluation of prior law enforcement training for reserve officers and waiver of POST-certified training for Modules B and/or C. The Commission has established such a process for regular full-time peace officers to waive the Basic Course. The proposed regulation amendment and new procedure for reserve officers would somewhat parallel the Basic Course Waiver process.

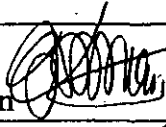

The proposed modification to Commission Regulation 1007 would consist of adding a new Section (d). This section would establish in regulation that the Commission may waive attendance at a POST-certified reserve training for an individual who has completed training that is equivalent or comparable to the current requirements of Modules B and/or C only. There would be no waiver of training for Module A (which contains PC 832), nor would there be a waiver of the required 200 hours of field training currently in place for reserve officers. The prospective waiver applicant would still have to meet the current requirement of Module A (including the 3-year rule for 832 PC).

The proposed Commission Procedure D-12 would establish guidelines and outline the procedures for the agency and/or applicant evaluation of prior law enforcement training, eligibility for the process, the actual POST evaluation process, written examination and re-examination for Modules B and/or C, and the actual issuance of the waiver. The process would consist of the following:

- o An agency or applicant evaluation of the applicants prior law enforcement training against the current required subject hours and topics, and a written request from the agency or the applicant for a formal POST evaluation of the training.
- o A POST staff evaluation of all relevant training records and documentation of prior law enforcement training courses that fall within the current Module B and/or C topic and hourly requirements.
- o A written examination covering the current Module B and/or C required topics, and the ability to take one re-examination on the required materials within 180 days. There would be a Module B & C test with the ability to modularize the test to afford testing for either B or C. The applicant would also be given the opportunity for one re-examination of the written test within 180 days if the initial testing was unsatisfactory.
- o A skills examination that would be designed to evaluate an individual's manipulative skills as required in the Module B course of instruction. The individual would be tested and required to demonstrate competency in each skill area (firearms and arrest/control techniques). The applicant would be afforded a skills remediation and re-examination testing process within 180 days of the original testing or remediation.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposal for the Evaluation of Prior Reserve Officer Training		Meeting Date January 23, 1997
Bureau Basic Training Bureau	Reviewed By Ken Whitman 	Researched By Staff
Executive Director Approval 	Date of Approval	Date of Report January 7, 1997
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 consider enacting new regulations that would provide a system for the evaluation of prior training for reserve officers to meet the training requirements of Module B & Module C?

BACKGROUND

The Irvine Police Department hired Richard C. Thompson as a reserve police officer in April 1990. Based upon an independent evaluation of his training by the department, he was appointed as a Designated Level I reserve officer. Prior to his employment with the City of Irvine, Thompson had completed a 240-hour non-certified training course for reserve officers at South Bay Regional Training Center. That 240-hour course also contained a certified course of P.C. 832 training as it was required in 1975. He worked at the Torrance Police Department as a reserve officer from 1975 to 1978.

Thompson also completed a 440-hour regular basic training program at a certified training center in Arizona in 1980. He served as a reserve officer for the Arizona Department of Public Safety until 1983 and then returned to law enforcement as a reserve officer with the Irvine Police Department in 1990. Based upon an independent assessment of Thompson's training the department submitted a Notice of Appointment to POST in April 1990. It indicated he was appointed as a Designated Level I reserve officer and that he had completed the training required in Module A, B, and C. This information was an apparent misunderstanding of POST regulations by the Irvine Police Department staff.

In July 1996 Thompson applied for a reserve certificate, and it was discovered that he had only complied with the P.C. 832 training in 1975. Prior to 1979 no reserve officer or training records were compiled by POST. The discovery that Thompson was deficient in his prior documented training resulted in a letter to the Irvine Police Department on August 15, 1996

outlining the problem and some suggested solutions to bring Thompson's training deficiencies into compliance (see Attachment A).

On December 10, 1996, POST received a letter from Chief Charles Brobeck requesting assistance in resolving the issue of Thompson's status and recommending that the Commission enact new regulations that could be used to do an evaluation of prior reserve training to determine if it met the requirements of Modules B and C. Chief Brobeck's letter is enclosed as Attachment B, and the Executive Director's response letter is enclosed as Attachment C. The Irvine Police Department letter also included some suggestions on how to structure wording for the new regulations that would provide for equivalency evaluation of training for Modules B and C for Level 1 reserve officer appointments.

The Commission began formally tracking reserve officers in 1979. There was a two-year window of time between 1979 and 1981 when a chief or sheriff could sign an attestation statement that a reserve officer had sufficient (though non-POST certified) training to qualify for a Reserve Certificate. During that same period of time, a reserve officer could have applied for and taken a knowledge test to qualify for the certificate in the event that the chief or sheriff would not sign the attestation statement. Mr. Thompson was no longer a reserve officer and was totally disassociated with California law enforcement during that time period. Based on his prior training records that have been submitted by the Irvine Police Department, Thompson would have been eligible to receive his reserve certificate had he been actively involved in California law enforcement at that time.

ANALYSIS

Currently there is no formalized procedure or regulation that permits evaluation of any prior training for reserve officers. Reserve officers may qualify for evaluation in the Basic Course Waiver process. A reserve officer can also be qualified by completing a Level I reserve academy or completing a Regular Basic Course in either the intensive or extended formats.

In this instance, Officer Thompson has satisfied the Level III reserve officer training requirement on completion of the P.C. 832 course based on the law in 1975. Using current regulations he would have to complete Modules B and C (total of 158 hours) to be eligible to serve as a Level I reserve officer. Even though Thompson has in excess of 700 hours of prior training and has worked successfully as a reserve officer for a number of years, there is no process other than those outlined above that would allow Thompson to satisfy the required training needed to function as a Level I reserve officer.

The circumstances involved in this case suggests the Commission give consideration to regulations enabling the satisfaction of the reserve Modules B and C requirement through an evaluation of prior training. This would be consistent with the directions identified in the POST strategic plan to identify ways to eliminate redundant training for those who can demonstrate

proficiency. Especially compelling in this case is Thompson's prior completion of the Basic Course required for regular full-time officers in the State of Arizona.

If an evaluation provision were established, it is unknown whether other individuals might be affected. The likelihood is that such a provision could generate a slight volume and a small workload increase to evaluate individuals on a case-by-case basis.

Such an evaluation provision could entail a process relying solely on comparative training, or could also include testing requirements. It may be most appropriate that such a process include (1) documentation of prior equivalent training, (2) written examination, and (3) skills examination. P. C. Section 832.6 (c) allows the Commission to use proficiency testing to satisfy reserve training standards, and the Commission may establish and levy appropriate fees for administering the respective services. If the Commission concurs and decides to adopt an evaluation process for Modules B and C, appropriate proposed regulations could be drafted and scheduled for a public hearing at the April 1997 Commission meeting.

RECOMMENDATION

It is recommended that a proposed new regulation including a procedure to evaluate prior training and proficiency testing for reserve officer Modules B and C be drafted and a public hearing be scheduled for April 1997.

Proposed text to be provided by 15-day notice following Commission meeting.

Commission on Peace Officer Standards and Training
Equivalency Process for Reserve Training Modules Band/or C

1007. Reserve Officer Minimum Standards and Waiver of Training Requirements for Modules B and/or C.

(a) - (c) continued*****.

(d) The Commission may waive attendance of a POST-certified reserve training program Modules B and/or C where required by Regulation Section 1007, (b) of the Regulations for an individual who has completed training equivalent to the requirements of Modules B and/or C. This waiver shall be determined by an evaluation of prior law enforcement training, and an examination process as specified in PAM, Section D-12, Waiver of Training for Reserve Officer Modules B and/or C. For individuals who are successful in completing the process specified in section D-12, POST shall issue a waiver of training for Modules B and/or C.

PAM Section H-1 adopted effective July 15, 1982, and amended June 15, 1990, and February 22, 1996 is herein incorporated by reference.

PAM Section H-3 adopted effective July 15, 1982, and amended January 16, 1987, June 15, 1990, July 1, 1992, and February 22, 1996 is herein incorporated by reference.

PAM section H-4 adopted effective July 15, 1982 and amended October 10, 1990 is herein incorporated by reference.

PAM section H-5 adopted effective July 15, 1982, and amended January 16, 1987 and July 1, 1992, is herein incorporated by reference.

PAM section D-12 adopted effective * is herein incorporated by reference.

Note: Authority cited: Sections 832.6, 13503, 13506 and 13510, Penal Code. Reference: Sections 832.3, 832.6, 13503, 13506, 13510, 13510.5, and 13512, Penal Code; Section 48412 Education Code; and Section 1031(d), Government Code.

Proposed text to be provided by 15-day notice following Commission meeting.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-12

WAIVER OF TRAINING FOR RESERVE
OFFICER MODULES B AND/OR C

Purpose

12-1. Establishes Guidelines: This Commission procedure establishes the guidelines for determining whether or not an individual's training is sufficient for a waiver of attendance of required POST-certified Modules B and/or C training for some levels of reserve officers. The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Regulation Section 1007(b) of the Regulations. A waiver of training for reserve officer Modules B and/or C is authorized by Section 1007(d) of the Regulations.

A waiver of training of a POST-certified Module B and/or C course shall be determined through an assessment process including evaluation and examination. The assessment process assists an agency and/or applicant in determining whether or not an individual should be required to attend a POST-certified Module B and/or C reserve training course, and does not propose to determine whether or not the individual should be hired.

Evaluation of Prior Training

12-2. Preliminary Evaluation of Completed Training: The agency, in case of an employed individual (or when an individual is under consideration for hire), or the individual, shall compare the peace officer training previously completed by the individual with the current minimum Module B and/or C requirements. To request a POST evaluation of training, the training that is comparable shall be documented and photocopies of the documentation shall be submitted with a written request to the Executive Director, Commission on POST. Satisfactory completion of training in each of the required subject areas outlined in PAM, Section H-3 must be documented and verified by supporting documents prior to requesting an evaluation from POST. This documentation must include any course rosters for the comparable training.

Specifically, the completed non-college training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses. Satisfactory training must have been completed in each of the required subjects for an individual to be eligible to continue to the written examination and skills testing portions of this procedure.

Eligibility

12-3. Eligibility for Evaluation: To qualify for a POST evaluation of previously completed law enforcement training, the individual must have successfully completed all current minimum course content and required hours for Reserve Module B and/or Reserve Module C as specified in PAM, Commission Procedure H-5.

POST Evaluation Process

12-4. POST Evaluation Process: Upon receipt of a written request for evaluation and all supporting documents, POST will evaluate the individual's prior training to verify equivalent training and hours. Copies of peace officer academy course and reserve officer course outlines must be included to support the evaluation. All training must be verified by a certificate of completion or similar documentation. When college courses are used to supplement training, a copy of the individual's college transcript(s) must be submitted. POST may require additional supporting documentation to complete the initial evaluation.

The individual, and the agency when appropriate, will be notified of the results of the POST evaluation within 45 days from the date of the receipt of the evaluation request at POST.

- (b) An individual who fails one or more components of the skills testing examination must either pass the reexamination for each of the previously failed components or satisfactorily complete Reserve Officer Training Module B. The skills testing reexamination shall be allowed more than once for each component, and only as an alternative to retraining.

POST will make arrangements for skills testing reexaminations with the same POST skills testing center in which the skills examination was originally given.

An individual who cannot pass any component of the skills reexamination within 180 days from the date of notification by POST of the original examination results must then satisfactorily complete the Reserve Officer Training Module B.

Issuance of Waiver of Training

12-8. Upon satisfactory completion of all portions of this evaluation process, a Waiver of Training of the POST-certified Reserve Officer Modules B and/or C will be granted by POST. This waiver shall be valid for three (3) years from the date of issuance by POST.

Procedure D-12 was adopted and incorporated by reference into Commission Regulation 1007 on _____ *

*Date to be filled in by OAL upon approval.

At its January 1997 meeting, the Commission approved adoption of the proposed baton/impact weapons training course subject to results of a Notice of Regulatory Action. Responding to that notice, the Association for Los Angeles Deputy Sheriffs has requested a public hearing on this proposal (Attachment C). The Association opposes development of a course in baton training for unsworn security officers unless additional funding is first appropriated by the Legislature for that specific purpose.

It should be observed that costs to POST for course development were modest and have already been incurred. Training expenses for sheriffs' security officers training expenses may qualify for reimbursement under current Commission policies. Potential reimbursement obligation for this class does not appear to be significantly influenced by adoption of the proposed 8-hour baton courses. Moreover, the Commission appears obligated by the provisions of P.C. 12002(f) to adopt an appropriate training course.

The matter is before the Commission to consider testimony and appropriate action. If the Commission approves the proposed course through enactment of Regulation 1081(a)(24), it is proposed the regulation go into effect July 1, 1997, subject to approval by the Office of Administrative Law.

Assembly Bill No. 2651

CHAPTER 143

An act to amend Section 12002 of, and to add Section 831.4 to, the Penal Code, relating to security officers.

[Approved by Governor July 11, 1996. Filed with Secretary of State July 12, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2651, Hawkins. Security officers.

Existing law establishes various categories of peace officers and other public officers, and specifies their duties and powers.

This bill would provide that a sheriff's security officer is a public officer, and not a peace officer, employed by the sheriff of a county, whose primary duty is the security of locations or facilities as directed by the sheriff. These officers would have the authority to carry or possess a firearm, baton, and other safety equipment and weapons, as specified.

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

SECTION 1. Section 831.4 is added to the Penal Code, to read:

831.4. (a) A sheriff's security officer is a public officer, employed by the sheriff of a county, whose primary duty is the security of locations or facilities as directed by the sheriff. The duties of a sheriff's security officer may include physical security and protection of properties owned, operated, or administered by the county, or any municipality or special district contracting for police services from the county pursuant to Section 54981 of the Government Code, or necessary duties with respect to the patrons, employees, and properties of the employing county or contracting entities.

(b) A sheriff's security officer is not a peace officer nor a public safety officer as defined in Section 3301 of the Government Code. A sheriff's security officer may carry or possess a firearm, baton, and other safety equipment and weapons authorized by the sheriff while performing the duties authorized in this section, and under the terms and conditions specified by the sheriff. These persons may not exercise the powers of arrest of a peace officer, but may issue citations for infractions if authorized by the sheriff.

(c) Each sheriff's security officer shall satisfactorily complete a course of training as specified in Section 832 within 90 days of assuming his or her duties. Nothing in this subdivision shall preclude the sheriff from requiring additional training requirements.

(d) Notwithstanding any other law, nothing in this section shall be construed to confer any authority upon any sheriff's security officer except while on duty, or confer any additional retirement benefits to persons employed within this classification.

SEC. 2. Section 12002 of the Penal Code is amended to read:

12002. (a) Nothing in this chapter prohibits police officers, special police officers, peace officers, or law enforcement officers from carrying any wooden club, baton, or any equipment authorized for the enforcement of law or ordinance in any city or county.

(b) Nothing in this chapter prohibits a uniformed security guard, regularly employed and compensated as such by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of his or her employment, from carrying any wooden club or baton if the uniformed security guard has satisfactorily completed a course of instruction certified by the Department of Consumer Affairs in the carrying and use of the club or baton. The training institution certified by the Department of Consumer Affairs to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

(c) The Department of Consumer Affairs, in cooperation with the Commission on Peace Officer Standards and Training, shall develop standards for a course in the carrying and use of the club or baton.

(d) Any uniformed security guard who successfully completes a course of instruction under this section is entitled to receive a permit to carry and use a club or baton within the scope of his or her employment, issued by the Department of Consumer Affairs. The department may authorize certified training institutions to issue permits to carry and use a club or baton. A fee in the amount provided by law shall be charged by the Department of Consumer Affairs to offset the costs incurred by the department in course certification, quality control activities associated with the course, and issuance of the permit.

(e) Any person who has received a permit or certificate which indicates satisfactory completion of a club or baton training course approved by the Commission on Peace Officer Standards and Training prior to January 1, 1983, shall not be required to obtain a baton or club permit or complete a course certified by the Department of Consumer Affairs.

(f) Any person employed as a county sheriff's security officer, as defined in Section 831.4, shall not be required to obtain a club or baton permit or to complete a course certified by the Department of Consumer Affairs in the carrying and use of a club or baton, provided that the person completes a course approved by the Commission on

Peace Officer Standards and Training in the carrying and use of the club or baton, within 90 days of employment.

Commission on Peace Officer Standards and Training
PROPOSED REGULATORY ACTION: ADDITION OF 1081(a)(24)

1081. Minimum Standards for Legislatively Mandated Courses

(a) (1) - (24) continued.

(24) Baton/Impact Weapon Training for Sheriff Security Officers - 8 Hours
[Penal Code Section 12002 (f)]

- (A) Legal and Ethical Aspects of Force
- (B) Baton/Club Familiarization and Uses of Impact Weapons
- (C) First Aid for Baton/Club Injuries
- (D) Practical--Techniques

Training can be provided by any entity approved by POST to present law enforcement training or any entity approved by the California Department of Consumer Affairs to provide private security training.

Authority cited: Sections 12002(f), 13503, 13506 and 13510, Penal Code.

Reference: Sections 629.44(a), 832, 832.1, 832.2, 832.3, 832.6, 872(b), 12403, 12403.5, 13510, 13510.5, 13516, 13517, 13519, 13519.1, 13519.2, 13519.3, 13519.7, Penal Code; Section 607f, Civil Code; and Section 40600, Vehicle Code; Section 25755, Business and Professions Code; Section 1797.187, Health and Safety Code.

*To be filled in by OAL.



ASSOCIATION
FOR
LOS ANGELES DEPUTY SHERIFFS, INC.

828 WEST WASHINGTON BLVD.
LOS ANGELES, CALIFORNIA 90015-3310
(213) 749-1020
FAX (213) 747-2705

ATTACHMENT C

BOARD OF DIRECTORS

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March 13, 1997

Commission on Peace Officer Standards and Training
State of California
Department of Justice
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Re: Security Officers -- Proposed Regulation 1081(a)(24)

Dear Members of the Commission:

The Association for Los Angeles Deputy Sheriffs, which represents over 7,000 deputy sheriffs and district attorney investigators in Los Angeles County, opposes development of a course in baton training for unsworn security officers unless additional funding is first appropriated by the Legislature for that specific purpose.

POST funds are already too meager for adequately training sworn peace officers. Expending scarce POST funds for developing a baton course for non-peace officer security guards, at the expense of sworn peace officers, is inappropriate and this proposal should be rejected by the Commission. ALADS respectfully requests this regulation be publicly heard and considered by the Commission pursuant to Government Code Section 11346.8.

Very truly yours,

Pete Brodie
President

PB:thby:bjt

cc: ✓ Kenneth O'Brien, Executive Director
Anna Del Porto, Associate Governmental Program Analyst
Commission on Peace officer Standards and Training

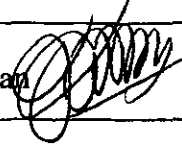
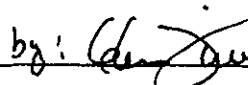
An Affiliate of the Marine Engineers Beneficial Association

AFL-CIO

3-13-97

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Modifying Regulations for Clarity: Procedure D-1 and Regulation 1018		Meeting Date April 24, 1997
Bureau Basic Training Bureau	Reviewed By Ken Whitman 	Researched By Staff
Executive Director Approval by: 	Date of Approval 4-10-97	Date of Report March 28, 1997
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 approve, subject to the public notice process, proposed amendments to Commission Procedure D-1 to clarify specific language dealing with requirements and definitions for the Basic Course delivery formats and Regulation 1018 relating to applicability of public safety dispatcher standards?

BACKGROUND

Commission Procedure D-1 defines the Reserve Format as encompassing Modules A,B,C, and D. The *Transition Program-Pilot Format* is defined as Part 1 and Part 2 of the Regular Basic Course. The current construction of these definitions is such that student enrollment in Part 1 (AJ/CJ courses with Basic Course subjects embedded) and enrollment in Module A (PC 832 course) constitutes enrollment in the regular Basic Course.

Pursuant to Penal Code section 13511.5, non-peace officers and other unsponsored applicants to a basic course are required to provide criminal history clearances from the Department of Justice. Enrollment in the Basic Course invokes the fingerprint/criminal history requirement of PC Section 13511.5. In the case of the Reserve Format, this places the Commission's regulation in conflict with PC Section 832 which does not require fingerprinting. Transition Format pilot presenters and the California Academy Director's Association (CADA) have requested some clarification changes and have pointed out that requiring fingerprinting before enrollment in Part 1 is unnecessary, is creating student hardship, and is causing reduced enrollment in the program.

Additionally, there are portions of Procedure D-1 that deal with the administration, scoring, and processing of the POST-Constructed Comprehensive Test that need clarification language pertaining to attestation and successful completion of Part I AJ/CJ courses.

Regulation 1018 establishes the Public Safety Dispatchers Program and sets forth selection and training standards for dispatchers. Regulation 1001(w) defines Public Safety Dispatchers. Evidence exists of misunderstanding or confusion as to whether the standards apply when peace officer employees may be assigned to the dispatch function and the applicability of standards to certain part-time employees.

ANALYSIS:

The Commission has established Regular Basic Course definitions and specific requirements that describe several delivery formats and testing and training requirements for the *Transition Program-Pilot Project* and the Reserve Format. They are contained in Procedure D-1-3.

During a series of recent reviews and discussions with our pilot presenters and CADA it was concluded that Basic Course format definitions should be revised. POST legal counsel has concluded that current language construction defines enrollment in Part 1 and Module A as Basic Course enrollment invoking Penal Code 13511.5. Current language construction for Module A conflicts with Penal Code 832. In Part 1 current language specification conflicts with the original intent of prerequisite training for the basic course. The fingerprint issue is creating hardship on the presenters and the students in terms of financial and program management, and is unnecessary prior to enrollment in Part 2. There is the potential for several years to pass between enrollment in Part 1 and enrolling in Part 2. Additionally, there is no mechanism for DOJ to report any criminal history information to anyone after submission of initial clearance.

For these reasons the following regulatory language changes are proposed for Commission Procedure D-1:

- o Clarification language outlining that Reserve Modules A,B, and C are required prerequisite training for admission to Module D, and that completion of Module constitutes satisfaction of the regular basic course training requirement.
- o Clarification language defining that Part 1 of the *Transition Program-Pilot Format* is series of POST-certified courses delivered by community colleges and that Part 1 is required prerequisite training for admission to a POST comprehensive examination and Part 2. Completion of Part 2 constitutes satisfaction of the basic course training requirement. Part 2 is delivered by an academy.
- o Clarification language for testing and training requirements to apply to courses that POST has certified for presentation in the *Transition Program-Pilot Format* and reiterating the language clarification about Part 1 and Part 2 requirements.
- o Clarification language regarding eligibility to take the POST Comprehensive Examination and a required official copy of the trainee's college transcripts indicating successful completion of all AJ/CJ courses in Part 1 as defined in regulation.

Included in Attachment A under this agenda tab are the specific regulatory language changes proposed to D-1. All current conditions and certifications for the *Transition Program-Pilot Format* and Reserve format remain unchanged. The proposed language changes will provide a resolution to the issues while maintaining Commission control over the certified courses in Part 1 and the Reserve format. The proposed changes to Procedure D-1 were jointly developed by the presenters, CADA, and POST staff,

Regulation 1018 describes selection and training requirements for Public Safety Dispatchers. It appears that in many instances, agency personnel are either unaware that the Public Safety Dispatcher position subject to the requirements is defined in Regulation 1001(w), or are confused by the definition. This generates questions related to whether employed peace officers must complete the Public Safety Dispatcher Course before being assigned dispatcher duties, and whether standards apply to part-time telephone call takers.

It is proposed that Commission Regulation 1018 be modified to provide express language clarifying the applicability of standards to all part time dispatch or call taker employees and exemption from these standards for employed regular peace officers assigned to dispatcher duties. Proposed language is consistent with the definition in Regulation 1001(w) and is enclosed as Attachment B.

RECOMMENDATION:

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to the results of the Notice of Proposed Regulatory Action process, the changes as set forth in the agenda report. If approved, changes would go into effect July 1, 1997, subject to approval of the Office of Administrative Law.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

Purpose

1-1. Basic Training Specifications: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) and that portion of the Reserve Officer Minimum Standards established in Section 1007(b) of the Regulations which relate to Basic Training. Basic Training includes the Regular Basic Course, District Attorney Investigators' Basic Course, Specialized Investigators' Basic Course, Public Safety Dispatchers' Basic Course, and Coroners' Death Investigation Course.

Training Requirements

1-2. Requirements for Basic Training: The minimum standards for basic training are described in sections 1-3 to 1-7. The Law Enforcement Code of Ethics shall be administered to students taking the Regular Basic Course, District Attorney Investigators' Basic Course, and Specialized Investigators' Basic Course. Requirements for certification and presentation of these courses are specified in Regulations 1052 through 1056. Instructional methodology is at the discretion of individual course presenters unless specified otherwise in an incorporated training specification document developed for the course.

1-3. Regular Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in Section 1-3(a). Testing and training requirements vary by delivery format and are described in Section 1-3(b), *standard format*; Section 1-3(c), *reserve format*; and Section 1-3(d), *transition program-pilot format*. Requirements for reporting successful course completion are contained in Commission Regulation 1055(i).

(a) Regular Basic Course Terminology

- (1) **Learning Domain.** An instructional unit that covers related subject matter. Training specifications for each learning domain include instructional goals, topics, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.
- (2) **Instructional Goal.** A general statement of the results that instruction is supposed to produce.
- (3) **Topic.** A word or phrase that succinctly describes subject matter associated with an instructional goal.
- (4) **Learning Activity.** An activity designed to achieve or facilitate one or more instructional goals. Students participating in a learning activity may be coached and/or provided feedback, but unlike tests, learning activities are not graded on a pass-fail basis.

