

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



COMMISSION MEETING AGENDA

Thursday, May 10, 2001

Holiday Inn Northeast

5321 Date Avenue

Sacramento, CA 95841-2597

(916) 338-5800

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

CALL TO ORDER - 10:00 A.M.

COLOR GUARD AND 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:

- Deputy Brandan Hinkle of the Los Angeles County Sheriff's Department
- Sergeant Gary Wagers of the California Highway Patrol

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION

WELCOMING ADDRESS

A. APPROVAL OF MINUTES

Approval of the Minutes of the January 25, 2001, Commission meeting at the DoubleTree Hotel in Fresno, California.

CONSENT CALENDAR

B.1 Receiving Course Certification Reports

Since the January 2001 meeting there has been 47 certifications, 12 decertifications, and 139 modifications.

In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Third Quarter FY 2000/01

The third quarter financial report is enclosed under this tab for information purposes.

In approving the Consent Calendar, your Honorable Commission receives the report.

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

- The Trinity County Marshal's office has met Commission requirements and has been admitted into the POST Regular (Reimbursable) Program.

In approving the Consent Calendar, your Honorable Commission receives the report.

B.4 Approving Resolution Commending Joyce DeVore

In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending Joyce DeVore for her talent and dedication, in appreciation of the original oil painting expertly rendered by her and presented to POST, depicting the California Police Memorial.

B.5 Presentation of Resolution to Joyce DeVore

STRATEGIC PLAN

C. Strategic Plan Implementation Quarterly Report

The report under this tab identifies the progress being made by staff in implementing POST's Strategic Plan, which was updated by the Commission at its January 2001 meeting. Numerous research projects and development activities are described. Staff is prepared to respond to any questions concerning these implementation efforts. This report is presented for informational and discussion purposes.

PUBLIC HEARING

D. Public Hearing to Amend Regulation 1005 (c) to Allow POA Board Members to Attend the POST Management Course

The report under this agenda tab requests the Commission approve changes to Regulation 1005 (c) to allow peace officer association board members to attend the POST Management Course. Current Commission regulation does not provide for this unless the participant meets specific eligibility requirements.

POA executives and directors, regardless of rank or assignment, could be authorized to attend the Management Course and those POA members on 100% release time could also be authorized to attend without department head approval if the Commission amends Regulation 1005 (c) pursuant to applicable administrative procedures.

The Long Range Planning Committee has discussed this issue at a number of meetings and the committee recommended that the Commission hear the issue. At its January 25, 2001, meeting the Commission discussed the matter and acted to schedule a public hearing on the issue for the May 10, 2001, meeting.

If the Commission concurs, subject to the input at the public hearing, the appropriate action would be a MOTION to amend Commission Regulation 1005 (c) as proposed effective July 1, 2001, subject to the approval from the Office of Administrative Law.

BASIC TRAINING

E. Proposal to Revise and Update the Investigation and Trial Preparation Course Using the Notice of Proposed Regulatory Action

The 80-hour Investigation and Trial Preparation Course is a supplemental course designed to orient an individual who has completed the Regular Basic Course to the duties of District Attorney Investigators. This course must be completed within 12 months of appointment to the position.

During a staff review of the Investigation and Trial Preparation Course, comments were received from the field expressing concerns about the length and content of the course. A committee of subject matter experts met and reviewed the curriculum, course length, and format of the course. They found the 80-hour length of the course was appropriate and recommended updating the course content and expanding it into more clearly defined subject areas. Subsequent committee work updated the curriculum, expanded the original nine functional areas into 20 learning domains and developed training specifications. The revised course content and format was reviewed and approved by the California District Attorney Chief Investigators Committee at their January 2001 meeting.

The Investigation and Trial Preparation Course is currently described in section D-1-4. This section is part of Procedure D-1 which implements those portions of Regulations 1005 and 1007(b) which relate to basic training. Because the Investigation and Trial Preparation Course is a supplement to entry level training, its inclusion in the Procedure that implements basic training is inappropriate.

The report under this tab proposes that the Commission approve updating the course content of the Investigation and Trial Preparation Course and revising it into a learning domain/training specification based format. It is also proposed that the course be moved from the Procedure that implements basic training courses into a new procedure that would better reflect its role as a supplemental course.

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to the results of the Proposed Notice of Regulatory Action, modifications to regulations and procedures as described to revise and update the Investigation and Trial Preparation Course.

F. Contract Request for Instructional Designer

In 1997, the Commission approved regulations mandating the 40-hour Field Training Officer Course. In 1998, POST published an expanded curriculum for the Field Training Officer Course. The expanded curriculum, although strong in instructional content, did not provide any supporting materials or presentation assisting activities that would have given more structure and consistency to this mandated course. There is still a wide instructional gap between the presentations of the course by the 25 certified presenters. This instructional gap leads to inconsistencies in how FTOs train and evaluate their trainees. The inconsistencies can be eliminated through a more structured FTO Course which devotes time, effort, and resources to better develop new FTOs (Strategic Plan Objective A.6) through the use of standardized learning activities, instructional support material, and other evaluative methods.

In order to meet the immediate need and to ensure that the revisions to POST's mandated FTO Course are defensible and credible, it is important to obtain the services of a professional instructional designer/team to work with our advisory groups and POST staff. The University of California, Irvine's University Extension provided a proposal that would fulfill the recommendations of POST's advisory groups and POST staff.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with the University of California, Irvine for the services of a professional instructional designer/team, not to exceed \$140,000 to assist with revising and updating the mandatory 40-hour Field Training Officer Course. (ROLL CALL VOTE)

G. Proposed Changes to the Training & Testing Specifications for Peace Officer Basic Courses

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, complying with legislative-mandated subject matter changes in the law, or improving student learning and evaluation.

Proposed changes to the training and testing specifications for Learning Domains #6 Property Crimes, #7 Crimes Against Persons, #8 General Criminal Statutes, #9 Crimes Against Children, #10 Sex Crimes, #11 Juvenile Law and Procedure, #15 Laws of Arrest, #16 Search & Seizure, #28 Traffic Enforcement, #30 Preliminary Investigation, #34 First Aid/CPR and #41 Hazardous Materials Awareness are the result of these regularly scheduled reviews and significantly modify one or more of the elements of the domains. All proposed changes have been reviewed and endorsed by the Consortium of Academy Directors. Staff recommends that the proposed curriculum changes be adopted pursuant to the Administrative Procedures Act by using the Notice of Proposed Regulatory Action Process.

If the Commission concurs, the appropriate action would be a MOTION to approve the changes as described in the staff report. If no one requests a public hearing, the changes would go into effect October 1, 2001.

H. Contract Request for Production Assistance in Basic Course Workbook Updating

The Commission authorized the development of an instructional system to support the Regular Basic Course (RBC) and the Specialized Investigators Basic Course (SIBC). The Basic Course Student Workbook Instructional System includes student workbooks, instructor guides, and instructional videos. The Basic Course Student Workbook Instructional System was developed over a seven year period and is now being utilized by all of the 39 academies, plus many of the modular basic course presenters.

There are 41 Learning Domains (LD) which are supported by student workbooks and instructor guides. Once the four SIBC workbooks are completed there will be 45 workbooks. Many of the workbooks are impacted by legislative changes, while others require revision due to changes in policing practices. Some workbooks require annual updating, while others need updating only every two or three years. In order to maintain the quality and accuracy of the instructional system, 28 workbooks need to be updated annually.

The steps required to update the workbooks exceed available staff resources. In order to accomplish the update process, BTB has used the skills of a variety of persons. The vocational skills needed are described as Researchers, Facilitators, Recorders, and Editors. These specialists, working under the direct supervision of BTB staff, require a total of 122 hours of work to accomplish their assignments. The amount to logistically support the specialist's travel and per diem, plus equipment, is included in the proposed contract.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into an Interagency Agreement with Center for Criminal Justice Research & Training at California State University - Long Beach for the purpose of providing production assistance, including personnel and support equipment, to update the Student Workbook Instructional System, at a cost not to exceed \$259,826 for fiscal year 2001/2002. (ROLL CALL VOTE)

CENTER FOR LEADERSHIP DEVELOPMENT

I. Request for Approval of Basic Supervisory Course Curriculum and Contracts for Course Presentation

The current Basic Supervisory Course is an 80-hour mandated course for new peace officer supervisors. It is currently certified to 18 presenters using a Plan IV (no tuition) reimbursement.

The course curriculum was last revised in 1988 and the course content has remained static and was in need of substantial revision to make it contemporary and up to date with the needs of newly appointed peace officer supervisors.

Beginning in 1998 POST staff conducted extensive reviews and met with subject matter experts to determine the needs and scope of updating and revising the course curriculum.

The Commission authorized the redesign and pilot presentations of the new curriculum which has now been completed and the revised course is ready to be presented statewide.

Based on a review of the last five fiscal years, it is anticipated that approximately 1,550 persons may attend the Basic Supervisory Course in the fiscal year beginning July 1, 2001. With a class maximum size of 24 per presentation, 65 presentations of the Supervisory Course per year would be required to accommodate the estimated 1,550 trainees. The cost of each 80-hour presentation is approximately \$29,942.

Staff is recommending that the revised curriculum be presented under contract with certified presenters. The contract method has worked very well in the past and provides additional controls over presentation, the instructors, the quality of the presentation, and

the costs for delivery of the training in a standardized format statewide. The contract presentations of the Basic Supervisory Course will provide a direct benefit to local law enforcement by allowing participation of eligible agency personnel without tuition. It is also consistent with Commission policy of presenting high-cost training programs using an annual contract.

The estimated cost of 65 presentations annually would be \$1,946,165. The tuition, included in the course presentation budget, would be \$1,247 per student. POST staff will select regional presenters statewide to deliver the course and meet training needs by region. During the 12-18 month phased-in period the current curriculum would still remain certified until presenters in that region were ready to deliver the new course curriculum. The old course would then be decertified. Presentations under the proposed revised format in FY 2001/02 will be limited. The cost of contract presentations, if approved is estimated to be \$838,376.00

Formal Implementation of a revised course curriculum requires revision of Regulation 1005, Procedure D-3. A Public Hearing is proposed.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into contracts with training presenters to prepare and deliver presentations of the revised curriculum during FY 2001/2002, in the total amount not to exceed \$838,376.00, and a MOTION to schedule a Public Hearing at the August 9, 2001, meeting to consider curriculum changes described in the report. (ROLL CALL VOTE)

J. Request for Approval of Contract Amendment for Supervisory Course Instructor Training Workshops

At its January 25, 2001, meeting the Commission authorized the Executive Director to enter into a contract for the presentation of six Supervisory Course Instructor Training workshops. POST entered into a contract with the San Diego Regional Training Center to facilitate those workshops statewide.

The Commission will consider the revised curriculum of the Basic Supervisory Course under a separate agenda item. One of the key concepts woven throughout the new curriculum deals with Situational Leadership. This is a proprietary program that has been specifically developed for law enforcement training and requires a one-time license fee and use of their instructor materials and videos for use in our course. The funding required for this important component was left out of the original budget request before the Commission in January 2001.

The total costs for the acquisition of the one-time license fee, instructor training materials, and administrative costs is \$11,990. Staff has negotiated a reduced fee from the Center for Leadership Studies to accomplish this training for 120 instructors.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to amend the contract with San Diego Regional Center in an amount not to exceed \$11,990 to pay for the Situational Leadership for Law Enforcement license and administration. (ROLL CALL VOTE)

COMPUTER SERVICES BUREAU

K. Proposal to Amend TEALE Contract for FY 2000/01

POST needs to perform several upgrades to its Local Area Network (LAN) environment which will provide software distribution, software metering, inventory and management of workstations. POST requires additional expertise from the State's Data Center to perform these upgrades. The current contract with Teale Data Center of \$65,000 does not include sufficient funds for the estimated cost of the project. Staff proposes to increase the FY 2000/01 contract with Teale Data Center from \$65,000 to \$80,000.

If commissioners concur, the appropriate action would be a MOTION to authorize the Executive Director to sign an agreement increasing the TEALE Data Center contract to an amount not to exceed \$80,000. (ROLL CALL VOTE)

STANDARDS AND EVALUATIONS BUREAU

L. Contract Request for POST Recruitment Symposium and Management Fellow Extension

Faced with increasing difficulties in recruiting law enforcement officers, hiring agencies have looked to POST for assistance with this pressing statewide problem. In response to this situation, the Commission authorized the expenditure of funds for a special consultant (management fellow) to study recruitment issues.

With previous authorization by the Commission to expend funds on this project, the management fellow, working with a POST Recruitment Committee, has conceptualized and developed several useful products. These products include, videotape elements designed to attract potential law enforcement candidates to the profession and to provide visual information to assist law enforcement agencies (and city and county officials) to improve their recruiting and retention practices. They include development of a "Best Practices" workbook and an "at-a-glance/executive summary" for recruiters and executives that highlights each of the "best practices." Finally, a CD-ROM has been developed that will contain the "best practices" in detail and incorporate most of the other elements developed by the committee.

In order to present these products, explain their use and present overall findings from the POST Recruitment Project, a Recruitment and Retention Symposium is envisioned as the

optimal medium to communicate this information to the field and to encourage productive dialogue on recruitment issues.

The materials developed during the project need to be available to the field and to persons attending the symposium. To do this, there are additional costs beyond those previously approved by the Commission relating to graphics design work, printing, pressing the CD-ROM, packing and shipping, that need to be addressed.

Because of the limits that must be placed on the number of persons attending the symposium, maximal dissemination of the information concerning the work of the Recruitment Committee in developing the products described above will also be limited. The field has expressed considerable interest in being provided information concerning development of the products and the manner in which agencies can use them for their specific needs. To accommodate this need, it may be appropriate to extend the contract for the management fellow working on the project to perform such presentations. These presentations to law enforcement agencies and professional associations and other entities, such as the League of California Cities, city and county planners groups and other organizations, would also increase awareness and use of the information.

If the Commission concurs, the appropriate action would be a MOTION to: (1) authorize the Executive Director to contract with KPBS, San Diego State University, to produce a POST Recruitment and Retention Symposium; the Burbank Airport Hilton and Convention Center to hold the symposium; and with the Office of State Publishing to print materials associated with the products developed by the Recruitment Committee for an amount not to exceed \$219,756.00; and (2) authorize the Executive Director to amend the contract with the Vallejo Police Department for the continued services of Sergeant Lori Lee as a management fellow, for an amount not to exceed \$32,500. (ROLL CALL VOTE)

M. Contract Request Psychological Assessment Consulting Services

POST Strategic Plan Item A.I.- Component II calls for the revision of the POST Psychological Screening Manual. Subsequent to Commission approval, Dr. Deniz Ones was awarded a \$46,220 contract in November, 2000 to assist in the development of an RFP, the selection of a contractor, and oversight guidance in the implementation of the contract itself. Dr. Ones is an endowed professor of Industrial and Organizational Psychology at the Department of Psychology of the University of Minnesota, and an internationally recognized expert in the areas of personnel selection and personality assessment for workplace applications.

During initial planning meetings held in January 2001, it was decided that, rather than beginning by contracting for further outside assistance, the first major project steps should entail a comprehensive, large-scale literature review and reanalysis of results

contained therein. The results of this "meta-analysis" will determine the extent to which additional empirical validation research is needed. This approach makes maximum use of existing, relevant research findings and at the same time will ensure that any labor-intensive validity research conducted for this effort will make a *unique* contribution to the understanding of the psychological assessment of law enforcement candidates.

Additional funding is needed as a result of the expanded scope of work for Dr. Ones and her staff. Additional funding will go toward completion of the literature review and meta-analyses. Participating in this effort will be Dr. Chockalingam Viswesvaran, another internationally-recognized industrial/organizational psychologist and the author and co-author with Dr. Ones of over 70 books and articles on personality assessment and personnel selection. Increased funds will also be needed to support Dr. Ones's assistance in an ongoing, consultative capacity, including engaging in discussion and negotiations with test publishers, decisions and involvement in the empirical research and participation in regular steering meetings and discussions.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to provide an additional \$109,500 to: (1) augment the current sole source contract for the services of Dr. Deniz Ones by an additional \$80,000; and (2) create a sole source agreement for the services of Dr. Chockalingam Viswesvaran for \$29,500. (ROLL CALL VOTE)

N. Contract for the services of Dr. Robert Goldberg to continue updating the POST Medical Screening Manual

Since its first issuance in January 1993, the revised POST Medical Screening Manual was designed to ensure that future changes and updates could be easily incorporated. Responsibility for drafting and finalizing the protocol chapters has largely been that of Robert Goldberg, M.D., Assistant Medical Director for the City of Los Angeles. Dr. Goldberg's services were initially acquired via interagency agreement with the City. However, by 1998, competing City work demands impeded Dr. Goldberg's progress on this project. Therefore, in November 1998 the Commission authorized the Executive Director to enter into an individual, sole source contract with Dr. Goldberg in the amount of \$35,000.

In keeping with POST's commitment to maintain the Medical Screening Manual as a "living document," five revised manual sections are slated for publication in June 2001. Following that, the next chapters slated for revision include endocrinology (to incorporate advances in the treatment of insulin-dependant diabetes) and a reassessment of the color vision guidelines in light of new color-correction technology.

Dr. Goldberg anticipates that he can continue to devote his time to this effort. Given his outstanding performance throughout the course of the project, this item seeks authorization for another sole source contract to use the services of Dr. Goldberg.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to develop and issue a sole-source contract for the services of Dr. Goldberg to continue revising and updating the POST Medical Screening Manual for California Law Enforcement in an amount not to exceed \$35,000. (ROLL CALL VOTE)

O. Augmentation of the Contract for the Entry Level Dispatcher Selection Test Program

Testing for Entry Level Dispatcher applicants in the POST Public Safety Dispatcher Program has far exceeded the level anticipated by staff when this contract was initiated in July 2000. The existing contract with Cooperative Personnel Services (CPS) to provide testing services is in the amount of \$177,449 for 22,000 tests. At the current rate of usage, an additional 4,936 tests will be ordered this fiscal year. In order to meet the demands of the Public Safety Dispatcher Program testing program, we will need to increase the funds available in the current contract by an additional \$34,718.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to amend the contract with CPS to increase the contract with CPS by \$34,718. (ROLL CALL VOTE)

P. Augmentation of the FY 00-01 Contract for the Entry Level Law Enforcement Test Battery

Due, we believe, to agencies' difficulty in recruiting candidates for entry-level positions, there has been a significant increase in both the number of test administrations and the number of candidates tested in the first six months of this fiscal year. If this trend continues, we anticipate that there will be a 75% increase in test administrations over the course of the fiscal year. In order to meet the demands of the agencies that use the Entry Level Law Enforcement exam, we will need to augment the contract with the Office of State Publishing.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to amend the contract with OSP to increase the contract amount by \$25,000. (ROLL CALL VOTE)

Q. Contract Augmentation for FY 1999/2000 Entry-Level Test Battery Contract

The difficulty that agencies are experiencing in recruiting new law enforcement officers has resulted in unanticipated changes in the way agencies test. Specifically, agencies are

conducting numerous small test administrations rather than one or two large administrations. Since the primary factor affecting testing program costs is the number of test administrations, this has resulted in increased testing costs for POST that exceeded the amount budgeted.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to amend the FY 1999/2000 contract with Cooperative Personnel Services (CPS) to increase the amount by \$12,172.06.

TRAINING AND DELIVERY BUREAU

R. Request for Addition of Back-Fill Training Topics

The report under this tab presents the staff analysis of a variety of training courses for officers and dispatchers that were considered for approval of back-fill reimbursement. Staff recommends approval for Tactical Response to School and Community Violence officer back-fill reimbursement and approval for three courses for backfill reimbursement for dispatchers: Dispatcher Tactical Operations, Dispatcher Domestic Violence, and Dispatcher's Role in Critical Incidents.

If the Commission concurs, the appropriate action is a MOTION to approve Tactical Response to School and Community Violence officer back-fill reimbursement and Dispatcher Tactical Operations, Dispatcher Domestic Violence, and Dispatcher's Role in Critical Incidents for dispatcher back-fill reimbursement.

S. Approval of Standardized Training Curriculum for School Resource Officers

School Resource Officers (SROs) are employees of a local law enforcement agency who are assigned to one or more schools on a part-time or full-time basis. SROs typically provide three major services including on-campus law enforcement and intervention, student counseling and mentoring, and law enforcement legal education.

POST staff, in cooperation with a cadre of working School Resource Officers, certified presenters, and representatives of the National Association of School Resource Officers (NASRO), developed a comprehensive curriculum which standardizes the certified core training for SROs. The proposed curriculum also satisfies the requirements of Assembly Bill 355 which, if enacted, will mandate a standardized SRO training course.

If the Commission concurs, the appropriate action is a MOTION to approve the proposed standardized SRO core course curriculum for distribution and certification of training courses.

TRAINING PROGRAM SERVICES BUREAU

T. Contract Request for Development of Multimedia CD-ROM Training on Tactical and Interpersonal Communication

The Commission, at its October 1999 meeting, approved one million dollars for developing multimedia training in the perishable skills area. This funding was part of the Budget Change Proposal for F/Y 2000-2001. Developing a CD-ROM on communication was one of the projects envisioned for the use of these funds.

At the January 2001 meeting, the Commission amended Commission Regulation 1005(d) (2) and Commission Procedure D-2 to "require specified 'Perishable Skills' and Communications as part of the Continuing Professional Training requirement and that these changes take effect January 1, 2002".

Interactive multimedia training, delivered on a CD-ROM, will provide a safe, realistic, scenario-based environment where officers can practice successful resolution of critical communication issues while meeting the above requirement for communications training.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into an agreement with Anteon Corporation and its business partner ITGtech for an amount not to exceed \$500,000 to design and develop multimedia CD-ROM based communication training for California law enforcement. (ROLL CALL VOTE)

U. Request for Contract Extension for POST Management Fellow Regional Skills Training Center Coordinator

At the April 2000 meeting, the Commission approved a one-year contract with the San Diego Regional Training Center to provide the services of Forrest Billington for a one-year period to manage the development of the Regional Skills Training Centers.

Since that time, considerable progress has been made in the development of these centers. Twenty-three of the centers are in various stages of development, with the possibility of additional centers being added at the August 2001 Commission meeting. POST's 2001/2002 proposed budget contains an additional \$2.5 million earmarked for additional skill centers and skills centers upgrades, necessitating support and coordination services from POST.

POST's Management Fellow has actively been consulting with the sites, preparing contracts for individual skills centers, developing curriculum for instructor and student training, conducting inspections of skill center sites, conducting inspections of simulator vendor equipment, course certification, site certification and many other tasks.

Considerable work remains to be completed in the development of the existing centers and the proposed additional centers. At the February 2001 Commission meeting, Skid Car, Arrest and Control and Communications training were added to the Perishable Skills training base. For these reasons, it is proposed that a contract with the San Diego Regional Training Center be written for one year, so the additional program development and coordination can continue.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a one-year contract in the amount of \$95,333.00 with San Diego Regional Training Center to provide the services of Forrest Billington for one year. (ROLL CALL VOTE)

V. Contract Request for Presentation of Cultural Diversity Train the Trainer Course

Requests from the field indicate a serious need for an updated train the trainer course for Cultural Diversity. This course is mandated for the basic academy and in-service instructors who are responsible for presenting cultural diversity training to law enforcement. To proceed with this project, POST will design the course, utilizing subject matter experts, but will need to negotiate an interagency contract for the facilitation of two pilots of the final course.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into an interagency contract with a suitable agency (to be located) for the presentation of two pilots of the Cultural Diversity Training for Trainers in an amount not to exceed \$40,000 during the balance of fiscal year 2000/2001. (ROLL CALL VOTE)

W. Approval of POST Guidelines & Training for Response to Stalking Cases

AB 1539 was passed in 2000 amending P.C. 13519.05, requiring POST to develop a course of instruction and guidelines for response to cases of Stalking, and that the course be voluntary for peace officers. A POST Telecourse and guidelines were developed with the assistance of subject matter experts. It is recommended that the Commission adopt the proposed curriculum and guidelines for inclusion into POST Regulation 1081 pursuant to the Notice of Public Hearing requirements.

Appropriate action, if the Commission concurs, would be a MOTION to approve the guidelines for distribution and approve the curriculum for inclusion in Regulation 1081, subject to the results of a public Notice Process.

X. Contract Request for Presentation of ICI Core Course

Currently the ICI Core course, the basic training for investigators, is presented in San Francisco, San Jose, Sacramento, Los Angeles and San Diego. There is no presenter between Sacramento and Los Angeles.

Since the Institute of Criminal Investigation was initiated a decade and a half ago, law enforcement agencies in the Central Valley have had to travel considerable distances to participate in the program. The population growth of the Central Valley, in general, and Fresno and Bakersfield, in particular, has been well documented. Law enforcement growth has mirrored the general population. Law enforcement participation in ICI has consistently been suppressed due to travel distance for training opportunities.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with the State Center Regional Training Facility, Fresno, for two presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course and a one-time equipment purchase in an amount not to exceed \$82,325 for fiscal year 2001-02. (ROLL CALL VOTE)

Y. COMMITTEE REPORTS

• Long Range Planning Committee Report

Ted Hunt, Chairman of the Long Range Planning Committee, will report on issues discussed at the Committee meeting held March 15, 2001, at POST Headquarters in Sacramento.

• Advisory Committee Report

Leisha Lekawa, Chairman of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on May 9, 2001, in Sacramento.

• Finance Committee Report

The agenda for the Finance Committee meeting is under this tab. The Committee will review and report on current year and proposed FY 2001/2002 budgets and may offer recommendations.

The Committee will also make recommendation for Commission action on proposed contracts for FY 2001/02. Assuming positive recommendation, appropriate action would be a MOTION to authorize the Executive Director to sign the contracts on behalf of the Commission. (ROLL CALL VOTE)

Proposed FY 2001/2002 contracts that were negotiated as authorized by the Commission in January, are listed as follows:

Training and Standards Contracts

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|-----|---|----------------|
| 1) | Cooperative Personnel Services for Basic Course Proficiency Exam | \$ 109,467.30 |
| 2) | Office of State Publishing for Entry-Level Dispatcher Selection Test Battery | \$ 190,000.00 |
| 3) | Office of State Publishing for Entry-Level Reading and Writing Test Battery | \$ 130,170.00 |
| 4) | Office of State Publishing for PC 832 Written Examination | \$ 38,510.00 |
| 5) | Office of State Publishing for Regular Basic Course - Modular Format Examination. | \$ 21,810.00 |
| 6) | Master Instructor Development Program Contract for FY 2001/2002 | \$ 274,906.00 |
| 7) | Office of State Publishing for Services to Support the Basic Course Student Workbook Instructional System | \$ 174,400.00 |
| 8) | Request for Contract for FY 2001-02 Telecourse Programs with San Diego University Public Broadcasting Station (KPBS) for Fiscal Year 2001-02 | \$1,680,847.00 |
| 9) | Simon Wiesenthal Center, dba Museum of Tolerance for the Presentation of Tools for Tolerance for Law Enforcement Training Courses for the Fiscal Year 2001-2002 | \$1,556,000.00 |
| 10) | Contract Request for Robert Presley Institute of Criminal Investigation with California State University, Sacramento, for Fiscal year 2001/02 | \$ 358,002.00 |
| 11) | Contract Request for Robert Presley Institute of Criminal Investigation with the San Diego Regional Training Center for FY 2001/02 | \$ 357,346.00 |

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|-----|--|----------------|
| 12) | Contract Request for Robert Presley Institute of Criminal Investigation with San Jose State University for FY 2001/02 | \$ 412,053.00 |
| 13) | Robert Presley Institute of Criminal Investigation Contract with the Los Angeles Sheriff's Department for FY 2001/2002 | \$ 79,684.00 |
| 14) | Contract Request for San Diego Regional Training Center to provide support for the Command College and the executive workshops for fiscal year 2001/2002; and | \$ 542,641.00 |
| 15) | Santa Rosa Regional Training Center/Santa Rosa Community College to provide support for the Executive Development Course for fiscal year 2001/2002 (this Contract was formerly made with the San Diego Regional Training Center) | \$ 159,911.00 |
| 16) | Annual Contracts for 24 Presentations of the Management Course - Fiscal Year 2001/2002 | \$ 607,050.57 |
| 17) | Contract Request for Labor/Management Partnerships Training - Fiscal Year 2001/2002 | \$ 69,906.80 |
| 18) | Request for Robert Presley Institute of Criminal Investigation Contract with the Los Angeles Police Department for FY 2001/2002 | \$ 108,316.00 |
| 20) | Request to Continue Contracts for Presenting Basic Narcotic, Basic Motorcycle, Motorcycle Update Course, and the Basic Course Driver Training for FY 2001-02 | \$3,008,743.00 |
| 21) | Request to Continue Contracts for Presenting Driver Training Simulator and Force Option Simulator Training For FY 2001-02 | \$3,453,311.00 |
| 22) | Request to Authorize the Executive Director to Negotiate an Interagency Agreement with the Department of Justice to Provide Training to Local Law Enforcement | \$2,211,225.00 |
| 23) | Request to Authorize the Executive Director to Enter into a Contracts to Present a Total of 32 Presentations of <i>Driver Training Simulator and Force Option Simulator Instructor Training</i> for the Fiscal Year 2001-02 | \$ 128,000.00 |

24)	Request to Authorize the Executive Director to Enter Into an Interagency Agreement with Alameda County District Attorney's Office, Golden West College and/or other public Entity for the production of 36 <i>Case Law Updates</i> Training Programs during Fiscal Year 2001-02	\$ 132,000.00
25)	Request to Authorize the Executive Director to Enter Into a Contract with Cal State University Long Beach to present the Sherman Block Supervisory Leadership Institute	\$1,316,087.00
26)	Request to Authorize the Executive Director to Enter Into a Contract with California State University-Sacramento, Regional and Continuing Education (CSU-Sac)	\$ 120,000.00
<u>Administrative Contracts</u>		
27)	Contract with CSUS Foundation for Student Assistants	\$ 15,000.00
28)	Interagency Agreement with TEALE Data Center for Supplemental computer services.	\$ 80,000.00
29)	Health and Welfare Data Center - CALSTARS support. The mandated California State Accounting and Reporting Systems (CALSTARS) Requires an Agreement with the Health and Welfare Data Center to Provide Computer Linkage and necessary data processing services.	\$ 35,000.00
30)	Davisville Travel Contracts	\$ 63,000.00
31)	State Controller's Office Agreement for Auditing Services in FY 2001-02	<u>\$ 85,000.00</u>
TOTAL:		<u>\$17,518,386.67</u>

- Legislative Review Committee

Commissioner Monty Holden, Chairman of the Legislative Review Committee, will report on the issues discussed at the Committee meeting held on May 9, 2001.

Z. **OLD/NEW BUSINESS**

- **Report of the Commission Nominating Committee**
 - Election of Officers
 - Appointment of Public Member to Advisory Committee

- **Appointment of New Advisory Committee Members**
 - The term of Robert P. Blankenship, who represents the California Police Chiefs Association, will expire in September 2001. Chief Blankenship has recently become the President of the California Police Chiefs Association and has recommended that Chief John Gurney, Sonoma Police Department, replace him on the Advisory Committee.

FUTURE COMMISSION MEETING DATES

August 9, 2001 - Doubletree Hotel, Ontario
November 1, 2001, Holiday Inn Northeast, Sacramento
January 17, 2002, Holiday Inn, Riverside
April 18, 2002, Ramada Plaza Hotel, Culver City

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



COMMISSION MEETING MINUTES

Thursday, January 25, 2001

Piccadilly Inn Hotel

5115 E. McKinley Avenue

Fresno, CA 93726

(559) 251-6000

Chairman Ted Hunt called the Commission meeting to order at 10:00 a.m.

Gray Davis
Governor

Bill Lockyer
Attorney General

FLAG SALUTE AND WELCOMING ADDRESS

The Chairman introduced Chief John Zrofsky, Shafter Police Department, who led the flag salute. Chief Zrofsky stated that on behalf of all of the citizens and law enforcement agencies in the Central Valley, he wished to welcome the Commission and meeting attendees to Fresno.

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:

- Robert "Bobby" Mata, Officer, Los Angeles Police Department
- Gerald Silvestri, Officer, San Bernardino Police Department
- Sean Nava, Officer, California Highway Patrol
- William "Willie" Wilkins, Officer, Oakland Police Department
- Charles Douglas "Doug" Jacobs III, Detective, Riverside Police Department.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners present:

Lee Baca
Marc Cobb
George (Joe) Flannagan
Monty Holden
James P. Fox
Ted Hunt
William Kolender
Bud Hawkins

APPROVAL OF MINUTES

- A. MOTION – Kolender, Second – Fox, carried unanimously to approve the Minutes of the August 23, 2000, Commission meeting at the Doubletree Hotel, Ontario, California.

UNSCHEDULED ISSUES

The Chairman invited anyone having specific concerns about issues not on the meeting Agenda, to address the Commission.

Frank Gallegos, President of Tulare County District Attorneys' Investigators Association, and David Engstrom, an Investigator with Madera County District Attorney's Office, came forward and requested clarification of the three-year time limit rule for Welfare Fraud Investigators. They reported that recent information received by them conflicts with earlier data concerning this issue.

Executive Director Ken O'Brien advised that POST staff will immediately contact them to discuss the pertinent information and provide clarification. Mr. O'Brien assured them that staff would recommend a Commission review if the evidence presented determines such a need.

INTRODUCTIONS

Visitors present:

John Zrofsky, Chief, City of Shafter P.D., and Chair of California Police Chiefs' Training Committee
Doug Johnson, Chief, Reedley P.D.
Frank Grimes, OCJP
Gary Winuk, OCJP
Joseph Blohm, Fresno County Sheriff's Office
Paul Tassone, Sacramento County Sheriff's Department
Tom McMahon, Sacramento County Sheriff's Department
Darin S. Gharat, Stanislaus County Sheriff's Office
Richard Lindstrom, Fresno City College Police Academy; CAPTO; CADA
David Engstrom, Madera County District Attorney's office
Jerry Barker, Chief, Visalia Police Department
Larry McLaughlin, Captain, Tulare County Sheriff's Department
Brian Decuir, Hanford Police Department
Robert Williams, Visalia Police Department
Gary C. Kunch, Tulare-Kings County Basic Academy
Clancy Faria, PORAC
Madonna Valdez, San Francisco Emergency Comm.
Lynda Andriotti, San Francisco Emergency Comm.
Marvin Reyes, State Center Comm. College District Police Department
Kenton Rainey, Ventura Sheriff's Department
Jim Edison, State Center, Reg. Trng., CAPTO, CADA
Darin L. Batty, Madera County District Attorney's office

Charles Byrd, Sheriff, Siskiyou County
Alex Bernard, POST Advisory Committee
Mary Foley
James Lombardi, CRPOA/LAPD
Ed Katem, City of Newman
Jane Jimenez, Yolo County Communication
Rudy Polak, Tulare County Sheriff's Office
Rip Masew
Bill Prince, Fresno Sheriff's Office
Bev Short

Staff present:

Kenneth J. O'Brien, Executive Director
Mike DiMiceli, Assistant Executive Director, Field Services Division
Glen Fine, Assistant Executive Director, Administrative Division
Hal Snow, Assistant Executive Director, Standards and Development Division
Ray Bray, Bureau Chief, Training Program Services
Alan Deal, Bureau Chief, Standards and Evaluations
Tom Hood, Public Information/Legislative Liaison
Bob Stresak, Training Program Services
Tom Liddicoat, Administrative Services
Jack Garner, Bureau Chief, Management Counseling
Frederick Williams, Bureau Chief, Administrative Services
Bud Lewallen, Bureau Chief, Basic Training
Kenneth Whitman, Bureau Chief, Ctr/Leadership Development
Frank Decker, Consultant
Dick Reed, Bureau Chief, Training Delivery and Compliance
Karen Hightower, POST Advisory Committee Secretary
Anita Martin, Commission Secretary

CONSENT CALENDAR

MOTION – Flannagan, Second – Hawkins, carried unanimously to approve the following items on the Consent Calendar:

- B.1 Course Certification Report
- B.2 Financial Report - First and Second Quarter FY 2000 - 2001
- B.3 New Entries Into the POST Regular (Reimbursable) Program
- B.4 Withdrawals from the POST Regular (Reimbursable) Program
- B.5 New Entries Into the POST Public Safety Dispatcher Program

- B.6 Job Task Analysis for Patrol Officers
- B.7 Report on MIDP Evaluation
- B.8 Report on Law Enforcement Officers Killed
- B.9 Annual Review of Sherman Block Supervisory Leadership Institute Tuition for Non-Reimbursable Agencies
- B.10 Annual Review of Command College Tuition for Non-Reimbursable Agencies

PUBLIC HEARINGS

The Chairman stated that the following hearings are related to the proposed adoptions and amendments of Commission Regulations and Procedures. There are two hearings. Hearing I pertains to the amendment of Commission Regulations and Procedures relating to CPT -- Perishable Skills Training Requirement. Hearing II pertains to the amendment of Commission Regulations and Procedures relating to Public Safety Dispatcher --Backfill Reimbursement.

Executive Director Ken O'Brien reported that the hearings are conducted in compliance with requirements set forth in the *Administrative Procedures Act*. The records of compliance are on file at POST headquarters. The proposed amendments are described in Agenda Items C and D and were announced in POST Bulletins 00-17 and 00-19, and published in the California Regulatory Notice Register, as required by law.

Persons wishing to receive copies of any regulations or procedures revised as a result of these hearings were reminded by Mr. O'Brien to list his or her name, agency, and mailing address on the sign-in sheet located at the registration table.

HEARING I

The Chairman announced that Hearing I was open to consider the amendment of Commission Regulation 1005(d)(2) and Commission Procedure D-2, CPT Perishable and Communication Skills Training. He further stated that this proposal would require 14 hours out of the 24-hour Continuing Professional Training (CPT) requirement to include training in perishable skills and communications. Courses that have been specifically designed to satisfy this requirement are: Arrest and Control, Driver Training/Awareness or Driving Simulator, Tactical Firearms or Force Options Simulator, and Tactical or Interpersonal Communications.

The Executive Director reported that each written comment that had been received has been acknowledged and all concerns responded to in writing by staff. A summary of the written commentary that was received was read by the Executive Director into the record, as follows:

"Gary Missell, Chief, Burlingame Police Department wrote that he had several concerns and issues regarding this proposal as follows:

- He feels the Commission will adopt the 14-hours perishable skills mandated training requirement; therefore, POST's invitation to meet with him and Carlos Bolanos, President of the San Mateo County Police Chiefs' and Sheriff's Association would be futile.
- No quality research has been conducted that would support this proposal.
- This mandated training will cost billions of dollars.

Jerome E. Lance, Chief of Police, Long Beach Police Department wrote in favor of the proposed amendment. He stated that training in critical motor skills and communication are invaluable to officers and first line supervisors. These abilities relate to real life critical incidents that officers face on a daily basis.

Tony Levatino, President, Orange County Training Managers Association wrote in favor of the proposed amendment. He stated that on behalf of the Orange County Training Managers Association, he would like to thank Hal Snow for meeting with Hugh Tate and himself concerning the proposed Perishable Skills requirement. The analysis provided to them was very well written and Hal Snow personally answered all their concerns. After discussing the issue with their membership, he is happy to report that it was the unanimous decision of their association to wholeheartedly support the adoption of the regulation. He stated their goal was to ensure this regulation would be the best solution for their training needs and believes that officer safety will be increased and law enforcement professionalism will be greatly enhanced.

Andy P. Romero, Chief of Police, Orange Police Department wrote in support of this amendment; however, he had concerns about the fiscal impact if new courses are developed in-house.

Arturo Venegas, Jr., Chief of Police, Sacramento Police Department wrote in support of this amendment. He stated his department experienced a 53% reduction in the accident frequency rate following behind the wheel driver training, as well as reductions in equipment repair and replacement.

Chief Venegas also requested that POST consider the addition of "perishable skills" and "communications training instructors" categories to the backfill reimbursement program.

Neil Telford, President, San Mateo County Law Enforcement Training Managers Association wrote with the following questions and concerns:

- It would create an undue hardship and have an adverse impact on their ability to comply with the 24-hour training mandate, while addressing the individual training needs of the respective agencies.

- This new requirement would break the continuity of attending a single course to remain in compliance.
- This proposal would add an additional mandate to the long list of required training for peace officers.
- A random study of 500 officers out of the 59,000 in the state is not effective.
- There are only 22 simulators in the State and the demand for use will far exceed the supply of regionally located training sites.
- There will be a fiscal impact on agencies.

This concluded a summary of the written commentary. Executive Director O'Brien announced that a response to the points raised would be given later in the public hearing.

Staff reported on amending Commission Regulation 1005(d)(2) and Commission Procedure D-2, as follows:

The law enforcement training community has long known that complex psychomotor skills diminish rapidly over time unless they are periodically refreshed. The major psychomotor skills include, driving, the use of firearms, and arrest and control techniques. In 1998, after the Commission gave authorization, POST contracted with a Management Fellow with expertise in this area. A lengthy study was performed disclosing that these skills do diminish quickly. Additionally, the study revealed that "communication" was also a diminishing skill and continually needs to be refreshed.

Staff recommended that POST regulation 1005(d)(2) be amended to require that all regular and specialized peace officers, below the middle management position (officers and first-line supervisors) that are assigned to patrol, traffic and investigation, and who routinely effect the arrest of criminal suspects, complete a minimum of 12 hours of specified perishable skills training every two-years. Two hours of communications training every two-year period would also be part of the 24 hour CPT requirement. The remaining ten hours of CPT would remain non-specified, allowing agency flexibility in the selection and application of other training topics. Minimum hours proposed for each of the three perishable skills, and communications, are as follows:

- | | |
|--|------------|
| - Arrest and Control | four hours |
| - Driver Training/Awareness or Driving Simulator | four hours |
| - Tactical Firearms* or Force Options Simulator | four hours |
| - Communications (tactical and interpersonal) | two hours |

* Tactical Firearms training courses involve tactical situations, judgment and application. Basic marksmanship and routine qualification do not satisfy the requirement.

Studies reveal that most agencies now exceed this type of training. Agencies will be closely monitored to make certain there is minimal impact.

The Chairman invited testimony from the audience. No one stepped forward to either support or oppose the recommended regulation change.

Alex Bernard, Vice Chairman of the POST Advisory Committee, reported that the Committee voted to support the regulation amendment.

There being no further testimony, the Public Hearing to amend Commission Regulation 1005(d)(2) and Commission Procedure D-2 was concluded.

The California Code of Regulations requires POST to list each objection or recommendation made by the public, how the proposed action under consideration is to be changed to accommodate each concern or recommendation, or the reasons for making no change. Chairman Hunt called upon staff to address each concern or recommendation.

Executive Director O'Brien summarized the public's concerns and POST's response to each concern:

Chief Missell's concerns:

- Chief Missell stated that he felt no opposition would alter the fact that the POST Commission will adopt the 14-hours "perishable skills" mandated training.

POST's response was that the perishable skills project has been in development for over 48 months. During this time subject matter experts and California law enforcement administrators have engaged in spirited dialogue on this topic. The perishable skills project has been forged from many differing opinions and opposing points of view. Dialogue such as this produced refinement, added insight and illumination of unanticipated factors and variables. POST remains focused on meeting the concerns raised by the field in terms of perishable skills training. POST remains committed to following the established process by which input is received, evaluated and acted upon. By law, public and agency input is always welcomed.

- Chief Missell stated that no quality research has been conducted that would support this proposal.

POST's response was that Arrest and Control procedures, firearms use, and driving errors remain the top causes of major liability costs to law enforcement agencies and experienced law enforcement professionals agree that psychomotor skills, when not frequently refreshed

deteriorate and oft result in tragic consequences in gravely intense field situations. Clinical scientific data will neither add, nor subtract from this commonly shared knowledge.

- Chief Missell stated this proposal would cost billions of dollars.

POST's response was that the 14 mandated hours are in fact hours officers are already required to attend. A review of 63,000 peace officer records support data that officers have averaged a minimum of 45 hours of training on an annual basis, so fiscal impact to the State would appear to be very minimal.

Chief Venegas's concerns:

- Chief Venegas requested that POST consider the addition of "perishable skills" and "communications training instructors" categories to the backfill reimbursement program.

POST's response was to state that we appreciate the challenges posed in managing courses with law instructor to student ratios; however, POST's reimbursement program is focused on the reimbursement of trainees. Backfill reimbursement for instructors is outside the scope of this public hearing.

Chief Romero's concerns:

- Chief Romero questioned the fiscal impact on his agency if new courses are developed in-house.

POST's response was to advise Chief Romero to contact his POST area consultant to evaluate the feasibility for certifying "stand-alone" technical courses.

Mr. Telford's concerns:

- This new requirement would break the continuity of attending a single course to remain in compliance and would add an additional mandate to the long list of required training for peace officers.

POST's response was that this is POST's first mandated, topic-specific training, representing "back to the basics" subject matter which already exists and has previously been presented by individual law enforcement agencies.

- A random study of 500 officers out of the 59,000 in the state is not effective.

POST's response was that perishable skills training has been evaluated for over four years. Input from over 30 California law enforcement agencies was sought by POST staff. It was the overriding consensus of these agencies, coupled with input from other agencies, to support perishable skills training. Scientific analysis provided minimal impact in the light of commonly shared law enforcement expertise.

- There are only 22 simulators in the State and the demand for use will far exceed the supply of regionally located training sites.

POST's response was that simulator training remains optional under this new regulation. There are no mandates to utilize either simulator delivery or regional skills centers. Training curriculum is controlled at the agency level.

- It would create a fiscal impact and have an adverse impact on their ability to comply with the 24-hour training mandate, while addressing the individual training needs of the respective agencies.

POST's response was that agencies, on an average, attend more than 40 hours of training a year, far exceeding POST's 24 hours-in-two-years requirement. This training frequently includes perishable skills. POST believes perishable skills training will reduce officer and civilian injury, vehicle/equipment repair, personnel complaints, workers' compensation, and liability loss. This could easily translate into increased training budgets.

Chairman Hunt invited questions and comments of the Commissioners regarding this matter.

MOTION – Kolender, Second – Cobb, carried unanimously to amend Commission Regulation 1005(d) (2) and Commission Procedure D-2 to require specified "Perishable Skills" and Communications as part of the Continuing Professional Training requirement and that these changes take effect January 1, 2002.

HEARING II

The Chairman opened Hearing II to consider the Amendments to Commission Regulation 1015(e). This amendment will implement backfill (replacement) cost reimbursement for public safety dispatch and dispatch supervisor training programs to eligible participating agencies. The reimbursement will reimburse agencies that pay overtime or regular pay to an employee(s) in order to maintain an acceptable level of service.

Executive Director O'Brien reported that each written comment that has been received has been acknowledged and all concerns responded to in writing by staff. A summary of the written commentary received was read into the record:

Kenneth Becknell, Chief of Police, Barstow Police Department wrote in favor of the proposed amendment. He stated that allowing reimbursement for dispatchers would afford them the opportunity to receive appropriate training, and enable law enforcement agencies to maintain full strength in their service to the public.

Pat Miller, Acting Chief of Police, San Buenaventura Police Department wrote in favor of the proposed amendment. He stated that the continuing training dispatchers receive is critical to the operation of their department. This reimbursement will allow proper training of their dispatchers while maintaining staffing minimums for dispatchers in training.

Jim Piccinini, Sheriff-Coroner, Sonoma County Sheriff's Department wrote in favor of the proposed amendment. He stated this proposal would allow participating agencies the ability to properly manage their operational responsibilities, as well as their ongoing commitment to training.

Jana Snowball, Executive Director, Yolo County Communications wrote in favor of the proposed amendment. She stated this proposal would provide dispatchers and dispatch supervisors with the required training necessary to fulfill their job duties and provide uninterrupted service to their citizens.

Lou Blanas, Sheriff, Sacramento County Sheriff's Department wrote in favor of the proposed amendment. He stated this proposal would enable the department to maintain full strength in their service to the public while meeting their training needs.

James E. Goulart, Chief of Police, Belmont Police Department wrote in favor of the proposed amendment. He stated this proposal provides an excellent mechanism in supporting refresher training to their dispatchers and supervisors.

Barbara Tschop, Communications Supervisor, San Carlos Police Department wrote in favor of the proposed amendment. She stated that providing agencies with backfill reimbursement would permit the necessary training for all dispatchers.

Greg Miraglia, Director, Criminal Justice Training Center, Napa Valley College wrote in favor of the proposed amendment. He stated if dispatchers attend training programs, law enforcement agencies need POST's help to offset the predictable costs of backfill.

John L. Bradbury, Chief of Police, Grover Beach Police Department wrote in favor of the proposed amendment. He stated this will bring our dispatchers current with POST training.

Jane Jimenez, Records Coordinator, Yolo County Communications wrote in favor of the proposed amendment. She stated this would allow their agency to provide the dispatchers and dispatch supervisors with the required training necessary to fulfill their job duties and provide uninterrupted services to its public.

Arturo Venegas, Jr., Chief of Police, Sacramento Police Department wrote in favor of the proposed amendment. He stated this would enable his agency to maintain full strength in service to the public while alleviating the staffing concerns created by the 24-hours of required training every two years.

Jerome E. Lance, Chief of Police, Long Beach Police Department wrote in favor of the proposed amendment. He stated that by POST providing funding for backfill reimbursement, the Commission is further supporting law enforcement agencies in their goal of training maintenance.

Charles Byrd, Sheriff Coroner, Siskiyou County Sheriff's Department wrote to make formal notification of his support for this proposed amendment.

William M. Lansdowne, Chief of Police, San Jose Police Department wrote in favor of the proposed amendment. He stated that public safety dispatchers must remain well trained and informed in the ever changing requirements and legislation imposed upon their profession. He wished to thank the Commission for its continuing support of public safety dispatchers and encourages us to continue in our efforts.

Bob Brooks, Sheriff, Ventura County Sheriff's Department wrote in favor of the proposed amendment. He stated that back-fill reimbursement will ease the financial burden of providing dispatchers and dispatch supervisors with valuable training, while maintaining minimum staffing levels.

Richard A. LeGarra, Chief of Police, Baldwin Park Police Department wrote in favor of the proposed amendment. He stated that POST reimbursement would help alleviate the financial burden, allow the department to maintain full staffing in the communications section, and send dispatchers to training more often.

Andy P. Romero, Chief of Police, Orange Police Department wrote in favor of the proposed amendment. He stated that the proposed backfill reimbursement will help offset a financial burden and aid the agency in remaining compliant with State mandates.

William Bullington, Training Manager, Yreka Police Department wrote in favor of the proposed amendment. Backfill reimbursement would be the answer to our fiscal and 24-hour CPT training requirement for dispatchers.

Darrell Stump, North President, CAPTO was authorized by regional presidents of the Central Valley and Southern Chapters to write a letter of support. They feel that the communication centers in this state are a critical element in the delivery of public safety services. Backfill reimbursement for training courses will assist agencies in complying with the 24-hour CPT requirement, while sustaining necessary staffing levels.

Staff reported that at its October 1999 meeting, the Commission had approved backfill reimbursement for public safety dispatchers and dispatch supervisors. This action recognized the critical role of dispatchers in providing community service and ensuring the safety of officers in the field. However, Regulation 1015 (e) authorizes backfill reimbursement only for peace officers. This proposed amendment will authorize backfill reimbursement for Public Safety Dispatchers and Dispatch Supervisors.

At this point, the Chairman invited those interested in giving testimony concerning this issue to come forward.

No one came forward to express opposition.

Madonna Valdez, Manager, San Francisco Emergency Communications Department, came forward in support of the amendment. She stated that she was proud to report that the San Francisco Emergency Communications Division was involved in the original proposal to POST, which resulted in the implementation of minimum continuing professional training requirements for dispatch personnel.

She further stated that they will continue recruiting efforts to maintain the staffing levels required to provide ongoing training. However, in the meantime, this amendment will assist her department in meeting its goals in supporting and maintaining POST standards and providing critical quality training to emergency personnel.

There was no further testimony and, at this point, the Public Hearing to amend Commission Regulation 1015(e), Public Safety Dispatcher – Backfill Reimbursement, was concluded.

Chairman Hunt stated that the California Code of Regulations requires POST to list each objection or recommendation made by the public, how the proposed action now under consideration is to be changed to accommodate each concern or recommendation, or the reasons for making no change.

The Executive Director reported that no objections were stated in the above-mentioned letters.

Commissioner Cobb requested that once this item is budgeted, it be kept separate from the "Officer Reimbursements" so that its effectiveness and use throughout the State may be followed.

MOTION – Fox, Second – Hawkins, carried unanimously, to amend Regulation 1015, as proposed, to authorize backfill reimbursement for public safety dispatchers and dispatch supervisors.

BASIC TRAINING

E. Report on Proposal to Amend Regulation 1007 Reserve Officer Minimum Standards and Procedure H-3 Reserve Officer Training Requirements

Staff reported that subject to the proposed regulatory action, this item will bring Regulation 1007 into compliance with Senate Bill 1955 which became effective January 1, 2001. SB 1955 amends Penal Code Section 832.6 by adding a provision for a reserve officer who has previously satisfied training requirements pursuant to this section, and has served as a Level I or Level II reserve officer within the three-year period prior to the date of a new appointment to remain qualified as to POST training requirements, if that officer accepts a position at the same or lower level. If the break in service is three years or longer, the individual will be responsible for meeting the current minimum training requirements as required by Regulation 1007(b).

MOTION – Kolender, Second – Flannagan, carried unanimously to approve, subject to results of the Notice of Proposed Regulatory Action, the modifications to Regulation 1007 and Procedure H-3 as described.

F. Contract Request for Management Fellow (Workbook Updates)

Staff reported that the development of the Basic Course Student Workbook Instructional System was authorized by the Commission in an effort to support the Regular Basic Course (RBC) and the Specialized Investigators Basic Course (SIBC). Included in this instructional system are student workbooks, instructor guides, and instructional videos.

Staff recommends a contract for the services of a Special Consultant to assist in revising and updating the Basic Course through the workbooks. The Basic Course regular curriculum has 41 separate learning domains, which require ongoing revision. Some of the workbooks require revision every three years and others require annual updates.

MOTION – Fox, Second – Cobb, carried unanimously, by ROLL CALL VOTE, to authorize the Executive Director to enter into an Interagency Agreement with a governmental agency for the services of a Special Consultant (Management Fellow) to assist with revising and updating Basic Course Student Workbooks for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits.

G. Contract Request with Office of State Publishing for Basic Course Workbooks

The Commission has previously authorized a three-year agreement with OSP to print, sell and distribute the Basic Course workbooks on behalf of POST. OSP was to recover all of its costs through workbook sales. The original prices, established in 1998, are still in effect. Since 1998 OSP has absorbed increased operational costs and, if the current prices for Workbooks and Instructor Guides remain the same, OSP will sustain a loss in excess of \$285,000 during this fiscal year. Without a price increase, even higher losses will be incurred in the future.

The major portion of the fees collected for the workbooks have been accumulated by OSP in a trust account, which will reach the total of \$137,349 by June 30, 2001. Although the trust account was established to refund the \$30,000 deposited by POST to establish OSP's operating fund, and to discount some of POST's printing costs, to date no funds have been returned to POST, nor have any funds been directed to a printing order.

Staff met with OSP and, after reviewing the costs and conducting a survey, concluded that OSP's costs are quite low compared to others'.

Staff's recommendation would accomplish two things: it would apply the current printing trust account of \$137,349 to the cost of the Workbooks, and also authorize OSP to sell the Student Workbooks and Instructor Guides at the increased prices of \$5.00 for the Workbook and \$8.00 for the Instructor Guide.

MOTION – Flannagan, Second – Kolender, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to amend the existing Interagency Agreement with the Office of State Publishing, to include: 1) applying the current POST trust account of \$137,349 to OSP's deficit; and 2) authorize OSP to sell Student Workbooks and Instructor Guides at \$5.00 and \$8.00, respectively.

CENTER FOR LEADERSHIP DEVELOPMENT

H. Request for Contracts to Present Supervisory Course Instructor Training Workshops

Staff reported that in 1998 the Commission authorized the redesign and piloting of the new Basic Supervisory Course. The redesigned course is now completed and the new course curriculum will be before the Commission at the next scheduled meeting. It is the Staff recommendation that six Supervisory Course Instructor Training Workshops be presented in order to train facilitator/instructors to present the new course material.

Chief Brian Decuir, Hanford Police Department, and Advisory Board Member of Tulare-King County, was introduced by staff. Chief Decuir introduced additional Advisory Board members from the audience - Chief Jerry Barker, Visalia Police Department; Assistant Chief Bob Williams, Visalia Police Department; Captain Larry McLaughlin representing Sheriff Bill Whitman of Tulare County; and Gary Kuncl, Director of the Law Enforcement Training Department, College of the Sequoias.

Chief Decuir reported that the Tulare-King County Advisory Board has expressed concerns to POST staff about proposed curriculum and other matters related to the Basic Supervisory Course. In recent discussions with staff, they received assurance that those issues will be addressed and feel confident their concerns will be resolved before this matter comes before the Commission again. Chief Decuir confirmed that he would not object to the Commission taking action on this issue today.

MOTION – Hawkins, Second – Fox, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into contracts with certified presenters to offer six presentations of the Supervisory Course Instructors' Training Workshop at a cost not to exceed \$107,886.

I. Contract Request to Develop Scenarios for the Basic Supervisory Course

The Commission authorized the design and pilot testing of the new Basic Supervisory Course. The design of the course included videotaped scenarios that have been very successful. This agenda item is a request to contract for the production of a second set of videotaped scenarios to be used statewide, which will provide a vital enhancement to the overall presentation of the course.

MOTION – Flannagan, Second – Fox, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with KPBS-TV at San Diego State University to produce a second set of video-based scenarios for the Basic Supervisory Course at a cost not to exceed \$100,000.

J. Request to Set a Public Hearing to Amend Commission Regulation 1005(c), Concerning Attendance at the Management Course.

At the April 27, 2000, meeting, the Commission directed staff to research the feasibility of allowing peace officer association (POA) board members and executives to attend the Management Course.

Commission Regulation 1005(c)(1-5), as presently constructed, does not authorize individuals below the rank of Sergeant to attend the Management Course. Staff has proposed language to amend the regulation authorizing POA executives and directors, regardless of rank, to attend the Management Course, and 100% release time individuals are authorized to attend without department head approval. Since this action concerns a regulation change, it will be necessary to hold a public hearing.

MOTION – Cobb, Second – Holden, carried unanimously to set this matter for a public hearing at the April 19, 2001, Commission meeting to consider amendments to Commission Regulation 1005(c)(1-5), authorizing peace officer association board members to attend the Management Course.

MANAGEMENT COUNSELING

K. Proposed Revisions to Commission Regulation 1019 (Peace Officer Feasibility Studies)

The recent enactment of AB 1494 expanded the POST feasibility requirement to include persons who are currently peace officers and wish to change to another peace officer status. This matter would amend Regulation 1019 relating to Peace Officer Feasibility Studies, and bring it into compliance with Assembly Bill 1494.

MOTION – Kolender, Second – Holden, carried unanimously to amend Regulation 1019, as proposed, subject to results of Notice of Proposed Regulatory Action. The proposed changes will become effective 30 days after approval by the Office of Administrative Law.

STANDARDS AND EVALUATIONS

L. Contract Request to Produce Recruitment Videos and Handbook

Sergeant Lori Lee of Vallejo Police Department, was selected last year as Special Consultant for POST's program to assist local law enforcement agencies in recruiting

peace officers. Under her management, a great deal of progress has been made on this project, including the conceptualization of two recruitment videos and a handbook that will benefit hiring agencies.