- (5) **Academy.** A state or local government agency that is capable of presenting ~~all~~ components of the *Training Specifications for the Regular Basic Course* and meeting the requirements for POST course certification as specified in Regulations 1051-1054. Only academies may present a POST-certified Regular Basic Course in the *standard format*, or Module D in the *reserve format*, or part 2 in the *transition program-pilot format*.
- (6) **Delivery Formats.** The formats for delivering the Regular Basic Course include the *standard format*, the *reserve format*, and the *transition program-pilot format*.
- (A) **Standard Format.** The Regular Basic Course is delivered in a one-part instructional sequence. Testing and training requirements are prescribed in Section 1-3(b). Except as provided for in Section 1-3(b)(9), the course shall be delivered by a single academy.
- (B) **Reserve Format.** ~~The Regular Basic Course is delivered in a four-part instructional sequence consisting of reserve training modules A, B, C, and D. Modules A, B, and C, as set forth in Regulation 1007 are required prerequisite training for admission to Module D. Completion of Module D constitutes satisfaction of the Regular Basic Course training requirement. Except as provided for in Section 1-3(b)(9) the Module D course shall be delivered by a single academy.~~ Testing and training requirements are prescribed in Section 1-3(c). ~~Module D is instruction delivered by an academy.~~
- (C) **Transition Program-Pilot Format.** ~~Part 1 is a series of POST-certified Administration of Justice (AJ) or Criminal Justice (CJ) courses. The Regular Basic Course is delivered in a two-part instructional sequence. Part 1 is a series of administration of justice (AJ) or criminal justice (CJ) courses delivered by a California community college. Part 1 is required prerequisite training for admission to a POST comprehensive examination and part 2. Completion of part 2 constitutes satisfaction of the Regular Basic Course training requirement.~~ Part 2 is instruction delivered by an academy. Testing and training requirements are prescribed in Section 1-3(d).

(a)(7) through (c)(I) continued

(d) **Testing and Training Requirements for the Transition Program-Pilot Format**

The testing and training requirements in this section apply to ~~the courses~~ Regular Basic Courses that POST has certified for presentation in the ~~two-part, transition program-pilot format~~ [defined in Section 1-3(a)(6)(C)]. Successful completion of part 1 ~~is a required prerequisite for admission to a comprehensive examination and part 2, fulfills the requirements for the Regular Basic Course.~~ Completion of part 2 constitutes satisfaction of the Regular Basic Course training requirement.

(d)(1) through (d)(10) continued

(11) **Administration, Scoring, and Processing of the POST-Constructed Comprehensive Test and the POST-Developed Report Writing Test.** The procedures for taking the POST-constructed comprehensive test and the POST-developed report writing test are described below:

- (A) **Requirements for Taking the Tests.** To be eligible to take the POST-constructed comprehensive test and the POST-developed report writing test, students must successfully complete part 1 of the instructional sequence. In addition, the student must provide an official copy of his/her Successful completion of part 1 is defined as a community college transcript(s), indicating that the student received credit for successful completion of all

AJ/CJ courses that incorporate POST-certified part 1 testing and training requirements specified in Sections 1-3(d)(1) to 1-3(d)(5), inclusive, and an ~~signed~~ attestation signed by the community college AJ/CJ department head that the student met or exceeded these part 1 testing and training requirements.

(d)(11)(B) through (d)(11)(I) continued

Commission on Peace Officer Standards and Training

1018. Public Safety Dispatcher Program

- (a) The Commission shall establish a Public Safety Dispatcher Program for the purpose of raising the level of competence of public safety dispatchers having primary responsibility for providing dispatching services for local law enforcement agencies listed in subsection (a) of Penal Code section 13510.

Public Safety Dispatcher is defined in regulation 1001(w). Consistent with that definition, selection and training requirements set forth below apply to all persons employed, full-time or part-time, by the participating agency to duties including receiving emergency calls for law enforcement service and/or the dispatching of law enforcement personnel. The selection and training requirements do not apply to persons employed as regular peace officers assigned to the above described duties.

1001. Definitions

- (w). "Public Safety Dispatcher" is a non-peace officer who is employed full-time or part-time to perform duties which include receiving emergency calls for law enforcement service and/or dispatching law enforcement personnel.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Basic Course Training Specifications		Meeting Date April 24, 1997
Bureau Basic Training Bureau	Reviewed By Ken Whitman	Researched By Jody Buna/Shirley Paulson
Executive Director Approval <i>by: [Signature]</i>	Date of Approval 3-25-97	Date of Report March 25, 1997
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 approve, subject to a public review process, changes to the basic course training specifications as enumerated in this report?

BACKGROUND

As part of an ongoing review of Regular Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter experts) thoroughly review learning domain content to determine if revisions are necessary. This process occurs in regularly scheduled workshops during which curriculum and supporting material for specific domains are updated to reflect emerging training needs, compliance with legislatively mandated subject matter, changes in the law, or to improve student learning and evaluation.

Proposed changes to the training specifications for Learning Domains #3 Community Relations, #39 Crimes Against the Justice and #40 Weapons Violations are the result of these regularly scheduled reviews and impact one or more of the following elements of the domains:

- Instructional goals
- Required topics
- Required tests
- Required learning activities

ANALYSIS

Following are summaries of major changes recommended to these domains. Learning domain training specifications containing complete proposed changes are shown in Attachment A.

- **Learning Domain #3 (Community Relations)**

Changes to Instructional Goals

The proposed modifications add language to existing instructional goals that require the student to understand the responsibility of law enforcement within the community. Further changes add clarity to existing goals and a new goal is proposed to require instruction in the benefits of maintaining effective news media relations. This new goal covers an already existing topic on media relations.

Changes to Required Topics

It is proposed that existing topics be expanded to add more detail to the required instruction in communication skills and techniques to obtain voluntary compliance. Other topics are reordered for clarity and the topic related to media relations is proposed to be modified for clarity.

Changes to Required Tests

It is proposed that the two scenario tests that require the student to use tactical communication skills to encourage voluntary compliance be converted to exercise tests. The current testing requirement requires the presenter to provide two job simulations complete with role-players. The change to the exercise test would allow the presenter to integrate the new tests into scenario tests which would reduce presentation costs. More detail was added to the exercise tests to increase the obligation of the presenter to administer the test in a prescribed manner. It is believed that the added exercise tests would actually enhance the testing requirement in the course.

Changes to Learning Activities

It is proposed that four of the five existing learning activities be expanded with added detail in the instruction regarding tactical communications and the roles and responsibilities of the law enforcement officer in community relations. The added detail to these learning activities will reinforce the student's ability to effectively deal with the public. One learning activity involving discussion of telephone contacts is proposed for deletion. The learning activity subject matter is still required under the broader category of "communication and active listening skills" in the training specification.

- **Learning Domain #39 (Crimes Against the Justice System)**

Changes to Required Topics

Minor modifications are proposed to more closely align the training specification with language in the Penal Code. Two additional topics related to the false reporting of emergencies and

destructive devices are proposed.

- **Learning Domain #40 (Weapons Violations)**

Changes to Instructional Topics

The proposed modifications provide more explicit topics which are aligned with Penal Code language. Three additional topics related to possession of controlled substances while armed with a firearm, discharging a firearm in a grossly negligent manner, and possession of a loaded firearm with intent to commit a felony are proposed additions.

The proposed revisions are recommended by staff and curriculum consultants to update and further refine the existing language of the training specifications. All proposed changes have been reviewed and endorsed by the Consortium of Academy Directors. Proposed changes to the training specifications are included as Attachment A and Regulation 1005 is included as Attachment B.

RECOMMENDATION

If the Commission concurs, it is proposed that Commission Regulation 1005 and the document, *Training Specifications for the Regular Basic Course*, be amended to include the recommended revisions. Proposed changes must be adopted pursuant to the Administrative Procedures Act and it is proposed that the Notice of Proposed Action Process be used. These changes would be effective July 1, 1997 if approved.

PROPOSED REVISIONS

TRAINING SPECIFICATIONS FOR THE REGULAR BASIC COURSE

REGULAR BASIC COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #03 COMMUNITY RELATIONS

~~July 15, 1995~~ July 1, 1997

I. INSTRUCTIONAL GOALS

The goals of instruction on **Community Relations** are to provide students with:

- A. an understanding of the roles and responsibilities of law enforcement in the community;
- B. an understanding of community expectations and perceptions of law enforcement services and peace officer behavior;
- C. a knowledge of crime prevention concepts and techniques;
- D. an understanding of community-based and problem-oriented policing concepts;
- E. an understanding of tactical communication ~~and verbal persuasion concepts;~~ techniques and methods to obtain voluntary compliance;
- F. the ability to use tactical communication techniques to ~~diffuse~~ defuse conflict and obtain voluntary compliance ~~from uncooperative persons;~~ and
- G. the ability to apply problem-solving concepts to a variety of law enforcement situations: and
- H. an understanding of the benefits of maintaining effective news media relations.

II. REQUIRED TOPICS

The following topics shall be covered:

- A. Roles and responsibilities of law enforcement in the community

- B. Community expectations and ~~community~~ perceptions of law enforcement services
- C. Community expectations and perceptions of the peace officer behavior
- D. Communication and active listening skills
 - 1. Enhancing professionalism through effective communication
 - 2. General concepts and techniques of tactical communications and verbal persuasion
 - 3. Deflecting verbal abuse
 - 4. Paraphrasing
 - 5. Nonverbal elements of communication
 - 6. Factors which inhibit effective communication
- E. Crime prevention concepts and techniques
- F. ~~Methods of reducing crime risks associated with residences, vehicles/vessels, commercial establishments, and persons~~
- G. Residential and commercial security surveys
- H. ~~Enhancing professionalism through effective communication~~
- I. ~~General concepts of tactical communication, verbal persuasion and persuasive rhetoric~~
- JH. Five conditions when words fail to include: ~~(as described in POST Regular Basic Course Instructor Unit Guide #3)~~
 - 1. Security
 - 2. Attack
 - 3. Flight
 - 4. Excessive repetition

5. Revised priorities

KJ. The five-step process for obtaining voluntary compliance to include: (as described in POST Regular Basic Course Instructor Unit Guide #3)

1. Ask

2. Set context

3. Present options

4. Confirm

5. Act

LJ. The eight-step process for conducting a vehicle stop to include: (as described in POST Regular Basic Course Instructor Unit Guide #3)

1. Greeting

2. Identifying self and your department

3. Explaining the reason for the stop

4. Asking if there is any justification for their actions

5. Requesting driver's license

6. Requesting registration

7. Making decision to warn, cite or arrest

8. Closing appropriate to decision

M. ~~Deflecting verbal abuse~~

N. ~~Paraphrasing~~

O. ~~Nonverbal elements of communication~~

P. ~~Factors which inhibit effective communication~~

~~QK. Problem-solving models (e.g., the SARA model of Scanning, Analysis, Response and Assessment as described in POST Regular Basic Course Instructor Unit Guide #3)~~

RL. Community-based and problem-oriented policing concepts

~~SM. Releasing information to the press~~
The benefits of maintaining effective news media relations

III. REQUIRED TESTS

~~A. A scenario test involving a law enforcement contact other than a vehicle stop where tactical communication skills are used to obtain voluntary compliance of an uncooperative person~~

Given an exercise depicting a violation in which the officer's goal is to cite and release and in which the subject is initially noncompliant with verbal instructions to produce identification, the student will demonstrate the tactical communications skills to resolve the conflict including all the following steps:

1. Making an "ethical appeal" based upon a peace officer's professional presence and providing the subject with an opportunity to voluntarily comply (asking)
2. Identifying the law, policy, or rationale that applies to the situation, answering the subject's implied question "why?", and providing another opportunity for the subject to voluntarily comply (setting context)
3. Explaining the options or courses of action which could be taken by the peace officer and their potential personal consequences to the subject, and providing the subject with yet another opportunity to voluntarily comply (presenting options)
4. Providing the subject with a final opportunity to voluntarily comply (confirming)
5. Taking the action appropriate to the situation if the subject fails to voluntarily comply (e.g., arrest)

B. ~~A scenario test involving a vehicle stop where tactical communication skills are used to obtain voluntary compliance of an uncooperative person~~ Given an exercise involving a vehicle stop, the student will demonstrate the following eight steps:

1. Greeting
2. Identifying self and department
3. Explaining the reason for the stop
4. Asking if there is any justification for their actions
5. Requesting driver's license
6. Requesting vehicle registration
7. Making decision to warn, cite, or arrest
8. Closing appropriate to decision

IV. REQUIRED LEARNING ACTIVITIES

A. ~~A learning activity involving a facilitated discussion of peace officer contacts with the public~~ The student will participate in a learning activity that will reenforce the understanding of the:

1. Roles and responsibilities of peace officers relative to the incident, including:
 - a. Order maintenance
 - b. Crime prevention
 - c. Public education
 - d. Delivery of service
 - e. Enforcement of the law
2. Expectations of the peace officer's performance from the viewpoint of the:

- a. Community
 - b. Government (particularly the local governing body such as City Council, Board of Supervisors, etc.)
 - c. Persons directly involved in the incident
 - d. Officer's employing department
 - e. Officer's peers
 - f. Officer
3. Criteria commonly used by the public to evaluate the effectiveness of law enforcement services to include the peace officer's:
- a. Use of time and equipment when not responding to calls for service
 - b. Response time
 - c. Behavior and appearance
 - d. Judgment
 - e. Problem-solving or conflict resolution skills
4. Stereotypes that the public may have about law enforcement
- B. ~~A learning activity involving a facilitated discussion of crime risks and crime prevention concepts~~ The student will participate in a learning activity that will reenforce the student's understanding of steps that can be taken to reduce or prevent crime including:
1. Identification of the crime risk or problem
 2. Analyze crime history or patterns
 3. Implement strategies that remove or reduce the opportunity for a crime to occur
- G. ~~A learning activity involving a facilitated discussion/critique of telephone contacts~~

DC. A learning activity involving a facilitated discussion of law enforcement contacts with the public which includes the following conditions when words fail:

1. Security
2. Attack
3. Flight
4. Excessive repetition
5. Revised priorities

the five-step process for obtaining voluntary compliance to include:

1. Asking
2. Setting context
3. Presenting options
4. Confirming
5. Appropriate action

and the eight-step process for conducting a vehicle stop to include:

1. Greeting
2. Identifying self and department
3. Explaining the reason for the stop
4. Asking if there is any justification for their actions
5. Requesting driver's license
6. Requesting vehicle registration
7. Making decision to warn, cite or arrest
8. Closing appropriate to decision

~~ED. A learning activity involving a facilitated discussion based on a law enforcement-related problem in which the student is required to apply the SARA model to resolve the problem. The student will participate in a learning activity to reinforce an understanding of the steps involved in the solving of law enforcement-related problems including:~~

- ~~1. Identifying the problem~~
- ~~2. Analyzing the problem~~
- ~~3. Developing alternatives~~
- ~~4. Selecting the solution~~
- ~~5. Implementing a decision~~
- ~~6. Ongoing evaluation~~

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **12 hours** of instruction on community relations.

VI. ORINATION DATE

July 1, 1993

VII. REVISION DATES

March 1, 1994

December 1, 1994

July 15, 1995

July 1, 1997

REGULAR BASIC COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #39 CRIMES AGAINST THE JUSTICE SYSTEM

~~June 1, 1994~~ July 1, 1997

I. INSTRUCTIONAL GOAL

The goal of instruction on **Crimes Against the Justice System** is to provide students with the ability to recognize when a crime against the justice system has occurred, to identify the crimes by their common crime names, and to classify them as either misdemeanors or felonies.

II. REQUIRED TOPICS

The following topics shall be covered:

- A. Bribery
- B. Perjury
- C. Impersonation of an officer
- D. ~~Obstruction of an officer's official duties~~ Threatening, resisting, delaying, or obstructing public officers
- E. ~~Filing a false police report~~ False report of a criminal offense
- F. Refusal to assist an officer
- G. Unlawful assembly
- H. Disobedience to a dispersal order
- I. Rout, riot, and incitement to riot
- J. Rescue, escape and lynching
- K. Providing false ~~information~~ identity to a peace officer
- L. Intimidation of a victim/witness

M. Violation of a court order

N. False report of an emergency

O. False report of a destructive device

III. REQUIRED TESTS

The POST-constructed knowledge test for Domain #39

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on crimes against the justice system.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

June 1, 1994

July 1, 1997

REGULAR BASIC COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #40 WEAPONS VIOLATIONS

~~June 1, 1994~~ July 1, 1997

I. INSTRUCTIONAL GOAL

The goal of instruction on **Weapons Violations** is to provide students with the ability to recognize when a weapons violation has occurred, to identify the crimes by their common names, and to classify them as misdemeanors or felonies.

II. REQUIRED TOPICS

The following topics shall be covered:

- A. Drawing or exhibiting a firearm or weapon
- B. Shooting at an ~~inhabited~~ dwelling, vehicle, aircraft, etc.
- C. Possession of a switchblade knife
- D. Manufacture, import, sale, supply or possession, ~~or import~~ of a deadly weapon
- E. Possession of a firearm by ~~certain prohibited persons~~ felons, narcotic addicts, selected misdemeanants, or persons subject to temporary restraining orders
- F. Carrying a concealed firearm
- G. Carrying a loaded firearm
- H. Altering identifying marks on a firearm
- I. Possession or use of tear gas or a tear gas weapon ~~chemical agents~~
- J. Gun-free school zone ~~or~~ weapons on school grounds and other prohibited locations
- K. Exceptions to possession of concealed firearm law

- L. Possession of a deadly weapon with intent to assault
- M. Unsafe storage of a firearm
- N. Possession of an assault weapon
- O. Definition of a firearm
- P. Possession of a weapon in a public building
- Q. Possession of certain controlled substances while armed with a firearm
- R. Discharging a firearm in a grossly negligent manner
- S. Possession of a loaded firearm with intent to commit a felony

III. REQUIRED TESTS

The POST-constructed knowledge test for Domain #40

IV. REQUIRED LEARNING ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on weapons violations.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

June 1, 1994

July 1, 1997

COMMISSION ON PEACE OFFICERS STANDARDS AND TRAINING
PROPOSED REGULATION

1005. Minimum Standards for Training.

(a)(1) through (j)(2) continued.

Continued - all incorporation by reference statements in between (j)(2) and the following:

The document *Training Specifications for the Regular Basic Course - July 1993* adopted effective January 14, 1994 and amended July 16, 1994, December 16, 1994, and August 12, 1995 is herein incorporated by reference. This document was republished in 1995 as *Training Specifications for the Regular Basic Course* effective August 16, 1995, and amended effective August 23, 1995, August 24, 1995, September 20, 1995, November 10, 1995, February 17, 1996, March 29, 1996, May 17, 1996, December 13, 1996, _____ * and _____ * is herein incorporated by reference.


**** continued.

NOTE: Authority cited: Sections 832.6, 13503, 13506, and 13510, 13510.5 and 13519.8 Penal Code. Reference: Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13519.8, 13520, and 13523 Penal Code.

*Date to be filled in by OAL.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Regular Basic Course Performance Objectives		Meeting Date April 24, 1997
Bureau Standards and Evaluation	Reviewed By John G. Berner 	Researched By Jim Norborg
Executive Director Approval <i>by: [Signature]</i>	Date of Approval	Date of Report March 31, 1997
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

Should the Commission approve changes to the Regular Basic Course performance objectives and learning activities as described in this report?

BACKGROUND

Testing and training requirements for the Regular Basic Course are set forth in *Training Specifications for the Regular Basic Course*. In addition, for each test required by the training specifications, there is at least one performance objective. Performance objectives are listed, by domain, in *Performance Objectives for the POST Regular Basic Course*. Performance objectives serve as blueprints for constructing the tests administered to Regular Basic Course students. Commission Policy C13 requires that major changes to the objectives (additions or deletions) be approved by the Commission in advance of their adoption. As a matter of practice, virtually all changes to the objectives are approved by the Commission before they are implemented.

Proposed changes to the Regular Basic Course testing and training requirements are the result of monthly meetings between POST staff and subject matter experts. The recommendations of the subject matter experts are presented to the consortium of academy directors for their review before they are brought before the Commission. The goal of this ongoing process of review and revision is to keep the curriculum and tests up to date and technically sound.

Changes to the performance objectives and learning activities proposed in this agenda item are needed to accommodate proposed changes to the Regular Basic Course testing and training requirements. These testing and training requirements are described in the previous agenda item presented by the Basic Training Bureau and titled: "Proposed Changes to the Basic Course Training Specifications." If the recommendations made in the present agenda item are adopted, they will align the performance objectives and learning activities, as set forth in *Performance Objectives for the POST Regular Basic Course*, with corresponding changes to the testing and training requirements, as set forth in *Training Specifications for the Regular Basic Course*. Proposed changes to the performance objectives and learning activities are described below, while changes to the testing and training requirements and the rationale for those changes are described in the previous agenda item.

ANALYSIS

This report describes proposed changes to the performance objectives and learning activities in four learning domains: Domain #3, Community Relations; Domain #25, Domestic violence; Domain #39, Crimes Against the Justice System; and Domain #40, Weapons Violations.

Domain #3. The proposed changes to Domain #3, Community Relations, would replace two scenario objectives (5.9.1 and 5.9.2) with two new exercise objectives (5.9.3 and 5.9.4); revise four learning activities (13.3.1, 13.3.2, 13.3.4, and 13.3.5), and delete one learning activity (13.3.3). If these changes are approved, objective 5.9.3, which requires students to demonstrate the use of tactical communication to resolve a conflict with an uncooperative suspect, will replace a similar scenario objective (5.9.1); objective 5.9.4, which requires students to demonstrate the eight-step approach to making a traffic stop, also will replace a similar scenario objective (5.9.2); learning activity 13.3.1, which involves acquiring an awareness of how others view law enforcement, will be revised; learning activity 13.3.2, which involves the analysis of crime problems, will be revised; learning activity 13.3.3, which involves telephone etiquette will be deleted; learning activity 13.3.4, which involves the five-step approach to dealing with uncooperative people and the eight-step approach to making a traffic stop, will be revised; and finally, learning activity 13.3.5, which involves the application of the six-step problem process, will be revised. Proposed changes to the Domain #3 objectives and learning activities are shown in underline-strikeout format in Attachment 1. These changes were initiated by the Basic Training Bureau and the rationale for each change is explained in the previous agenda item: "Proposed Changes to the Basic Course Training Specifications."

Domain #25. The proposed changes to Domain #25, Domestic Violence, would modify one objective (8.47.15). Effective January 1, 1997, Penal Code Section 836 was amended to permit an officer, under certain conditions, to make a misdemeanor arrest for either assault (Penal Code Section 241) or battery (Penal Code Section 242) even though the offense was not committed in the officer's presence. The officer can make such an arrest when the crime was committed against the suspect's spouse or cohabitant or if the victim is the parent of the suspect's child. The proposed modification of objective 8.47.15 makes clear that an officer may, under certain circumstances, make an arrest for misdemeanor assault or battery when the offense was not committed in the officer's presence. It also adds language clarifying that misdemeanor suspects can be physically arrested and booked only when one of the conditions listed in Penal Code Section 853.6(i) is present. These changes are shown in underline-strikeout format in Attachment 2.

Domain #39. The proposed changes to Domain #39, Crimes Against the Justice System, would split objective 3.8.1 into two objectives (3.8.1 and 3.8.10); split objective 3.8.4 into two objectives (3.8.4 and 3.8.11); split objective 3.8.5 into three objectives (3.8.5, 3.8.12, and 3.8.13); split objective 3.8.6 into two objectives (3.8.6 and 3.8.14); split objective 3.8.8 into two objectives (3.8.8 and 3.8.16); split objective 3.23.4 into three objectives (3.23.4, 3.23.8, and 3.23.9); and split objective 3.23.7 into three objectives (3.23.7, 3.23.10, and 3.23.11). These changes are required because the current objectives lump more than one crime into a single objective. The purpose of splitting them apart is to place distinctly different crimes into separate objectives in order to increase the clarity of each objective. Because the *test*

results report tabulates student responses by objective, assigning each crime to its own objective permits separate analyses of how students responded to the test items corresponding to particular crimes.

The proposed changes to Domain #39 also would delete objective 3.8.7. Objective 3.8.7, refusal to join "posse comitatus," was recommended for deletion by subject matter experts because it is seldom used, and it was recently reduced from a misdemeanor to an infraction.

Finally, the subject matter experts recommended adding two new objectives (3.8.15 and 3.23.12) to Domain #39. If approved, objective 3.8.15 would require students to identify the crime of "making a false report of a destructive device," and objective 3.23.12 would require students to identify the crime of "escape from a prison or other place of confinement." All proposed changes to the Domain #39 objectives are shown in underline-strikeout format in Attachment 3.

Domain #40. The proposed changes to Domain #40, Weapons Violations, would split objective 3.24.2 into three objectives (3.24.2, 3.24.14, and 3.24.15); split objective 3.24.7 into two objectives (3.24.7 and 3.24.16); and split objective 3.24.10 into three objectives (3.24.10, 3.24.17, and 3.24.18). These changes are required because the current objectives lump more than one crime into a single objective. The purpose of splitting them apart is to place distinctly different crimes into separate objectives in order to increase the clarity of each objective and, as described above, assigning each distinctly different crime to its own objective permits separate analyses of how students responded to test items corresponding to particular crimes.

The proposed changes to Domain #40 also would modify three objectives (3.24.4, 3.24.5, and 3.24.6). Objective 3.24.4, carrying or possession of prohibited weapons, would be modified to exclude manufacture, sale, and importation of these weapons. According to subject matter experts, local patrol officers are unlikely to make arrests for the manufacture, sale, or importation of weapons. Therefore, it is recommended that the terms "manufacture," "sale," and "importation" be removed from the objective. It also is recommended that the word "prohibited" be substituted for "dangerous" to match the language of Penal Code Section 12020. If this change is approved, students will continue to receive instruction on the unlawful manufacture, sale, and importation of these weapons, however, the objectives (and therefore the test items) will focus on carrying and possession of prohibited weapons.

Objective 3.24.5, unlawful possession of a firearm by a felon or other specified persons, would be modified as follows: (1) the reference to Penal Code Section 12021.5 would be deleted because it is a punishment enhancement, not a separate and distinct crime; (2) the reference to Penal Code Section 243 would be deleted because Section 243 simply prescribes the punishment for battery which is defined in Section 242; (3) Penal Code Section 273.5 would be added to the list of misdemeanor crimes in Penal Code Section 12021 that prohibit persons so convicted from possessing a firearm for 10 years; and (4) other language changes would be made to improve the match between objective 3.24.5 and Penal Code Section 12021.

Objective 3.24.6, carrying a concealed firearm, would be modified by replacing the word "weapon" with "firearm." Penal Code Section 12025 applies to firearms only and not to other concealed weapons.

The proposed changes to Domain #40 also would add an objective (3.24.19). Objective 3.24.19 requires students to recognize when "possession of a loaded firearm with the intent to commit a felony" has occurred. Subject matter experts recommended adding this objective to this domain. All proposed changes to Domain #40 objectives are shown in underline-strikeout format in Attachment 4.

RECOMMENDATION

Approve the proposed changes to the regular basic course performance objectives and learning activities effective for all academy classes that start on or after July 1, 1997.

Attachment 1
LEARNING DOMAIN #3, COMMUNITY RELATIONS

Exercise Objectives:

5.9.3 Given an exercise depicting a violation in which the officer's goal is to cite and release and in which the subject is initially noncompliant with verbal instructions to produce identification, the student will demonstrate the tactical communications skills to resolve the conflict including all the following steps:

- A. Making an "ethical appeal" based upon a peace officer's professional presence and providing the subject with an opportunity to voluntarily comply (asking)
- B. Identifying the law, policy, or rationale that applies to the situation, answering the subject's implied question "why?", and providing another opportunity for the subject to voluntarily comply (setting context)
- C. Explaining the options or courses of action which could be taken by the peace officer and their potential personal consequences to the subject, and providing the subject with yet another opportunity to voluntarily comply (presenting options)
- D. Providing the subject with a final opportunity to voluntarily comply (confirming)
- E. Taking the action appropriate to the situation if the subject fails to voluntarily comply (e.g., arrest)

5.9.4 Given an exercise involving a vehicle stop, the student will demonstrate the following eight steps:

- A. Greeting
- B. Identifying self and department
- C. Explaining the reason for the stop
- D. Asking if there is any justification for their actions
- E. Requesting driver's license
- F. Requesting vehicle registration
- G. Making decision to warn, cite, or arrest
- H. Closing appropriate to decision

Scenario Objectives:

~~5.9.1 Given a scenario depicting a law enforcement contact other than a vehicle pullover in which the subject of the contact is uncooperative, the student will use the tactical communication techniques appropriate to the situation to obtain voluntary compliance. The steps for obtaining voluntary compliance include:-~~

- ~~A. Asking (making an "ethical appeal" based upon a peace officer's professional presence and providing the subject with an opportunity to voluntarily comply)~~

- ~~B. Setting context (identifying the law, policy or rationale that applies to the situation, answering the subject's implied question "Why?", and providing another opportunity for the subject to voluntarily comply)~~
- ~~C. Presenting options (explaining the options or courses of action which could be taken by the peace officer and their potential personal consequences to the subject, and providing the subject with yet another opportunity to voluntarily comply)~~
- ~~D. Confirming (providing the subject with a final opportunity to voluntarily comply)~~
- ~~E. Acting (taking the action appropriate to the situation if the subject fails to voluntarily comply (e.g., arrest))~~

~~5.9.2 Given a scenario depicting a law enforcement contact involving a vehicle stop in which the subject of the contact is uncooperative, the student will use tactical communication to obtain voluntary compliance.~~

Recommendation: Delete scenario objectives 5.9.1 and 5.9.2, and replace them with exercise objectives 5.9.3 and 5.9.4.

Learning Activities:

~~13.3.1 Given a series of simulations, scenarios, video representations, role plays, word pictures, case studies or other sets of facts depicting law enforcement interactions with the public, the student must participate in a facilitated discussion which addresses the following:~~

The student will participate in a learning activity that will re-enforce the understanding of the :

1. Roles and responsibilities of peace officers relative to the incident, including:
 - a. Order maintenance
 - b. Crime prevention
 - c. Public education
 - d. Delivery of service
 - e. Enforcement of the law
2. Expectations of the peace officer's behavior- performance from the viewpoint of the:
 - a. Community
 - b. Government (particularly the local governing body such as City Council, Board of Supervisors, etc.)
 - c. Persons directly involved in the incident
 - d. Officer's employing department
 - e. Officer's peers
 - f. Officer

3. Criteria commonly used by the public to evaluate the effectiveness of law enforcement services to include the peace officer's:
 - a. Use of time and equipment when not responding to calls for service
 - b. Response time
 - c. Behavior and appearance
 - d. Judgement, ~~particularly in stress situations~~
 - e. Problem-solving or conflict resolution skills
4. ~~Typical~~ Stereotypes that the public may have about law enforcement
5. ~~The application of community oriented/problem oriented policing concepts~~
6. ~~Current issues which impact the delivery of law enforcement services~~

13.3.2 ~~Given a series of simulations, scenarios, video representations, role plays, word pictures, case studies or other sets of facts depicting a potential crime risk, t~~ The student must participate in a facilitated discussion which addresses the following:

1. ~~Anticipating criminal activity~~
2. ~~Recognizing a crime risk~~
3. ~~Appraising crime problems~~
4. ~~Taking specific actions which can remove or reduce the opportunity for criminal activity~~

~~The discussion should involve depictions of crime risks which include residences, vehicles/vessels, commercial establishments and persons.~~

The student will participate in a learning activity that will re-enforce the student's understanding of steps that can be taken to reduce or prevent crime including:

1. Identification of the crime risk or problem
2. Analyze crime history or patterns
3. Implement strategies that remove or reduce the opportunity for a crime to occur

13.3.3 ~~Given a series of simulations, scenarios, video representations, role plays, word pictures, case studies or other sets of facts depicting telephone contacts between law enforcement and the public, the student will critique the effectiveness of the contact based upon the following concepts of telephone etiquette:~~

1. ~~Prompt answering~~
2. ~~Appropriate greeting and identification~~
3. ~~Courteous listening~~
4. ~~Accurate recording of information~~
5. ~~Quick routing of calls~~
6. ~~Provision of service~~
7. ~~Courteous termination of the call~~

13.3.4 ~~Given a series of simulations, scenarios, video representations, role plays, word~~

~~pictures, case studies or other sets of facts depicting law enforcement contacts with the public, the student must participate in a facilitated discussion and/or critique which addresses the following aspects of tactical communication:~~

- ~~1. Conditions when words fail (SAFER: Security, Attack, Flight, Excessive repetition, and Revised priorities)~~
- ~~2. Five step process for dealing with uncooperative people (asking, setting context, presenting options, confirming and taking appropriate action)~~
- ~~3. Eight step process for conducting a vehicle stop (greeting, identification of self and department, reason for stop, legal justification, request for driver's license, request for registration, enforcement decision and closing)~~

A learning activity involving a facilitated discussion of law enforcement contacts with the public which includes conditions when words fail:

1. Security
2. Attack
3. Flight
4. Excessive repetition
5. Revised priorities

The five-step process for obtaining voluntary compliance to include:

1. Asking
2. Setting context
3. Presenting options
4. Confirming
5. Appropriate action

And the eight-step process for conducting a vehicle stop to include:

1. Greeting
2. Identifying self and department
3. Explaining the reason for the stop
4. Asking if there is any justification for their actions
5. Requesting driver's license
6. Requesting vehicle registration
7. Making decision to warn, cite or arrest
8. Closing appropriate to decision

13.3.5 ~~Given a series of simulations, scenarios, video representations, role plays, word pictures, case studies or other sets of facts depicting a law enforcement related situation, the student must participate in an activity where a problem-solving model is used to identify the root issue, information sources, response alternatives, and potential solutions.~~

The student will participate in a learning activity to reenforce an understanding of the steps involved in the solving of law enforcement-related problems including:

1. Identifying the problem
2. Analyzing the problem
3. Developing alternatives
4. Selecting the solution
5. Implementing a decision
6. Ongoing evaluation

Attachment 2
LEARNING DOMAIN #25: DOMESTIC VIOLENCE

Knowledge Objectives:

- 8.47.13a Given the definition of one of the terms listed below, the student will select the term that most closely matches the definition.
- A. **Domestic dispute** - a disagreement between family or household members that does not involve violence, threats of violence, or violations of court orders
 - B. **Domestic violence** - abuse committed against an adult or a fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. (Penal Code Section 13700)
 - C. **Abuse** - intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury. (Penal Code Section 13700)
 - D. **Cohabitant** - two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: (1) sexual relations between the parties while sharing the same living quarters; (2) sharing income or expenses; (3) joint use or ownership of property; (4) whether the parties hold themselves out as husband and wife; (5) the continuity of the relationship; and (6) the length of the relationship. (Penal Code Section 13700)
 - E. **Traumatic Condition** - means a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by a physical force. (Penal Code Section 273.5(c))
 - F. **Primary aggressor** - the person determined to be the most significant, rather than the first, aggressor. In identifying the primary aggressor, an officer shall consider the intent of the law to protect victims of domestic violence from continuing abuse, the threats creating fear of physical injury, the history of domestic violence between the persons involved, and whether either person acted in self-defense. (Penal Code Section 13701)
 - G. **Family or household member** - a spouse, former spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any person who regularly resides or who regularly resided in the household. (Penal Code Section 12028.5)
 - H. **Affinity** - relationship by marriage which includes the blood relatives of a person's spouse and the relatives by marriage of a person's spouse. For example, the relationship between a husband and his wife's sister or brother is a direct relationship by marriage, and the relationship between a husband and his wife's sister-in-law or brother-in-law is an indirect relationship by marriage.

- I. **Consanguinity** - the relationship between blood relatives. For example, the relationship between a person and his or her children, parents, grandparents, brothers, sisters, aunts, and uncles is by blood or **consanguineous**.
- J. **Consanguinity or affinity within the second degrees** - is mother, father, sister, brother, aunt, uncle, nephew, niece, grandparents, grandchildren, mother-in-law, father-in-law, sister-in-law, and brother-in-law.
- K. **Emergency protective order** - an ex parte order issued by a judicial officer at the request of a law enforcement officer (usually by telephone) to protect a person in immediate and present danger of domestic violence or a child in immediate and present danger of abuse by a family or household member. Emergency protective orders are available 24 hours a day, whether or not court is in session. A law enforcement officer who requests an emergency protective order must reduce the order to writing and sign it. The officer must also serve the order on the restrained person (if possible), give a copy of the order to the protected person, and file a copy of the order with the court as soon as practicable. An emergency protective order expires either at: (1) the close of judicial business on the fifth court day following the day of its issuance; or (2) the seventh calendar day following the day of its issuance, whichever occurs first. (Family Code Sections 6240-6257)
- L. **Protective order** - a civil court order issued for the purpose of preventing a recurrence of domestic violence. The court may prohibit the enjoined party from contacting, molesting, attacking, striking, threatening, sexually assaulting, battering, telephoning, harassing, or otherwise disturbing the peace of the other party. The court may also exclude the enjoined party from the family dwelling, prohibit specified behavior necessary to effectuate the order, and determine temporary custody and support of a minor child. Orders are effective until the date of expiration. If no date of expiration is listed on the order it expires three years from date of issuance. (Family Code Sections 6300-6345)
- M. **Criminal stay-away order** - an order issued by a criminal court, as part of a criminal case, to prevent violence or intimidation by the defendant. Stay-away orders are available to victims and witnesses. Orders are effective for the duration of the criminal proceedings.
- N. **Family violence** - domestic violence as defined in Penal Code Section 13700 and also abuse perpetrated against a family or household member. (Penal Code Section 12028.5)
- O. **Private person's or citizen's arrest** - an arrest by a person other than a peace officer for a public offense committed or attempted in the person's presence or for a felony not committed in the person's presence. (Penal Code Sections 836(b) and 837)

- 8.47.13b Given an incomplete sentence that uses one of the terms listed in **objective 8.47.13a**, the student will select the option that best completes the sentence.
- 8.47.13c Given a sentence or short paragraph that uses one of the terms listed in **objective 8.47.13a**, the student will select the interpretation of the sentence or paragraph that is most consistent with the meaning of the term.
- 8.47.13d Given a short paragraph that invokes a concept encompassed by one of the terms listed in **objective 8.47.13a**, the student will select the interpretation most consistent with the concept.
- 8.47.14a Given a word picture depicting a domestic conflict, the student will identify whether a crime has been committed. The crimes shall be limited to those listed below:
- A. Willful disobedience of any process or order lawfully issued by any court, misdemeanor. (Penal Code Section 166(a)(4))
 - B. False imprisonment, misdemeanor/felony. (Penal Code Section 236/237)
 - C. Assault with a deadly weapon, misdemeanor/felony. (Penal Code Section 245)
 - D. Shooting at inhabited dwelling house, felony. (Penal Code Section 246)
 - E. Rape of spouse, felony. (Penal Code Section 262/264)
 - F. Endangering person or health of a child, misdemeanor/felony. (Penal Code Section 273a)
 - G. Corporal injury of child, felony. (Penal Code Section 273d)
 - H. Willful infliction of corporal injury, misdemeanor/felony. (Penal Code Section 273.5)
 - I. Intentionally and knowingly violate protective order, misdemeanor/felony. (Penal Code Section 273.6)
 - J. Violation of custody order, misdemeanor/felony. (Penal Code Section 278.5)
 - K. Disturbing the peace, misdemeanor. (Penal Code Section 415)
 - L. Draw or exhibit deadly weapon in rude, angry or threatening manner, misdemeanor/felony. (Penal Code Section 417)
 - M. Forcible entry and detainer, misdemeanor. (Penal Code Section 418)
 - N. Terrorist threats, misdemeanor/felony. (Penal Code Section 422)
 - O. Burglary, felony. (Penal Code Section 459/461)
 - P. Malicious destruction of cable television, telephone or electric lines, misdemeanor/felony. (Penal Code Section 591)
 - Q. Vandalism, misdemeanor/felony. (Penal Code Section 594)
 - R. Trespass by credible threat to cause serious bodily injury, misdemeanor. (Penal Code Section 601)
 - S. Single lodger failure to vacate owner-occupied building, infraction. (Penal Code Section 602.3)

- T. Unauthorized entry of property, misdemeanor. (Penal Code Section 602.5)
- U. Stalking, misdemeanor/felony. (Penal Code Section 646.9)
- V. Disorderly conduct (public intoxication), misdemeanor. (Penal Code Section 647(f))
- W. Telephone calls with intent to annoy, misdemeanor. (Penal Code Section 653m)
- X. Deadly weapons; possession with intent to assault, misdemeanor. (Penal Code Section 12024)
- Y. Battery, misdemeanor. (Penal Code Sections 242/243(e)(1))

8.47.14b Given a word picture depicting a domestic conflict in which one of the crimes listed in **objective 8.47.14a** has been committed, the student will identify the crime by its common crime name.

8.47.14c Given a word picture depicting a domestic conflict in which one of the crimes listed in **objective 8.47.14a** has been committed, the student will identify whether the crime is a misdemeanor or a felony.

8.47.15 Given a word picture depicting a domestic conflict, the student will select a course of action consistent with the condition-response options shown below.

- A. **Condition:** Misdemeanor committed in officer's presence other than Penal Code Section 273.6. (Suspect present)
 - 1. Appropriate Response Options:
 - a. If any of the circumstances listed in Penal Code Section 853.6(i) are present, then Arrest and book
 - b. If none of the circumstances listed in Penal Code Section 853.6(i) are present, then Cite and release in lieu of physical arrest
 - 2. Inappropriate Responses:
 - a. Advise suspect to leave
 - b. Verbal reprimand
 - c. Take no action
 - d. Physically arrest suspect when none of the circumstances listed in Penal Code Section 853.6(i) are present
- B. **Condition:** Misdemeanor other than Penal Code Sections 241, 242, or 273.6 not committed in officer's presence. (Suspect present)
 - 1. Appropriate Response Options:
 - a. Advise of private person's arrest. If circumstances listed in Penal Code Section 853.6(i) exist, receive arrested person, and book

- b. Advise of private person's arrest. If circumstances listed in Penal Code Section 853.6(i) do **not** exist, receive, cite and release
 - 2. Inappropriate Responses:
 - a. Initiates arrest and books
 - b. Advise suspect to leave
 - c. Take no action
 - d. Assume custody of suspect and book when none of the circumstances listed in Penal Code Section 853.6(i) are present
- C. **Condition:** Violation of Penal Code Sections 241 or 242, not committed in officer's presence; victim is the suspect's spouse or cohabitant or victim is the parent of the suspect's child; officer has reasonable cause to believe the suspect committed assault or battery whether or not it was in fact committed. (Suspect present)
 - 1. Appropriate Responses:
 - a. If any of the circumstances listed in Penal Code Section 853.6(i) are present, then arrest and book
 - b. If none of the circumstances listed in Penal Code Section 853.6(i) are present, then cite and release in lieu of physical arrest
 - 2. Inappropriate Responses:
 - a. Advise suspect to leave
 - b. Verbal reprimand
 - c. Take no action
- ED. **Condition:** Violation of a protective order (Penal Code Section 273.6) not committed in officer's presence. (Suspect present)
 - 1. Appropriate Response Options:
 - Arrest and book
 - 2. Inappropriate Responses:
 - a. Cite and release
 - b. Advise suspect to leave
 - c. Take no action
- DE. **Condition:** Violation of a protective order (Penal Code Section 273.6) committed in officer's presence. (Suspect present)
 - 1. Appropriate Response Options:
 - Arrest and book
 - 2. Inappropriate Responses:
 - a. Cite and release
 - b. Advise suspect to leave
 - c. Take no action
- EE. **Condition:** Felony (Suspect present)
 - 1. Appropriate Response Options:
 - Arrest and book

2. Inappropriate Responses:
 - a. Cite and release
 - b. Advise suspect to leave
 - c. Take no action
- FG.** **Condition:** Domestic dispute where both parties are legally entitled to occupy residence and neither party wants to leave.
1. Appropriate Response Options:
 - a. Keep the peace
 - b. Assist in conflict resolution
 2. Inappropriate Responses:
 - a. Arrest and book
 - b. Cite and release
 - c. Advise of private person's arrest
 - d. Take no action
- GH.** **Condition:** Violation of the conditions of probation or parole. (Penal Code Sections 1203.2 and 3056).
1. Appropriate Response Options:
 - Rearrest and book
 2. Inappropriate Responses:
 - a. Cite and release
 - b. Advise probationer/parolee to leave
 - c. Take no action
 - d. Advise of private person's arrest
- HI.** **Condition:** A complaint of pain or an apparent injury to an adult victim of Penal Code Section 273.5 (Suspect not present)
1. Appropriate Response Options:
 - a. Assist in obtaining appropriate medical attention
 - b. Offer to assist in arranging for transportation to an alternate shelter
 - c. Advise victim of EPO availability
 2. Inappropriate Responses:
 - a. Forcibly transport to medical facility
 - b. Take no action
- IJ.** **Condition:** Evidence insufficient to substantiate a crime. Both parties legally entitled to occupy residence and one party wants to leave with personal property.
1. Appropriate Response Options:
 - Provide civil standby
 2. Inappropriate Responses:
 - a. Arrest and book
 - b. Cite and release
 - c. Advise of private person's arrest
 - d. Take no action

JK. **Condition:** Suspect cannot be located. Victim is afraid to stay in residence or officer determines victim needs a safe place to stay.

1. Appropriate Response Options:
 - a. Arrange for transportation to an alternate shelter
 - b. Advise victim of EPO availability
2. Inappropriate Responses:
 - a. Advise of private person's arrest
 - b. Take no action

KL. **Condition:** At the scene of a family violence incident, a deadly weapon or firearm is in plain sight or found during a consent search. (Penal Code Section 12028.5)

1. Appropriate Response Options:
 - a. Seize any firearm
 - b. Seize any weapon or potential weapon listed in Penal Code Section 12020
2. Inappropriate Responses:
 - a. Take any weapon or potential weapon that is not a firearm and is not listed in Penal Code Section 12020 (e.g., kitchen knife, hammer)
 - b. Destroy any weapons found
 - c. Take no action

Problem: Effective January 1, 1997, Penal Code Section 836 was amended to permit an officer to make a misdemeanor arrest for either assault (Penal Code Section 241) or battery (Penal Code Section 242) even though the offense was not committed in the officer's presence provided that the crime was committed against the suspect's spouse or cohabitant or the victim's is the parent of the suspect's child.

Recommendation: Modify objective 8.47.15 to reflect that an officer may, under certain circumstances, make an arrest for misdemeanor assault or battery when the offense was not committed in his presence. Add language clarifying that misdemeanor suspects should only be physically arrested and booked when one of the conditions listed in Penal Code Section 853.6(i) is present.

Exercises Objectives:

8.47.16 Given a facsimile of an emergency protective order, protective order, or a criminal stay-away-order, the student will demonstrate how to verify the validity of the order. The test shall minimally assess the student's ability to confirm that the following information is present and correct:

- A. A court stamp
- B. A case control number
- C. An expiration date

- D. The person to be protected
- E. The person to be restrained
- F. A judge's signature
- G. Proof of service

8.47.17 Given a simulated domestic dispute involving a violation of a protective court order, the student will demonstrate the ability to take the appropriate action. The appropriate action includes:

- A. Arrest or acceptance of a private person's arrest
- B. Proper enforcement of the terms of the order
- C. Determination of the primary aggressor in mutual orders
- D. Arrest without a warrant for a violation of a protective order not committed in the officer's presence

8.47.18 Given a simulation or other depiction of a domestic violence incident, the student will demonstrate the ability to obtain an emergency protective order. The test shall minimally include:

- A. Determining what party is eligible
- B. Grounds for issuance
- C. Procedures to obtain the order
- D. Completion of the proper documents
- E. Scope and duration of the order
- F. Data entry into the Domestic Violence Restraining Order System (DVROS)
- G. Distribution of forms

Scenario Objectives:

8.47.11 Given a simulation of a domestic violence incident, the student will intervene and investigate. The test shall minimally include:

- A. Intervention and management of a domestic violence incident
- B. Demonstration of knowledge of domestic violence laws and arrest procedures
- C. Controlling and interviewing involved parties
- D. Compliance with reporting requirements
- E. Offer of protection and assistance
- F. Demonstration of knowledge of victim services, legal rights and remedies
- G. Conducting an effective preliminary investigation including evidence collection
- H. Demonstration of incident closure skills

Learning Activities:

13.25.2 Given simulations or other depictions of domestic violence incidents, the student will participate in a facilitated discussion relating to:

1. Felony arrests
2. Misdemeanor arrests
3. Use of private person's arrests
4. Verification and enforcement of temporary restraining orders when the suspect is present and when the suspect has fled
5. Verification and enforcement of stay-away orders
6. Cite-and-release policies
7. Emergency assistance to victims to include medical care, transportation to a shelter, and law enforcement standbys for the removal of personal property
8. Assistance to victims in pursuing criminal options to include giving the report number and directing the victim to the proper investigative unit
9. Providing written notice to victims at the scene

Attachment 3

LEARNING DOMAIN #39, CRIMES AGAINST THE JUSTICE SYSTEM

Knowledge Objectives:

3.8.1 Given a word picture depicting the crime of giving or offering or accepting of a bribe, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 67 and ~~68~~)

3.8.10 Given a word picture depicting the crime of asking for or receiving a bribe, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 68)

Recommendation: Delete Penal Code Section 68 from objective 3.8.1 and add objective 3.8.10 to cover Section 68. Penal Code Section 67, giving or offering bribes, is a distinctly different crime than Penal Code Section 68, asking for or receiving a bribe. This change will increase the clarity of the objectives and provide academics with separate analyses of how students responded to test items addressing these two different code sections.

3.8.2 Given a word picture depicting the crime of perjury, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 118 and 126)

3.8.4 Given a word picture depicting the ~~impersonation of an officer, crime of fraudulently personating a peace officer or a firefighter~~, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections ~~146a(b)~~, 538d and ~~538e~~)

3.8.11 Given a word picture depicting the crime of falsely impersonating a public officer, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 146a(b))

Recommendation: Delete Penal Code Section 146a(b) from objective 3.8.4 and add objective 3.8.11 to cover Section 146a(b). Penal Code Section 146a(b), false impersonation of a public officer, is a distinctly different crime than Penal Code Sections 538d and 538e, fraudulent impersonation of a peace officer or firefighter. This change will increase the clarity of the objectives and provide academics with separate analyses of how students responded to test items addressing these two different code sections.

3.8.5 Given a word picture depicting the crime of resisting, delaying, or obstructing a public officer, peace officer, or emergency medical technician threat to or obstruction of an officer in the fulfillment of official duties, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections ~~69, 71, and~~ 148(a) through 148(d))

3.8.12 Given a word picture depicting the crime of attempting to obstruct or resist an executive officer by threats or force, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 69)

3.8.13 Given a word picture depicting the crime of threatening a public officer, employee or school official, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 71)

Recommendation: Delete Penal Code Sections 69 and 71 from objective 3.8.5. Add objective 3.8.12 to cover Section 69 and 3.8.13 to cover Section 71. Penal Code Sections 69, 71, and 148 are distinctly different crimes. This change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing these three different code sections.

3.8.6 Given a word picture depicting the ~~filing~~ crime of a falsely policee reporting a crime to a peace officer, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections ~~148.3 and~~ 148.5)

3.8.14 Given a word picture depicting the crime of falsely reporting an emergency, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 148.3)

Recommendation: Delete Penal Code Section 148.3 from objective 3.8.6 and add objective 3.8.14 to cover Section 148.3. Penal Code Sections 148.1 and 148.3 are distinctly different crimes. This change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing these two different code sections.

3.8.15 Given a word picture depicting the crime of falsely reporting a destructive device, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 148.1)

Recommendation: Add objective 3.8.15.

~~3.8.7 Given a word picture depicting possible refusal to join "posse comitatus," the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 150)~~

Recommendation: Delete objective 3.8.7, refusal to join "posse comitatus." Penal Code Section 150 is seldom used, and it was recently reduced from a misdemeanor to an infraction.

3.8.8 Given a word picture depicting a the crime of providing false identity information to a peace officer, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 148.9 and ~~529~~ and ~~Vehicle Code Section 31~~)

3.8.16 Given a word picture depicting the crime of falsely personating another, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 529)

Recommendation: Delete Penal Code Sections 31 and 529 from objective 3.8.8 and add objective 3.8.16 to cover Section 529. Penal Code Sections 148.9 and 529 are distinctly different crimes. Because Vehicle Code Section 31 applies only when an officer is enforcing the provisions of the Vehicle Code, it does not fit well in this domain which addresses crimes that tend to interfere with criminal justice processes generally, not just enforcement of the Vehicle Code. It is therefore recommended that all references to Vehicle Code Section 31 be deleted from Domain #39. These changes will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing Penal Code Sections 148.8 and 529.

3.8.9 Given a word picture depicting the crime of violating a court order, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 166(a)(4) and 166(c)(4))

3.23.1 Given a word picture depicting the crime of unlawful assembly, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 407 and 408)

3.23.2 Given a word picture depicting the crime of disobedience to a dispersal order, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 409 and 416)

3.23.3 Given a word picture depicting the crime of participation in a rout, riot or incitement to riot, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 404, 404.6, and 406)

3.23.4 Given a word picture depicting athe crime of attempting to rescue, escape or escaping from the custody of a peace officer lynching, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections ~~405a, 405b, 836.6(b) and 4550.~~)

3.23.8 Given a word picture depicting the crime of lynching, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 405a, and 405b)

3.23.9 Given a word picture depicting the crime of attempting a rescue or rescuing, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 4550)

Recommendation: Delete Penal Code Sections 405a, 405b, and 4550 from objective 3.23.4. Add objective 3.23.8 to cover Sections 405a and 405b, and add objective 3.23.9 to cover Section 4550. Penal Code Sections 836.6, 405a/b, and 4550 are distinctly different crimes. This change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing these three different code sections.