There was a brief discussion concerning the content of the videotapes. Staff related that the videos will be designed to capitalize on essential basic values and demonstrate a broad spectrum of law enforcement rather than just the more hazardous aspects. The goal is to emphasize the more positive side, such as diversity, teamwork, and helping others.

MOTION – Fox, Second – Flannagan, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with KPBS for the development of two recruitment videotapes and the services of an instructional designer to assist in the development of a handbook, at a total cost not to exceed \$210,000.

M. Contract Request to Provide Training for Academy Physical Training Instructors

This request addresses two strategic plan objectives: 1) increasing entry-level selection standards in the area of physical ability; and 2) expansion of instructor development opportunity.

Currently, POST is in the process of reviewing and revising the POST physical training program and developing a pre-academy physical fitness standard.

The Cooper Institute for Aerobic Research (CIAR) is the only known physical fitness-training provider that specifically trains law enforcement in preventive medicine research, safety programs, legal issues, and norms and standards development. The two courses requested from CIAR are specific to physical fitness curriculum for law enforcement and reflect their experience in standards development. The goal of the courses is to provide leading edge training to physical training instructors who will then apply the training at the State and local level.

MOTION – Hawkins, Second – Cobb, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to contract with the Cooper Institute for Aerobic Research to present the Police Physical Fitness Specialist Course and the Advanced Physical Fitness Specialist Course to assist in the implementation of Strategic Plan Objectives A.3, and B.8, at a cost not to exceed \$30,000.

TRAINING DELIVERY BUREAU

N. Report and Recommendation to Enter Into Contracts for Presenting Mobile Force Option Simulator Training for FY00/01

This request will allow a maximum of 400 students to receive *Force Option Simulator Training* at a cost of \$144.00 each. The contract will provide training on a mobile platform in remote areas of the state which do not normally have access to the fixed sites.

This will enable agencies to save money in the areas of overtime and travel pay, and make training more accessible in remote counties, such as Del Norte, Siskiyou, and Imperial.

MOTION – Fox, Second – Kolender, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract to train a maximum of 400 students in Force Option Simulator Training at a cost not to exceed \$57,600 for the period starting February 1, 2001, and ending June 30, 2001.

TRAINING PROGRAM SERVICES BUREAU

O. Specialized Training Instructor Requirements

Pursuant to the Commission-approved Plan for Instructor Training Requirements and Certification, regulations have been prepared to formalize existing prerequisites for instructors of specialized training courses. POST has maintained an expectation that persons who instruct in certain high risk/liability areas should attend a POST-certified instructor development course on the related subject area. Such subjects include arrest and control techniques, defensive tactics, driver training, firearms training, and others. The regulations also encompass training requirements for certain key basic academy staff.

The proposed effective date of the regulations is July 1, 2002. Training costs will be shared among POST, presenters, and instructors. This course will ensure the integrity of the instruction, and both the broad-based Instructor Standards Advisory Council and the Basic Course Consortium are in support.

MOTION – Kolender, Second – Fox, carried unanimously, to approve, subject to results of a Notice of Proposed Regulatory Action, the proposed regulations to establish training requirements for instructors who teach specialized subjects in POST-certified courses, as well as for certain key basic academy staff.

P. Proposed Curriculum Revisions to Aviation Security Course

Staff reported that the "Airport Security" training for all airport security officers, airport policemen, and airport special officers was last updated in 1983. In recognition of the change in airport conditions over recent years and that many of POST's curriculum requirements are out of date, POST did a review of this program. The review process involved the training presenters as well as practitioners.

Recommended additional topics include Multi-Agency Task Forces and Airfield Operations. In addition, it is recommended and supported by subject matter experts, that the minimum hours be increased from 20 to 40.

MOTION – Holden, Second – Cobb, carried unanimously to approve amendments to Regulation 1081 (a) (2) concerning Airport Security subject to the results of a public

review process. If no one requests a public hearing, these changes will go into effect upon approval of the Office of Administrative Law.

Q. Contract Request for a Regional Skills Training Center in the South Bay, West Los Angeles County Area

At the July 2000 meeting, the Commission approved the establishment of a Regional Skills Training Center in the South Bay of Los Angeles County. Three formal requests were received by POST, including L. A. County Sheriff's Dept, Culver City Police Department, and the South Bay Regional Public Communication Authority.

After staff evaluation, the best selection seems to be the South Bay Regional Public Communication Authority and that is the recommended location.

MOTION – Kolender, Second – Flannagan, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into an agreement, as described in the report, with the South Bay Regional Public Communication Authority in an amount not to exceed \$603,339.00.

R. Contract Request for POST Management Fellow (Legislative Training Mandates)

A Management Fellow was requested to research and implement up to four new pieces of legislation requiring POST to expand and recast elder abuse training (AB 1819), establish and continue to update a classroom training course relating to intervention with developmentally disabled persons (AB 1718), develop racial profiling curriculum (SB 1102), and to implement a course of instruction and write guidelines for law enforcement response to stalking cases (SB 1539). Staffing for the implementation of these bills will require one full-time consultant for one year. Existing staff resources are insufficient to address all these legislative mandates in a timely fashion as required by law.

MOTION – Fox, Second – Hawkins, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to contract with a local law enforcement agency for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits.

S. Request for Approval to Accept 2000-01 Violence Against Women Act Law Enforcement Grant Funds and Renewal of Existing Interagency Contract to Facilitate Course and to Extend the Grant Coordinator Position

In August 1997, the Commission voted to accept a VAWA Law Enforcement Grant in the amount of \$2,929,112. Additional augmentations have been received over the past three years, bringing the current total to \$7,038,179. An additional amount of \$695,000 was approved on July 12, 2000, to maintain the current level of course presentations for one year. This request is for (1) approval to accept the funding from OCJP, and (2) approval for the Executive Director to contract with San Diego Regional Training Center to continue to facilitate the course presentations and to provide a special consultant to serve as Assistant Grant Coordinator.

MOTION – Kolender, Second – Flannagan, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to accept the 2000 – 2001 grant funds in the amount of \$695,000 and authorize the Executive Director to contract with San Diego Regional Training Center in an amount not to exceed \$453,995.

T. Contract Request for the Design and Pilot Test of ICI Identity Theft Training Course

While identity theft has been a problem for many years, over the last five years it has increased at the rate 450,000 cases per year. This is a crime with devastating and long term effects on the victim's life. Funds were requested to complete curriculum design and pilot a five-day class intended for sworn officers and deputies assigned to the investigation of identity theft.

MOTION – Fox, Second – Holden, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with San Jose State University for the design update and presentation of a pilot of the ICI Identity Theft course, not to exceed \$23,106.

U. Contract Request for Development of Driver Training CD-ROM Course

A million dollars for developing multimedia training in the perishable skills area was included in the budget change proposal for F/Y 2000-2001 and approved by the Commission at its meeting in October 1999. Developing a CD-ROM on driver training was a major project envisioned for the use of these funds. Staff has determined that the most feasible approach would be to contract with CompUSA and its partner, Global Learning Systems, to perform the analysis and subsequent development. The CD-ROM course will replace the interactive videodisc (IVD) course on driver training, which was distributed to the field in 1993 and has become outdated.

MOTION – Hawkins, Second – Kolender, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to enter into an agreement with CompUSA for an amount not to exceed \$500,000 to develop a CD-ROM program on law enforcement driver training.

V. Request of the Inspector General to Join the POST Specialized Program

This item was removed from the Agenda at the request of Inspector General Steve White.

W. Request for Approval of Revised Strategic Plan

The Commission's Strategic Plan has been in place since 1997. Although minor changes have been made every year, the Long Range Planning Committee recently directed a major review be made of the Plan to reflect current needs and priorities of law enforcement. A major effort has been made to update the Strategic Plan wherein contributions were solicited from POST staff, as well as from the field. In addition, a

workshop was conducted in San Diego recently in which there was great deal of input. Among the considerable number of changes recommended, it proposed that instead of seven broad goals there be three; instead of 61 objectives, it is proposed there be 32, including 11 new objectives. The proposals will continue the tenet of the original Strategic Plan, i.e., the Commission's interest in collaborating with its clients in raising the bar for law enforcement in terms of standards.

Hal Snow, Assistant Executive Director, reported that this issue has been reviewed by the Long Range Planning Committee and the Committee supports the proposed revisions to the Strategic Plan.

MOTION – Kolender, Second – Holden, carried unanimously, to approve the recommended revisions to the Strategic Plan.

COMMITTEE REPORTS

X.1 Long Range Planning Committee

Ted Hunt, Chairman of the Long Range Planning Committee reported on both the October 3, 2000, and December 13, 2000, meetings.

October 3, 2000, Meeting in Ontario

In addition to those matters already addressed, the Long Range Planning Committee received reports on the following matters:

Progress report on POST Recruitment Project

Bureau Chief Alan Deal presented the report to the Committee using PowerPoint multimedia. The report included the issues for further research concerning recruitment that were identified by the ad hoc committee, at its meeting in September 2000.

Status Report on a New Labor/Management Training Course

At the June 22, 2000, meeting, the Committee directed staff to study the feasibility of developing a new course within the Labor Management Forum that will provide information to officers of peace officer associations concerning management roles, responsibilities, and processes. Staff has reviewed several existing courses but none appear to satisfy the objectives of the proposed course. The feasibility of developing a new course or modifying the labor law course after its pilot presentation will continue to be examined.

Report on the Process for Canceling a POST Basic Certificate

At the August meeting, the Commission, at the suggestion of Commissioner Baca, directed staff to identify a process for the cancellation of the POST Basic Certificate that provides for a hearing concerning the proposed cancellation.

This information report described the hearing process that currently exists in Commission Regulation 1011 and Procedure F-2. This procedure has been in place since 1988 and applies to every case wherein the cancellation of a certificate is proposed. The hearing process provides the opportunity for the certificate holder to present information that may mitigate the proposed cancellation of a certificate.

This issue will be heard by the Commission at a later date.

Status Report on Office of Emergency Medical Services Access Vision Committee Proposal that Impact Law Enforcement

The Vision Access Committee of the Emergency Medical Services Authority planned to propose legislation that would: a) require all wireless 911 calls to be routed to local public safety access points (PSAPs) by the CHP; and b) require all PSAPs to provide emergency medical dispatch for the jurisdiction.

The committee has not previously included law enforcement representatives. In June 2000, law enforcement representatives joined the committee. The committee did not reach consensus on the issues at the September meeting and work continues on a proposed "*Standard Practice for Emergency Medical Dispatch*" document. Several proposals are included in the document that may impact POST training if they are incorporated in legislation.

December 13, 2000, Meeting in Ontario

Report on the Field Survey of the POST Television Network (CPTN) Service

The staff reported on the results of the statewide survey concerning the monthly television broadcasts. Approximately 45 % (254) of the 561 agencies surveyed responded. Generally, agencies are satisfied with and complimentary of the monthly television broadcasts that include Case Law Today, Video Review, and a Telecourse. The survey produced several recommendations for improving the programs that will be developed by staff.

In addition, staff reported that the Video Review program, in which training videos are produced by a variety of agencies are collected and broadcast on the CPTN, is becoming more difficult to maintain. Staff recommended replacing the Video Review with a different program, beginning in July 2001, with a program that is more directed to roll

call training. Staff will report the progress in developing an alternative program to the Committee.

Report on Public Safety Emergency Medical Dispatch Training Issues

This informational report described the work of a committee of the State Emergency Medical Services Authority concerning proposed legislation to mandate emergency medical dispatch to all public safety access points (911 PSAP). POST staff will continue to monitor the work of the committee and will keep the Long Range Planning Committee apprised of the progress.

Report on Proposed Changes to the Basic Course Waiver Process

The staff report described the proposed changes to Commission regulation 1008 and Procedure D-11, concerning the Basic Course Waiver Process that will simplify the waiver process. The changes will affect both the evaluation of prior training and a revision of the Requalification Course.

Report on the Expenditure of POST Training Funds by Rank

In view of past concerns about how POST's training resources are focused, the staff report described the distribution of training funds for FY 1999/2000. The report includes information that 80.7% of the reimbursement (\$16.7 M) went to personnel at the rank of sergeant or below; 6.7% of the funds (\$1.3 M) went to managers and above; and 12.6% (\$2.6 M) went to dispatchers and other non-peace officer trainees. In addition, training contracts expended approximately \$1 M for management and executive training, and approximately \$8 M for training for the ranks of sergeant and below.

Update on the BCP/Budget Process

This informational report described Budget Change Proposals (BCPs) that were initially submitted to the Department of Finance as required for preparation of the FY 2001/02 State budget. The report also described the final list of BCPs that was submitted following the imposition by the Governor's Office of a 1% cap on requests for additional personnel. Although final approval of the BCPs has not been received, staff believes the proposal will be approved and included in the Governor's Budget that is proposed by FY 2001/02.

X.2 Advisory Committee

Alex Bernard, Committee Vice Chairman, reported on the results of the Advisory Committee meeting held on January 24, 2001, in Fresno.

Results of Election of Officers for 2001

Leisha Lekawa was elected Chairman of the Committee;
Alex Bernard was elected Vice Chairman of the Committee.

Input on Commission Agenda Items

The Committee voted to support the following:

- Commission Agenda Item C, Perishable Skills Training Requirement;
- Commission Agenda Item D, Backfill Reimbursement for Public Safety Dispatchers.

In addition, the Committee requests that the Committee Chairman or a designee be invited as a nonvoting member to some of the Commission Committee meetings, particularly, the Long Range Planning Committee.

Governor's Awards for Excellence in Peace Officer Training

The following recommendations were made to the Commission:

- Individual Achievement Category - **Sergeant James Filley** of the San Diego Police Department, was selected as the recipient in this category for his development and presentation of cadet and explorer training. **Sergeant Sylvia Moir** of the Sacramento Police Department was selected as runner up.
- Organizational Achievement Category - **The Orange County Sheriff's Department Tactical Training Center** was selected for its unique tactical training. **The Tools for Tolerance, Simon Wiesenthal Museum of Tolerance** was selected as runner up.
- Lifetime Achievement Category - **Robert Koga** was selected as the recipient for this category for his 46 years of law enforcement training in officer self defense tactics. **Ron Havner** was selected as runner up.

MOTION - Flannagan, Second - Holden, carried unanimously, to approve the Advisory Committee's recommendations for the Governor's Awards in Excellence in Peace Officer Training.

It was noted that the Executive Director will be in contact with the Advisory Committee Chairman, Leisha Lekawa, to ensure that the Committee is represented at Commission Committee meetings.

X.3 Finance Committee

Joe Flanagan, Chairman of the Finance Committee reported on the actions of the Committee at the meeting held the previous day, January 24, 2001, at Piccadilly Inn in Fresno. In addition to items already addressed on the agenda, the Committee discussed the following:

Financial Report

The Committee reviewed the quarterly report. The report indicates that revenue received for the first six months of the fiscal year is slightly less than anticipated. The number of trainees reimbursed through the second quarter is a little more (441) than the number reimbursed during the same time period of the last fiscal year. Reimbursements to local agencies are less than the amount reimbursed last fiscal year at this time; this is primarily due to the decrease in the reimbursement for Training Aids Technology.

The Committee reviewed projected expenditures for the balance of this fiscal year. Projections are generally within the budget authorization.

Proposed FY 2001/02 Budget

Staff reported that the Governor's proposed budget has been presented to the legislature. POST budget status is favorable, with no anticipated problems. It was noted that the Governor's Office directed the Department of Finance to only consider Budget Change Proposals (BCPs) with Personnel Years (PYs) to the extent the requested PYs would not increase the requesting agency's total PYs by more than 1%. In cases where the 1% results in an added fraction, the PY can be rounded up to the next number. POST was therefore able to apply for only two positions in conjunction with BCPs.

Report on State Auditor's Recommendations Regarding Overhead Payments in Contracts

Staff reported that the State Auditor recently concluded an audit of contracts between State University Foundations and State Agencies. The report notes that POST could have saved money by not allowing administrative overhead payment on direct costs that were for simple purchase by the foundation of supplies and materials (identified possible savings, \$29,000). POST is not currently staffed at a level to permit immediate shift of all materials purchasing to POST. Therefore, staff will in the future, negotiate contracts that exclude calculation of overhead on those amounts covering books, training materials, and equipment.

Authorization to Negotiate Contracts For FY 2001/02

The Committee reviewed annually recurring contracts and recommends that staff negotiate new contracts for FY 2001/02.

X.4 Legislative Review Committee

Committee Chairman Monty Holden reported that the committee met last on January 25, 2001, at 9:00 a.m., at the Piccadilly Inn, Fresno:

Tom Hood, Legislative Liaison, reported that staff has proposed an amendment to Penal Code Section 832.6(c)(5) to eliminate Reserve Officer training module D. Reserve Officer training module D was originally designed as a bridge course to allow Reserve Officer's who had completed modules A, B, & C to meet the training requirements of the Regular Basic Course. Pursuant to Senate Bill 1874 (1994), the Regular Basic Course - Modular Format was developed to provide Reserve Officers with training modules that are aligned with the Regular Basic Course. Consequently, there is no further need for module D training.

With the Commission's approval to move ahead, staff will request the Senate Committee on Public Safety to make this proposal part of its omnibus bill, which is a measure comprised of various "clean-up" issues.

MOTION - Kolender, Second - Flannagan, carried unanimously, to approve staff's recommendation to move forward with this legislative proposal.

OLD/NEW BUSINESS

Y. Advisory Committee Appointments

Recommendations were made to appoint or reappoint the following individuals to the POST Advisory Committee:

- Leisha Lekawa, as a representative of the Women's Peace Officer Association;
- Michael Scott, as a representative of the California Organization of Police and Sheriffs;
- Joe Ortiz, as a representative of the California Highway Patrol;
- Marv Enquist, as a representative of the California Justice Educators' Association;
and
- Kevin Otto, as a representative of the California Specialized Law Enforcement.

It was noted that the position representing the public member is vacant and there has been no recommendation to fill this spot.

MOTION - Baca, Second - Kolender, carried unanimously, to: 1) appoint the above-named recommended individuals to the Advisory Committee, and 2) give a proxy to the Chairman of the Nominating Committee to appoint the Public Member of the Advisory Committee.

Z. Appointment of Nominating Committee

Chairman Ted Hunt appointed the following Commissioners to the Nominating Committee:

- James Fox, Chairman
- Marc Cobb
- Monty Holden

FUTURE COMMISSION MEETINGS

April 19, 2001, Airport Inn International, San Jose
(* Changed to *May 10, 2001, Holiday Inn Northeast, Sacramento*)

July 19, 2001, Doubletree Hotel, Ontario
(* Changed to *August 9, 2001, Doubletree Hotel, Ontario*)

November 1, 2001, Holiday Inn Northeast, Sacramento

Adjournment: 12:20 p.m.

Upon adjournment, the Commission met in closed session for the purpose of discussing personnel issues.

Respectfully submitted,

Anita Martin

Anita Martin
Administrative Assistant

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By <i>[Signature]</i> Dick Reed, Chief	Researched By <i>[Signature]</i> Rachel S. Fuentes
Executive Director Approval	Date of Approval	Date of Report April 20, 2001
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 during the third quarter of the FY 2000-01.

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Field Training Officer	San Diego RPSI	Technical	II*	\$ 50,400
2. Civilian Gunfire Response Team, Part 2	Los Angeles P.D.	Technical	IV	10,000
3. CCI-Adv. Ridgeology Comparison Techniques	CCI	Technical	IV	7,930
4. Interview and Interrogation	Yuba College	Technical	N/A	51,840
5. Skills & Knowledge Modular Training	Twin Cities P.D.	Technical	IV	5,000
6. Skills & Knowledge Modular Training	Petaluma P.D.	Technical	IV	5,000
8. Dev. Disabled/Mental Illness Officer Response	Critical Focus	Technical	IV	1,920
9. Training Conference (Trauma of LE Death)	Palomar College	Technical	N/A	-0-
10. Arrest & Control Techniques Update	Orange Co. S.D.	Technical	II	6,250
11. Dispatcher, Med Emer PS	Eureka P.D.	Technical	IV	9,360

*Back-fill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
12. Clan Lab 1 st Resp. Awareness T-T	DOJ Training Center	Technical	IV	\$ 720
13. Driver Training (EVOC) Upd.	Santa Clara P.D.	Technical	II*	5,400
14. Level II Modular Training	Imperial Valley Col.	BC-Modular Format	N/A	-0-
15. Training Conference (Robbery Inv. Training)	Newport Beach P.D.	Technical	N/A	-0-
16. Firearms/Tactical Rifle	Orange P.D.	Technical	II*	2,000
17. Bomb Technicians Update	FBI, Sacramento	Technical	IV	2,245
18. Financial Investigation	State Center RTF	Technical	IV	12,240
19. Sexual Assault Response Team	San Diego RTC	Technical	IV	700
20. Dispatcher, Sexual Assault	San Diego RTC	Technical	IV	15,000
21. Domestic Violence Response Team	San Diego RTC	Technical	IV	6,000
22. Defensive Tactics Instructor Update	Beverly Hills P.D.	Technical	II*	12,000
23. Cultural Diversity	Fullerton College	Technical	IV	620
24. Photography, Forensic	Southwestern College	Technical	N/A	-0-
25. Training Conference	U.C. Davis Medical Ctr.	Technical	N/A	-0-
26. Force Option Simulator	Los Angeles Co. S.D.	Technical	II*	143,360
27. Domestic Violence/1st Responder	Marin Co. S.D.	Technical	II*	9,720
28. Force Option Simulator	Sacramento Co. S.D.	Technical	II*	143,360
29. Analytical Investigative Tech.	State Center RTF	Technical	IV	20,400
30. Interview and Interrogation	FBI, Los Angeles	Technical	II*	64,000
31. Firearms Update	Santa Rosa Center	Technical	IV	21,160

*Back-fill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
32. Training Conference	CA Dept. F&G	Technical	N/A	\$ -0-
33. Inv. Technology for LE	Tulare Co. S.D.	Technical	IV	14,000
34. Inv. & Surveillance Tech/Sup	Tulare Co. S.D.	Technical	IV	5,600
36. Supervisory Update	Fresno Co. S.D.	Technical	N/A	-0-
37. Sexual Assault Response Team/Campus Comm.	San Diego RTC	Technical	IV	48,000
38. Level III Modular Training, Part 2	College of the Desert	BC-Modular Format	N/A	-0-
39. Firearms/Tactical Rifle	South Bay RPSTC	Technical	II*	32,000
40. Level III Modular Training-	Shasta College	BC-Modular Format	N/A	-0-
41. Arrest & Control Techniques	San Mateo Co. S.D.	Technical	II*	5,400
42. Officer Safety/Field Tactics	Ventura CJTC	Technical	II*	6,000
43. Narcotics Inv. Update	DOJ Training Center	Technical	IV	5,460
44. Level III Modular Training, Part 2	Sacramento Co. S.D.	BC-Modular Format	N/A	-0-
45. Level III Modular Training, Part 2	Ray Simon CJTC	BC-Modular Format	N/A	-0-
46. Level II Modular Training	Ray Simon CJTC	BC-Modular Format	N/A	-0-
47. Training Conference (Background Investigations)	CA Background Inv. Association	Technical	N/A	-0-

- There were no additional IVD/CD ROM courses certified as of 3-30-01. To date, 250 IVD/CD ROM certified presenters have been certified and 1,061 IVD/CD ROM courses certified .
- There were no additional Telecourses certified as of 3-30-01. To date, 457 Telecourse presenters have been certified.

*Back-fill approved courses

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1. Field Training Officer	San Diego Regional TC	Technical	I*
2. Basic Course-Transition, Part I	San Mateo College	BC-Trans.	N/A
3. Basic Course-Transition, Part I	Santa Rosa Center	BC-Trans.	N/A
4. Basic Course-Transition, Part I	Shasta College	BC-Trans.	N/A
5. Basic Course-Transition, Part I	De Anza College	BC-Trans.	N/A
6. Basic Course-Transition, Part I	Sacramento City College	BC-Trans.	N/A
7. Basic Course-Transition, Part I	Golden West College	BC-Trans.	N/A
8. Basic Course-Transition, Part I	Hartnell College	BC-Trans.	N/A
9. Basic Course-Transition, Part I	Cerritos College	BC-Trans.	N/A
10. Skills & Knowledge Modular Training	College of the Redwoods-Del Norte Campus	Technical	IV
11. Arrest & Firearms (P.C. 832)	College of the Redwoods-Del Norte Campus	P.C. 832	IV
12. Telecourse	Orange County Marshal's Office	Technical	N/A

TOTAL CERTIFIED	<u>47</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>0</u>
TOTAL TELECOURSES CERTIFIED	<u>0</u>
TOTAL IVD/CR-ROM COURSES CERTIFIED	<u>0</u>
TOTAL DECERTIFIED	<u>12</u>
TOTAL MODIFICATIONS	<u>139</u>

4,254 Skills & Knowledge Modules certified as of 3-30-01
 1,061 IVD/CR-ROM courses as of 3-30-01
 457 Telecourses as of 3-30-01
 2,753 Other Courses certified as of 3-30-01
 775 Certified Presenters

*Back-fill approved courses

Cerpt 401.wpd
 4-23-01

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report - Third Quarter 2000-2001		Meeting Date May 10, 2001
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval <i> Kenneth J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 12, 2001
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.

This report provides financial information relative to the local assistance budget through March 31, 2001. Revenue which has accrued to the Peace Officers' Training Fund is shown as are expenditures made from the 2000-2001 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report (**Attachment 1**) identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through March 31, 2001, we received \$ 39,835,039. The total is \$1,245,961 less than originally anticipated, but it is \$286,208 more than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report (**Attachment 2**) compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 48,773 trainees reimbursed through the third quarter represent an increase of 5,520 (13%) compared to the 43,253 trainees reimbursed during the same period last fiscal year.

REIMBURSEMENT BY COURSE CATEGORY - These reports (**Attachments 3 and 4**) compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the third quarter of \$17,787,803 represents a \$1,960,128 (12%) increase compared to last fiscal year.

SUMMARY - Revenue received for the first nine months of the fiscal year is more than \$1.2 million less than anticipated. However, with the sizeable amount of the current reserve in the Peace Officers' Training Fund, this revenue shortfall does not have an adverse impact on POST programs. The number of trainees reimbursed through the third quarter is more than the number reimbursed during the same time frame last fiscal year as are reimbursements to local agencies.

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1999-2000 AND 2000-2001

1999-20002000-01

MONTH	1999-2000			CUMULATIVE MONTHLY ESTIMATE	2000-01			OTHER * REVENUE	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER		CUMULATIVE TOTAL	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF					
JULY	3,531,568	1,047,896	37,846	\$4,617,310	\$4,509,000	3,546,574	1,028,023	25,351	\$4,599,948	102.02%	\$4,599,948	102.02%
AUGUST	3,089,514	1,242,972	31,832	\$8,981,628	9,018,000	3,085,088	1,241,192	31,072	\$4,357,352	96.64%	8,957,300	99.33%
SEPTEMBER	3,450,636	1,232,194	30,034	\$13,694,492	13,527,000	3,070,728	1,235,414	14,508	\$4,320,650	95.82%	13,277,950	98.16%
OCTOBER	3,095,393	1,245,629	12,620	\$18,048,134	18,036,000	3,125,488	1,257,445	21,358	\$4,404,291	97.68%	17,682,241	98.04%
NOVEMBER	3,019,827	1,209,755	44,991	\$22,322,707	22,545,000	3,323,414	1,337,075	5,215	\$4,665,704	103.48%	22,347,945	99.13%
DECEMBER	2,971,741	1,195,590	14,965	\$26,505,003	27,554,000	2,879,720	1,072,412	1,200,860	\$5,152,992	102.87%	27,500,937	99.81%
JANUARY	2,880,985	1,159,077	780,009	\$31,325,074	32,063,000	2,816,981	1,219,483	22,741	\$4,059,205	90.02%	31,560,142	98.43%
FEBRUARY	2,687,821	1,081,363	31,505	\$35,125,763	36,572,000	2,639,566	1,061,949	15,861	\$3,717,376	82.44%	35,277,518	96.46%
MARCH	3,134,523	1,261,080	27,465	\$39,548,831	41,081,000	3,232,778	1,300,611	24,132	\$4,557,521	101.08%	39,835,039	96.97%
APRIL	2,971,458	1,195,476	18,067	\$43,733,832	45,590,000				\$0	0.00%	39,835,039	87.38%
MAY	3,350,816	1,347,759	29,160	\$48,461,567	50,099,000				\$0	0.00%	39,835,039	79.51%
JUNE	3,718,511	781,209	776,435	\$53,737,722	55,110,000				\$0	0.00%	39,835,039	72.28%
TOTAL	\$37,902,793	\$14,000,000	\$1,834,929	\$53,737,722	\$55,110,000	\$27,720,337	\$10,753,604	\$1,361,098	\$39,835,039	72.28%	\$39,835,039	72.28%

* - Includes \$144,230 from coroner permit fees (per Ch 990/90)

COMMISSION ON POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

MARCH

COURSE	1999-2000			2000-2001		
	Actual Total For Year	Actual July-March	% of Total	Projected Total For Year	Actual July-March	% of Projection
Basic Course	1,221	1,003	82%	1,500	2,261	151%
Dispatchers - Basic	346	254	73%	350	247	71%
Advanced Officer Course	1,758	1,571	89%	2,200	724	33%
Supervisory Course (Mandated)	613	417	68%	650	490	75%
Management Course (Mandated)	277	195	70%	315	364	116%
Executive Development Course	240	172	72%	350	330	94%
Supervisory Seminars & Courses	3,520	2,747	78%	4,500	3,445	77%
Management Seminars & Courses	1,886	1,165	62%	2,500	1,383	55%
Executive Seminars & Courses	528	368	70%	600	422	70%
Tech Skills & Knowledge Course	46,584	34,427	74%	46,500	38,355	82%
Field Management Training	17	12	71%	50	7	14%
Team Building Workshops	661	416	63%	650	448	69%
POST Special Seminars	671	492	73%	800	281	35%
Approved Courses	15	14	93%	35	16	46%
TOTALS	58,337	43,253	74%	61,000	48,773	80%

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

1999-2000

2000-2001

COURSE	Total For Year	Actual July-March	Actual March	Actual July-March
Basic Course	\$1,605,934	\$1,331,444	\$233,520	\$1,925,310
Dispatchers - Basic	272,930	207,885	29,044	225,802
Advanced Officer Course	153,001	140,998	4,335	45,461
Supervisory Course (Mandated)	372,694	259,384	76,004	365,007
Management Course (Mandated)	322,373	232,069	120,706	272,158
Executive Development Course	216,769	150,456	53,188	264,888
Supervisory Seminars & Courses	1,553,551	1,205,694	265,080	1,450,169
Management Seminars & Courses	696,072	431,637	135,500	579,474
Executive Seminars & Courses	209,490	141,265	26,471	166,926
Tech Skills & Knowledge Course	14,516,498	10,656,557	2,149,522	11,921,445
Field Management Training	7,758	5,341	0	3,391
Team Building Workshops	354,880	230,915	19,030	249,540
POST Special Seminars	248,963	180,537	8,054	84,733
Approved Courses	2,311	2,177	0	1,524
Training Aids Technology	859,350	651,316	5,686	231,975
TOTALS	\$21,392,574	\$15,827,675	\$3,126,140	\$17,787,803

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1999-2000 Total	1999-2000 July-March	2001 March	2000-2001 July-March
Resident Subsistence	\$9,544,242	\$6,944,486	\$1,677,161	\$8,404,878
Commuter Meal Allowance	943,994	697,196	122,606	813,458
Travel	2,908,681	2,116,678	429,959	2,534,986
Tuition	4,005,488	2,983,570	587,803	3,349,877
Backfill Salary	3,130,819	2,434,429	302,925	2,452,629
Training Technology Assistance	859,350	651,316	5,686	231,975
TOTALS	\$21,392,574	\$15,827,675	\$3,126,140	\$17,787,803

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Trinity County Marshal's Office		Meeting Date May 10, 2001
Bureau Adminstrative Services Bureau	Reviewed By <i>[Signature]</i> Frederick Williams, Chief	Researched By <i>[Signature]</i> Bob Spurlock
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-6-01	Date of Report March 30, 2001
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.

ISSUES

The Trinity County Marshal's Office is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

The provisions of Section 830.1 of the Penal Code permit a County Marshal's Office to employ sworn peace officers. The Trinity County Board of Supervisors has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Trinity County Marshal's Office has two full-time peace officers. Adequate background investigations have been conducted and the agency is complying with POST Regulations.

RECOMMENDATION

The Commission be advised that the Trinity County's Marshal's Office be admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.



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

WHEREAS, Joyce DeVore has painstakingly painted the California Peace officer Memorial, and

WHEREAS, Joyce has beautifully captured the memorial that has so much meaning to California law enforcement, and

WHEREAS, Joyce has devoted incalculable time in developing the painting, and

WHEREAS, she is making available prints of the painting to interested law enforcement organizations, and

WHEREAS, she has generously contributed the original oil painting to POST at far below its market value, and now be it

RESOLVED, that the Commission commends Joyce DeVore for her painting of the California Peace Officer Memorial, and be it further

RESOLVED that the Commission extends to her best wishes for continued success as a professional artist.


Chairman


Executive Director

May 10, 2001

Date

State of California

Department of Justice

MEMORANDUM

Date: April 10, 2001

To: POST Commission

From: Kenneth J. O'Brien
Executive Director
Commission on Peace Officer Standards and Training

Subject: QUARTERLY PROGRESS REPORT ON IMPLEMENTING POST'S STRATEGIC PLAN

Commissioners may recall that POST's Strategic Plan was significantly updated at its January 2001 meeting. As indicated in italics print on the attachment, implementation progress is occurring on a broad front. Most of POST's research activities are directed at various Strategic Plan objectives within one of three broad goals concerning:

- Enhancing selection and training standards
- Maximizing training delivery
- Enhancing POST's services

To ensure that the research concerning these objectives is staying on track with their intended purpose, virtually all research projects involve the collaborative input of POST's constituents and partners.

Even though there is progress being made on a great many objectives, some objectives report no progress because of the necessity for staff to prioritize work activities. With most of these objectives, implementation dates have purposely been set off into the future.

Staff would be pleased to respond to any questions about progress being reported upon.

Attachment

Component IV - Medical Clearance Assessment - A prototype of an electronic version of the Medical Screening Manual on the POST web site has been created. Installation and testing of the Manual is due for completion in May 2001.

A.4 - Basic Academy Testing -

Cognitive Testing

- *Produce a new set of mid-term and final exam items for administration - Several test item sets have been completed.*
- *Complete initial alignment of 26 cognitively tested domains - 25 of 26 domains have been aligned.*
- *Update the passing scores on at least four learning domains - Updated scores for 21 domains have been proposed.*
- *Begin new proficiency test trial administrations - Two new trial test administrations have been completed and a third has begun.*
- *Update and release revised LD tests at the same time as the release of the associated updated workbooks - Tests have been completed and will be made available to coincide with release of corresponding workbooks.*

Skills Testing

- *Component I - Develop mid-term and final exercise tests in LD #33 (Arrest/Control/Baton) - A pilot test is in process.*
- *Component II - Develop mid-term and final exercise tests for LD #35 (Firearms/Chemical Agents) - Work has not yet begun.*
- *Component III - Develop mid-term and final exercise tests for LD#19 (Vehicle Operations) - Work has not yet begun.*

A.5 - Compliance Inspections -

A separate Compliance Unit within POST's Administrative Services Bureau was established effective July 2000. Currently, two full-time Law Enforcement Consultants conduct compliance inspections of law enforcement agencies. POST's Area Consultants continue to be consulted about problem agencies and work with the agencies for resolution. Approximately 50 inspections are conducted per month on average. Efforts will be made to address the need for additional staffing for this function.

A.6 - Academy and Field Training Integration -

The entry-level job task analysis has been completed. The report describes the linkage of knowledge and skill statements to core tasks by essential job function. The knowledge and skills analysis will support the review and revision of the basic course curriculum.

A Management Fellow has been selected to coordinate the alignment project which will compare these results with the existing Training and Testing Specifications (including the workbook

QUARTERLY PROGRESS REPORT ON IMPLEMENTING POST'S STRATEGIC PLAN

GOAL A: ENHANCE SELECTION AND TRAINING STANDARDS

A.1 - Entry-Level Selection Standards -

Component I - Cognitive Ability and Personality Test - Arrangements have been made to obtain peace officer historical data from law enforcement and human resource agencies to test the hypothesis that integrity/conscientiousness traits can be used as valid and effective screening factors.

Component II - Update the publication Psychological Screening Manual - The POST Project Manager met with contractor consultants to develop a detailed work plan. An exhaustive literature review of over 6,000 documents related to psychological screening for law enforcement officers is currently in progress.

Component III - Entry-Level Oral Interview Guidelines - A literature search has commenced.

Component IV - Analysis of Entry-Level Education Requirement - Work has not yet begun.

A.2 - Continuing Professional Training Requirement -

POST continues to research the feasibility of increasing the CPT training requirement from 24 to 40 hours every two years. Analysis of training records indicate the majority of law enforcement agencies already provide POST certified training at the 40 hour level. Subject matter groups have indicated support for increasing the requirement, however, additional research and input from POST's constituency is necessary before a proposal can be brought to the Commission.

A.3 - Basic Academy Entry Qualifications -

Component I - Pre-Reading and Writing Assessment - Work on this objective is continuing. A practice test, including test strategies and areas of study, has been put on the POST web page.

Component II - Physical Abilities - Recruitment and selection of a management fellow has been completed. Contract is in progress.

Component III - California Driver's License - Staff review of applicable codes (Penal, Education, etc.) has been completed. Development of a survey instrument for completion by academies is underway. Upon completion of BTB staff research and review, coordination with POST's Legislative Coordinator will begin.

B.5 - Course Certification Process -

POST has been developing strategies for simplifying the course certification process using electronic data interchange (EDI). This web-based process will ultimately allow the submission of course certification packages directly online. It will not only expedite and simplify the process, but improve data accuracy and reduce costs. Also under study is the possible conversion of existing files to optical disc or POST's Local Area Network (LAN).

B.6 - Instructor Training and Certification -

POST's voluntary Basic Course Instructor Certification Program has 9 or 23% of the basic academies currently participating and over 246 instructors certified. The Commission approved in January 2001 new training requirements for instructors who teach critical skills in POST certified courses which is the first of numerous instructor training requirements that will be proposed over a period of time. Staff is also working with a newly established Instructor Training Advisory Council to design some form of recognition for training institutions who employ only POST certificated instructors.

B.7 - Availability of Reserve Training -

Currently, there are 10 Module I course presenters, 31 Module II presenters, and 41 Module III presenters. Opportunities for certifying additional presenters continue to be sought. Staff periodically meets with these course coordinators for the purpose of improving and standardizing instruction.

B.8 - Instructor Development Opportunities -

The number of general instructor development courses has increased from eight to fifteen in an 18-month period ending March 2001. The number of Master Instructor graduates now number 129. Actions taken to streamline the Master Instructor Program have resulted in an increased pool of course applicants. POST will also be co-sponsoring the 2002 Instructor Symposium which has been funded for the most part by the Chancellor's Office of the California Community Colleges.

B.9 - Assessing Course Quality -

Pursuant to budgetary authorization from the Legislature, a training course audit unit was established in August 2000 with five part-time Law Enforcement Consultants. To date, approximately 65 courses have been audited averaging ten per month. A budget change proposal to employ a Bureau Chief to oversee this function is pending before the Legislature.

B.10 - Reinforcing Professional Values -

system) for the regular basic course. The elimination of discrepancies between these documents will improve the training system and insure that Basic Course standards are defensible.

In furtherance of this objective, POST is working with the Office of State Publishing to develop a pilot CD-ROM containing the basic course workbooks for all law enforcement agencies for access by field training officers.

Research is also underway to review POST's requirements for selecting and training field training officers. The services of a professional instructional designer will be sought to upgrade POST's standards for the required Field Training Officer Course.

GOAL B: MAXIMIZE TRAINING DELIVERY

B.1 - Analysis of Field Supervisor/Field Manager Positions -

Literature-based job duty/task statements and related knowledge, skill and ability (KSA) statements have been written. Plans for a training needs assessment survey and transfer of training climate assessment have been developed and integrated with the job task analysis plans.

B.2 - Training Needs Assessment Process -

A computer software program to gather and analyze training needs information is being developed. The program is in the design stage with the plan for its development by late 2001 or early 2002. Ultimately, it is intended that agencies will be able to complete the training needs survey over the Internet. The identified training needs information can then be prioritized and sorted. This information will be used as a justification for future courses.

B.3 - Alternative Approaches to Satisfying Training Requirements -

Several alternatives for satisfying POST training requirements have already been approved by the Commission including recognizing certain out of state training courses, attendance at certified conferences, development of multimedia training courses, establishment of testing in lieu of training course attendance for perishable skills, and certification of POST's telecourses as training. POST continues to develop and provide multimedia and telecourses. Other alternatives for satisfying training requirements are being researched.

B.4 - Standardize Course Development Guidelines -

POST has developed draft standardized course development guidelines which are currently being reviewed by staff. The purpose of the guidelines is to provide a foundation of the accepted process for developing training courses so that staff and the law enforcement training community will approach training development in substantially the same manner.

format for use by law enforcement agencies. The POST website keeps agencies aware of the progress of this project, and also has begun to list job opportunities.

C.3 - Electronic Library and Clearinghouse -

POST has moved the Library periodicals notification process from a paper format to scanning a digital copy of the table of contents and sending it via email to all subscribers of the publication at POST. The field is now served in a like manner by digitizing documents and sending them electronically. What used to take a week or more through the mail is now accomplished in a day or less with no postage costs. The Library electronic card catalog will not be moved to the Internet until a server can be obtained to house the catalog.

C.4 - Early Warning Information System -

Work on this item will be assigned to the Clearinghouse Librarian when that position is filled.

C.5 - Review POST Regulations -

ISB continues to work on an internal committee representing POST's bureaus reviewing and clarifying Regulations. Those that involve minor changes will continue to be brought before the Commission as clean-up, whereas substantial changes will be handled through agenda items from the bureau requesting notification of Regulation to include new training requirements or formalize procedure.

C.6 - Electronic Data Interchange -

POST has added new features to the Electronic Data Interchange/Notice of Appointment Termination system. Authorized users (law enforcement agencies) now have the ability to access officer profiles and to process information to POST on a more user friendly basis. Over 330 agencies are currently approved for on-line access to this data base and to date over 10,500 electronic transactions have occurred indicating agencies are availing themselves of this service.

C.7 - Develop and Value POST Employees -

POST has established a standing Focus Group of staff members from multiple bureaus and positions. The group is tasked to continuously identify issues and needs of staff and bring those to the attention of the Executive Director. A major outcome of this group is off-site sessions being presented in May to help staff identify their own roles as well as work process solutions in accomplishing POST's work.

POST's Training Manager has worked both with the Focus Group, with other staff, and with various presenters to meet identified training needs. This includes development of training segments and learning aids to help staff at all levels learn and develop their skills and

Staff is currently designing a proposal for review by the Commission's Long Range Planning Committee that would have POST present early in 2002 a Symposium on Law Enforcement Ethics and Integrity. Beyond this proposed Symposium, POST is incorporating ethics, professional values, etc. into other training courses as they are routinely updated. POST is also planning to develop a CD-ROM multimedia course on ethical decision making. POST is supporting a grant funded program that will result in training courses being developed for community college Administration of Justice programs in California.

B.11 - Regional Skills Centers -

Staff is in the process of contracting for the 23rd regional skill center in the West Los Angeles County area based upon the Commission's approval in January. Most of the centers either have or are in the process of being contracted with for presentation costs for driver training and force options simulator training. A budget change proposal is before the Legislature to establish additional regional skill centers as well as upgrade some of the older model simulators.

B.12 - POSTRAC Replacement -

The concept of replacing the existing basic course testing system with an Internet and computer-based system was endorsed by the basic academies. A budget change proposal is currently pending before the Legislature to fund the acquisition of a new basic course testing system that will make use of the Internet and a system of allowing each basic academy trainee to be tested using locally based computers for cognitive course content. POST's feasibility study for this project has recently been approved by the Department of Finance. A project team is being formed. Surveys of academies have been conducted. Equipment for academies, software acquisition for the Testing Management System, and evaluation are awaiting funding approval.

GOAL C: ENHANCE POST'S SERVICES

C.1 - Law Enforcement Accreditation -

A proposed action plan will be submitted to the Commission's Long Range Planning Committee that will identify suggested funding levels and personnel allocations. This proposal will be considered at the same time other funding proposals will be presented for inclusion in POST's budget change proposals.

C.2 - Peace Officer Recruitment -

With the acquisition of a POST Management Fellow to coordinate this research, POST is planning to present a Recruitment Symposium this July 24-26. This event will target sworn and non-sworn personnel assigned to recruitment and will showcase the "best practices" that are working to attract law enforcement applicants. Also under development is a manual, a series of video training tapes for this audience, and some generic public service announcements in video

C.14 - Publicize POST Services -

With the staffing of the Graphics Designer position, work has begun on a new brochure about POST and its services. A portable booth was purchased that enables POST staff to have a professional display at regional Training Needs Assessments, association meeting events or law enforcement trade fairs. POST is also in the final stages of publishing its biennial report.

knowledge.

Under current reconstruction is POST's Telephone Reference Guide which was placed on the Internet this Spring. It is being redesigned to make it an effective learning tool for staff providing service to clients and for anyone wanting to learn more about POST activities.

C.8 - Training Compliance Reports On-Line -

This objective is all but completed in that law enforcement agencies can now access their agency's training files including a complete agency training profile report as well as reports on individual employees. This additional service should enable law enforcement agencies to more readily maintain compliance with POST's training requirements.

C.9 - Promote College Education -

POST is co-sponsoring a grant from the Chancellor's Office of the California Community Colleges that would result in the development of some community college Administration of Justice training courses on leadership and ethics. Also, research has been completed which identifies the relationship of various levels of educational attainment with performance on the POST Entry-Level Test Battery and with performance on the job. The research will be published in the near future.

C.10 - Requirements for POST's Certificates -

No progress has been made on this objective as it is scheduled for completion January 2003.

C.11 - Internal Business Processes -

POST has undertaken specific projects to improve internal business processes including: Providing staff remote access to email, automating certificate printing, upgrading scanning equipment, and expanding online capabilities by providing links to statutory codes and laws on POST's Home-Page. Other projects in progress will further increase effectiveness for day-to-day tasks for POST staff. These projects include redesigning the POST Peace Officer Database and implementing an historical archive and CD ROM conversion project.

C.12 - Pre-Academy Training and Education -

Work has not yet begun.

C.13 - Other Field Training Programs -

No work has been directed toward this objective at this point.

Association officers and directors, regardless of rank or assignment, could be specifically authorized to attend the Management Course if the Commission amended Regulation 1005 (c) pursuant to the applicable administrative procedures. Attachment A is suggested regulatory language to amend the regulation to include reference to association officers and directors.

Reimbursement to an agency for the training costs for the Management Course is an issue that is separate from whether an individual officer may attend the course. Consistent with Commission policy and regulation for the Management Course, the costs associated with training for an association member would not be reimbursed until the member completed the Supervisory Course.

POST training is focused primarily on direct support of the operational and administrative functions of law enforcement agencies. Training for POA board members has been addressed only through as the Labor/Management Forum. Commission Procedure D-4 describes the current length and broad topic areas of the 104-hour Management Course and is included as Attachment B.

A typical attendee of the Management Course is an individual who has past supervisory training and experience. The course builds on those experiences. Persons attending the Management Course without the benefit of the past experience or training may be at a disadvantage.

CONCLUSION

This matter is before the Commission for a public hearing to consider amendments to Regulation 1005 (c). The Commission may act on the amendments following the public comment and the review of correspondence. If the amendments are adopted, the changes will become effective July 1, 2001, subject to approval by the Office of Administrative Law.

POST ADMINISTRATIVE MANUAL
REGULATIONS
CALIFORNIA CODE OF REGULATIONS

The Regulations of the Commission on Peace Officer Standards and Training are established and adopted in compliance with and by authority of Penal Code Sections 13500 et seq.

The Regulations are codified in Title 11, Division 2 of the California Code of Regulations, originally effective October 23, 1960.

1005 (c) Management Course (Required).

- (1) Every peace officer promoted, appointed or transferred to a middle management position shall satisfactorily complete a certified Management Course prior to promotion or within 12 months after the initial promotion, appointment or transfer to such position. An officer who will be appointed within 12 months to a middle management or higher position or an officer who is assigned to a first-level supervisory position may attend a Management Course, if authorized by the department head. Completion of the Supervisory Course is a prerequisite to attending the Management Course. Requirements for the Management Course are set forth in PAM, section D-4.
- (2) Every department participating in the POST reimbursement program may be reimbursed for completion of the Management Course by an officer described in (c)(1) above, provided the officer is full time and has satisfactorily completed the Supervisory Course.
- (3) Every regular officer who is duly elected or appointed to the Board of Directors or Executive Board of a local Peace Officer Association or Deputy Sheriff Association may attend a certified Management Course if authorized by the department head, and the officer's jurisdiction may be reimbursed following satisfactory completion of such training provided that the officer has satisfactorily completed the training requirements of the Supervisory Course.
- (4) Every regular officer who is duly elected or appointed to the Board of Directors of a local Peace Officer Association or Deputy Sheriff Association and is on 100% release from their organization may attend the Management Course without prior approval of their department head.

COMMISSION PROCEDURE D-4
MANAGEMENT COURSE

Purpose

4-1. Specifications for Management Courses: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005 (c) of the Regulations for Management Training.

Content

4-2. Management Course: The Management Course is a minimum of 104 hours and consists of the learning goals adopted by the Commission. In order to meet local needs, flexibility in curriculum may be authorized *with prior* POST approval. The POST Management Course Learning Goals are organized under the following broad topic areas;

Management Roles and Responsibility
Personnel Management Skills
Leadership Styles and Decision Making
Organization and Manager Development
Legal Responsibilities

Historical Note:

Procedure D-4 was adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982 and amended November 2, 2000.

standardization of curriculum between presenters. Subsequent committee work updated the curriculum, expanded the original 9 functional areas into 20 learning domains and developed training specifications. The revised course content and format was reviewed and approved by the California District Attorney Chief Investigators Committee at their January 2001 meeting.

The Investigation and Trial Preparation Course is currently described in section D-1-4. This section is part of Procedure D-1 which implements those portions of Regulations 1005 and 1007(b) which relate to basic training. When the Regular Basic Course became the entry level training standard for District Attorney Investigators, the Investigation and Trial Preparation Course became an additional course. Because the Investigation and Trial Preparation Course has become a supplement to entry level training, its inclusion in the Procedure that implements basic training is inappropriate.

It is proposed that the course content of the Investigation and Trial Preparation Course be updated and revised into a learning domain/training specification based format. It is also proposed that the course be moved from the Procedure that implements basic training courses into a new procedure that would better reflect its role as a supplemental course.

Copies of the proposed amendments to Regulations 1005 and 1018, Procedure D-1, the proposed Procedure D-14, and Training Specifications for the Investigation and Trial Preparation Course are included as Attachments A, B, C, D and E respectively.

If the Commission agrees with the amendments and creation of a new Procedure, it is proposed that the Notice of Proposed Regulatory Action process be used. If no one requests a public hearing, the amendments would become effective 30 days after approval by the Office of Administrative Law.

RECOMMENDATION

It is recommended that the Commission, subject to the Notice of Proposed Regulatory Action, approve the amendments to Regulations 1005 and 1018, and Procedure D-1 and the adoption of Procedure D-14 to implement the updated and revised Investigation and Trial Preparation Course for District Attorney Investigators.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on proposal to revise and update the Investigation and Trial Preparation Course		Meeting Date May 10, 2001
Bureau Basic Training Bureau	Reviewed By Bud Lewallen <i>[Signature]</i>	Researched By Frank Decker/Kelly York
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-6-01	Date of Report April 3, 2001
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 the Notice of Proposed Regulatory Action process, a proposal to amend Regulations 1005 and 1018, Procedure D-1 and create a new procedure, D-14, to update the course content of the Investigation and Trial Preparation Course for District Attorney Investigators and revise it into a training specification based format?

BACKGROUND

Prior to 1998 the basic training requirement for District Attorney Investigators was completion of the District Attorney's Basic Course, or the Regular Basic Course and the 80-hour Investigation and Trial Preparation Course. In January of that year the Commission approved a change in the minimum basic training requirement which eliminated the District Attorney's Basic Course and made the Regular Basic Course the sole training standard. Satisfactory completion of the Investigation and Trial Preparation Course within 12 months of appointment was retained as an additional training requirement.

During a staff review of the Investigation and Trial Preparation Course, comments were received from the field that the course does not meet the needs of newly assigned District Attorney Investigators. Some agencies said the course was too basic and should be reduced in length while others felt it was not long enough. The Investigation and Trial Preparation Course Committee was formed to conduct a study of the course content and format. This committee is composed of subject matter experts representing District Attorney's Offices from throughout the state and the two presenters certified to deliver the course

ANALYSIS

The committee met and reviewed the curriculum, course length, and format of the course. They found the 80-hour length of the course was appropriate and recommended updating the course content and expanding it into more clearly defined subject areas. The original course content was broadly defined by functional areas and performance objectives. In most of the mandated training courses, this system has been replaced by learning domains and training specifications. The course content is much more specific in a training specification based format which facilitates the

Commission on Peace Officers Standards and Training

POST ADMINISTRATIVE MANUAL

1005. Minimum Standards for Training. (Reference Regulation 1007 and Commission Procedure H for reserve peace officer training standards.)

(a)(1) continued

- (2) Every district attorney investigator or inspector (Penal Code section 830.1), regularly employed and paid as such, in addition to the Regular Basic Course training requirement set forth in Regulation 1005(a)(1), shall complete a POST-certified Investigation and Trial Preparation Course, PAM section ~~D-1-4~~D-14, within 12 months from the date of appointment.

~~PAM section D-1-4 adopted effective April 27, 1983, and amended January 24, 1985, September 26, 1990, January 14, 1994, and September 25, 1998 is herein incorporated by reference.~~

PAM section D-1-54 adopted effective October 20, 1983, and amended September 26, 1990, October 27, 1991, January 14, 1994, May 7, 1995, and July 21, 2000 is herein incorporated by reference.

PAM section D-1-76 adopted effective February 4, 1993 is herein incorporated by reference.

PAM section D-14 adopted effective * is herein incorporated by reference.

The document, *Training Specification for the Investigation and Trial Preparation Course*, adopted * is herein incorporated by reference.

Commission on Peace Officers Standards and Training

POST ADMINISTRATIVE MANUAL

1018. Public Safety Dispatcher Programs.

(a) - (f) continued

PAM section D-1-65 adopted effective December 29, 1988 and amended December 19, 1994 is herein incorporated by reference.

- (2) **Instructional Goal.** A general statement of the results that instruction is supposed to produce.
- (3) **Learning Need.** A general statement justifying the training for a specific learning domain.
- (4) **Topic or Learning Objective.** A word or phrase that succinctly describes subject matter associated with an instructional goal or learning need.
- (5) **Test.** An evaluation of the extent to which students have achieved one or more instructional goals or learning objectives. Tests are graded on a pass/fail basis. Three types of tests may be used in the Specialized Investigators' Basic Course:
 - (A) **POST-Constructed Knowledge Test.** A POST-constructed, paper-and-pencil test that measures acquisition of knowledge required to achieve one or more learning objectives in a single learning domain.
 - (B) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor and decision making skills required to achieve one or more learning objectives.
 - (C) **Exercise Test.** Any test other than a POST-constructed knowledge test or scenario test that measures the acquisition of knowledge and/or skills required to achieve one or more instructional goals or learning objectives. There are two kinds of exercise tests: (1) a POST-developed report writing test which is administered and scored under POST's supervision, and (2) All other exercise tests are administered and scored by the training presenters.
- (6) **Learning or Instructional Activity.** An activity designed to achieve or facilitate one or more instructional goals or learning objectives. Students participating in a learning or instructional activity may be coached and/or provided feedback, but unlike tests, learning or instructional activities are not graded on a pass-fail basis.
- (7) **Test-Item Security Agreement.** An agreement between a training presenter and POST that identifies the terms and conditions under which the training presenter may acquire and use specific POST-constructed knowledge, scenario and exercise tests. Failure to accept or abide by the terms and conditions of such agreement is grounds for decertification in accordance with POST Regulation 1057.

(b) **Testing and Training Requirements**

- (1) **Topics.** Training presenters shall provide instruction on all topics and learning objectives as specified in *Training and Testing Specifications for Peace Officer Basic Courses* and *Training Specifications for the Specialized Investigators' Basic Course*.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in the *Training and Testing Specifications for Peace Officer Basic Courses* and *Training Specifications for the Specialized Investigators' Basic Course*. The total minimum hourly requirement for the Specialized Investigators' Basic Course is 587 hours.
- (3) **Testing Requirements.** The tests listed below are graded on a pass/fail basis. Students who fail a test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the training presenter, to prepare for a retest; and (c) be

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, Specialized Investigators' Basic Course, Public Safety Dispatchers' Basic Course, ~~Investigation and Trial Preparation Course,~~ and Coroners' Death Investigation Course.

1-2 through 1-3 continued

~~1-4. Investigation and Trial Preparation Course:~~ In addition to the Regular Basic Course, ~~the Investigation and Trial Preparation Course is part of the required minimum basic training standard for all District Attorney investigators and inspectors as specified in Regulation 1005(a)(3). This procedure section specifies the content and hourly requirements required for instruction of an Investigation and Trial Preparation Course.~~

Course Introduction, Pre Exam, Project Assignments	1 hour
Role of the District Attorney Investigator	6 hours
Court Processes, Motions, Grand Jury	4 hours
Concepts of Evidence, Search and Seizure	12 hours
Investigative Techniques	12 hours
Victim, Witness and Informant Management	4 hours
Trial Preparation and Support	6 hours
Specialized Investigations	20.5 hours
Investigator Safety	4 hours
Learning Activities, Case Projects/Scenarios	8.5 hours
Exam and Review	2 hours
Total Minimum Required Hours	80 hours

A more detailed expanded course outline is available from POST.

1-54. Specialized Investigators' Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in paragraph 1-5(a). Testing and training requirements are described in paragraph 1-5(b). Testing, training, content and hourly requirements are provided in detail in *Training and Testing Specifications for Peace Officer Basic Courses* and *Training Specifications for the Specialized Investigators' Basic Course*. Requirements for reporting successful course completion are contained in Commission Regulation 1055(i).

(a) **Definitions of Terms Used to Describe Testing and Training Requirements**

- (1) **Learning Domain.** An instructional unit that covers related subject matter. Training specifications for each learning domain include instructional goals or learning needs, topics or learning objectives, and hourly requirements. Training specifications for a domain also may include learning or instructional activities and testing requirements.

- (1) **Learning Domain.** An instructional unit that covers related subject matter. Each Public Safety Dispatchers' Basic Course learning domain is described in *Training Specifications for the Public Safety Dispatchers' Basic Course*. 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) **Test.** An evaluation of the extent to which students have achieved one or more instructional goals. Tests are graded on a pass/fail basis. Three types of tests may be used in the Public Safety Dispatchers' Basic Course:
 - (A) **POST-Constructed Knowledge Test.** A POST-constructed, paper-and-pencil test that measures acquisition of knowledge required to achieve one or more instructional goals.
 - (B) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.
 - (C) **Exercise Test.** Any test other than a POST-constructed knowledge test or scenario test that measures the acquisition of knowledge and/or skills required to achieve one or more instructional goals.
- (5) **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.
- (6) **Test-Item Security Agreement.** An agreement between a training presenter and POST that identifies the terms and conditions under which the training presenter may be provided access to POST-constructed knowledge tests. Failure to accept or abide by the terms and conditions of this agreement is grounds for decertification in accordance with POST Regulation 1057.

(b) **Testing and Training Requirements**

- (1) **Topics.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, training presenters shall provide appropriate instruction on each required topic.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*. The total minimum hourly requirement for the Public Safety Dispatchers' Basic Course is 120 hours.
- (3) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, POST-constructed knowledge tests may be required in some learning domains. Where a POST-constructed knowledge test is required, students must earn a score equal to or greater than the minimum passing score established by POST. Students who fail a POST-constructed knowledge test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the training presenter, to prepare for a retest; and (c) be provided with an opportunity to be

provided with an opportunity to be retested with an alternate form of the same test. If the student fails the second test, the student fails the course.

- A. **POST-Constructed Knowledge Tests.** As specified in *Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course*, POST-constructed knowledge tests are required in some, but not all, learning domains. Where a POST-constructed knowledge test is required, students must earn a score equal to or greater than the minimum passing score established by POST.
 - B. **Scenario Tests.** As specified in *Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course*, scenario tests are required in some, but not all, learning domains. Where a scenario test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level acceptable to the presenter.
 - C. **Exercise Tests.** As specified in *Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course*, exercise tests are required in some, but not all, learning domains. Where an exercise test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level acceptable to the presenter.
- (4) **Learning or Instructional Activities.** As specified in *Training and Testing Specifications for Peace Officer Basic Courses and Training Specifications for the Specialized Investigators' Basic Course*, learning or instructional activities are required in some, but not all, learning domains. Where a learning or instructional activity is required, each student must participate in that activity. A student who does not participate in a learning or instructional activity when given the opportunity, fails the course unless the training presenter determines that there were extenuating circumstances. Students who do not participate in a learning or instructional activity due to extenuating circumstances shall be given a second opportunity to participate in the same or comparable activity. If a student fails to participate in a learning or instructional activity after being given a second opportunity, the student fails the course.
 - (5) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Specialized Investigators' Basic Course. However, local conditions may justify additional training requirements or higher performance standards than those established by POST. This may include but is not limited to the use of higher minimum passing scores on POST-constructed knowledge tests.
 - (6) **Single Presenter.** The Specialized Investigators' Basic Course shall be completed under the sponsorship of one presenter unless POST has approved a contractual agreement dividing responsibility for the delivering the training between multiple presenters.

1-65. Public Safety Dispatchers' Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in paragraph 1-6(a). Testing and training requirements are described in paragraph 1-6(b). Testing, training, content, and hourly requirements are provided in detail in *Training Specifications for the Public Safety Dispatchers' Basic Course*. Requirements for reporting successful course completion are contained in Commission Regulation 1055(i).

- (a) **Definitions of Terms Used to Describe Testing and Training Requirements**

Functional Areas:

1.0	Course Overview Administrative Issues	1 hour
2.0	Death Investigation	40 hours
3.0	Introduction to Disaster Management	2 hours
4.0	Role of Coroner/Public Administrator	4 hours
5.0	Coroners' Law	2 hours
6.0	General Laboratory Practices	4 hours
7.0	Vehicle Fatalities	2 hours
8.0	Forensic Use of Medical Records	2 hours
9.0	Forensic Anthropology	4 hours
10.0	Forensic Pathology	10 hours
11.0	Death and Grief Bereaved	2 hours
12.0	A.I.D.S. and Other Communicable Diseases	2 hours
13.0	Forensic Odontology	4 hours
14.0	Test	1 hour
	Total Minimum Required Hours	80 hours

Subparagraph 1-4 adopted and incorporated by reference into Commission Regulation 1005 on April 27, 1983, and amended on January 24, 1985, September 26, 1990, January 14, 1994, and September 25, 1998.

Subparagraph 1-54 adopted and incorporated by reference into Commission Regulation 1005 on October 20, 1983, and amended on September 26, 1990, October 27, 1991, January 14, 1994, May 7, 1995, July 21, 2000, and January 1, 2001.

Subparagraph 1-65 adopted and incorporated by reference into Commission Regulation 1018 on December 29, 1988, and amended January 18, 1995.

Subparagraph 1-76 adopted and incorporated by reference into Commission Regulation 1005 on February 4, 1993.

retested with a POST-constructed, parallel form of the same test. If a student fails the second test, the student fails the course unless the training presenter determines that there were extenuating circumstances, in which case, the student may be tested a third time. If a student fails the third test, the student fails the course.

- (4) **Scenario Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, scenario tests may be required in some learning domains. Where a scenario test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the training presenter. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.
- (5) **Exercise Tests.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, exercise tests may be required in some learning domains. Where an exercise test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program. This determination shall be made by the training presenter. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.
- (6) **Learning Activities.** As specified in *Training Specifications for the Public Safety Dispatchers' Basic Course*, learning activities may be required in some learning domains. Where a learning activity is required, each student must participate in that activity. A student who does not participate in a learning activity when given the opportunity fails the course unless the training presenter determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the course.
- (7) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Public Safety Dispatchers' Basic Course. However, local conditions may justify additional training requirements or higher performance standards than those established by POST. This may include but is not limited to the use of higher minimum passing scores on POST-constructed knowledge tests.

1-76. Coroners' Death Investigation Course: The Coroners' Death Investigation Course contains the following Functional Areas and minimum hours. This course partially fulfills the minimum basic training required under 1005(a)(5) for peace officer members of Coroners' Offices. With prior POST approval, flexibility shall be granted to adjust hours between functional areas.

(c) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Investigation & Trial Preparation Course. However, local conditions may justify additional training requirements or higher performance standards than those established by POST.

(d) **Testing and Training Requirements**

(1) **Learning Objectives.** Presenters shall provide instruction on all learning objectives specified in *Training Specifications for the Investigation and Trial Preparation Course*.

(2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in *Training Specifications for the Investigation and Trial Preparation Course*. The total minimum hourly requirement for the Investigation and Trial Preparation Course is 80 hours.

(3) **Presenter-developed Comprehensive Test.** A presenter-developed comprehensive test [as defined in section 14-2(a)(5)] shall be administered to assess student knowledge of the learning objectives specified in learning domains 70-85, 87, and 89.

(4) **Instructional Activities.** As specified in *Training Specifications for the Investigation and Trial Preparation Course*, instructional activities are required in some, but not all, learning domains. Where an instructional activity is required, each student must participate in that activity. A student who does not participate in an instructional activity when given the opportunity, does not successfully complete the course unless the presenter determines that there were extenuating circumstances. Students who do not participate in an instructional activity due to extenuating circumstances shall be given a second opportunity to participate in the same or comparable activity. If a student fails to participate in an instructional activity after being given a second opportunity, the student does not successfully complete the course.

Commission on Peace Officers Standards and Training

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-14

INVESTIGATION AND TRIAL PREPARATION COURSE

Purpose

14-1. Specifications for the Investigation and Trial Preparation Course. This Commission procedures implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations for the Investigation and Trial Preparation Course for district attorney investigators or inspectors.

Training Requirements

14-2. Investigation and Trial Preparation Course Definitions and Requirements. The terms used to describe testing and training requirements are defined in section 14-2(a). Requirements for reporting successful course completion are contained in Commission Regulation 1055(j).

(a) Investigation and Trial Preparation Course Terminology

- (1) Learning Domain. An instructional unit that covers related subject matter. Training specifications for each learning domain include learning needs, learning objectives, and hourly requirements. Training specifications for a domain also may include instructional activities and testing requirements.
- (2) Learning Need. A general statement justifying the training for a specific learning domain.
- (3) Learning Objective. A word or phrase that succinctly describes subject matter associated with a learning need.
- (4) Instructional Activity. An activity designed to achieve or facilitate one or more learning needs. Students participating in an instructional activity may be coached and/or provided feedback, but unlike tests, instructional activities are not graded on a pass-fail basis.
- (5) Presenter-developed Comprehensive Test. A presenter-developed, paper and pencil test that measures acquisition of knowledge in multiple learning domains.

- (b) Single Presenter. Each course presentation shall be completed under the sponsorship of one presenter unless POST has approved a contractual agreement dividing responsibility for delivering the training between multiple training presenters.

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

TRAINING SPECIFICATIONS
FOR THE
INVESTIGATION AND TRIAL PREPARATION COURSE

THE MISSION OF THE CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING IS TO CONTINUALLY
ENHANCE THE PROFESSIONALISM OF CALIFORNIA LAW ENFORCEMENT IN SERVING ITS COMMUNITIES

Attachment E

**TRAINING SPECIFICATIONS
FOR THE
INVESTIGATION AND TRIAL PREPARATION COURSE**

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TABLE OF CONTENTS

Learning Domain	Page
#70 Role of the District Attorney Investigator	70-1
#71 Court Processes, Motions, Grand Jury	71-1
#72 Civil Process	72-1
#73 Concepts of Evidence, Search and Seizure	73-1
#74 Investigative Techniques	74-1
#75 Victim, Witness and Informant Management	75-1
#76 Trial Preparation and Support	76-1
#77 Family Support Investigations	77-1
#78 Child Abduction Investigations	78-1
#79 Financial Crimes Investigations	79-1
#80 Public Assistance Fraud Investigations	80-1
#81 Crimes Committed by Public Officials	81-1
#82 Special Victim Investigations	82-1
#83 Gang Activity Investigations	83-1
#84 Officer Involved Incidents	84-1
#85 Environmental Crime Investigations	85-1
#86 Investigator Safety	86-1
#87 Surveillance	87-1
#88 Ethics and Professionalism	88-1
#89 High Tech Crimes and Computers	89-1

FOREWORD

The increasing complexity and specialization of the District Attorney Investigator's job requires that instructional content and teaching methodologies in the Investigation and Trial Preparation Course be regularly evaluated and updated. Effective initial training is crucial if a District Attorney Investigator is to acquire the requisite knowledge, skills, and abilities to provide quality service to the public.

The objective of this document is to identify the instructional goals, required learning objectives, instructional activities, tests, and minimum hourly requirements that comprise the required content of the Investigation and Trial Preparation Course.

The Commission sincerely appreciates the efforts and support of the subject matter experts, core instructors, and program coordinators who worked with POST in the development and refinement of these training specifications. POST also extends gratitude to the District Attorney's Offices and community colleges that allowed the participation of personnel and instructors in this endeavor.

Questions regarding this document should be directed to the Basic Training Bureau at (916) 227-4252.

KENNETH J. O'BRIEN
Executive Director

3. Distinction between "investigating" a case and "making" a case for criminal prosecution purposes

D. Working relationships with:

1. DA/legal staff
2. Law enforcement community
3. Legal community
4. News media
5. General public

E. Common ethical issues encountered by the District Attorney Investigator, including:

1. Discovery
2. Conflict of interest
3. Contact with defendants represented by counsel
4. Confidentiality
5. Political activities
6. Ex parte communication with judges
7. Contact with witnesses and informants
8. Agent of the attorney (state bar rules apply)

F. Rehabilitations/pardons

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

INVESTIGATION AND TRIAL PREPARATION COURSE

**SPECIFICATIONS FOR LEARNING DOMAIN #70
ROLE OF THE DISTRICT ATTORNEY INVESTIGATOR**

January 1, 2002

I. LEARNING NEED

Students need to understand the role of the District Attorney Investigator.

II. LEARNING OBJECTIVES

A. Constitutional and statutory authority and mandates, including:

1. State Constitution
2. Government Code
3. Penal Code
4. Business & Profession Code
5. Family Code
6. Civil Code
7. Election Code
8. Case law
9. Subpoena power and additional authorities

B. History of the District Attorney Investigator

C. Role and duties/functions of the District Attorney Investigator, including:

1. Pre/post complaint investigation
2. District Attorney Investigator vs. general law enforcement function

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #71 COURT PROCESSES, MOTIONS, GRAND JURY

January 1, 2002

I. LEARNING NEED

Students need an understanding and working knowledge of court criminal processes and procedures, and the role and authority of the Grand Jury.

II. LEARNING OBJECTIVES

A. Investigator's role in:

1. Charging
2. Defendant's appearance in court
3. Preliminary hearing (including Proposition 115)
4. Superior court arraignment
5. Pre-trial motions, including:
 - a. Bail
 - b. Discovery
 - c. Motions In Limine
6. Disposition without trial
7. Trial
8. Post-trial motions
9. Death penalty phase trial
10. Jury verdict impeachment
11. Post-sentence motions

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6 hours** of instruction on the role of the district attorney investigator.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #72 CIVIL PROCESS

January 1, 2002

I. LEARNING NEED

Students need to understand and have a working knowledge of civil processes and procedures.

II. LEARNING OBJECTIVES

A. Civil processes available to the investigator, including:

1. Code of Civil Procedure
 - a. Inspection warrants
 - b. Depositions
2. Summons process and service
3. Subpoena/SDT process and service
4. Penalties and remedies
5. Administrative processes
6. Civil subpoena fee requirements for peace officers

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on the civil process.

12. Certificates of Rehabilitation (P.C. 1203.4a)
13. Lifer hearings

B. Role and authority of Grand Juries, including:

1. Tactical considerations
 - a. Oversight role
 - b. Investigative vs. indictment
2. Selection process/composition
 - a. Background investigations
3. Confidentiality
4. Subpoenas/SDT
5. Indictments
6. Accusation

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on the court processes, motion and grand juries.

VI. ORIGINATION DATE

January 1, 2002

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #73 CONCEPTS OF EVIDENCE, SEARCH AND SEIZURE

January 1, 2002

I. LEARNING NEED

Students need an understanding and working knowledge of concepts and admissibility of evidence, including search and seizure.

II. LEARNING OBJECTIVES

A. Application of the Evidence Code in the following:

1. Corroboration
2. Impeachment
3. Admissibility of rebuttal evidence
4. Prior statements/testimony
5. Privileges in camera hearings
6. Hearsay and exceptions
7. Best evidence
8. 1538 Evidence Code - Prior identification by witnesses
9. 352 Evidence Code
10. Co-defendant statements (e.g., Aranda)
11. 402 Hearing

B. Types, appropriate uses and affidavit construction of search and arrest warrants, including legal aspects of service and return, for the following:

1. Contingency Warrants
2. Surreptitious Entry Warrants

VI. ORIGINATION DATE

January 1, 2002

ORIGINATION DATE

1. Chain of custody and authentication
2. Body evidence
3. Handwriting exemplars and directed writings
4. Release and/or other disposition of evidence

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on concepts of evidence, search and seizure.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

3. Sealed
4. Steagald
5. Skelton
6. Telephonic search warrants
7. Telephone records searches
8. Pin registers (DNR)
9. Special Masters
10. Extensions of time
11. Ramey Warrants
12. Code of Civil Procedures 187
13. Unlawful flight to avoid prosecution (UFAP)
14. Extradition
15. Rendition
16. Body attachments
17. Wire tap

C. Current legal issues involving search and seizure laws concerning the following:

1. Consent
2. Vehicle
3. Persons
4. Buildings
5. Containers

D. Legal aspects of physical evidence, including:

9. Technology to Recover Abducted Kids (TRAK) System
- C. Provisions of the Education Code concerning access to student and school records
- D. Legality and use of:
1. Hypnosis
 2. Polygraph
 3. Electronic surveillance
 4. Voice stress analysis
- E. Physical evidence techniques, including:
1. Genetic fingerprinting (DNA analysis)
 2. Cal ID
 3. Cal photo
 4. Audio/video enhancements
 5. Public and private sources
- F. Legal and practical concerns related to:
1. Recordings (audio/video/digital)
 - a. Interviews
 - b. Surreptitious
 2. Preservation of notes/recordings
 3. Miranda update
- G. Procedures for conducting a line-up, including:
1. Live and video line-up (including Evans)
 2. Photo line-up

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #74 INVESTIGATIVE TECHNIQUES

January 1, 2002

I. LEARNING NEED

Students need an understanding of various investigative techniques, including sources of information, investigative tools and interviewing.

II. LEARNING OBJECTIVES

A. Legal limitations and procedures for obtaining records information from:

1. Public agencies
 - a. State and Federal Public Information Act
2. Private Agencies
 - a. Right to Financial Privacy Act (Government Code)

B. Information and services available from the following information sources and commercial on-line systems:

1. DMV off-line services
2. Law Enforcement Intelligence Unit (LEIU)
3. DOJ off-line services
4. CDC Law Enforcement Automated Data Service (LEADS)
5. FBI off-line services
6. Internet
7. On-line public records databases (e.g., Choice Point, Lexus Nexus, West Law)
8. Megan's Law

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #75 VICTIM, WITNESS AND INFORMANT MANAGEMENT

January 1, 2002

I. LEARNING NEED

Students need to know the proper procedures to use when dealing with victims, witnesses and informants.

II. LEARNING OBJECTIVES

A. Issues related to the management of informants, including:

1. "Jailhouse informants"
2. Non-custodial defendants/informants

B. Legal and practical issues in dealing with victims/witnesses, to include:

1. Identification, location, and subpoenaing
 - a. Out of local area witnesses
 - (1) Uniform Witness Act
 - b. Witnesses from foreign countries
 - (1) Formal
 - (2) Informal
2. Due diligence
3. Background checks
4. Dealing with reluctant/uncooperative victims/witnesses (e.g., bond and warrant, 878 et seq and PC 1332 and CCP 1988)
5. Victim/witness unit liaison
6. Witness expenses and fees

3. Object identification (guns, hats, clothing, etc.)

H. Major case management techniques

1. Voluminous evidence issues
2. Multiple victims/defendants/jurisdiction
3. Organizational systems

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 4 hours of instruction on investigative techniques.

VI. ORIGINATION DATE

January 1, 2002

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on victim, witness and informant management.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

7. In-custody witnesses, including logistics
 8. Practical aspects of airline transportation/F.A.A. regulations
 9. Americans with Disabilities Act (ADA) considerations
 10. Victim/witness transportation and coordination
- C. Legal and practical considerations in protecting witnesses, including:
1. Witness Protection programs
 - a. Local
 - b. State
 - c. Federal
 2. Change of identity issues
 3. Intimidation issues
 - a. PC 136
- D. Methods for selecting expert witnesses, including:
1. Financial considerations
 2. Transcripts of prior testimony
- E. Elements of a conditional witness examination (PC 1335 - 1362), including:
1. Video recordings
 2. Legal restrictions

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

1. Investigating officer
2. Jury selection
3. Assist in formulation of trial strategy in consultation with the Deputy District Attorney
4. Solving unanticipated problems:
 - a. Interviews
 - b. Backgrounds
 - c. Equipment/videos
 - d. Physical evidence
 - e. Locating missing witnesses
 - f. Victim/witness security

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

The student will be required to review a case file and discuss possible investigative and trial strategies.

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6 hours** of instruction on trial preparation and support.

VI. ORIGINATION DATE

January 1, 2002

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #76 TRIAL PREPARATION AND SUPPORT

January 1, 2002

I. LEARNING NEED

Students need to understand and have a working knowledge of the techniques of trial/case preparation and support.

II. LEARNING OBJECTIVES

- A. Critical analysis of case file reports to determine deficiencies and weaknesses
- B. Priors
 - 1. Three strikes
 - 2. PC 969(b) - Prison priors
- C. Procedures for obtaining and/or preparing exhibits or demonstrations of evidence, including:
 - 1. Demonstrative exhibits/models
 - 2. Photographs (including aerial photography)
 - 3. Audio/video
 - a. Editing
 - b. Digitizing
 - 4. Diagrams
 - 5. Maps
 - 6. Computer generated exhibits (i.e., Powerpoint, LCD projectors)
 - 7. Jury considerations (i.e., comprehension and attention span)
- D. Tactical role of the investigator during trial, including:

INVESTIGATION AND TRIAL PREPARATION COURSE

**SPECIFICATION FOR LEARNING DOMAIN #77
FAMILY SUPPORT INVESTIGATIONS**

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of family support investigations.

II. LEARNING OBJECTIVES

- A. Determination of paternity
- B. Failure to provide
- C. Welfare/public assistance
- D. Civil vs. criminal remedies
- E. Title IV - D of the Social Security Act (Federal)
- F. Security of and access to records

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on family support investigations.

VI. ORIGINATION DATE

January 1, 2002

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

**SPECIFICATION FOR LEARNING DOMAIN #78
CHILD ABDUCTION INVESTIGATIONS**

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of child abduction investigations.

II. LEARNING OBJECTIVES

- A. Civil mandates and laws
- B. Criminal remedies
- C. Recovery and placement of children
- D. International abductions
- E. Treaties
 - 1. Parental Kidnaping Prevention Act (PKPA)
 - 2. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)
 - 3. Hague Treaty

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on child abduction investigations.

VI. ORIGINATION DATE

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on financial crime investigations.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #79 FINANCIAL CRIME INVESTIGATIONS

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of financial crime investigations.

II. LEARNING OBJECTIVES

- A. Insurance fraud
 - 1. Auto
 - 2. Workers Compensation
- B. Consumer fraud
 - 1. Civil
 - 2. Criminal
 - 3. Regulatory
 - 4. Administrative
- C. Real estate fraud
- D. Asset forfeiture
- E. Theories of theft
- F. Securities law
- G. Crimes against the elderly

VI. ORIGINATION DATE

January 1, 2002

ORIGINAL

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #80 PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of public assistance fraud investigations.

II. LEARNING OBJECTIVES

- A. Title IV - A of the Social Security Act (Federal)
- B. Early fraud
- C. Ongoing fraud
- D. Child care program fraud
- E. Medical fraud
- F. Food stamp stings
- G. Internal theft

III. REQUIRED TESTS

The presenter developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on public assistance fraud investigations.

D. Crimes committed by peace officers

1. Filing false reports
2. Theft of evidence
3. Perjury
4. Unlawful release of confidential records
5. Conflict of interest
6. Bribery
7. Weapons violations
8. Domestic violence
9. Worker's compensation fraud
10. Insurance fraud
11. Assault under the color of authority
12. Theft and embezzlement

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

The student will be required to investigate a case, evaluate possible violations and report findings.

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on crimes committed by public officials.

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #81 CRIMES COMMITTED BY PUBLIC OFFICIALS

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of crimes committed by public officials.

II. LEARNING OBJECTIVES

A. Misconduct by public officials, public employees, candidates and campaign workers, including:

1. Political Reform Act
2. Theft of public funds
3. Bribery
4. Conflict of interest
5. Brown Act violations
6. Government records crimes

B. Crimes against the administration of justice, including:

1. Perjury
2. Subornation of perjury
3. Falsification of evidence
4. Obstruction of justice
5. Jury tampering

C. Investigative techniques

1. P.C. 832.7 - Access to peace officer records

VI. ORIGINATION DATE

January 1, 2002

ORIGINAL

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 4 hours of instruction on special victim investigations.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #82 SPECIAL VICTIM INVESTIGATIONS

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of special victim investigations.

II. LEARNING OBJECTIVES

A. Elder abuse (P.C. 368)

B. Child abuse, including:

1. Sexual
2. Physical
3. Emotional
4. Drug Endangered Children (DEC)
5. Multidisciplinary Interview Team (MDIT)
6. Sexually violent predators

C. Domestic violence

D. Sexual assault, including:

1. Adult
2. Custodial
3. Institutional
4. Statutory rape vertical prosecution (SRVP)

E. Stalking

III. REQUIRED TESTS

INVESTIGATION AND TRIAL PREPARATION COURSE

**SPECIFICATION FOR LEARNING DOMAIN #83
GANG ACTIVITY INVESTIGATION**

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of gang activity investigations.

II. LEARNING OBJECTIVES

- A. Narcotics and dangerous drugs
- B. Conspiracy
- C. Witness intimidation
- D. Jury tampering
- E. Money laundering
- F. Coordination with local/regional task forces

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on gang activity investigations.

VI. ORIGINATION DATE

January 1, 2002

INVESTIGATION AND TRIAL PREPARATION COURSE

**SPECIFICATION FOR LEARNING DOMAIN #84
OFFICER INVOLVED INCIDENTS**

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of officer involved incidents.

II. LEARNING OBJECTIVES

- A. Fatalities, including custodial deaths
- B. Use of excessive force (non-fatal)

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 4 hours of instruction on officer involved incidents.

VI. ORIGIN DATE

January 1, 2002

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **2 hours** of instruction on environmental crime investigations.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #85 ENVIRONMENTAL CRIME INVESTIGATIONS

January 1, 2002

I. LEARNING NEED

Students need to understand the legal aspects and investigative techniques of environmental crime investigations.

II. LEARNING OBJECTIVES

- A. Spills
- B. Intentional dumps
- C. Illegal storage
- D. Transportation issues
- E. Safety considerations
- F. Homicide vs. accident
 - 1. OSHA
- G. Investigative techniques
- H. Evidence collection
- I. Task force approach

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. INSTRUCTIONAL ACTIVITIES

None

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **4 hours** of instruction on investigator safety.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATION FOR LEARNING DOMAIN #86 INVESTIGATOR SAFETY

January 1, 2002

I. LEARNING NEED

Students need to understand the safety considerations necessary for plainclothes investigators.

II. LEARNING OBJECTIVES

A. Safety techniques specific to plainclothes investigators, including:

1. Arrest situations
2. Serving court process (e.g., warrants, subpoenas, etc.)
3. Search warrant service considerations
 - a. Planning
4. Covering uniformed/plainclothes officers
5. Identification issues
 - a. High risk crime responses (e.g., burglary, robbery, etc.)
 - b. Tactical vs. plainclothes
6. Prisoner transportation
 - a. Restraint devices
7. Personal and family safety considerations
8. "Will to survive"

III. REQUIRED TESTS

None

1. Moving vs. static
 - a. Pedestrian
 - b. Vehicle
 2. Photographic/optical
 3. Vision enhancement (e.g., night vision devices)
 4. Auditory
- F. Use, care, operations and capabilities of surveillance equipment, including
1. Optical
 2. Photographic
 3. Electronic equipment (e.g., body wires, bird dogs)
 4. Chemical samplers
- G. Resources available to support a surveillance operation
1. Aerial support
 2. DOJ resource pool

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

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

VI. ORIGINATION DATE

January 1, 2002

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #87 SURVEILLANCE

January 1, 2002

I. LEARNING NEED

Students need an understanding and working knowledge of surveillance equipment and techniques.

II. LEARNING OBJECTIVES

- A. Conducting lawful, safe and effective surveillance operations
- B. Legal issues associated with surveillance, including:
 - 1. Lawful intrusion into areas where an expectation of privacy exists
 - 2. Creation of law enforcement files
 - a. Surveillance log
 - 3. Wiretaps (confidential communications)
 - 4. Application of traffic laws
- C. Jurisdictional protocols
- D. Conditions which impact surveillance operations, including:
 - 1. Vehicle
 - 2. Driver
 - 3. Roadway
 - 4. Weather
 - 5. Traffic
- E. Surveillance methods, including:

10. Inappropriate off-duty behavior

11. Converting on-duty contacts into off-duty relationships

III. REQUIRED TESTS

None

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

The student will be required to critique a series of reenactments/descriptions of possible unethical or unprofessional conduct by an investigator and will be required to discuss the legal, professional and community relations consequences of the behavior

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of 4 hours of instruction on ethics and professionalism.

VI. ORIGINATION DATE

January 1, 2002

DRAFT

INVESTIGATION AND TRIAL PREPARATION COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #88 PROFESSIONALISM AND ETHICS

January 1, 2002

I. LEARNING NEED

Students need an understanding of an investigator's professional, ethical and legal responsibilities.

II. LEARNING OBJECTIVES

- A. The duties of a peace officer as described in the *Law Enforcement Code of Ethics*
- B. The obligations of a peace officer as described in the canons of the *Code of Professional Conduct and Responsibilities for Peace Officers*
- C. Examples and potential ramifications of unethical or unprofessional conduct, including:
 1. Verbal abuse, discourtesy or inappropriate language
 2. Discrimination/racism/sexual harassment
 3. Unlawful use of force
 4. Violation of a person's civil rights, including false arrest, unlawful detention and unlawful search/seizure
 5. Substance abuse
 6. Misuse/compromise confidential information or privileged communications
 7. Theft or misappropriation of property or evidence
 8. Obstruction or miscarriage of justice, including falsification or destruction of official documents, perjury, planting false evidence, "Code of Silence" and nonenforcement of specific laws by personal choice
 9. Acceptance of gratuities

7. Hate crimes
 8. Espionage
- H. Internet crime
- I. Search warrants and searches of computer data and equipment
- J. Seizure of computer data and equipment
- K. Legal aspects, evidence collection and investigative techniques of high tech crime investigations, including:
1. Use of computers to commit traditional crimes
 2. Unauthorized access or use of computers (PC-502)
 3. Theft of computer data
 4. Cell phone fraud
 5. Intellectual property
 6. Trade secrets
- L. Capabilities and advantages of using computers as an investigative tool, including:
1. Spreadsheets
 2. Database
 3. Graphics
 - a. Visual Investigation Analysis (VIA)
 - b. Link analysis
 - c. Digital photography
 - d. Plotter
 - e. Scanners

INVESTIGATION AND TRIAL PREPARATION COURSES

SPECIFICATIONS FOR LEARNING DOMAIN #89 HIGH TECH CRIMES AND COMPUTERS

January 1, 2002

I. LEARNING NEED

Students need an understanding and working knowledge of computers and using computers as an investigative tool and to investigate high tech crimes.

II. LEARNING OBJECTIVES

- A. Computer system components
- B. Computer storage devices
- C. Computer peripheral devices
- D. Computer crimes in the United States
- E. Major groups of computer crime, including:
 - 1. Crimes where the computer is the target of criminal activity
 - 2. Crimes where computer is the instrumentality of the crime
 - 3. Crimes where computer is a repository of evidence in criminal cases
- F. Categories of computer crimes, including:
 - 1. Insider crimes
 - 2. Support of criminal enterprises (e.g., counterfeiting)
 - 3. Malicious hackers
 - 4. Telecommunications fraud
 - 5. Computer contaminations
 - 6. Child pornography

INVESTIGATION AND TRIAL PREPARATION COURSE
Learning Domains and Course Hours

<u>Learning Domain</u>	<u>Domain Description</u>	<u>Minimum Hours</u>
70	Role of the District Attorney Investigator	6
71	Court Processes, Motions, Grand Jury	4
72	Civil Process	2
73	Concepts of Evidence, Search and Seizure	4
74	Investigative Techniques	4
75	Victim, Witness and Informant Management	4
76	Trial Preparation and Support	6
77	Family Support Investigations	2
78	Child Abduction Investigations	2
79	Financial Crimes Investigations	4
80	Public Assistance Fraud Investigations	2
81	Crimes Committed by Public Officials	4
82	Special Victim Investigations	4
83	Gang Activity Investigations	4
84	Officer Involved Incidents	4
85	Environmental Crime Investigations	2
86	Investigator Safety	4
87	Surveillance	4
88	Ethics and Professionalism	4
89	High Tech Crimes and Computers	6
	Minimum Instructional Hours	76
	Administrative Time	2
	Presenter-developed Comprehensive Exam & Review	2
	Total Minimum Required Hours	80

4. Document storage and retrieval

III. REQUIRED TESTS

The presenter-developed comprehensive test will include items from this domain.

IV. REQUIRED INSTRUCTIONAL ACTIVITIES

None

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **6 hours** of instruction on high tech crimes and computers.

VI. ORIGATION DATE

January 1, 2002

DRAFT

required to follow a "total training package" to include a standardized curriculum, lesson plans, videos, Power Points, structured learning activities, and all other necessary and appropriate materials.

The Commission's development of student workbooks and supporting materials for the Regular Basic Course have raised expectations from our participating agencies for minimally the same or improved materials in the critical area of field training. Basic Training Bureau staff has sought assistance/input from other POST staff regarding appropriate methodology to meet the recommendations of our advisory groups. POST staff who have the expertise in this area are fully committed to other high priority Commission directives and have recommended acquiring an experienced instructional designer to assist with this project. The employment of a professional instructional designer or design team would make it possible for POST to achieve the same level of development, or higher, in this project as has been done for the Regular Basic Course, the Supervisory Course, etc.

Knowing that contracting an experienced instructional designer or design team would lend to the credibility and defensibility of the course, POST sought a design team with prior experience in curriculum development and prior experience in working with POST. The University of California, Irvine's University Extension provided a proposal that would fulfill the recommendations of POST's advisory groups and POST staff. UC Irvine's proposed project will consist of four phases which are described below.

In phase 1, UCI will assign one or more expert instructional designers to work with POST staff and their advisory groups to assess existing and new recommendations for revision. The specific deliverable for this phase is a detailed project plan for the improved and expanded set of materials including practical and hands-on instructional methods, assessment tools for the FTOs-in-training, and the production of a facilitator's guide, training workbooks, as well as Power Point lessons and other relevant assistive technologies. UCI has estimated the cost of this phase of the project to be \$18,000.00.

Phase 2 of the project has as its goal to design and develop the proposed curriculum, methods, and materials. The modules will consist of performance-based learning objectives, detailed, varied and practical instructional methods, step-by-step lesson plans, and interactive learning activities. UCI will also design, develop, and create the supplementary resources for the course. These deliverables will consist of textual explanation of the purpose and method of instruction, a facilitator's guide for the FTO training course, instructional materials such as Power Point files and other computer aids, a description of recommended new evaluative videos, and an FTO trainee workbook tied directly to the lesson objectives. By following this comprehensive and standardized course, a trainer of FTOs will be able to impart both the desired performance skills and the appropriate attitudes in the trainees. UCI has estimated the cost of this phase of the project to be \$73,500.00.

Some components of phase 3 are simultaneous with phase 2, and consist of the creation and production of a standardized train-the-trainer program to train as many as possible of the 250+ statewide instructors who are currently teaching the FTO training course to use the materials and methods outlined above. UCI will develop a one-day (8-hour) workshop to demonstrate how the curriculum is intended to be utilized, while leaving enough flexibility to meet local needs. The workshop will be offered three times, twice in Southern California and once in Northern California. UCI has estimated the cost of this phase of the project to be \$10,500.00.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Instructional Designer		Meeting Date May 10, 2001
Bureau Basic Training Bureau	Reviewed By Bud Lewallen, Bureau Chief	Researched By Kate Singer
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-20-01	Date of Report April 5, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Executive Director be authorized to contract with the University of California, Irvine - University Extension to assist with revising and updating the mandatory 40-hour Field Training Officer Course?

BACKGROUND

In 1997, the Commission approved revisions to POST Procedure D-13 which implemented minimum standards/requirements for the field training programs established by law enforcement agencies pursuant to Regulation 1005 (a)(1)(A) and the collaborative field training courses. Section D 13-3 requires that Field Training Officers (FTOs) must successfully complete a POST-certified Field Training Officer Course prior to training new officers/deputies in the field. Section D 13-5 describes the Field Training Officer's Course and the required instructional topics. In an effort to standardize presentations throughout the state, POST published an expanded curriculum for the Field Training Officer Course in 1998. The expanded curriculum, although strong in instructional content, did not provide any supporting materials or presentation assisting activities which would have given more structure and consistency to this mandated course. There is still a wide instructional gap between the presentations of the course by the 25 certified presenters. This instructional gap leads to inconsistencies in how FTOs train and evaluate their trainees. These inconsistencies can be eliminated through a more structured FTO Course which devotes time, effort, and resources to better develop new FTOs (Strategic Plan Objective A.6) through the use of standardized learning activities, instructional support material, and other evaluative methods.

ANALYSIS

Staff has met with three separate advisory groups relative to the current FTO Course. These advisory groups consisted of (1) managers, supervisors, and FTOs from various size and types of law enforcement agencies statewide, (2) representatives from the POST-approved presenters of the Field Training Officer Course, and (3) a group of Master Instructor Development Program (MIDP) graduates with experience in field training. These groups have analyzed the curriculum content, hourly distributions, and current supporting materials for the course. Each group has provided input for curriculum revisions, suggestions for new evaluative videos and additional supporting content videos, and suggestions for required learning activities. In addition, these groups have made several recommendations for the course.

The recommendations, based on the importance of this course to the development and quality of our future law enforcement trainees, are to ensure that the course is designed/revised to produce exceptional Field Training Officers (FTOs) statewide and that this mandated course be defensible. They recommended that the best way to accomplish that task is to ensure that each POST-approved presenter of the course be provided with *and*

Phase 4 of the project consists of pilot testing of the standardized 40-hour Field Training Officer Course. The purpose of this pilot testing is to fine-tune the materials, pedagogical instructions, and evaluative tools created in phase 2. UCI will run the pilot program for 3 selected groups of new FTOs, collect formative feedback, and analyze the results. We expect that there will be revisions based on the feedback from the pilot testing. The time for revisions and the production of the final and complete guides, workbooks, computer files, assessment tools, and lesson plans are included in the budget for this phase. UCI has estimated the cost of this phase of the project to be \$38,000.00.

UCI has provided an overall estimated cost of \$140,000. to complete all phases of this project. This figure includes all travel and expenses associated with the necessary meetings for UCI's instructional design team and the costs of all of the described deliverables. POST staff and UCI envision the project to be completed by the early spring of 2002.

The development of a "total training package" for POST's mandated 40-hour Field Training Officer Course is the best way to ensure consistent training and fair evaluation of our new officers and deputies. A more structured FTO Course which devotes time, effort, and resources to better develop new FTOs (Strategic Plan Objective A.6) through the use of standardized learning activities, instructional support materials, and other evaluative methods will benefit all POST participating agencies for years to come.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to contract with the University of California, Irvine for the services of a professional instructional designer / team, not to exceed \$140,000.00 to assist with revising and updating the mandatory 40-hour Field Training Officer Course.

- **Learning Domain #7 (Crimes Against Persons)**

Proposed modifications delete the learning objective, credible threat, since it is an element of stalking not a stand alone crime.

- **Learning Domain #8 (General Criminal Statutes)**

Proposed modifications delete the learning objective, gaming crimes. The SMEs unanimously agreed that these crimes are rarely encountered and charged; hence, has no relevance to basic training. The learning objective, entering a disaster area, was also moved under Learning Need III; hence, Learning Need IV was deleted.

- **Learning Domain #9 (Crimes Against Children)**

Proposed modifications add two terms basic academy students need to be aware of: 1) upon or with the body of a child; and, 2) annoy.

- **Learning Domain #15 (Laws of Arrest)**

Proposed modifications add the learning objective, proper administration of Miranda warnings.

- **Learning Domain #16 (Search & Seizure)**

Proposed modifications delete the learning objective, sources of search and seizure law. The SMEs felt that the information was too broad in scope, the information does not improve an officer's performance and isn't essential and the pertinent portions of the objective are sufficiently covered in other portions of the training specifications.

- **Learning Domain #28 (Traffic Enforcement)**

Proposed modifications add two terms basic academy students need to be aware of: 1) business district; and, 2) residence district.

- **Learning Domain #34 (First Aid & CPR)**

Proposed modifications add instruction on how to handle a respiratory emergency.

- **Learning Domain #41 (Hazardous Materials Awareness)**

Proposed modifications provide for clearer and more concise descriptions of the required curriculum and deletes redundancy that existed in the previous language.

The proposed revisions are recommended by staff and curriculum consultants to update and further refine the existing language of the training and testing specifications. All proposed changes have been reviewed and endorsed by the Consortium of Academy Directors and Coordinators. An amendment to Regulation 1005 (Attachment B) will be necessary to identify the date that the training and testing specification document was amended.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Training & Testing Specifications for Peace Officer Basic Courses		Meeting Date May 10, 2001
Bureau Basic Training Bureau	Reviewed By <i>Forrest G. Lewallen</i>	Researched By Kelly York
Executive Director Approval <i>Kevin J. O'Brien</i>	Date of Approval 4-6-01	Date of Report March 30, 2001
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, subject to the Notice of Proposed Regulatory Action process, changes to the Regular Basic Course training specifications as enumerated in this report?

BACKGROUND

As apart 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 materials 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 and testing specifications for Learning Domains #6 Property Crimes, #7 Crimes Against Persons, #8 General Criminal Statutes, #9 Crimes Against Children, #10 Sex Crimes, #11 Juvenile Law and Procedure, #15 Laws of Arrest, #16 Search & Seizure, #28 Traffic Enforcement, #30 Preliminary Investigation, #34 First Aid/CPR and #41 Hazardous Materials Awareness are the result of these regularly scheduled reviews and impact one or more of the following elements of the domains:

- Learning Need
- Learning Objectives
- Required Tests
- Required Instructional Activities
- Revision Dates

ANALYSIS

For the most part, changes to the learning domains were made for clarification of instruction and consistency. Following are summaries of the other changes recommended to these domains. Learning domain training and testing specifications containing complete proposed changes are shown in Attachment A.

• **Learning Domain # 6 (Property Crimes)**

Proposed modifications delete the learning objective, trespass with credible threat to cause injury. The Subject Matter Experts (SMEs) unanimously agreed that this crime is rarely encountered and charged; hence, has no relevance to basic training.

If the Commission concurs, it is proposed that Regulation 1005 and the document, *Training and Testing Specifications for Peace Officer Basic Courses*, be amended pursuant to the Notice of Proposed Regulatory Action process. If no one requests a public hearing, the amendments would become effective October 1, 2001.

RECOMMENDATION

It is recommended that the Commission, subject to the results of the Notice of Proposed Regulatory Action, approve the amendments to Regulation 1005 and the document, *Training and Testing Specifications for Peace Officer Basic Courses*, as described.

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #6
PROPERTY CRIMES**

January 1, 2001 ~~+~~ October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X			X		X
X			X		X
X			X		X
X		X			X
X		X			X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

I. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make an arrest for crimes related to theft, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Theft
 - a. Grand theft
 - b. Petty theft
2. Vehicle theft
3. Defrauding an innkeeper
4. Embezzlement
5. Theft by means of trick or device
6. Theft by false pretenses
7. Burglary
8. Possession of burglary tools
9. Possession or receiving personal property with altered serial numbers or identification marks
10. Receiving stolen property
11. Appropriation of lost property
12. Forgery
13. Writing checks with intent to defraud

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

II. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to arson, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Arson
2. Attempted arson
3. Unlawfully causing a fire
4. Aggravated arson
5. Possession of a flammable or combustable material

III. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to trespassing, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Unauthorized entry of a dwelling
2. Trespass
- ~~3. Trespass with credible threat to cause injury~~
4. Intentional interference with business by obstructing or intimidating customers

RBC	Other Basic Courses				
	832	III	II	I	SIBC

IX. REVISION DATE
None October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X			X		X
X			X		X
X			X		X
X					X
			X		
10		2	8		10

IV. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for other types of property crimes, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes.

1. Vandalism
2. Cruelty to animals

B. Lawful repossession

C. Lawful landlord/tenant dispute

V. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives for Domain #6.

B. A POST-constructed comprehensive test for the Level II Module will include learning objectives for Domain #6

VI. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on property crimes.

VIII. ORIGINATION DATE

January 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

1. Kidnaping
2. False imprisonment
3. ~~Detainment or concealment of a child from legal custodian~~ Child abduction without custodial right
4. ~~Deprivation of custody of a child~~ Child abduction with custodial right

III. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to robbery, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Robbery
2. Carjacking

IV. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to homicide, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

- A. Homicide defined
- B. Elements required for a homicide to be considered excusable
- C. Elements required for a homicide to be considered justifiable
- D. Role of malice aforethought in determining whether an unlawful homicide is a crime of manslaughter or murder

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #7
CRIMES AGAINST PERSONS**

January 1, 2001 October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X X X X X		X X	X X X		X X X X X

I. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to **injury**, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Assault
2. Battery
3. Assault with a deadly weapon or by means of force
4. Mayhem
5. Elder or dependent adult abuse

II. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to **kidnaping**, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

RBC	Other Basic Courses				
	832	III	II	I	SIBC
10		2	8		10

VII. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VIII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on crimes against persons.

IX. ORIGINATION DATE

January 1, 2001

X. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X X			X		X
X X X			X		X
X * *			X		X
X X			X		X
X					X
			X		

E. Murder

1. Crime elements
2. Felony murder rule

F. Crime elements, classification and Penal Code section of the following manslaughter crimes:

1. Voluntary manslaughter
2. Involuntary manslaughter
3. Vehicular manslaughter

V. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. This calls upon peace officers need to recall the elements required to make arrests for ~~other crimes against persons~~ stalking, extortion and terrorist threats, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Stalking
 - a. ~~Credible threat~~
 - b.
2. Extortion
3. Terrorist threats

VI. REQUIRED TESTS

- A. The POST-constructed knowledge test on learning objectives in Domain #7.
- B. A POST-constructed knowledge test for the Level II Module will include learning objectives in Domain #7

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

3. Loitering:
 - a. About a public toilet
 - b. For prostitution
 - c. For drug activities
4. Public intoxication
5. Prowling
6. Peeping
7. Illegal lodging
8. Invasion of privacy (peepholes)

III. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon pPeace officers~~ need to recall the elements required to make arrests for crimes related to **public nuisances**, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. ~~Fighting, loud noises, and using offensive words in a public place~~ Disturbing the peace
2. ~~Disturbing a public meeting lawful assembly or meeting~~
3. ~~Obstruction of streets, sidewalks, or other public place a public way~~
4. ~~Entering a disaster area closed by law enforcement~~

IV. LEARNING NEED

~~Arresting and prosecuting suspects depends on the development of probable cause. This calls upon peace officers to recall the elements required to make arrests for other general criminal statute crimes, and to correctly categorize these crimes as felonies or misdemeanors.~~

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #8
GENERAL CRIMINAL STATUTES**

January 1, 2001 October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X

I. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to **solicitation**, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Solicitation to commit a felony
2. Conspiracy to commit a crime

II. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make arrests for crimes related to **disorderly conduct**, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Lewd conduct
2. Prostitution

RBC	Other Basic Courses				
	832	III	II	I	SIBC
* *			* *		* *
X					X
			X		
4			4		4

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Gaming violations
2. Entering a disaster area

IV. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives for Domain #8.

B. A POST-constructed comprehensive test for the Level II Module will include learning objectives for Domain #8

VI. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on general criminal statutes.

VIII. ORIGINATION DATE

January 1, 2001

~~IX~~VIII. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	432	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

7. Cruel or inhumane punishment
8. Lascivious act
9. Lewd act
10. Upon or with the body of a child
11. Annoy
12. Molest
13. Sexual intercourse

II. LEARNING NEED

The California Penal Code mandates that certain professional occupations follow specific requirements for reporting suspected child abuse cases to the proper authority. Peace officers must recognize that failure to abide by these requirements not only potentially endangers a minor Failure to do so not only potentially endangers a minor, but it is also a crime.

LEARNING OBJECTIVES

- A. Professional occupations required to report suspected child abuse
- B. Law enforcement reporting requirements
- C. Necessary documentation when investigating a report
- D. Peace officer's responsibility for maintaining the confidentiality of the reporting party
- E. Possible crime(s) committed by failing to report an incident of suspected child abuse

III. LEARNING NEED

~~Although warrantless searches and seizures are presumptively illegal,~~ Peace officers must recognize they have the authority to make a warrantless entry into a home whenever they reasonably believe a minor is in immediate danger of being physically abused, neglected or sexually exploited.

LEARNING OBJECTIVES

- A. Legal basis for entry without a warrant to protect a minor

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #9
CRIMES AGAINST CHILDREN**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

I. LEARNING NEED

To effectively carry out their responsibilities for the protection of children as some of the most vulnerable members of society, peace officers need a knowledge of the crimes that may be committed against children. The ability to arrest and prosecute a perpetrator depends on the development of probable cause. This calls upon the officer's knowledge of the elements required to prove the crimes and their competence in correctly categorizing these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and appropriate code section of the following crimes:

1. Child harm, injury, or endangerment
2. Physical abuse of a child
3. Lewd or lascivious acts with a child
4. Annoying or molesting children
5. Possession of child pornography
6. Unlawful sexual intercourse

B. Terms and concepts associated with crimes against children, including:

1. Child
2. Criminal negligence
3. Great bodily injury
4. Corporal injury
5. Corporal punishment
6. Traumatic condition

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X					X
			X		
6			6		6

B. Exigent circumstances that could lead an officer to reasonably believe that there is an immediate threat to a minor

C. Appellate court cases which have upheld warrantless entries based on exigent circumstances

IV. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives in Domain #9.

B. A POST-constructed comprehensive test for the Level II Module will include learning objectives in Domain #9

V. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VI. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on crimes against children.

VII. ORIGINATION DATE

January 1, 2001

VIII. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

LEARNING OBJECTIVES

- A. Examples of assessing a victim's physical state in order to make them as comfortable as possible, and secure the necessary medical attention
- B. Common emotional and physical reactions victims experience and the pressures associated with reporting a sex crime
- C. Peace officer's own emotional and attitudinal reactions to sex crimes

III. LEARNING NEED

To provide complete information a thorough investigation, peace officers must be sensitive to the fact that sexual assaults pose unique problems because of the emotional state of the victim, and the complexity of the investigative procedures.

LEARNING OBJECTIVES

- A. Factors that set a positive tone for the victim interview
- B. Questions to be asked during the victim interview
- C. Purpose of a medical/legal exam
- D. Victim's rights
- E. Types of evidence to be collected from the crime scene, victim and suspect
- F. Services available to sexual assault victims

IV. LEARNING NEED

Penal Code section 290 is intended to allow law enforcement agencies to track the whereabouts of known sex offenders.

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #10
SEX CRIMES**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

I. LEARNING NEED

Arresting and prosecuting suspects depends on the development of probable cause. ~~This calls upon p~~Peace officers need to recall the elements required to make an arrest for each particular sex crime, and to correctly categorize these crimes as felonies or misdemeanors.

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of the following crimes:

1. Rape
2. Assault with intent to commit rape and other crimes specified in Penal Code section 220
3. Indecent exposure
4. Incest
5. Oral copulation
6. Penetration with a foreign object
7. Spousal rape
8. Sodomy
9. Sexual battery
10. Sexual assault in concert

II. LEARNING NEED

The manner in which peace officers relate to the victim of a sex crime may influence the amount and quality of information that the victim is able and willing to provide. A positive contact will affect the victim beneficially; a negative contact will adversely impact the victim.

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X					X
			X		
6			6		6

LEARNING OBJECTIVES

- A. Conditions for sex offender registration under Penal Code section 290
- B. Classification of Penal Code section 290 violations
- C. Requirements of sex offender registration
- D. Automated information services available to gain information on sex registrants

V. REQUIRED TESTS

- A. The POST-constructed knowledge test on the learning objectives in Domain #10
- B. A POST-constructed comprehensive test for the Level II Module will include learning objectives in Domain #10

VI. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on sex crimes.

VIII. ORIGATION DATE

January 1, 2001

IX. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X

LEARNING OBJECTIVES

- A. Sources of peace officer authority to take a minor juvenile into temporary custody
- B. Options available to a peace officer for the disposition of a juvenile case
- C. Conditions under which a juvenile may become a dependent of the court
- D. Situations in which a juvenile can be taken into temporary custody due to habitual disobedience or truancy
- E. Situations in which a juvenile can be taken into temporary custody for violating a law or ordinance
- F. Emancipation and how it effects a juvenile's status under juvenile court law

III. LEARNING NEED

Peace officers must recognize that *Welfare and Institutions Codes 206, 207, 207.1 and 208* provide the basis from which the regulations have been established for the confinement of juveniles in adult detention facilities.

LEARNING OBJECTIVES

- A. Guidelines requiring the separation and segregation of dependent minors, status offenders, and delinquents wards within a facility
- B. Appropriate level of confinement for the purposes of temporary custody
- C. Need for preventing all contact between juveniles and adult prisoners within a facility
- D. Conditions in which a juvenile can be tried under the adult criminal system rather than juvenile court system

IV. LEARNING NEED

Any person who commits an act or fails to perform a duty which then causes a juvenile to become a dependent or ward of the court, or to commit a crime, can be said to be guilty of contributing to the delinquency of a minor.

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #11
JUVENILE LAW AND PROCEDURES**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X

I. LEARNING NEED

Peace officers must recognize the juvenile court system differs from the adult criminal court system in the court's goal of rehabilitation rather than retribution. The juvenile court system must also balance the issues of protection and safety of the general public, and the best interests of the minor in all deliberations.

LEARNING OBJECTIVES

- A. History and philosophy of juvenile court law
- B. Philosophy of the juvenile justice system vs. the adult criminal justice system
- C. Purpose of protective services and the scope of the juvenile court under the *California Welfare and Institutions Code*
- D. Being a ward of the court
- E. Peace officer's responsibility in dealing with the safety of a juvenile and the general public
- F. Peace officer's responsibility for protecting the constitutional rights of a juvenile
- G. Conditions when admonishment of a juvenile's rights is or is not required
- H. Conditions when a peace officer must seek a waiver of a juvenile's rights

II. LEARNING NEED

Peace officers must realize when there is an absence of appropriate parental care and control, the state becomes the parent and is responsible for balancing the needs of the juvenile with the protection and safety of the public.

RBC	Other Basic Courses				
	§12	III	II	I	SIBC
X				X	X
X				X	X
6				6	6

LEARNING OBJECTIVES

A. Crime elements, classification and Penal Code section of contributing to the delinquency of a minor

V. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives in Domain #11.

VI. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on juvenile law and procedure.

VIII. ORIGINATION DATE

January 1, 2001

IX. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	#32	III	II	I	SIBC
X		X	X		X
X		X	X		X
X		X	X		X
X		X	X		X
X	X	X	X		X
X	X	X	X		X
X	X		X		X
X	X	X	X		X
X	X	X	X		X
X	X	X	X		X

LEARNING OBJECTIVES

- A. Consensual encounter defined
- B. Appropriate conduct during a consensual encounter
- C. Conduct that may elevate a consensual encounter
- D. Consequences of elevating a consensual encounter

III. LEARNING NEED

In order to execute the appropriate actions, peace officers must recognize that a temporary detention is an assertion of authority that is less than an arrest but more substantial than a consensual encounter.

LEARNING OBJECTIVES

- A. Detention defined
- B. Detention vs. consensual encounter
- C. Reasonable suspicion defined
- D. Appropriate peace officer actions during a detention
- E. Scope and conditions for warrantless searches and seizures during a detention for the safety of the officer
- F. Conditions under which the use of force or physical restraint is appropriate during a detention

IV. LEARNING NEED

Peace officers must know and comply with the statutory rules of arrest in order to properly exercise their authority and responsibility, and to avoid potential liability when making arrests.

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #15
LAWS OF ARREST**

January 1, 2001-October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X				X
X	X				X
X	X				X
X	X				X
X	X				X
X	X				X

I. LEARNING NEED

Peace officers must have an understanding of the amendments to the U.S. Constitution, and similar sections of the California Constitution that are related to the authority, liability, and responsibility they have in making arrests.

LEARNING OBJECTIVES

A. Peace officer's role in relation to the protections and rights included in the following amendments to the U.S. Constitution and related California Constitution sections:

1. First Amendment
2. Fourth Amendment
3. Fifth Amendment
4. Sixth Amendment
5. Fourteenth Amendment

B. Peace officer's role in relation to the protections included under federal civil rights provisions statutes

II. LEARNING NEED

Peace officers must recognize that a consensual encounter is face-to-face contact with a private person, where the peace officer can exert no authority, and the person reasonably believes they can leave or not cooperate at any time.

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X	X	X		X
X	X	X	X		X
X	X	X	X		X
X	X	X	X		X
X	X	X	X		X
X					X
	X				
			X		
12	3	2	7		12

B. When Miranda warnings must be given

C. Proper administration of Miranda warnings

ED. Impact of invoking either the right to remain silent or the right to counsel

DE. Types of Miranda waivers

EF. Exception to the Miranda rule

VI. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives in Domain #15

B. The PC 832 Powers of Arrest test will include learning objectives in Domain #15

C. A POST-constructed comprehensive test for the Level II Module will include the learning objectives in Domain #15

VII. REQUIRED INSTRUCTIONAL ACTIVITIES

None

VIII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on laws of arrest.

IX. ORIGINATION DATE

January 1, 2001

X. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X				X
X	X		X		X
X	X				X
X	X				X
X	X		X		X
X	X				X
X	X				X
X	X		X		X
X	X		X		X
X	X				X
X	X				X
X	X				X
X	X	X	X		X

LEARNING OBJECTIVES

- A. Arrest defined
- B. Probable cause for an arrest defined
- C. Elements of a lawful arrest
- D. Arrest vs. detention
- E. Information that must be given to an arrested person
- F. Elements of a warrantless arrest for a misdemeanor
- G. Elements of a warrantless arrest for a felony
- H. Elements of a warrant arrest
- I. Requirements for entry to make an arrest
- J. Authority for a private person arrest and the peace officer's duty in response to a private person arrest
- K. Conditions under which the use of force or physical restraint is appropriate during an arrest
- L. Statutory requirements for the disposition of an arrested person
- M. Exceptions to the powers to arrest

V. LEARNING NEED

When interrogating a suspect who is in custody, peace officers must follow Miranda procedures to ensure that any answers they obtain will be admissible in court in order to avoid civil liability.

LEARNING OBJECTIVES

- A. Purpose of the Miranda warning

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

II. LEARNING NEED

In order to search for and seize evidence legally, peace officers must know the rules and requirements for obtaining and executing a search warrant.

LEARNING OBJECTIVES

- A. Statutory grounds for issuance of a search warrant
- B. Probable cause as a basis for obtaining a search warrant
- C. Officer's training and experience in relation with establishing probable cause
- D. Requirements for establishing the reliability of information provided by an informant
- E. Affidavit vs. warrant
- F. Components of an affidavit in support of a warrant to search for and seize property
- G. Appropriate actions for securing an area pending issuance of a search warrant
- H. Time limitations for serving a search warrant
- I. Elements for compliance with the knock and notice requirements when serving a search warrant
- J. Nexus rule application while conducting an authorized search

III. LEARNING NEED

Although warrantless searches and seizures are presumptively illegal, when certain conditions are met, officers may lawfully search and seize evidence without a search warrant. For evidence to be admissible at trial, officers must have a clear understanding of the legal requirements for those conditions.

LEARNING OBJECTIVES

- A. Plain view observation

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #16
SEARCH & SEIZURE**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X X X	X X X	X X X			X X X
X	X	X			X
X X	X X	X X			X X
X		X			X
X		X			X
X	X	X			X
X		X			X

I. LEARNING NEED

Peace officers must have a clear understanding of their authority, responsibility, and potential for liability in the areas of search and seizure law, as well as the protections provided by constitutional law, statutory law, and case law against unreasonable searches and seizures.

LEARNING OBJECTIVES

A. Sources of search and seizure law

- ~~1. Constitutional law~~
- ~~2. Statutory law~~
- ~~3. Case law~~

BA. Constitutional protections guaranteed by the Fourth Amendment that guard persons from unreasonable searches and seizures by government

- 1. Search defined
- 2. Seizure defined

CB. Reasonable expectation of privacy

CC. Standing and how it applies to an expectation of privacy

CD. Probable cause to search and its link between Fourth Amendment protections and search and seizure law

CE. Exclusionary rule applied to a peace officer's collection of evidence

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X		X		X
X	X		X		X
X	X		X		X
X	X		X		X
X	X		X		X
X	X		X		X
X			X		X

V. LEARNING NEED

Peace officers must recognize that when a search or the seizure of evidence involves the intrusion of into a suspect's body, special care must be taken to balance that person's reasonable expectation of privacy and under the Fourth Amendment protection against the government's need to collect evidence.

LEARNING OBJECTIVES

A. Peace officer's authority to seize physical evidence from a person's body:

1. With a warrant
2. Without a warrant

B. Conditions under which a peace officer ~~has the authority to~~ may use reasonable force to prevent a suspect from swallowing or attempting to swallow evidence

C. Conditions required for use of an emetic ~~substance~~ to legally induce vomiting to recover evidence

D. Conditions necessary for legally obtaining blood samples

E. Conditions for legally obtaining the following nonintrusive bodily evidence:

1. Fingerprints
2. Handwriting samples

VI. LEARNING NEED

Peace officers must be aware of a person's due process rights that protect against impermissible suggestiveness when conducting any procedure involving suspect identification.