3.23.7 Given a word picture depicting the crime of intimidating a victim or witness, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 136.1, ~~139~~ and 140)

3.23.10 Given a word picture depicting the crime of threatening to use force or violence upon a witness, victim, or their families, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 139)

3.23.11 Given a word picture depicting the crime of threatening a witness, victim, or informant, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 140)

Recommendation: Delete Penal Code Sections 139 and 140 from objective 3.23.7. Add objective 3.23.10 to cover Section 139, and add objective 3.23.11 to cover Section 140. Penal Code Sections 131.1, 139, and 140 are distinctly different crimes. This change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing these three different code sections.

3.23.12 Given a word picture depicting the crime of attempting to escape or escaping from a prison or other place of confinement, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 4530 and 4532)

Recommendation: Add objective 3.23.12.

Attachment 4
LEARNING DOMAIN #40, WEAPONS VIOLATIONS

Knowledge Objectives:

- 3.24.1 Given a word picture depicting the drawing or exhibiting of a firearm, imitation firearm or deadly weapon, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 417, 417.1, 417.3, 417.4 and 417.8)
- 3.24.2 Given a word picture depicting discharging a firearm at an inhabited dwelling house, occupied building, motor vehicle, aircraft, ~~inhabited house or car~~ housecar, or camper; ~~vehicle, or aircraft~~, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 246, ~~246.3 and 247~~)
- 3.24.14 Given a word picture depicting discharging a firearm in a grossly negligent manner, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 246.3)
- 3.24.15 Given a word picture depicting discharging a firearm at an unoccupied aircraft, motor vehicle, or uninhabited building or dwelling, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 247)

Recommendation: Delete Penal Code Sections 246.3 and 247 from objective 3.24.2. Add objective 3.24.14 to cover Section 246.3, and add objective 3.24.15 to cover Section 247. Penal Code Sections 246, 246.3, and 247 are distinctly different crimes. This change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing the three different crimes.

- 3.24.3 Given a word picture depicting possession of a switchblade knife, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 653k)
- 3.24.4 Given a word picture depicting the carrying or possession ~~manufacture, sale, possession, or import~~ of the following dangerous prohibited items or weapons, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12020)

Prohibited items or Weapons include:

- A. Any firearm which is not immediately recognizable as a firearm e.g., pen gun, belt buckle gun
- B. Ballistic knife
- C. Multiburst trigger activator

- D. Nunchaku
- E. Short-barreled shotgun/rifle
- F. Metal knuckles
- G. Belt buckle knife
- H. Zip gun
- I. Shuriken (throwing stars)
- J. Billyclubs and saps
- K. Dirk or dagger

Recommendation: Local patrol officers are unlikely to make arrests for the manufacture, sale, or importation of these weapons. Therefore, it is recommended that references to these activities be removed from the objective. It also is recommended that the word "prohibited" be substituted for "dangerous" to match the language of Penal Code Section 12020. Students will continue to receive instruction on the unlawful manufacture, sale, and importation of these weapons; however, the objective (and therefore the test items) will be limited to carrying and possession.

- 3.24.5 Given a word picture depicting the unlawful possession of a firearm by a felon, a narcotic addict, or a person who has been convicted within the past ten years of certain specified misdemeanors, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 12021 ~~and 12021.5~~)

The specified misdemeanors to which Penal Code Sections 12021 ~~and 12021.5~~ apply include: ~~but are not limited to:~~

- A. Assault (Penal Code Section 240)
- B. Battery (Penal Code Section 242)
- C. ~~Misdemeanor assault on a peace officer (Penal Code Section 243)~~
- D. Misdemeanor assault with a deadly weapon (Penal code Section 245)
- E. Brandishing Drawing or exhibiting a weapon (Penal Code Section 417)
- F. ~~Misdemeanor~~ Stalking (Penal Code Section 646.9)
- G. Domestic Violence - 273.5

Recommendation: The reference to Penal Code Section 12021.5 in objective 3.24.5 should be deleted because it is a punishment enhancement, not a separate and distinct crime. The reference to Penal Code Section 243 should be deleted because Section 243 simply prescribes the punishment for battery which is defined in Section 242. Penal Code Section 12021 was amended to add Penal Code 273.5 to the list of specified convictions which prohibits the convicted person from possessing a firearms. Other language changes are recommended to match the Penal Code.

3.24.6 Given a word picture depicting the carrying of a concealed ~~weapon~~ firearm, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12025)

Recommendation: The word "weapon" in objective 3.24.6 should be replaced with "firearm." Penal Code Section 12025 applies only to firearms.

3.24.7 Given a word picture depicting the carrying of a loaded firearm, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12031 ~~and Health and Safety Code Section 11370.1~~)

3.24.16 Given a word picture depicting a person armed with a loaded, operable firearm while in possession of certain controlled substances, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Health and Safety Code Section 11370.1)

Recommendation: Delete Health and Safety Code Section 11370.1 from objective 3.24.7. Add objective 3.24.16 to cover Health and Safety Code Section 11370.1. Penal Code Section 12031 and Health and Safety Code Section 11370.1 are distinctly different crimes. Penal Code Section 12031 applies to everyone and is generally punished as a misdemeanor. Health and Safety Code Section 11370.1 applies only to persons in possession of certain controlled substances and is always punished as a felony. If approved, this change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing the two different crimes.

3.24.8 Given a word picture depicting the alteration or removal of identifying marks from a firearm, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12090)

Note: Penal Code Section 12091 makes possession of any pistol or revolver upon which the make, model, or number has been removed or altered presumptive evidence that the possessor has made the alteration and has therefore violated Penal Code Section 12090.

3.24.9 Given a word picture depicting the possession of tear gas or tear gas weapon, the student will identify if the possession is a lawful exception to Penal Code Section 12420. The major exceptions to the prohibition against possession are as follows:

- A. A peace officer who has completed an approved course of instruction on the use of tear gas (Penal Code Section 12403)
- B. A member of the military or naval forces of California or of the United States or any federal law enforcement officer (Penal Code Section 12403.1)

- C. A licensed private investigator or private patrol officer (Penal Code Section 12403.5)
- D. A person in possession of a card showing that he has completed a DOJ certified course on the use of tear gas and tear gas weapons (Penal Code Section 12403.7)

3.24.10 Given a word picture depicting the ~~bringing, brandishing or possession~~ of a ~~firearms or other weapons on~~ in a school zone grounds, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 626.9, ~~626.95 and 626.10~~)

3.24.17 Given a word picture depicting the possession of a firearm on a playground, or public or private youth center, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 626.95)

3.24.18 Given a word picture depicting the possession of a weapon on school grounds, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 626.10)

Recommendation: Delete Penal Code Section 626.95 and 626.10 from objective 3.24.10. Add objective 3.24.17 to cover Section 626.95, and add objective 3.24.18 to cover Section 626.10. Penal Code Sections 626.9, 626.95, and 626.10 are distinctly different Penal Code sections. This change will increase the clarity of the objectives and provide academies with separate analyses of how students responded to test items addressing the three different crimes.

3.24.11 Given a word picture depicting possession of a concealed firearm, the student will identify if the possession is a lawful exception to Penal Code Section 12025. The major exceptions are:

- A. Possession at residence, place of business, or private property owned or possessed by a legal resident over the age of 18 (Penal Code Section 12026)
- B. Transportation in locked container or trunk of a motor vehicle (Penal Code Section 12026.1)
- C. Transportation between specified destinations (Penal Code Section 12026.2)
- D. Peace officer exemptions (Penal Code Section 12027)
- E. Persons possessing a valid concealed weapon license (Penal Code Section 12050)

3.24.12 Given a word picture depicting possession of a deadly weapon with intent to assault, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12024)

3.24.13 Given a word picture depicting the criminal storage of a firearm which is accessible to children, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Section 12035)

3.24.19 Given a word picture depicting the possession of a loaded firearm with the intent to commit a felony, the student will identify if the crime is complete, and if it is complete, will identify it by its common name and crime classification. (Penal Code Sections 12023)

Recommendation: Add objective 3.24.19.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083POST Advisory Committee Meeting
Wednesday, April 23, 1997
Holiday Inn Capitol Plaza
300 J Street
Sacramento, CA 95814
(916) 446-0100**AGENDA****10:00 A.M.**

- | | | |
|----|---|--------------|
| A. | Call to Order and Welcome | Chair |
| B. | Moment of Silence Honoring Peace Officers
Killed in The Line of Duty (See Attachment A) | Chair |
| | Since the last POST Advisory Committee meeting, the
following officers died while serving the public: | |
| | o Officer Van D. Johnson, Los Angeles Police Department | |
| | o Deputy Patrick S. Coyle, San Diego County Sheriff's Department | |
| | o Brian Meilbeck, Yuba County Sheriff's Department | |
| C. | Roll Call and Special Introductions | |
| D. | Announcements | Chair |
| E. | Approval of January 23, 1997 Meeting Minutes
(Attachment B) | Chair |
| F. | Status of POST Strategic Plan Development | Staff |
| G. | Review of San Bernardino Police Department's Request Concerning
Part-Time Call-Taker Position (Attachment C) | Staff |
| H. | Report from California Law Enforcement Image Coalition
(Attachment D) | Joe Flanagan |

OFFICERS KILLED IN THE LINE OF DUTY 1997

ID #	NAME	AGENCY	F/A	DATE OF DEATH
1	Deputy James Lehmann, Jr.	Riverside County SD	F	01/05/97
2	Deputy Michael P. Haugen	Riverside County SD	F	01/05/97
3	Officer Van D. Johnson	LAPD	A	02/05/97
4	Deputy Patrick S. Coyle	San Diego County SD	A	02/15/97
5	Deputy Brian Meilbeck	Yuba County SD	F	04/01/97

Updated 04/03/97

- I. CADA Concern About Physical Fitness Testing Chair

This information item concerns CADA's request to have POST study the issue of requiring basic academy cadets to wear full academy uniforms while being tested on the POST Physical Agility Exam rather than physical training clothing.
- J. Review of Commission Meeting Agenda and Advisory Committee Comments Staff/Members
- K. Advisory Committee Member Reports Members
- L. Commission Liaison Committee Remarks Commissioner
- M. Old and New Business Members
- N. Next Meeting:

Wednesday, July 16, 1997
Hyatt Regency Hotel
Irvine, CA

- O. Adjournment

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
January 22, 1997, 10:00 a.m.
Wyndham Hotel
Los Angeles, California

MINUTES**CALL TO ORDER**

The meeting was called to order at 10:05 a.m. by Chairman Norman Cleaver.

MOMENT OF SILENCE

The Advisory Committee held a moment of silence in honor of the following officers who have lost their lives while serving the public since the last Committee meeting.

- o Officer James D. Schultz, CHP - Winterhaven
- o Detective Charles D. Swanson, Eureka Police Department
- o Officer Mario Navidad, Los Angeles Police Department
- o Deputy James Lehmann, Jr., Riverside County Sheriff's Department
- o Deputy Michael P. Haugen, Riverside County Sheriff's Department

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Charles Brobeck, California Police Chiefs' Association
Don Brown, California Organization of Police and Sheriffs
Charles Byrd, California State Sheriffs' Association
Jay Clark, California Association of Police Training Officers
Norman Cleaver, California Academy Directors' Association
Joe Flannagan, Peace Officers' Research Association of California
Derald Hunt, California Association of Administration of Justice Educators
Ernest Leach, California Community Colleges
Earle Robitaille, Public Member
Judith Valles, Public Member
Alexia Vital-Moore, Women Peace Officers' Association
Woody Williams, California Peace Officers' Association

Absent: Alan Barcleona, California Union of Safety Employees

Commission Advisory Liaison Committee Members Present:

David Anderson
Michael Carre
Rick TerBorch

POST Staff Present:

Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
Vera Roff, Secretary

APPROVAL OF MINUTES OF JULY 22, 1996 MEETING

MOTION - Brobeck - second, Valles, carried unanimously to approve the minutes of the November 6, 1996 Advisory meeting at the Embassy Suites in Riverside with the correction that the April CAJJE conference will be held in San Diego.

APPROVAL OF NOMINATIONS FOR GOVERNOR'S AWARD FOR EXCELLENCE IN PEACE OFFICER TRAINING

Norm Cleaver, Chairman of the Awards Subcommittee, reported that the subcommittee met on January 7, 1997 in Bodega Bay and recommended the following nominees be submitted to the Commission for approval. In addition, the subcommittee suggested that, in the future, the subcommittee meet the day before the regularly-scheduled January Advisory Committee to review the applications. All Advisory Committee members will be invited to participate in the selection process.

MOTION - Flannagan, second - Brown, carried unanimously to approve the recommendations of the subcommittee

1. Governor's Awards for Excellence in Peace Officer Training

For the **Organizational Achievement** award category, the **John F. Kennedy Police Academy Magnet School** is the recommended recipient. Nominated by Chief of Police Arturo Venegas, Jr. of the Sacramento Police Department, this unique school was formed in 1990 by the Department and the Sacramento City Unified School District. The purpose of this "police-school" marriage is to attract more females and minorities into the law enforcement field; produce mature, responsible, law-abiding and productive citizens; provide kids with strong academic, social, and physical skills necessary for college; and prepare students as successful applicants for any employer.

This "school-within-a-school" is a four-year program initially started with three police magnet high schools and has since expanded to four other high schools in the city and county of Sacramento. Students receive instruction on the POST Basic Course

curriculum as well as conflict management and mediation. These students perform all conflict management on campus. Students are required to pass the POST Physical Agility Course by the end of the school year and take the POST entry written exam twice each school year.

The magnet school has achieved impressive results with growth in the number of students participating, placement of graduates in law enforcement agencies and colleges, reduced crime and violence on campus, and performance of community service by students. The program has been recognized by receiving several local and statewide awards.

2. For the **Individual Achievement** award category, **Leland "Terry" Cunningham** is the recommended recipient. Mr. Cunningham was selected for his development of the highly successful POST Supervisory Leadership Institute (SLI). In 1987, he was employed by POST as a Management Fellow to develop this program that would promote the leadership abilities for current and future law enforcement supervisors and managers. Drawing upon the input of law enforcement managers and executives, he designed and pilot-tested this first of its kind training program that has received national acclaim.

The SLI is an innovative training program because of its use of "self discovery" experiential learning methodology in exposing students to the concepts of leadership, loosely structured group discussions, and course structure of three days for once a month over a period of eight months. Students are "forced out of their comfort zones" during the program.

The SLI, arguably the most successful training program ever for California law enforcement, receives the highest ratings by students. Graduates and their sponsors routinely report the class turning themselves around and deeply impacting their personal lives and leadership abilities. Police executives have reported remarkable improvements in their supervisors. The program is enormously popular with over 1300 graduates and 700 people on a waiting list. Many other states have patterned their training programs after the SLI.

3. For the **Lifetime Achievement** award category, **Sheriff Sherman Block** is the recommended recipient. Sheriff Block commands a 12,000 member department and is the chief law enforcement officer in Los Angeles County. He oversees the largest county jail system in the United States and provides security to both the Municipal and Superior Courts.

Sheriff Block has been actively involved in law enforcement issues throughout his 40-year career with the Los Angeles County Sheriff's Department. Under his leadership and guidance, the LASD has developed numerous unique and innovative training programs including: the Force Training Program, Cultural Diversity, Emergency Vehicle Operations, and others.

Sheriff Block has been a POST Commissioner since 1984 and has twice served as its Chairman. He has remained very active on the Commission's subcommittees and has repeatedly chaired the Legislative Review and Long Planning Committees. Realizing the critical impact technology would have on future training programs, he volunteered to Chair the ACR 58 Technology Committee that spent a year conducting investigatory study on technology for POST. An extensive report and video tape on the Committee's findings was produced and laid the foundation for most of POST's current use of technology. The result of this pioneering work has brought national recognition to California POST.

Sheriff Block's many years of leadership on legislative issues pertaining to POST training and funding are also recognized. Sheriff Block truly has a lifetime of outstanding achievements in law enforcement training excellence.

REPORT FROM SUBCOMMITTEE ON IMPROVING LAW ENFORCEMENT'S IMAGE WITH PUBLIC

Joe Flannagan, Chairman of the Ad Hoc Committee for Enhancing the Image of Law Enforcement, reviewed a proposed plan for a public awareness media program developed by the Ad Hoc Committee. Some of the highlights of the proposed plan include:

Objective- To establish the "California Law Enforcement Image Coalition" which is dedicated to the purpose of establishing and maintaining an ongoing public awareness media program that will objectively portray California law enforcement.

Participation - Representatives of all statewide law enforcement associations, POST, the Attorney General's Office, the media, and the public are eligible to participate on the Coalition's Board of Directors according to a formula to be established by the Board. For purposes of securing necessary funding, the Board of Directors may affiliate itself with an existing 501(c)(3) foundation or governmental agency. The Board may establish technical and other subcommittees to accomplish its objectives. Because the Coalition is an all-volunteer organization, it is expected that members of the Board and its subcommittees will donate their time and resources to its activities.

Timetable - Once the plan has been finalized, individual eligible organizations will be invited to participate on the Coalition's Board of Directors. It is anticipated the Coalition will devote much of 1997 to organizing and planning.

Funding- The Board of Directors shall develop funding mechanisms for its media development activities including, but not limited to, grants, donations, assessment of its members, etc. To the extent possible, effort will be made to utilize the media itself and advertising/marketing companies to assist with individual projects. Also, efforts of

individual law enforcement organizations will be considered for expansion for statewide and/or regional programs.

Goals and Objectives - The Coalition will establish short- and long-term goals and strategies that will be reviewed by the organizations participating on the Coalition's Board of Directors.

MOTION - Brobeck, second - Williams, carried unanimously to recommend that the Commission approve the proposed plan developed by the Ad Hoc Committee to form a California Law Enforcement Image Coalition.

Chairman Clark thanked Joe for his leadership and commitment on this Committee and for a job well done.

PROPOSED LAW REVISIONS CONCERNING RESERVE OFFICER STANDARDS

Staff reviewed the proposed revisions for reserve peace officer standards which will be discussed by the Legislative Review Committee on January 23, 1997. There was consensus that these revisions would provide a step in the right direction for developing a solution regarding the reserve officer issue.

MOTION - Robitaille, second - Clark, carried unanimously to support the proposed revisions.

REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS

Staff reviewed the January 23, 1997 Commission agenda and responded to questions and discussion of the issues.

Agenda Item C - Proposed Changes to Commission Regulations and Commission Procedures Regarding Minimum Selection for Regular and Reserve Officers

The Committee discussed the proposed changes in Regulation 1002(a)(8) concerning oral interview criteria. There was consensus that there should be no changes to that section of the Regulation.

MOTION - Flanagan, second - Clark, carried unanimously to recommend to the Commission that proposed changes in Regulation 1002(a)(8) should be deleted.

Agenda Item J - Proposed Baton/Club Weapons Training for Sheriff Security Officers

There was discussion concerning the use of the words "club weapons." It was suggested that it should be changed to "impact weapons" to fit in more with improving the image of law enforcement.

MOTION - Flannagan, second - Williams, carried unanimously to recommend support of the proposal with the suggested word changes.

Agenda Item Q.1 - Letter from Contra Costa County Police Chiefs' Association

There was discussion concerning a request from Peter C. Sarna, Chairman, Contra Costa County Police Chiefs' Association, requesting a partnership in initiating a project to design and develop a regional driver training facility and program in Contra Costa County.

Jay Clark pointed out that the concept is consistent with the recommendations included in the ACR 58 study, fits in with the partnership aspect of the strategic plan, and would be a cost savings for POST, and therefore, should be supported by the Advisory Committee.

MOTION - Byrd, second - Brobeck, carried unanimously to recommend that the Commission support this request.

Agenda Item Q - Letter from San Bernardino Police Department

There was discussion concerning a request from Assistant Chief Wayne Harp, San Bernardino Police Department, to create a part-time call taker position and requesting exemption from the 120-hour Public Safety Dispatcher training. It was recommended that the request be denied based upon the potential erosion of training standards that have taken years to develop. It was also recommended that training should be made more closely available to the department.

MOTION - Clark, second - Robitaille, carried unanimously to recommend that the Commission reject the proposal to create a part-time call taker position.

ADVISORY COMMITTEE MEMBER REPORTS

California Police Chiefs Association

Chuck Brobeck announced that Ross Hutchings has accepted the position of Executive Director for CPOA/CPCA. He also announced that the Cal Chiefs' conference will be held in Modesto in February.

California Peace Officers' Association

Woody Williams announced his retirement from the San Bernardino County Sheriff's Department effective March 1, 1997. He plans to remain active in the POST Advisory Committee.

Public Member

Judith Valles thanked staff for the information concerning the job descriptions of the campus/college police and city police. The problem still exists and she continues to seek a solution to the problem.

California Organization of Police and Sheriffs

Don Brown reported that two seminars have been held concerning the financial constraints being imposed by Proposition 208. He also reported that plans are being finalized for the "Meet Your Legislator" meeting to be held on March 12 in the rotunda at the Capitol. All legislators have been invited to attend.

California Association of Administration of Justice Educators

Derald Hunt reported that CAAJE is finalizing plans for its April conference at the Clarion Hotel in San Diego.

California Academy Directors' Association

Norman Cleaver reported that CADA is currently working with POST staff to develop a new model for instructor development. any proposed changes in the Basic Course are first reviewed at quarterly CADA meetings. He also reported that after its September meeting the group toured the Museum of Tolerance. Norm recommended that any Committee member who has not toured the Museum should take advantage of doing so when the Commission goes on January 23.

Womens Peace Officers' Association

Alexia Vital-Moore reported that POA will meet in Monrovia on February 1st for a one-day training seminar on "Profiling Sex Offenders."

Peace Officers' Research Association of California

Joe Flannagan reported PORAC is fully committed to the image building concept of the ad hoc committee. He reminded the group that the Peace Officer Memorial will be held on May 9 in Sacramento and encouraged everyone to attend if possible

California Association of Police Training Officers

Jay Clark that CAPTO is preparing for the regional training needs assessment for this year.

Advisory Committee Liaison Report

Commissioner Carre reported that the Commission met last week and conducted interviews for the POST Executive Director position. An announcement will be made at the Commission meeting on January 23, 1997.

Adjournment

Chairman Clark closed the meeting in a moment of silence in honor of those officers who have been killed in the line of duty since the last Advisory Committee meeting.

MOTION - Brobeck, second - Clark, carried unanimously to adjourn the meeting at 12:15 p.m.

Vera Roff
Executive Secretary

3/11/97

State of California

Department of Justice

Memorandum**DATE:** April 1, 1997**TO:** Advisory Committee**FROM:** *Ken J. O'Brien*
KENNETH J. O'BRIEN
Executive Director
Commission on Peace Officer Standards and Training**SUBJECT:** REQUEST FROM SAN BERNARDINO POLICE DEPARTMENT RE CALL-TAKER

Assistant Chief Wayne Harp, San Bernardino Police Department, sent a letter describing creation of a part-time call-taker position and requesting exemption from the 120-hour Public Safety Dispatcher training. The Advisory Committee discussed the issue at its January 22, 1997 meeting and recommended that the request be denied based upon the potential erosion of training that has taken years to develop. The Committee suggested making the training more closely available to the department. The Commission directed staff to conduct a study concerning the proposal and report back to the Commission via the Advisory Committee for additional input.

Bureau Chief Everitt Johnson met with San Bernardino Police Department staff and explained that POST staff had thoroughly researched the proposal by reviewing all applicable POST studies, procedures, and regulations pertaining to Public Safety Dispatcher selection and training standards. Additionally, interviews were conducted with various management and professional staff, and a random survey of law enforcement agencies in California was conducted with Communications Managers about the call taker-position. Communications Managers we spoke with were unanimous in their recommendations against modifying POST Regulations and Dispatcher Training Standards at this time.

Recent correspondence received from San Bernardino Police Department indicated that they no longer wished to pursue the proposed rule changes. The department is currently exploring various alternatives and remains in communication with POST staff.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
California Law Enforcement Image Coalition
Committee Meeting
Marriott Hotel, Ontario CA
Friday, March 28, 1997

Summary of Meeting Results

A meeting of the California Law Enforcement Image Coalition Committee was attended by Vice-Chairman Sandra Houston, Ronald Snider, Derald Hunt, Thomas O'Donnell, John Quinzio, James Hellmold, J.B. Hume, Kevin Conner, Stanley Henry, Chris Miller, and Everitt Johnson.

The following is a summary of the meeting discussions.

- . Committee Chairman Joe Flannagan was unable to attend the meeting due to departmental commitments. In his absence, Vice-Chair Sandra Houston conducted the meeting.
- . POST Bureau Chief Everitt Johnson provided an update of what has occurred since the February 25th meeting. Everitt briefed the Committee on a POST Clearinghouse Seminar held March 18-19, 1997 in Sacramento and reported on the recommendations received on forming partnerships, which ties into a primary objective of the coalition. For example, it may be possible for POST to include in its clearinghouse, information on enhancing the image of law enforcement over the internet, identification of law enforcement's exemplary (model) programs, periodic telecourses that would showcase model programs and policies, and solicit information from law enforcement executives. It was further noted that "establishing partnerships" is a major POST goal and that an objective to join with our partners in participating with the California Law Enforcement Image Coalition is included in POST strategic plan.
- . It was explained that the POST Advisory Committee deferred a recommendation to produce a video pending development of a description of purpose and projected content. The Committee was provided a draft Video Concept Proposal, which was discussed and edited and will be presented to the Advisory Committee for approval.
- . A discussion ensued on organizational planning for the coalition, specifically on determining strategies for securing additional coalition representatives and obtaining organizational endorsements for the coalition. The Committee recommended that in addition to development of a video, a "video packet" be developed and sent with the video to all law enforcement agencies. The video packet would contain the following: 1) a cover letter with a foreword or introductory statement by the POST Commission Chair, Attorney General, or the

Governor. The letter would also state the objectives of the coalition and conclude with an appeal to watch the video and complete information contained inside the packet, and 2) an information letter designed to elicit immediate action from chief law enforcement executives and their staff. The information letter would include a sample endorsement letter, check-off boxes under the heading of "I will assist with the following": (a) endorsement letter, (b) video production, (c) attend Coalition Committee meetings as a member, (d) fund raising, and (f) identifying law enforcement exemplary (model) programs. The information letter would request that the agency executives designate themselves or their representatives by name and that the above information would be sent to the Coalition Committee in POST's self-address stamped envelopes.