LEARNING OBJECTIVES

A. Peace officer's neutral role during an identification procedure

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X		X	X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

B. Legal requirements for seizure of items in plain view

C. Conditions and circumstances where warrantless searches and seizures are considered reasonable and legal

D. Conditions for conducting the following types of warrantless searches:

1. Patdowns/frisks
2. Consent searches
3. Searches pursuant to exigent circumstances
4. Searches incident to arrest
5. Probation/parole searches

IV. LEARNING NEED

~~Peace officers must recognize that~~ The Fourth Amendment's protection against unreasonable searches and seizures extends to a person's vehicle, as well as other and property where that person has a reasonable expectation of privacy inside the vehicle. However, the courts have allowed ~~certain~~ created several exceptions to the Fourth Amendment's warrant requirement ~~before a~~ because of a motor vehicle's can be searched, based on the potential mobility of a motor vehicle and a reduced expectation of privacy.

LEARNING OBJECTIVES

A. Conditions for conducting the following types of motor vehicle searches:

1. Probable cause searches
2. Seizures of items in plain view
3. Protective searches
4. Consent searches
5. Searches incident to custodial arrest
6. Instrumentality searches
7. Vehicle inventories
8. Closed container searches

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X		X
X			X		X
X			X		X
X					X
	X				
			X		
12	1	2	9		12

B. Officer actions before and after during an identification procedure to prevent impermissible law enforcement suggestiveness when conducting a:

1. Field showup
2. Photographic spread
3. Custodial lineup

VII. REQUIRED TESTS

- A. The POST-constructed knowledge test on the learning objectives in Domain #16
- B. The PC 832 Powers of Arrest test will include learning objectives in Domain #16
- C. A POST-constructed comprehensive test for the Level II Module will include learning objectives in Domain #16

VIII. REQUIRED INSTRUCTIONAL ACTIVITIES

None

IX. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on search and seizure.

X. ORIGINATION DATE

January 1, 2001

XI. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	
X				X	
X		X		X	
X		X		X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	

E. Violations that can lead to a person's driver's license being suspended or revoked

F. Motor vehicle registration requirements

G. Information necessary to complete a traffic citation

H. Purpose of violator's signature on citation

I. Vehicle equipment requirements for motor vehicles driven upon highways

J. Elements necessary for violation of:

1. Unsafe vehicle or vehicle not safely loaded
2. Unlawful operation after notice by a peace officer

K. Requirements regarding the use of safety equipment in vehicles driven upon highways

II. LEARNING NEED

In order to enforce traffic laws, peace officers must have a clear understanding of the elements and intent of the laws that govern both motor vehicles and pedestrians.

LEARNING OBJECTIVES

A. Common name and Vehicle Code section(s) for traffic control and device violations involving:

1. Stop signs
2. Red signal lights
3. Other traffic control signals and devices

B. Common name and Vehicle Code section(s) for right-of-way violations involving:

1. Failure to yield the right-of-way
2. Failure to yield to an emergency vehicle

C. Common name and Vehicle Code section(s) for violations involving pedestrian right-of-way

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #28
TRAFFIC ENFORCEMENT**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X		X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	

I. LEARNING NEED

Peace officers must have a thorough understanding of the principles of traffic law set forth in the Vehicle Code in order to carry out their responsibilities in traffic enforcement.

LEARNING OBJECTIVES

- A. Benefits of enforcing traffic laws
- B. Peace officer's role in traffic enforcement
- C. Vehicle Code definitions of specific traffic enforcement terms, including:
 - 1. Alley
 - 2. Crosswalk
 - 3. Darkness
 - 4. Freeway
 - 5. Highway
 - 6. Intersection
 - 7. Limit line
 - 8. Pedestrian
 - 9. Roadway
 - 10. Sidewalk
 - 11. Street
 - 12. Business District
 - 13. Residence District
- D. Licensing requirements for the privilege of driving a motor vehicle

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	

B. Common name and Vehicle Code section(s) for violations involving:

1. Drinking an alcoholic beverage while driving or a passenger in a motor vehicle
2. Possession of an alcoholic beverage in a motor vehicle
3. Storage of an alcoholic beverage in a motor vehicle

C. Under the influence defined as it relates to alcohol or drugs

D. Common name and Vehicle Code section(s) for violations involving driving under the influence

E. Deviations from normal driving that might indicate that a driver of a vehicle may be under the influence of alcohol and/or drugs

F. Indications of intoxication that a peace officer may observe upon making contact with a driver

G. Medical conditions that may cause a person to appear to be intoxicated

H. Appropriate actions if a suspect refuses to cooperate in performing a field sobriety test

I. Indications of intoxication/drug use that an officer may observe during a field sobriety test

J. Field sobriety tests that may be used to determine attention, balance, memory, coordination and gaze nystagmus

K. Indicators of a person's refusal to submit to a chemical sobriety test

L. Elements included in the statutory admonition read to drivers who refuse to submit to chemical sobriety tests

M. Consequences of refusing to submit to a chemical sobriety test

IV. LEARNING NEED

In order to manage traffic effectively, peace officers need to recognize their authority under the law.

LEARNING OBJECTIVES

A. Vehicle Code laws governing arrest

RBC	Other Basic Courses				
	B32	III	II	I	SIBC
X X				X X	
X X X				X X X	
X X X X				X X X X	
X				X	
X X X				X X X	
X				X	

D. Common name and Vehicle Code section(s) for turning and signaling violations involving:

1. Turning at intersections or onto a highway
2. U-turns

E. Common name and Vehicle Code section(s) for speed violations involving:

1. Basic speed based on prevailing conditions
2. Maximum speed
3. Less than normal speed

F. Common name and Vehicle Code section(s) for driving and passing violations involving:

1. Following too closely
2. Driving in the appropriate lane
3. Passing on the right
4. Passing a stopped school bus

G. Common name and Vehicle Code section(s) involving hit and run violations

H. Common name and Vehicle Code section(s) for public offenses involving:

1. Reckless driving
2. Speed contests
3. Throwing substances at vehicles

III. LEARNING NEED

Peace officers have the responsibility to detect and apprehend drivers whose behavior indicates that they may be driving under the influence of alcohol and/or drugs. In order to meet this responsibility, they must first know the law.

LEARNING OBJECTIVES

- A. Responsibilities peace officers have regarding the detection and apprehension of individuals who drive while under the influence of alcohol or drugs

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X				X	
X				X	
X				X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	

VI. REQUIRED INSTRUCTIONAL ACTIVITIES

- A. The student will participate in an instructional activity that will reinforce the student's understanding of safe techniques of lighting and extinguishing a highway flare, including:
1. Removing the flare cap to expose the striking (lighting) plate and placing the cap on the opposite end of the flare
 2. Holding the flare at arms length while contacting and holding the flare against the striking plate
 3. Turning the face from the striking area before lighting the flare and moving it away from the body
 4. Extinguishing lit flares that are safe to touch by tapping the burning end against the pavement
 5. Never throwing, kicking or unsafely handling lit flares
 6. Properly disposing of extinguished flares
- B. The student will participate in an instructional activity that will reinforce the student's understanding of definitions, laws and procedures related to Driving Under the Influence (DUI) arrests, including:
1. Legal definitions and terminology
 2. Vehicle Code sections and related statutes
 3. Detention and arrest procedures, the development of probable cause, reasonable suspicion, and field tests
 4. Evidence recognition, collection and preservation procedures
 5. Report writing requirements
- C. The student will participate in an instructional activity that will reinforce the student's understanding of techniques to effectively direct and control traffic using hand signals, flashlights and warning devices, including:
1. The procedures related to the use of hand signals and flashlights to safely control the stopping, starting or turning of vehicular and pedestrian traffic
 2. Other traffic control devices, vehicles, or other available equipment to safely control traffic movement
- D. The student will properly complete a storage/impound report and demonstrate an understanding of the legal authority for the towing of vehicles from public and private property
- E. The student will properly complete a Notice to Appear

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	
X		X		X	

B. Mandatory vs. optional appearances before a magistrate

C. Vehicle storage vs. vehicle impound

D. Peace officer legal authority to remove vehicles that are:

1. Traffic hazards
2. Abandoned
3. Associated with registration or licensing violations
4. Associated with criminal activity

E. Information necessary to complete a storage and impound report

F. Common name and Vehicle Code section(s) for failure to obey the lawful orders of a peace officer or designated employee

G. Effective use of hand signals, flashlights and other warning devices to manage traffic

V. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives in Domain #28.

B. An exercise test that requires the student to conduct a field sobriety test that shall minimally test the student's ability to:

1. Articulate a proper location for the test and why that location is appropriate
2. Articulate the objective observations of signs or symptoms of intoxication or drug use
3. Explain and demonstrate a series of field sobriety tests that may include a minimum of three of the following tests:

- a. Proper techniques of balance
- b. Divided attention
- c. Memory
- d. Coordination
- e. Horizontal and vertical Gaze Nystagmus test(s)

4. Document verbally or in writing the general observations and test observations that would support the reasonable belief that the test subject is under the influence of alcohol or drugs

RBC	Other Basic Courses				
	832	III	II	I	SIBC
22		4		22	

VII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on traffic enforcement.

VIII. ORIGINATION DATE

January 1, 2001

IX. REVISION DATE

None
October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X				X
X	X				X
X			X		X
X	X		X		X
X			X		X
X			X		X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X		X		X
X	X		X		X
X	X	X	X	X	X

F. Purpose of conducting a(n):

1. Initial survey of a crime scene
2. Crime scene search

G. Function of an officer's field notes

H. Criteria for allowing crime scene photographs to be admitted as evidence by the court

I. Elements to be included on a crime scene diagram

J. Different styles of crime scene sketches/diagrams

K. Survey methods that may be used for identifying the location of evidence at a crime scene

II. LEARNING NEED

Peace officers must be aware of and comply with the general guidelines for the collection, packaging, and processing of various forms of physical evidence found at a crime scene in order to ensure that each piece of evidence is admissible and credible in a court of law.

LEARNING OBJECTIVES

- A. Precautions that should be taken prior to collection and removal of evidence from a crime scene
- B. Purpose of collecting control/known samples
- C. Types of containers for packaging different forms of evidence
- D. Primary reason for establishing a chain of custody record
- E. Information that should be noted on a chain of custody record
- F. Three forms of fingerprint impressions that may be found at a crime scene

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #30
PRELIMINARY INVESTIGATION**

January 1, 2001 October 1, 2001

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X				X
X		X	X		X
X		X	X		X
X			X		X
X			X		X
X	X	X	X		X
X			X	X	X
X			X		X
X	X		X		X
X	X		X		X
X	X	X	X	X	X

I. LEARNING NEED

Peace officers must have a general understanding of the total range of basic criminal investigation procedures in order to make the appropriate decisions regarding the identification and preservation of evidence at the scene of a crime.

LEARNING OBJECTIVES

A. Goal of a criminal investigation

B. Components of a preliminary criminal investigation, including:

1. Proceed safely to the scene
2. Determine need for emergency medical services and aid any injured persons
3. Verify that a crime, if any, has occurred
4. Identify and arrest the perpetrator(s) suspect(s), if appropriate
5. As soon as possible, provide dispatch with any suspect information including physical descriptions, direction of flight, mode of travel, and other pertinent information
6. Contain and protect the crime scene and cause the proper collection of evidence
7. Locate and interview victim(s) and/or witness(es) and identify other sources of information
8. Collect all available information necessary to write a clear and accurate report (who, what, when, where, why and how)

C. Evidence defined

D. Criteria used to determine whether evidence is admissible in a court of law

E. Actions peace officers may employ to preserve possible evidence at a crime scene

RBC	Other Basic Courses				
	#32	III	II	I	SIBC
X			X	X	X
X			X	X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X

G. Application of the different interrogation techniques

H. Techniques for documenting a suspect's statement made during an interrogation

IV. LEARNING NEED

In order to ensure the efficient collection of admissible evidence, peace officers must understand the preliminary investigative considerations that are specific to crimes against persons that do not result in death.

LEARNING OBJECTIVES

A. Peace officer responsibilities when first responding to a call involving an assault

B. Evidence collection considerations when conducting a preliminary investigation involving an assault

C. Officer actions when making initial contact with a victim of a sexual assault during a preliminary investigation

D. Evidence collection considerations when conducting a preliminary investigation involving a sexual assault

E. Types of information officers should attempt to gather when interviewing a robbery victim during a preliminary investigation

F. Critical information that should be included in a report of the preliminary investigation of a robbery

G. Two factors required in order for a crime to be considered kidnaping

H. Common motivations that may lead to kidnaping

V. LEARNING NEED

Peace officers who are first to arrive at a scene involving a death must be aware of their responsibilities to assess the situation, and take an appropriate course of action based on their preliminary investigation.

LEARNING OBJECTIVES

A. Observable signs that indicate whether an unconscious individual is alive or dead

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X

G. Basic steps for developing latent fingerprints from:

1. Nonporous surfaces
2. Porous surfaces

H. Basic steps for collecting rolled and pressed fingerprint control/known standard from a subject person

I. Appropriate measures for handling the following types of evidence when located at a crime scene

1. Biological fluids and stains
2. Firearms
3. Ammunition
4. Hairs and fibers
5. Toolmarks and tools

J. General guidelines for collecting and processing other forms of evidence that may be located at a crime scene

III. LEARNING NEED

In order to effectively develop usable evidence while ensuring that the constitutional rights of all individuals are protected, peace officers must be aware of and correctly follow standardized practices for conducting crime scene interviews and interrogations.

LEARNING OBJECTIVES

- A. Interview vs. interrogation
- B. Factors that can impact the interview
- C. Factors that may affect a witness' perception
- D. Purpose of an interrogation
- E. Admission vs. confession
- F. Conditions in which a confession or admission may be inadmissible in a court of law

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X

C. Physical and behavioral indicators of:

1. Physical child abuse
2. Physical neglect of a child
3. Emotional child abuse
4. Sexual child abuse

D. Effective officer actions for conducting an interview with a child victim of abuse

E. Forms of physical evidence that may support or disprove allegations of child abuse

F. Statutory requirements for reporting incidents of suspected child abuse

VII. LEARNING NEED

In order to ensure the efficient collection of admissible evidence, peace officers must understand the preliminary investigative considerations that are specific to crimes involving the theft of property.

LEARNING OBJECTIVES

- A. Different forms of theft involving both businesses and individuals
- B. Peace officer actions when responding to a burglary report
- C. Information that should be obtained when interviewing the victim(s) or witness(es) to a burglary
- D. Features of a burglar's modus operandi (MO) that can assist in linking a suspect to a crime scene
- E. Forms of evidence that are commonly associated with burglaries
- F. Information that should be obtained to verify that a vehicle theft has taken place
- G. Physical indicators that may lead a peace officer to suspect that a vehicle has been stolen
- H. Features and sources of information that can be used to identify a specific vehicle
- I. Sources of information and databases officers can access in the course of investigating a vehicle theft

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X			X	X	X
X			X	X	X
X			X	X	X
X				X	X
X				X	X

B. Responding officer's responsibilities at a death scene

C. Difference between:

1. Manner of death
2. Cause of death
3. Mode of death

D. Responsibilities of the medical examiner/coroner in death investigations

E. Responding officer's responsibilities at a possible homicide scene

F. Evidence protection considerations that pertain to a possible homicide crime scene

G. Indicators which may identify the manner of death as a suicide

H. Forms of physical evidence that should be collected when a suicide note is located at a death investigation scene

I. Possible indicators that the mode of death may be poisoning

J. Information that should be obtained and documented when conducting an investigation involving the death of a child

K. Indicators that a child's death may be due to Sudden Infant Death Syndrome (SIDS)

L. Appropriate actions for responding officers interacting with parents or care givers involved in a SIDS incident

VI. LEARNING NEED

Ensuring the safety of a child victim is a peace officer's primary responsibility when responding to a case of suspected child abuse. To do this effectively, officers must be able to recognize indicators of abuse, conduct a preliminary investigation into abuse, and take the appropriate action.

LEARNING OBJECTIVES

A. Statutory definition of child abuse

B. Factors that may lead to an incident contribute to the likelihood of child abuse

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X
X			X		X

- C. An exercise test that requires the student to systematically search a simulated crime scene and generate crime scene notes and a crime scene sketch. The exercise shall minimally test the student's ability to:
1. Use a systematic method to search the scene and recover all items of evidence
 2. Generate crime scene notes that document observations, scene conditions and investigative actions
 3. Generate a crime scene sketch that include measurements, reference points, identification of evidence, a legend and the direction of north
 4. Locate latent and plastic prints placed on objects of varying texture and color
 5. Complete the necessary forms generally utilized by law enforcement to insure the chain of custody
- D. An exercise test which requires the student to identify the types of information and community resources that may assist SIDS survivors. The exercise shall minimally require the student to explain:
1. SIDS facts to involved parties, as appropriate
 2. Required investigative tasks and need for completion investigation
 3. Availability of local and regional SIDS survivor support groups
 4. How to make a referral to the county public health nurse
 5. Which State agencies are responsible for SIDS education, SIDS survivor counseling and support
 6. How to notify county coroner's office/medical examiner's office
- E. A scenario test that requires the student to conduct a preliminary investigation of a simulated crime scene. The scenario shall minimally test the student's ability to:
1. Determine need for emergency medical services and aid any injured persons
 2. Verify that a crime, if any, has occurred
 3. Identify and arrest the ~~perpetrator~~suspect(s), if appropriate
 4. As soon as possible, provide dispatch with any suspect information including physical descriptions, direction of flight, mode of travel, and other pertinent information
 5. Contain and protect the crime scene and cause the proper collection of evidence
 6. Locate and interview witnesses
 7. Collect all available information necessary to write a clear and accurate report (who, what, when, where, why and how)

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X				X	X
	X				

VIII. LEARNING NEED

In order for peace officer's testimony to be given serious consideration by the court, it is essential that officers present themselves as professional, credible, and convincing witnesses.

LEARNING OBJECTIVES

- A. Courtroom procedures that take place prior to and during a trial
- B. Peace officer responsibilities regarding pretrial preparation
- C. Aspects of a case that officers should review prior to giving testimony
- D. Factors related to an officer's appearance that can influence how an officer's testimony is received by the court
- E. Factors that can affect a witness' credibility
- F. Aspects of an officer's courtroom demeanor that can positively or negatively influence the officer's credibility as a witness
- G. Appropriate actions for receiving and answering questions as a witness
- H. Appropriate responses when an officer who is testifying is unsure of or does not know the answer to a question asked by an attorney
- I. Appropriate responses when asked to give an opinion while testifying
- J. Proper officer interactions with defense attorneys
- K. Methods of overcoming defense tactics used during cross-examination

IX. REQUIRED TESTS

- A. The POST-constructed knowledge test on the learning objectives in Domain #30.
- B. The PC 832 Powers of Arrest test will include learning objectives in Domain #30

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	
X				X	
X				X	
X				X	
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X				X	X
X				X	X
X				X	X
X				X	X

8. Effectively interviewing a child who may have been a victim of child abuse or sexual assault to include:

- a. Gaining the child's confidence
- b. Remaining neutral in the interview
- c. Speaking to the child in a level the child understands

9. Taking the child into protective custody if at risk of serious physical harm

X. REQUIRED INSTRUCTIONAL ACTIVITIES

A. The student will participate in a facilitated discussion relating to actions which should be taken during a preliminary investigation of a SIDS death. The discussion should address:

1. Initial actions
2. Sources of information
3. Indications that a SIDS death has occurred
4. Identification of information and community resources that may assist parents and/or child care workers involved in the investigation
5. Explanation of SIDS facts and required investigative tasks to parents and/or child care workers involved in the investigation
6. Physical evidence considerations

B. The student will participate in a facilitated discussion relating to actions which should be taken during a preliminary investigation of a kidnaping that includes a felonious assault on the victim(s). The discussion should address:

1. Initial actions
2. Sources of information
3. Establishing the elements of the crime
4. Physical evidence considerations

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	
X				X	

F. A scenario test which requires the student to perform the tasks required of an officer conducting a preliminary investigation of a sexual assault. The scenario shall minimally test the student's ability to:

1. Apply laws related to sex crimes
2. Maintain an objective attitude toward the investigation of sex crimes
3. Understand the behavioral, emotional or physical reaction of the sex crime victim
4. Prioritize and perform investigative tasks
5. Conduct a comprehensive interview with the victim
6. Interrogate the suspect and obtain a confession
7. Collect evidence from the suspect

G. A scenario test which requires the student to perform the tasks required of an officer conducting a preliminary investigation of a homicide. The scenario shall minimally test the student's ability to:

1. Perform initial response actions
2. Determine if medical assistance is needed
3. Check for signs of life
4. Determine death based upon objective signs
5. Classify the mode of death
6. Determine the need for and summon assisting personnel or a supervisor
7. Manage and protect a crime scene

H. A scenario test which requires the student to perform the tasks required of an officer conducting a preliminary investigation of either child abuse, child neglect, or child sexual exploitation. The scenario test shall minimally test the student's ability to conduct investigations to include:

1. Establishing elements of the crime
2. Protecting the child's safety
3. Identifying the suspect
4. Locating witnesses
5. Recovering physical evidence, photographs and statements
6. Demonstrating a knowledge of child abuse reporting procedures
7. Demonstrating a knowledge of the contents in a child abuse report

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
42	2	2	8	30	42

G. The student will participate in a facilitated discussion/critique of interviews or interrogations. The discussion shall minimally address the following issues:

1. Mechanics of the interview process
2. Location and physical environment
3. Interviewer's actions and style
4. Types of questions

H. The student will participate in a simulated criminal trial by either providing testimony or critiquing testimony provided by another person. The simulation shall incorporate a variety of questioning styles that officers are likely to encounter on the witness stand, including:

1. Badgering/belligerent
2. Offensive
3. Friendly
4. Condescending

XI. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on preliminary investigation.

XII. ORINATION DATE

January 1, 2001

XIII. REVISION DATE

None October 1, 2001

RBC	Other Basic Courses				
	#32	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X

C. The student will participate in a facilitated discussion relating to the actions which should be taken during a preliminary investigation of a robbery. The discussion should address:

1. Initial actions
2. Sources of information
3. Establishing the elements of the crime
4. Physical evidence considerations

D. The student will participate in a facilitated discussion relating to the actions which should be taken during a preliminary investigation of an unattended death including the factors that indicate suicide. The discussion should address:

1. Initial actions
2. Sources of information
3. Establishing whether or not a crime has occurred
4. Physical evidence considerations

E. The student will participate in a facilitated discussion relating to the actions which should be taken during a preliminary investigation of an auto theft which includes the specific elements of burglary and grand theft. The discussion should address:

1. Initial actions
2. Sources of information
3. Establishing whether or not a crime has occurred
4. Physical evidence considerations
5. Vehicle identification number (VIN) locations

F. The student will participate in a facilitated discussion relating to the actions which should be taken during a preliminary investigation of a poisoning. The discussion should address:

1. Initial actions
2. Sources of information
3. Establishing whether or not a crime has occurred
4. Physical evidence considerations

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X

3. Breathing
4. Circulation

- B. Techniques for taking a victim's vital signs during a secondary survey
- C. Information that a peace officer should attempt to obtain during a secondary survey
- D. Manner for conducting a systematic examination of the victim during a secondary survey
- E. Assessment criteria for establishing priorities when assessing multiple victims at a single scene
- F. Conditions under which an injured victim should be moved from one location to another
- G. Procedures for moving a victim using the shoulder drag technique

III. LEARNING NEED

As the EMS First Responder, peace officers may be called upon to provide basic life support maneuvers for a victim, fellow officer, or themselves if they are injured or wounded until additional medical services and support become available.

LEARNING OBJECTIVES

- A. Circumstances under which a victim's airway should be opened by using a:
 1. Head-tilt/chin-lift maneuver
 2. Jaw-thrust maneuver
- B. Partial vs. complete airway obstruction
- C. Procedure for using abdominal thrusts to clear an obstruction from the airway of a conscious and unconscious adult or child
- D. Procedure for using chest thrusts to clear an obstruction from the airway of a conscious and unconscious:
 1. Pregnant or obese individual
 2. Infant

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #34
FIRST AID AND CPR**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X

I. LEARNING NEED

Peace officers must recognize they have a special responsibility to act in good faith and to provide emergency medical services to the best of their abilities, and within the scope of their training.

LEARNING OBJECTIVES

- A. Components of the Emergency Medical Services (EMS) system
- B. Primary responsibilities of peace officers as EMS First Responders at a medical emergency
- C. Chain of transmission of infectious pathogens
- D. Precautions peace officers should take to ensure their own personal safety when responding to a medical emergency
- E. Conditions under which a peace officer is protected from liability when providing emergency medical services

II. LEARNING NEED

Peace officers must be able to assess the immediate condition of a victim, a fellow peace officer, or themselves if they become injured prior to beginning any form of emergency medical services, including basic life support.

LEARNING OBJECTIVES

- A. Appropriate actions to take during a primary survey for assessing a victim's:
 - 1. Responsiveness
 - 2. Airway

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X

B. First aid measures for treating injuries to the:

1. Head
2. Face and jaw
3. Scalp

C. First aid measures used for:

1. Traumatic eye injuries
2. Chemical burns of the eye
3. Heat burns to the eye

D. Indicators and first aid measures for treating closed injuries to the:

1. Chest (flail chest)
2. Abdomen

E. First aid measures for treating open injuries to the:

1. Chest
2. Abdomen

F. First aid measures for treating injuries to the bone, muscle or joints

G. Technique for applying a splint to a musculoskeletal injury

H. First aid measures for treating:

1. Thermal burns
2. Chemical burns
3. Electrical burns

RBC	Other Basic Courses				
	#32	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X

- E. Rescue breathing techniques when using a pocket face mask or mouth-to-mouth maneuver
- F. Cardiopulmonary Resuscitation (CPR) for adults, children, and infants, including:
 1. Ventilation duration
 2. Pulse location
 3. Compression depth
 4. Compression rate
 5. Compression-to-ventilation ratio (one-person CPR)
 6. Compression-to-ventilation ratio (two-person CPR)
- G. Difference between arterial bleeding, venous bleeding and capillary bleeding
- H. Five primary bleeding control techniques
- I. Guidelines for controlling bleeding from an open wound
- J. Indicators of internal bleeding associated with a closed wound
- K. Possible conditions that can lead to shock
- L. ~~Signs and symptoms of shock~~ Indicators of shock
- M. First aid measures to treat shock

IV. LEARNING NEED

Peace officers are often the first members of the EMS system to respond to the scene of a traumatic incident. Because of this, peace officers must be not only capable of activating the EMS system, but also provide appropriate first aid to victims of traumatic injuries.

LEARNING OBJECTIVES

- A. Indicators of a possible head injury

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X

VI. LEARNING NEED

Peace officers must have a basic understanding of the first aid measures that can assist a woman before, during and after the delivery of her infant in case officers are called upon to do so in an emergency situation.

LEARNING OBJECTIVES

- A. Three stages of labor
- B. Signs of imminent birth
- C. Peace officer actions and first aid measures:
 - 1. When preparing for childbirth
 - 2. During delivery
 - 3. When providing immediate care for newborns
 - 4. Post-delivery
- D. First aid measures for each of the following emergency situations that may occur in childbirth:
 - 1. Excessive vaginal bleeding
 - 2. Newborn fails to breath
 - 3. Stillbirth
- E. First aid measures for assisting a woman experiencing the following childbirth complications:
 - 1. Premature birth
 - 2. Multiple births
 - 3. Breech presentation
 - 4. Limb presentation
 - 5. Prolapsed umbilical cord

VII. REQUIRED TESTS

- A. The POST-constructed knowledge test on the learning objectives in Domain #34

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X X X X		X X X X			X X X X
X X		X X			X X
X		X			X
X X		X X			X X
X X X		X X X			X X X

V. LEARNING NEED

Peace officers must be able to provide basic first aid measures for a number of medical emergencies and conditions they may encounter as EMS First Responders.

LEARNING OBJECTIVES

A. Indicators of and first aid measures for a victim who is experiencing:

1. Cardiac emergency
2. Respiratory emergency
3. Seizure
34. Stroke

B. Indicators and first aid measures used for treating:

1. Insulin shock (hypoglycemia)
2. Diabetic coma (hyperglycemia)

C. First aid measures for a victim who is experiencing signs of poisons that have been ingested, inhaled, absorbed or injected

D. Signs and first aid measures used for treating:

1. Hypothermia and frostbite
2. Heat cramps, heat exhaustion and heat stroke

E. First aid measures for stings and bites of:

1. Insects and marine life
2. Spiders and snakes
3. Animals and humans

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X
X		X			X

B. An exercise test that requires the student to demonstrate how to bandage different injuries while using barrier protection to minimize the dangers associated with infectious diseases and wash hands and disinfect equipment after providing treatment in accordance with the following principles:

1. Use the cleanest material that is available
2. Expose the injury site
3. Cover the entire injury site
4. Bandage snugly but without impairing circulation
5. Leave patient's fingers and toes exposed
6. Immobilize injury site as necessary

C. An exercise test that requires the student to conduct a primary and secondary survey. The surveys shall minimally include:

1. Primary survey
 - a. Check for responsiveness
 - b. Check airway
 - c. Check for breathing
 - d. Take carotid pulse
 - e. Look for serious bleeding
2. Secondary survey
 - a. Gather information (i.e., complaints and special medical problems)
 - b. Perform head-to-toe check for injuries
 - c. Check pulse, respiration, skin color, and temperature

D. An exercise test that requires the student to demonstrate the following first aid techniques for controlling bleeding of a limb while using barrier protection:

1. Direct pressure
2. Elevation
3. Pressure bandage
4. Pressure points
5. Tourniquet (no pressure)

RBC	Other Basic Courses				
	832	III	II	I	SIBC

X. ORIGINATION DATE

January 1, 2001

REVISION DATE

None October 1, 2001

XI.

RBC	Other Basic Courses				
	832	III	II	I	SIBC
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
*				*	*
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X

B. Basic command, identification/hazard assessment and action plans to include:

1. Necessity for establishing command
 2. First responder role in assuming command
 3. Relationship between identification and hazard assessment
 4. Identification and hazard assessment as the basis of the hazardous materials response
 5. Common information sources in identification and hazard assessment
 6. Number of minimum information sources necessary to confirm identification and hazard assessment
 7. Comprehensive review and use of the current *North American Emergency Response Guidebook*
 8. Familiarization with other hazardous materials reference materials
 9. Review of first responder awareness role in local hazardous materials plan
 10. Recognized off-site hazardous materials information sources (e.g., Chemical Transportation Emergency Center CHEMTREC)
 11. Components of hazard assessment
 12. Variables and modifying conditions of hazardous materials incidents
 13. Concept of risk versus gain at a hazardous materials incident
 14. Federal and state requirements for hazardous materials action plan
 15. Complexity of identification and hazard assessment at hazardous materials incidents
- Hazardous materials incident described

C. Basic legal aspects of hazardous materials incidents Challenges that are presented by incidents involving hazardous materials

D. Roles and responsibilities of a First Responder at the:

1. Awareness level
2. Operational level

E. Primary pathways in which a hazardous material can enter the human body, including:

1. Inhalation
2. Absorption
3. Ingestion
4. Injection

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #41
HAZARDOUS MATERIALS AWARENESS**

January 1, 2001 ~~October 1, 2001~~

RBC	Other Basic Courses				
	832	III	II	I	SIBC
*			*	*	*
*			*	*	*
*				*	*
*			*	*	*
*			*	*	*
*			*	*	*
*			*	*	*
*			*	*	*
X			X	X	X

I. LEARNING NEED

Peace officers need to have a basic understanding of the risks presented by hazardous materials and of their role in responding to hazardous materials incidents.

LEARNING OBJECTIVES

A. Introduction of hazardous materials at the first responder awareness level to include:

- ~~1. Overview of local hazardous materials problems~~
 - ~~2. Differences and similarities between hazardous materials incidents and other emergencies~~
 - ~~3. Regulatory agencies which provide definitions for hazardous materials, hazardous chemicals, hazardous substances and hazardous waste~~
 - ~~4. United Nations hazard classification system~~
 - ~~5. Multiple hazards and adverse effects of hazardous materials~~
 - ~~6. Common local hazardous materials spills, locations, and response problems~~
 - ~~7. Primary first-responder role which shall include a safe and competent response to a hazardous materials incident within awareness level, resources and capabilities~~
 - ~~8. Definition of first responder awareness~~
 - ~~9. Definition of first responder operational~~
 - ~~10. Essential tactical operations for first responder awareness and operations~~
 - ~~11. Overview of pertinent hazardous materials authorities and regulations~~
- Hazardous material defined

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X
X			X	X	X

D. Documentation that can be used as a source of information when identifying hazardous materials, including:

1. Shipping papers, invoices and bills of lading
2. Material Safety Data Sheets (MSDS)
3. Emergency Response Guidebook
4. Other documents (e.g., product information sheets, brochures, catalogs)

E. Type of information provided by the DOT communication standards for hazardous materials

F. Using the DOT system, how placards, labels and markings convey information regarding hazardous materials

G. First responders' use of the Emergency Response Guidebook (ERG) to identify hazardous materials

H. Type of information provide by the NFPA 704 warning system for hazardous materials at fixed facilities

III. LEARNING NEED

Peace officers must have a clear understanding of the need for safety, isolation, and notification when acting as First Responders at the scene of a hazardous materials incident.

LEARNING OBJECTIVES

A. Concepts of safety, isolation and notification to include:

- ~~1. First responder awareness and operational level basic response requirements~~
 - ~~2. First on scene safe initial actions~~
 - ~~3. Safe approach distance guides~~
 - ~~4. How to conduct a safe risk assessment~~
 - ~~5. Essential field safety guides (do's and don'ts)~~
 - ~~6. Isolation and entry denial tactics~~
 - ~~7. Relationship of perimeters and zones to scene safety and isolation, include proper terms and differences~~
 - ~~8. Identification of hazardous materials resources needed for an emergency response~~
 - ~~9. Required notifications at hazardous materials incidents~~
- Guidelines for safely approaching a hazardous materials incident

RBC	Other Basic Courses				
	832	III	II	I	SIBC
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X				X	X
X			X	X	
X			X	X	
X			X	X	
X			X	X	
X				X	
X				X	
X				X	
X				X	

6. Attempting to identify the suspect(s) responsible
7. Attempting to locate witnesses and develop other potential sources of information
8. Arranging for the collection, preservation and identification of any physical evidence
9. Documenting the event accurately and completely

K. Additional information that officers should include in their reports when documenting a hazardous materials incident

IV. REQUIRED TESTS

A. The POST-constructed knowledge test on the learning objectives in Domain #41

V. REQUIRED INSTRUCTIONAL ACTIVITIES

A. The student shall participate in an instructional activity designed to reinforce an understanding of first responder actions at the scene of a hazardous materials incident to include:

1. Identification of the event as a hazardous materials incident
2. Application of recommended safety precautions
3. Use of the North American Emergency Response Guidebook (NAERG) to determine the initial isolation and protective action distances
4. The need to isolate the scene
5. Notification considerations

B. The student shall participate in an instructional activity designed to reinforce an understanding of the indicators for determining the hazard potential of the suspected material to include:

1. Placard
2. Sign
3. Warning label
4. Any other indication

RBC	Other Basic Courses				
	832	III	II	I	SIBC
4			2	4	4

VI. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on hazardous materials from an instructor certified by the California Specialized Training Institute in accordance with Title 19 of the California Code of Regulations, Chapter 1, Subchapter 2, Section 2530 (a).

VII. ORIGINATION DATE

January 1, 2001

VIII. REVISION DATE

None October 1, 2001

Commission on Peace Officer Standards and Training

POST ADMINISTRATIVE MANUAL

1005. Minimum Standards for Training

All text continued

The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001 and amended effective * _____ is herein incorporated by reference.

*date to be filled in by OAL

ANALYSIS

The BTB has conducted extensive research, and evaluation while successfully managing pilot workbook update meetings to develop the proposed system. The result of this research identified requirements and recommendations to implement a successful system. There are multiple phases or steps required to effectively update the student workbook system, which include: acquiring data and comments from the field; research; preparing draft updated workbooks; facilitating workbook updating meetings with subject matter experts; editing recommended changes; publication process; developing educational support materials; and, the timely release of workbooks to the field.

The steps required to update the workbooks exceed available staff resources. In order to accomplish the update process, BTB has used the skills of a variety of persons. The vocational skills needed are described as Researchers, Facilitators, Recorders, and Editors. These specialists, working under the direct supervision of BTB staff, require a total of 122 hours of work to accomplish their assignments at a cost of \$7,116 per workbook. With a requirement of 28 workbooks updated annually, the personnel cost will be \$199,254 per fiscal year.

Each workshop update requires 9 days of travel and per diem for the specialists or 252 days for the fiscal year at a cost of \$40,572.

Each workshop is held at a hotel site and requires portable computers. Under the direct and immediate supervision of BTB staff, three workshops conducted simultaneously at the same facility. There is a need for a one time equipment cost which will be \$20,000 to provide the necessary computer equipment.

The total cost for the personnel, travel and per diem and equipment costs is \$259,826.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to enter into an Interagency Agreement with Center for Criminal Justice Research & Training at California State University - Long Beach for the purpose of providing production assistance, including personnel and support equipment, to update the Student Workbook Instructional System at a cost not to exceed \$259,826 for fiscal year 2001/2002.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Production Assistance in Basic Course Workbook Updates		Meeting Date May 10, 2001
Bureau Basic Training Bureau	Reviewed By <i>[Signature]</i> Bud Lewallen	Researched By Mickey Bennett
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-6-01	Date of Report April 4, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/>

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

ISSUE

Should the Executive Director be authorized to contract with the Center for Criminal Justice Research & Training at California State University, Long Beach for personnel to provide production assistance in updating the student workbook instructional system?

BACKGROUND

The Commission authorized the development of an instructional system to support the Regular Basic Course (RBC) and the Specialized Investigators Basic Course (SIBC). The Basic Course Student Workbook Instructional System includes student workbooks, instructor guides, and instructional videos. The Basic Course Student Workbook Instructional System was developed over a seven year period and is now being utilized by all of the 39 Academies, plus many of the modular basic course presenters.

There are 41 Learning Domains (LD) which are supported by student workbooks and instructor guides. Once the four SIBC workbooks are completed there will be 45 workbooks. All workbooks must be periodically updated to insure accuracy and continued service to our clients.

Each workbook has been evaluated by staff to determine the frequency of updating. Many of the workbooks are impacted by legislative changes, while others require revision due to changes in policing practices. Some workbooks require annual updating, while others need updating only every two or three years. In order to maintain the quality and accuracy of the instructional system, 28 workbooks need to be updated annually.

The Basic Training Bureau (BTB) staff have been conducting pilot update meetings and evaluating different procedures to determine the most appropriate updating system. The pilots have been conducted over the past 15 months. Different LD workbooks have been updated utilizing a variety of approaches, techniques, and staffing to determine the most efficient process.

Based on the pilot, BTB staff believe that POST now has a highly efficient and cost effective process to update and revise the Student Workbook Instructional System.

Computer Support Equipment - One Time Purchase

	Unit Costs	Number of Units	Budgeted Cost	Sub-Total
Computers	\$4,550	4	\$18,200	
Portable Printers	\$250	4	\$1,000	
Carrying Case, etc.	\$200	4	\$800	
Sub-Total				\$20,000

Totals including In-Direct

	Single Unit Sub-Totals	28 Workbook Update	In-Direct (15%)	Projected Cost	Total
Personnel	\$6,188	\$173,264	\$25,990	\$199,254	
Travel & Per Diem	\$1,260	\$35,280	\$5,292	\$40,572	
Computer Equipment	\$20,000	n/a	None	\$20,000	
Total					\$259,826

Budget Explanation - Not part of Agenda Item

Single Workbook Personnel Budget Spreadsheet - Update Process

	Research	SME Meeting	Follow-Up Reports	Editing	Total Hours	Budget Rate	Salary Range	Sub-Total
Researcher	12 hrs	24 hrs	4 hrs		40 hrs	\$62	\$50-90	\$2,480
Facilitator		24 hrs			24 hrs	\$62	\$50-70	\$1,488
Recorder		24 hrs	10 hrs		34 hrs	\$30	\$20-40	\$1,020
Editor				24 hrs	24 hrs	\$50	\$40-60	\$1,200
Sub-Totals hrs	12 hrs	72 hrs	14 hrs	24 hrs	122 hrs	Average \$50.72		
Sub-Total	\$744	\$3,696	\$548	\$1,200				\$6,188

Single Workbook Travel and Per Diem

	SME Meeting	Budget Rate	Total Per Person	Sub-Total
Researcher	3 days	\$140	\$420	
Facilitator	3 days	\$140	\$420	
Recorder	3 days	\$140	\$420	
Editors	None		\$0	
Sub-Total	9 days			\$1,260

Beginning in 1998, POST staff conducted a series of focus group meetings comprised of supervisors who had recently completed the Basic Supervisory Course. Focus group participants made two general recommendations. First, that leadership techniques be stressed more in the course. Secondly, that instructors use more scenarios and practical exercises in an adult-learning environment so that students could develop strategies for addressing a wide range of supervisory issues.

The Commission authorized the redesign of the current course to provide more realism by using experience-based learning techniques, realistic case studies, and video taped scenarios. A curriculum design committee identified five general areas of instruction: leadership, communication, developing people, risk management, and a variety of topics requiring technical competence. The committee also produced a videotape of scenarios that could be used in the presentation of the revised course. The final curriculum is presented with facilitated instruction, adult learning methodology, and structured small group exercises. An instructor's guide, a series of videotaped scenarios that present supervisory "problems," and a package of materials described as the supervisor's "desk drawer" support the presentation of the curriculum and the class exercises.

The Commission authorized five pilot presentations of the new course to determine its effectiveness. The San Diego Regional Training Center and the Sacramento Public Safety Center were the sites of the five pilots. Student evaluations of the pilots were very supportive of the curriculum content and the manner in which the course was presented. In three of the pilots, a senior sergeant who was also a graduate of the Master Instructor Development Program monitored, and evaluated all 80 hours of the course. All three evaluators had previously attended the current course. Each evaluator reported the new course was much improved over the previous course.

After the pilot presentations, a group of selected students who had attended the course met with the two presenters, facilitators, and POST staff to debrief the presentations. Even though the students made recommendations to improve the pilot presentations, they were highly supportive of the new curriculum and new presentation format. Based on the pilot presentations, the new curriculum appears to better meet the needs of new supervisors. Two facilitators lead the class for the 80-hour presentation, assisted by some specific guest lecturers on highly technical subject matter. The new presentation format provides a great deal of experience-based learning techniques that are guided and managed by the two key facilitators. The new curriculum document containing topics and objectives is included as Attachment B.

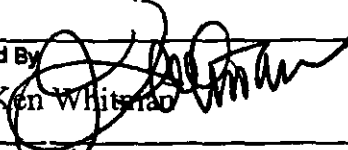

ANALYSIS

Based on a review of the last five fiscal years, it is anticipated that approximately 1,550 persons may attend the Basic Supervisory Course in the fiscal year beginning July 1, 2001. Based on 24 students in each class, 65 presentations of the new course per year will be required to accommodate the estimated 1,550 eligible students. It is estimated that each 80-hour class presentation will cost approximately \$29,942. Staff estimates that in the FY 2001/2002, only 28 presentations will be offered as the course is phased in statewide over the next 12-18 months.

Because of the new content and presentation format, staff recommends that the costs of presenting the new course be paid by contracts with training presenters. Although the payment of presentation costs is a new approach for the Supervisor Course, the contract method has worked very well in the past.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Approval of Basic Supervisory Course Curriculum and Contracts for Course Presentation		Meeting Date May 10, 2001
Bureau Center for Leadership Development	Reviewed By Ken Whitman 	Researched By Neil Zachary
Executive Director Approval 	Date of Approval 4-24-01	Date of Report April 2, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission approve the revised Basic Supervisory Course curriculum, approve regulatory language changes, and authorize the Executive Director to enter into contracts with various training presenters to offer the revised Basic Supervisory Course in an amount not to exceed \$838,376?

BACKGROUND

The current Supervisory Course is certified to 18 presenters using POST Plan IV (no tuition) reimbursement. Two types of individuals are eligible to attend the course pursuant to POST Regulation 1005 (b); those who are mandated to attend and those who may attend with the approval of their agency head. Regulation 1005 (b) is included as Attachment A.

Individuals who are mandated to attend are: 1) Every peace officer promoted, appointed or transferred to a first-line supervisory position; and 2) other regular officers who are promoted to a first-line supervisory position, provided that the officer has been awarded or is eligible for award of the Basic Certificate. Other individuals who may attend the course are: 3) Regular officers who may be promoted to first-line supervisor within the next 12 months; and 4) Regular officers who are assigned to quasi-supervisory positions. Both types of individuals may attend the course with their agency head approval, provided that the officer has been awarded or is eligible for award of the Basic Certificate.

In Fiscal Year 1999/2000, POST records indicate that 1,915 eligible personnel attended the Basic Supervisory Course. Over the last five-year period, starting in FY1995/96, 7,713 persons attended the course. This averages 1,550 persons annually over the five-year period. The attendance fluctuated annually in a range from 1,296 to 1,935 during this five-year period.

The presenters of the Basic Supervisory Course are local community colleges and law enforcement agencies. Community colleges present the course using State education financing. The college courses are taught in a classroom environment using instructors employed by the college. Law enforcement agency presenters use their own staff to teach the course. Both the community colleges and law enforcement agencies use predominantly lecture-based blocks of instruction.

The Basic Supervisory Course is an 80-hour mandated course that was last revised in 1988. The course content has remained static and was in need of substantial revision to make it contemporary and up to date with the needs of newly appointed supervisors.

RECOMMENDATIONS

It is recommended that the Commission: 1) approve the new Basic Supervisory Course curriculum; 2) set a Public Hearing for the August 9, 2001 meeting to consider amendments to Commission Regulation 1005(b) and Procedure D-3; and 3) authorize the Executive Director to contract with agencies and training presenters statewide for the delivery of the Basic Supervisory Course at a total cost not to exceed \$838,376.

The contract method provides additional controls over the standardized presentation, the instructors, the quality of the presentation, and the costs for delivery of the training. Further, contract presentations of the Basic Supervisory Course will provide a direct benefit to local law enforcement agencies by enabling them to avoid paying a high tuition. This procedure is also consistent with the Commission's policy of presenting high-cost training programs using an annual contract.

Staff explored the feasibility of continuing to certify community colleges to present the course using the educational funding system to pay for delivery of the new curriculum. However, the cost to deliver the course may create a negative financial impact on the colleges and on the quality of the program and instructors, as a result of the process by which funding is appropriated and assigned to the colleges.

It is proposed that beginning July 1, 2001 presentations of the new Basic Supervisory Course will be awarded on a regional basis statewide. Each region would deliver a number of presentations annually to meet statewide needs. The San Diego Regional Training Center and Sacramento Public Safety Center will continue to be presenters in their regions. The three largest agencies, the Los Angeles Police Department, the Los Angeles Sheriff's Department, the California Highway Patrol would be certified as well due to their size. The other regional presenters would be selected by POST staff to meet statewide needs for presentation of this course.

The estimated cost of each course presentation is \$29,942. The tuition for each student, based on 24 trainees per class, would be \$1,247 and is included in the contract costs for presentation of the new course statewide. POST staff will work with regional presenters statewide over the next 12-18 months to provide instructor training and begin the presentations. While the new course is being phased in over the 12-18 month period, the current course curriculum will be presented statewide until all presenters are ready to deliver the new course. At the time the new course is certified in each region the old course curriculum will be decertified.

It is anticipated that approximately 28 course presentations will be required during fiscal year 2001-2002 at a cost not to exceed \$838,376.

At its January 25, 2001 meeting the Commission authorized staff to contract for six presentation of the 48-hour supervisory course instructor training that will train the initial 120 facilitator/instructors to deliver the new course. Funding was also authorized to build additional video-based scenarios for use with the new curriculum. Both of those projects are currently underway in preparation for approval of the new course curriculum and presentation format.

Approval of the new curriculum will require amendments to Commission Regulation 1005 (b) and Procedure D-3. The changes do not add any new requirements to Regulation 1005(b) but does change the curriculum that is specific in Procedure D-3. If the Commission agrees with the proposed amendments to Regulation 1005 (b) and Procedure D-3 staff recommends a Public Hearing be set for the August 9, 2001 Commission meeting. Attachment C outlines proposed regulatory language changes.

Commission on Peace Officer Standards and Training

POST ADMINISTRATIVE MANUAL

1005. Minimum Standards for Training

(a) continued

(b) Supervisory Course (Required).

(1) Every peace officer promoted, appointed or transferred to a first-level supervisory position shall satisfactorily complete a certified Supervisory Course prior to promotion or within 12 months after the initial promotion, appointment or transfer to such position. An officer who will be appointed within 12 months to a first-level supervisory position or an officer assigned to a quasi-supervisory position may attend a Supervisory Course, if authorized by the department head. Requirements for the Supervisory Course are set forth in PAM, section D-3.

(2) Every department participating in the POST reimbursement program may be reimbursed for completion of the Supervisory Course by an officer as described in (b)(1) above, provided that the officer is full time and has been awarded or is eligible for the award of the Basic Certificate.

(c) - (h) continued

PAM section D-3 adopted effective April 15, 1982, and amended October 20, 1983, ~~and~~ January 29, 1988, and ***** is herein incorporated by reference.

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day One (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Communication 2.5 Conflict Management 3.1 Feedback-Giving and Receiving 2.4 Leadership Behaviors 14.1 Power & Authority 15.1 Stress Management 18.2 Values 21.1</p>	<p>View movie "Crimson Tide." Prior to movie, divide class into groups and assign each group specific questions they should look for in the movie.</p> <p>Discuss movie. Assign questions (Handout #1.7 a-b) and discuss.</p> <p>Students will complete the DISC Inventory and score the test. Have students post their scores on flip chart as they leave at the end of class.</p> <p>Discuss the importance of the student's journal. Students will be given time to write in their journals daily. The three questions that they will address are: What have you learned about supervision? What have you learned about yourself? What questions do you have?</p> <p>Discuss Critical Incident Questionnaire (Notebook Page #1.7)</p> <p><i>Student journals.</i></p>	<p>VCR player and LCD viewer. "Crimson Tide" video</p> <p>"Crimson Tide" questions Notebook Pages #1.7 a-b</p> <p>DISC Personality Inventory for each student</p> <p>Refer to Journal pages (Separate booklet)</p> <p>Refer to Critical Incident Questionnaire Notebook Page #1.7</p>	<p>2 hours</p> <p>BREAK</p> <p>1 hour</p> <p>BREAK</p> <p>½ hour</p> <p>½ hour</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day One (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p>	<p>Students will complete a student profile (Notebook Page #1.1) and a questionnaire about themselves (Notebook Page #1.2). Individuals will then search among other students for matches on their questionnaire. When a match is found, students interview the other. Each pair will be introduced to the rest of the class.</p> <p>Cover the administrative topics, i.e., breaks, time to adjourn on Fridays, etc. (NOTE: These topics are covered some time in the morning of the first day.)</p> <p>View initial Supervisor's Fictitious Team (SFT) video (Scene #1-Preview of First Briefing and Scene #2, Roll Call with Previous Supervisor Walk through). Have students discuss the characters in the first SFT video clip. Discuss how SFT videos impact this course and the importance of documenting facts of the cases for the course project.</p> <p>Review what each student will be required to do during the course: (1) Conduct a realistic counseling session, (2) prepare a written performance evaluation of one SFT member (3) develop a performance improvement plan for one SFT member, and (4) prepare a briefing on one of the course topics.</p>	<p>Interview questionnaire Notebook Pages #1.1 & 1.2</p> <p>VCR player and LCD viewer. SFT videotape</p> <p>Refer to the notes on the Supervisor's Fictitious Team, Notebook Pages #1.4 a-i</p> <p>Refer to Notebook Pages #1.5 a-c</p>	<p>2 hours</p> <p>BREAK</p> <p>½ hour</p> <p>1 hour</p>
<p>Role Transition 17.1</p>	<p>Students will identify specific traits and incidents that illustrate behavior (good and bad) of supervisors they have had. List the good and bad traits on a flip chart.</p> <p>Administrative concerns</p>	<p>Refer to Notebook Page #1.6 2 flip charts</p>	<p>½ hour</p> <p>LUNCH</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Two (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Documenting Employee Performance 8.2</p> <p>Employee Relationships 9.1, 9.2, and 9.3</p> <p>Ethical Decision Making 10.1</p> <p>Evaluating Employees 11.1 and 11.2</p> <p>Feedback-Giving and Receiving 12.1</p> <p>Leadership Behaviors 14.1 and 14.3</p> <p>Power & Authority 15.3</p> <p>Recognizing Employee Performance 16.1</p> <p>Team Building 19.2</p> <p>Training Employees 20.1</p> <p>Values 21.1</p>	<p>View SFT video (Scenes #4-Pulling His Weight). Divide class in half and discuss how a supervisor should react to the "Pulling His Weight" video clip. Include in the discussion information on psychometric effects (halo effect, etc.). Refer to Notebook Page #2.6.</p> <p><i>Document notes for the course project.</i></p> <p>View the Covey video, "Max and Max." Discuss with the class personal values and how they interact with organizational values. Have students identify value conflicts they have experienced. Through lecture, identify a ethical decision-making model. In small discussion groups, students will identify and contrast their personal values, the values of their organization (formal and informal), and law enforcement's professional values. Small groups will dialogue with the rest of the class.</p> <p>Discuss key ethical concepts as they relate to decisions involving an individual and groups. Assign specific ethics scenarios to individual groups and lead students in discussion of specific ethical dilemma scenarios.</p> <p><i>Student journals.</i></p>	<p>VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Page #2.6</p> <p>Covey video, "Max and Max." 2 flip charts Refer to Notebook Pages #2.7 a-b</p> <p>Ethics Scenarios Notebook Page #2.8 & 2.9 a-b</p>	<p>1 hour</p> <p>BREAK</p> <p>1 hour</p> <p>BREAK</p> <p>2 hours</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Two (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.1 Communications 2.1, 2.2, and 2.5 Documenting Employee Performance 8.2 Employee Relationships 9.1, 9.2, and 9.3 Evaluating Employees 11.1 and 11.2 Feedback-Giving and Receiving 12.4 Leadership Behaviors 14.1 Training Employees 20.3</p>	<p>Students will discuss the DISC Inventory, the relationships in "Crimson Tide," and the relevance to supervisors.</p> <p>Students will complete a matrix (Notebook Page #2.2) that will help them compare and contrast the roles of line officer/deputy to field supervisor and the issues of making the transition to supervisor related to peers, subordinates, superiors, community, and self.</p> <p>Discuss the Student Briefing assignment. Students will select partners with different DISC styles for the future Student Briefing assignment. Each pair of students will identify one of a list of topics (See Handout #2.3) that will be covered in the course and when the briefing will take place. Other students will evaluate each Student Briefing using the Briefing Evaluation Form (See Handout #2.4).</p> <p>View SFT video (Scenes #3-First Briefing). The video briefly highlights the backgrounds of each character. Have students evaluate the characters in the video. Ask students what they would want to document relative to fictitious characters.</p> <p>Form five small discussion groups and have groups discuss tactics to get acquainted with newly assigned subordinates, similar to the SFT members with whom they have just become acquainted. Each group will report back to the class regarding the tactics they would apply relative to becoming acquainted with their new subordinates. Students will be asked to review the personnel packages (Supervisor's Desk Drawer) as homework. Facilitators will discern from the students the various things that they need to learn about their subordinates and the ways supervisors can find out about individuals that are assigned to them.</p>	<p>DISC Personality Inventory answer sheet and "Crimson Tide" questions Notebook Pages #2.1a-j</p> <p>2 flip charts Refer to Notebook Page #2.2</p> <p>Refer to List of Topics, Notebook Page #2.3 and the Briefing Evaluation Form, Notebook Page #2.4</p> <p>VCR player and LCD viewer. SFT videotape Notebook Pages #2.5 a-b</p> <p>Personnel file of the fictitious employees in folder entitled "Supervisor's Desk Drawer." Separate Accordion File</p>	<p>1 hour</p> <p>BREAK</p> <p>1 hour</p> <p>BREAK</p> <p>1 hour</p> <p>1 hour</p> <p>LUNCH</p>

**Supervisory Course
Extended Lesson Plan**

ATTACHMENT B

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
Day Four (AM) Also see the Topics and Objectives Chart for the below listed objective number: Accountability 1.2 Communications 2.2 Conflict Management 3.2 Counseling 4.1 Critical Incident Mgmt. 6.1 Documenting Employee Performance 8.2 Employee Relationships 9.2 Employee Evaluations 11.1 & 11.2 Feedback-Giving and Receiving 12.1 Internal Affairs Inv. 13.1 Leadership Behaviors 14.1, 14.2, & 14.3 Power & Authority 15.1, 15.2, & 15.3 Recognizing Employees Team Building 19.2 Training Employees 20.3	Student briefings, Teams 3 & 4	Briefing Evaluation Form, Notebook Page #2.4	½ hour
	Conduct a facilitated discussion with students to identify the sources of power and authority for Sergeants.		1 hour BREAK
	View SFT video (Scenes #5 through #7-PAPA Incident and Scene #23-Vacelli's Hands Off Request). Identify power and authority issues of SFT members. Document information in the "Supervisor's Desk Drawer." Notebook Pages #4.1 & 4.2.	VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Pages #4.1 & 4.2.	1 hour BREAK
	Power and Perception Profile (Situational Leadership instrument). Discuss the source of supervisor's personal power and how can one increase one's power. Identify the student's personal perception regarding power and authority issues based on their role in their agency and as it relates to the profile they completed during the previous hour. Refer to Notebook Page #4.3.	Power and Perception Profile Notebook Page #4.3 2 flip charts	1 ½ hours
	Hand out Sergeant Log Entries #1-5		LUNCH

**Supervisory Course
Extended Lesson Plan**

ATTACHMENT B

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Three (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Critical Incident Mgmt. 6.1 and 6.2 Employee Relationships 9.1 and 9.3 Leadership Behaviors 14.1 Stress Management 18.1 Training Employees 20.3</p>	<p>Student briefings, Teams 1 & 2</p> <p>Response to homework assignment regarding SFT personnel packages. Discuss students' observations regarding the packages. Refer to Notebook Page #3.1</p> <p>The Human Side of Critical incident Management. Students will discuss a critical incident in which they were personally involved.) Students will share their experiences regarding responding to critical incidents. Refer to Human Side Critical Incident Experience Form, Notebook Page #1.8 collected on Day One PM. Also refer to Human Side Critical Incident Management Checklist, Notebook Page # 3.2. Students may take notes on Notebook Page # 3.3.</p>	<p>Briefing Evaluation Form, Notebook Page #2.4</p> <p>Notebook Page #3.1</p> <p>Notebook Pages #1.8 & 3.2 & 3.3</p>	<p>½ hour</p> <p>½ hour</p> <p>2 ½ hours WITH BREAKS</p> <p>LUNCH</p>
<p>Day Three (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Decision-Making Models 7.1 Leadership Behaviors 14.2</p>	<p>Situational Leadership explanation and discussion. Followed by student competition in the "Situational Leadership Game." Refer to Notebook Page # 3.4.</p> <p><i>Document notes for the course project.</i></p> <p><i>Student journals.</i></p>	<p>Situational Leadership Student Package Notebook Page # 3.4. Situational Leadership Game</p>	<p>4 hours</p> <p>½ hour</p>