- . The Committee discussed establishing a letterhead for correspondence when conducting Coalition Committee business. Advisory Committee representative Derald Hunt volunteered for this assignment and will prepare draft proposals for the Committee's consideration.
- . It was explained that a joint meeting had been requested for representatives of the Coalition and CPOA Public Affairs Council Committees. Both Committees will meet May 8, 1997 during CPOA's annual training conference to be held at the Hyatt Hotel in Sacramento. The Coalition Committee requested that the joint meeting, if possible, be held in the afternoon to accommodate members attending other activities throughout the week.
- . Vice-Chair Houston tabled the remaining agenda items (interface with CPOA's Public Affairs Council - Relationship, Preparation of Published Articles, and Radio/TV Talk Show Development). These and other items will be discussed at the joint Coalition and Public Affairs Council meeting May 8, 1997 in Sacramento.

The meeting was adjourned at 12:45 P.M.

VIDEO CONCEPT PROPOSAL

- Title: "Enhancing the Image of California Law Enforcement"
- Producers: California Law Enforcement Image Coalition and the Commission on Peace Officer Standards and Training
- Suggested Length: 5-10 minutes
- Date of Production: August 1997
- Target Audience: Law Enforcement Managers and Executives
- Purpose: The purpose of the video is to familiarize law enforcement managers, executives, and others about the establishment of the California Law Enforcement Image Coalition. The objectives of the Coalition will be explained including an invitation for agencies to submit ideas about programs that have been successful in improving the public's image about law enforcement. Through short interviews of members of the public and to capture attention, the video will portray the view that the image of California law enforcement is overall positive but varies dramatically from community to community and even within communities. The video will explain that there is room for improvement and that building the public's image is everyone's responsibility, including individual contact with members of the public. Some attention will be devoted to the disparity of the public's perceptions and expectations of law enforcement.
- Approach:
- o Fast moving
 - o Narrator
 - o Brief clips of citizens, news media, and law enforcement representatives
 - o Graphics depicting areas of needed improvement and directed at improving image, goals, and address of Coalition
- Estimated Budget: o \$10,000-15,000
- Subject Matter Experts:
- o Video producers, Coalition representatives, POST
- Concept Approval:
- o Coalition
 - o POST Advisory Committee
 - o POST Commission
- Script Approval:
- o Coalition representatives
 - o Designated POST staff

3/31/97

ANALYSIS

Through joint discussions, POST staff and CHP representatives have determined that future royalty accrual and distribution can best be managed by an agreement between POST and the CHP. The agreement would specify the following:

1. POST and CHP will share equally in any royalties accrued from out-of-state sales;
2. Separate accounts for POST and CHP will be created with each vendor;
3. The contracts with the hardware vendors will be negotiated by POST staff for both POST and CHP; and
4. POST will have advance approval of all sales to out-of-state agencies.

RECOMMENDATION

It is recommended that the Executive Director be authorized to enter into an agreement with the CHP regarding the management and distribution of any royalties that accrue from the sale of video scenarios to out-of-state law enforcement agencies.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083**FINANCE COMMITTEE MEETING**April 23, 1997 - 2:00 P.M.
Holiday Inn Capitol Plaza
300 J Street - Granada Room
Sacramento, CA 95814
(916) 446-0117**AGENDA****COMMITTEE MEMBERS**Rick Ter Borch, Chairman
David Anderson
Ted Hunt
Ronald Lowenberg**A. CALL TO ORDER****B. FY 97/98 Governor's Budget**

POST's FY 97/98 budget has been approved by sub-committees of both the Assembly and the Senate. The budget remains as proposed and as reported to the Finance Committee in January. Control language related to the Museum of Tolerance training was revised to give law enforcement agencies flexibility as to when recruit officers may be sent to the Tools for Tolerance training and to allow selected civilian employees to be trained.

C. Financial Report - Third Quarter FY 1996/97

A report on the status of the training reimbursement budget is included under the Consent Calendar (see Tab B of Commission agenda). The Committee will review the reimbursable training volume and categories of expenditures to date.

D. Review of Expenditure Levels and Projections for the FY 96/97

A report on expenditure projections and options will be provided at the meeting.

E. Request from Contra Costa County Police Chiefs' Association for Purchase of Two Driver Training Simulators

The Association is establishing partnerships with POST and other interested parties to create a regional driver training facility. The Association is seeking financial support from the Commission for purchase of driver training simulators. The enclosed report and

correspondence provides details of the proposal. Members of the Association will be present at the meeting to make a presentation to the Finance Committee.

F. Request from Alameda County Chiefs' and Sheriff's Association for Per Diem Reimbursement Policy Change

The Association requests the Commission reconsider current policy that restricts lodging reimbursement to training courses presented more than 25 miles from the work site. It is pointed out that traffic congestion in urban areas sometimes causes a less than 25 mile commute to consume two to three hours. The matter is further described in the enclosed report.

G. Recommendation for Extension of IVD and Satellite Reimbursement

At its meeting in July 1996, the Commission authorized funds to enable agencies that had not previously obtained IVD or satellite receiving systems to be reimbursed for the purchase of this equipment. The Commission specified that agencies had to purchase the equipment before June 30, 1997. It appears that some agencies need additional time in order to meet the requirement of their local purchasing procedures. A staff report is included under this tab.

H. Report on Cost Effectiveness of Sole Source Agreements for Services Provided by Other State Agencies

At its January 1997 meeting, the Commission approved a contract for microfilm services with the State Department of Water Resources. Discussion resulted in direction to staff to evaluate whether more cost effective options are available. As described in the enclosed report, staff has discovered recently initiated changes in State Policy and has signed a new contract with a private firm at lower cost.

I. Review of Expenditure and Other Fiscal Proposals on the April 24, 1997 Commission Agenda

The following items are on the regular Commission agenda. It is appropriate for the Committee to review these items and consider a recommendation to the full Commission:

- o Proposed POST/CHP Royalty Agreement for Shooting Judgment Training Scenarios (Tab K)
- o Proposed Contract with Cooperative Personnel Services (CPS) for Administration of the Dispatcher Selection Test (Tab N).

J. Committee Review of Training, Standards, and Administrative Contracts for Fiscal Year 1996/97 for Recommendation to the Commission

The Committee met on January 23, 1997 and recommended that the Commission authorize the Executive Director to negotiate a number of contracts. The Commission accepted the Finance Committee recommendations. The contracts have been negotiated and are now before the Finance Committee for review at this meeting. Among the Committee's purposes is formulation of recommendations of the Commission on these contracts for FY 1997/98. An overview of each of the contracts is under Tab M on the Commission agenda.

K. ADJOURNMENT

State of California

Department of Justice

Memorandum

To: Finance Committee

Date: April 9, 1997

From: KENNETH J. O'BRIEN
Executive Director
Commission on Peace Officer Standards and Training

Subject: REQUEST FOR DRIVING SIMULATOR TRAINING EQUIPMENT BY THE CONTRA COSTA COUNTY POLICE CHIEFS' ASSOCIATION

The Commission has provided funds for driving simulators at three agencies (the San Bernardino County Sheriff's Department, the Los Angeles County Sheriff's Department, and the San Jose Police Department). The major reason for this funding was to evaluate the effectiveness of using simulators for driver training. The results were positive as reported to the Commission in November 1995. In July 1996, funds were authorized for the Los Angeles Police Department to purchase simulator system.

At its January 1997 meeting, the Commission approved a series of related recommendations from the Finance Committee concerning future Commission involvement in simulator based driver training. One approved recommendation was that the Commission would not fund purchases of driving simulators in the future but might, under special circumstances, make exceptions.

In December 1996, the Chairman of the Contra Costa County Police Chiefs' Association wrote a letter to Chairman Ortega inviting the Commission's partnership in a project to develop a regional driver training facility in that county. The invitation was received favorably by the Commission at its January 1997 meeting.

On March 3, 1997, Chief Krathwohl, Chairman of the Association, requested the Commission consider funding of up to \$500,000 for purchase and installation of driver training simulator equipment. Chief Krathwohl wrote an additional letter on April 3, 1997 enclosing a detailed proposal (letter attached). Representatives of the Association will be present at the Finance Committee to make a brief presentation in support of their proposal.

Obviously, there are several areas in the state that would benefit from driving simulator training. It is likely that in the future other organizations will request that POST join in partnerships similar to the one being proposed by the Contra Costa County Police Chiefs' Association.

The matter is before the Committee for consideration.



CONTRA COSTA COUNTY CALIFORNIA POLICE CHIEFS' ASSOCIATION

April 3, 1997

Chairman Manual Ortega
California Commission on
Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

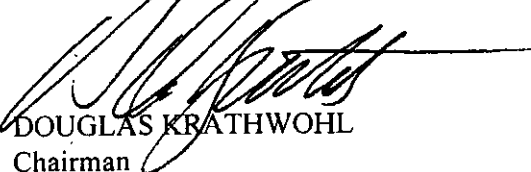
The Contra Costa County Police Chiefs' Association's project to design and develop a regional driver training facility and program in Contra Costa County is continuing to evolve. The goal of this effort is to develop a full-service program which combines hands-on vehicle operation, simulator, interactive video and classroom instruction to enhance skills and competency in vehicle operations. This program should enhance the safety of officers and the public, as well as reduce liability for agencies participating in the program. It can also help fill the void in providing driver simulator training in the Bay Area and the northern part of the state.

The Chiefs' Association has initiated a working partnership among the following agencies in order to make regional training a reality:

- Contra Costa County Police Chiefs' Association
- Contra Costa Criminal Justice Training Center - Los Medanos College
- Contra Costa County Risk Management Division
- Contra Costa County Municipal Risk Management Insurance Authority
- Contra Costa Community College District - Administration of Justice Advisory Board

Our group has formulated a proposal for cooperative funding of this project which we believe maximizes the resources of the involved agencies and other potential users throughout our region.

We request that POST join our partnership to ensure the project's success. We have attached a proposal for your consideration. We believe this addresses many of the goals specifically identified in the POST Strategic Plan and will serve as a model for future efforts to develop regional training facilities in the state. We request that this proposal be placed on the April 23, 1997 agenda of the Finance Committee for discussion. Following that meeting, we would like to have this proposal presented to the POST Commission in April. Your assistance in developing this project would be much appreciated.


DOUGLAS KRATHWOHL
Chairman

PROPOSAL

Goal: To provide a two-quad driver training simulator system for the existing driver training facility in Contra Costa County.

Sponsors: Contra Costa County Police Chiefs' Association
Contra Costa Criminal Justice Training Center - Los Medanos
Contra Costa County College District - Admin. of Justice Advisory Board
Contra Costa County Municipal Risk Management Insurance Authority
Contra Costa County Risk Management Division

Background: The Contra Costa County Police Chiefs' Association, in partnership with the other sponsors, proposes to add driver training simulation to the existing driver training program provided by Los Medanos College (LMC). The purpose is to develop a state-of-the-art driver training program that will be available to law enforcement, fire and other emergency vehicle operators as well as non-emergency governmental vehicle operators. This program may be expanded in the future to include private sector vehicle operators in order to provide funding and support for the program. This would only occur with the assurance that law enforcement training needs are being met.

This proposal is to locate a two-quad driver training simulator system at LMC's driver training center located at Buchanan Field Airport in Concord, California. The simulators would be phased into the current driver training program. Both the Napa Police Academy and the LMC Police Academy utilize the driver training center at Buchanan Field in Concord. Driver training for fire protection and emergency medical services are in the planning stages and would be included in this project.

The simulators would be located at the Sheraton Hotel at Buchanan Field in Concord. Currently the classroom portion of LMC's driver training program is located at the Sheraton Hotel. The Sheraton has set aside several classrooms for LMC to use for classes offered by LMC's Criminal Justice Training Center. The Sheraton has stated that it would house the driver training simulators.

Locating the simulators at the Buchanan Field site provides the following:

- Continuity in training. Under the direction of LMC's Criminal Justice Training Center, academy students and working personnel will receive higher quality driver training through the addition of simulators.
- A location that is easily accessible to a large number of potential students from all over Northern California.

- A location that has superior quality accommodations for students. The Sheraton Hotel supplies students with first-class rooms, food and classrooms. The Sheraton is a prime location for the students classroom experience.
- A group of government agencies that are willing to join together in a consortium that shares in providing the driver training simulators for this area of Northern California.
- A location with top quality air conditioning to maintain an environment that is conducive to learning and effective maintenance of the simulator's computers.

The vast majority of driver training simulators are located in Southern California. The only stationary system north of the Grapevine is located in San Jose. The Association of Bay Area Governments has a mobile system that services only its member cities at this time. These two systems are simply not adequate to provide for the needs of the Bay Area and Northern California. An initial needs assessment indicates that a two-quad system, installed in our area, would be utilized extensively by Northern California law enforcement personnel, fire protection personnel, emergency medical personnel, non-sworn city/county personnel and ultimately the private sector.

Proposal:

The Contra Costa County Police Chiefs' Association requests that the Commission of Peace Officer Standards and Training (POST) earmark \$500,000 for the purchase and installation of a two-quad driver training simulator system for the Contra Costa County site. The partnership will arrange for the additional funds necessary to implement the system. The partnership is in the process of developing arrangements with Buchanan Field, the Sheraton Hotel, and other agencies to develop a consortium that will provide the simulator training as part of the comprehensive driver training project. The consortium will enter into the necessary arrangements with POST to satisfy its requirements to assure use of the simulators by POST certified agencies. In addition, the consortium is continuing to identify additional partners to participate in this project.

The consortium is also developing an operations plan for the system to ensure its on-going effective use. We believe that there is a real need to bring simulators to Northern California. By placing a two-quad system at the Contra Costa site, we will be able to accommodate local and regional law enforcement, Northern California law enforcement, local and regional fire, local and regional emergency medical, and local and regional government personnel.

Presentation to the Commission on POST Finance Committee, April 23, 1997; by the Contra Costa County Police Chiefs' Association, Driver Simulator Proposal

SPECIAL CIRCUMSTANCES

ACCESSIBILITY TO NORTHERN CA POLICE AGENCIES

DIRECT ACCESS TO NORTHERN & CENTRAL PORTIONS OF STATE

NO DRIVER SIMULATORS NORTH OF SAN JOSE

ACCREDITED POST DRIVING INSTRUCTORS/CURRICULUM SINCE 1974

CERTIFIED DRIVING TRAINING PROGRAM IN PLACE

INTEGRATED WITH LOS MEDANOS COLLEGE

DESIGNATED SIMULATOR SITE & ACCOMMODATIONS

WORKING PARTNERSHIP WITH SHERATON HOTELS

WORKING PARTNERSHIP WITH BUCHANAN COUNTY AIRPORT

INCORPORATES ACR58 STUDY COMMITTEE RECOMMENDATIONS

AVAILABILITY OF SKILL DEVELOPMENT FACILITIES

COMPUTER-BASED TRAINING PROGRAMS

MULTI-JURISDICTIONAL FUNDING PARTNERSHIP

MUNICIPAL & COUNTY RISK MANAGEMENT PARTICIPATION

CONTRA COSTA COMMUNITY COLLEGE DISTRICT

CONTRA COSTA COUNTY POLICE CHIEFS' ASSOCIATION

NO REQUEST FOR OPERATION/MAINTENANCE OR UPGRADE FUNDING

FUNDING PLAN DEVELOPED BY PARTNERSHIP

PRIVATE SECTOR BUY-IN FOR TRAINING

CONSISTENT WITH POST STRATEGIC PLAN

'BEYOND 2000: MAKING A BOLD ADJUSTMENT

INCREASE STANDARDS & COMPETENCIES

MAXIMIZE TRAINING DELIVERY

ESTABLISH STRONGER PARTNERSHIPS

State of California

Department of Justice

Memorandum

To: Finance Committee

Date: March 28, 1997

KENNETH J. O'BRIEN

Executive Director

From: Commission on Peace Officer Standards and Training

Subject: POLICY LIMITING SUBSISTENCE REIMBURSEMENT FOR COURSES ATTENDED MORE THAN 25 MILES FROM THE WORKPLACE

At its July 1994 meeting, the Commission acted to discontinue reimbursement for lodging and meals associated with training courses attended within 50 round-trip miles of the trainee's department. This policy became effective September 1, 1994. The purpose of this action was to conserve scarce reimbursement dollars. The assumption was that trainees may reasonably commute to and from courses located within 25 miles of the agency without incurring lodging expense. Programs with a live-in requirement were exempted from this policy.

The Alameda County Chiefs' and Sheriff's Association is requesting relief from the rule described above (see attached letter). The Association notes that in certain areas of the state, traffic congestion adds an inordinate amount of travel time for trainees, even in distances less than 25 miles. This circumstance adds to the agency's overtime pay obligations. The Association would like the discretion of reimbursement for lodging and meals for students attending courses in locations where commuting is extremely difficult, notwithstanding the distance travelled. There have also been concerns raised from other parts of the state about traffic congestion and the time consumed to travel distances, even less than 25 miles.

The policy associating reimbursement for subsistence with the distance travelled from the trainee's agency has been in effect for approximately two and one-half years. It is difficult to provide accurate data on cost savings, owing to our inability to account for decisions made on this subject by agency representatives. Nevertheless, computer analysis does show that since the inception of the policy, approximately \$188,000 was claimed by persons travelling under 50 miles. In keeping with the policy, \$141,000 of these claims was denied. \$47,000 was paid as the result of computer over-ride decisions, or for commuter lunch. Therefore, based solely on this accounting, about \$56,000 per year was saved on disallowed reimbursement claims. Clearly, there were additional savings realized as the result of departments complying with the policy, and utilizing commuter reimbursement claims within the 25 mile radius. (The 1994 estimate was that savings would approximate \$153,000 annually.)

The Committee may wish to review the policy restricting subsistence reimbursement, in view of the concern expressed by the Alameda County Chiefs' and Sheriff's Association. This item is on the agenda for information, discussion, and direction to staff.

Alameda Police • Albany Police • Berkeley Police • County Sheriff • District Attorney's Patrol • East Bay Regional Parks District Hayward Police • Hayward Area California Police • Oakland Police • Oakland Area Pleasanton Police • San Francisco Bay Area Police • Union City Police • University



Police • California State University Hayward Office • Dublin Area California Highway Police • Emeryville Police • Fremont Police • Highway Patrol • Livermore Police • Newark California Highway Patrol • Piedmont Police Rapid Transit District Police • San Leandro of California, Berkeley Police

P.O. Box 2389 Dublin, CA 94568

Tel or Fax (510) 648-1307

February 24, 1997

Mr. Kenneth O'Brien
Executive Director
California Commission on Peace
Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816

Dear Mr. O'Brien:

The members of our Association request that the Commission reconsider POST regulations that preclude reimbursement for lodging for officers who attend training sessions in areas of heavy traffic congestion. Our specific concern is for classes held in the San Jose area, but we are confident that a similar situation exists in other locations throughout the State where long commute times have become commonplace.

Officers traveling from most parts of Alameda County to classes in San Jose routinely spend two or more hours commuting each way. Clearly, four or five hours lost to travel time is excessive and greatly inflates departmental overtime costs. That burden could be eliminated if the pertinent regulations were modified to permit reimbursement for overnight lodging for students attending approved classes in locations where commuting is extremely difficult, even though the travel distance is less than the twenty-five mile limit which now exists.

Thank you for your consideration.

A handwritten signature in cursive script that reads "John Moilan". The ink is dark and the signature is fluid.

Chief John Moilan
Piedmont Police Department
President

State of California

Department of Justice

Memorandum

To: Finance Committee**Date:** March 28, 1997

Ken J. O'Brien
for KENNETH J. O'BRIEN
Executive Director

From: Commission on Peace Officer Standards and Training**Subject:** IVD AND SATELLITE ANTENNA REIMBURSEMENT PROGRAM

At its meeting on July 18, 1997, the Commission authorized \$1,045,420 for reimbursing qualified agencies that had not yet obtained interactive videodisc systems and satellite antennas. At that time, there were more than 100 eligible agencies that had not purchased the equipment. In November 1996, the Commission authorized \$189,000 to replace 55 computers in 27 agencies that would not run the alcohol and drug IVD courses.

To date, 19 agencies have submitted invoices to POST for reimbursement for IVD systems. Six agencies have requested permission to purchase additional systems for use at substations where training is conducted. Staff knows of several other agencies that are in the process of making IVD purchases.

Some agencies have reported that they will not be able to make their purchases and submit the invoices prior to the June 30, 1997 deadline that had been set by the Commission. The reason is lack of budgeted funds - even though POST will reimburse. They ask if reimbursement authorization can be extended to Fiscal Year 1997/98.

The bulletin providing the specifications for the satellite antennas was not sent out until February 1997. The delay was due to additional testing of the encryption technology. It is anticipated that some agencies will also ask for satellite receiver reimbursement authorization beyond June 30, 1997.

The Committee may wish to consider extending the deadline to ensure that all eligible agencies are able to take advantage of the reimbursement opportunities for both the IVD and satellite antenna systems.

State of California

Department of Justice

M e m o r a n d u m**DATE:** April 10, 1997**TO:** Finance Committee**FROM:** *for*  KENNETH J. O'BRIEN

Executive Director

Commission on Peace Officer Standards and Training

SUBJECT: COST EFFECTIVENESS OF SOLE SOURCE AGREEMENTS FOR SERVICES WITH OTHER STATE AGENCIES

At its January 1997 meeting, the Commission approved an Interagency Agreement with the Department of Water Resources for microfilm services. Since POST has had an agreement for these same services with that state agency for many years, Commissioners inquired as to whether staff had evaluated the potential for other more cost effective options.

Discussion resulted in direction from the Commission for staff to report back concerning two issues:

1. Whether other state agencies might provide the same services at a lesser cost; and
2. Whether the Commission can avoid the requirement to contract with state agencies and seek competitive bids from the private sector for microfilm services.

Prior to the 1995/96 Fiscal Year, state agencies were required to send microfilming work to the Department of Corrections, Prison Industries. Annually POST sought and received exemption to avoid peace officer records being processed by inmates. Staff review of issues has disclosed that in 1995/96, Prison Industries ceased providing microfilm services. In February 1996, the State Department of General Services established a Master Services Agreement (MSA) with several private firms offering microfilm service. Private firms on the MSA list go through a competitive process to gain standing on the list.

Since February 1996, state agencies have been authorized to contract for microfilm services with either another state agency or firm on the MSA list. Staff did not become aware of this MSA list until commencement of analysis for this report.

In February 1997, staff reviewed microfilm service costs offered by BMI Imaging Systems, an MSA provider. Their costs were significantly less than the Department of Water Resources. Accordingly, staff cancelled the Interagency Agreement and entered into a new contract with BMI.

The cancelled Water Resources agreement could have reached an expenditure level of \$19,998.00. The contract with BMI for comparable services is in an amount not to exceed \$7,999.00.

Hopefully, the foregoing is responsive to the Commission's request for information. Clearly the result of review is appreciable savings. Staff will be available to respond to any related questions.

COMMISSION ON POST
FISCAL YEAR 1996-97
 (AS OF 3-31-97)

EXPENDITURE SUMMARY		CONTRACT SUMMARY	
RESOURCES		APPROVED TRAINING CONTRACTS	
Revenue Projection	31,713,000	Management Course	\$ 309,539
Prior Year Savings and other adj	5,078,000	Executive Training	422,345
Budget Act Revenue Adj (Sec 24.10)	6,206,000	Supervisory Ldrship Inst	473,320
		DOJ Training Center	993,451
		Satellite Video Trng	68,000
		Case Law Updates	58,000
		Telecourse Programs	550,000
		Basic Course Prof Exam	58,000
		Basic Narcotic, Motorcycle, and DT	1,518,722
		Master Instructor Program	244,103
		ICI Core Course	442,000
		POSTRAC *	230,000
		PC 832 Exam	39,700
		ICI Instructor Update	58,000
		Driver Training Sims	281,759
		Spanish Language Training *	127,000
		Entry level reading/writing	109,850
		Special Consultant (FTO)	120,000
		Special Consultant (Reserve Trng Program)	120,000
		Miscellaneous Contracts	69,263
		* - Approved in FY 95-6	Total \$ 6,293,052
EXPENDITURES:			
ADMINISTRATION	\$10,181,000		
TRAINING CONTRACTS/LA	\$8,312,687	Additional Training Contracts (July 96 Meeting)	
Contracts (See list)	7,052,687	Multimedia Classroom Project Pilot	60,000
Letters of Agreement	1,100,000	Student Work Books	200,000
Conf Room Rental	160,000	Cultural Diversity Trng (SDRTC)	78,326
		Driver Training Sim (LAPD)	360,000
		SLI Program Increase	61,309
			Total \$ 759,635
			Grand Total \$ 7,052,687
TRAINING REIMBURSEMENT	\$16,094,016		
Trainees: 48,334			
Subsistence	8,479,119		
Commuter meals	1,456,831		
Travel	2,551,838		
Tuition	3,606,228		
MUSEUM OF TOLERANCE	\$2,000,000		
Contract	1,556,000		
Reimbursements	444,000		
ACTIONS TAKEN AT JULY 96 MEETING	\$1,853,420		
1. Per diem increase (\$760,000 est)	(incl) 228,000		
2. Team Bldg Workshops (Cultural Div)	1,045,420		
3. Satellite Antennas/IVD	580,000		
4. Encryption			
ACTIONS TAKEN AT NOVEMBER 1996 MEETING	\$189,000		
1. Per diem increase	(incl) 189,000		
2. Replacement IVD systems			
EXPENDITURES, TOTAL	\$38,630,123		
PROJECTED SAVINGS (CARRY OVER TO FY 97-8)	-\$3,000,000		
RESERVES	\$1,366,877		

COMMISSION ON POST
FISCAL YEAR 1996-97
 (AS OF 3-31-97)

	<u>BUDGET SUMMARY</u>		<u>PROJECTION</u>		<u>DIFFERENCE</u>
	(DETAILS)	(TOTAL)	(DETAILS)	(TOTAL)	
RESOURCES (A)		\$42,997,000		\$42,997,000	0
Revenue Projection	31,713,000		31,713,000		
Prior Year Savings and other adj	5,078,000		5,078,000		
Budget Act Revenue Adj (Sec 24.10)	6,206,000		6,206,000		
EXPENDITURES:					
ADMINISTRATION		\$10,181,000		\$10,000,000	-181,000
TRAINING CONTRACTS/LA		\$8,312,687		\$7,228,305	-1,084,382
Contracts (See list)	7,052,687		5,968,305		
Letters of Agreement	1,100,000		1,100,000		
Conf Room Rental	160,000		160,000		
TRAINING REIMBURSEMENT		\$16,094,016		\$16,094,016	0
Trainees: 48,334					
Subsistence	8,479,119		8,479,119		
Commuter meals	1,456,831		1,456,831		
Travel	2,551,838		2,551,838		
Tuition	3,606,228		3,606,228		
MUSEUM OF TOLERANCE		\$2,000,000		\$1,889,000	-111,000
Contract	1,556,000		1,556,000		
Reimbursements	444,000		333,000		
ACTIONS TAKEN AT JULY 96 MEETING		\$1,853,420		\$347,400	-1,506,020
1. Per diem increase (\$760,000 est)	(incl) 228,000		(incl) 0		
2. Tm Bldg Wks (Cultural Div)	1,045,420		347,400		
3. Satellite Antennas/IVD	580,000		0		
4. Encryption					
ACTIONS TAKEN AT NOVEMBER 1996 MEETING		\$189,000		\$150,000	-39,000
1. Per diem increase (\$506,000 est)	(incl) 189,000		(incl) 150,000		
2. Replacement IVD systems					
EXPENDITURES, TOTAL		\$38,630,123		\$35,708,721	-2,921,402
PROJECTED SAVINGS (CARRY OVER TO FY 97-8)		-\$3,000,000		-\$3,000,000	0
RESERVES		\$1,366,877		\$4,288,279	\$2,921,402

4 YEAR PROJECTION

(As of 3-31-97)

	<u>FY 96-7</u>	<u>FY 97-8</u>	<u>FY 98-9</u>	<u>FY 99-00</u>
Beginning Reserves	9,821	12,031	4,288	0
Revenues				
Penalties (PAF)	30,968	30,947	30,947	30,947
Other	745	745	745	745
PAF/DT	<u>6,206</u>	<u>2,000</u>	<u>2,000</u>	<u>2,000</u>
Total	37,919	33,692	33,692	33,692
Total Resources	47,740	45,723	37,980	33,692
Expenditures				
Support	18,785	19,054	19,054	19,054
Local Assistance	16,924	16,766	16,766	16,766
Discretionary*	<u>0</u>	<u>5,615</u>	<u>2,160</u>	<u>0</u>
Total	35,709	41,435	37,980	35,820
Year End Reserve	12,031	4,288	0	-2,128

***Discretionary Funds/Options:**

1. FY 96-7 Carry Over Items
 - a. LAPD DT Simulator - \$358,381
 - b. Satellite/IVD Systems - \$698,020
 - c. Encryption - \$580,000
2. Cap
 - a. Eliminate 80 Hour Cap - \$1.0 million
 - b. Raise cap to 120 hours - \$600,000
 - c. Raise cap to 160 hours - \$200,000
3. Backfill Reimbursement Cost - \$5.5 mil for 100%; \$2.75 m for 50%
4. Plan V - \$3.5 million @ \$2.00/hour

M e m o r a n d u m

DATE: March 17, 1997

TO: POST Commissioners

FROM: MANUEL E. ORTEGA, Chairman
Long Range Planning Committee
Commission on Peace Officer Standards and Training

SUBJECT: REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met in the office of Commissioner Block in Monterey Park on March 17, 1997 at 9:00 a.m. Present in addition to myself, were Commissioners Block, Hunt, Campbell, and Lowenberg. Staff present were Kenneth J. O'Brien and Glen Fine.