**Supervisory Course
Extended Lesson Plan**

ATTACHMENT B

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Five (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.2 Communications 2.1 & 2.2</p> <p>Conflict Management 3.2 Critical Incident Mgmt. 6.1</p> <p>Documenting Employee Performance 8.2 Employees Relationships 9.2</p> <p>Evaluating Employees 11.1 & 11.2</p> <p>Feedback-Giving and Receiving 12.1 Leadership Behaviors 14.3</p> <p>Power & Authority 15.3 Recognizing Employee Performance 16.1 Team Building 19.2 Training Employees 20.1 and 20.3</p>	<p>Student briefings, Teams 5 & 6</p> <p>SFT video (Scene #8–Gay Officer; Scene #9–Second Briefing; Scene #10–Ward’s Concern About Gay Officer; & Scene #11–Watson’s Warning). Discuss conflict management and resolution and ethics as it pertains to the SFT employees. Refer to Notebook Page #5.1.</p> <p>Conduct a facilitated discussion on counseling techniques. Practice counseling techniques by performing a role-play exercise with fellow students. Refer to Notebook Pages #5.2 a-c and Counseling Planning Guide, Notebook Page #5.3.</p> <p>Divide class into groups of three. Have each group select a case study scenario (Handouts #5.5 a-d) to practice counseling. One student plays the part of the employee being counseled, one conducting the counseling, and one observer. This exercise is a prelude to the real-life counseling done during Day Eight. Conduct a debriefing at the end of this exercise. Refer to Notebook Pages #5.4 a-b and Counseling Planning Guide, Notebook Page #5.3.</p> <p>Hand out Sergeant Log Entries #6-10</p>	<p>Briefing Evaluation Form, Notebook Page #2.4</p> <p>VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Page #5.1</p> <p>Notebook Pages #5.2 a-c and Counseling Planning Guide, Notebook Page #5.3.</p> <p>4 case studies Handouts #5.5 a-d</p>	<p>½ hour</p> <p>½ hour</p> <p>BREAK</p> <p>2 hours</p> <p>BREAK</p> <p>1 hour</p> <p>LUNCH</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Four (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Critical Incident Mgmt. 6.1</p> <p>Documenting Employee Performance 8.1</p>	<p>Discussion of vicarious liability. A special instructor will lead a facilitated discussion on the below topics at the end of Day Four and during the beginning of Day Five. The topics are:</p> <ol style="list-style-type: none"> 1. Employee rights relative to 3300 of the Government Code. 2. Legal ramifications of counseling and evaluating employee performance. 3. Case law relative to employee discipline and investigating personnel complaints. 4. Release of employee information. <p>Students may take notes on Notebook Page #4.4</p> <p><i>(Special Instructor)</i></p> <p>Give homework assignment of selecting SFT employee upon which students will report.</p> <p><i>Student journals.</i></p>	<p>Law Enforcement Liability Notebook 2 flip charts Liability scenarios Notebook Page #4.4</p>	<p>4 hours</p> <p>WITH BREAKS</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Six (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.2 & 1.3 Documenting Employee Performance 8.2 Employees Relationships 9.2 Evaluating Employees 11.1 & 11.2 Feedback-Giving and Receiving 12.1 Leadership Behaviors 14.3 Power & Authority 15.3 Recognizing Employee Performance 16.1 Team Building 19.2 Training Employees 20.1 and 20.3</p>	<p>(NOTE: Facilitators should conduct an icebreaker to start off the second week. If desired, play "Truth or Lie." Each student shares with the rest of the class two things about self, one true and one false. The class must guess which is true or false. This exercise is accomplished in a noncompetitive format.)</p> <p>Review of first week. Identify what thoughts and questions students have. Refer to Notebook Page #6.1.</p> <p>Student Briefings, Team 7 & 8</p> <p>Facilitated discussion on performance evaluations, including goal setting and win-win performance agreements. Also discuss completion of employee's improvement performance plans. Refer to Notebook Pages #6.2 a-b</p> <p>Show SFT Video (Scenes #12, #13, #14, Williams performance evaluation interview and reaction). Discuss how the video relates with the previous class discussion. Refer to Notebook Pages #6.3.</p> <p><i>Document notes for course project.</i></p> <p>Hand out Sergeant Log Entries 11-15</p>	<p>2 flip charts</p> <p>Briefing Evaluation Form, Notebook Page #2.4</p> <p>Notebook Pages #6.2 a-b</p> <p>VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Pages #6.3</p>	<p>½ hour</p> <p>½ hour</p> <p>½ hour</p> <p>BREAK</p> <p>1½ hours</p> <p>BREAK</p> <p>1 hour</p> <p>LUNCH</p>

**Supervisory Course
Extended Lesson Plan**

ATTACHMENT B

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Five (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Counseling 4.2 Documenting Employee Performance 8.2</p>	<p>Review of the first week and SFT videos. Correlate the DISC Personality Inventory and Situational Leadership with the SFT fictitious characters. Give feedback how students could use what was discussed during the first week when they return to work.</p> <p>Discuss the pitfalls, techniques, and the "dos" and don'ts of preparing personnel evaluations. Refer to Notebook Pages #5.6 a-b.</p> <p><i>Student Journals</i></p> <p>End of Week One</p>	<p>VCR player and LCD viewer. SFT videotape</p> <p>2 flip charts Notebook Pages #5.6 a-b.</p>	<p>1 hours</p> <p>BREAK</p> <p>½ hour</p> <p>½ hour</p> <p>(NOTE: Days 8 & 9 will be 10-hour days; while Days 5 & 10 will be 6-hour days.)</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Seven (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.2 Counseling 4.1 Critical Incident Mgmt 6.1 Documenting Employee Performance 8.2 Employee Relationships 9.2 Evaluating Employees 11.1 & 11.2 Feedback-Giving and Receiving 12.1 Leadership Behaviors 14.3 Power & Authority 15.3 Recognizing Employee Performance 16.1 Team Building 19.2 Training Employees 20.1 and 20.3</p>	<p>Student briefings, Teams 9 & 10</p> <p>Discuss problem-solving model: 1) Identify the reasons that compel a supervisor to act; 2) Analyze the situation; 3) Consider strategies; 4) Take action; and 5) Assess and revise the plan. Refer to Notebook Pages #7.1 a-e.</p> <p>View SFT video (Scenes #20–Technician's Complaint About Vacelli & #21–Vacelli Counseling Session). Work through this and four other written case studies with the class. Divide students into small groups and assign each a written case study to apply the problem-solving model. Discuss using the above model in making a decision related to the SFT segment. Refer to Notebook Pages #7.2.</p> <p><i>Document notes for the course project.</i></p>	<p>Briefing Evaluation Form, Notebook Page #2.4</p> <p>Discuss problem-solving model Notebook Pages #7.1 a-e</p> <p>VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Pages #7.2</p>	<p>½ hour</p> <p>2 hours</p> <p>BREAK</p> <p>1 hour</p> <p>½ hour</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Six (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.2 & 1.3 Conflict Management 3.2 Counseling 4.1 Critical Incident Management 6.1 Documenting Employee Performance 8.2 Employees Relationships 9.2 Evaluating Employees 11.1 & 11.2 Feedback-Giving and Receiving 12.1 Leadership Behaviors 14.3 Power & Authority 15.3 Recognizing Employee Performance 16.1 Team Building 19.2 Training Employees 20.1</p>	<p>Conduct the Critical Incident Challenge. Divide the class into groups of six. Each group will design a critical incident with the appropriate responses. Ensure that the design group identifies a typical incident that would necessitate a single supervisor's response (i.e., barricaded suspect) and not a major department-wide response (i.e., a train derailment). Refer to Notebook Page #6.4</p> <p>The designer group will present their incident (incident only—not their suggested responses) to one of the other groups (response group). The response group will discuss the critical incident and report their response for the critical incident to the large class. The designer group will also share their suggested responses with the class.</p> <p>Review and discuss FST Video (Scenes #15 and #16, Jones' traffic stop and use of force incident; and #17, #18, and #19, Ward's traffic stop and outcome). Discuss both video incidents and identify possible strategies for solving them. Refer Notebook Pages #6.5 & 6.6.</p> <p><i>Document notes for the course project.</i></p> <p><i>Student journals.</i></p>	<p>2 flip charts Notebook Page #6.4</p> <p>VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Pages #6.5 & 6.6.</p>	<p>2 ½ hours WITH BREAKS</p> <p>1 hour</p> <p>½ hour</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Eight (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.2 & 1.3 Communications 2.4 Conflict Management 3.3 Counseling 4.2 Feedback-Giving and Receiving 12.2-3 Training Employees 20.1</p> <p>Day Eight (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Critical Incident Management 6.1 Decision-Making 7.1</p>	<p>Students will counsel one of the SFT members regarding an issue displayed on the SFT video segments. Live actors will be used to role play the part of the SFT member. Each student will participate in one counseling session and will view and discuss three other student-actor sessions. Refer to Counseling Session Schedule, Handouts #8.1 & 8.2 Counseling Planning Guide, Notebook Page #5.3</p> <p>Students may conduct a counseling session of a person that they have not selected for their class project. The outcome of the counseling session will be documented by the student and will be given to the student who will do the evaluation and performance develop plan.</p> <p>Debrief the counseling exercise</p> <p>Conduct a facilitated discussion concerning employee discipline. Refer to Notebook Page #8.3.</p> <p>Divide class into groups of six. Each group will discuss one or more scenarios where discipline is necessary. Each group will report their recommended action with the class. Facilitators will debrief and give feedback. Refer to Discipline scenarios, Handouts #8.4 a-d.</p> <p><i>Student journals.</i></p> <p>Hand out Sergeant Log Entries 16-19</p>	<p>5 actors and 5 coaches Counseling Session Schedule, Handouts #8.1 & 8.2 Counseling Planning Guide, Notebook Page #5.3</p> <p>2 flip charts Notebook Page #8.3 Discipline scenarios Handouts #8.4 a-d</p>	<p>5 hours</p> <p>LUNCH</p> <p>1 hour</p> <p>2 hours</p> <p>2 hours</p> <p>(NOTE: Days 8 & 9 will be 10-hour days; while Days 5 & 10 will be 6-hour days.)</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Seven (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Counseling 4.1 Critical Evaluation Skills 5.1 Feedback-Giving and Receiving 12.2 Stress Management 18.1</p>	<p>Discuss aspects of personal stress and stress of others. Students will identify how to manage their own stress and the stress of others. Give out Handouts #7.3 a-i.</p> <p>Students will be given the scenario for the live-actor counseling sessions for Day Eight (AM). The coaches that will be used the following day will meet with students to practice counseling sessions. Refer to Counseling Planning Guide, Notebook Page #5.3 and Handouts #7.3 a-e.</p> <p><i>Student journals</i></p>	<p>2 flip charts Handouts #7.3 a-i</p> <p>Counseling Planning Guide, Notebook Page #5.3 Handouts #7.3 a-e</p>	<p>3 hours</p> <p>BREAK</p> <p>1 hour</p>

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Ten (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Critical Incident Management 6.1-2 Decision-making Models 7.2 Training Employees 20.4</p>	<p>Team building segment. Ask students to determine what things they will do to improve their teams back at work. Write the information in journals. Refer to Notebook Pages #10.1 a-b, 10.2 a-c & 10.3 a-b.</p>	<p>Notebook Pages #10.1 a-b, 10.2 a-c & 10.3 a-b</p>	<p>2 hours</p>
	<p>Facilitated lecture on how to do a briefing.</p>		<p>1 hour</p>
	<p>The students will be divided into pairs and each pair will be required to give a 10-minute roll call briefing on a selected issue.</p>	<p>10 critical incident video scenarios ** Briefing Evaluation Form, Notebook Page #2.4</p>	<p>2 hours</p>
	<p>Written evaluation will be given to each student. The below questions will be included in the evaluation:</p> <ol style="list-style-type: none"> 1. How do you feel about performing the supervisor's job since this two-week session is over? 2. What is the most important thing you have learned in the last two weeks? 3. What do you plan to change in the supervisory practices you have seen or experienced since taking this Supervisory Course? 	<p>Written course evaluation form, Handout #10.4</p>	<p>1 hour</p>

****Videotaped critical incident scenarios will be produced by March 2001**

**Supervisory Course
Extended Lesson Plan**

Day of Course Learning Objectives	Instructor/Student Activities	Resources	Hours
<p>Day Nine (AM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p> <p>Accountability 1.3 Conflict Management 3.2 Counseling 4.3 Documenting Employee Performance 8.2 Employees Relationships 9.2 Evaluating Employees 11.1, 11.2, & 11.3 Training Employees 20.1</p>	<p>Student briefings, Teams 11 & 12</p> <p>View SFT video (Scene #22–Jail Staffing) and discuss. Refer to Notebook Page #9.1</p> <p>Students will finalize the SFT employee performance evaluation and development plans. Divide the class into groups of three. Students assigned to each group will discuss the employee performance evaluation and development plans they have prepared. It is the responsibility of the group to read and evaluate the documents. After group review, students have an hour to finalize their reports.</p> <p>NOTE: Evaluations and performance development plans will serve as the final examination for the course. At the start of Day Nine, the reports will be photocopied and read by a designated reader. Both reports will be graded and returned to students on Day Ten. Students who do not submit an acceptable product must correct deficiencies and resubmit the reports to the POST Coordinator.</p>	<p>Briefing Evaluation Form, Notebook Page #2.4</p> <p>VCR player and LCD viewer. SFT videotape 2 flip charts Notebook Page #9.1</p> <p>Employee performance evaluation and development plans students have prepared on a fictitious employee Notebook Pages 1.5 b-c</p>	<p>½ hour</p> <p>½ hour</p> <p>BREAK</p> <p>1 hour</p> <p>BREAK</p>
<p>Day Nine (PM)</p> <p>Also see the Topics and Objectives Chart for the below listed objective number:</p>	<p>Class discussion on how to deliver evaluations and performance development plans.</p> <p>Students will be divided with peers into pairs (2 other students) to deliver and review the evaluation and performance development plan and receive feedback.</p> <p>View the movie “Glory” and discuss. Refer to Notebook Pages #9 a-c</p>	<p>Employee performance evaluation and development plans students have prepared on a fictitious employee</p> <p>VCR player and LCD viewer. “Glory” Notebook Pages #9 a-c</p>	<p>1 hour</p> <p>2 hours</p> <p>4 hours WITH BREAKS</p>

POST ADMINISTRATIVE MANUAL
COMMISSION PROCEDURE D-3
SUPERVISORY COURSE

Purpose

3-1. Specifications for the Supervisory Courses: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(b) of the Regulations for Supervisory Training.

Content

3-2. Supervisory Course Subjects: The Supervisory Course is a minimum of 80 hours (reimbursable up to 80 Hours) and consists of curriculum topics and objectives enumerated in the document "The POST Supervisory Course Curriculum, January 1986 Topics and Objectives". In order to meet local needs, flexibility in curriculum may be authorized with prior POST approval. The POST Supervisory Course Curriculum is organized under the following broad topic areas:

Introduction Role Identification and Transition
Values -Principles, Ethics-
Ethical Decision-Making
Leadership Styles and Behaviors
Liability-Issues Critical Incident Management
Assertive Leadership Conflict Management
Evaluating Employees
Recognizing and Documenting Employee
Performance Appraisal
Counseling
Discipline Power and Authority
Employee Relationships

Administrative Support Accountability
Planning and Organizing
Communication in a Diverse Workforce
Training Employees
Report Review
Internal Affairs Investigations
Stress Management
The Transition
Decision-Making Models
Feedback-Giving and Receiving
Team Building

Total Minimum Required Hours 80

Historical Note:

Section D-3 adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982, and amended on October 20, 1983, and January 29, 1988, and *****.

The following is a breakdown of the costs for obtaining the license and instructor materials:

Center for Leadership Studies License/Administrative Kit	\$2,500.00
The Situational Leadership for Law Enforcement Participant Kit 120 kits X \$70.	<u>\$8,400.00</u>
DIRECT COSTS	\$10,900.00
Indirect costs (10%)	\$ 1,090.00
TOTAL	\$11,990.00

These costs were omitted from the overall budget in the agenda item that was approved by the Commission in January 2001.

RECOMMENDATIONS

It is recommended that the Commission authorize the Executive Director to amend the current San Diego Regional Training Center SCIT Workshop contract at a cost not to exceed \$11,990 to pay for the Situational Leadership for Law Enforcement License and Administration Kit and instructional materials.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Amendment to the Supervisory Course Instructor Training Workshops Contract		Meeting Date May 10, 2001
Bureau Center for Leadership Development	Reviewed By Ken Whitman <i>[Signature]</i>	Researched By Neil Zachary
Executive Director Approval <i>[Signature]</i>	Date of Approval 2-23-01	Date of Report April 9, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to amend the contract with the San Diego Regional Training Center by \$11,990 for the presentation of Supervisory Course Instructor Training (SCIT) Workshops in FY 2000/01.

BACKGROUND

The Commission will consider the revised curriculum of the Basic Supervisory Course under a separate agenda item. At its January 25, 2001 meeting, the Commission approved a series of workshops to train instructors to facilitate the new Supervisory Course, and the Executive Director entered into contract with the San Diego Regional Training Center for the approved SCIT Workshops. One of the key instructional concepts for the course is the Situational Leadership (S.L.) component. Instructors must have a working knowledge of Situational Leadership.

The Situational Leadership materials are proprietary and have been specifically developed for use in law enforcement training. POST has a certified instructor that will be training the new instructors in the use of the materials during the SCIT workshops.

ANALYSIS

All instructors who will present the new Supervisory Course have access to materials and are trained in the use of Situational Leadership for Law Enforcement. During a recent review of the SCIT training course and the current presentation of the materials it was discovered that additional resources are needed to adequately prepare new instructors in the use of the key materials used in the Situational Leadership segments. The complete instructor kit will better prepare the instructors to present and this important concept.

The Center for Leadership Studies, who created the S.L. concept, requires that POST purchase a license and Administration Kit of \$2,500 in order to use these proprietary instructional materials. Additionally, the cost of the Situational Leadership for Law Enforcement Participant Kit is \$70. It is estimated that approximately 120 instructors will be required to present the new course statewide and funding for the license and instructor materials will be required for FY 2000/01. The license and administrative kit is a one-time expense to allow use of the materials. The instructor kits normally cost \$120 and POST staff has negotiated a special rate of \$70 per instructor.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Proposal to Amend TEALE Contract for FY 00/01		May 10, 2001
Bureau	Reviewed By	Researched By
Computer Services Bureau	Mitch Coppin	Sherrie Girard
Executive Director Approval	Date of Approval	Date of Report
<i>Samuel J. O'Brien</i>	4-6-01	
Purpose		Financial Impact:
<input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<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 amend the contract with the Stephen P. Teale Data Center (TEALE) for computer consulting services in FY 00/01?

BACKGROUND

POST contracts with TEALE to obtain services, materials, equipment and expert-level support for POST's local area network (LAN). Additionally TEALE provides POST with data storage, mainframe processing, web hosting, ISP services, troubleshooting the network and software licensing and installation. POST's annual contract with TEALE is \$65,000.

ANALYSIS

POST is in the midst of performing several upgrades to its' LAN environment which will provide software distribution, software metering, inventory and management of workstations. It has been determined that POST requires additional expertise to perform these upgrades and it is estimated that \$40,000 will be required to complete this project. The current contract of \$65,000 does not include sufficient unexpended funds to absorb this estimated cost. Staff analysis suggests this cost can be absorbed if the contract is increased from \$65,000 to \$80,000. Commission authorization is required.

RECOMMENDATION

Authorize the Executive Director to increase the TEALE Data Center contract for the FY 00/01 from \$65,000 to an amount not to exceed \$80,000.

A:

ANALYSIS

Under contract to POST, KPBS, San Diego State University has effectively provided resources, support and production for many of POST's training projects. In this project, KPBS has been responsible for the production of many of the video-based deliverables, provided an instructional designer to assist in development of the "best practices" elements of the project and developed a CD-ROM to make information convenient and readily available to the field.

As a natural extension of the work KPBS has done on this project, they have expressed interest in producing the proposed symposium and providing other essential administrative and support services. This will allow materials to be provided to the people attending the symposium and to the field.

The proposed Recruitment and Retention Symposium is scheduled for July 2001; however, some expenses will be incurred prior to the event (such as costs for symposium production services, graphical design, materials, printing, CD-ROM production and shipping). In addition it will be necessary for POST to identify appropriate presenters, contract with a hotel/convention center capable of hosting the symposium, and contract with the Office of State Publishing. The proposed budget for the symposium is attached to this item.

When the symposium concludes, the next phase of the project would be to provide information and training on the things that were developed during the project. This service should be done by someone familiar with the material, how it was developed and how it can be used. With this in mind, it would be most economical to continue to use the services of Sergeant Lori Lee, Vallejo Police Department, in the capacity of a management fellow. Her department supports this option and will agree to an extension of the contract for four additional months.

RECOMMENDATION

Authorize the Executive Director to contract with KPBS, San Diego State University, to produce a POST Recruitment and Retention Symposium; the Burbank Airport Hilton and Convention Center to hold the symposium; and with the Office of State Publishing to print materials associated with the products developed by the Recruitment Committee for an amount not to exceed \$219,756.00.

Authorize the Executive Director to amend the contract with Vallejo Police Department for the continued services of Sergeant Lori Lee as a management fellow for an amount not to exceed \$32,500.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contracts related to the Law Enforcement Recruitment & Retention Project		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Alan Deal
Executive Director Approval <i> Kenneth J. O'Brien</i>	Date of Approval 4-16-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to contract with KPBS at San Diego State University to produce and provide administrative and support services required to hold a POST Law Enforcement Recruitment and Retention Symposium in an amount not to exceed \$219,756.00?

Should the Commission authorize the Executive Director to extend the contract with the Vallejo Police Department for the continued services of the management fellow hired to work on the project to address statewide needs related to law enforcement recruitment and retention in an amount not to exceed \$32,500?

BACKGROUND

Confronted with increasing difficulties in recruiting law enforcement officers, hiring agencies have looked to POST for assistance with this pressing statewide problem. In response to this situation, the Commission authorized the expenditure of funds for a special consultant (management fellow) to study recruitment issues. Sgt. Lori Lee from Vallejo Police Department was appointed to this assignment as a POST management fellow on June 26, 2000. Since her appointment, Sgt. Lee has made considerable progress on the POST Recruitment Project.

With previous authorization by the Commission to expend funds on this project, Sergeant Lee, working with a POST Recruitment Committee, has conceptualized and developed several videotape elements designed to attract potential law enforcement candidates to the profession and to provide visual information to assist law enforcement agencies (and city and county officials) to improve their recruiting and retention practices. The committee has also developed a "Best Practices" workbook and an "at-a-glance/executive summary" for recruiters and executives that high-lights each of the "best practices." Finally, a CD-ROM has been developed that will contain the "Best Practices" in detail and incorporate most of the other elements developed by the committee.

In order to present these products, explain their use and present overall findings from the POST Recruitment Project, a Recruitment and Retention Symposium is envisioned as the optimal medium to communicate this information to the field and to encourage productive dialogue on recruitment issues.

Because of the limits that must be placed on the number of persons attending the symposium, dissemination of the products described above will be maximized. To ensure that the information and products are made available to all who could benefit from their use, it is essential that staff be made available after the symposium to reach out to the field and provide information on how the products were developed and how agencies may be able to use them for their specific needs. Presentations to law enforcement agencies and other professional associations including the League of California Cities, city and county planners groups and other organizations would also increase awareness and use of the information.

**POST LAW ENFORCEMENT
RECRUITMENT AND RETENTION SYMPOSIUM
July 24 through 26, 2001**

Projected Costs For Line Budget Items

Hotel Projected Costs:	\$61,306.00 *
Event Production/Presentation/Development Costs	\$147,000.00 *
Total Projected Costs:	\$208,306.00 *
Indirect Costs to KPBS:	\$11,450.00 *
Total Cost:	\$219,756.00 *

*Convention Package based on Sleeping Room Usage (sliding scale)

*Estimated Projected Cost

Dr. Ones is a pioneer and one of the pre-eminent meta-analytic researchers. Dr. Ones and her staff have currently identified over 6,000 published and unpublished documents pertaining to the psychological assessment of law enforcement personnel. The culling, review and reanalysis of data is estimated to require a total of \$89,500 to complete. The amount will cover the services of Dr. Ones, her staff and graduate students, as well as the assistance of Chockalingam Viswesvaran, Ph.D., another internationally-recognized industrial/organizational psychologist and the author and co-author with Dr. Ones of over 70 books and articles on personnel selection and personality assessment.

The current contract for Dr. Ones is limited to her consulting services in a review and oversight capacity. Therefore, additional funding is needed as a result of the expanded scope of work. Dr. Ones will also be needed in an ongoing, consultative capacity, including engaging in discussion and negotiations with test publishers, decisions and involvement in the empirical research and participation in regular steering meetings and discussions.

The funding required for services of Dr. Ones and Dr. Viswesvaran are as follows:

Funding required for literature review and meta-analyses (including \$29,500 for Dr. Viswesvaran)	\$ 89,500
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Funding required for Dr. Ones and staff for activities other than literature review/meta-analysis	\$ <u>66,220</u>
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Total Funds Required	\$155,720
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Current funding	- <u>\$ 46,220</u>
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Total additional project funding required	\$109,500
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As mentioned above, decisions regarding the need for and scope of empirical research will be made based on the results of the literature review and meta-analysis. At that time, the need for outside assistance will be detailed in a future Commission agenda item.

RECOMMENDATION

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to provide an additional \$109,500 to: (1) augment the current sole source contract for the services of Dr. Deniz Ones by an additional \$80,000; and (2) create a sole source agreement for the services of Dr. Chockalingam Viswesvaran for \$29,500.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Psychological Assessment Consulting Services		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Shelley Spilberg
Executive Director Approval <i>James J. O'Fallon</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize an additional \$109,500 for the revision of the POST Psychological Screening Manual?

BACKGROUND

In 1984, POST issued the Psychological Screening Manual to assist agencies in their establishment of psychological suitability examinations required by POST Regulation 1002(a)(7) and POST Commission Procedure C-2. Since that time, the state of pre-employment psychological screening has been significantly impacted by changes and developments in a number of arenas. Legally, the federal Americans with Disabilities Act of 1990 and the newly-revised California Fair Employment and Housing statutes have restricted the manner in which psychological testing can be conducted. Significant advances in psychological assessment have resulted in renewed interest and emphasis on the role of personality and its contribution to job performance. The advent of community-based policing, and especially the increased attention to issues such as police aggression, racism and corruption, has also served to focus attention on the importance of selecting officers who are psychologically capable of withstanding the demands and stresses inherent in law enforcement positions.

In response to these developments, the revision of the guidelines found in the POST Psychological Screening Manual was included in the POST Strategic Plan (A.I.- Component II - formerly A.8.I). At their July 2000 meeting, the Commission authorized the establishment of a sole source contract for the assistance of Dr. Deniz Ones, who holds an endowed professorship in Industrial and Organizational Psychology at the Department of Psychology of the University of Minnesota and is one of the preeminent researchers in the field of personality in personnel selection. The \$46,220 contract, initiated in November 2000, calls for the assistance of Dr. Ones in the development of an RFP, the selection of a contractor, and oversight guidance in the implementation of the contract itself.

ANALYSIS

During initial planning meetings held in January 2001, it was decided that, rather than beginning by creating an RFP to contract for further outside assistance, the first major project steps should entail a comprehensive, large-scale literature review and reanalysis of results contained therein. Besides building a solid, legally defensible basis for the ensuing guidance, these data will be subjected to a *meta-analysis*: a methodological and statistical technique for improving the validity of and confidence in research findings through aggregating results across numerous studies. The results of this meta-analysis will determine the extent to which additional empirical validation research is needed. This approach makes maximum use of existing, relevant research findings and at the same time will ensure that any labor-intensive validity research conducted for this effort will make a *unique* contribution to the understanding of the psychological assessment of law enforcement candidates.

RECOMMENDATION

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to develop and issue a sole-source contract for the services of Dr. Goldberg to continue revising and updating the POST Medical Screening Manual for California Law Enforcement in an amount not to exceed \$35,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for the services of Dr. Robert Goldberg to continue updating the POST Medical Screening Manual		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Shelley Spilberg
Executive Director Approval <i>James J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to develop a contract to revise specified sections of the POST Medical Screening Manual for California Law Enforcement in the amount of \$35,000?

BACKGROUND

At its January 1993 meeting, the Commission authorized the release of the revised POST Medical Screening Manual. As indicated in its preface, the packaging and format of the revised manual was intended to ensure that future changes and updates could be easily incorporated.

While over 40 medical specialists participated in the creation of the manual, responsibility for drafting and finalizing the protocols chapters was largely that of Robert Goldberg, M.D., Assistant Medical Director for the City of Los Angeles. Beginning in January 1991, the Commission has authorized interagency agreements with the City for the services of Dr. Goldberg. However, by 1998 competing City work demands impeded Dr. Goldberg's assistance via the interagency agreement. Therefore, in November 1998, the Commission authorized the Executive Director to enter into an individual, source sole contract with Dr. Goldberg in the amount of \$35,000.

As a result of work since that time, there are several manual sections that are set for publication by June 2001. These include: new hearing screening guidelines (which will include guidelines on the use of state-of-the-art functional hearing tests); and revisions to vision guidelines (incorporating guidance on assessing candidates who've undergone laser correction surgeries); gastroenterology (incorporating recent findings in etiology of ulcers); oncology/hematology (updating guidance on anticoagulants, clotting disorders and cancer statistics); and neurology (incorporating recent advances in the treatment of epilepsy).

ANALYSIS

In keeping with POST's commitment to maintain the Medical Screening Manual as a "living document," review and revision of manual's examination and evaluation protocols must continue.

The next chapters slated for revision include *endocrinology* (to incorporate advances in the treatment of insulin-dependant diabetes) and a reassessment of the color vision guidelines in light of new color-correction technology. Dr. Goldberg anticipates that he can continue to devote an average of 2 days/month to this effort. Over the course of a year, this amounts to a total of \$35,000 for his services (at his current billing rate of \$250/hour for the first 40 hours; \$200/hour thereafter). Given his outstanding performance throughout course of the project, another sole source contract for the services of Dr. Goldberg will be submitted to the Department of General Services.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Augmentation of the Contract for the Entry Level Dispatcher Selection Test Program		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By William Dyer
Executive Director Approval <i>William Dyer</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize augmentation of the contract with Cooperative Personnel Services (CPS) for administration of the Entry Level Dispatcher Selection Test by \$34,718?

BACKGROUND

In January of 1997, the Commission authorized the POST Entry-Level Dispatcher Selection Test Battery to be made available to agencies in the POST Public Safety Dispatcher Program at no cost, effective with the July 1, 1997 implementation date for new dispatcher selection standards. Since that time, POST has contracted with Cooperative Personnel Services to provide services related to the printing and distribution of examination materials to participating agencies.

ANALYSIS

The contract budget for the current fiscal was based on an appraisal of the number of applicants and the number of test administrations over the previous three years. However, during the first eight months of this fiscal year there was a thirty-four percent increase in the number of applicants taking the test. In order to meet the increased demands of the Dispatcher Program test users, we will need to augment the present contract by \$34,718.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to amend the contract with Cooperative Personnel Services for administration of the Entry Level Dispatcher Selection Test testing program to increase funds by \$34,718 for the remainder of fiscal year 2000-01.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Augmentation of the FY 00-01 Contract for the Entry Level Law Enforcement Test Battery		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Richard Honey
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission augment the contract with the Office of State Publishing for administration of the POST Entry Level Law Enforcement Examination test battery by \$25,000?

BACKGROUND

In July of 2000, POST contracted with the Office of State Publishing to provide printing and shipping services associated with its Entry Level Law Enforcement Test Battery. The contract costs were based on numbers of candidates and test administrations which had remained relatively constant over the past few years.

ANALYSIS

Due, we believe, to agencies' difficulty in recruiting candidates for entry-level positions, there has been a significant increase in both the number of test administrations and the number of candidates tested in the first six months of this fiscal year. If this trend continues, we anticipate that there will be a 75% increase in test administrations over the course of the fiscal year. In order to meet the demands of the agencies which use the Entry Level Law Enforcement exam, we will need to augment the contract with the Office of State Publishing.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to amend the contract with the Office of State Publishing for administration of the Entry Level Law Enforcement Test Battery to increase funds available by \$25,000 for the remainder of fiscal year 2000-01.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Augmentation of the FY 99-00 Cooperative Personnel Services (CPS) Contract for the Entry Level Law Enforcement Test Battery		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Richard Honey
Executive Director Approval <i>Samuel P. O'Brien</i>	Date of Approval	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize augmentation of the contract with Cooperative Personnel Services (CPS) for administration of the POST Entry-Level Law Enforcement Test Battery for FY 99-00 in the amount of \$12,172.06?

BACKGROUND

Since 1983, the Commission has authorized the POST Entry-Level Test Battery be made available to agencies in the POST program at no cost. Since 1983, this service has been provided to agencies through contract with an outside vendor. In fiscal year 1999-2000, that vendor was CPS.

ANALYSIS

During FY 99-00, testing of applicants for peace officer positions far exceeded the level anticipated by staff when this contract was initiated in July 1999 and, because of the extreme time delay in billing, we were unaware of this increase until after the contract ended. The most probable explanation for this overrun is the recruitment difficulties experienced by a majority of law enforcement agencies. As the number of candidates has dwindled, agencies have tested more frequently, in hopes of hiring the individuals that they need.

RECOMMENDATION

Authorize the Executive Director to amend the contract with CPS to increase the contract by \$12,172.06.

At its January 2001 meeting, the Commission approved back-fill reimbursement of dispatcher training. Since that time, POST staff has received requests from the field to consider the addition of several new courses to the back-fill reimbursement list, including three existing dispatcher training classes.

ANALYSIS

Since the January 2001 Commission meeting, staff has received requests to add the following topics to the back-fill list: Driving Under the Influence, 11550 H&S, Advanced Patrol Strategies, Crime Scene Investigation, Traffic Accident Investigation, Report Writing, Dispatch Update, Dispatch Supervisor Update, Dispatcher Tactical Operations, Dispatcher Domestic Violence, Dispatcher's Role in Critical Incidents, First Aid/CPR, Sexual Harassment, and Tactical Entry - Active Shooter. Staff has reviewed each request and find four that meet the criteria and intent of the Commission for back-fill reimbursement. These are **Tactical Response to School Violence, Dispatcher Tactical Operations, Dispatcher Domestic Violence, and Dispatcher's Role in Critical Incidents**, all of which have direct linkage to officer safety.

Tactical Response to School and Community Violence is a course to teach patrol officers to safely and effectively initiate a rapid response to a school shooting in progress. If the Commission approves this course, the anticipated fiscal impact through the balance of this fiscal year would be less than \$25,000. It is difficult to project the cost for the new fiscal year because interest in this topic may increase.

Dispatcher Tactical Operations, Dispatcher Domestic Violence, and Dispatcher's Role in Critical Incidents address officer safety, risk reduction, and liability concerns. These three courses are the only ones identified by staff as meeting the back-fill criteria for dispatchers. The State Office of Administrative Law has approved the revision of Commission Regulation 1015 effective July 1, 2001. Hence, the addition of these three courses will have no fiscal impact in this fiscal year. While past attendance at these courses has been modest, back-fill reimbursement for this training may be approximately \$300,000 per year.

RECOMMENDATIONS:

1. Approve *Tactical Response to School and Community Violence* for officer back-fill reimbursement.
2. Approve the *Dispatcher Tactical Operations, Dispatcher Domestic Violence, and Dispatcher's Role in Critical Incidents* for dispatcher back-fill reimbursable.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Addition of Back-Fill Training Topics		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By Dick Reed, Chief <i>[Signature]</i>	Researched By Gary Sorg
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 4-24-01	Date of Report April 20, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

Issue # 1 - Should the Commission approve additional topics for officer back-fill reimbursement?

Issue # 2 - Should the Commission approve three courses for back-fill reimbursement for dispatchers: *Dispatcher Tactical Operations, Dispatcher Domestic Violence, and Dispatcher's Role in Critical Incidents.*

BACKGROUND

At its November 1997 meeting the Commission approved amendments to Regulation 1015 which authorize reimbursement to participating agencies for overtime costs incurred to replace an officer assigned to training. These regulation amendments provide the basis to expend federal funds appropriated for promoting attendance of domestic violence courses.

The Commission, at its January 22, 1998 meeting, approved back-fill reimbursement for selected courses with a beginning reimbursement rate of 80% of actual time-and-one-half overtime expense. At the July 1998 Commission meeting the rate was increased to 100%. The categories of courses designated by the Commission as eligible for back-fill reimbursement are:

- Defensive tactics/use of force/arrest control methods instructor courses
- Officer Safety Field Tactics courses, including related courses such as Tactical Entry
- Field Training Officer's courses and Field Training Officer's Update courses
- Motorcycle Officer Update courses
- Domestic Violence courses
- Child Abuse courses
- Canine Handlers and Canine Update courses
- Driver Awareness and Driver Training Update Courses
- Laser Firearms Training courses
- Tactical Communication courses

Since the introduction of back-fill reimbursement, the Commission has been consistent in maintaining officer safety and high liability as criteria for back-fill approved training courses. The finite nature of back-fill funds is an equally important issue which the Commission has been careful to consider before approving additional topics.

ANALYSIS

Training Delivery Bureau staff convened a meeting with subject matter advisors to assist with the development of a standardized training package for the SRO core course. Advisory personnel included representatives from each of the certified course presenters (Redlands Police Department, Modesto Police Department, San Francisco Police Department, Sacramento Regional Public Safety Training Center, and the Fresno County Sheriff's Department), the National Association of School Resource Officers (NASRO), the Phoenix Police Department, and working School Resource Officers from throughout California.

Over a one-year period, the committee developed a comprehensive 40-hour curriculum, instructional materials, and a companion "*Cops and Schools*" Telecourse which aired in June of 2000 on the California POST Television Network (CPTN). This followed a related 1999 telecourse which dealt with "*Youth Violence*."

An increase in school violence throughout the nation has led to heightened awareness of the benefits of School Resource Officer programs and fostered a desire by many jurisdictions to implement new programs or expand existing ones. Many law enforcement agencies have re-directed existing personnel into the schools as a short-term measure while they pursued special funding for permanent SRO positions. The availability of national, state, and local funding for this purpose has led to an increase in the number of School Resource Officers within California and intensified the need for effective training. At the same time, POST is certifying numerous first-responder courses for patrol personnel and public safety dispatchers relating to rapid responses to school and community violence.

Staff estimates approximately six regional presenters will be required to accommodate the increased training need for approximately 300 officers during the next year.

Concurrent with project development, inquiries were directed to POST from the Governor's Office and the Legislature regarding what training was currently available to California law enforcement on the subject of school violence. The Governor's Office concluded that POST was to be commended for its progressive approach to the subject and for the quality and content of the materials developed to date. The Governor subsequently requested that POST develop and distribute a standardized training program for the core training of School Resource Officers.

Assembly Bill 355 (Havice), if enacted, will require: (1) POST to develop a standardized training course for School Resource Officers; and (2) require all peace officers employed by city or county law enforcement agencies, assigned to school resource officer duties, to take the POST certified School Resource Officer Core Course within six-months of assignment to campus. The author agrees that the POST School Resource Officer Core Course curriculum described in this report meets requirement (1) of AB 355.

The curriculum package is ready for printing and distribution. A topic summary of the curriculum is Attachment A. The revised, standardized curriculum will replace the existing curriculum in all certified SRO training courses.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
School Resource Officer Standardized Course Curriculum		May 10, 2001
Bureau	Reviewed By	Researched By
Training Delivery Bureau	Dick Reed, Bureau Chief	Lou Madeira, Senior Consultant
Executive Director Approval	Date of Approval	Date of Report
<i>Kenneth J. O'Brien</i>	4-23-01	April 16, 2001
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 a standardized curriculum for a core training course for School Resource Officers (SROs)?

BACKGROUND

School Resource Officers are employees of a local law enforcement agency who are assigned to one or more schools within their jurisdiction on either a part-time or full-time basis. To varying degrees the SRO will typically provide three major services including on-campus law enforcement and intervention, student counseling and mentoring, and law enforcement legal education. These three duties comprise a service "triad" which is the prevailing national model for a School Resource Officer.

Many School Resource Officers also support a variety of allied programs such as Drug Alcohol Resistance Education (DARE) or Gang Resistance Education and Training (GREAT). The SRO, if a school has one assigned, is also a fundamental part of a school's legally-required emergency response plan. Local law enforcement agencies may absorb the full costs associated with the placement of an SRO within the school or the district may elect to contract with a city or county to offset all or a specified portion of these costs.

School District police officers, in contrast, are employees of a local school district whose primary responsibility is to provide law enforcement and protective services to students, staff, and school facilities.

POST has certified School Resource Officer core training programs since 1996. Although content and presentation methodology have varied, all POST-certified SRO core programs recognize and support the fundamental "triad" of SRO duties. Two of these courses were developed as Master Instructor Development Program (MIDP) projects.

Separate specialized training programs for School Peace Officers were developed by POST as required by Penal Code Section 832.3(f).

RECOMMENDATION

It is recommended the Commission approve the proposed standardized SRO core course curriculum and distribution of the document *POST School Resource Officer Core Course*.

POST School Resource Officer Core Course Curriculum	
SECTION	TOPIC
1	History and Organization of the Juvenile Justice System
2	Legal Issues Concerning Education, Minors, and School Grounds
3	School Disciplinary Systems
4	Typical Roles and Responsibilities of the School Resource Officer
5	Approaches for Utilizing School Resource Officers
6	Common Adolescent Behaviors and Emotional Issues
7	Resources Available to School Resource Officers
8	Communication, Partnering, and Relationship Building
9	Counseling, Interviewing, Mediation, and Problem-Solving Techniques
10	School Crisis Planning Issues and Typical Emergency Response Procedures
11	Special Education Designations and Children with Special Needs
12	Effective Presentation Skills
13	Fundamental Teaching Techniques
14	Basic Classroom Management Skills
15	Law Enforcement Policies, Procedures, and Protocols to Be Communicated to School Administrators
16	Intelligence Gathering and Information Dissemination

For example, the training might consist of a series of scenarios, with each scenario addressing one of the most critical tactical or interpersonal communications issues. Tactical communications scenarios will place the officer in a variety of situations where the goals are voluntary compliance by potentially hostile subjects and the avoidance of physical confrontation. Interpersonal communications scenarios will involve officers in situations where officer safety and subject compliance are not the primary issues. These scenarios could include officer-to-officer, officer-to-supervisor, community oriented policing, interviewing, and court testimony situations.

The user can then focus on a single communication problem by taking one scenario or multiple problems by taking several of the scenarios. After the design approach is selected, the vendor will develop one or more prototypes that will demonstrate critical aspects of the design. These prototypes will be followed by course development, evaluation and final delivery. The recommendation is that the Commission authorize up to \$500,000 for the entire project with the expectation that the actual amount may be less depending upon the course design.

Throughout the project, POST will work with the contractor, subject-matter specialists, and officers for whom the training is intended to ensure that the course will meet the requirement for communications training.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with Anteon Corporation and its business partner ITGtech to design and develop multimedia CD-ROM based communication training for California law enforcement. The total amount of the contract will not exceed \$500,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Development of Multimedia CD-ROM Training on Tactical and Interpersonal Communication		Meeting Date April 19, 2001
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Graham Breck
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-4-01	Date of Report April 12, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission enter into a contract with Anteon Corporation and its business partner ITGtech to design and develop multimedia CD-ROM based antecommunication training for California law enforcement.?

BACKGROUND

A million dollars for developing multimedia training in the perishable skills area was included in the Budget Change Proposal for F/Y 2000-2001 and approved by the Commission at its meeting in October 1999. Developing a CD-ROM on communication was one of the projects envisioned for the use of these funds.

At the January 2001 meeting, the Commission amended Commission Regulation 1005(d) (2) and Commission Procedure D-2 to require specified "Perishable Skills" and Communications as part of the Continuing Professional Training requirement and that these changes take effect January 1, 2002.

Interactive multimedia training, delivered on a CD-ROM, will provide a safe, realistic, scenario-based environment where officers can practice successful resolution of critical communication issues while meeting the above requirement for communications training.

ANALYSIS

Anteon Corporation has an agreement with the State as a California Multiple Awards Service (CMAS) vendor. This means that the California Department of General Services has pre-qualified Anteon Corporation so that state agencies can go directly to this vendor for services.

Anteon Corporation's business partner, ITGtech has been delivering training solutions to government and industry clients since 1991. The company is well-staffed with multimedia program managers, instructional designers, graphic artists, programmers, and quality assurance technicians. POST staff reviewed ITGtech products and interviewed several of their clients. In all cases, the results were positive.

The creation of the communication training will follow the standard instructional systems development (ISD) process: analysis, design, development, implementation, and evaluation. One outcome of the analysis phase will be a high-level design which will determine the most important communication problems facing California law enforcement and how to address them in a multimedia training environment.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Extension Simulator Fellow		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By Ray Bray	Researched By Forrest Billington
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 9, 2001
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 detail) <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 continued funding for a management fellow to manage the Regional Skills Training Center Project?

BACKGROUND

In May of 1999, POST entered into a one-year contract with San Diego Regional Training Center for the services of Forrest Billington as a Management Fellow, to develop and manage the simulator project. This contract was extended a second year. Due to the addition of new Regional Skills Training Centers, the slower than expected acquisition and delivery of equipment, and the proposed expansion of the scope of training provided by each center as a result of the Perishable Skills Project, another contract year will be required to complete the project.

ANALYSIS

Due to the complicated nature of the project, the shortage of POST staff and the proposed addition of new Regional Skills Centers, the services of a management fellow are still required. The Regional Skills Training Center Program is constantly changing, with new instructors, new scenarios being developed and requests for information from the field. POST does not have full time available staff to address these issues. Therefore it is necessary to contract with the San Diego Regional Training Center for the services of Forrest Billington for one additional year. It would be proposed that the actual work of Mr. Billington will be eight months during the year.

Mr. Billington has agreed to provide his services for approximately eight months during one additional year.

RECOMMENDATION

Authorize the Executive Director to enter into a one-year contract with the San Diego Regional Training Center for the continued services of a Management Fellow in the amount of \$86,666 plus 10% overhead fees for a total of \$95,333.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request for Presentation of a Cultural Diversity Train the Trainer Course		Meeting Date May 6, 2001
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Jan Bullard
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-3-01	Date of Report March 6, 2001
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 detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into an interagency agreement with a governmental entity (to be announced) for two pilots of the Cultural Diversity Train the Trainers course in an amount not to exceed \$40,000 during fiscal year 2001?

BACKGROUND

This Cultural Diversity Training for Trainers was originally designed for training basic academy LD 42 – Diversity instructors in 1994. In 2000, the Commission approved a contract with Alameda County Office of Education to facilitate the redesign of a Train the Trainer course for Culture Diversity, to reflect updated information as well as presenting a depth of understanding of the topic of culture as it effects law enforcement. Due to personnel issues, ACOE was unable to complete the contract. Requests from the field indicate a serious need for this course as it trains the basic academy and in-service instructors who are responsible for presenting cultural diversity training to law enforcement. POST will design the course, utilizing subject matter experts, but will utilize an interagency agreement for the facilitation of two pilots of this course.

ANALYSIS

Due to the high rate of instructor turnover at the academy and in-service level, it is imperative that this course be presented to the field. POST will design the course and locate a suitable agency to hold the certification and facilitate the presentations of the cultural diversity courses

RECOMMENDATION

Authorize the Executive Director to enter into an interagency agreement with a governmental entity (to be determined) for two pilot presentations of the Cultural Diversity Train the Trainer course in an amount not to exceed \$40,000 during the balance of fiscal year 2000/2001.

(Rev 12/27)

The legislation specifies that the training is voluntary. Because P.C. 13519.05 is a mandate upon POST to develop and make available specified training, it is necessary for POST regulation 1081 to be amended to include the minimum curriculum requirements. As described in Attachment B, the minimum 2-hour investigative telecourse covering five topics would include legal aspects, gathering evidence, conducting threat assessment, civil remedies and resources, and appropriate treatment and protection of victims. It is proposed that the Commission adopt these regulation changes pursuant to the Notice of Public Hearing requirements. If no one requests a public hearing, the changes go into effect upon approval of the Office of Administrative Law.

The proposed guidelines (Attachment C) are supporting instructional materials for the training course and do not impact agency policies.

RECOMMENDATIONS:

1. Approve the POST stalking guidelines to be published and included in the *POST Stalking Telecourse Reference Guide*.
2. Approve the POST minimum standards stalking telecourse outline, pending approval by the Office of Administrative Law, to be incorporated into the *POST Administrative Manual*, Section B, regulation 1081(a) (Minimum Standards for Legislatively Mandated Courses) #31. (See attached.)

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Approval of POST Guidelines and Training for Response to Stalking		Meeting Date May 10, 2001
Cases		
Bureau Training Program Services	Reviewed By Ray Bray	Researched By Jack Beecham
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-20-01	Date of Report April 13, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Should the Commission approve the POST guidelines and minimum training standards for the handling of stalking complaints by California peace officers as required by P.C. 135.19.05?

BACKGROUND:

In calendar year 2000, the State Legislature mandated in SB 1539 (Lewis) that the POST Commission by January 1, 2002 develop a course or courses of instruction and guidelines for the training of peace officers in the handling of and response to stalking complaints, and that the courses would be voluntary for peace officers as specified. The course would be satisfied by the development of a telecommunication video, training tape, or other instruction. SB 1539 was codified into law as P.C. 13519.05. (Attachment A)

ANALYSIS:

POST developed a two-hour telecourse and a supporting reference guide on stalking, in response to this legislative mandate. The telecourse and reference guide are scheduled for release on May 24, 2001. POST constituents will be reached with the basic elements of all forms of stalking and first-responder responsibilities by accessing the stalking telecourse and guidelines. The Commission certified the California District Attorneys' Association (CDA) recently to present a 20-hour seminar specifically designed for the follow-up investigator. The course and supporting materials have been updated for each presentation and enthusiastically attended by stalking investigators of police departments, sheriff departments, and district attorneys' offices.

In accordance with the legislative mandate, POST staff worked with a committee of experts on stalking. Committee experts who represented law enforcement, prosecutorial, and private sector agencies designed the stalking telecourse, developed the stalking guidelines, developed minimum training standards, and reviewed the CDA stalking course curriculum which more than meets the minimum standards intended by the legislation.

13519.05. Stalking; training course and guidelines

(a) The commission shall implement by January 1, 2002, a course or courses of instruction for the training of law enforcement officers in California in the handling of stalking complaints and also shall develop guidelines for law enforcement response to stalking. The course or courses of instruction and the guidelines shall stress enforcement of criminal laws in stalking situations, availability of civil remedies and community resources, and protection of the victim. Where appropriate, the training presenters shall include stalking experts with expertise in the delivery of direct services to victims of stalking. Completion of the course may be satisfied by telecommunication, video training tape, or other instruction.

(b)(1) As used in this section, "law enforcement officer" means any officer or employee of a local police department or sheriff's office, any peace officer of the Department of Parks and Recreation, as defined in subdivision (f) of Section 830.2, any peace officer of the University of California Police Department, as defined in subdivision (b) of Section 830.2, any peace officer of the California State University Police Departments, as defined in subdivision (c) of Section 830.2, a peace officer, as defined in subdivision (d) of Section 830.31, or a peace officer as defined in subdivisions (a) and (b) of Section 830.32.

(2) As used in this section, "stalking" means the offense defined in Section 646.9.

(c)(1) The course of instruction, the learning and performance objectives, the standards for the training, and the guidelines shall be developed by the commission in consultation with appropriate groups and individuals having an interest and expertise in the field of stalking.

(2) The commission, in consultation with these groups and individuals, shall review existing training programs to determine in what ways stalking training might be included as a part of ongoing programs.

(d) Participation in the course or courses specified in this section by peace officers or the agencies employing them, is voluntary.

Recommended Minimum Standards for Stalking Course

The recommended minimum standards for the legislatively mandated course, Stalking, to be incorporated into the POST Administrative Manual, Section B, Regulation 1081 (a) #31 follow:

- Stalking Investigations - 2 hours, Penal Code Section 13519.05
 - (a) Stalking Law Criminal Threats Law and Other Laws That Constitute Stalking Behavior
 - (b) Gathering Evidence of Stalking Conduct
 - (c) Conducting a Threat Assessment
 - (d) Civil Remedies and Community Resources in Support of Victim
 - (e) Appropriate Treatment and Protection of Victim

POST DRAFT GUIDELINES ON
STALKING

DRAFT

Revised April 17, 2001

regularly resides in the household, or who, within the prior six months, regularly resided in the household.

The present incarceration of the person making the threat is not a bar to prosecution for stalking.

B. PUNISHMENT

1. The first offense of stalking (where there is no restraining order) is a wobbler, i.e., can be charged as either a misdemeanor or a felony. (Penal Code section 646.9(a).)
 - a. If a **restraining order** is in effect at the time, the crime is a **non-reducible felony** with a sentencing range of 2, 3, or 4 years. (Penal Code section 646.9(b).)
2. Effective January 2001, every person who, after having been convicted of a felony under section 273.5, 273.6, or 422, commits a violation of 646.9 (a), can be charged as either misdemeanor or felony, with a sentencing range of county jail for one year, or by a fine of not more than one thousand dollars (\$1000), or by both that fine and imprisonment, OR by imprisonment in the state prison for 2, 3, or 5 years Penal Code Section 646.9 (c) (1).
 - a. Upon a second or subsequent conviction, whether involving the same or different victim, the punishment is also 2, 3, or 5 years. (Penal Code section 646.9(2).)
 - b. If probation is granted the defendant must participate in a counseling program unless the court finds "good cause" not to impose such a condition.
 - c. The court can also order a restraining on behalf of the victim that may be valid for up to 10 years (Penal Code section 646.9(h).)

GUIDELINE #2. Know other statutes (Criminal, Civil and CVC) related directly to stalking behavior.

In addition to Penal Code section 646.9 there have been several other recent additions to the law which investigators should be aware of when evaluating and handling a stalking case.

A. LAWS RELATED DIRECTLY TO STALKING

1. Penal Code section 166(b)(1) now provides that any person who is guilty of contempt by violating an order of the court (i.e., no-contact order) who has previously been convicted under Penal Code section 646.9, is guilty of a misdemeanor punishable by one year in the county jail. A violation of this section can occur by contacting a victim by phone, mail, or directly, and incarceration of the defendant is no defense.

I. LAW

GUIDELINE # 1. Know the elements of the stalking law and punishment for violations.

In 1990, California became the first state in the nation to pass an anti-stalking statute (Penal Code section 646.9). Since then, every state has enacted some sort of anti-stalking or anti-harassment legislation. Also since 1990, P.C. 646.9 has been amended in California several times. The effect of these amendments has been to broaden the definition of "credible threat" and increase the category of people against whom the threat can be made.

A. ELEMENTS OF STALKING

1. Penal Code section 646.9 defines stalking as:

"Any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family."

a. **"Harasses"** means a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose. This course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress and must actually cause substantial emotional distress.

b. **"Course of conduct"** means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

c. **"Credible threat"** means a verbal or written threat, **including that performed through the use of an electronic communication device**, or a threat implied by a pattern of conduct or a combination of verbal or written statements and conduct made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her immediate family.

It is not necessary to prove that the defendant had the intent to actually carry out the threat.

d. **"Immediate family"** includes any spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who

safety or for his or her immediate family's safety."

- a. The significant difference between this crime and stalking is that Penal Code section 422 **does not require repeated conduct**. One threat will do. It does require, however, that the threat be of death or great bodily injury, that it be "unconditional" and "immediate," and that it causes "sustained" fear on the part of the victim.
- b. Case law has helped define these terms. Several cases have held that a threat can violate PC ' 422 even though it is "conditional" (e.g. "If you testify, I'll kill you.") These cases have held that conditional threats are **true threats** (despite technically conditional language) if **their context and the surrounding circumstances reasonably conveys to the victim that they are intended**. (People v. Bolin (1998) 18 Cal.4th 297; see also, People v. Brooks (1994) 26 Cal.App.4th 142; People v Stanfield (1995) 32 Cal.App.4th 1152; People v Gudger (1994) 29 Cal.App.4th 310; People v Melhado (1998) 60 Cal. App.4th 1529.)
- c. "Sustained" fear was defined in People v. Allen (1995) 33 Cal.App.4th 1149, as **"a period of time that extends beyond what is momentary, fleeting, or transitory."** In that case 15 minutes was sufficient.
- d. In addition, a criminal threat can qualify under PC section 422 even though it was made to a third party and not directly to the victim. It is sufficient if the suspect intended the third party to act as an intermediary. (In Re David L. (1991) 234 Cal.App.3d 1655)
- e. People v. Teal (1998) 61 Cal App.4th 277 held that P.C.422 does not require certainty by the threatener that his or her threat has been received. If one broadcasts a threat intending to induce sustained fear, 422 is violated if the threat is actually received and induces sustained fear whether or not the threatener knows the threat has hit its mark.

GUIDELINE # 4. Be familiar with current stalking case law.

A. CURRENT CASE LAW RELATED TO STALKING

1. Presently there are several cases that have interpreted California's stalking statute. In People v. Heilman (1994) 25 Cal.App.4th 391 the defendant challenged the constitutionality of Penal Code section 646.9 claiming the term "repeatedly" was too vague. The court rejected the claim finding that "repeatedly" is a word of such clear understanding that its meaning is not vague. **"It simply means the perpetrator must follow the victim more than one time."** (Id. at p. 400.)
2. In People v Carron (1995) 37 Cal.App.4th 1230, the court held that the crime of stalking does **not** require an **actual** intent to kill or cause great bodily injury. It only

2. **Penal Code section 12021(c)** prohibits any person who has been convicted of stalking within the previous 10 years from owning or possessing a firearm.
3. **Civil Code section 1708.7** establishes a **tort** of stalking which subjects a stalking defendant to liability for general damages, special damages, and punitive damages. (While investigators will not directly use this statute it is important to advise the victim that one option is a civil suit under this section.)
4. **Code of Civil Procedure section 527.8** allows an employer to obtain a restraining order against someone who is stalking or harassing one of their employees.
5. **Vehicle Code section 1808.21** provides that stalking victims may request confidentiality of their DMV records.

B. OTHER CRIMES THAT CAN CONSTITUTE STALKING BEHAVIOR:

1. **Threatening or harassing phone calls** (Penal Code section 653)
2. **Vandalism** (Penal Code section 594)
3. **Criminal Threats** (Penal Code section 422, see below.)
4. **Threatening a witness** (Penal Code section 136.1)
5. **Peeping** (Penal Code section 647(h))
6. **Trespass, Trespass threat** (Penal Code section 601/602) **Aggravated Trespass** (Penal Code Section 602.5)
7. **Violating restraining order** (Penal Code sections 273.6, 166.4)
8. **Violence Offenses** (Penal Code sections 242/243; 273.5; 245; 417; 207; 664/187; etc.)
9. **Theft Offenses** (Penal Code sections 484/488; 459; 475; VC10851.)
10. **Cruelty to animals** (Penal Code section 597)
11. **Arson** (Penal Code section 451)
12. **Phone Tapping** (Penal Code sections 631/632)

GUIDELINE #3. Know the criminal threats law (Penal Code Section 422).

- A. Probably the most common companion crime to stalking is "criminal threats" (formerly "terrorist threats"). Many stalking cases will also include threats that can be independently charged and prosecuted under Penal Code section 422.

1. Penal Code section 422 defines the crime of criminal threats as:

"Any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own

It is important for officers and investigators to recognize **there is no one profile of stalkers**. Studies suggest that "stalkers" come from all walks of life. They can be male or female.¹ Many boast of having above average intelligence. Some have prior criminal records, many do not. Some have diagnosable mental illnesses while others may be simply socially maladaptive. Domestic violence "stalkers" often are not mentally ill but may have very dependent and/or controlling personalities. A common diagnosis for relationship stalkers is a Narcissistic Personality Disorder or Borderline Personality Disorder. Some stalkers' obsessions are aggravated by drug usage but others eschew drugs all together.

The relationship between stalker and victim can include past intimates, acquaintances, coworkers, or complete strangers. Stalkers can be motivated by anger, revenge, jealousy, or absolute fantasy or delusion.

Stalkers can be generally classified as follows:

1. Simple Obsessional

This type of stalker is the most common. It is usually a male who knows the victim as an ex-spouse, ex-lover, or former boss, and who begins a campaign of harassment against them. The stalking activities begin either after the relationship has gone bad or there is a perception of mistreatment.

2. Love Obsessional

This stalker is a stranger to the victim but is obsessed and thus mounts a campaign of harassment to make the victim aware of the stalker's existence. This type of person often "stalks" a celebrity or public figure, but can also become obsessed with the bank teller or grocery store clerk.

3. Erotomania

This stalker is usually female and falsely believes that the victim is in love with her and, but for some external influence, they would be together. The victim is often someone famous or rich or in a position of power such as an employer, movie star, or political figure. In this situation, those who are close to the victim (i.e. a spouse or lover who is perceived as being "in the way") may be the most at risk.

4. False Victimization Syndrome

This is a rare occurrence but involves someone who consciously or subconsciously

¹ For convenience throughout this manual "he" is used to refer to stalking suspects and "she"

requires an intent to make a "credible threat" so as to place the victim in fear. (Penal Code ' 646.9 was amended to reflect this as well in January 1996)

3. In People v McClelland (1996) 42 Cal.App.4th 144 the court found that ramming a car into the victim's house, calling her and her family members vile names, and throwing what appeared to be an explosive device at the house, was sufficient evidence of harassment and credible threat.
4. In People v Tran (1996) 47 Cal.App.4th 253 the court held that the phrase: "and serves no legitimate purpose" within the definition of "harassment" is not unconstitutionally vague. Whether the defendant's actions served a "legitimate purpose" is an objective (reasonable person) standard, not determined by the defendant's own view of his conduct.
5. In People v Falck (1997) 57 Cal.App.4th 287 the court held that a defendant's obsessive desire to engage in sexual acts with the victim, (a stranger) and be with her "for eternity" was sufficient evidence of "credible threat."
6. In People v Kelley (1997) 52 Cal.App.4th 568, the court found that a prosecution for stalking does not violate the double jeopardy clause (or P.C. section 654) despite the defendant having been previously convicted of violating a restraining order, when the harassment continues after the TRO conviction.
7. In People v McCray (1997) 58 Cal.App.4th 159, the court held that a single series of acts committed over the course of one day was sufficient to constitute "harassment" under the stalking statute.
8. (See also, People v Halgren (1997) 52 Cal.App.4th 1223; People v Gams (1997) 52 Cal.App.4th 147.)
9. In People v Ewing (1999) 76 Cal.App.4th 199, the court held that "harass" as used in the stalking statute is not unconstitutionally vague. The people must provide evidence of the severity, nature and extent of a victim's emotional distress as part of the harassment element.
10. In People v Norman (1999) 75 Cal.App.4th 1234, the court held that a victim's fear does not need to be simultaneous with the stalker's threats. The victim must become aware of the stalker's conduct.

II. STALKER PERSONALITY PROFILE

GUIDELINE # 5. Have a basic understanding of a stalker personality profile.

A. STALKER PERSONALITY PROFILE

Any time the suspect has engaged in "more than one" incident of some type of harassment, the case should be evaluated as a potential stalking case.

DON'T FORGET: "Stalkers" come in all shapes and sizes. Do not assume that because the "suspect" is a doctor, judge, teacher, etc. that the allegations are untrue. In fact, statistically, "stalkers" tend to be more intelligent and better educated than the average criminal population.

GUIDELINES # 7. Conduct a thorough investigation.

There are actually two parts to any stalking investigation:

- Learning as much as possible about the stalker and his/her method of operation (**Assessing the Stalker**) and,
- Establishing corroboration of the stalking conduct (**Gathering Evidence**.)

A. ASSESSING THE STALKER

Information that should be documented includes:

- a. Any prior threats made.
- b. Any actual pursuit or following of the victim.
- c. Any history of violence against the victim or others.
- d. Any information regarding the suspect's tendency towards emotional outburst, or rage.
- e. Prior mental illness history.
- f. Substance abuse problems.
- g. Possession or knowledge of or fascination with weapons.
- h. Any history of TRO violations.

In addition, every stalking investigation should include a thorough research of the suspect's prior criminal history and/or prior contacts with law enforcement. (See **Guideline # __ on Threat Assessment** below.)

B. GATHERING EVIDENCE (PROOF) OF THE STALKING CONDUCT

1. Search Warrants

Serving a search warrant on the suspect's residence and vehicle can be an invaluable tool in obtaining evidence to support the charge of stalking and in providing pertinent information about the stalker.

Items to be alert for when serving warrants include:

desires to be placed in the role of a victim. They therefore establish a complex tale of being stalked which is in fact false.

Source – The Psychology of Stalking: Clinical and Forensic Perspective
“Psychiatric Diagnosis and the Offender-Victim Typology of Stalking” by Michael Zona, M.D., Russell Palarea, M.A. and John Lane, Jr., M.P.A.

III. RESPONSE AND INVESTIGATION

GUIDELINE # 6. Recognize a stalking case.

Any time a victim reports any type of "harassing" behavior, the responding officer should be thinking about the possibility of stalking. Additional inquiry must be made to determine whether this is an isolated incident or repeated conduct.

(NOTE: It is not uncommon for a victim to put up with harassing behavior for some time before finally calling the police. Therefore, whenever a report is made you can assume the likelihood of prior behavior.)

Remember: Victims of stalking can be either male or female. If the victim expresses a fear of the suspect these fears should be taken seriously and a detailed inquiry made to determine the origin of the fear. Male victims, in particular, feel that their fears are often minimized by law enforcement, which leads to a reticence to report continuing conduct.

A. COMMON "HARASSING" BEHAVIOR INCLUDES:

1. Vandalism.
2. Annoying or threatening phone calls.
3. Following or other violations of restraining orders.
4. Actual assaults.
5. Sending unwanted letters/e-mail.
6. Showing up at the victim's home or work place.
7. Attempting to obtain private information about the victim from others.
8. Leaving "gifts" for the victim.
9. Disabling the victim's car.
10. Taking mail from the victim's mailbox.
11. Entering the victim's home when the victim is not there.
12. Taking photographs of or "spying" on the victim.
13. Reporting the victim to authorities for crimes that did not occur.

When inquiring about prior behavior officers should always determine whether any prior police reports have been made and in which jurisdiction. You should also ask whether any friends or members of the victim's family have filed reports. (Often stalkers target others who are close to the victim as well as the victim.)

- g. Research the defendant's whereabouts during the times of alleged acts to deter "alibi" defenses.
- h. On serious cases, consider **surveillance** of the defendant. This may be particularly useful in a case where there appears to be a pattern to the defendant's conduct.

4. Proof of the Victim's State of Mind

A stalking case requires proof not only of the defendant's conduct but of the victim's state of mind. The crime of stalking requires that the victim **actually** suffer "substantial emotional distress" because of the stalker's conduct. It is therefore important to document any evidence of the victim's **response** to the harassment. For example, has the victim:

- a. Moved to a new location?
- b. Obtained a new phone number?
- c. Put a trap on the phone?
- d. Told friends, co-workers, family of the harassment?
- e. Told building security?
- f. Given photos of defendant to security?
- g. Asked to be escorted to parking lot and worksite?
- h. Changed work schedule or route to work?
- i. Stopped visiting places previously frequented?
- j. Taken self-defense courses?
- k. Bought pepper spray?
- l. Purchased a gun?
- m. Put in an alarm system?

GUIDELINE # 8. Conduct a threat assessment.

Source: National Institute of Justice
"Threat Assessment: An Approach to Prevent Targeted Violence"
September 1995
By Robert Fein, Ph.D., Bryan Vossekuil, and Gwen Holden

Law enforcement has traditionally become involved **after** a crime has occurred with the primary focus of identifying the perpetrator and establishing evidence of the crime. Investigators in stalking cases, however, have a unique opportunity to act in a proactive way and **prevent** future harm to a victim. Assessing the potential threat posed by a suspect is an important step towards that goal.

The distinction between **making** a threat and **posing** a threat is important.

- Some people who make threats ultimately pose threats.
- Some people who make threats do not pose threats.

- a. Any photographs of the victim. (Many times these will have comments or drawings on them)
- b. Photographs, diagrams, or drawings of the victim's home or work place.
- c. Writings, logs, or diaries kept by the suspect that describe his stalking activities or thoughts/fantasies about the victim or other victims.
- d. Personal items belonging to the victim.
- e. Video or cassette tapes that might have information concerning the stalking, such as surveillance footage.
- f. Books describing stalking techniques or having a subject matter dealing with stalking, harassment or violence.
- g. Any equipment that appears to have been used to "stalk" the victim, such as: cameras, binoculars, video recorders, etc.

2. Items from the Victim :

It is also important to **seize** any tangible items of evidence from the victim that substantiates the stalking behavior.

Things to be alert to seize include:

- a. Any taped phone messages
- b. Any letters or notes written by the suspect to the victim.
- c. Any objects sent to the victim or left for the victim.

3. Obtaining Corroboration:

Corroborative evidence of the stalking conduct is key to any successful prosecution for stalking. Investigators should:

- a. **Photograph** any items vandalized, damaged, written on, etc.
- b. Check for **finger prints** on vandalized items or other objects sent to or left for the victim.
- c. Advise the victim to put a tap on her phone.
- d. Obtain **phone records** from the victim and suspect's residence.
- e. If the victim's phone is not set up to record messages or conversations have the victim obtain such a machine.
- f. For any incident of harassment, determine whether other **witnesses** were present and interview them. Often friends, family members, co-workers, employees, etc. have information regarding the suspect's behavior. This corroboration is crucial.

- The **individual** who takes violent action.
- A **stimulus** or triggering condition that leads the subject to see violence as an option or solution to his problems.
- A **setting** that facilitates or permits the violence.

Factors which suggest a **high risk** to the victim include:

1. Present threats to kill the victim.
2. Past threats to kill this victim or other victims.
3. Use of weapons such as guns, knives, or other potentially lethal weapons.
4. Possession of lethal weapons.
5. Degree of obsession, possessiveness, and/or jealousy regarding the victim.
6. Violations of a restraining order with demonstration of little concern for the consequences of arrest and jail time.
7. Past incidents of violence - against the victim, and, generally.
8. Access to the victim and/or the victim's family members.
9. Hostage-taking.
10. Depression or threats of suicide.
11. Other mental illness of the stalker.
12. Drug usage.
13. History of prior stalking victims.

GUIDELINE #9. Be aware of possible ramifications of interviewing stalking suspect.

A. SUSPECT INTERVIEWS

Suspect interviews can be extremely important in assessing the dangerousness of the suspect and in obtaining information that will ultimately help prove a stalking case. For this reason these interviews should be **video taped** whenever possible. Body language, gestures, voice tones, eye contact, etc., are all important aspects in evaluating the stalker. These videos can be viewed later by a mental health expert for input, and can be valuable evidence in a subsequent prosecution.

Interviews should only be conducted after the suspect's background has been thoroughly researched. It can be very helpful to catch the suspect off guard when he realizes how much you know about him and his conduct.

BE AWARE: Stalking suspects can be very intelligent, manipulative and cunning. They often are very good liars. They will commonly attempt to deny or rationalize their behavior or try to "outsmart" the investigator.

- Some people who pose threats never make threats.

The primary objective of a risk assessment investigation is to gather as much information as possible on both the suspect **and** the victim/target.

1. Information about the suspect:

Multiple sources of information should be consulted to learn about the suspect's behavior, interests, and state of mind at various points in time. These can include:

- a. Personal interviews with the suspect (see "Suspect Interviews" below)
- b. Material created or possessed by the suspect such as journals, letters, books, magazines, or other items collected by him
- c. Interviews with people who know or have known the suspect, such as friends, family, coworkers, supervisors, neighbors, landlord, previous victims, etc.
- d. Any public records, such as police, court, probation, or corrections records, mental health records, or social services records.

2. Information about the target:

To prevent violence the threat assessment investigator also requires information about the victim or targeted individual.

- a. Is the victim well known to the suspect? Does the suspect know about the victim's work, home, personal lifestyle, patterns of living, daily comings and goings?
- b. Is the victim vulnerable to attack? Does the victim have resources to arrange for physical security? What can change about the victim's lifestyle that could make attack by the suspect more difficult or less likely?
- c. Is the victim afraid of the suspect? Is that degree of fear shared by the victim's friends, family and colleagues?
- d. How sophisticated or naive is the victim about the need for caution? How able is the victim to communicate a clear and consistent "I want no contact with you" message to the suspect?

3. Will he strike?

Using the above information obtained throughout the investigation, the investigator must then seek to determine whether the suspect appears to be moving **toward** or **away** from an attack.

Studies show that violence is the product of an interaction of three factors:

B. SPECIFIC SUSPECT INTERVENTION TECHNIQUES

1. Investigator Contact

This type of contact is most appropriate in cases which have yet to involve criminal violations or involve very low-grade activities. It can include contact by mail, telephone, or in person. Oftentimes, a face-to-face visit at the suspect's workplace or residence may be all it takes to have a deterrent effect on the inappropriate behavior. This type of contact can also occur by way of a scheduled interview at the police station.

These types of initial contacts appear to be most successful with the "simple obsessional" case where the suspect and victim have had some prior relationship. In this type of case the suspect is less likely to be severely mentally ill and thus more likely to understand the potential consequences of his continued harassment.

2. Restraining Orders

The second option for intervention usually involves having the victim obtain a restraining order against the suspect. This option is not without controversy. It is recognized that restraining orders may not be effective in actually protecting a victim and may instead "provoke" the stalker. Historically, however, this has had much to do with the fact that law enforcement has done little to respond to restraining order violations.

The primary advantage to having a restraining order against the suspect is that it allows him to be immediately arrested when a violation occurs. It is thus vitally important that, when a police agency is attempting to utilize such orders as part of an overall intervention plan, the involved personnel be prepared to respond quickly to each violation. Only then is there a demonstration that the "system" is determined to sanction the suspect in order to control his behavior.

A second advantage to obtaining a restraining order is that it allows for enhanced charging of the stalking charge so as to have a more significant "hold" over him.

3. Arrest and Detention

The third type of intervention involves actual arrest and detention. Arrest and subsequent incarceration should not only impress upon the suspect the seriousness of his conduct but also give the victim a measure of safety for at least some period of time. Spending time behind bars can have a sobering effect on many who have never experienced the pleasures of incarceration before. It also provides a glimpse of what lies ahead should the person choose to continue the harassing behavior.

Investigators should be cognizant of the fact that stalkers often attempt to continue their harassment from behind bars, intimidating the victim through phone contacts, letters,

The **goal** of the interview should be twofold: to gather as much information as possible about the suspect's thinking, behavior patterns, and activities regarding the victim, and to encourage change in his behavior. By showing an interest in the suspect's life that is neither unduly friendly nor harsh, an investigator can increase the likelihood that the suspect will share valuable information.

CAVEAT: Investigators should be aware that in some cases interviewing the suspect may serve to intensify his interest in the victim. For example, someone who has written numerous letters to a stranger victim professing undying love for her (but who has not engaged in other behavior) may have his interest stimulated by an interview. Without an interview, his interest might dissipate on its own. Other suspects may be "pushed" into action by police contact. A desperate or suicidal ex-partner who feels abandoned by the victim may sense that time is running out and be provoked into more extreme action." Precautions must always be taken regarding these possibilities whenever a suspect interview occurs.

GUIDELINE # 10. Know intervention case management techniques.

A. GENERAL CONSIDERATIONS OF SUSPECT INTERVENTION TECHNIQUES:

How an investigator handles a particular stalking situation generally depends on the type of stalking that is occurring and the level of risk presented to the victim. For example, often love obsessive stalkers (i.e., someone focused on a celebrity) will cease their activity when simply confronted by police intervention. However, intervention in other cases can serve only to aggravate the situation.

Case management involves developing a plan that moves the suspect away from regarding violence against the victim as a viable option. Management may require the investigator to draw on resources connected to the suspect but not traditionally used by law enforcement, such as friends, family, associates, employers, mental health, and social service staff. All of these contacts may be used in seeking to aid the suspect to formulate more appropriate goals.

While vigorous prosecution may be the best way to prevent violence and minimize harm to the victim, it is also true that legal sanctions alone may not deter a person who desperately desires revenge or is prepared to die to achieve his objective.

Consultation with a mental health or behavioral sciences expert can be invaluable to the investigator when it appears the suspect may suffer from some sort of mental illness or whose behavior is extreme.

1. The cyberstalker may be located across the street or across the country
2. The cyberstalker can more easily encourage third parties to harass and/or threaten a victim (e.g. impersonating the victim and posting inflammatory messages to bulletin boards and in chat rooms, causing views of that message to send threatening messages back to the victim "author.")
3. The cyberstalker can more easily harass and threaten because the cyberstalker does not need to physically confront the victim.
4. The cyberstalker can send repeated, threatening, or harassing messages by the simple push of a button.
5. The cyberstalker can, if they are sophisticated, use programs to send messages at regular or random intervals without being physically present at the computer terminal.

GUIDELINE # 12. Respond to and investigate cyberstalking cases.

A. MOST COMMON CASES TO INVESTIGATE:

1. Threatening/harassing/annoying e-mails

- a. When investigating cases involving e-mail, remember that various penal code sections may apply (i.e. 646.9PC Stalking, 422PC Criminal Threats, 653(m)PC Annoying/Threatening/Harassing Phone Calls). "Electronic communication devices" as defined by the penal code include, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers.
- b. The use of the Internet to harass the victim (such as posing as the victim in chat rooms; establishing a web site to post nude photos of the victim; recruiting others to engage in a campaign of harassment toward the victim; posting the victim's name, address, phone number and other personal information or provocative message on bulletin board systems, {the equivalent to the "for a good time call..." posting on a bathroom wall. Except this wall has worldwide exposure}).
- c. The use of the Internet to research information about the victim can be a stalker's "goldmine". There are many free and paid subscriber services available on the Internet to obtain information about the victim, including addresses, phone numbers, social security number, criminal or civil action records, DMV information, credit history, property records, etc. If an officer is able to obtain a search warrant to seize the suspect's computer, look at the web sites accessed, the stalker's research may be evident.

GUIDELINE # 13. When and where: The appropriate seizure of the suspect's computer.

A. SEIZURE OF THE SUSPECT'S COMPUTER

An everyday working knowledge of computers does not qualify anyone to tamper with a computer at a crime scene - except under extreme circumstances. The retrieval and

third person threats, etc. Victims must be advised of this and investigators should be prepared to document and corroborate any such activity.

4. Mental Health Options

One option available to the police is the involuntary commitment of an individual who, because of a mental disorder, represents a danger to himself or others. Welfare and Institutions Code section 5150 allows an officer commit such a person for a 72 hour treatment and evaluation. This commitment can be extended following a probable cause hearing and request by the treating physician for a period of 14 days. Utilizing this option, when appropriate, has two primary advantages: it takes the victim out of harms way for some period of time so that she can provide for her safety, and it provides for some treatment and evaluation of the suspect which may diffuse the immediate situation.

5. Prosecution

Successful prosecution for stalking depends on the concerted team effort of investigators, consultants, prosecutors, and the court system. For those suspects who clearly "do not get the picture" and thus present a continuing risk to the victim, vigorous prosecution for their criminal conduct is the only option. The goal of any such prosecution is to ensure conviction so that maximum controls can be placed on the defendant, thus increasing the safety of the victim.

GUIDELINE # 11. Recognize "cyberstalking" cases.

With the advent of the computer age, there has been a proliferation of use of the computer to commit stalking crimes. As a result, in 1999, the U.S. Attorney General studied the problem of what has been labeled "cyberstalking" - the use of the Internet, e-mail, or other electronic communication devices to stalk another person. Information from the U.S. Attorney General's study and other sources are used in these guidelines.

A. RECOGNIZING SIMILARITIES BETWEEN OFFLINE AND ONLINE STALKING

1. Similarities between offline and online stalking include:
 - a. The majority of cases involve stalking by former intimates.
 - b. Stranger stalking occurs in both.
 - c. Most victims are women; most stalkers are men.
 - d. Stalkers are generally motivated by the desire to control the victim.

B. RECOGNIZING DIFFERENCES BETWEEN OFFLINE AND ONLINE STALKING

The difference between offline and online stalking includes:

investigation, this information can be included in a search warrant or court order to the Internet Service Provider (in this example, Hotmail), to reveal the subscriber that was assigned that IP for the transmitted e-mail.

NOTE: Cyberstalkers may conceal their identity by using different ISP's and/or by adopting different screen names. Also, the sophisticated stalker may use anonymous remailers, making the trace all-but-impossible.

GUIDELINE # 14. If needed, use outside investigative and technical resources to assist in the investigation.

- A. The investigation of cyberstalking and other computer crimes can be complex. One area of concern may be jurisdiction. The suspect may be in another state, or another country. For these issues consult your local District Attorney's office or the local U.S. Attorney's Office. If your agency does not have specialists trained in the investigations of computer crimes, consult some of the larger agencies that have special investigative units.

1. Investigative Sources

- Federal Bureau of Investigation (FBI)
Computer Analysis Response Team (C.A.R.T.)
Contact your local field office for assistance.
- Innocent Images, FBI Baltimore
Child pornography and exploitation
24-hour number (301) 586-4500
- U.S. Secret Service
Contact your local field office for assistance.
- U.S. Customs
Customs CyberSmuggling Center
Child Pornography Record index
(703) 709-9700, Ext. 360
- Sacramento Valley High Technology Crimes Task Force
www.sna.com/htct/
- San Diego Computer and Technology Crime Hi Tech Task Force
(619) 531-3660
- High Technology Crime Investigators Association (HTCIA)
www.htcia.org

preservation of evidence is a specialized skill.

-The Law Enforcement Officer's Guide to Online Crime
The National Cybercrime Training Partnership (NCTP)

This pocket-sized guide by the NCTP is an excellent reference item for the first responder. Their web site will be listed in the resource list.

If the first responder is faced with seizure of a suspect's computer, there are some general guidelines suggested by NCTP:

1. Officer safety is first and foremost. Don't assume the suspect is a passive computer geek.
2. If the computer is "off", do not turn it on.
3. If the computer is "on", do not touch it. If someone is at the keyboard, remove him or her immediately because it's possible to quickly alter or destroy evidence in the computer.
4. Document, videotape and/or photograph and write detailed notes about what is on the screen. Use a shutter speed of 1/30 second to capture screen images.
5. If you have a computer specialist at the crime scene, he or she may know how to turn off the computer without altering files or losing any evidence.
6. If you do not have a computer specialist at the crime scene, the safest way to turn off the computer is to Pull the plug from the back of the computer - not from the wall outlet.
7. Place an unformatted or blank floppy disk into the floppy disk drive. If there is more than one disk drive, put an unformatted or blank disk into each one. This prevents the computer from "booting up" if someone inadvertently tries to turn on the computer.

B. INFORMATION OR EVIDENCE TO BE GATHERED:

- The name of the victim's Internet Service Provider (ISP) such as AOL, Yahoo, Hotmail, etc.
 - Victim's e-mail address (urvictim@juno.com)
 - Obtain a printed copy of the e-mail(s)
 - Obtain the e-mail(s) saved on a floppy disk
 - Obtain the header information from the subject e-mail
- Example -

Date: Fri, 23 Feb 2001 10:48:43 -0800
From: imbadboy@Hotmail.com [129.17.2.4]
To: urvictim@juno.com
Subj: ANSWER OR YOU WILL DIE!!!

This header information may assist in "tracing" the e-mail to the suspect. Along with the date and time the e-mail was transmitted, another important set of numbers is shown. In the above example, [129.17.2.4], is the Internet Protocol (IP) address assigned to the sender (consider this the license plate of the suspect's getaway car). During a follow-up

IV. Victimization

GUIDELINE # 15. Be aware of the impact stalking has on the victim.

- A. Most often, the criminal justice system measures crime by tangibles such as, broken bones, stab wounds, gun shot holes, etc. The greater the injuries, the greater the charges, the more important the case. Stalking is different because quite often nothing yet physically has happened to the victim. This makes the crime more difficult to assess, and consequently, it is not taken as serious as other crimes.

For the stalking victim, however, the fear that something will happen is overwhelming. Stalking victims never feel safe. They are waiting for "something" to happen. Frequently the stalker has permeated several aspects of the victim's life. He has been around her house, in the parking lot at her job, followed her to the cleaners, found her in the library, etc. She cannot feel safe anywhere; she's always looking over her shoulder to see if he is there.

To further complicate stalking cases, many people believe that stalking victims are merely paranoid and not in any real danger. Some even think that stalking is a form of flattery. Others blame the victim, wondering what she's done to encourage the stalker or why she can't stop the stalker's behavior.

Because of all of these perceptions, the stalking victim may feel very isolated from family, friends, co-workers, and the criminal justice system. Because nothing may have "happened" to her yet, no one may help her. She is further isolated from support systems if she has moved or changed jobs as a way of protecting herself. She may also feel guilty that she has put family members or friends in possible danger if the stalker has made threats against them or she is concerned that he will.

Acknowledging the legitimacy of the victim's fear and recognizing that stalking behavior can indeed be the precursor of significant violence is a critical first step in any stalking investigation.

GUIDELINE # 16. Be sensitive to what to and what not to advise the stalking victim.

- A. It is important to point out that generalizing about what a stalking victim should do in any particular case is not only ill advised but **can be dangerous**. Not all "stalkers" are the same, nor are they necessarily "predictable". Every stalking victim is afraid of their stalker whether they have been expressly threatened with harm or not. But the degree to which the stalker actually poses a threat to the victim is often difficult to assess and can depend on numerous variables. With that said, it is generally agreed that the "domestic violence" stalker (simple obsessional) may pose the highest risk of all to the victim.

Galvin de Becker, a national expert on stalking, emphasizes that each case must be looked at individually and the circumstances evaluated carefully. He advises that in many

2. Other Cyberstalking Resources

- High Technology Crime Investigators Association
<http://htcia.org>
- The National Cybercrime Training Partnership
www.nctp.org

Their training pamphlet - "Cybercrime Fighting "The Law Enforcement Officer's Guide to Online Crime" (Great info. in a pocket-sized pamphlet) is highly recommended.

- The National Threat Assessment Center (U.S. Secret Service)
www.treas.gov/usss/ntac
- The Association of Threat Assessment Professionals
www.atap.cc
- The Privacy Rights Clearinghouse
www.privacyrights.org
- Identity Theft Survival Kit
www.identitytheft.org
- AT&T Phone Finder
www.anywho.com
- Cyberangeles
www.cyberangels.com
- Stalking Assistance Site
www.stalkingassistance.com
- Sam Spade (good for tracking IP numbers)
www.samspace.org
- Amy Boyer (see a stalker's obsession with a high school classmate that culminates in him murdering her and committing suicide)
www.amyboyer.org
- Dog Pile (good search engine)
www.dogpile.com

an investigator should not promise the victim that he/she can protect her from the stalker. The victim should be made aware that obtaining a restraining order or prosecuting the defendant might place her at more risk and that she needs to take steps to protect herself. Be honest with the victim about any information you have that suggests that the defendant is a threat to her.

GUIDELINE # 18. Advise the victim of appropriate action she can take.

A. Certain advice is generally safe to give to all stalking victims:

1. **Stop all contact with the stalker - NOW AND FOR GOOD!** Too many victims who have once had a relationship with the suspect are concerned about "letting him down easily". This leads to a difficulty in saying, "Leave me alone!", and really meaning it. It is important that the victim be very direct about her feelings and very firm in cutting off all contact. Repeatedly telling the stalker that she doesn't want to talk to him is still talking to him. It may also be giving mixed messages, i.e., the stalker thinks to himself, "If she really doesn't want to talk to me, then why did she answer the phone?". If after leaving 40 phone messages on the answering machine the victim returns the call to demand that he stop, the lesson he has learned is that the cost of getting a call from her is to call her and leave 40 messages. **Cutting off all contact with the defendant cannot be overemphasized.**

2. The victim should not have someone, such as a girlfriend or new boyfriend intervene for her. When this is tried, misunderstandings can occur. The stalker thinks, "She can't say this to me herself? Why can't she? She must be in conflict.". In addition, introducing a new boyfriend can increase the possibility of a jealous reaction. The only third party intervention should be law enforcement and/or whoever is serving the restraining order, if the victim has decided to exercise her option to get one.

3. If the victim believes the stalker truly poses a threat to her, then certain specific safety measures can be recommended. She should be advised to:

- a. Obtain a restraining order, but advise her that service of the order may provoke a response. When a restraining order is served, victims need to understand that **this is the time** to take extra safety precautions.
- b. Change her phone number and get a new unlisted one. (Note: Another good option is to keep the original number but get a second unlisted one for friends and family. Leave the first line operational with a machine on it for the stalker to leave messages. This serves two purposes. It may prevent escalation because he won't need to show up at her work if he thinks he can call and leave messages, and it provides evidence for prosecution.)
- c. Alter her work hours and routes taken to and from work. She should also not park in the same place at work.

cases intervention itself (i.e., obtaining a restraining order and prosecution) may be the aggravating factor that leads to violent retaliation. Other experts feel the victim's best option is to immediately get a restraining order. In any event, investigators must be very sensitive to the fact that by pursuing an investigation of the stalker in any manner, the level of danger to the victim may be significantly increased..

GUIDELINE # 17. Be aware of civil liability issues associated with what an officer advises or does not advise a stalking victim.

- A. Because any stalker may pose a serious risk to the victim, investigators must be very careful about the advice given to the victim and cognizant of potential civil liability should the victim be subsequently harmed. This is an area of law which is not black and white.

One case in particular is noteworthy: Wallace v. City of Los Angeles (1993) 12 Cal.App.4th 1385. In that case, a young woman witnessed a murder. The investigating police detective obtained a written pre-trial statement from her and her identity as a witness was made known. She received threatening phone calls and told the detective that she feared the defendant. The detective said he would relocate her if the threats continued, and he promised to alert her if she was in danger. In summary, he minimized the danger to her even though he knew, but did not tell the witness, that the defendant was a suspect in several other murder cases and had threatened witnesses in the past. A few days before trial the witness was murdered. The court of appeal found (1) a special relationship was created when the detective enlisted the young woman as a witness, (2) which required him to warn her of the unforeseen dangers she faced, and (3) he was not entitled to immunity for his actions.

The present status of both state and federal case law suggests the following action by an investigator may create liability:

1. Failing to honor express or implied promises to provide warnings or protection.
2. Making statements which minimize the actual peril faced by the victim or witness who then detrimentally relies on such statements.
3. Placing an unprotected victim or witness in close proximity to someone who poses a foreseeable threat to that victim or witness.
4. Requesting that a citizen perform an official function which involves a foreseeable risk.
5. Seeking out and presenting a person as a prosecution witness against a defendant who is known to threaten witnesses.

Clearly all of these issues are potential occurrences in a stalking case. For these reasons,

- Increase the likelihood of developing rapport with the victim, and
- Enhance the victim's willingness to cooperate with law enforcement officers.

2. Reassure the victim of her safety. Helpful phrases may include:

- "I am here now."
- "You are safe now."
- "Officers are in the area now."

NOTE: "Now" is a key word in this initial reassurance and can help the traumatized victim return to present reality and separate from the crime.

B. Active listening means the deliberate and conscious act of concentrating on what is being said by the speaker (victim). By using specific active listening techniques, officers are better able to gain a clearer understanding of the situation and help the victim focus and clarify events in their own mind. If an officer is immediately ready with the next question after a victim has finished one response, that officer has not listened actively or has at the very least caused the perception that he/she has not listened actively. The reality or perception is that the officer was formulating the next question rather than focusing on what the victim was actually saying. To actively listen, the officer should:

1. Allow pauses or periods of silence so the victim has time to think and formulate answers.
2. Reflect back on what the victim has said to keep her talking and focused. This demonstrates the officer is truly listening and processing what is said.
3. Clarify and summarize what the victim has said to verify its accuracy. This should occur at a natural break in the victim's statement, not as a repeated interruption.

C. Ask diversionary reality questions. In some cases, victims may be so distressed that they are unable to concentrate on what the officer is saying or unable to answer questions about the crime itself. In such cases, it is useful to ask the victim diversionary reality questions. Diversionary reality questions are simple, realistic and non-threatening questions that are not directly related to the crime itself. The person must provide some form of information, such as a number, in order to answer the question. By having to form the answer, victims are able to reestablish their focus and return to reality. Examples of diversionary reality questions include:

- "How many people live here with you?"
- "Where are the children?"
- "How many children do you have?"

D. Ask questions that pose simple choices. It is important to realize that victims may have lost a sense of control over their environment. Whenever possible, officers should ask questions that offer the victim the chance to make simple choices. When offered simple choices, the victim must choose between options, such as yes or no. This allows the victim(s) to make decisions, even if they are minor ones and regain some sense of control.

- d. Advise her employer and co-workers of the problem and provide a picture of the defendant. If the defendant shows up at work, do not talk to him even if he is creating a scene. Have someone call the police immediately and avoid contact.
- e. Keep a diary of any and all attempts to contact her. Note dates, times, and the presence of any other witnesses. If the defendant is violating a restraining order, call the police immediately and make a report.
- f. Save all evidence: Notes, letters, phone messages, etc. Save all of it even if it seems inconsequential at the time.
- g. If hang-up calls are being made to her number at home or at work, place a phone trap on the phone.
- h. Avoid places the defendant knows she frequents.
- i. If she has children in common, arrange through the court for the exchange of custody or visitation through a third party.
- j. If possible, move to a new address with a roommate and have the bills (gas, electricity, garbage, etc.) placed in the roommate's name.

NOTE: In addition, the victim should discuss with an investigator, advocate, or district attorney a specific plan of action should the defendant find her. (See Basic Safety Recommendations for Stalking Victims by POST Stalking Telecourse advisory committee (Attachment A))

GUIDELINE # 19. Use appropriate interview techniques when interviewing traumatized stalking victims.

The primary goal of the responding officer(s) is to obtain accurate information regarding the reported criminal activity. Officer conduct and actions, when first making contact with the victim and throughout their continued interaction, can serve to either enhance or hinder the process. It is critical that the officer(s) recognize and treat all victims of a crime with respect and compassion. Most stalking cases involve domestic violence situations in which the suspect is known. In some cases, the suspect may be a casual acquaintance or the suspect may not be known by the victim. In any event, the victim is usually, to some degree, emotionally traumatized by the stalking event(s) and in some cases physically abused.

A. In dealing with emotionally and or physically traumatized stalking victims, the responding officer should consider the following:

1. Exhibit empathy towards the victim's ordeal and by doing so;
 - Become a source of support and assistance for the victim,
 - Avoid being cast in the role of someone who wishes to blame or punish,

- Intrusion into a victim's personal space, usually inside a three feet radius of the person.
- Direct, head-on alignment with the victim that would force the victim to look away for privacy.
- Overtly reaching out or touching a victim without the victim first initiating the action.

GUIDELINE # 20. Form a cooperative partnership with the victim.

Before leaving, the first responder should establish a partnership with the victim, providing the initial information necessary for safety and victim cooperation in evidence collection.

As part of the partnership, let the victim know:

- This is a long-term problem.
- Her cooperation is required for effective resolution.
- She will need to actively participate in her own safety. You will not be available to her 24 hours a day.
- She will need to actively participate in evidence collection and preservation.
- She will need to fill out a stalking contact log.
- About safety plan information.

CONCLUSION

Stalking cases present complicated and difficult issues. Stalkers tend to be sophisticated and generally engage in long term conduct. No two investigations will be the same. (In fact it has been said that the only encompassing feature of the crime is that **it is different in each case.**)

"Management" techniques may or may not be successful. Recognizing the seriousness and potential dangers of this type of conduct is the first step in handling a stalking case. Individual attention, evaluation and sensitivity to the victim is critically important. Utilizing input and assistance from mental health experts, prosecutors, probation officers, social service personnel, etc. will also help determine the most effective way to stop the stalking conduct and ultimately protect the victim.

As victims regain their sense of control, they are better able to work with officers and provide information specific to the crime. Examples of questions that pose simple choices include:

- “Can I make a call for you?”
- “Does your child need a ride home from school?”
- “Would you like something to drink?”

E. Use an appropriate tone of voice. The tone of an officer’s voice, when interviewing a stalking victim, reveals as much about that officer’s attitudes toward the victim as any words the officer may say. A calm, supportive voice will reassure the victim and aid in establishing rapport. An officer’s tone of voice should be:

- Calm and low,
- Reassuring and supportive,
- Concerned,
- Courteous, and
- Serious

F. Apply positive nonverbal communication technique. In any face to face interaction between people, only a fraction of the information conveyed is verbal. A large percentage of information is sent through nonverbal cues. Peace officers need to recognize the power of their own nonverbal cues when interacting with victims.

1. Maintaining eye contact is one of the most powerful nonverbal crisis defusion techniques by presenting the officer in a strong, stable manner, provide the victim with a calming focal point and allows the officer to observe the victim for signs of extreme or incongruent responses. While interviewing the victim of a stalking complaint, the officer should:

- Look directly at the victim, focusing on the victim’s face.
- Be aware that constant and direct eye contact is avoided in some cultures.
- Avoid staring, peering, or glaring at the victim.

2. Establishing non-threatening body posture refers to an officer’s physical gestures along with the distance and position of the officer’s body in relation to the victim. Careful and deliberate body posturing can give an air of calm to the situation and help relax the victim. The officer should:

- Sit or stand near the victim
- Position themselves at a slight angle to the victim
- Allow the victim to initiate touching (e.g., reaching out, touching an officer’s hand, etc.)

3. Officers should avoid:

although our experience with other programs show that life-cycle is frequently extended. Some of this equipment can not be rented commercially in the Fresno area and would have to be shipped from Sacramento if rented. Further savings will be realized by using this classroom equipment when other presenters transport the ICI Foundation Specialty courses to Fresno by avoiding rental fees for those classes.

RECOMMENDATION

That the Commission authorize the Executive Director to enter into a contract with the State Center Regional Training Facility, Fresno, for two presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course and a one-time equipment purchases in an amount not to exceed \$82,325 for fiscal year 2001-02.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request Contract for Presentation of ICI Core Course		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Dave Spisak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-20-01	Date of Report March 27, 2001
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 detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the State Center Regional Training Facility, Fresno, for two presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course and one-time equipment purchase in an amount not to exceed \$82,325 for fiscal year 2001-02?

BACKGROUND

Currently the ICI Core course, the basic training for investigators, is presented in San Francisco, San Jose, Sacramento, Los Angeles and San Diego. There is no presenter between Sacramento and Los Angeles. State Center Regional Training Facility budget per presentation of this course is \$28,233. The other community college (Los Rios) presenter's cost for this course is \$32,076.

ANALYSIS

Since the Institute of Criminal Investigation was initiated a decade and a half-ago, law enforcement agencies in the central valley have had to travel considerable distances to participate in the program. The population growth of the central valley, in general, and Fresno and Bakersfield, in particular, has been well documented. Law enforcement growth has mirrored the general population. Law enforcement participation in ICI has consistently been suppressed due to travel distance for training opportunities.

When ICI Foundation Specialties have been held in the Fresno area, demand has always exceeded student positions for those classes. The Law Enforcement Advisory Committee to the State Center Regional Training Facility has encouraged the placement of this ICI course at this facility as a way of improving access of high level training to area investigators. The ICI program has been identified as a need in the region's Annual Training Needs Assessment.

This contract will provide two ICI Core courses during the fiscal year. The costs are partially offset by \$36,532 through the reduction of one of the ICI Core presentations by San Jose State University.

A one-time equipment purchase is included in this request to ensure appropriate technology is used in the classroom. This will allow State Center to present the same quality instructional activities that are used in the classroom by the other ICI Core presenters. The equipment includes presentation equipment (LCD projector, presentation computer, TV and VCR) and equipment for practice and use by students in the classroom (computers, cameras and tripods). The equipment requested has an expected 5-year life cycle

Feasibility Study of L.A. Unified School District

In compliance with recently enacted legislation, staff conducted a study of the feasibility of changing the peace officer designation of the Los Angeles Unified School District Police Department from Penal Code section 830.32 to section 830.1. After conducting extensive interviews, along with a review of procedures, policies, operational orders, crime statistics, and crime reports, as well as current laws, case decisions, and attorney General opinions, regarding school police responsibilities, staff recommended that the L.A.U.S.D. Police Department not change its designation to Penal Code Section 830.1.

Following discussion, the Committee accepted the report and directed staff to submit the report and recommendation to the California Legislature and the Los Angeles Unified School District Police Department.

Public Hearing on Cancellation of POST Certificate

At the January 2001 meeting, the Commission had continued the public hearing on the proposal to amend Regulation 1011 to the April Commission meeting and, in addition, referred discussion of the matter to this meeting.

Staff presented an informational status report to support the discussion.

During discussion, it was noted that legislation has recently been introduced addressing this issue, and that the passage of a legislative measure effecting cancellation of a POST Basic Certificate would supersede any decision made by the Commission. With that in mind, the Committee unanimously recommended that the Public Hearing on cancellation of a POST Basic Certificate be continued to the August 9, 2001, Commission meeting in Ontario.

Proposed POST Recruitment Symposium and Extension of Management Fellow Contracts

In addressing the statewide law enforcement recruitment and retention needs of California, the Commission authorized the Executive Director to hire a Management Fellow for a one-year period to work on this project. The Commission also directed that a symposium be conducted to provide information and materials to the field.

Pursuant to Commission direction, Sergeant Lori Lee of the Vallejo Police Department was hired as a Management Fellow. Sgt. Lee has developed various instructional materials, including video-based information and guidelines, as well as supplemental written materials with detailed information geared to varied audiences.

In addition, a Recruitment Symposium is scheduled for July 24 - 26, 2001, at the Burbank Hilton. The symposium will focus on contemporary issues related to selection, recruitment, image, marketing, hiring processes, long and short-range

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.

STATE OF



CALIFORNIA

March 15, 2001

TO: POST Commissioners

FROM: Ted Hunt, Chairman
Long Range Planning Committee

SUBJECT: REPORT OF THE LONG RANGE PLANNING COMMITTEE

Gray Davis
Governor

Bill Lockyer
Attorney General

The Committee met at POST Headquarters, 1601 Alhambra Boulevard, Sacramento, on March 15, 2001, at 10:00 a.m. Present were Commissioners Hunt, Holden, Cobb, Fox and Flannagan. Commissioner Baca was absent. Commissioner Kolender attended as a visitor. POST staff present included Ken O'Brien, Mike DiMiceli, Glen Fine, Hal Snow, Jack Garner, Ken Whitman, Jim Roth, and Anita Martin. Visitors included Clancy Faria of PORAC, Bill Brown - Chief of Lompoc Police Department, Paul Quezada of LAUSD Police Department, and Kevin Otto of LAUSD Police Department and POST Advisory Committee member.

The Committee received reports from staff on the following issues:

Backfill Cost and Training for Dispatchers

The Commission had previously approved amendments to Regulation 1015 authorizing backfill reimbursement for public safety dispatchers and dispatch supervisors. Staff recommended that the three certified dispatcher training courses consist of: a) Dispatcher Tactical Operations; b) Dispatcher Domestic Violence; and c) Dispatcher's Role in Critical Incidents. It is necessary for a dispatcher to attend only one of the three courses. The courses will be presented to the Commission for approval at the May 10, 2001, Commission meeting.

Staff estimated that during the final two months of this fiscal year, if approximately 150 dispatchers completed the courses, the estimated cost of backfill reimbursement for this training would not exceed approximately \$60,000. With an estimated total of approximately 1000 dispatchers completing the courses for FY 2001/02, staff estimated that the cost would not exceed approximately \$400,000.

Following discussion, the Committee unanimously approved the staff report and recommendation for presentation at the May 10, 2001, Commission meeting.

Legislation

Five of the seven members of the Legislative Review Committee were present, including Committee Chairman Monty Holden. Staff reported that in order for POST to have any influence on the outcome of recently introduced legislation, it is imperative for the Commission to submit a position paper to pertinent legislative committees within the next few weeks. Because the next official Legislative Review Committee will not meet until May 10, 2001, it was staff recommendation for the LRPC to provide the necessary guidance concerning the Commission's position on each of the following bills:

- AB 155 (Lowenthal), amends P.C. section 13500 to add one new member to the Commission from the rank of sergeant or below.

Staff recommended the Commission adopt a **neutral** position. The Committee accepted staff's recommendation.

- AB 355 (Havice), adds P.C. section 13519.10 to require the Commission, before January 1, 2003, to develop guidelines and offer a course for school police personnel and peace officers assigned to school resource officer duties.

Staff recommended an **oppose, unless amended**, position. The Committee accepted staff's recommendation.

- AB 376 (Chavez) The sections of the bill affecting POST requires: 1) the Commission to develop and offer a peer support member training module consisting of specified topics; 2) each peer support member to complete a POST-certified Basic Course and POST-certified Update Course; and 3) each member to attend annual, POST-certified Update Training in order to continue active status in a peer support program.

Staff recommended an **oppose, unless amended**, position. The Committee accepted staff's recommendation.

- AB 687 (Thomson, Hertzberg) amends P. C. section 1464, related to the State Penalty Fund to: 1) establish the Emergency Medical Services and Trauma Care Fund within the State Treasury; and 2) divert funds currently being deposited in the High School Driver Training account of the Penalty Assessment Fund to the Emergency Medical Services and Trauma Care Fund.

Staff reported that if all funds currently deposited in the High School Driver Training account are diverted to the Emergency Medical Services and Trauma Care Fund, POST will realize a \$14 million reduction in annual revenue. Such funds have enabled POST to implement and expand a number of vitally important training programs, as well as fund the Tools for Tolerance program.

planning opportunities and training to instruct people in how to use POST-developed materials.

The report presented information concerning costs of the symposium and demonstrated the need to extend the management fellow contract for a three-month period.

Following discussion, the Committee accepted the report.

Commissioner Joe Flannagan suggested that a recommendation be made to the Commission that POST focus next on "middle range" police officers, i.e., Sergeants, etc., for an instructional symposium. Staff will report back on this suggestion at the next Long Range Planning Committee meeting.

University of Phoenix, Law Enforcement Professional Training Program

Chairman Ted Hunt requested staff to review the Law Enforcement Professional Training Program, a certificate program of the private University of Phoenix, for possible certification. There was consensus from Committee members familiar with the program, that the training is excellent.

Staff reported that there had not been sufficient time before the present meeting to prepare a completed study. In addition, staff has not received information concerning the program from the University of Phoenix.

The completed staff study and recommendation concerning the certification of the Law Enforcement Professional Training Program will be presented at the June meeting of the Long Range Planning Committee.

POST Safe Driver Ribbon

Chairman Hunt requested that the issue of POST Safe Driving Ribbons be placed on the Long Range Planning Agenda. Chairman Hunt advised that since on-duty traffic accidents are the leading cause of death among California peace officers, his proposal to provide a *Safe Driving Award* to peace officers who have an accident-free driving record for five consecutive years would serve as positive reinforcement of safe driving habits. In reviewing the proposal, staff found that it raises implementation issues that need to be examined and resolved prior to a recommendation.

Staff's report detailed many of the issues that need resolution. Staff will report back to the next Long Range Planning Committee meeting after thorough evaluation and research is completed.

Staff recommended an **oppose** position. The Committee accepted staff's recommendation.

- SB 485 (Sen. Public Safety Committee) amends P.C. section 832.6 to eliminate reference to reserve officer training Module D.

Staff recommended a **support** position. The Committee accepted staff's recommendation.

- AB 754 (Maddox) adds P.C. section 832.10 to require any peace officer who is hired by a city, county, or city and county, to have a spinal x-ray at the time of hiring at the expense of the city, county, or city and county. The x-ray will become a part of the permanent record of the peace officer.

The Committee recommended an **oppose** position.

- AB 882 (Cedillo) amends P.C. section 13503 to eliminate the Commission's power to cancel certificates.

Staff recommended a **neutral** position. The Committee accepted staff's recommendation.

- AB 1364 (Romero). Sections of this bill pertinent to POST amend P.C. section 13510 to provide that, except as provided by law:
 1. Peace officers shall not be trained that it is permissible to continue to question a suspect who is in custody when that suspect has invoked his or her right to remain silent, or right to have an attorney present;
 2. The Commission would not certify or approve courses for peace officers, nor would it distribute or adopt training information that violates the provisions of this subsection.

Staff recommended a **neutral** position. The Committee accepted staff's recommendation.

- SB 780 (Ortiz). The sections of this bill that would impact POST defines anti-reproductive rights crimes, and adds P.C. Section 13759 requiring POST to develop a course of instruction and training on anti-reproductive-rights crimes for law enforcement officers who are employed as peace officers or who are students in a Regular Basic Course.

Staff recommended an **oppose** position. The Committee accepted staff's recommendation.

The Committee adjourned at 11:20 a.m.

M. Old and New Business

Members

N. Next Meeting

Wednesday, August 8, 2001
Ontario, CA

O. Adjournment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.

POST ADVISORY COMMITTEE MEETING

Wednesday, May 9, 2001
Holiday Inn - Northeast
5321 Date Avenue
Sacramento, CA 95841
(916) 338-5800

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

9:00 A.M.

- | | |
|--|---------|
| A. Call to Order and Welcome | Chair |
| B. Moment of Silence Honoring Peace Officers Killed in the Line of Duty | Chair |
| C. Roll Call and Special Introductions | |
| D. Audience Introductions | |
| E. Announcements | Chair |
| F. Approval of Minutes of January 24, 2001, Meeting of the POST Advisory Committee | Chair |
| G. Governor's Award Presentation Ceremonies | Staff |
| H. Update of Governor's Award Brochure (Handout) | Staff |
| I. Status of Basic Academy Testing | Staff |
| J. Review of Commission Meeting Agenda and Advisory Committee Comments | Staff |
| K. Advisory Committee Member Reports | Members |
| L. Commission Liaison Committee Remarks | Members |



- William "Willie" Wilkins, Officer, Oakland Police Department
- Charles Douglas "Doug" Jacobs, III, Detective, Riverside Police Department

ROLL CALL AND SPECIAL INTRODUCTIONS

Members Present:

Bernard, Alex - Peace Officers' Research Association of California (PORAC)
 Byrd, Charles - California State Sheriffs' Association (CSSA)
 Cleaver, Norman - California Academy Directors' Association (CADA)
 Del Campo, Ph.D., Phil - Public Member
 Engquist, Marvin - California Justice Educators' Association (CAAJE)
 Reid, Mike - California Association of Police Training Officers (CAPTO)
 Ruelas, Leo - California Community Colleges
 Scott, Michael - California Organization of Police and Sheriffs (COPS)
 Waters, Al - California Coalition of Law Enforcement Associations (CCLEA)
 Williams, Woody - California Peace Officers' Association (CPOA)

Members Absent:

Blankenship, Bob - California Police Chiefs' Association (CPCA)
 Harris, Marty - California Specialized Law Enforcement
 Lekawa, Leisha - Women Peace Officers' Association of California (WPOA)

Commission Members Present:

Hunt, Ted - Commission Chairman
 Kolender, Bill - Commission Vice-Chairman
 Cobb, Marc
 Flannagan, Joe
 Fox, Jim
 Holden, Monty

INTRODUCTIONS

Hal Snow, of POST staff, introduced and welcomed new advisory member Captain Michael Scott, who represents the California Organization of Police and Sheriffs (COPS) and Chief Marvin Engquist, who represents the California Justice Educators' Association (CAAJE).

Alex Bernard introduced Commissioners Cobb, Flannagan, Fox, Holden, Hunt, and Kolender.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



POST ADVISORY COMMITTEE MEETING MINUTES

Wednesday, January 24, 2001

Piccadilly Inn - Airport

5115 E. Mc Kinley

Fresno, CA 93726

(559) 251-6000

Gray Davis
Governor

Bill Lockyer
Attorney General

CALL TO ORDER

Hal Snow, of POST staff, noted that Leisha Lekawa, incoming Chairman, and Bob Blankenship, outgoing Chairman, were both absent. To that end, Hal suggested that the meeting begin with the election of officers.

ELECTION OF OFFICERS

MOTION - Bernard, second - Williams, carried unanimously to elect Leisha Lekawa as Chairman of the Advisory Committee.

MOTION - Del Campo, second - Williams, carried unanimously to elect Alex Bernard as Vice Chairman of the Advisory Committee.

The meeting was called to order at 9:15 a.m. by newly elected Vice Chairman Alex Bernard.

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

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:

- Robert "Bobby" Mata, Officer, Los Angeles Police Department
- Gerald Silvestri, Officer, San Bernardino Police Department
- Sean Nava, Officer California Highway Patrol

REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS

Hal Snow reviewed the Commission meeting agenda. Group discussion followed pertaining to Items "C" and "D" under the public hearing category. Item "C" considers the establishment of a perishable skills training requirement, and Item "D" proposes amending Regulation 1015 (e) to authorize backfill reimbursement for public safety dispatchers and dispatch supervisors.

MOTION - Williams, second - Cleaver, carried unanimously to support both public hearings.

ADVISORY COMMITTEE APPOINTMENTS

Hal informed the group that Earle Robitaille, former Advisory Committee member, has resigned because he has accepted a position with POST as a part-time law enforcement consultant auditing POST courses. Leisha Lekawa's term has expired, and the WPOA has requested that she represent WPOA for another term. Kevin Mince, CHP representative, has been promoted and transferred; his replacement will be Chief Joe Ortiz.

ADVISORY COMMITTEE MEMBER REPORTS

California Community Colleges

Leo Ruelas reported that, in a joint venture, POST and the community colleges are receiving federal and state resources to support vocational and technical education. In support of Public Safety, over 1.2 million dollars is being made available for professional and leadership development, and for equipment purchases which add work site reality of the classroom.

California State Sheriffs' Association (CSSA)

Charlie Byrd told members that he attended the Tribal Law Enforcement Summit held in Palm Springs on November 27-29, 2000.

Charlie also reported that he has been approached by several sheriffs in the northern part of the state requesting skid car equipment for four-wheel drive vehicles.

California Peace Officers' Association (CPOA)

Woody Williams reported that members of CPOA are preparing for the Legislative Day to be held at the Sacramento Convention Center on March 14. Woody also noted that CPOA has gone back to two meetings a year - an all committee conference in November and the regular conference in May. Lastly, Woody thanked POST, personally and on

APPROVAL OF MINUTES OF JULY 19, 2000, POST ADVISORY COMMITTEE MEETING

MOTION - Williams, second - Del Campo, carried unanimously to approve the minutes of the July 19, 2000, meeting.

ANNOUNCEMENTS

Hal informed the group that the Finance Committee would be meeting at 2 p.m. and invited all present to attend.

APPROVAL OF GOVERNOR'S AWARD RECIPIENT RECOMMENDATIONS

The following were nominated for the Governor's Award:

- Individual Achievement Category - Sergeant James Filley of the San Diego Police Department was selected for his training of police cadets and explorers. Sergeant Filley was selected out of six nominees.

The runner-up in this category was Sylvia Moir of the Sacramento Police Department.

- Organizational Achievement Category - The Orange County Sheriff's Department Tactical Training Center was selected for its innovative tactics training. The Center was selected out of five nominees.

The runner-up in this category was the Tools of Tolerance - Museum of Tolerance.

- Lifetime Achievement Category - Mr. Robert Koga was selected for his 46 years of training law enforcement on self-defensive tactics. Mr. Koga was selected out of 13 nominees.

The runner-up in this category was Ron Havner of the South Bay Regional Public Safety Training Consortium.

MOTION - Williams, second - Del Campo, carried unanimously to recommend that the Commission approve the nominees as selected.

Hal Snow noted that the recipients will be presented their awards at the CPOA Legislative Day luncheon held in Sacramento on Wednesday, March 14th in Sacramento.

Peace Officers' Research Association of California (PORAC)

Alex Bernard informed the group that PORAC had a very successful conference in Anaheim in November with unsurpassed attendance. Clancy Faria was re-elected president, and Mike Ervin was re-elected vice president.

Alex noted that the PORAC training classes have been a great success. Alex briefly described training classes offered by PORAC. The Training Committee will meet in February to discuss future training.

California Coalition of Law Enforcement Associations (CCLEA)

Al Waters reported that the first week in February CCLEA will elect new officers. Legislation plans will be finalized also.

Al thanked POST staff and the Commission for its work.

Al suggested that the Advisory Committee Chairman, or designee, attend the Long Range Planning and Strategic Plan meetings. After group discussion, the following motion was made:

MOTION - Waters, second - Del Campo carried unanimously to suggest to the Commission that the Advisory Committee Chairman, or designee, be invited to attend the Long Range Planning and Strategic Plan meetings.

COMMISSIONER COMMENTS

Commissioners Flannagan, Fox, and Kolender commended Ken Whitman and POST staff for the outstanding presentation of the Leadership Symposium held in Burbank.

Commissioner Joe Flannagan commented that he was pleased that the Advisory Committee wants to pursue a more active role in the Long Range Planning and Strategic Plan meetings.

Commissioner Bill Kolender summarized the results of a recent law enforcement conference, on tribal law enforcement issues, that he attended.

OLD AND NEW BUSINESS

Hal Snow reminded members of the Advisory Committee how important it is to keep association members abreast of POST activities by sharing current information. The agenda and minutes of the Long Range Planning Committee provide valuable sources of information about POST and its future direction.

CPOA's behalf, for the successful Leadership Symposium presented in Burbank and commended Ken Whitman and others who were involved for their efforts.

Phil Del Campo, Ph.D. (Public Member)

Phil Del Campo also commended POST staff for the successful Leadership Symposium presented in Burbank.

California Association of Police Training Officers (CAPTO)

Mike Reid reported that, in part, due to POST's efforts with Regional Training Centers and perishable skills, there has been a 17% increase in membership statewide. CAPTO is currently planning its state conference which will be held in Fresno next October.

California Organization of Police and Sheriffs (COPS)

Mike Scott thanked members for the welcome he received.

Additionally, he noted that COPS will host a training seminar pertaining to binding arbitration and employee representation in Las Vegas on February 1-2.

California Academy Directors' Association (CADA)

Norm Cleaver noted that the California Academy Directors' Association meets in conjunction with the Basic Course Consortium and works closely with the POST Basic Training Bureau in developing curriculum on instructional standards. Norm stated that, now, in addition, CADA and CPOA would be realigning formally. To that end, CADA will participate in the May CPOA meeting.

Further, Norm stated that President John Carr's term will expire on March 7, and CADA will elect new officers.

Norm also stated that the federal grants approved through the partnership between POST and the California Community Colleges have created excellent partnerships. Norm commended Dick Reed, Hal Snow, and Leo Ruelas for their commitment to public safety.

California Justice Educators' Association (CAAJE)

Marv Engquist thanked everyone for making him feel welcome. Marv noted that CAAJE will have its annual training conference in San Diego where a new board of directors will be elected.

Additionally, Ken O'Brien mentioned that the monthly Administrative Progress Report provides information which can be disseminated to associations.