The Committee received reports from staff on the following issues:

Driver Training Simulator Procurement

In July 1996, the Commission authorized a contract with the Los Angeles Police Department to procure simulator equipment and provide training under the same terms as previous agreements with three other law enforcement agencies. In January 1997, the I*SIM Corporation of Murray, Utah, wrote a letter to Governor Wilson raising a variety of concerns about the proposed LAPD procurement of a simulation system from Doron Precision Products. Members of the POST Commission received copies of the I*SIM letter.

Staff presented a report describing background and addressing concerns raised by I*SIM Corporation. There was consensus that the staff report be provided for information and any desired discussion by the full Commission at the April 24 meeting. A copy of the report is attached.

Criteria for Commission Approval of Agency Policies on Limited Level of Reserve Officers

State law and POST regulations allow for departments to submit policies to POST describing assignment restrictions for limited duty Level I reserve officers. If the commission approves such policies, the limited Level I reserves may exercise peace officer powers in the course of their work and are exempted from the Regular Basic Course training standard.

Staff presented a draft of criteria which might be used by the Commission in judging acceptability of agency policies concerning use of limited Level I reserves. Criteria was

generally acceptable to members of the Committee. Criteria will be considered for recommendation by the Legislative Review Committee at its meeting on April 24, 1997.

POST Law Enforcement Consultant Classification/Compensation Study

Staff provided a report and overview regarding need perceived to enhance the minimum qualifications for this position and to seek a more competitive compensation package. There was consensus that staff should continue to work with the State Department of Personnel Administration on this matter.

Reserve Module D Testing Requirements

At its January 1997 meeting, the Commission directed staff to evaluate and report back regarding the appropriateness of subjecting Module D students to the same testing requirements that apply to the Regular Basic Course. Attention was drawn to the fact that the current requirement results in students being tested for training undertaken previously in Modules A, B, and C. Previous training may have been many years in the past.

Following review and discussion of a staff report, there was consensus that the testing requirements are currently found appropriate and acceptable by Module D presenters and should not be revised at this time.

ADJOURNMENT - 10:25 a.m.

State of California

Department of Justice

MEMORANDUM

To : Long Range Planning Committee

Date: March 10, 1997


Kenneth J. O'Brien
Executive Director

From : Commission on Peace Officer Standards & Training

Subject: DRIVER TRAINING SIMULATOR PROCUREMENT

In July 1993, the Commission authorized contracts totalling \$855,000 with three law enforcement agencies for purposes of pilot testing a simulator-based driver training program. Individual contracts were subsequently signed with the Los Angeles County Sheriff's Department, the San Bernardino County Sheriff's Department, and the San Jose Police Department. Contracts provided POST funds for these departments to purchase driver training simulation systems from AGC Simulation Products.

Each simulation system consisted of four trainee stations and an instructor console. POST staff and law enforcement subject matter experts had previously provided AGC with advice and encouragement during the simulator development phase. AGC, based in Santa Clara County at that time, with POST's encouragement had developed the only known low cost simulator designed for law enforcement training. Each of the three agencies purchased the AGC system relying upon POST's determination that AGC was a sole source provider of such simulators.

At its July 1996 meeting, the Commission acted to authorize a contract, not to exceed \$360,000, with the Los Angeles Police Department to establish a fourth training site using this simulation equipment. The \$360,000 was calculated to include procurement of the simulation system and pay for the cost of a full-time instructor for one year.

By July 1996, AGC Simulation Products had been sold to Doron Precision Products, Inc., of New York. There remained, at that time, a belief that the simulation system, now owned by Doron, was the only available simulation system designed to improve law enforcement officers' judgment and decision-making skills in emergency vehicle operations. Also, by that time the simulators were running training scenarios developed and programmed at POST expense.

The scenarios are, of course, a crucial element of the training package. In April 1995, the Commission approved a marketing agreement with AGC under which POST receives a royalty on sales (outside of California) of the scenarios. That agreement was transferred to Doron. The agreement is non-exclusive in order that the Commission be free to market the scenarios with other vendors in the future.

In September 1996, Mayor Richard Riordon and Councilmember Laura Chick sent a letter to Governor Pete Wilson apprising him of a Los Angeles firm that might be a competitive alternative to the Doron simulator. A copy of that correspondence is attached.

POST staff had previously been made aware of the Los Angeles firm's interest. The firm, Perceptronics, had an already developed truck driving simulator. POST staff and law enforcement specialists visited Perceptronics and concluded that significant changes would have to be made to adapt the truck simulator to address law enforcement training needs.

In January 1997, the I*SIM Corporation of Utah wrote a letter to Governor Wilson complaining that POST's preference for the Doron equipment is not warranted. A copy of the letter is attached.

I*SIM has developed a training simulator for law enforcement which was demonstrated to a POST staff member and California law enforcement specialists in November 1996. At the time of the demonstration, the I*SIM equipment was believed not to be an immediate alternative to the Doron equipment because the field of view would have to be increased to allow trainees to view cross-street traffic; the "city" would have to be expanded to include such areas as schools, parking lots, residential and urban areas; there would need to be more vehicles, including police and fire, trucks, buses, and bicycles as well as other objects, such as pedestrians and animals, traffic arrow signs, and road blockades. All of the objects, whether moving or static, need to be programmable by the instructor or scenario developer in order to create realistic situations encountered in law enforcement driving. Emergency equipment needs to be installed (radio, lights, siren), and the driver's speed needs to be captured and displayed during replay.

All of the features mentioned above, plus many more, are now incorporated into the DORON simulator. I*SIM could also include them, but it was believed that some period of time would be required to develop, test, and "debug" the new features before the system would meet the needs of law enforcement and be fully operational.

I*SIM's president has advised POST staff that improvements are being made and POST's scenarios are being programmed to run on the I*SIM simulator. In February 1997, he estimated that the I*SIM simulator could be delivered within four months.

Certainly as time passes and more companies become active in the law enforcement driving simulation field, alternatives to and improvements beyond the existing Doron equipment should become available. POST staff has long pursued, on behalf of the Commission, a posture of working cooperatively with all private firms interested in this area.*

The I*SIM letter also raises concerns about the Commission's decision-making processes and whether the full Commission was made aware that Doron would be the preferred provider of equipment to the Los Angeles Police Department. Concerns are additionally raised in the letter about POST staff's long-term relationships with the Doron equipment.

When the Commission acted to authorize the Los Angeles Police Department purchase of a simulation system, there was no specific discussion of Doron equipment as a sole source. The approved action was:

- o Offer to expand the driver training simulator program by installing a system at the Los Angeles Police Department on the same basis as other current site agreements at a cost of \$360,000, authorize the Executive Director to sign an agreement with the City of Los Angeles, and direct staff to investigate options for the future of this program and report back at the November meeting.

The issue was most fully discussed at the Commission's Finance Committee meeting on July 17, 1996. The discussion centered on the driving simulation project and expanding the project to include the Los Angeles Police Department. The Doron equipment was in place at three sites; cost estimates were based on the Doron equipment, and no other equipment was believed available to meet the training objectives.

The I*SIM letter accurately reports a demonstration of their product where they received feedback from a POST staff member and law enforcement specialists familiar with the Doron equipment. The law enforcement specialists are inaccurately referred to as POST's consultants. California representatives at the Utah demonstration were Dennis Aronson, Senior Instructional Designer; Sergeant George Grein, Los Angeles County Sheriff's Department; Commander Ron Gannon, West Covina Police Department; Sergeant Bill Smith, retired from the Los Angeles Police Department; and POST Commissioner Ted Hunt.

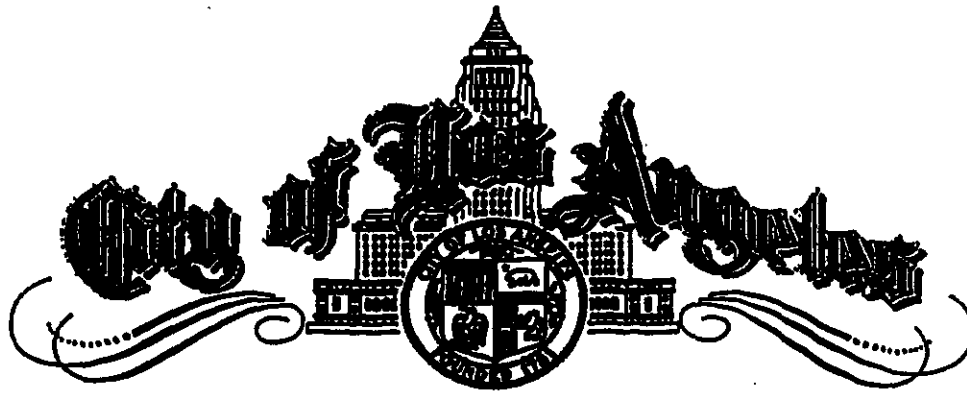
*At its January 1997 meeting, the Commission approved several recommendations from the Finance Committee regarding the Commission's future role in supporting driver training simulators. Recommendations included direction to staff to continue working with the private sector and a policy position that the Commission no longer fund hardware acquisition absent special circumstances.

POST's purpose in sending a staff member to the demo was to maintain familiarity with new products being developed. I*SIM apparently approached the demo as a vehicle for offering their product as a competitive alternative to the Doron equipment proposed to be purchased by the Los Angeles Police Department.

I*SIM Corporation apparently believed a Commission decision about their product and the Los Angeles Police Department's procurement would be made following the November 1996 demo. POST staff has no awareness of their basis for such a belief. POST staff believed the Commission acted on July 18, 1996 to authorize the Los Angeles Police Department to purchase Doron equipment. If, however, staff during this time discovered what was believed to be a competitive alternative, both the Los Angeles Police Department and the Commission would have been informed.

I*SIM suggests that POST staff and its consultants (California law enforcement training specialists) may have become so close to the Doron equipment that they are unable to see the superiority of other equipment on the market. POST staff believes, to the contrary, that it continues to bring objectivity and a balanced perspective to all evaluations. In that regard, staff has praised the superior graphics, overall technology, and realism built into the I*SIM simulator.

The Commission Chairman has requested the I*SIM letter be placed on this agenda. The matter is before the committee for discussion. Staff will be prepared to respond to questions and provide background and amplification as desired.



CITY HALL
LOS ANGELES, CALIFORNIA 90012
(213) 847-2469

OFFICE OF THE MAYOR

RICHARD J. RIORDAN
MAYOR

September 26, 1996

The Honorable Pete Wilson
Governor, State of California
1st Floor State Capitol
Sacramento, CA 95814

Dear Governor Wilson:

As the Los Angeles Police Department (LAPD) moves forward with advanced technology for training law enforcement personnel, we want to bring to your attention an existing driver training simulator system developed in Los Angeles County. We write you out of concern that this system may be overlooked by POST as it prepares to purchase a driving simulator for the LAPD.

The existing police pursuit training system in San Bernardino has demonstrated the effectiveness of a simulator as a safe and low cost adjunct to in-vehicle training. It is important that law enforcement take advantage of the technological advances to increase the effectiveness of training made in this field over the last 10 years.

It is our understanding that POST is preparing to purchase, without a competitive bid, a pursuit training system built by Doron Precision System, Inc. of Binghamton New York. While the Doron System builds quality equipment, you may not be aware that in Woodland Hills there is a small company, Perceptronics, which may be a competitive alternative. This company has built advanced driver trainers for the United States Army, Department of Energy and for commercial customers. It appears they have been excluded from the competitive process.


Since 1990, Perceptronics has developed, built and installed more than 400 driver training systems. Clearly, we want law enforcement in Los Angeles to have the most advanced and effective technology to train our police personnel. This technology can be built by a California-based company. We believe it is important that POST examine and evaluate it.



The Honorable Pete Wilson
September 26, 1996
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Thank you for your time and consideration in this matter. If your staff or POST has any questions, please contact Miriam Jaffe, Business Development Representative, at (213) 847-2684.

Sincerely,


RICHARD J. RIORDAN
Mayor


LAURA CHICK
Councilmember, Third District

cc: Police Chief Willie Williams
Bernie Homme, POST

OFFICE OF CRIMINAL JUSTICE PLANNING

OFFICE OF THE DIRECTOR
1130 K STREET, SUITE 300
SACRAMENTO, CA 95814



November 12, 1996

Honorable Richard J. Riordan
Mayor
City of Los Angeles
City Hall
Los Angeles, California 90012

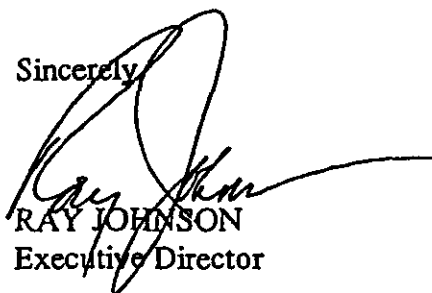
Dear Mayor Riordan:

In response to the letter that you and Councilmember Chick submitted to Governor Wilson regarding the driver training simulator system, the Governor has asked me to respond to you directly.

You were especially concerned that POST is recommending the simulator of DORAN Precision Systems, Inc., without evaluating the capabilities of Perceptronics in Woodland Hills, California. I have been informed that POST is aware of other driving simulators being developed both in California and other states, including that of Perceptronics. It is also my understanding that as soon as POST became aware of Perceptronics and its interest, the President of the corporation was contacted and a demonstration requested.

Thank you for taking the time inform Governor Wilson of this issue. If you require any further information, I suggest that you contact Glen Fine, Deputy Executive Director, POST, at (916) 227-2803.

Sincerely,



RAY JOHNSON
Executive Director

cc: Councilmember Laura Chick
Glen Fine, POST
Police Chief Willie Williams
Dean Shelton, Governor's Office



I*SIM Corporation

5200 Greenplne Drive, Murray, Utah 84123, U.S.A.

22 January 1997

**Honorable Pete Wilson
Governor of California
State Capitol, First Floor
Sacramento, California 95814**

Dear Governor Wilson,

I*SIM Corporation, which markets high-tech driving simulators had a recent experience with the California Commission on Peace Officer Standards and Training (POST) and at that time, several questions arose regarding the manner in which POST conducts its evaluation of training devices.

Knowing that POST planned to formulate a recommendation for a preferred driving simulator, I*SIM requested its representative Ken Spiker and Associates (KSA) to invite POST to see our in-process driving simulator technology. KSA arranged for a POST staff member and a POST consultant to conduct a preliminary review of the I*SIM driving simulator technology. This review was preliminary in that the product was, at that time, not yet "fine tuned." During that demonstration, it became apparent to all those present that the POST personnel were predisposed to favor the old Atari (now Doron) equipment.

Following the presentation, KSA staff were told by a POST staff member and consultant that the Doron equipment was not nearly as sophisticated and did not provide as realistic a training environment as I*SIM, but that the Doron simulator performed the tasks determined by POST to be essential, was cheaper and, most importantly, that POST staff members and consultants were familiar with the equipment and had worked out all the "bugs."

We at I*SIM were waiting for the matter to come before the POST commission when KSA was informed that the Commission had made a decision recommending Doron. How was this possible when the Commission had not yet met?

In discussing the matter with a POST staff member, KSA was told that a POST sub-committee had made the decision to recommend Doron. They were further informed that when the POST commission appoints a sub-committee and that sub-committee takes an action, that action is, in fact, an action of the POST Commission. This is a highly

22 January 1997

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The Honorable Pete Wilson
Governor, State of California

unusual procedure. So unusual that some of the sitting POST Commissioners were not aware of it.

Following this revelation, KSA, on behalf of I*SIM, inquired regarding obtaining the driving scenarios developed by POST and marketed across the nation by Doron. We were told that they would be of no value to I*SIM as they were developed by POST for the Doron machine and that Doron, through a non-exclusive deal with POST, pays \$2,500 to POST for the scenarios each time a unit is sold outside of the state of California.

While we were told that this is a non-exclusive deal, the "exclusive" part appears questionable since POST has, at its expense, made the programs compatible with only one simulator—Doron.

Through KSA's insistence, I*SIM has obtained the basic driving scenarios and will, at its expense, convert them so they will operate in its high-tech product.

We believe that the POST Commission, to avoid what appears to be unwarranted preference of the Doron product by POST staff and its consultant, should evaluate all available driving simulators and through a scientific/technical process determine which ones are appropriate for use by California law enforcement agencies. We believe the evaluation procedures and process should be public and the ultimate decision should be made by the POST Commission, not by a sub-committee.

We also believe that the apparent long-standing relationship between POST staff and its consultants with Atari/Doron should be of concern to the POST Commission as it's very clear to virtually everyone in the field that there is equipment on the market at this time that is far more sophisticated and which provides a superior training experience than that which is being recommended by POST staff and its consultants.

Respectfully,

I*SIM CORPORATION



Reginald T. Welles
President & CEO

22 January 1997

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**The Honorable Pete Wilson
Governor, State of California**

cc/

**Charlie Fennessey
Deputy Legislative Secretary
Office of Governor Wilson
First Floor State Capitol
Sacramento, CA 95814**

**Ted Hunt
Los Angeles Police Protective League
600 East Eight Street
Los Angeles, CA 90014**

**Bernie Homme
Peace Officer Standards and Training
State of California
1601 Alhambra Drive
Sacramento, CA 95816-7083**

**Willie L. Williams
Chief of Police
Los Angeles Police Department
150 North Los Angeles Street Room 150
Los Angeles, CA 90012
MAIL STOP 400**

**The Honorable Laura Chick
3rd Council District
City of Los Angeles
100 North Spring Street Room 281
Los Angeles, CA 90012**

**Ken Spiker Jr.
Vice President
Ken Spiker & Associates, Inc.
14156 Magnolia Boulevard
Sherman Oaks, CA 91423**

**Chairman Manuel Ortega
1601 Alhambra Boulevard
Sacramento, CA 95816**

**Attorney General Daniel E. Lungren
State Department of Justice
1300 "I" Street #1714
Sacramento, CA 95814**

**Mrs. Jody Hall-Esser
Chief Administrative Officer
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232-0507**

**Sergeant David C. Anderson
Los Angeles County Sheriff's Department
5130 North Clark Street
Lakewood, CA 90712**

**Sheriff Sherman Block
Los Angeles County Sheriff's Office
4700 Ramona Boulevard Fourth Floor
Monterey Park, CA 91754-2169**

**Collene Campbell
1601 Alhambra Boulevard
Sacramento, CA 95816**

**Investigator Michael T. Carre
Orange County District Attorney's Office
PO Box 203
Santa Ana, CA 92702**

**Ted Hunt
Los Angeles Police Protective League
1308 West Eighth Street
Los Angeles, CA 90017**

**Sheriff William B. Kolender
San Diego County Sheriff's Department
PO Box 429000
9621 Ridgehaven Court
San Diego, CA 92123**

**Chief Ronald Lowenberg
Huntington Beach Police Department
2000 Main Street
PO Box 70
Huntington Beach, CA 92648**

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

Legislative Review Committee
Thursday, April 24, 1997
Holiday Inn Capitol Plaza
300 J Street - Balboa Room
Sacramento, CA 95814
(916) 446-0100

Agenda**9:00 AM****Attachment****A. New Legislation**

1. **Senate Bill 350 - Training Appropriation for Violent Crimes Against Women** **A**

Attachment A provides analysis for Senate Bill 350 which proposes to appropriate \$2.19 million to POST for specified law enforcement training.

Recommended Position: Neutral

2. **Senate Bill 366 - School Peace Officer Study** **B**

Attachment B provides an analysis of SB 366 which would require POST to review minimum training and selection standards for school peace officers and security officers.

Recommended Position: Neutral or Support

3. **Assembly Bill 533 - Weapons Scanning Devices** **C**

Attachment C provides an analysis of SB 533 which would authorize law enforcement agencies to acquire new weapons scanning devices, preclude the public's access, and require peace officers who use these devices to complete training certified by POST.

Recommended Position: Neutral

4. **Senate Bill 588 - Elder Abuse Training** **D**

Attachment D provides analysis of SB 588 which would require POST to develop elder abuse guidelines and incorporate curriculum related to these guidelines into the Basic Course.

Recommended Position: Neutral

5. **Senate Bill 786 - Reserve Peace Officer Definitions** **E**

Attachment E provides analysis of SB 786 that proposes to: (1) combine designated and non-designated reserve peace officer classifications, (2) eliminate limited Level I reserve classification, (3) authorize Levels II and III reserves to perform certain limited duties while working alone, and (4) eliminate the required continuous field training program for Level II reserves.

Recommended Position: Neutral, If Amended

6. **Assembly Bill 870 - Elder Abuse: Law Enforcement Training** **F**

Attachment F provides analysis of AB 870 that proposes mandated training for law enforcement.

Recommended Position: Neutral

7. **Senate Bill 923 - Traumatic Brain Injury Fund** **G**

Attachment G provides analysis of SB 923 which proposes to eliminate the present \$500,000 cap on revenue to the Traumatic Brain Injury Fund and the re-distribution of excess revenue to the other state penalty funds including the Peace Officer Training Fund.

Recommended Position: Oppose

8. **Senate Bill 951 - Peace Officers: Franchise Tax Board** **H**

Attachment H provides analysis of SB 951 which would provide that designated employees are peace officers provided that the primary duty is the enforcement of specified provisions of the Revenue and Taxation Code.

Recommended Position: Neutral

9. **Senate Bill 1213 - Peace Officers: Santa Clara County Correctional Officers** **I**
- Attachment I provides analysis of SB 1213 which would create a new category of peace officer specifically for Santa Clara County.
Recommended Position: Oppose
10. **Assembly Bill 1398 - Washoe Tribal Law Enforcement** **J**
- Attachment J provides analysis of AB 1398 which would extend peace officer powers (not status) to members of the Washoe Tribal Police.
Recommended Position: Oppose
11. **Assembly Bill 1468 - Reserve Peace Officers: Firearms: POST Reimbursement** **K**
- Attachment K provides analysis to AB 1468 which would authorize a police chief or sheriff to issue concealed weapons permits to certain reserve peace officers and authorize POST reimbursement for the training of reserve peace officers.
Recommended Position: Oppose
12. **Assembly Bill 1496 - Public Safety Training Act of 1997** **L**
- Attachment L provides analysis to AB 1496 which would establish the Public Safety Training Facilities Fund and the Public Safety Regional Training Facilities Board of Directors to implement the regional public safety skills centers concept.
Commission Position: Support the Concept Pending Review by the Governor's Office
- B. **Law Enforcement Agency Policies for Use of Limited Level I Reserve Peace Officers** **M**
- Attachment M provides background and recommended "approval criteria" for law enforcement agency policies for use of limited Level I reserve peace officers.
- C. **Status of Active and Informational Bills of Interest to POST** **N**
- Attachment N provides a chart indicating the status of all active and informational bills of interest to POST.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083	
TITLE OR SUBJECT Domestic Violence Appropriation	AUTHOR Senator Lee	BILL NUMBER SB 350	DATE LAST AMENDED 2-12-97
SPONSORED BY			
BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)			
<p>GENERAL</p> <p>Senate Bill 350 would:</p> <ol style="list-style-type: none"> 1. Express legislative intent to develop and strengthen effective law enforcement, prosecution strategies, and victim services in cases involving violent crimes against women. 2. Appropriates \$11,453,000 to the STOP (Services-Training-Officers-Prosecutors) Violence Against Women Formula Grant Program that implements a portion of the Violence Against Women Act of 1994 (federal law) to the Office of Criminal Justice Planning (OCJP) for allocation to various entities. 3. POST is designated as one of the recipient entities and specifies: <ol style="list-style-type: none"> a) \$300,000 to continue the development of three interactive telecourses b) \$1,425,210 for support of the POST-certified domestic violence Institute of Criminal Investigation specialty course and first responder training. c) \$471,624 to supplement the training in the above b). <p>ANALYSIS</p> <p>The specifics of SB 350 have been developed under the auspices of a domestic violence task force established by the OCJP. At this point, however, it is unclear whether the bill is supported by the Governor's Office. SB 350 has been placed on a fast track through the Legislature as these dollars must be at least expended by July 31, 1998. POST has been informed that this level of federal funding is projected for an additional three years. Under federal requirements, POST has a 25% or \$730,000 match requirement for these funds. It is also important to note that this act focuses not only on domestic violence but also includes violent crimes committed against women. The Governor's Office has no position on the bill, and OCJP is neutral. We are told the provisions of SB 350 differ considerably from what the Governor's Office previously proposed.</p>			
OFFICIAL POSITION			
ANALYSIS BY <i>Hal Snow</i>	DATE 4-9-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR by: <i>John Doe</i>	DATE 4-10-97	COMMENT	DATE

The \$300,000 specified for three telecourses on domestic violence presupposes there is a need for additional such telecourses. POST has broadcast two telecourses on this subject and two on related subjects - crime victims and stalking. It is true that at least one telecourse will be needed to provide an update on law changes related to domestic violence. Two other domestic violence telecourses contemplated concern medical liaison and date rape. Additional research with law enforcement agencies and domestic violence experts will be necessary to identify purposes/context of the other two telecourses. The \$100,000 cost/telecourse will be able to accommodate POST's contract costs as well as costs for staffing and assembling subject matter experts.

The \$1,425,000 plus \$471,624 is designated for two purposes: 1) support of the POST domestic violence Institute of Criminal Investigation (ICI) specialty course, and 2) support of first responder training. POST currently has numerous ICI specialty courses but none related to the investigation of domestic violence cases. Staff believes this would be beneficial to criminal investigators who specialize in crimes against the person. An analysis is being conducted to determine costs for both developing and presenting this training. The second category of training concerning first responder presumably relates to supplemental/update training for in-service officers and perhaps basic academy trainees. An analysis is now being conducted to determine projected expenditures.

Because the Governor's Office has not formally taken a position on this bill, it is recommended that the Commission support the concept of supplemental funding for this purpose but withhold taking a position on the bill pending the Governor's Office review.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083	
TITLE OR SUBJECT School Peace Officer Study	AUTHOR Senator Hughes	BILL NUMBER SB 366	
	RELATED BILLS	DATE LAST AMENDED 3-13-97	
SPONSORED BY Senator Hughes			
BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS) <u>GENERAL</u> Section 1 of SB 366 makes a finding that the Legislature recognizes the importance of school safety and the need to ensure that professional standards are being maintained as school districts establish school police departments at an increasing rate. Section 2 requires the Commission to review minimum selection and training standards for peace officers and school security officers who are employed by school districts and to report its findings and recommendations to the Legislature by January 1, 1998. The bill has been made an urgency measure and would become law upon approval by the Governor. <u>ANALYSIS</u> Crime and violence, on or near California's schools, continues to be a concern of parents and school officials even though a soon to be released report from the State Department of Education reveals that most schools are characterized as "islands of safety" in comparison with other areas of California. However, the report does not draw any conclusions as to whether crime is increasing or decreasing. Furthermore, the report has been criticized for its validity of crime reporting by school districts. Perceptions about crime on or about schools is, perhaps, a more serious consideration. School peace officers, as defined by Penal Code Section 830.32, include peace officers employed by K-12 and community college districts. These K-14 districts can voluntarily establish a school police department or a school security department. Districts, when establishing a police department, generally employ school peace officers.			
OFFICIAL POSITION			
ANALYSIS BY <i>[Signature]</i>	DATE 3-21-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>[Signature]</i>	DATE 4-10-97	COMMENT	DATE

School peace officers are statutorily required to satisfy two training requirements including: 1) Penal Code Section 832 (Arrest and Firearms) - a 40-64 hour course depending upon whether the officers are authorized to carry firearms, and 2) Penal Code Section 832.3 (School Police Course) - a 32-hour course on school specific content. For both of these requirements, POST has the statutory responsibility to establish the content and hours of instruction. There are no state training requirements for school "security" officers.

Great variation exists between school districts as to the level of professional standards established for their school police officers. At the low end of the scale, many school districts opt to meet only the statutorily required training, i.e., 96 hours of P.C. 832 and 832.2. At the high end, 37 (22 community college districts and 15 K-12 districts) school districts voluntarily participate in the POST regular reimbursement program which involves completion of a minimum 664 regular basic academy, continuing professional training, supervisory and management training as well as higher selection requirements than those required by law. There are districts that opt for standards between these alternatives. Some districts alternatively contract with local police or sheriff departments for peace officer services.

Even though vast differences in professional standards exist for providing safety services so as to reflect the needs of each school district, the intent of SB 366 is to determine if current minimum requirements are adequate. Besides the bill's existing provisions, the author is considering amendments including requiring school districts that have established school police departments to have their police officers complete the Regular Basic Course. The situation of school police departments not meeting the professional requirements of city police officers, as described, has been criticized because of the lack of truth in labeling. Parents and the public have preconceived notions about the competency of a "police department" or one that employs "police officers." A false sense of security can be conveyed when districts use these terms and yet do not adhere to customary expectations of competency.

Among the several issues to be studied are whether school districts should be permitted to employ and appoint school peace officers without establishing a school police department. The ability of a district to properly select, train, and supervise peace officers without a bona fide department is highly questionable. Another issue is whether school police departments should be required to participate in the POST program. Another issue concerns whether school security officers should have some minimum training standards established in view of their sensitive role and public expectations. The author, who chairs the Senate Select Committee on School Safety, contemplates holding public hearings to ascertain the significance of these issues and identify any additional issues.

Regarding the "review" required by the Commission under SB 366, POST has the expertise to conduct such a review because of its many activities associated with peace officers and law enforcement agencies. It is anticipated this study would require approximately one year to complete using the half-time services of one staff member. The study would involve data

gathering and input from representatives of all organizations who have an interest in school safety. Of course, such a study would necessarily deal with several controversial and difficult issues including changes in statutory law. Study results and recommendations would come before the Commission for approval before being forwarded to the Legislature. It appears the Legislature, if it enacts SB 366, has confidence in POST's ability to objectively conduct such a study.

Additional arguments in support of SB 366 and POST conducting such a review include:

1. It would support the Legislature in objectively dealing with the concern about school safety.
2. It would have POST continue in its role as the pre-eminent authority on peace officer standards and law enforcement agencies.
3. POST already has legal responsibility for setting selection and training standards for school peace officers whose employing agencies voluntarily participate in the POST program and to a limited extent school peace officers who do not participate.
4. POST has recently initiated a study to review its training requirements for school peace officers under Penal Code Section 832.2 and the review contemplated by SB 366 would be a continuation of that effort.

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 Elder Abuse: Mandated Training and POST Guidelines	AUTHOR Senator Hughes	BILL NUMBER SB 588
	RELATED BILLS AB 870	DATE LAST AMENDED 4-1-97

SPONSORED BY
California Senior Legislature and Commission on Aging

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

Senate Bill 588 would:

1. Enact several provisions of law relating to prevention of elder abuse.
2. Requires the Commission to prepare guidelines establishing standard procedures that may be followed by law enforcement agencies in the detection, investigation, and response to elder abuse cases.
3. Requires POST to include in the basic course instruction content on the procedures developed for the guidelines.
4. Authorizes a peace officer to issue and file with the county recorder, a written declaration, under penalty of perjury, certifying that he or she believes a person is substantially unable to manage his or her financial resources or to resist fraud or undue influence due to mental defects, that there is probable cause to believe a crime is being committed.

ANALYSIS

This analysis addresses only the portion of the bill that relates to POST's responsibilities. However, there is some justification to call into question the portions of the bill that would expand the role of peace officers to file declarations about suspected elder abuse. This would expand the duties of law enforcement and the issues arise as to whether there are not more appropriate agencies to handle this responsibility. Also, there are no funding nor liability disclaiming provisions included in the bill for law enforcement.

With regard to the provisions calling for POST to develop guidelines, there has been no evidence of need that has been brought to POST's attention. POST's annual training needs assessments have not identified this as a problem nor a training need. POST's standard criminal investigative curriculum serves law enforcement and the public well and is general enough to apply to virtually every criminal offense including the most complicated and serious. The need for guidelines and additional basic course curriculum on elder abuse should also be questioned if the bill's provisions expanding law enforcement's investigative/reporting role are not adopted by the Legislature.

OFFICIAL POSITION

ANALYSIS BY <i>[Signature]</i>	DATE 4-9-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>[Signature]</i>	DATE 4-10-97	COMMENT	DATE

There are no provisions for funding of increased costs to POST for development (estimated to be \$100,000) nor for law enforcement agencies who will have to send their recruit officers to a longer basic academy. Without developing the guidelines and curriculum, it is not possible at this point to accurately estimate these increased costs.

COMMENTS

The bill causes concerns about its need and increased costs to POST and law enforcement agencies.

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 Weapons Scanning Devices: Required Training	AUTHOR Assemblyman Knox	BILL NUMBER AB 533
	RELATED BILLS	DATE LAST AMENDED 2-24-97

SPONSORED BY
Assemblyman Knox

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

GENERAL

Assembly Bill 533 would:

1. Authorize law enforcement agencies to acquire weapons scanning devices, as defined, for use in situations where there is reasonable suspicion that a person scanned has been or is about to be involved in a crime.
2. Make it a crime for any other person to sell, purchase, own, possess, use, or have in his or her custody or control any weapons scanning device.
3. Appropriate \$500,000 from the State's General Fund to OCJP for grants to law enforcement agencies in order to acquire weapons scanning devices and to training officers in the use of these devices.
4. Require that these weapons scanning devices may be used only by a peace officer who has received training certified by POST that includes use of the devices in situations when the devices may be used, and the interpretation of information provided by these devices.

ANALYSIS

Sophisticated weapons scanning devices, capable of being hand held, are expected to come onto the market sometime this year. It is estimated these devices will cost \$10,000 each. The bill's author has introduced this proposed legislation to preclude the public's access to the devices and at the same time limit law enforcement's use so as to assure their proper use. It is expected that this bill will receive considerable opposition from non-law enforcement groups concerned about the potential invasion of individuals' privacy and potential abuse.

OFFICIAL POSITION

ANALYSIS BY <i>[Signature]</i>	DATE 3-4-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>[Signature]</i>	DATE 4-10-97	COMMENT	DATE

The bill does not specify hours nor the manner in which the training is to be presented thus giving POST necessary latitude. It will be necessary for POST to receive input from subject matter experts to determine recommended context, hours, and methods of training delivery.

AB 533, in effect, is a legislative training mandate. The Commission's policy on such mandates is to be supportive of only those legislatively mandated training programs which include funding provisions. Even though the bill has a proposed a \$500,000 appropriation to OCJP for acquisition of these devices and for local agency training, there are no provisions for POST to recover its development and presentation costs. Presentation costs are expected to be nominal because of the expected low number of trainees per year. There is also no guarantee the proposed appropriation will remain in the bill as it progresses thorough the Legislature. If this appropriation is removed, the cost for this training will be shared between POST and law enforcement agencies.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083	
TITLE OR SUBJECT Reserve Peace Officer Definitions	AUTHOR Senator Knight	BILL NUMBER SB 786	DATE LAST AMENDED 2-26-97
SPONSORED BY California Reserve Peace Officers' Association			
BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS) <u>GENERAL</u> Senate Bill 786 would revise Penal Code Section 832.6 by making the following changes: 1. Eliminate the current distinction between designated and non-designated Level I reserve peace officers. 2. Eliminate the existing limited Level I reserve category. 3. Expand the authorized duties of Level II reserves by allowing them to be assigned, without immediate supervision, to limited duties that do not involve the intentional enforcement of felony statutes. The Commission is given responsibility to develop guidelines concerning these duties. 4. Revise the duties of Level III reserves by replacing the existing term "limited" with "support duties not requiring general enforcement powers and deletes the provisions requiring direct supervision of these reserves. The Commission is required to develop guidelines concerning these support duties for use by the enforcement agencies. <u>ANALYSIS</u> SB 786 was introduced by the California Reserve Peace Officers' Association in an attempt to streamline and simplify the law regulating how reserve peace officers are used and what duties they may perform. Penal Code Section 832.6 is currently interpreted in a wide variety of ways as evidenced by a recent POST survey of law enforcement agencies on deployment and use of their reserves. Survey results indicated these reserves are assigned a wide variety of duties while working alone. SB 786 does simplify the law in the respect that it reduces the number of reserve levels or categories from five to three.			
OFFICIAL POSITION			
ANALYSIS BY <i>Al Escobar</i>	DATE 3-26-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>By: [Signature]</i>	DATE 4-10-97	COMMENT	DATE

The primary motivating factor for the introduction of SB 786 appears to be to overcome the impact of SB 1874 (1995) which mandated that all non-designated Level I reserves appointed after January 1, 1997 must complete the regular basic course. This appears to have had a serious negative impact on law enforcement agencies' ability to recruit citizen reserves willing to devote a minimum of 664 hours of training.

Eliminating the current distinction between designated and non-designated Level I reserves is intended to eliminate this as a point of confusion. We are informed that it is the intent of the bill's proponents to retain in law, elsewhere, the ability of city councils and county boards of supervisors to designate their Level I reserves so that they may have peace officer powers 24 hours a day instead of only on duty. SB 786 may be technically deficient in not providing for this authority.

Eliminating the existing limited Level I reserve category, that was established as part of SB 1874 (1995), is proposed because it complicates the reserve law. It is true that limited Level I is problematic not only for law enforcement agencies but also POST. POST is required to approve law enforcement agency policies for use of these reserves. To date there has been little agreement among law enforcement representatives as to the criteria that should be used for these policy approvals. Therefore, the Commission has heretofore declined to approve any agency policies. Representatives of law enforcement agencies have, in fact, requested POST not approve policies because SB 786 is pending and would obviate the need for such approvals.

Expanding the authorized duties of Level II reserves, to be able to work alone without immediate supervision to perform limited duties that do not involve the intentional enforcement of felony statutes, is arguably the most significant feature of SB 786. This feature is also the most supported by law enforcement representatives because it potentially provides the greatest relief from the negative impact of SB 1874 and the regular basic course training mandate for Level I reserves. Law enforcement representatives and the bill's proponents believe that what is lost in recruiting Level I reserves will be gained in expanding the duties of Level II's even though they recognize POST has the authority and would, in all likelihood, expand the training requirement of Level II's which is currently 154 hours. They also believe that SB 786 overcomes a defect in the current law by regulating what Level II's can do while working alone and giving the Commission responsibility to develop guidelines for these assignments. Proponents also believe that POST will have less difficulty developing these guidelines than approving agency policies for use of limited Level I's.

Revising the duties of Level III reserve officers is motivated by similar concerns about Level II's. Proponents believe the current restrictions on Level III's, e.g, immediate supervision and enumerated limited duties, make this category of reserve almost useless. In fact, many law enforcement agencies have eliminated their Level III's in favor of civilian volunteers who have no training requirements. Proponents realize that this proposed change, if SB 786 becomes law, will result in the Commission expanding the training required for Level III reserves. If this bill passes, POST would be required to develop guidelines concerning these support duties.

Staff met with its Ad Hoc Reserve Committee (see the attachment for membership) on March 11, 1997 to obtain input on approval guidelines for limited Level I's. The group recommended against approving such policies and instead recommended unanimously to support SB 786. Another 50-person reserve coordinators' group attending a POST Reserve Coordinators' workshop also endorsed the features of SB 786.

Comments

Giving POST the responsibility to set guidelines for the duties of Level II and III reserves is problematic as they will be controversial. To some extent, these guidelines cause the Commission to deviate from its traditional role as a training and selection standards setting agency. From the Commission's perspective, it would appear desirable to remove the language requiring POST to develop these guidelines. SB 786 is substantially a bill about restructuring the duties and categories of reserve peace officers which is outside the scope of POST's traditional responsibilities of setting training and selection standards. Approving agency policies and establishing guidelines can be viewed by law enforcement as intruding into the operational arena. If the Commission agrees with these premises, then a bill position of neutral, if amended, to delete the guidelines provisions would be in order.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083**Reserve Peace Officer Meeting
Sacramento Airport Hotel
March 11, 1997**AttendeesSheriff Charles Byrd, President
CS&ADianne DeVargas
CLERCASergeant Paul McInerney, President
CLERCALieutenant Chuck Davis
South San Francisco Police DepartmentJames Lombardi, President
CRPOAFrank Patino, Division Dean
Rio Hondo Regional Training CenterFrank Barnes
CRPOA/LASDLieutenant Greg Bottrell
San Bernardino Co. Sheriff's DepartmentSergeant Scott Drageset
Sacramento Police Department
Reserve Forces BureauLieutenant Kim Garthwaite, Coordinator
Riverside County Sheriff's DepartmentLieutenant Mike Freeberg
Mountain View Police DepartmentJoe McCracken, Reserve Officer
South San Francisco Police DepartmentMichael Gomez, Chief
Consumer Affairs Department
Division of InvestigationSergeant Brad Wilbert, Reserve Coordinator
Kern County Sheriff's DepartmentSergeant Joe Markwell
San Diego Police DepartmentFrank Decker, Lieutenant
Los Angeles County Sheriff's Department

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083		Department of Justice	
TITLE OR SUBJECT Elder Abuse: Law Enforcement Training		AUTHOR Hertzberg		BILL NUMBER AB 870	
		RELATED BILLS		DATE LAST AMENDED February 27, 1997	
SPONSORED BY San Francisco County District Attorney					
BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)					
<u>GENERAL</u>					
<p>The primary interest for the bill is apparently the expansion of criminal responsibility for abuse and fraud, and to assure specified peace officers are competent to enforce and investigate crimes against the elderly. Support for the bill has been expressed by the Congress of California Seniors, Elder Ladies League and the San Francisco Police Department.</p> <p>This bill will:</p> <ol style="list-style-type: none"> 1. Amend Section 368, Penal Code, to extend criminal responsibility for elder abuse and fraud to <u>any person</u> rather than only the caregiver, as currently specified. 2. Adds Section 13515 to the Penal Code: <ol style="list-style-type: none"> a. Mandating POST-certified training in elder abuse and fraud; b. Applies to every police officer or deputy sheriff at a supervisory rank or below assigned to field or investigative duties; c. Training must be completed by July 1, 1998 or within 18 months of assignment to field duties; d. Completion of the course may be satisfied by telecourse, video training tape, or other instruction; e. Minimum course content shall consist of relevant laws, recognition, reporting requirements and procedures, and neglect and fraud; and f. The training may be presented as part of a training program that includes other subjects or courses. 					
OFFICIAL POSITION					
ANALYSIS BY Michael C. DiMiceli, Bureau Chief		DATE 4/3/97		REVIEWED BY Hal Snow, Assistant Executive Director	
EXECUTIVE DIRECTOR <i>Dyx: [Signature]</i>		DATE 4-10-97		COMMENT	
				DATE	

ANALYSIS

No funding is provided in the bill to support the development or delivery of the required training.

Even though POST has not conducted a study to develop the training required pursuant to AB 870, POST-certified training currently available appears to fully satisfy the requirements of this bill. The voluntary training currently available includes:

1. Telecourse broadcast statewide in February 1997 and the associated workbook. A video tape of the telecourse is available for use after the telecourse was presented.

The telecourse was developed specifically to satisfy the expected requirements of this bill. Subject matter experts from the San Francisco District Attorney's Office and the San Francisco Police Department participated in the development of the training materials. Development of the telecourse was supported by funding from the Governor's Office of Criminal Justice Planning.

2. Learning Domain #7, Crimes Against Persons, in the basic training curriculum. The curriculum for this learning domain will be revised to include material from the recent telecourse; and
3. Training courses certified to Los Angeles Police Department, Modesto and Rio Hondo community colleges, and the Department of Justice.

Because this training is voluntary, not mandated, a limited number of officers may attend these courses.

Training on the subject of this bill was not identified by law enforcement agencies as a critical need during either the 1995 or 1996 statewide training needs assessment. The 1997 statewide assessment, now in process, will specifically question the need and priority for this subject matter.

The bill mandates the training for every deputy sheriff or police officer "at a supervisory level or below." The intent of this language is unclear and suggests the mandate can be applied to either the supervisory level or a lower level. If proponents of this bill intend to mandate training for both levels, then a technical may be necessary that deletes "or" and inserts "and."

COMMENTS

This bill mandates training that currently exists and sufficiently addresses the topical requirements of the mandate. In addition, the bill requires training on a topic for which no broad, statewide consensus of need has been identified by law enforcement agencies. Finally, the Commission's policy is to take a "no position" on bills which require legislatively mandated 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 Penalty Assessment: Traumatic Brain Injury	AUTHOR Senator Thompson	BILL NUMBER SB 923
	RELATED BILLS SB 1446 (1996)	DATE LAST AMENDED 2-27-97

SPONSORED BY

Senator Thompson

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

GENERAL

Senate Bill 923 would:

1. Recast existing requirements upon the state Department of Mental Health to expand its projects for care of the brain injured from four sites to an additional four sites.
2. Revise the existing statutory formula for distributing revenue to the State Penalty fund by deleting the current \$500,000 per year maximum program revenue and the existing pro rata distribution of funds in excess of that amount.

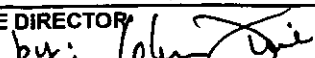
ANALYSIS

The Traumatic Brain Injury Fund, administered by the state Department of Mental Health, has been in existence for many years. It currently receives .66% of the State Penalty Fund but cannot exceed \$500,000 in any given year with the money in excess of that amount distributed pro rata to the other funds (including the Peace Officer Training Fund). SB 923 would remove both the \$500,000 limit as well as the redistribution provisions but leave in place the .66% distribution formula. The purpose of the proposed change is to provide additional revenue to the Traumatic Brain Injury Fund. SB 923 was introduced by the bill's author in response to perceived needs for additional treatment facilities for the brain injured.

SB 923 would provide the Traumatic Brain Injury Fund an estimated \$893,000 additional annual revenue. Of this amount POST's loss would be \$94,000. The Commission's position on such bills has been to oppose.

OFFICIAL POSITION

ANALYSIS BY <i>[Signature]</i>	DATE 3-13-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR by: <i>[Signature]</i>	DATE 4-10-97	COMMENT	DATE

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083		Department of Justice	
TITLE OR SUBJECT Peace Officers: Santa Clara County Correctional Officers		AUTHOR Vasconcellos		BILL NUMBER SB 1213	
		RELATED BILLS		DATE LAST AMENDED February 28, 1997	
SPONSORED BY					
BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)					
<u>GENERAL</u>					
<p>In 1988, voters in Santa Clara County ratified a charter amendment creating a County Department of Corrections and transferring control of the county jails from the Sheriff to the new department. The Director of Corrections proposed to confer limited peace officer status on the correctional officers. In a subsequent law suit, the Santa Clara County Superior Court upheld the authority of the Director of Corrections to designate the correctional officers as peace officers. Ultimately, the issue was decided by the California Supreme Court.</p> <p>In 1992, the Supreme Court (County of Santa Clara, et al., v. Deputy Sheriffs' Association of Santa Clara County) reversed a previous decision of the appellate court. The court stated, "The Legislature has made clear its intention in section 4.5 (<i>Penal Code</i>) to retain the exclusive power to bestow peace officer status on state, county and city employees. Since that chapter does not authorize the director of a county jail facility to designate custodial officers as peace officers, the director's action cannot be sustained."</p> <p>Santa Clara County correctional officers are custodial officers defined in Section 831, Penal Code. These officers are public officers, not peace officers, who have specified authority and responsibility for maintaining custody of prisoners and operating local jails.</p> <p>Penal Code Sections 13540-42 require persons who desire peace officer status and are not peace officers to request the Commission to complete a feasibility study regarding the designation of such persons as peace officers, and to report to the Legislature. This requirement was mentioned in the Supreme Court's decision concerning Santa Clara County correctional officers.</p> <p>This bill will amend Section 830.5, Penal Code, to:</p> <ol style="list-style-type: none"> 1. Confer peace officer status on a correctional officer employed by Santa Clara County, Department of Corrections, by adding that category of officer to the peace officers already described in that section; 					
OFFICIAL POSITION					
ANALYSIS BY Michael C. DiMiceli, Bureau Chief		DATE 3/27/97	REVIEWED BY Hal Snow, Assistant Executive Director		DATE
EXECUTIVE DIRECTOR by: 		DATE 4-10-97	COMMENT		DATE

2. Avoid the peace officer feasibility study that is required by Penal Code Sections 13540-42;
3. Prohibit the correctional officers from carrying firearms off-duty; and
4. Require the employing agency to fund expanded worker's compensation coverage and provide hearing procedures under the Public Safety Officers Bill of Rights Act.

ANALYSIS

The issue that is specifically within the Commission's scope of responsibility is the requirement that a peace officer feasibility study be performed before the correctional officers are designated as peace officers. This bill contains language that eliminates or avoids that requirement; "Notwithstanding any other provision of law, employees described in this subdivision shall be peace officers during the performance of authorized duties." Whether the duties and responsibilities of the correctional officers will change significantly after peace officer status is conferred cannot be determined without a detailed feasibility study.

At the time of this analysis, a peace officer feasibility study has neither been completed nor requested.

The bill also places the correctional officers in a class of peace officers whose duties and responsibilities appear to be largely dissimilar from the duties and responsibilities associated with operating local jails. Penal Code Section 830.5 includes local probation officers, probation department custody and transportation employees, and correctional officers and parole agents employed by the State Departments of Corrections, Mental Health and Youth Authority.

COMMENTS

The current status of the Santa Clara County correctional officers, as public officers described in Penal Code Section 831, is recognized by the Supreme Court. This bill proposes to create a new category of peace officer specifically for Santa Clara County which the Supreme Court decision previously denied to the County. Finally, the bill contains language that specifically avoids the feasibility study requirement of the law that is the prerequisite for the designation of a new category of peace officer.

The Commission's policy is to express opposition to legislation that creates a new category of peace officer until a feasibility study is completed, as required by Penal Code Sections 13540-42.

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 Peace Officer Status: Franchise Tax Board	AUTHOR Senator Johnson	BILL NUMBER SB 951
	RELATED BILLS SB 357 (1996)	DATE LAST AMENDED 2-27-97

SPONSORED BY

California Union of Safety Employees

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

GENERAL

Senate Bill 951 would:

1. Provide that designated employees of the Franchise Tax Board are peace officers, provided that the primary duty of these peace officers is the enforcement of specified provisions of the Revenue and Tax Code.
2. Provide increased retirement benefits and contribution rates for these peace officers.