FUTURE COMMITTEE MEETINGS

Next Advisory Committee Meeting
April 18, 2001 - 9 a.m.
San Jose, CA

NOTE: The time and location of this meeting were changed to:

May 9, 2001 - 9 a.m.
Sacramento, CA

Adjournment: 10:55 a.m.

Respectfully Submitted,



Karen Hightower
Secretary

• Amendment of TEALE Contract for FY 2000/01	Item K	15,000
• POST Recruitment Symposium and Management Fellow Extension	Item L	252,256
• Revision of the Psychological Screening Guidelines Manual	Item M	139,000
• Services of Dr. Robert Goldberg to Continue Updating the POST Medical Screening Manual	Item N	35,000
• Augmentation of the Contract for the Entry Level Dispatcher Selection Test Program	Item O	34,718
• Augmentation of the FY 2000-01 Contract for the Entry Level Law Enforcement Test Battery	Item P	25,000
• Augmentation of the Fiscal Year 1999/2000 Cooperative Personnel Services Contract for Entry Level Law Enforcement Test Battery	Item Q	12,172.06
• Development of Multimedia CD-ROM Training on Tactical and Interpersonal Communication	Item T	500,000
• Contract Extension for POST Management Fellow Regional Skills Training Center Coordinator	Item U	95,333
• Presentation of Cultural Diversity Train the Trainer Course	Item V	40,000
• Presentation of ICI Core Course	Item X	<u>82,325</u>
TOTAL.....		<u>\$2,480,996.06</u>

F. Review of Proposed Contracts For FY 2001/2002

The Committee met on January 24, 2001, and recommended that the Commission authorize the Executive Director to negotiate a number of contracts. The Commission accepted the Finance Committee recommendation. 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 for the Commission on these contracts for FY 2001/2002. Details on each contract are found in the reports under this tab. An overview of each contract is under *Tab Y - Finance Committee* of the Commission agenda.

G. ADJOURNMENT

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.

STATE OF



CALIFORNIA

FINANCE COMMITTEE MEETING

May 9, 2001 - 2:00 P.M.

Holiday Inn Northeast

5321 Date Avenue

Sacramento, California 95841-2597

(916) 338-5800

AGENDA

COMMITTEE MEMBERS

Lee Baca

Marc Cobb

Joe Flannagan

Gray Davis
Governor

Bill Lockyer
Attorney General

A. CALL TO ORDER

B. FY 2001/02 GOVERNOR'S BUDGET

There will be a report on the status of POST'S proposed budget, which is currently before the Legislature.

C. Financial Report - Third Quarter for FY 2000/2001

A report will be made on the status of the training reimbursement budget. The Committee will review the reimbursable training volume and expenditures to date.

D. Report on Expenditures Projections For FY 2000/2001

A report will be provided at the meeting with projections for the balance of this fiscal year.

E. Review of Expenditure Proposals on the May 10, 2001 Commission Agenda

- Revising Field Training Officer Course - Item F \$ 140,000
- Production Assistance in Basic Course Workbook Updating Item H 259,826
- Basic Supervisory Course Curriculum and Contracts for Course Presentation Item I 838,376
- Contract Amendment for Supervisory Course Instructor Training Workshops Item J 11,990



State of California

Department of Justice

MEMORANDUM

Date: May 10, 2001

To: POST Commissioners

From: Joe Flannagan
Chairman, Finance Committee
Commission on Peace Officer Standards and Training

Subject: ACTIONS TAKEN AT THE FINANCE COMMITTEE MEETING -
WEDNESDAY, MAY 9, 2001

The Committee met yesterday, May 9, 2001, at 2:00 p.m., at the Holiday Inn Northeast in Sacramento. Present were Finance Committee Members, Commissioners Marc Cobb and Joe Flannagan. Also in attendance were Commissioners Monty Holden, William Kolender, Ted Hunt, Patrick Boyd, Laurie Smith, James Fox and Executive Director Ken O'Brien, Assistant Executive Director Glen Fine, and Frederick Williams and Tom Liddicoat of Administrative Services.

In addition to items already addressed on the agenda, the Committee discussed the following:

FY 01/02 Governor's Budget

The Committee received a status report on the proposed FY 01-02 budget that is currently before the Legislature. Last week, POST's budget was approved by both the Senate and Assembly Budget Subcommittees.

Deferral of Certain Spending Proposals on the May 10 Commission Agenda

Executive Director Ken O'Brien reported that due to several factors, POST's overall fiscal outlook is unsettled. Revenue to the Peace Officer Training Fund is well below projections. In July it will be possible to make a more accurate assessment of obligations and revenue. For this reason, Director O'Brien proposed that the following items be recommended for deferral to the August 9th Commission meeting:

Item F:	Contract for Instructional Design	\$140,000
Item H:	Contract for Student Workbook Updates	\$259,826
Item I:	Contracts for Presentation of the Supervisory Course	\$838,376
Item R:	Backfill Reimbursement for Dispatchers	\$300,000
Item U:	Contract for Regional Skills Center Management Fellow	\$ 95,333

There was consensus that these matters be deferred to August 9, 2001.

Financial Report

The Committee reviewed the financial report for the third quarter of FY 2000 - 2001. The report indicates that revenue received through March 2001 is less than anticipated, but more than received for the same period last fiscal year. The number of trainees reimbursed through the third quarter is 13% more than the number reimbursed during the same period of time last fiscal year. Reimbursements to local agencies increased by 12% over the amount reimbursed last fiscal year at this time.

The Committee reviewed projected expenditures for the balance of this fiscal year. Projections are generally within the budget authorization.

Authorization to Negotiate Contracts for FY 2001/02

The Committee also reviewed Expenditure Projections for FY 2001 and recommends that staff negotiate contracts for FY 2001/02.

The Committee reviewed annually recurring contracts and recommends that staff negotiate new contracts for FY 2001/02.

ADJOURNMENT: 3:10 p.m.

State of California

Department of Justice

MEMORANDUM

To : Commissioners

Date: May 8, 2001

From : Kenneth J. O'Brien
Executive Director
Commission on Peace Officer Standards and Training

Subject : Fiscal Outlook - Deferral of Certain Proposed Expenditures

A report will be made to the Commission's Finance Committee at its meeting on May 9, projecting a several million dollar reimbursements deficit at the end of the current fiscal year. This will result in reimbursement claims carried over, to be paid in FY 2001/02.

The overall fiscal outlook is somewhat unsettled. Revenue to the Peace Officer Training Fund is substantially below projections.

Staff will be better able to assess the outlook for FY 2001/02 and beyond, after we gain the full experience of obligations and revenue for the current year. Pending a better assessment that can be made in July, I believe it prudent to defer action on some spending proposals on the May 10 Commission agenda. Items for which I recommend deferral to the August 9 meeting are:

Item F - Contract for Instructional Design	\$140,000
Item H - Contract for Student Workbook Updates	\$259,826
Item I - Contracts for Presentation of the Supervisory Course	\$838,376
Item R - Backfill Reimbursement for Dispatchers	\$300,000
Item U - Contract for Regional Skills Center Management Fellow	\$ 95,333

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract with Cooperative Personnel Services for Basic Course Proficiency Exam		Meeting Date May 10, 2001
Department Standards and Evaluation	Reviewed By Alan Deal <i>[Signature]</i>	Researched By Ken Krueger
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to contract with Cooperative Personnel Services (CPS) to administer the POST Proficiency Examination for fiscal year 2001-02?

BACKGROUND

Penal Code Section 832.3(b) requires POST to develop a standardized examination which enables 1) comparisons between presenters of the training, and 2) development of a data base for subsequent training programs.

Since 1981, all basic course graduates have been required to take the POST Proficiency Examination.

ANALYSIS

Because of the volume of test administrations and a lack of available POST staff, POST has contracted with CPS for administration of the Proficiency Examination for each of the last 19 years. CPS has done an acceptable job of administering the examination.

The amount of the 2000-01 fiscal year contract was \$105,593.50. The proposed contract for fiscal year 2001-02 is for an amount not to exceed \$109,467.30, reflecting increases in the cost of printing and shipping materials, as well as the cost of proctor services.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to contract with Cooperative Personnel Services for administration of the POST Proficiency Examination for fiscal year 2001-02 for an amount not to exceed \$109,467.30.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Office of State Publishing for Entry-Level Dispatcher Selection Test Battery		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By William Dyer
Executive Director/Approval <i>James J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to contract with the Office of State Publishing to administer the POST Entry-Level Dispatcher Selection Test Battery in an amount not to exceed \$190,000?

BACKGROUND

In January 1997, the Commission authorized that the POST Entry-Level Dispatcher Selection Test Battery be made available to agencies in the POST Public Safety Dispatcher Program at no cost, effective with the July 1, 1997, implementation date for new dispatcher selection standards [cf.. Regulation 1018(c)(4)]. Since 1997, POST contracted with an outside vendor to provide services related to the production and distribution of examination materials to these participating agencies.

ANALYSIS

The vendor with which POST initially contracted, while performing at an acceptable level, has proposed a significant increase in charges for the upcoming fiscal year. The cost of the contract for the 1999/2000 fiscal year was \$212,167.

The Office of State Publishing has agreed to provide all of the same services at a cost to POST of \$190,000, which represents a decrease of approximately \$22,000. Staff is confident, based on the performance of OSP in administering the other POST testing programs (Entry Level Law Enforcement, PC 832, Modular Testing Program), that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to sign a contract with Office of State Publishing for administration of the Entry-Level Dispatcher Test Battery to agencies in the POST Public Safety Dispatcher Program during fiscal year 2001-02 for an amount not to exceed \$190,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Office of State Publishing for Entry-Level Reading and Writing Test Battery		Meeting Date May 10, 2001
Department Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Richard Honey
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize continuation of a contract with the Office of State Publishing (OSP) to administer the POST Entry-Level Reading and Writing Test Battery?

BACKGROUND

Since 1983, the Commission has authorized the POST Entry-Level Test Battery be made available to agencies in the POST program at no cost. Because POST has neither the staff and equipment resources, nor the space allocation necessary to assume direct responsibility for performing services associated with the administration of the test (e.g., printing, maintaining sufficient inventory, shipping and retrieving test booklets, etc.), we have contracted with an outside vendor to provide those services.

ANALYSIS

Since the initiation of our contract in July 2000, the Office of State Publishing has provided acceptable service to POST and our client agencies in administering this testing program. The proposed contract for the 2001/02 fiscal year is for \$130,170 (reflecting a significant increase in usage by our client agencies in response to recruitment difficulties).

RECOMMENDATION

Authorize the Executive Director to contract with the Office of State Publishing to administer the POST Entry-Level Reading and Writing Test Battery during fiscal year 2001-02 for an amount not to exceed \$130,170.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Office of State Publishing for PC 832 Written Examination		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Ken Krueger
Executive Director Approval <i>William J. D. Brien</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize continuation of a contract with the Office of State Publishing (OSP) to administer the POST PC 832 Written Examination Program?

BACKGROUND

Penal Code Section 832(a) requires that persons must pass a POST-developed or POST-approved examination in order to successfully complete the PC 832 course. Because POST has neither the staff and equipment resources, nor the space allocation necessary to assume direct responsibility for performing services associated with the administration of the test (e.g., printing, maintaining sufficient inventory, shipping and retrieving test booklets, etc.), we have contracted with an outside vendor to provide those services.

ANALYSIS

Since the initiation of our contract in July 2000, the Office of State Publishing has provided acceptable service to POST and our client agencies in administering this testing program. The proposed contract for the 2001/02 fiscal year is for \$38,510.

RECOMMENDATION

Authorize the Executive Director to contract with the Office of State Publishing to administer the POST PC 832 Written Examination program during fiscal year 2001-02 for an amount not to exceed \$38,510.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Office of State Publishing for RBC Modular Format Testing Program		Meeting Date May 10, 2001
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Ken Krueger
Executive Director Approval <i>Thomas J. Bruin</i>	Date of Approval 4-24-01	Date of Report April 10, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize continuation of a contract with the Office of State Publishing (OSP) to administer the Regular Basic Course Modular Format testing program?

BACKGROUND

The modular format option of the regular Basic Course became effective on July 1, 1999. Each module requires students to take and pass one or more POST-constructed knowledge test(s) in order to successfully complete the training. Because POST has neither the staff and equipment resources, nor the space allocation necessary to assume direct responsibility for performing services associated with the administration of the tests (e.g., printing, maintaining sufficient inventory, shipping and retrieving test booklets, etc.), we have contracted with an outside vendor to provide those services.

ANALYSIS

Since the initiation of our contract in July 2000, the Office of State Publishing has provided acceptable service to POST and our client agencies in the administration of this testing program. The proposed contract for the 2001/02 fiscal year calls for an increase of 5% (due to an increase in staffing costs), to \$21,810.

RECOMMENDATION

Authorize the Executive Director to contract with the Office of State Publishing to administer the POST Regular Basic Course Modular Format testing program during fiscal year 2001-02 for an amount not to exceed \$21,810.

- Front-end instructional design elements (needs assessment, tasks, and objectives) for course projects are being emphasized earlier in the program. At the learning contract workshop, which follows within two months of the two-week core course, drafts of needs assessments are reviewed and tasks are identified.
- Submission of the full draft of the instructional design for students' course projects has been advanced three months in the program's time line, providing a substantial head start on initiating the project and an opportunity for fine-tuning prior to formal presentation of the project. This is expected to substantially improve the quality of course projects overall.
- An in-depth "facilitator's guide," which contains all the materials and guidance an instructor would need to teach the course (or an auditor would require for auditing), is being prepared. This documentation will ensure consistency of instruction among different facilitators, as well as provide a ready reference for all that is being taught.
- The evaluation instruments used in the Dimension Validation Workshop and Final Project Validation Workshop have been refined in order to improve reliability of assessment and enhance user-friendliness.
- Mentoring is fully integrated. Each candidate is assigned a master instructor from his or her local area who will serve as a mentor and coach. The mentor will meet with the candidate throughout the program, answer questions, review work in progress, and provide other support aimed at the candidate's successful completion of the program. This program was initiated with the current class (Class 13) and has resulted in remarkable improvements in candidate retention and product improvement.
- Marketing will be intensified. Presentations will continue to be made by MIDP staff and graduates at meetings throughout the state. The MIDP brochure will be updated and distributed along with MIDP videos.

From all indications, the changes made to the MIDP subsequent to the evaluation study have contributed to a robust program. The class currently in session has been the beneficiary of several of the program enhancements. That class, which began with 18 students, has attrited only one member. This outstanding outcome (both the class size and attrition rate) may be attributable to the newly implemented mentoring program and the programmatic changes involving instructional design elements.

The applicant pool is impressive (21 qualified applicants as of mid-March). This bodes well for both the quantity and quality of students to be enrolled in the two classes covered in this contract period.

This new contract is for a full twelve months, as compared to the current one which only covered a nine-month period (October 2000 through June 2001) due to an in-depth program evaluation extending the previous contract. While the new contract amount exceeds the current one's

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title MIDP Contract Renewal for FY 2001/2002		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Bray	Researched By Mike Hooper
Executive Director Approval <i>[Signature]</i> Kenneth J. O'Brien	Date of Approval 4-13-01	Date of Report April 9, 2001
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to contract with the San Diego Regional Training Center (SDRTC) for an amount not to exceed \$274,906 for coordination and presentation of the Master Instructor Development Program (MIDP) for Fiscal Year 2001-2002?

BACKGROUND

The MIDP is a key element in improving the quality of instruction for law enforcement. Since its inception in 1991, 12 classes have graduated, yielding a cadre of 129 master instructors. During May through September 2000, the program underwent a major program evaluation by external subject matter experts. The evaluation was prompted by concerns that the program was not operating as efficiently and effectively as it could be. For example, Classes 8, 9, 10, and 11 all began with enrollment figures below the allotted number of 18, and averaged only nine graduates per class. In itself, this shortfall in enrollments and in the return on investment (i.e., number of graduates) stimulated serious concern about program efficiency. In addition, observed unevenness in students' final course projects ("Total Training Packages") and in program operation further heightened concerns about program health.

The extensive program evaluation was completed as scheduled. During November 2000 POST staff met with SDRTC staff, facilitators of the MIDP, and the external evaluators to review the evaluation findings. The two-day meeting surfaced short- and long-term actions for maintaining the vitality of the program.

ANALYSIS

The MIDP has been, and continues to be, significantly revitalized through implementation of a number of the recommendations of the external evaluators, and through increased emphasis on recruitment. The reformulated MIDP includes the following enhancements:

amount (\$202,747) by \$72,159, it is actually less costly when pro-rated over the 12-month contract period. Too, the new contract covers eight events, while the current one covers only five events.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the SDRTC in an amount not to exceed \$274,906 for the MIDP for Fiscal Year 2001-2002.

- A web site to support the student workbook instructional system has been developed as part of the Digital Document Management (DMS) program. Work continues on the DMS to create and maintain a digital archiving system. Funds are needed annually to maintain the web site and the DMS for an amount of \$42,000 .

The total cost of instructor packages, student workbooks, instructor guides, and the digital document management program is \$174,400.

RECOMMENDATION

Authorize the Executive Director to enter into an Interagency Agreement with the Office of State Publishing to present the described services for an amount not to exceed \$174,400 for fiscal year 2001/2002.

2. Staff anticipates the need to produce three specialized videos at an average cost of \$52,478 each. Each year, POST assumes responsibility for the production of videos that are not named at the beginning of the fiscal year. These videos are typically designed to meet a specific training need and are expensive to produce. Design and front-end production costs are equivalent to the production of a telecourse. The shorter length generally reduces the overall cost of the video from the cost of a telecourse. The cost of the video has increased \$2,478. Last year's budget figure was \$150,000.
TOTAL COST OF SPECIALIZED VIDEOS **\$157,437**

3. VHS video duplication and fulfillment (handling, shipping, internet-based ordering) of *CPTN Video Review* and *Case Law Today* programs have been delegated to KPBS, which maintains the master POST video library and provides professional fulfillment services for all POST video programs. This figure combines \$40,000 from last year's budget and \$25,000 from a separate budget for Video Review and Case Law Today.
TOTAL COST OF MAILING AND DISTRIBUTION **\$65,000**

4. POST has developed a total of 3 telecourses for public safety dispatchers. The programs have enthusiastically been received by dispatchers, supervisors and training managers. The dispatch programs deal with contemporary dispatcher issues and are designed to meet the Commission's continuing professional training requirement. It is anticipated that two more programs can be developed during the fiscal year at a cost of \$84,613 per program. The cost increase from \$77,000 per program is due to increased production costs.
TOTAL COST OF PUBLIC SAFETY DISPATCHER TELECOURSES **\$169,226**

5. POST will broadcast monthly Legal Update and Case Law Today programs. The cost of each program is \$7,119. This figure remains the same from last year, but was carried in a different budget.
TOTAL COST OF LEGAL UPDATE & CASE LAW TODAY BROADCASTS **\$85,428**

6. Satellite signal encryption (scrambling) of all thirty-six (36) satellite broadcasts at an average cost of \$1,039 per broadcast. The figure is the same as last year.
TOTAL COST OF SATELLITE ENCRYPTION SERVICES **\$37,400**

7. Assembly, publication, distribution, and electronic (internet-based) production of the POST Video Catalog. This figure remains the same as last year.
TOTAL COST OF VIDEO CATALOG PRODUCTION **\$15,000**

8. Telecourse guides accompany each production and cost approximately \$9,333 to duplicate and mail to each telecourse downlink site. This figure is roughly the same as last year.
DUPLICATION AND DISTRIBUTION OF PRINT DOCUMENTS **\$100,000**

9. The Basic Training Bureau has requested that KPBS create "overview tapes" from the telecourses. The cost to create each overview tape is \$3,000.
TOTAL COST OF OVERVIEW TAPES **\$36,000**

- TOTAL COST OF SERVICES** **\$1,680,847**

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract for FY 2001-02 Telecourse Programs		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Jody Brinn
Executive Director Approval <i>Kenneth L. Brune</i>	Date of Approval 4-20-01	Date of Report March 26, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to sign an interagency agreement with San Diego State University Public Broadcasting Station (KPBS), for the development of the distance learning telecourse training programs, specialized videos and related video services for Fiscal Year 2001-02 for an amount not to exceed \$1,680,847?

BACKGROUND

San Diego State University Public Broadcasting (KPBS) is in a position to develop distance learning contractual relationships with POST. During the fiscal year 2000-01, POST and KPBS produced 17 telecourses and 3 specialized videos. The law enforcement community has enthusiastically accepted the medium, as evidenced by positive evaluations and a recent survey that indicated 75% of the sites use POST telecourse programs. Moreover, 552 law enforcement agencies currently possess satellite receivers provided by the Commission.

ANALYSIS

The interagency agreement with KPBS will incorporate conditions to complete several projects during the fiscal year including:

1. During the 2001-02 Fiscal Year, POST plans to develop 12 telecourses. The average cost to produce a telecourse will increase from \$77,400 to \$84,613. The added expense is due to the increased costs of talent, professional moderation and video production services. An additional day of field production for most scenarios increases the cost of each telecourse by \$3,500 alone. The total cost in the last year's budget was \$928,000.

TOTAL COST OF 12 TELECOURSES \$1,015,356

San Diego State University KPBS Public Broadcasting has provided POST with excellent production capability. Their management, script writers, producers, directors, and camera operators have adapted well and support POST's demand for high quality law enforcement programming. The current fiscal year's contract costs with PBS totaled \$1,837,539. This amount includes four separate contracts. This proposed contract combines several of these for the proposed total of \$1,680,847. The reduction, in part, is attributed to the elimination of the 12 broadcasts of videotape training programs. We surveyed law enforcement agencies and they indicated these programs were the least viewed.

RECOMMENDATION

Authorize the Executive Director to sign an interagency agreement with San Diego State University for the development of distance learning telecourse training programs, specialized videos and related training services for Fiscal Year 2001-02 for an amount not to exceed \$1,680,847.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Simon Wiesenthal Center, dba Museum of Tolerance for the presentation of Tools for Tolerance for Law Enforcement training courses for the fiscal year 2001-2002		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Jan Bullard
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-4-01	Date of Report March 20, 2001
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 detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Museum of Tolerance for the delivery of Tools for Tolerance for Law Enforcement for the Fiscal Year 2001-2002 contingent upon Legislative approval and commensurate allocation in an amount not to exceed \$1,556,000?

BACKGROUND

In 1996 the California Legislature allocated two million dollars to POST to provide an 8-hour experiential training program for 7,000 law enforcement officers. That allocation has continued each year to the present. Of the two million dollars, POST retains \$444,000 to reimburse agencies for their travel and per diem in conjunction with the travel to Los Angeles. The remaining \$1,556,000 is available for tuition for the Museum of Tolerance. Last year the tuition was \$203.73 per student. In 1997 the Legislature modified the act allowing the chief law enforcement officers to designate any agency employee to attend the training.

ANALYSIS

This action will establish a sixth year contract with the Museum of Tolerance for 7,000 additional law enforcement employees. POST will again retain \$444,000 for travel and per diem and make \$1,556,000 available to the Museum in the form of tuition. The tuition will again be \$203.73 per student.

From the establishment of the program in July 1996 through January 31, 2001, 33,742 reimbursable employees have participated in this training experience. This includes 21,079 sworn, 5,833 academy and 6,830 non-sworn employees.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Museum of Tolerance for the delivery of Tools for Tolerance for Law Enforcement for the Fiscal Year 2001-2002 contingent upon Legislative approval and commensurate allocation in an amount not to exceed \$1,556,000.

concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is, therefore, the foundation upon which all other courses are built. The proposed FY 2001/02 cost of the Core Course is \$191,810, an average cost of \$38,362. The increases include \$3,600 for instructor travel added into the presentation budget. This has been done to reduce clerical workload for POST staff. Other increases are student materials \$1,300, classroom equipment rental \$1,000, and increased meeting room costs \$2,800. \$2,414 of this increase is offset through reduction of instructor salary and overhead.

Contract Item 2. Homicide Foundation Specialty

The proposed FY 2001/02 cost for four Homicide Foundation Specialty presentations is \$112,460, an average presentation cost of \$28,115. As with the Core Course, travel and per diem costs for the instructional staff have been included in the presentation budget that accounts for \$3,300 of the increase. Other factors are an increase for hotel room and equipment rental (\$3,500) partially offset by slight reductions in instructional costs and supplies, a \$528 reduction.

Contract Item 3. Child Abuse Foundation Specialty

The proposed FY 2001/02 cost of this course is \$26,824, an average cost of \$13,412. Last year's presentation cost was \$13,130. SRPSC provided four presentations of this class each during the past two years. Two presentations are requested in this contract with CSUS. The other two presentations are being transferred to San Jose State University to provide a more balanced geographic distribution for the convenience of our law enforcement clients.

Contract Item 4. Sexual Assault Foundation Specialty

The proposed FY 2001/02 cost of this course is \$26,908, an average cost of \$13,454. Last year's presentation cost was \$13,115. SRPSC provided four presentations of this class each during the past two years. Two presentations are requested in this contract with CSUS. The other two presentations are being transferred to San Jose State University to provide a more balanced geographic distribution for the convenience of our law enforcement clients.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the California State University, Sacramento (CSUS) for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course; four presentations of the ICI Homicide Foundation Specialty, and two presentations each of the ICI Child Abuse and Sexual Assault Foundation Specialty Courses in an amount not to exceed \$358,002 for fiscal year 2001/2002.

therefore, the foundation upon which all other courses are built. The average cost for this year is \$40,882 per presentation. The increase of \$3919 per presentation is due to the inclusion of instructor travel into the presentation budget. This has been done to reduce clerical workload for POST staff. There is also an additional increase of \$1,495 for student books and materials.

Contract Item 2. ICI Instructor Development Workshops

SDRTC will provide two presentations of the ICI Instructor Development Workshop class. Last year, four were scheduled but a fifth presentation was added due to high demand. Two presentations are projected to meet anticipated instruction qualification needs during the upcoming year. This year, the presentation cost has increased from \$18,256 to \$24,386 to include instructor travel.

This instructor development program has been coordinated with the POST Basic Academy voluntary instructor development program for content and delivery consistency.

Contract Item 3. Student/Instructor Evaluation

This program element was successfully piloted during FY 1998/1999 and fully implemented during FY 1999/2000. The quality of classroom presentation has taken a large step forward as more and more instructors hired since July 1999 move into the classroom. The program continues to involve Master Instructor Development Program (MIDP) graduates monitoring up to two presentations by the ICI Instructor Development trainee in their ICI class setting. Program costs have been reduced \$5,350 from \$62,100 to \$56,750.

This program takes advantage of the skills of MIDP graduates by applying their mentoring skills directly in the ICI classroom. The Student/Instructor Evaluation activity is giving POST valuable information on methods to enhance classroom instruction and on methods of improving the learning by our end user, the follow-up investigator. This program provides up to \$500 for the MIDP mentor for two visits (if needed) for up to 85 ICI Instructor Development trainees during this contract year.

Contract Item 4. ICI Identity Theft Investigators Course

More than 500,000 people nationwide will become identity theft victims in the year 2001; an increase of more than 450,000 annual cases over the last 5 years. In response to the training needs of our clients, POST has developed this specialty course. The pilot phase of the development will be completed in June 2001. SDRTC will be our southern California presenter. Each of the pilot presentations has been fully enrolled and inquiries about future courses have been heavy. This is the first course of its kind in the nation. The curriculum design is taking full advantage of the use of computers and the Internet not only as instructional tools in the classroom but also as investigative tools for our detectives. Each graduate will have specific material that will assist him or her in providing training at their home agency to other investigators as well as uniform first responders to better meet the challenge of this emerging crime problem.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the San Diego Regional Training Center for FY 2001/2002		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Ray Bray	Researched By Dave Spisak
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-20-01	Date of Report April 19, 2000
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 detail) <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 Executive Director enter into a contract with the San Diego Regional Training Center (SDRTC) for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, two presentations of the ICI Instructor Workshop Class including Student/Instructor Evaluation, two presentations each of the ICI Identity Theft and Hate Crime Investigation courses, and specified administrative support for the ICI Program in an amount not to exceed \$357, 346 for fiscal year 2001/2002.?

BACKGROUND

This is a renewal of a contract that was in effect for fiscal year 2000/2001. Demand for all ICI courses has remained steady requiring that four sessions of the Core Course and two sessions of the Instructor Development workshop be offered. SDRTC is the Southern California presenter of ICI Courses. The Instructor Development activities are rotated throughout the State as needed. SDRTC will be the southern California presenter for the new ID Theft and Hate Crime investigator courses. Currently SDRTC is presenting five ICI Core Courses at a cost not to exceed \$184,815 at an average cost of \$36,963 one of the Core Courses is being moved to the Fresno area.

SDRTC also provided five presentations of the ICI Instructor Workshop Class at an average cost of \$18,256 each, the Annual Instructor Update Workshop, and specified administrative support for the ICI Program. The FY 2000/2001 budget for all these activities is \$469,595. The Annual Instructor Update Workshop will not be presented this year due to the utilization of other communication methods thereby reducing the overall costs with this presenter.

ANALYSIS

This contract will provide for six deliverable instructional and support activities for the ICI Program:

Contract Item 1. ICI Core Course

(SDRTC) is one of six providers of the ICI Core Course. All courses are presented using adult experiential learning concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is,

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, two presentations of the ICI Instructor Workshop Class including Student/Instructor Evaluation, two presentations each of the ICI Identity Theft and Hate Crime Investigation courses, and specified administrative support for the ICI Program in an amount not to exceed \$357,346 for fiscal year 2001/2002.

The course will cost \$22,527 or less per presentation. Variables include required travel for instructors (depending on specific class locations) and variable costs for high speed Internet access in the classroom. Two southern California presentations are being requested.

Contract Item 5. ICI Hate Crime Investigators Course

Hate crime victims are usually targeted, not because of anything they have said or done to the suspects or for financial gain, but because of whom they are or what they believe in. As such, hate crimes violate the very basic tenants of our democracy by targeting the right of every resident to be himself or herself and to live safely and freely. High profile hate crimes in California and elsewhere in the nation have provided heightened interest by our communities and client law enforcement agencies. This course has been developed in response to expressed interest by the field.

The pilot phase of the development was completed in April 2001. SDRTC will be our southern California presenter. There has been considerable interest in this course, in particular by large agencies such as the Los Angeles Sheriff's and Police Departments. The Anti-Defamation League (ADL) and the Museum of Tolerance (Simon Wiesenthal Center) have been generous in their cooperation in the development of this course. The curriculum design for this course, like the ID Theft course, is taking full advantage of the use of computers and the Internet both as instructional tools in the classroom and as investigative tools for our detectives. Each graduate will have specific material that will assist him or her to provide training at their home agency to other investigators as well as uniform first responders.

The course will cost \$23,651 or less per presentation. Variables include required travel for instructors (depending on specific class locations) and variable costs for high speed Internet access in the classroom. Two southern California presentations are being requested.

Contract Item 6. Administrative Support

SDRTC will continue to provide the same administrative support as last year. This program element has been organized into three groups: Publications include editing, formatting, printing and mailing of the quarterly newsletter *Follow Up*, updating, printing and mailing the *Student/Instructor Evaluation - Mentoring Handbook*, populating and updating the ICI Web Page, and developing, printing and distribution of the ICI Course Guidelines. These activities will cost \$34,700, which represents a slight decrease from last year.

The second administrative area includes student counseling and certification verification, a stipend for non-paid presenters to attend required staff meetings during the year (at \$25/hour), and 15% overhead for those items of this program element associated with payroll activities. The \$17,990 costs is similar to last year's costs with the exception of the \$9,390 overhead charge which was inadvertently omitted from last year's contract.

Last year, similar administrative support was provided for \$88,440. This year, the cost is \$52,690, reduced due to the elimination of the Annual Instructors' Workshop.

simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is the foundation upon which all other courses are built.

San Jose State University will present four offerings at a cost of \$163,128. This is an average cost of \$40,782 each. Last year the cost was \$36,109 each. This is a \$4,250 increase per class. Since the increase costs of instructor travel and per diem is \$4,980 per class, there was an actual reduction in presentation cost of \$730 before travel and per diem is considered. Travel costs have been added to the presentation budgets to reduce clerical workload for POST staff.

Contract Item 2. ICI Homicide Foundation Specialty

Prior to this year the Department of Justice has provided five presentations of the ICI Homicide Foundation Specialty class. In an effort to increase geographic distribution of this popular course, three of those presentations have been transferred to SJSU. The \$89,337 requested will provide for an average cost of \$29,779. We are also requesting a one-time equipment purchase of \$13,500 to provide for a LCD, LCD speakers, a VCR, a digital camera and a notebook computer to support this class. The equipment will also be used by other ICI courses offered by this presenter.

Contract Item 3. ICI Identity Theft Investigators Course

More than 500,000 people nationwide will become identity theft victims in the year 2001, an increase of more than 450,000 annual cases over the last 5 years. In response to the training needs of our clients, POST has developed this specialty course. The pilot phase of the development will be completed in June 2001. SJSU will be our northern California presenter. Each of the pilot presentations has been fully enrolled and inquiries about future courses have been heavy. This is the first course of its kind in the nation. The curriculum design is taking full advantage of the use of computers and the Internet not only as instructional tools in the classroom but also as investigative tools for our detectives. Each graduate will have specific material that will assist him or her in providing training at their home agency to other investigators as well as uniform first responders to better meet the challenge of this emerging crime problem.

The course will cost \$22,527 or less per presentation. Variables include required travel for instructors (depending on specific class locations) and variable costs for high speed Internet access in the classroom. Two northern California presentations are being requested.

Contract Item 4. ICI Hate Crime Investigators Course

Hate crime victims are usually targeted, not because of anything they have said or done to the suspects or for financial gain, but because of who they are or what they believe in. As such, hate crimes violate the very basic tenants of our democracy by targeting the right of every resident to be his or herself and live safely and freely. High profile hate crimes in California and elsewhere in the nation have provided heightened interest by our communities and client law enforcement agencies. This course has been developed in response to request by the field.

The pilot phase of the development was completed in April 2001. SJSU will be our northern California presenter. There has been considerable interest in this course, in particular by large agencies such as the Los Angeles Sheriff's and Police Departments. The Anti-Defamation League (ADL) and the Museum of Tolerance (Simon Wiesenthal Center) have been generous in their cooperation in the development of this course. The curriculum design for this course, like the ID Theft course, is taking full advantage of the use of computers and the Internet both as instructional tools in the classroom and as investigative tools for our detectives. Each graduate will have specific material that will assist him or her to provide training at their home agency to other

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract, with San Jose State University for FY 2001/2002		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By [Signature] Ray Bray	Researched By Dave Spisak
Executive Director Approval [Signature] Kenneth J. O'Brien	Date of Approval 4-20-01	Date of Report April 19, 2001
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 detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with San Jose State University for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, three presentations of the ICI Homicide Foundation Specialty, two presentations each of the new ID Theft and Hate Crime Foundation Specialties, and two each presentations of the Sexual Assault and Child Abuse Foundation Specialty courses in an amount not to exceed \$412,053 for fiscal year 2001/2002?

BACKGROUND

This is a renewal of contracted courses that were in effect for fiscal year 2000/2001. This presenter is currently offering five presentations of the ICI Core Course at an average presentation cost of \$36,532. They will be offering four presentations in this proposed contract. New to San Jose State University this year are three presentations of the ICI Homicide Foundation Specialty. These three courses have been transferred from the Department of Justice to provide geographic balance for this popular course. SJSU will be the northern California presenter for the new ID Theft and Hate Crime investigator courses.

Finally, Los Rios Community College, through their Sacramento Regional Public Safety Training Center has been the sole northern California presenter of the ICI Sexual Assault and Child Abuse Foundation Specialties. Los Rios is no longer able to present these courses due to salary issues. This contract would transfer two presentations of both of those courses to San Jose State University, again to provide better geographic balance for our clients.

ANALYSIS

This contract will provide for six deliverable instructional activities for the ICI Program:

Contract Item 1. ICI Core Course

San Jose State University is one of six providers of the ICI Core Course. All are presented using adult experiential learning concepts which has proven to be an excellent method of instruction for follow-up investigators. Students are challenged to learn by performing in realistic role-play exercises and practical

investigators as well as to uniform first responders.

The course will cost \$23,651 or less per presentation. Variables include required travel for instructors (depending on specific class locations) and variable costs for high speed Internet access in the classroom. Two northern California presentations are being requested.

Contract Item 5. ICI Sexual Assault Foundation Specialty

The proposed FY 2001/02 cost of two presentations of this course is \$26,908, an average cost of \$13,454. Last year's presentation cost was \$13,130. Los Rios Community College provided four presentations of this class each during the past two years. Two presentations are requested in this contract with SJSU. The other two presentations are being transferred to California State University, Sacramento to provide a more balanced geographic distribution for the convenience of our law enforcement clients.

Contract Item 6. ICI Child Abuse Foundation Specialty

The proposed FY 2001-02 cost of two presentations of this course is \$26,824, an average cost of \$13,412. Last year's presentation cost was \$13,130. Los Rios Community College provided four presentations of this class each during the past two years. Two presentations are requested in this contract with SJSU. The other two presentations from the Los Rios Community College contract are being transferred to California State University, Sacramento to provide a more balanced geographic distribution for the convenience of our law enforcement clients.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with San Jose State University for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, three presentations of the ICI Homicide Foundation Specialty, four presentations each of the new ID Theft and Hate Crime Foundation Specialties, and two each presentations of the Sexual Assault and Child Abuse Foundation Specialty courses in an amount not to exceed \$412,053 for fiscal year 2001/2002.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the Los Angeles Sheriff's Department for FY 2001/2002		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Dave Spisak
Executive Director Approval <i>Joseph J. O'Brien</i>	Date of Approval 4-13-01	Date of Report April 10, 2001
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 detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Los Angeles Sheriff's Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Homicide Foundation Specialty Course in an amount not to exceed \$79,684 for fiscal year 2001/2002?

BACKGROUND

The Los Angeles Sheriff's Department in cooperation with the Los Angeles Police Department has presented the ICI Homicide Foundation Specialty course for the past four years. Last year their average presentation cost was \$18,422.

ANALYSIS

The Homicide course is one of 12 ICI Foundation Specialty choices for follow-up investigators to select. The Los Angeles Sheriff's Department agreed to join the ICI program as a homicide presenter to reduce the waiting time of detectives to take this class. Their participation has been very successful in reducing the waiting time for detectives in the greater Los Angeles basin.

The average presentation cost this year is \$19,621. This 6.5% increase is based on the inclusion of instructor travel into the presentation budget. This has been done to reduce clerical workload for POST staff. Because the Sheriff's Department will furnish most of the instructors and 80-hours of the Class Administrator at no cost, the cost of each class is substantially less than the DOJ, SJSU and Sacramento Regional Criminal Justice Center's presentation costs.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Los Angeles Sheriff's Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Homicide Foundation Specialty Course in an amount not to exceed \$79,684 for fiscal year 2001/2002

Chiefs and sheriffs continually request management and executive training seminars on a variety of contemporary issues. The Sheriffs' Workshop Series, Area Training Seminars, Problem-Solving Seminars, Small Agency Chiefs, Contract City Commanders, and Commands of Large Cities, will be continued under this contract. The training workshops will ensure that managers and executives meet the new Continuing Professional Training requirement.

The increase of \$93,395 (20 %) over the 2000/2001 fiscal year contract for Command College and Executive Workshops is primarily due to moving travel and per diem costs for volunteer services into the contract. These were previously paid by Letter of Agreement. These figures also reflect an increase in the number of requests for executive workshops, increased facility fees due to increased energy costs, a more accurate allowance for materials and supplies for Command College and for clerical support.

Demand for the Executive Development Course remains high. All six scheduled sessions fill quickly, which results in a waiting list. The increase of \$4,184 (2.6 %) over FY 2000/2001 is due primarily to adjustments in facility charges and coordinator and clerical costs associated with presentation of the six courses.

The following are cost breakdowns associated with the training and course presentations for FY 2001/2002:

<u>Program</u>	<u>2000/2001</u>	<u>2001/2002 Proposed</u>
1. Command College	\$291,405	\$341,685
2. Executive Training/ Sheriffs' Workshop Series	\$117,000	\$151,625
Subtotal	<u>\$408,405</u>	<u>\$493,310</u>
10% Indirect Costs	(Below)	<u>\$ 49,331</u>
Total Command College/Executive Workshops:		\$542,641
<hr/>		
3. Executive Development Course	\$141,570	\$145,374
4. Leadership 2000 Symposium	\$129,631	-0-
Subtotal	\$679,606	\$145,374
10% Indirect Costs	(Below)	<u>\$ 14,537</u>
Total Executive Development/Symposium		\$159,911
Subtotal	\$679,606	\$702,552
10% Indirect Costs	<u>\$ 67,960</u>	<u>Included above</u>
GRAND TOTAL	\$747,566	\$702,552

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Law Enforcement Command College and Executive Training - Fiscal Year 2001/2002		Meeting Date May 10, 2001
Bureau Center for Leadership Development	Reviewed By Ken Whitman	Researched By Alicia Powers
Executive Director Approval Kenneth J. O'Brien	Date of Approval 4-20-01	Date of Report March 30, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Law Enforcement Command College, Executive Training, and Executive Development Course contracts in the amount of \$702,552 for fiscal year 2001/2002 are presented to the Commission for review and approval.

BACKGROUND

The total cost for these programs in fiscal year 2000/2001 was \$747,566. The contract amount also included funding for the POST Leadership 2000 Symposium that was held in December 2000.

Twenty-nine classes have completed the Command College program. Class 30 will graduate in June. Two classes are currently in session, and one class will start in May. There are a total of 14 Command College workshops scheduled during each fiscal year. The contract provides the necessary support to present the 14 Command College workshops, including site, materials, facilitators, instructors and continuous development costs. In addition, funds are used for the course on-site manager, class mentors, project review, on-going curriculum development, selection and orientation of new instructors, and funding for interview panels as the final phase of the selection process.

The annual contracts also include funds for the development and presentation of training seminars for sheriffs, chiefs of police and senior managers, as well as six presentations of the 80-hour Executive Development Course.

ANALYSIS

The Command College continues to receive widespread support and interest from law enforcement nationally and internationally. The program places an emphasis on leadership and the future as it relates to emerging issues that may impact the participant's agency and law enforcement in general. Contemporary leadership theories and practices for the 21st century are a key part of the program and provide necessary tools to help agency leaders prepare for the future.

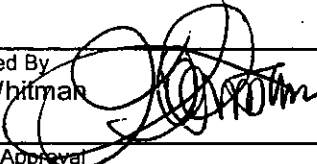
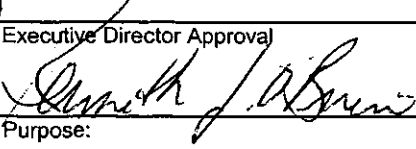
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The negotiated contracts, approved by the Executive Director, will be modified to include travel and per diem that were previously paid by Letter of Agreement. All travel and per diem for these contract programs will now be paid from the authorized amounts approved by the Commission.

RECOMMENDATION

1. Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center to provide support for the Command College and the executive training workshops at a cost not to exceed \$542,641 for fiscal year 2001/2002.
2. Authorize the Executive Director to enter into a contract with the Santa Rosa Regional Training Center/Santa Rosa Community College to provide support for the Executive Development Course at a cost not to exceed \$159,911 for fiscal year 2001/2002.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Labor/Management Partnerships training – Fiscal Year 2001/2002		Meeting Date May 10, 2001
Bureau Center for Leadership Development	Reviewed By Ken Whitman 	Researched By Steve Lewis
Executive Director Approval 	Date of Approval 4-24-01	Date of Report April 20, 2001
Purpose:		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Detail)
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status report		<input type="checkbox"/> No

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

Issue

Commission review and approval of the Labor/Management Partnerships Training contract in the amount of \$69,906.80 for fiscal year 2001/2002.

Background

The Commission approved the contract with the San Diego Regional Training Center to present three presentations of the Labor/Management Partnerships Core Course, develop the Labor Law Course, and two presentations of the Labor Relations Law Course during the 2000/2001 fiscal year, at a cost not to exceed \$85,211.20.

Analysis

The Core Course continues to be well regarded by law enforcement executives and labor leaders who have evaluated it as meeting their needs. They have recommended that the course continue to be offered to executives and labor leaders. Three presentations of the core course are planned for 2001/2002. The approximate cost for each of the core course presentations is \$12,014. The core course accommodates 24 trainees in each session at a cost of \$500 per trainee. The total cost for three presentations is \$36,044.

The Labor Relations Law Course provides labor and agency executives with knowledge of current laws applicable to labor/management relationships. Two presentations will be offered in 2001/2002. Each presentation will cost \$16,931 based on 24 trainees in each presentation at a cost of \$1,410 per trainee. The total cost for two presentations will be \$33,862.

Recommendation

Authorize the Executive Director to enter into a new contract with the San Diego Regional Training Center for three presentations of the Labor/Management Partnerships Core Course and two presentations of the Labor Relations Law Course during the 2001/2002 fiscal year at a cost not to exceed \$69,906.80.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the Los Angeles Police Department for FY 2001-2002		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By [Signature] Ray Bray	Researched By Dave Spisak
Executive Director Approval [Signature] Kenneth L. Brown	Date of Approval 4-20-01	Date of Report April 2, 2001
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 detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Los Angeles Police Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$108,316 for Fiscal Year 2001-2002?

BACKGROUND

This is a renewal of a contract that was in effect for fiscal year 2000/2001. This provider currently is presenting four ICI Core Courses at a total cost not exceeding \$111,564 with an average cost of \$26,141 per class, plus \$7,000 for equipment purchases.

ANALYSIS

The Los Angeles Police Department is one of six providers of the ICI Core Course. All courses are presented using adult experiential learning concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is, therefore, the foundation upon which all other courses are built. The presenter is required to register no less that 15% of their students from non-LAPD agencies.

The Los Angeles Police Department will present four offerings at a cost of \$104,316. This is \$62 less per presentation than current year cost. At the proposed Fiscal Year 01-02 cost, the cost per presentation is \$26,079. This budget also contains funds to purchase one color printer for the course at a cost not to exceed \$4,000 and computer rental for each student at a cost of \$3,100.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Los Angeles Police Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$108,316 for Fiscal Year 2001-2002

Alameda County Sheriff
Alan Hancock College
Fresno Police
California Highway Patrol
Los Angeles Police
Los Medanos College
Oakland Police
Orange County Sheriff
Sacramento Police
San Bernardino County Sheriff
San Diego Police
Santa Rosa Training Center
South Bay Regional Public Safety Training Consortium
Ventura County Sheriff

RECOMMENDATION

Authorize the Executive Director to enter into contracts with the agencies and colleges described to train a maximum of **4537** students in *Basic Course Driver Training, Basic Motorcycle Training, Motorcycle Update Training, and Basic Narcotics Training*. The total amount of these contracts not to exceed **\$3,008,743** for the period starting July 1, 2001 and ending June 30, 2002.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Approvals - Basic Driver Training, Motorcycle & Narcotic Courses		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By Dick Reed <i>M. W. H.</i>	Researched By Gary Sorg
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-23-01	Date of Report April 20, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

Approval to enter into contract agreements with certain POST certified presenters of the Basic Course Driver Training, the Basic Motorcycle Course, Motorcycle Update Course, and the Basic Narcotic Course to provide training to California law enforcement for fiscal year 2001/2002.

BACKGROUND

The Commission has recognized the difficulty for some law enforcement agencies to pay for tuition costs in advance of the course presentation. For several years the Commission has allowed the transfer of some categories of training, identified as high cost and needed statewide, from Plan III to contract. *Basic Course Driver Training, Basic Motorcycle Training, Motorcycle Update, and Basic Narcotics Training*, have been identified by the Commission thus far as meeting this category. Although switching from Plan III to contracts has not appreciably increased or decreased the cost to POST of providing these courses, agencies have benefitted by the elimination of up-front costs and some reduction in administrative processing. These contracts have moderately increased workload for POST staff in the Administrative Services Bureau and the Training Delivery and Compliance Bureau.

ANALYSIS

The amount proposed represents the same amount that would be allocated through terms of certification for tuition under Plan III and does not increase the fiscal impact to the Peace Officer Training Fund. These actions are a step toward making training programs more convenient for law enforcement and to ensure critical training is delivered without undo financial barriers.

Contract agreements would occur for the training specified above with the following agency and college presenters:

ATTACHMENT

Contracts F/Y 00-01 Basic Driver Training, Basic Motorcycle, Motorcycle Update, and Basic Narcotic Courses

	<u>DT</u>	<u>M</u>	<u>MU</u>	<u>N</u>
Alameda County Sheriff	\$ 89,000(200)(\$445)	\$153,000(100)(\$1530)	\$12,950(50)(\$259)	
Alan Hancock College	\$13,350(30)(\$445)			
California High. Patrol		\$ 96,525 (65)(\$1485)	\$15,408(72)(\$214)	
Los Angeles Police	\$445,000(1000)(\$445)	\$159,700(100)(\$1597)		
Fresno Police		\$59,460 (60)(\$991)		
Los Medanos College	\$66,750(150)(\$445)			
Oakland Police	\$53,400(120)(\$445)			
Orange County Sheriff	\$123,375(235)(\$525)			\$ 68,375(125)(\$547)
Sacramento Police	\$ 44,625(85)(\$525)			
San Bernardino Sheriff	\$787,500(1500)(\$525)	\$221,800(200)(\$1109)		
San Diego Police	\$169,100(380)(\$445)			
Santa Rosa Training Center	\$89,000(200)(\$445)			
Bay Regional PSTC	\$209,150(470)(\$445)			
Ventura County Sheriff	\$131,275(295)(\$445)			

Projected Students	DT	3765	\$2,221,525
	M	525	\$ 690,485
	MU	122	\$ 28,358
	N	<u>125</u>	<u>\$ 68,375</u>
Grand Total Students.....		4537	\$3,008,743.....Grand Total Contracts

Contract agreements would occur with the following agency and college presenters:

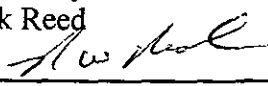

Alameda County Sheriff
Alan Hancock College
Butte College
Fresno Police
Kern County Sheriff
Los Medanos College
Los Angeles Police
Los Angeles County Sheriff
Orange County Sheriff
Ray Simon Center
Redding Police
College of the Redwoods
Riverside County Sheriff
Sacramento Police
Sacramento County Sheriff
San Bernardino County Sheriff
San Diego County Sheriff
San Francisco Police
San Jose Police
Santa Rosa Training Center
Self Defense Firearms Training
College of the Siskiyous
South Bay Regional Public Safety Training Consortium
Ventura County Sheriff
West Covina Police

RECOMMENDATION

Authorize the Executive Director to enter into contracts with the agencies and colleges described to train a maximum of 43,585 students in *Driving Simulator and Force Option Simulator Training*. The total amount of these contracts not to exceed \$ 3,453,311 for the period starting July 1, 2001 and ending June 30, 2002.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Approvals - Driver Simulator Training and Force Option Training		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By Dick Reed 	Researched By Gary Sorg
Executive Director Approval 	Date of Approval 4-23-01	Date of Report April 20, 2001
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.

ISSUES

Approval to enter into contract agreements with certain POST certified presenters of the *Driving Simulator Training and Force Option Training* to provide training to California law enforcement for fiscal year 2001/2002.

BACKGROUND

The Commission has recognized the importance of judgement and decision-making training in the areas for driving and use of force situations for California law enforcement. In response to this critical training needs, the Commission has expended over six million dollars to purchase technological hardware in the form of Driving and Force Option Simulators. This represents a tremendous commitment by the Commission to help ensure that both the public and the peace officers are protected when split second decisions and judgements must be made during critical incidents that occur hundreds of time per day. In its decision to make this training a high priority, the Commission recognized that these two areas of driving and use of force represent the highest potential sources of civil liability for law enforcement today. At the October 1999 Commission meeting, the Commission took action allowing conversion of *Driving Simulator and Force Option Simulator Training* from Plan III (Tuition based) to direct Contract in order to make this important training more convenient.

The Commission, at their April 2000 meeting, authorized the executive director to enter into contacts with those simulator training presenters who were prepared to provide training on a contract basis from for fiscal year 2000/2001. This proposal would continue to allow the Executive Director to enter into contracts with presenters of *Driving Simulator and Force Option Simulator Training* for fiscal year 2001/2002.

ANALYSIS

The amount proposed represents the same amount that would be allocated through terms of certification for tuition under Plan III and does not increase the fiscal impact to the Peace Officer Training Fund. These actions are a step towards making training programs more convenient for law enforcement and to ensure critical training is delivered without undo financial barriers.

ATTACHMENT

DATE: April 20, 2001

Contracts F/Y 01-02 Driving Simulator Training and Force Option Simulator Training (Firearms)

	<u>Driving Simulator</u>	<u>Mobile</u>	<u>Force Option Simulator</u>	<u>Mobile</u>
Alameda County Sheriff	\$ 184,000(2000)(\$92)		\$196,000(2000)(\$98)	
Alan Hancock College	\$ 40,000(500)(\$80)		\$36,500(500)(\$73)	
Butte College	\$12,075(175)(\$69)			
Fresno Police	\$ 66,00 (1000)(\$66)		\$54,000(1000)(\$54)	
Kern County Sheriff	\$54,400(800)(\$68)		\$54,400(800)(\$68)	
Los Medanos College	\$104,400(1200)(\$87)		\$66,000(1200)(\$55)	
Los Angeles Police	\$147,200(1600)(\$92)		\$82,940(1430)(\$58)	
Los Angeles County Sheriff	\$163,200(1600)(\$1028)		\$72,000(1600)(\$45)	
Orange County Sheriff	\$176,694(18030)(\$98)		\$97,362(1803)(\$54)	
Ray Simon Center	\$35,600(400)(\$89)		\$35,600(400)(\$89)	\$20,800(200)(\$104)
Redding Police			\$48,600(600)(\$81)	
College of the Redwoods			\$13,6000(200)(\$68)	
Riverside County Sheriff	\$76,032(1152)(\$66)		\$91,008(1152)(\$79)	
Sacramento Police	\$ 57,600(1280)(\$45)			
Sacramento County Sheriff			\$67,200(640)(\$105)	\$98,560(640)(\$154)
San Bernardino Sheriff	\$79,000(1000)(\$79)		\$71,000(1000)(\$71)	
San Diego Sheriff	\$81,600(1200)(\$68)		\$81,600(1200)(\$68)	
San Francisco Police	81,600(1200)(\$68)		\$81,600(1200)(\$68)	
San Jose Police	\$86,400(1200)(\$72)		\$86,400(1200)(\$72)	
Santa Rosa Training Center	\$20,800(200)(\$104)		\$17,000(200)(\$85)	
College of the Siskiyous	\$5,400(100)(\$54)		\$8,100(150)(\$54)	
Self Defense Firearms Training			\$172,800(1200)(\$144)	
So. Bay Regional PSTC		\$125,000(1000)(\$125)		\$125,000(1000)(\$125)
Ventura County Sheriff	\$37,400(550)(\$68)		\$37,400(550)(\$68))	
West Covina Police	\$102,000(1200)(\$85)		\$102,000(1200)(\$85)	

Projected Students	DTS	21,160	\$ 1,736,401	
	FOS	<u>22,424</u>	<u>\$ 1,716,910</u>	
Grand Total Students.....		<u>43,585</u>	<u>\$3,453,311</u>Grand Total Contracts

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Department of Justice Contract for Fiscal Year 2001/2002		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By <i>Dick Reed</i> Dick Reed, Bureau Chief	Researched By Bernie Homme
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-23-01	Date of Report April 20, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Shall the Commission approve an Interagency Agreement (IA) between POST and the Department of Justice Advanced Training Center in the amount not to exceed \$2,211,225 to cover the cost of training delivery services for Fiscal Year 2001/2002?

BACKGROUND

POST has contracted with the Department of Justice to present certified courses since 1974. The amount of the agreement each year has been based upon actual presentation costs to DOJ for instruction, coordination, clerical support, supplies, and travel. Courses included in the contract are based on training needs assessment information and agency feedback. Individual course budgets are developed in accordance with existing certification requirements. The contract for this Fiscal Year 2001/2002 is \$2,211,225.

ANALYSIS

The contract amount for Fiscal Year 2001/2002 is \$2,211,225. This amount reflects direct and indirect costs to train approximately 3,746 students in 27 different technical courses (Attachment "A"). It is proposed that three new courses be presented: Casemaking, Elder Abuse and Dependent Adult Abuse Investigation, and Managing and Supervising a Criminal Intelligence Unit. The three courses would train an additional 142 students.

The costs are within the new budget guidelines; number of course offerings; the number of students; instructor travel and per diem; hotel meeting room costs; audio visual equipment rental, and a slight increase in the number of courses presented.

Increases in individual course costs reflect changes in presentation locations initiated at POST's request, direct increases in the cost of student materials, and rental costs for essential instructional support equipment. Changes to certification conditions are limited to minor adjustments to total numbers of students, total instructional hours, or to the number of course presentations authorized.

RECOMMENDATION

Authorize the Executive Director to sign a contract with the Department of Justice for Fiscal Year 2001-2002 for an amount not to exceed \$2,211,225.