ANALYSIS

POST completed a peace officer feasibility study for this group during 1995 and concluded that these investigators need to have peace officer status. A significant portion of their investigations are of a criminal nature requiring accessing criminal records, serving warrants, and making arrests.

SB 951 appropriately proposes to place these investigators into Penal Code Section 830.3 that contains other existing State investigators. This section allows peace officers to carry firearms only if authorized and under the terms and conditions as specified by their employing agencies.

Senate Bill 357 of 1996 which proposed to accomplish these same objectives failed passage. The Commission's position on that bill was neutral which is consistent with the policy to not take positions on bills relating to groups seeking peace officer authority and who have complied with the feasibility study requirement.

COMMENTS

It is recommended the Commission adopt a "neutral" position on SB 951.

OFFICIAL POSITION

ANALYSIS BY <i>Paul Jones</i>	DATE 3-7-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>by: [Signature]</i>	DATE 4-10-97	COMMENT	DATE

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083	
TITLE OR SUBJECT Washoe Tribal Law Enforcement Officers	AUTHOR Thomas Oller	BILL NUMBER AB 1398	
	RELATED BILLS	DATE LAST AMENDED February 28, 1997	
SPONSORED BY			
<p>BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)</p> <p><u>GENERAL</u></p> <p>The Washoe Tribe of Nevada and California owns several parcels of land in Alpine County. Approximately fifty (50) enrolled families live on these designated Indian lands. Washoe tribal law enforcement officers, appointed by the Tribal Council and based in Nevada, travel to and within Alpine County to perform tribal duties on the Indian lands. The tribal officers have peace officer authority on Indian lands in Nevada but no peace officer status or authority in California.</p> <p>This bill:</p> <ol style="list-style-type: none"> 1. Specifies that any appointed Washoe tribal law enforcement officer is not a California peace officer but may exercise the powers of a tribal peace officer when enforcing Washoe tribal criminal laws against an Indian on Washoe tribal land; 2. Specifies that Washoe tribal law enforcement officers are not California peace officers when <u>enforcing state or local laws in the State of California</u> (emphasis added); 3. Exempts Washoe tribal law enforcement officers from the provisions of Sections 12025(a) and 12031(a), Penal Code, while performing their official duties on their tribal lands or while <u>proceeding by a direct route to or from the tribal lands</u> (emphasis added); and 4. Specifies tribal law enforcement vehicles are emergency vehicles within the meaning of Section 30, Vehicle Code, while performing official police services. <p><u>ANALYSIS</u></p> <p>Penal Code Sections 13540-42 require the Commission to conduct a peace officer feasibility study for persons who are not peace officers but who wish to be peace officers in California. Feasibility</p>			
OFFICIAL POSITION			
ANALYSIS BY Michael C. DiMiceli, Bureau Chief	DATE 3/24/97	REVIEWED BY Hal Snow, Assistant Executive Director	DATE
EXECUTIVE DIRECTOR <i>by: [Signature]</i>	DATE 4-10-97	COMMENT	DATE

studies have been completed for two California Indian tribes, Sycuan (in San Diego County) and Cabazon (in Riverside County). Each study confronted the issue of jurisdiction for criminal law enforcement on Indian lands in California. The jurisdiction for criminal law enforcement on Indian lands in California is reserved exclusively to state and local authorities by the provisions of federal Public Law 280 (18 U.S.C. 1162).

Public Law 280 reserves exclusive jurisdiction for civil, tribal, and some federal law matters on Indian lands in California to the Indian tribe.

The provision in this bill that Washoe tribal officers are not California peace officers but may enforce criminal law on Indian lands or may enforce state or local laws in California appears to:

1. conflict with Public Law 280; and
2. avoid the provisions and requirements of Sections 13540-42, Penal Code.

The bill provides "a Washoe tribal law enforcement officer ... may exercise the powers of a Washoe tribal peace officer when engaged in the enforcement of Washoe tribal criminal laws against ... an Indian ... on Washoe tribal land." The term used in the bill, "tribal criminal law," is unclear. To the extent tribal law defines misdemeanor and felony crimes that are already established in state law, a conflict with the jurisdiction specified in Public Law 280 appears to be created.

Alpine County Sheriff Veatch, who is familiar with the bill, understands that the tribe wishes to incorporate county ordinances into tribal law. The enforcement of these tribal laws appears to be consistent with the separation of jurisdiction provided in Public Law 280. Because federal Public Law 280 reserves to the tribe exclusive jurisdiction for the enforcement of tribal law on Indian lands, this provision appears to be unnecessary.

The provision in the bill that tribal officers are not California peace officers "when enforcing state or local laws" is confusing. It suggests tribal officers will be authorized to act in criminal matters both on and off Indian lands but without peace officer status, authority or training.

With regard to the exemptions to Penal Code Sections 12025(a) and 12031(a), the bill extends the exemptions both to tribal and non-tribal lands. Although not an issue strictly within the Commission's scope of responsibility, this special exemption raises public policy concerns as it applies to public sites and roads in California. The concern focuses on the exemption that will be granted to a class of individuals who have no special legal position, authority, responsibility or training in California.

Similarly, a public policy issue is raised by the definition of a tribal law enforcement vehicle as an emergency vehicle. This designation contained in the bill poses a conflict with existing law

(Section 165, Vehicle Code) that defines an emergency vehicle as one operated by specified public agencies and employees. Neither the Washoe tribe nor its law enforcement officers fall within the public agencies or employees specified in existing law.

Sheriff Veatch informed staff that he opposes the bill as it is currently written. He is conferring with representatives of the Department of Justice and the author to identify amendments. The Sheriff has also presented the bill to the California State Sheriff's Association. The association's position is not known at this time.

COMMENTS

The provisions of the bill that grant authority to tribal law enforcement officers to act on Indian lands appears to be unnecessary because this authority is already provided by federal law (Public Law 280). Other provisions of the bill, described above, present conflicts with existing state law, conflict with federal law or raise significant public policy issues.

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 Reserve Peace Officers - Firearms/POST Reimbursement	AUTHOR Assembly Member Runner	BILL NUMBER AB 1468
	RELATED BILLS	DATE LAST AMENDED 2-28-97

SPONSORED BY
California Reserve Peace Officers' Association

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

GENERAL

Assembly Bill 1468 would:

1. Exempt certain reserve peace officers from the prohibition against carrying concealed firearms, and
2. Authorize payment for state aid for the training expenses of any peace officer, including but not limited to, reserve or auxiliary peace officers.

ANALYSIS

Section 1 of the Bill, relating to exempting certain reserve peace officers from the prohibition against carrying concealed firearms is outside the Commission's sphere of legislative interest. Therefore, this analysis will not address Section 1.

Section 2, concerning POST reimbursement of reserve peace officers, proposes to amend Section 13523 of the Penal Code by adding "peace officers," (see the attachment for the proposed changes). The section currently limits reimbursement to full-time, regularly paid employees, defined by the Commission of eligible agencies from cities, counties, or districts. Civilian employees who perform law enforcement activities are eligible for POST reimbursement with prior POST approval.

POST currently certifies training courses for reserve officers who meet both training mandates and specialized needs. In addition, most of POST-certified training, including the Regular Basic Course, is open to reserves. The cost of this training is primarily borne by law enforcement agencies and the community colleges. It is not uncommon, however, for volunteer reserve officers to be required to pay fees for their training.

OFFICIAL POSITION			
ANALYSIS BY <i>Phil Snow</i>	DATE 3-13-97	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>By: John Doe</i>	DATE 4-10-97	COMMENT	DATE

There are currently 8,961 reserve peace officers participating in the POST program. During the 1995-96 fiscal year, reserve peace officers completed 427,571 hours of POST-certified training which compares to 2,425,048 hours for POST reimbursable personnel. If Assembly Bill 1468 were to pass, the increased cost to POST is estimated to be \$2.5 million annually. Unless POST's budget is augmented, this would mean that there would be \$2.5 million less funding for those peace officers and dispatchers already participating in the POST program.

Relevant Commission Policy D-4 specifies the Commission is neutral on legislation making new categories eligible for reimbursement when there is included in the measure a commensurate, ongoing appropriation to the Peace Officer Training Fund equal to the estimated cost of the new category. AB 1468 contains no supplemental funding for POST to accommodate this new reimbursable category.

It is recommended that the Commission adopt a position of oppose unless amended to include supplemental appropriation.

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, California 95816-7083		Department of Justice	
TITLE OR SUBJECT Public Safety Training Act of 1997		AUTHOR Assembly Member Papan		BILL NUMBER AB 1496	
SPONSORED BY Regional Skills Centers Training Board		RELATED BILLS AB 1020 (1996)		DATE LAST AMENDED 2-28-97	
BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)					
<u>GENERAL</u>					
<p>Assembly Bill 1496 would enact the Public Safety Training Act of 1997 that would accomplish the following:</p>					
<ol style="list-style-type: none"> 1. Establish the Public Safety Training Facilities Fund 2. Establish the Public Safety Regional Training Facilities Board of Directors who would administer the fund. 3. Redirect the 30% of the state penalty fund currently going into the State's General Fund to the Proposed Facilities Fund. 4. Require the appropriations from the fund be used to plan, develop, and construct public safety regional training facilities and to purchase training equipment. 5. Requires distribution of the funds to 11 designated regions in the State in response to planning grants approved by the Board. 6. Includes legislative intent language establishing the need for the act. 					
<u>ANALYSIS</u>					
<p>AB 1496 is similar to AB 1020 (1996) except that it seeks continuous funding from the State Penalty Fund instead of bonds. The Commission is familiar with the origins of AB 1496. In 1989, the Commission was required, by ACR 58, to study the use of technology for law enforcement training as well as training facility needs. Following submittal of a report to the Legislature, Penal Code Section 13508 was chaptered into law (1991) requiring POST to study the feasibility of establishing regional public safety skills training centers. Another report was prepared and given to the Legislature. That report along with a recommended financing structure recommended the establishment of these centers as an overlay and supplement to the existing inadequate training facilities. AB 1020 was introduced in 1996 by the California Peace Officers' Association but failed passage.</p>					
<p>A group representative of the 11 regions (Regional Skills Training Center Board) described in AB 1496 continued to meet and plan for these skill centers resulting in the introduction of AB 1496.</p>					
OFFICIAL POSITION					
ANALYSIS BY <i>Hal Snow</i>		DATE 3-14-97		REVIEWED BY DATE	
EXECUTIVE DIRECTOR <i>by: [Signature]</i>		DATE 4-10-97		COMMENT DATE	

AB 1496 proposes a distribution formula of: 1) 45% to be equally distributed to the 11 regions, 2) 45% distributed on a population formula established by the Department of Finance, 3) 8% to be used by the Board for special projects and statewide planning, and 4) 2% for administrative costs.

The Board shall consist of 15 members including the sitting chairs of the 11 regions and four additional members appointed by the Governor who are representative of state agencies including law enforcement, fire service, corrections, and one from the Chancellor's Office of the California Community Colleges.

Provisions are made for how each region shall select a representative committee of fire, law enforcement, corrections, and community college presenters. Community members are encouraged to participate on the regional committees.

The Regional Skills Centers as described in the bill are intended to be shared facilities between the existing training presenters with equal access by fire, law enforcement, and corrections. Local and state agency public safety personnel are encouraged to participate. These skill centers are intended to provide the needed facilities and equipment that most existing presenters are unable to provide. For example, few law enforcement academies have adequate driver training, SWAT, or investigative facilities. Lack of adequate facilities and equipment has severely undermined the ability of California's training providers to deliver realistic training.

AB 1496 is broadly supported by law enforcement, fire, and corrections. Its approach of receiving revenue over a period of years is consistent with the realities of necessary planning at the regional level, even though several regions have already conducted extensive planning activities.

Arguments For

- o Takes advantage of similar facility training needs in all segments of public safety
- o Addresses a critical training need that has been documented by POST
- o Establishes a system of governance that is credible and equitable
- o Does not duplicate existing training system or facilities
- o Establishes a grant system that will help ensure integrity and excellence
- o Represents an opportunity for the State to address a heretofore unrecognized infrastructure need
- o Having decentralized training facilities conserves ongoing expenses for trainee travel
- o AB 1496 is consistent with previous legislative direction (Penal Code Section 13508) to study the feasibility and recommend a financing structure for these centers.

Arguments Against

- o High cost
- o Results of improved training are difficult to measure in tangible, quantifiable terms
- o Potential for controversy over equitable distribution of money

The arguments in favor of AB 1496 by far outweigh those against. The Commission at its January 1997 meeting, when this bill was not yet in print, took a position to approve the concept but deferred taking a position on the bill pending review by the Governor's Office.

State of California

Department of Justice

MEMORANDUM

Date: March 14, 1997

To: Legislative Review Committee

KENNETH J. O'BRIEN
Executive Director

From: Commission on Peace Officer Standards and Training

Subject: STATUS REPORT FOR IMPLEMENTING POST APPROVAL OF AGENCY
POLICIES ON LIMITED LEVEL I RESERVE OFFICERS

A 1995 amendment to Penal Code Section 832.6 (Senate Bill 1874) requires the Commission to approve law enforcement agency policies for use of limited Level I reserve peace officers. The inclusion of this provision, establishing the category of limited Level I, was a compromise amendment taken during the legislative process to overcome opposition to mandating the Basic Course for non-designated Level I reserves appointed after January 1, 1997. POST regulation 1007(b)(2)(A) was adopted by the Commission to implement the policy approval requirement. A copy is attached.

After reviewing the four approval requests to date (South San Francisco Police Department, Ventura County Sheriff's Department, Daly City Police Department, and Mountain View Police Department), the Legislative Review Committee at its January 1997 meeting declined to approve these policies and instead directed staff to develop "approval criteria" by which policies might be evaluated.

Staff has developed the following proposed agency policy "approval criteria":

Limited Level I reserve officers while working alone or in pairs

May perform limited duties that present remote likelihood of becoming involved in an arrest or vehicle pursuit situation, e.g., traffic control, traffic accident investigation, security at community events, response to citizen assistance calls, report writing where no suspects are present, response to citizen assist calls, prisoner and evidence transportation, enforcement of local ordinances, and non-enforcement duties that may be performed by citizen employees, community services officers, parking enforcement officers, or volunteers.

May not perform duties where there is likelihood of making an arrest or engaging in vehicle pursuits, e.g., investigate crime, patrol a geographic area, handle cover calls, response to burglar alarms, domestic violence and crimes in progress.

Limited Level I reserve officers while working with a regular officer possessing a POST basic certificate

May perform any duties including the prevention and detection of crime and the general enforcement of the laws of this state which includes assignments to investigate crime or patrol a geographic area and personally handle the full range of requests for police services and take enforcement action on the full range of law violations for which the reserve's department has enforcement responsibility.

Some concerns expressed by members of the Legislative Review Committee might remain but under these criteria perhaps to a lesser extent. Although these proposed duties pose the least risk to the public and officers, there can be no guarantees that situations cannot escalate nor that a limited Level I while performing these duties will not be flagged down by a citizen reporting a more serious crime in progress.

The proposed criteria may well be controversial inasmuch as the POST Ad Hoc Reserve Committee has previously recommended a more liberal criteria be adopted by the Commission. Their recommended criteria was that limited Level I reserves should be assigned to duties "that do not involve the intentional enforcement of felony statutes." Staff met with the POST Ad Hoc Reserve Committee on March 11, 1997 to review the above "approval criteria." The Committee recommended to not develop "approval guidelines" nor approve any agency policies and instead support SB 786 which proposes to abolish limited Level I reserves as a category.

ATTACHMENT

POST Regulation 1007(b)(2)(A)

1. All requests for an exemption of the Regular Basic Course training requirement, specified in Regulation 1007(b)(2), shall be submitted to the Commission in writing, signed by the agency head and shall include a copy of the agency policy which specifies that the duties performed by the agency's non-designated Level I reserves do not include "prevention and detection of crime and the general enforcement of laws" (as defined in Procedure H-1-2(h), or the policy shall state that the non-designated Level I reserves are under the continuous and immediate supervision of a POST-certificated regular officer while performing general law enforcement duties. When the policy states that the non-designated Level I reserves' duties do not include general enforcement of laws, then the policy shall also specify the duties that are performed by the non-designated Level I reserves, e.g., traffic control, prisoner transportation, jail, crime prevention, vacation home checks, and crowd control.
2. A decision on all requests for exemption shall be reached within 30 days. The Commission's written response shall inform the requesting agency that either the exemption is granted, denied (with explanation for denial), or incomplete. If the request is incomplete, it shall be returned explaining it is deficient and what information is required. Resubmitted requests shall be responded to in the same manner as the initial request.
3. The training requirements for limited, non-designated Level I reserves [defined in PAM, section H-1-2(e)] shall be the same training requirements as the non-designated Level I reserve employed on or prior to 1-1-97, as described in Regulation 1007(b)(2).
4. Exemptions from the Regular Basic Course training requirement are granted to the agency and not the individual reserve officer. If a limited, non-designated Level I Reserve Officer employed by an agency granted an exemption transfers to an agency that has not been granted an exemption, that reserve officer must meet the Regular Basic Course training requirement specified in Regulation 1007(b)(2), in order to perform the duties of a Level I reserve.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1997 Status of Active Legislation of Interest to POST (Revised April 9, 1997)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 533 (Knox)	Weapons Scanning Devices: Required Training: This bill would authorize law enforcement agencies to acquire weapons scanning devices, preclude the public's access, and require peace officers who use these devices must receive training certified by POST. <i>Commission Position: Not considered</i>	Senate Public Safety Committee
AB 870 (Hertzberg)	Elder Abuse: Law Enforcement Training: This bill would propose mandated training for in-service officers. <i>Commission Position: None</i>	Assembly Public Safety Committee
AB 1398 (Oller)	Washoe Tribal Law Enforcement: This bill would extend peace officer powers (not status) to members of Washoe Tribal Police located in Alpine County. <i>Commission Position: Not considered</i>	Assembly Desk
AB 1468 (Runner)	Reserve Peace Officers: Firearms: POST Reimbursement: This bill would authorize a police chief or sheriff to issue concealed weapons permits to certain reserve peace officers and authorize POST reimbursement for the training of reserve officers. <i>Commission Position: Not considered</i>	Assembly Desk
AB 1496 (Papan)	Public Safety Training Act of 1997: This bill would establish the Public Safety Training Facilities Fund to finance the establishment and ongoing maintenance of regional public safety skills centers. <i>Commission Position: Support the Concept Pending Review by the Governor's Office</i>	Assembly Desk
SB 350 (Lee)	Domestic Violence Appropriation: This bill makes an \$11,040,840 appropriation of federal revenue for domestic violence enforcement/prevention programs, of which \$1.7 million is designated for specified POST training programs on domestic violence. <i>Commission Position: Not considered</i>	Assembly Appropriations Committee
SB 366 (Hughes)	School Peace Officer Study: This bill would require POST to review the minimum training standards for peace officers employed by school districts including community college districts. <i>Commission Position: Not considered</i>	Senate Appropriations Committee

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 588 (Hughes)	Elder Abuse Training: This bill would require POST to develop elder abuse guidelines and incorporate curriculum related to these guidelines into the Basic Course. <i>Commission Position: Not considered</i>	Senate Public Safety Committee
SB 786 (Knight)	Reserve Peace Officer Definitions: This bill would (1) combine non-designated and designated Level I reserves, (2) eliminate limited Level I reserves, (3) expand the duties of Level II and III reserves to work alone, and (4) eliminate the continuous field training requirement for Level II reserves. <i>Commission Position: Not considered</i>	Senate Public Safety Committee
SB 923 (Thompson)	Traumatic Brain Injured Fund: This bill would eliminate the present \$500,000 cap on revenue to the Traumatic Brain Injured Fund and the redistribution of excess revenue to the other state penalty funds including the Peace Officer Training Fund. <i>Commission Position: Not considered</i>	Senate Health & Human Services Committee
SB 951 (Johnson)	Peace Officers: Franchise Tax Board: This bill would provide that designated employees are peace officers provided that the primary duty is the enforcement of specified provisions of the Revenue and Tax Code. <i>Commission Position: Not considered</i>	Senate Public Safety Committee
SB 1213 (Vasconcellas)	Santa Clara County Correctional Officers: This bill would confer peace officer status on correctional officers of Santa Clara County, notwithstanding the existing law that requires a peace officer feasibility study. <i>Commission Position: Not considered</i>	Senate Public Safety Committee

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1997 Status of Informational Legislation of Interest to POST

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 86 (Pringle)	Trial Court Funding: This bill includes: (31) 2% of all fines, penalties and forfeitures in criminal cases, prior to other distribution, send to Trial Court Improvement Fund to support automation. (39) Adds \$7 penalty on \$10 of every fine, penalty or forfeiture for all criminal and traffic (not parking) cases, to be taken from fines and forfeiture prior to distribution, to be kept by the county. (55) Penalty increased to \$10 on \$10 for all criminal cases (except parking), 30% of which goes to the counties (used to be to the General Fund) and 70% to the Penalty Fund. Distribution from Penalty Fund is 23.99% to POST, 32.02% to Restitution Fund, 25.70% to Driver Training Fund, 7.88% to Corrections Training, 0.78% to DA/PPD Training, 8.64% to Victim/Witness, 0.66% to Traumatic Brain Injury Fund.	Assembly Judiciary Committee
AB 124 (Runner)	County Penalties: Parking Surcharges: This bill would eliminate the required transfer of a portion of the county surcharges on parking fines to the state controller.	Assembly Judiciary Committee
AB 177 (Goldsmith)	Board of Corrections: This bill would expand the Board to 12 members by including a deputy sheriff of the rank of sergeant or below with a minimum of five years experience.	Third Reading File
AB 233 (Escutia)	Trial Court Funding: Essentially the same as AB 86.	Assembly Appropriations Committee
AB 344 (Morrissey)	Citizen Complaints About Peace Officers: This bill would require a decision from a law enforcement agency within six months after an investigation of a citizen complaint.	Senate Business & Professions Committee
AB 436 (House)	Peace Officer Disability Retirement: This bill would specify that retirement for psychological disability must be accompanied with a written opinion from a physician that the retired peace officer is a danger to himself, herself, or others if permitted to carry a concealed and loaded firearm.	Assembly Public Safety Committee
AB 531 (Knox)	Community Policing Grants: This bill establishes in the Office of Criminal Justice Planning the Gang Violence Suppression Program to provide financial and technical assistance to public safety agencies. The bill appropriates \$10,000,000 from the General Fund to implement this program.	Assembly Public Safety Committee
AB 599	California Forensic Science Laboratory Enhancement Program: This bill would require the Office of Criminal Justice planning to establish and implement the California Forensic Science Laboratory Enhancement Program to assist local agencies in the maintenance of existing criminal forensic science laboratories located within specified local agencies.	Assembly Public Safety Committee

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 1016	Peace Officer Personnel Files: This bill would require the removal of complaints from a peace officer's personnel file that have been determined to be unfounded or exonerated.	Assembly Public Safety Committee
AB 1308	Peace Officer Powers: This bill would provide that security officers of the Department of General Services of the City of Los Angeles, who are peace officers, would be authorized to carry firearms only if authorized by, and under the terms and conditions specified by, the department.	Assembly Public Safety Committee
AB 1386 (Goldsmith)	Public Safety Officer Procedural Bill of Rights: Public Safety: Extends Peace Officers' Bill of Rights to reserve and auxiliary officers.	Assembly Public Safety Committee
AB 1450 (Shelley)	Peace Officer Training: Technical (word change only), not substantive amendment of required training on domestic violence.	Assembly Desk
SB 9 (Lockyear)	Trial Court Funding: This bill would revise the system of state funding of trial courts.	Senate Judiciary Committee
SB 11 (Brulte)	Local Law Enforcement: Supplemental Funding: This bill would allocate an unspecified amount of money to cities and counties for Citizens Option for Public Safety (COPS) Program established by this bill.	Senate Local Government Committee
SB 22 (Johnson)	Elective County Offices: Term Limits: This bill would authorize a board of supervisors of any general law or charter county, and the residents of the county, by initiative, to submit a proposal to limit or repeal on the number of terms any officer may serve in an elective county office.	Senate Elections & Reapp. Committee
SB 58 (Ayala)	State Agencies: This bill would require every state agency that may be significantly affected by a bill to prepare an analysis of the bill and deliver that analysis to the bill's author and each policy committee.	Senate Governmental Organization Committee
SB 139 (Kopp)	Police Protection Districts: This bill requires that if a district maintains and operates its own police department, the police department, its chief of police and its employees shall have all the rights, duties, privileges, immunities, obligations, and powers of a municipal police department.	Senate Health & Human Services Committee
SB 142 (Knight)	Concealed Weapons License: This bill defines "good cause" and requires the licensing authority to deal fairly and in good faith with an applicant for a license.	Senate Public Safety Committee
SB 146 (Johnston)	Concealed Weapons License: This bill would limit a chief to issue a license to carry a concealed firearm to a qualified resident of the city.	Senate Public Safety Committee
SB 162 (Haynes)	Fines and Forfeitures: This bill would authorize reimbursement of a county or court for costs of operating a comprehensive collection program for delinquent payment.	Senate Appropriations Committee
SB 182 (Peace)	Fines and Forfeitures: This bill would require courts to impose an additional penalty of \$32 for each conviction of driving under the influence and the revenue to be deposited in the Fingerprint Fees Account to process criminal history records.	Senate Public Safety Committee

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 243 (Peace)	Security Services: Concealed Firearms: This bill would exempt peace officers from certain licensing requirements while working casual or part-time employment as a private security guard or patrolman for a public or private entity.	Senate Business & Professions Committee
SB 458 (Peace)	State Agencies: Correspondence: Disclosure of Personal Information: Prohibits a state agency, including the California State University, from sending any correspondence to individuals containing personal information about that individual unless correspondence is sealed.	Senate Public Safety Committee
SB 492 (Rosenthal)	State Agencies and Regulatory Boards: Internet: Requires state agencies to provide public information on the internet, including license suspensions and revocations by state agencies and other regulatory boards. Also included is other related enforcement action taken against persons, businesses, or facilities.	Senate Public Safety Committee
SJR 5 (Haynes)	March Air Force Base Closure: This resolution memorializes Secretary of the United States Department of Interior to direct the Fish and Wildlife Service to enter into, with all deliberate speed, consultations concerning the Riverside Sheriff's regional training center property, with all other necessary federal and state agencies.	Senate Housing & Land Use Committee