Computer Forensics	80 hrs/2 classes 16 students/class 32 total trainees	Increased hours from 36 to 80.	\$78,732	\$250,728
Computer, High Tech Crime Investigation	36 hrs/5 classes 24 students/class 120 total trainees	Reduced the number of classes by 3. Saturation of this course over the last 2 years has diminished its request. Funding redirected to 80 hr. Forensic Course.	\$111,568	\$71,240
Computer, Internet Crime Investigation	32 hrs/ 8 classes 20 students/class 160 total trainees	Increase due to hourly rate increase for instructor and higher travel and per diem costs.	\$111,248	\$122,400
Dignitary Security	36 hrs/ 6 classes 30 students/class 180 total trainees	Increase due to hourly rate increase for instructors and high travel and per diem costs.	\$114,234	\$131,178
Drug ID/Influence (11550)	36 hrs/3 classes 50 students/class 150 total trainees	Decrease due to eliminating one instructor.	\$65,388	\$64,434
Drug Id/Influence T4T	60 hrs/2 classes 20 students/class 40 total trainees	Increased the number of classes by 1. Increased hourly rate of one instructor.	\$15,727	33,554
Drug Trafficker-Interdiction	40 hrs/3 classes 16 students/class 48 total trainees	Increase due to hourly rate increase for one instructor & higher travel, per diem costs.	\$57,918	\$61,386
Electronic Surveillance (Wiretap)	8 hrs/10 classes 65 students 650 total trainees	Increase due to change in instructors, number of students per class, and higher travel/per diem.	\$61,000	74,950
Executive Intelligence	16 hrs/3 classes 22 students/class 66 total trainees	Decrease the number of classes by 1. Needed to reallocate funding to new Manage & Supervise a Criminal Intelligence Unit.	\$47,144	36,371
Elder Abuse and Dependent Adult Abuse Investigation	24 hrs/ 2 classes 26 students/class 52 total trainees	New course.		\$19,416

ATTACHMENT "A"

DOJ CONTRACT FOR FISCAL YEAR 2001/2002
DESCRIPTION OF PROPOSED CHANGES

COURSE TITLE	PROPOSED STATUS	PRIMARY PROPOSED CHANGE	2000/2001	2001/2002 PROPOSED
Economic Crime Investigation	40 hrs/3 classes 26 students/class 78 total trainees	Increase due to increased travel & per diem costs and increase in instructor salaries.	\$39,222	\$44,349
Basic Intelligence	36 hrs/4 classes 30 students/class 48 total trainees	Savings in location expenses. Reduced travel expenses for instructors.	\$55,104	\$54,312
CAMP Supervision & Field Operations	53 hrs/1 class 30 students/class 30 total trainees	No change.	\$10,464	\$10,464
Casemaking	40 hrs/1 class 30 students/class 30 total trainees	New course.		\$16,796
Clandestine Lab Investigation	36 hrs/6 classes 30 students/class 180 total trainees	Increase due to personnel change and higher room rental rates, per diem, & travel costs.	\$96,468	\$114,036
Clandestine Lab Safety Investigation	40 hrs/2 classes 35 students/class 70 total trainees	Decrease is due to change of instructors & revising equipment needed.	\$95,212	\$70,670
Cold Case Investigation	40 hrs/2 classes 20 students/class 40 total trainees	Increase due to more cases being analyzed in class and addition of instructors to pool of experts.	\$88,972	\$106,964
Cold Case Update	12 hrs/2 classes 20 students/class 40 total trainees	Increase due to more cases being analyzed in class and additional instructors to pool of experts.	\$17,712	\$18,940
Computer Crime Awareness Training for Trainers	32 hrs/1 class 12 students/class 12 total trainees	Reduced the number of presentations from 2 to 1. Saturation of this course over the last 2 years has diminished its request. Funding redirected to 80 hr. Forensic Course.	\$20,316	\$10,542

Homicide/Death Investigation (ICI)	76 hrs/2 classes 24 students/class 48 total trainees	Decrease back to the original number of 2 presentations due to availability of additional presenters.	\$103,460	\$59,036
Informant Development	28 hrs/ 4 classes 30 students/class 120 total trainees	Decrease due to replaced instructors at lesser rate and reduced travel costs. Majority of instructors reside in area of training.	\$42,720	\$35,404
Manage and Supervise a Criminal Intelligence Unit	36 hrs/2 classes 30 students/class 60 total trainees	New course.		\$26,606
Modular Training	8 hrs/19 classes 30 students/class 810 total trainees	Increase due to the addition of 8 classes. Increase in hourly rate of instructors.	\$98,173	104,766
Narcotic Investigation (ICI)	80 hrs/11 classes 26 students/class 286 total trainees	Increase due to instructors and hourly rates. Increase replacement costs for equipment.	\$418,220	\$439,439
Officer Involved Shooting	36 hrs/8 classes 30 students/class 240 total trainees	Refined budgetary review identified inaccurate cost of instructor fees and travel costs.	\$119,224	\$103,232
Leadership in Specialized Units	36 hrs/2 classes 30 students/class 60 total trainees	Decrease due to elimination of one instructor and course moved to a less expensive location.	\$28,258	\$24,850
Specialized Surveillance Equipment	36 hrs/6 classes 16 students/class 96 total trainees	Decreased due to replaced instructor at lesser rate and reduced travel cost. Majority of instructors reside in area of training.	\$72,816	\$103,128

RECOMMENDATION

Authorize the Executive Director to enter into contracts with the West Covina Police Department, San Jose Police Department, and Los Medanos College to provide Driving Simulator and Force Option Simulator Instructor courses for a total of \$128,000 for fiscal year 2001/2002.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Request Concerning Simulator Instructor Training		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By Dick Reed, Chief <i>Dick Reed</i>	Researched By Gary Sorg
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-24-01	Date of Report April 20, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into contracts with Los Medanos College, San Jose Police Department, and West Covina Police Department to provide instructor training for simulator courses?

BACKGROUND

As the development of the Regional Skills Training Centers has progressed, it has been necessary to continually train instructors to deliver these courses. These instructor training courses are being delivered at West Covina Police Department, San Jose Police Department, and Los Medanos College. At the August 2000 Commission meeting, the Commission approved the contract with these presenters to more efficiently deliver simulator instructor courses.

ANALYSIS

Although switching from Plan III to contracts has not appreciably increased or decreased the cost to POST of providing these courses, agencies have benefitted by the elimination of up-front costs and some reduction in administrative processing. The contracts have moderately increased workload for POST staff in the Administrative Services Bureau and the Training Delivery Bureau. This authorization would allow the Executive Director to continue to enter into contracts as follows for fiscal year 2001/2002:

1. West Covina Police Department - Force Options instructor Course, 7 presentations @ \$4,000 each; Driving Simulator instructor Course, 9 presentation @ \$4,000 each, total \$64,000;
2. San Jose Police Department - Force Options Instructor Course, 7 presentations @ \$4,000 each, total \$28,000;
3. Los Medanos College, Driving Simulator Instructor Course, 9 presentations @ \$4,000 each, total \$36,000.

The grand total for all of the expenditures is \$128,000.

RECOMMENDATIONS

Authorize the Executive Director to sign an interagency agreement with Alameda County District Attorney's Office, Golden West College and/or other public entity for the production of 36 *Case Law Updates* training programs by each agency during Fiscal Year 2001-02 for an amount not to exceed \$132,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract for FY 2001-02 <i>Case Law Today</i> Programs		Meeting Date May 10, 2001
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Ron Crook
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>4-13-01</i>	Date of Report March 30, 2001
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 authorize the Executive Director to sign an interagency agreement with Alameda County District Attorney's Office, Golden West College and/or other public entity for the production of 36 *Case Law Updates* training programs by each agency during Fiscal Year 2001-02 for an amount not to exceed \$132,000?

BACKGROUND

During Fiscal Year 2000-01, the Commission approved \$92,000 for contracts with Alameda County District Attorney's Office (\$46,000) and Golden West College (\$46,000) for the production of thirty-six (36) *Case Law Today* programs by each agency. Since their inception in 1991, the case law segments continue to be a low-cost, valuable training resource and are well-received by the field. This unique collection of broadcast-quality case law segments is timely, relevant, and is the only video resource of its kind available to California law enforcement.

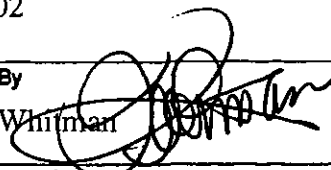
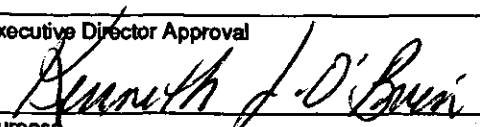
ANALYSIS

POST presents the latest information on recent court decisions every month to more than 550 downlink sites in California via its CPTN satellite network. The material is presented by leading experts in case law, including a California Appellate Court Judge, a Deputy District Attorney from Orange County, and an Assistant District Attorney from Alameda County. These programs have become a valuable resource for roll-call training; cases are carefully selected for timeliness and relevance to the needs of the law enforcement community.

The average cost to produce these segments will increase to \$66,000 for thirty-six (36) or more segments from each agency. Both agencies in the past have provided in-kind/matching funds for production services and additional on-camera talent in order to work within the production budget; this in-kind talent is no longer available. The added expense for 2001-02 better reflects industry costs for additional production, enhanced field and studio presentations, and increased professional presenter and talent fees.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Supervisory Leadership Institute, Fiscal Year 2001/2002		Meeting Date May 10, 2001
Bureau Center for Leadership Development	Reviewed By Ken Whitman 	Researched By Neil Zachary
Executive Director Approval 	Date of Approval 4-25-01	Date of Report March 19, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Sherman Block Supervisory Leadership Institute (SBSLI) contract for fiscal year 2001/2002 is presented to the Commission for review and final approval. The total maximum cost is \$1,316,087.

BACKGROUND

The SBSLI contract for fiscal year 2000/2001 was for \$946,507. This contract request is for 12 classes to be presented over an eight-month period for a total of 144 three-day sessions per year. Each class of the SBSLI is eight months in length with eight three-day workshop sessions presented at monthly intervals.

ANALYSIS

The success and popularity of the SBSLI over the past 12 years, has resulted in a high number of applications being submitted. The twelve classes will continue to provide law enforcement with a cadre of first line supervisors who have an opportunity to incorporate and practice the values and principles of leadership within their respective agencies. The increase over FY 2000/2001 of \$369,580 reflects a budget increase in facilitator salaries and travel and per diem, an increase in hotel training room costs, and shifting the cost for auditors' travel and per diem from Letters of Agreement to the contract to capture all costs associated with the SBSLI. Three auditors attend each SBSLI module and serve as unpaid members of the instructional team. The auditor travel and per diem portion of the budget is not an increase in cost of the program but an accounting shift of funds that are regularly expended for the auditors from Letters of Agreement funding to the contract administered by Long Beach State.

The adjustment in facilitator salaries created a \$34,560 (4%) increase, the increase in curricula development workshop costs added \$11,440 (4.5%), travel and per diem for two facilitator meetings increased \$13,780 (6%), hotel meeting room rental costs increased by \$32,400 (4%), and auditor travel and per diem funds shifted \$277,400 from the Letter of Agreement category to the contract fund request.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the California State University Long Beach to administer the SBSLI for a cost not to exceed \$1,316,087 for fiscal year 2001/2002.

RECOMMENDATION

Authorize the Executive Director to enter into an Interagency Agreement with California State University-Sacramento, Regional and Continuing Education, for Fiscal Year 2001/2002 to present the described training courses for an amount not to exceed \$120,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title CSU-Sacramento Contract for Fiscal Year 2001/2002		Meeting Date May 10, 2001
Bureau Training Delivery Bureau	Reviewed By <i>R.W. Reed</i> R.W. Reed	Researched By Bernie Homme
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 4-25-01	Date of Report April 24, 01
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

Shall the Commission approve an Interagency Agreement (IA) between POST and the California State University-Sacramento, Regional and Continuing Education (CSU-Sac), in the amount not to exceed \$120,000 to cover the cost of training delivery services for Fiscal Year 2001/2002.

BACKGROUND

POST has contracted with California State University-Sacramento (CSU Sac), Regional and Continuing Education, to present certified courses since January 11, 1999. It has offered academic credit and non academic credit courses to adults since 1951. CSU-Sacramento developed and presented the "California Crime Analysis Institute" courses as directed by POST.

Students attend a single stand-alone course or complete the entire series of eight courses. Students who successfully complete the entire series receive a "Crime and Intelligence Analysis" Certificate from CSU Sac. The certificate qualifies CSU Sac graduates to make application to the California Department of Justice to be accredited as a "Certified Crime and Intelligence Analyst."

During Fiscal Year 1998/99, CSU Sac presented one complete series of courses with an estimated cost of \$26,400. During Fiscal Year 1999/2000 the program expanded to meet statewide needs with an estimated cost of \$80,000. During Fiscal Year 2000/2001 the program included more students from reimbursable agencies with an estimate cost of \$120,000. The program is expected next Fiscal Year 2001/2002 to continue with the same estimate cost of \$120,000.

ANALYSIS

This amount reflects direct and indirect costs to present two complete series of eight courses. POST will be responsible for the agreed fees for full-time members of a POST reimbursable agency. Students who are not members of the POST program will be responsible for paying the agreed fees directly to CSU Sac. The contract amount for Fiscal Year 2001/2002 shall not exceed \$120,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract with CSUS Foundation for Student Assistant Services		Meeting Date May 10, 2001
Bureau Computer Services Bureau	Reviewed By Glen Fine	Researched By Mitch Coppin
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-01	Date of Report April 6, 2001
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to negotiate an Interagency Agreement with the CSUS Foundation in FY 00/02 for Student Assistant services not to exceed \$15,000?

BACKGROUND

POST has contracted with CSUS Foundation to obtain Student Assistants for the past several years. Student Assistants perform a variety of computer-related tasks and assist computer support staff with PC moves, new installs, and help desk troubleshooting. In times of unfilled positions, vacations, or illness, Student Assistants have helped bridge the gap and allowed POST staff to continue with its computer-related projects.

ANALYSIS

The current year contract with CSUS Foundation is \$15,000. This agreement provides POST with Student Assistants to help POST's computer staff in the repair and upgrade of personal computers and Local Area Network Servers. Costs are expected to be similar to this year (\$15,000).

RECOMMENDATION

Authorize the Executive Director to sign an Interagency Agreement with CSUS Foundation for an amount not to exceed \$15,000 for FY 01/02.

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COMMISSION AGENDA ITEM REPORT

Agenda Item Title Interagency Agreement With Teale Data Center		Meeting Date May 10, 2001
Bureau Computer Services Bureau	Reviewed By Glen Fine	Researched By Mitch Coppin
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-01	Date of Report April 6, 2001
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center (Teale) in FY 01/02 for computer services for an amount not to exceed \$80,000?

BACKGROUND

POST has an Interagency Agreement with Teale (a State agency) for computer services. The contract provides for a link between POST's local area network (LAN) and the Teale mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's LAN or PCs can provide. Teale also serves as POST's Internet provider and provides web hosting and a T1 Communications line to POST. Teale staff also provides LAN support and consulting services. The current year contract is for \$65,000; however, this contract is being increased to \$80,000.

ANALYSIS

POST uses Teale mainframe computers for processing large statistical jobs and the storage of large test score data files. POST will also need support services for installing, maintaining, and troubleshooting our LAN system. This agreement gives POST needed processing power, storage capabilities, and technical LAN support that it needs during FY 01/02. POST's increase in the use of the Internet and its expansion of the POST web site have resulted in increased data storage costs at Teale. POST proposes a \$15,000 increase in the current year contract to cover anticipated increases in FY 01/02.

RECOMMENDATION

It is recommended the Commission authorize the Executive Director to enter into an Interagency Agreement with the Teale Data Center for computer services in FY 01/0 for an amount not to exceed \$80,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Health and Welfare Data Center - CALSTARS Support		Meeting Date May 10, 2001
Bureau Computer Services Bureau	Reviewed By Glen Fine	Researched By Mitch Coppin
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-01	Date of Report April 6, 2001
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to negotiate an Interagency Agreement with the Health and Human Services Data Center (HHSDC) (a State agency) in FY 01/02 for computer linkage in support of the State Accounting System (CALSTARS) and other associated data processing services?

BACKGROUND

The mandated California Accounting and Reporting System (CALSTARS), implemented in 1986, requires that POST enter into a yearly contract with the HHSDC to provide data processing services during the year. The HHSDC also provides related data processing services such as: 1) Internet connections, 2) Local Area Network support, and 3) consulting services. The Commission approved an agreement not to exceed \$32,000 for current Fiscal Year 00/01.

ANALYSIS

Without the continuation of an agreement with the HHSDC, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements. POST anticipates slight increases in rates at the data center and should allow for these increases.

RECOMMENDATION

Authorize the Executive Director to sign an Interagency agreement in an amount not to exceed \$35,000 with the Health and Human Services Data Center for computer services during Fiscal Year 01/02.

RECOMMENDATION:

It is recommended that the Commission authorize the Executive Director to enter into contracts with Davisville Travel for a total not to exceed \$63,000. These contracts will provide the funds necessary to pay Davisville Travel for their services through June 30, 2002.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Davisville Travel Contracts		Meeting Date May 10, 2001
Bureau Administrative Services Bureau	Reviewed By Frederick Williams <i>[Signature]</i>	Researched By Staff
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-13-01	Date of Report
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Commission approval for two contracts with Davisville Travel for the payment of authorized transaction fees for their services in FY 2001-02.

BACKGROUND:

Prior to January 1, 2000, POST had entered into a "no cost" contract with Davisville Travel for travel agency services in accordance with policy directives from the State Department of General Services. Davisville Travel, as all travel agencies, was paid a commission from the airlines based on tickets issued. With the reduction in commissions paid to travel agencies by the airlines, the state announced via Management Memo 99-17 an amendment to the State master agreement with authorized travel agencies permitting travel agencies to charge either a management fee or transaction fees for their services starting January 1, 2000.

POST entered into two contracts with Davisville Travel in FY 99-00 for a total of \$31, 500, \$9,000 for staff services and \$22,500 for letter of agreement travel services. These agreements were amended to augment the contracts for the period through June 30, 2001. The FY 2000-01 contract amounts were \$21, 500 and \$49,500, respectively, for a total amount of \$81,000. However, ticket services appear to be over estimated, and significant contract savings are expected for FY 2000-01.

ANALYSIS:

Davisville Travel currently issues approximately 100 airline tickets monthly for regular staff travel and 250 tickets for letter of agreement travel. At \$15 per transaction, the monthly service charge is approximately \$1,500 and \$3,750 respectively. Over 12 months this totals \$18,000 and \$45,000. In order to pay Davisville Travel for their authorized services during FY 2001-02, it is necessary to enter into new contracts by the amounts indicated above, \$18,000 and \$45,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title State Controller's Office Agreement for Auditing Services in FY 2001-02		Meeting Date May 10, 2001
Bureau Administrative Services Bureau	Reviewed By Frederick Williams <i>[Signature]</i>	Researched By Staff
Executive Director Approval	Date of Approval	Date of Report April 12, 2001
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Commission review and final approval of an interagency agreement for auditing services with the State Controller's Office for Fiscal Year 2001-02.

BACKGROUND

There is a need to selectively audit the training reimbursement claims made by local agencies against the Peace Officers' Training Fund. These audits have been conducted by the State Controller's Office on a yearly basis. The Commission approved an agreement not to exceed \$85,000 for the current Fiscal Year 2000-01.

ANALYSIS

Each year for the past several years POST has negotiated an interagency agreement with the State Controller's Office to conduct audits of selected local agencies which receive POST reimbursement funds. The Controller's Office continues to do an acceptable job in auditing selected jurisdictions to assure that reimbursement funds are being appropriately expended. The FY 2001-01 contract was for the SCO to conduct 10 audits for \$85,000. The SCO has indicated that the cost and number of audits will remain the same for FY 2001-02.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to enter into an interagency agreement with the State Controller in an amount not to exceed \$85,000 to audit local agency reimbursement claims during Fiscal Year 2001-02.

AB 1339 - Keeley: School Security Training: Peace Officers and Security Guards

Existing law requires any school peace officer employed by a K-12 public school district, or a community college district, to complete a prescribed course of training, as specified.

This bill would, in addition, require a peace officer assigned primarily to K-12 or community college campus to complete that prescribed course of training, as specified.

SB 911 - Alarcon: Tribal Justice

This bill would state the Legislature's findings and declarations with respect to crime and law enforcement within Indian country. This bill would require that all law enforcement officers in the state receive training regarding tribal issues by taking courses on tribal issues developed by the Commission on Peace Officer Standards and Training in collaboration with various state agencies that deal with tribal issues.

See attached analyses.

C. Bills of Interest to POST - Watch Only

C

See attached.

D. Informational Legislation

D

See attached.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California law enforcement in serving its communities.



LEGISLATIVE REVIEW COMMITTEE

Thursday, May 10, 2001
Holiday Inn - Northeast
5321 Date Avenue
Sacramento, CA 95841-2597
(916) 338-5800

Gray Davis
Governor

MEMBERS

Bill Lockyer
Attorney General

Monty Holden, Chairman
Lee Baca
Marc Cobb
Joe Flammagan
James Fox
Ted Hunt
Bill Lockyer

AGENDA

8:30 A.M.

Attachment

- | | | |
|-----------|---|----------|
| A. | Status of Active Legislation of Interest to POST | A |
| | See attached. | |
| B. | New Bills for Commission Action | B |

AB 1152 - Vargas: Peace Officer Qualifications

Existing law establishes certain minimum standards for public officers or employees declared by law to be peace officers. The minimum education requirement is high school graduation, passing the General Education Development Test at high school graduation level, or a two-year or four-year degree from an accredited college or university. This bill would provide that the education requirement may be met by passing the California Highway School Proficiency Examination and would revise the accreditation standard.



<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 376 (Chavez)	<p>Public Safety Officers: Peer Support Program: This bill would require local law enforcement agencies to institute a Peer Support Program, as specified. This bill would also require the Commission on Peace Officer Standards and Training to develop peer support training, as specified.</p> <p><i>Commission Position: Oppose, unless amended</i></p>	Appropriations Committee
AB 687 (Thomson)	<p>Emergency Medical Services: Trauma Care Systems: Currently POST receives an annual transfer of \$14 million from the Driver Training Fund to the POST Budget. These funds are used for a number of critical ongoing police training programs. This bill deletes the Driver Training Fund and replaces it with the Emergency Medical Services and Trauma Care Fund. This fund would receive 25.7% of the Penalty Assessment Fund revenues. This action would result in the loss of \$14 million in POST revenues.</p> <p><i>Commission Position: Oppose</i></p>	Assembly Health Committee
AB 758 (Maddox)	<p>Peace Officers: Spinal X-Rays: Existing law defines personnel records for peace officers. This bill would require any peace officer, as specified, who is hired by a city, county, or city and county, to have a spinal x-ray at the time of hiring at the expense of the city, county, or city and county. The x-ray shall become a part of the permanent record of the peace officer.</p> <p><i>Commission Position: Neutral</i></p>	Assembly Public Safety Committee
AB 882 (Cedillo)	<p>Peace Officers: This bill would provide that persons adjudged or found guilty of a felony, and persons adjudged or found guilty of an offense punishable as a felony or misdemeanor if either: 1) the sentence imposes punishment other than imprisonment in the state prison, or 2) the court grants probation without imposition of sentence and declares the offense to be a misdemeanor, are prohibited from holding office or being employed as a peace officer.</p> <p>(Continued on following page).</p>	Assembly Appropriations Committee

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

2001 Status of Active Legislation of Interest to POST

(Revised April 18, 2001)

(Note: Text in bold indicates new bills added to list or different bill status since last revision)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 155 (Lowenthal)	Commission on Peace Officer Standards and Training: Existing law provides that the Commission on Peace Officer Standards and Training consist of 15 members. Four members are peace officers of the rank of sergeant or below. This bill would increase the size of the commission to 16 members by adding another member from the rank of sergeant or below. This bill contains other existing laws. <i>Commission Position: Neutral</i>	In Senate
AB 204 (Lowenthal)	Driver Training: Currently, POST receives an annual transfer of \$14 million from the Driver Training Fund. The bill would transfer the amount of money transferred monthly from the State Penalty Fund to the Driver Training Penalty Assessment Fund from the Driver Training Penalty Assessment Fund to the General Fund and would appropriate annually the amount so transferred in each fiscal year from the General Fund to the State Department of Education for the purposes of, solely and exclusively, providing driver training instruction in the public schools. Passage of this bill would result in a \$14 million reduction in POST revenues (analysis attached). <i>Commission Position: Oppose</i>	Assembly Appropriations Committee
AB 355 (Havice)	Peace Officers: School Resource Officer Training: This bill would require the commission, before January 1, 2002, to offer a course for school police personnel and peace officers assigned to school resource officer duties covering specified topics relative to the position of school resource officer. This would require school police personnel and peace officers assigned to work in schools, hired after January 1, 2002, to complete the course. <i>Commission Position: Oppose, Unless Amended</i>	Assembly Public Safety Committee

Bill #	Subject	Status
SB 485 (Committee on Public Safety)	<p>Public Safety: Under existing law, specified reserve officers have the powers of a peace officer upon compliance with certain conditions that include, among other things, completion of the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. Existing law imposes upon the Commission specified requirements for implementing this provision. Among these requirements is the development of a supplemental course for existing level I reserve officers desiring to satisfy the basic training course for deputy sheriffs and police officers. This bill would delete this requirement.</p> <p><i>Commission Position: Support</i></p>	Senate Public Safety Committee
SB 780 (Ortiz)	<p>Protection of the Exercise of Constitutional Rights: This bill would implement State laws defining anti-reproductive rights crimes and associated penalties. This bill would require POST to develop a telecourse outlining the provisions of this new law and make it available to the field.</p> <p><i>Commission Position: Oppose</i></p>	Senate Public Safety Committee
SB 1211 (Romero)	<p>Peace Officers: Interrogations: This bill would provide that, except as provided, where a peace officer has questioned a suspect who is in custody after that suspect has invoked his or her right to remain silent or right to have an attorney present, the suspect's statement and evidence derived from that statement would not be admissible into evidence or otherwise used by the prosecution for any purpose at the suspect's preliminary hearing, grand jury proceeding, trial, or sentencing.</p> <p><i>Commission Position: Neutral</i></p>	In Senate

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
<p>AB 882 (Cedillo)</p> <p>Continued from previous page</p>	<p>This bill would eliminate the Commission's power to withdraw or revoke certificates. This bill would limit the Commission's authority to cancel certificates to those situations in which a certificate was obtained as the result of misrepresentation, fraud, or an administrative error: This bill would also prohibit the Commission from following existing regulations for the revocation or withdrawal of certificates and from issuing any new regulations that provide for revocation or withdrawal of certificates.</p> <p>This bill would also direct the Commission to establish and maintain a Peace Officer Data Base. This bill would require the Commission to enter a notation in the data base whenever a person holding a certificate is determined to be disqualified from holding office or being employed as a peace officer on the ground that the person committed a specified offense. This bill contains other related provisions and other existing laws.</p> <p><i>Commission Position: Neutral</i></p>	<p>Assembly Appropriations Committee</p>
<p>SB 173 (Poochigian)</p> <p>Two-Year Bill</p>	<p>Peace Officers: Reserve Officer Training: Existing law requires the Commission on Peace Officer Standards and Training to annually allocate from the Peace Officers' Training Fund to each city, county, and district, as specified, for training expenses of full-time regularly paid employees of eligible agencies from the city, county, or district. This bill additionally would include reserve officers as persons to whom these training expenses apply.</p> <p><i>Commission Position: Oppose</i></p>	<p>Senate Public Safety Committee</p>

If all funds currently deposited in the High School Driver Training account were diverted to the Department of Education, POST would realize a \$14 million reduction in annual revenue.

COMMISSION POSITION

Staff recommends that the Commission adopt an OPPOSE position on this bill.

TITLE OR SUBJECT Driver Training Fund	BILL NUMBER/AUTHOR AB 204/Lowenthal	DATE INTRODUCED February 9, 2001
	RELATED BILLS AB 687	DATE LAST AMENDED
SPONSORED BY California Teachers' Association	RECOMMENDED POSITION Oppose	

GENERAL

This bill will cover only those provisions of this bill that impact POST.

Assembly Bill 204 would amend Section 41304 of the Education Code related to high school driver training. This bill would:

1. Reestablish driver training programs in California high schools; and
2. Transfer the amount of money transferred monthly from the State Penalty Fund to the Driver Training Penalty Assessment Fund to the General Fund and would appropriate annually the amount so transferred to the Department of Education for the purposes of, solely and exclusively, providing driver training instruction in the public schools.

ANALYSIS

In 1991, with the passage of the Trial Court Realignment Act by the Legislature, POST revenues were reduced by approximately \$12 million. In the 1998-99 State Budget, Governor Wilson augmented the POST budget by \$12 million with a direct transfer of funds from the High School Driver Training account of the Penalty Assessment Fund.

In addition, the Legislature has approved the transfer of \$2 million annually to the POST budget from the High School Driver Training account to fund the Tools for Tolerance program presented by the Simon Weisenthal Museum of Tolerance in Los Angeles.

These funds have enabled POST to implement and expand the back-fill reimbursement program, establish 23 regional skills centers, implement high-tech training programs, and fund the Tools for Tolerance program.

ANALYSIS BY Tom Hood	DATE March 22, 2001	FISCAL IMPACT Potential \$14 million revenue reduction
LEGISLATIVE LIAISON Tom Hood	DATE March 22, 2001	EXECUTIVE DIRECTOR <i>Samuel J. O'Brien</i> DATE 3-22-01
COMMISSION MEETING DATE:		COMMISSION POSITION:

pupil from being permitted to enroll in automobile driver training unless the pupil is presently enrolled in a course of instruction in automobile driver education, or has satisfactorily completed such course. Existing law requires that pupils be at least 15 years and 6 months of age at the time of completion of a driver training course.

This bill would require the governing board of a school district to establish general attendance criteria that pupils would be required to satisfy in order to qualify to receive instruction in automobile driver training, thereby imposing a state-mandated local program.

Existing law requires the State Department of Education to adopt rules and regulations requiring all automobile driver training vehicles to be fitted with instrumentation providing instructional information on fuel consumption and vehicle fuel efficiency.

This bill would prohibit the rules and regulations from requiring that these vehicles be equipped with the above instrumentation and would provide that equipping the vehicles with this instrumentation may be done at a school district's option.

Existing law requires that moneys deposited in the State Penalty Fund be transferred once a month to various funds.

This bill would state the intent of the Legislature that the money so transferred be appropriated for the sole and exclusive operation of the programs associated with the fund to which the moneys were transferred.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 41304 of the Education Code is amended to read:

41304. (a) ~~There is appropriated annually from the Driver Training Penalty Assessment Fund to the General Fund in the State Treasury and from the General Fund to the California Energy Extension Service of the Office of Planning and Research a sum as~~

The amount of money transferred monthly from the State Penalty Fund to the Driver Training Penalty Assessment Fund pursuant to Section 1464 of the Penal Code is hereby transferred from the Driver Training Penalty Assessment Fund to the General Fund and the amount so transferred in each fiscal year is hereby appropriated

INTRODUCED BY Assembly Member Lowenthal
(Coauthor: Senator Karnette)

FEBRUARY 9, 2001

An act to amend Sections 41304, 41306, 41900, 41909, 51850, and 51854 of, and to repeal Section 41305 of, the Education Code, and to amend Section 1464 of the Penal Code, relating to driver training, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 204, as introduced, Lowenthal. Driver training.

Existing law requires that certain amounts from the Driver Training Penalty Assessment Fund and the Petroleum Violation Escrow Account that are to be used to establish and maintain a unit for driver instruction within the State Department of Education, to reimburse the department for the costs of specified workshops related to driving training instruction, to reimburse school districts, county superintendents of schools, the Department of the Youth Authority, and the State Department of Education for the actual cost of instructing pupils in the operation of motor vehicles and of replacing vehicles and simulators used exclusively in the laboratory phase of driver education be limited to the amounts appropriated in the annual Budget Act for those purposes.

This bill would repeal the requirement that those amounts be limited to the amount appropriated in the annual Budget Act for those purposes. The bill would transfer the amount of money transferred monthly from the State Penalty Fund to the Driver Training Penalty Assessment Fund from the Driver Training Penalty Assessment Fund to the General Fund and would appropriate annually the amount so transferred in each fiscal year from the General Fund to the State Department of Education for the purposes of, solely and exclusively, providing driver training instruction in the public schools.

Existing law prohibits the reimbursement for the actual cost of instruction of pupils in the operation of motor vehicles from exceeding \$97 per pupil instructed in the laboratory phase of driver education and \$290 per pupil for physically handicapped pupils, mentally retarded pupils, and educationally handicapped pupils.

This bill would increase the amount of those reimbursements to \$140 and \$390 respectively.

Existing law authorizes the governing board of a school district maintaining a high school or high schools, a county superintendent of schools, the California Youth Authority, and the State Department of Education in providing programs of high school education, to prescribe regulations determining who can profit by and who shall receive instruction in automobile driver training and prohibits a

each fiscal year the sum the Superintendent of Public Instruction certifies as necessary to reimburse on a quarterly basis for each current fiscal year school districts, county superintendents of schools, the Department of the Youth Authority, and the State Department of Education for the costs of fitting automobile driver training vehicles with the instrumentation required ~~under~~ pursuant to Section 51854 and to reimburse on a quarterly basis for each current fiscal year school districts for the costs of transferring instrumentation providing instructional information on fuel consumption and vehicle fuel efficiency from one automobile driver training vehicle to another under Section 51854.

~~(e) In addition, subject to Section 41305, there shall be appropriated-~~

(c) There is hereby transferred from the Petroleum Violation Escrow Account to the Driver Training Penalty Assessment Fund and from the Driver Training Penalty Assessment Fund to the General Fund, ~~then~~ and appropriated from the General Fund

to the Superintendent of Public Instruction each fiscal year the sum the Superintendent of Public Instruction certifies as necessary to reimburse on a quarterly basis for each current fiscal year the State Department of Education for the costs of workshops conducted by the department under Section 51854.

~~(f)~~

(d) For purposes of computing reimbursement, whenever a school district, a county superintendent of schools, the Department of the Youth Authority, or the State Department of Education replaces a driver training vehicle or simulator purchased by the district with a vehicle or simulator that is a gift or loan, the purchase price of the new or acquired equipment shall be deemed to be the market value of the vehicle or simulator acquired through a gift or loan.

A simulator is any device approved by the State Department of Education to be used in classrooms for purposes of laboratory instruction under simulated driving conditions.

SEC. 2. Section 41305 of the Education Code is repealed.

~~41305. The amounts provided under Section 41304 for any fiscal year shall be limited to the amounts appropriated in the annual Budget Act for the purposes of that section, and shall not exceed an amount equal to the sum of the moneys credited to the Driver Training Penalty Assessment Fund in the State Treasury during the preceding fiscal year and the amount by which the deposits in the Driver Training Penalty Assessment Fund on or after September 15, 1961, have exceeded the amounts required to reimburse the General Fund on account of transfers made after that date.~~

SEC. 3. Section 41306 of the Education Code is amended to read:

41306. The Superintendent of Public Instruction shall also allow as otherwise provided in Section 41304 for the driver training instruction necessary to be safely tested for a driver's license at the Department of Motor Vehicles, those physically handicapped pupils, mentally retarded pupils who come within ~~the provisions of~~ former Section 56501 as amended by Chapter 1247 of the Statutes of 1977, and educationally handicapped pupils who are in attendance in a public secondary school in California that

annually from the General Fund to the State Department of Education for the purposes of, solely and exclusively, providing driver training instruction in the public schools as provided by this section and Sections 41306, 41900, and 41904. Of the amount appropriated pursuant to this subdivision, the Superintendent of Public Instruction shall expend the following amounts in addition to any other expenditures required by law to be made from the amount appropriated pursuant to this subdivision:

(1) The amount necessary to establish and maintain a unit for driver instruction within the State Department of Education as set forth in Section 41904.

~~(b) In addition, subject to Section 41305, there shall be appropriated from the Driver Training Penalty Assessment Fund to the General Fund, then to the State School Fund each fiscal year, the sum~~

(2) The amount that the Superintendent of Public Instruction certifies as necessary to reimburse on a quarterly basis for each current fiscal year school districts, county superintendents of schools, the Department of the Youth Authority, and the State Department of Education for the actual cost of instructing pupils in the operation of motor vehicles.

The amount shall not exceed ~~ninety seven dollars (\$97)~~

one hundred forty dollars (\$140) per pupil instructed in the laboratory phase of driver education in accordance with the rules and regulations of the State Board of Education.

~~(c) Subject to Section 41305, there shall also be appropriated from the Driver Training Penalty Assessment Fund the sum~~

(3) The amount that the Superintendent of Public Instruction ~~shall certify~~ certifies as necessary to reimburse on a quarterly basis for each current fiscal year school districts, county superintendents of schools, the Department of the Youth Authority, and the State Department of Education for the actual cost of replacing vehicles and simulators used exclusively in the laboratory phase of driver education programs, but the amount shall not exceed three-fourths of that part of the actual cost of instructing pupils in the laboratory phase of driver education which is: ~~(1) in~~

(A) In excess of ~~ninety seven dollars (\$97)~~ one hundred forty dollars (\$140) per pupil instructed, and ~~(2) expended~~

(B) Expended by the district, the county superintendent of schools, the Department of the Youth Authority, and the State Department of Education in replacing the vehicles and simulators.

~~Reimbursement~~

Reimbursement for vehicles shall be computed for only that portion of the total mileage used exclusively in the laboratory phase of driver education programs.

~~(d) In addition, subject to Section 41305, there shall be provided~~

(b) There is hereby transferred from the Petroleum Violation Escrow Account to the General Fund, ~~then~~ and appropriated from the General Fund to the State School Fund

Department of Education replacing the vehicles and simulators. Reimbursement for vehicle shall be computed for only that portion of the total mileage used exclusively in driver training programs.

~~For~~

(b) For purposes of computing reimbursement, whenever a school district, a county superintendent of schools, the California Youth Authority, or the State Department of Education replaces a driver training vehicle or simulator purchased by the district, the county superintendent of schools, California Youth Authority, or Department of Education with a vehicle or simulator that is a gift or loan, the purchase price of the new or acquired equipment shall be deemed to be the market value of the vehicle or simulator acquired through a gift or loan.

SEC. 6. Section 51850 of the Education Code is amended to read:

51850. (a) The governing board of a school district maintaining a high school or high schools, a county superintendent of schools, and the California Youth Authority and State Department of Education in providing programs of high school education, may prescribe regulations determining who can profit by and who shall receive instruction in automobile driver training; provided, however, that no pupil shall be permitted to enroll in automobile driver training unless ~~such~~ the pupil is presently enrolled in a course of instruction in automobile driver education, or has satisfactorily completed such course. The regulations shall be subject to such standards for driver education and driver training ~~as~~ that may be prescribed by the State Board of Education. Where driver training is provided, ~~such~~ the course of instruction shall be given in one or more of the grades 9, 10, 11, or 12. Pupils shall be at least 15 years and six months of age at the time of completion of a driver training course.

(b) In addition to the regulations the governing board of a school district may prescribe pursuant to subdivision (a), the governing board shall establish general attendance criteria that pupils shall be required to satisfy in order to qualify to receive instruction in automobile driver training.

SEC. 7. Section 51854 of the Education Code is amended to read:

51854. (a) The State Department of Education shall adopt rules and regulations ~~requiring all~~ that address the issue of fitting automobile driver training vehicles ~~to be fitted~~ with instrumentation providing instructional information on fuel consumption and vehicle fuel efficiency such as fuel efficiency meters or computerized fuel equipment. The rules and regulations may not require that automobile driver training vehicles be equipped with instrumentation providing information on fuel consumption and vehicle fuel efficiency. Equipping these vehicles with the instrumentation may be done at a school district's option.

(b) The department shall conduct workshops to provide in-service training to automobile driver training instructors on fuel-efficient driving which shall include, but not be limited to, all of the following instructional techniques:

- (1) Minimization of braking.

offers qualified instruction, and who may qualify for a driver's license, or other license, issued by the California Department of Motor Vehicles, a total allowance not to exceed ~~two~~

~~three~~ hundred ninety dollars ~~—(\$290)~~

(\$390), including the reimbursement provisions set forth in Section 41900 to each school district and county superintendent of schools. All driver training for pupils herein described shall be provided by qualified teachers, as defined by Sections 41906 and 41907. The provisions of this section may not be applied if reimbursement allowable under Sections 41900 to 41912, inclusive, is sufficient to meet the total cost of instruction as herein described.

It is the intent of the Legislature that driver training instruction be provided pupils as a part of the high school curriculum, and the Legislature finds and declares that exceptional children are entitled to the benefit of that instruction so far as their individual capabilities permit, understanding that those pupils herein described often require individualized and amplified driver training instruction in order to succeed in becoming safe operators of motor vehicles. Since without a means of self-transportation much of the overall program of education and rehabilitation provided for by the Legislature would be of little avail to the person without the mobility required to become a productive and well-adjusted member of society, the Legislature further declares that it is incumbent upon the state to share in the cost of providing a most needed and desirable program of driver training instruction for these exceptional children.

SEC. 4. Section 41900 of the Education Code is amended to read:

41900. The Superintendent of Public Instruction shall allow to each school district maintaining a high school or high schools, county superintendent of schools, the Department of the Youth Authority, and the State Department of Education an amount equal to the actual cost, but not in excess of ~~ninety-seven dollars~~ ~~(\$97)~~ one hundred forty dollars (\$140) per pupil

instructed in the laboratory phase of driver education in accordance with Sections 41902 and 41905 and with regulations set forth by the State Board of Education to the districts, county superintendents of schools, the Department of the Youth Authority, and the State Department of Education for instructing pupils in the laboratory phase of driver education.

SEC. 5. Section 41909 of the Education Code is amended to read:

41909. (a) The Superintendent of Public Instruction shall make an additional allowance to each school district maintaining a high school or high schools, each county superintendent of schools, the California Youth Authority, and the State Department of Education as reimbursement for the actual expense of replacing vehicles used exclusively in automobile driver training programs and of replacing simulators used in such programs, but the amount shall not exceed three-fourths of that part of the actual cost of instructing pupils in automobile driver training during the preceding fiscal year which was: (1) in excess of ~~eighty dollars~~ ~~(\$80)~~ one hundred forty dollars (\$140) per pupil instructed, and (2) expended by the district, the county superintendent of schools, California Youth Authority, or State

part of the state penalty, the payment of which would work a hardship on the person convicted or his or her immediate family.

(e) After a determination by the court of the amount due, the clerk of the court shall collect the penalty and transmit it to the county treasury. The portion thereof attributable to Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code shall be deposited in the appropriate county fund and 70 percent of the balance shall then be transmitted to the State Treasury, to be deposited in the State Penalty Fund, which is hereby created, and 30 percent to remain on deposit in the county general fund. The transmission to the State Treasury shall be carried out in the same manner as fines collected for the state by a county.

(f) The moneys so deposited in the State Penalty Fund shall be distributed as follows:

(1) Once a month there shall be transferred into the Fish and Game Preservation Fund an amount equal to 0.33 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month, except that the total amount shall not be less than the state penalty levied on fines or forfeitures for violation of state laws relating to the protection or propagation of fish and game. These moneys shall be used for the education or training of department employees which fulfills a need consistent with the objectives of the Department of Fish and Game.

(2) Once a month there shall be transferred into the Restitution Fund an amount equal to 32.02 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month. Those funds shall be made available in accordance with Section 13967 of the Government Code.

(3) Once a month there shall be transferred into the Peace Officers' Training Fund an amount equal to 23.99 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

(4) Once a month there shall be transferred into the Driver Training Penalty Assessment Fund an amount equal to 25.70 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

(5) Once a month there shall be transferred into the Corrections Training Fund an amount equal to 7.88 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

Money in the Corrections Training Fund is not continuously appropriated and shall be appropriated in the Budget Act.

(6) Once a month there shall be transferred into the Local Public Prosecutors and Public Defenders Training Fund established pursuant to Section 11503 an amount equal to 0.78 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month. The amount so transferred shall not exceed the sum of eight hundred fifty thousand dollars (\$850,000) in any fiscal year. The remainder in excess of eight hundred fifty thousand dollars (\$850,000) shall be transferred to the Restitution Fund.

(7) Once a month there shall be transferred into the Victim-Witness Assistance Fund an amount equal to 8.64 percent of the state penalty funds deposited in the State Penalty Fund during the preceding month.

(8) ~~(A)~~ Once a month there shall be transferred

- (2) Brisk acceleration to high gear.
- (3) Methods to emphasize deceleration modes.
- (4) Reduce idling.
- (5) Methods to anticipate stops and to maintain safe distances between vehicles.
- (6) The use of momentum and gravity to save fuel.
- (7) Driving at the most fuel-efficient and safe speeds.
- (8) Smooth steering, turning, acceleration, and braking.
- (9) The use of fuel-efficient driving instrumentation to remind drivers of methods for fuel-efficient driving.

(c) The Superintendent of Public Instruction shall review claims submitted by school districts for reimbursement for the costs of fitting automobile driver training vehicles with instrumentation providing information on fuel consumption and vehicle fuel efficiency ~~required by subdivision (a)~~ and may approve claims for reimbursement up to three hundred dollars (\$300) per vehicle for the installation of this equipment, including parts and labor. The superintendent may approve claims for reimbursement for the transfer of equipment from one vehicle to another at the reimbursement rates authorized for the replacement of automobile driver training vehicles and simulators. Allowances made to school districts under this subdivision during the first year that the program is in operation shall be allocated by the superintendent from the Petroleum Violation Escrow Account. Allowances made to school districts under this subdivision in subsequent years shall be allocated by the superintendent from the Driver Training Penalty Assessment Fund.

SEC. 8. Section 1464 of the Penal Code is amended to read:

1464. (a) Subject to Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code, there shall be levied a state penalty, in an amount equal to ten dollars (\$10) for every ten dollars (\$10) or fraction thereof, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including all offenses, except parking offenses as defined in subdivision (i) of Section 1463, involving a violation of a section of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code. Any bail schedule adopted pursuant to Section 1269b may include the necessary amount to pay the state penalties established by this section and Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code for all matters where a personal appearance is not mandatory and the bail is posted primarily to guarantee payment of the fine.

(b) Where multiple offenses are involved, the state penalty shall be based upon the total fine or bail for each case. When a fine is suspended, in whole or in part, the state penalty shall be reduced in proportion to the suspension.

(c) When any deposited bail is made for an offense to which this section applies, and for which a court appearance is not mandatory, the person making the deposit shall also deposit a sufficient amount to include the state penalty prescribed by this section for forfeited bail. If bail is returned, the state penalty paid thereon pursuant to this section shall also be returned.

(d) In any case where a person convicted of any offense ~~—~~ to which this section applies ~~—~~ is in prison until the fine is satisfied, the judge may waive all or any

into the Traumatic Brain Injury Fund, created pursuant to Section 4358 of the Welfare and Institutions Code, an amount equal to 0.66 percent of the state penalty funds deposited into the State Penalty Fund during the preceding month. However, the amount of funds transferred into the Traumatic Brain Injury Fund for the 1996-97 fiscal year shall not exceed the amount of five hundred thousand dollars (\$500,000). Thereafter, funds shall be transferred pursuant to the requirements of this section. Notwithstanding any other provision of law, the funds transferred into the Traumatic Brain Injury Fund for the 1997-98, 1998-99, and 1999-2000 fiscal years, may be expended by the State Department of Mental Health, in the current fiscal year or a subsequent fiscal year, to provide additional funding to the existing projects funded by the Traumatic Brain Injury Fund, to support new projects, or to do both.

~~(B)~~

(9) Any moneys deposited in the State Penalty Fund attributable to the assessments made pursuant to subdivision (i) of Section 27315 of the Vehicle Code on or after the date that Chapter 6.6 (commencing with Section 5564) of Part 1 of Division 5 of the Welfare and Institutions Code is repealed shall be utilized in accordance with paragraphs (1) to (8), inclusive, of this subdivision.

(g) It is the intent of the Legislature that all moneys transferred pursuant to subdivision (f) be appropriated for the sole and exclusive operation of the programs associated with the fund to which the moneys were transferred.

SEC. 9. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Date Composed: 02/10 12:50 AM

The provisions of this bill do not negatively impact current POST policies and procedures related to selection standards, issuance of certificates, or compliance inspections.

This bill is supported by the Department of Corrections, California Peace Officers' Association, and California Police Chiefs' Association.

COMMISSION POSITION

Staff recommends that the Commission adopt a SUPPORT position on this bill.

TITLE OR SUBJECT Peace Officer Qualifications - High School Graduation	BILL NUMBER/AUTHOR AB 1152/Vargas	DATE INTRODUCED February 23, 2001
SPONSORED BY Department of Corrections YACA	RELATED BILLS	DATE LAST AMENDED
RECOMMENDED POSITION Support		

GENERAL

Assembly Bill 1152 would amend Government Code Section 1031 to:

1. Provide that the education requirement for becoming a peace officer may be met by passing the California High School Proficiency Examination.
2. Revise the accreditation standard for high schools, colleges, and universities.

ANALYSIS

In recent years, many agencies who employ peace officers have found the current law very restrictive which hampers recruitment efforts. The changes proposed by this bill will address the recruitment issues while maintaining the integrity of peace officer selection standards.

Current law does not recognize passage of the California High School Proficiency Examination as acceptable proof that a person has successfully met the State of California high school graduation requirements. In addition, the law now requires that two-year and four-year colleges and universities be accredited only by the Western Association of Colleges and Universities.

In addition to accepting passage of the California High School Proficiency Examination, this bill further clarifies that successful graduation from high school "shall be from either a United States public school meeting the high school standards set by the state in which it is located, an accredited United States Department of Defense high school, or an accredited non-public high school."

This bill also expands the accreditation standard by stating "any accreditation required by this paragraph shall be from an accrediting association recognized by the Secretary of the United States Department of Education."

ANALYSIS BY Tom Hood	DATE March 22, 2001	FISCAL IMPACT No fiscal impact
LEGISLATIVE LIAISON Tom Hood	DATE March 22, 2001	EXECUTIVE DIRECTOR Kenneth J. O'Brien
COMMISSION MEETING DATE:	COMMISSION POSITION:	

Kenneth J. O'Brien 3-2-01

1 1031. Each class of public officers or employees declared by
2 law to be peace officers shall meet all of the following minimum
3 standards:

4 (a) Be a citizen of the United States or a permanent resident
5 alien who is eligible for and has applied for citizenship, except as
6 provided in Section 2267 of the Vehicle Code.

7 (b) Be at least 18 years of age.

8 (c) Be fingerprinted for purposes of search of local, state, and
9 national fingerprint files to disclose any criminal record.

10 (d) Be of good moral character, as determined by a thorough
11 background investigation.

12 (e) Be a high school graduate, pass the General Education
13 Development Test indicating high school graduation level, pass
14 the California High School Proficiency Examination, or have
15 ~~attained a two-year or four-year degree from a college or~~
16 ~~university. The high school, college, or university shall have an~~
17 ~~institutional accreditation from an accrediting association~~
18 ~~recognized by the United States attained a two-year or four-year~~
19 ~~degree from an accredited college or university. The high school~~
20 ~~shall be either a United States public school meeting the high~~
21 ~~school standards set by the state in which it is located, an~~
22 ~~accredited United States Department of Defense high school, or an~~
23 ~~accredited nonpublic high school. Any accreditation required by~~
24 ~~this paragraph shall be from an accrediting association~~
25 ~~recognized by the Secretary of the United States Department of~~
26 ~~Education. This subdivision shall not apply to any public officer~~
27 ~~or employee who was employed, prior to the effective date of the~~
28 ~~amendment of this section made at the 1971 Regular Session of the~~
29 ~~Legislature, in any position declared by law prior to the effective~~
30 ~~date of that amendment to be peace officer positions.~~

31 (f) Be found to be free from any physical, emotional, or mental
32 condition which might adversely affect the exercise of the powers
33 of a peace officer. Physical condition shall be evaluated by a
34 licensed physician and surgeon. Emotional and mental condition
35 shall be evaluated by a licensed physician and surgeon or by a
36 licensed psychologist who has a doctoral degree in psychology and
37 at least five years of postgraduate experience in the diagnosis and
38 treatment of emotional and mental disorders.

AMENDED IN ASSEMBLY APRIL 2, 2001

CALIFORNIA LEGISLATURE—2001-02 REGULAR SESSION

ASSEMBLY BILL

No. 1152

Introduced by Assembly Member Vargas

February 23, 2001

An act to amend Section 1031 of the Government Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1152, as amended, Vargas. Peace officer qualifications.

Existing law establishes certain minimum standards for public officers or employees declared by law to be peace officers. The minimum education requirement is high school graduation, passing the General Education Development Test at high school graduation level, or a ~~two-year~~ 2-year or ~~four-year~~ 4-year degree from an accredited college or university.

This bill would provide that the education requirement may be met by passing the California High School Proficiency Examination and would revise the accreditation standard.

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

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

- 1 SECTION 1. Section 1031 of the Government Code is
- 2 amended to read:

1 This section shall not be construed to preclude the adoption of
2 additional or higher standards, including age.

O



COMMISSION POSITION

Staff recommends that the Commission adopt a NEUTRAL position on this bill.

TITLE OR SUBJECT School Security Training	BILL NUMBER/AUTHOR AB 1339/Keeley	DATE INTRODUCED February 23, 2001
	RELATED BILLS AB 355 (School Resource Officer Training) SB 1627 (1998)	DATE LAST AMENDED
SPONSORED BY California School Employees Association and California College and University Police Chiefs' Association		RECOMMENDED POSITION Neutral

GENERAL

This analysis only addresses the part of the bill that impacts POST.

Assembly Bill 1339 would amend Penal Code Section 832.3, related to school security training, to require all school resource officers to attend the Campus Law Enforcement Course mandated for school police officers by Senate Bill 1627 (1998).

ANALYSIS

When Senate Bill 1627 was passed into law in 1998, officers who were not employees of school districts were exempted from the mandatory training provisions of the bill. The intent of the bill was to provide enhanced training for officers employed by school districts.

Officers employed by cities and counties and assigned to school resource officer duties were encouraged to attend the 32-hour Campus Law Enforcement Course but not required to. It was believed that because school resource officer was a job assignment, cities and counties should not be required to send officers to this training.

This bill would require all city and county peace officers, under contract to school districts, to take the mandated training. Assembly Bill 355 was introduced this Legislative year to require POST to develop a school resource officer training program and to require all school resource officers to attend. The two bills may be in conflict or may create a redundant training mandate.

The total number of school officers under contract to school districts is estimated to be low. Thus, the fiscal impact on POST for increased training reimbursements is minimal.

ANALYSIS BY Tom Hood	DATE April 2, 2001	FISCAL IMPACT Minimal
LEGISLATIVE LIAISON Tom Hood	DATE April 2, 2001	EXECUTIVE DIRECTOR Kenneth J. O'Brien <i>Kenneth J. O'Brien</i> DATE 3-1-01
MISSION MEETING DATE:		COMMISSION POSITION:

training facility, the chief shall issue to the facility a "School Security Training Facility Certificate." The certificate is valid only when the school security training facility has in its employ a school security training instructor who has been certified by the bureau. The certificate shall be posted in a conspicuous place at the facility.

SEC. 5. Section 7583.50 is added to the Business and Professions Code, to read:

7583.50. (a) Any individual who desires certification by the bureau to instruct a school security course shall complete an application for a school security training instructor certificate. An application shall be made on a form provided by the bureau.

(b) An applicant for a school security training instructor certificate shall meet one of the following minimum qualifications:

(1) Possess an associate of arts degree in the administration of justice.

(2) Have one year of teaching or training experience in school security or the equivalent thereof.

(c) The application shall be accompanied by the fee prescribed in this chapter.

(d) Upon approval by the bureau of an applicant for certification as a school security training instructor, the chief shall issue to the applicant a "School Security Training Instructor Certificate." The certificate shall be posted at the training site.

SEC. 6. Section 7583.51 is added to the Business and Professions Code, to read:

7583.51. All school security course material provided to the certificate holder in the "School Security Training Manual" issues by the bureau shall be covered in each class session. Any course textbook or manual developed to be used by a firearms training facility for a course in the carrying and usage of a firearm for school security shall include the aspects of employee restraint and defensive missions of security guards, in addition to following the format delineated in the bureau's "School Security Training Manual" and shall be examined and approved by the bureau prior to use. Once the bureau has approved the textbooks or manuals, all school security training facilities shall be required to instruct in accordance with one of the textbooks or manuals. In no event shall the class instruction total less than 24 hours for the school security qualification.

SEC. 7. Section 7588 of the Business and Professions Code is amended to read:

7588. The fees prescribed by this chapter are as follows:

(a) The application and examination fee for an original license for a private patrol operator may not exceed two hundred dollars (\$200).

(b) The application fee for an original branch office certificate for a private patrol operator may not exceed seventy-five dollars (\$75).

(c) The fee for an original license for a private patrol operator may not exceed five hundred dollars (\$500).

(d) The renewal fee is as follows:

(1) For a license as a private patrol operator, the fee may not exceed five hundred dollars (\$500).

determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7583.46 is added to the Business and Professions Code, to read:

7583.46. The course of training in school security, the satisfactory completion of which shall be required of applicants who wish to obtain a school security qualifications card, shall be in the format prescribed by the Department of Consumer Affairs, as delineated in the bureau's "School Security Training Manual." The course training contained in the manual shall include, but not be limited to, the following:

- (a) The role and responsibility of the school security officer.
- (b) Laws and liability.
- (c) Security awareness in the educational environment.
- (d) Mediation and conflict resolution.
- (e) Standardized emergency management and incident command systems.
- (f) Dynamics of student behavior.
- (g) Examination.

The course shall contain a total of 24 hours of instruction.

SEC. 2. Section 7583.47 is added to the Business and Professions Code, to read:

7583.47. For purposes of this article, "school security course" means the school security training course as outlined in Section 7583.45.

SEC. 3. Section 7583.48 is added to the Business and Professions Code, to read:

7583.48. (a) Any institution, firm, or individual wishing the approval of the bureau to offer the school security course shall complete an application of certification as a school security training facility. The application shall be in a form prescribed by the chief and shall include, but not be limited to, the following information:

- (1) The name, business address, and telephone number of the institution, firm, or individual.
- (2) A detailed description of the places, days, and times the course will be offered.
- (3) An estimate of the minimum and maximum class size.
- (4) The name or names of the school security training instructors who will teach the course who have been certified by the bureau, and their certificate numbers, if available.

(b) The application shall be accompanied by the fee prescribed in this chapter.

SEC. 4. Section 7583.49 is added to the Business and Professions Code, to read:

7583.49. Upon approval by the bureau of a school security

chief, or any other person in charge of a local law enforcement agency, appointed on or after January 1, 1999, as a condition of continued employment, shall complete the course of training pursuant to this subdivision within two years of appointment. The training course for a sheriff, an undersheriff, and a deputy sheriff of a county, and a police chief and a police officer of a city or any other local law enforcement agency, shall be the same.

(b) For the purpose of ensuring competent peace officers and standardizing the training required in subdivision (a), the commission shall develop a testing program, including standardized tests that enable (1) comparisons between presenters of the training and (2) assessments of trainee achievement. The trainees' test scores shall be used only for the purposes enumerated in this subdivision and those research purposes as shall be approved in advance by the commission. The commission shall take all steps necessary to maintain the confidentiality of the test scores, test items, scoring keys, and other examination data used in the testing program required by this subdivision. The commission shall determine the minimum passing score for each test and the conditions for retesting students who fail. Passing these tests shall be required for successful completion of the training required in subdivision (a). Presenters approved by the commission to provide the training required in subdivision (a) shall administer the standardized tests or, at the commission's option, shall facilitate the commission's administration of the standardized tests to all trainees.

(c) Notwithstanding subdivision (c) of Section 84500 of the Education Code and any regulations adopted pursuant thereto, community colleges may give preference in enrollment to employed law enforcement trainees who shall complete training as prescribed by this section. At least 15 percent of each presentation shall consist of nonlaw enforcement trainees if they are available. Preference should only be given when the trainee could not complete the course within the time required by statute, and only when no other training program is reasonably available. Average daily attendance for these courses shall be reported for state aid.

(d) Prior to July 1, 1987, the commission shall make a report to the Legislature on academy proficiency testing scores. This report shall include an evaluation of the correlation between academy proficiency test scores and performance as a peace officer.

(e) (1) Any deputy sheriff described in subdivision (c) of Section 830.1 shall be exempt from the training requirements specified in subdivisions (a) and (b) as long as his or her assignments remain custodial related.

(2) Deputy sheriffs described in subdivision (c) of Section 830.1 shall complete the training for peace officers pursuant to subdivision (a) of Section 832, and within 120 days after the date of employment, shall complete the training required by the Board of Corrections for custodial personnel pursuant to Section 6035, and the training required for custodial personnel of local detention facilities pursuant to Division 1 (commencing with Section 100) of Title 15 of the California Code of Regulations.

(3) Deputy sheriffs described in subdivision (c) of Section 830.1 shall complete the course of training pursuant to subdivision (a) prior to being reassigned from custodial assignments to duties with

(2) For a combination license as a private investigator under Chapter 11.3 (commencing with Section 7512) and private patrol operator, AC or DC prefix, the fee may not exceed six hundred dollars (\$600).

(3) For a branch office certificate for a combination private investigator under Chapter 11.3 (commencing with Section 7512) and private patrol operator, the fee may not exceed forty dollars (\$40), and for a private patrol operator, the fee may not exceed seventy-five dollars (\$75).

(e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration.

(f) A reinstatement fee is equal to the amount of the renewal fee plus the regular delinquency fee.

(g) The fee for reexamination of an applicant or his or her manager may not exceed twenty dollars (\$20).

(h) Registration fees pursuant to this chapter are as follows:

(1) A registration fee for a security guard may not exceed twenty-five dollars (\$25).

(2) A security guard registration renewal fee may not exceed twenty-five dollars (\$25).

(i) Fees to carry out other provisions of this chapter are as follows:

(1) A firearms qualification fee may not exceed eighty dollars (\$80).

(2) A firearms requalification fee may not exceed sixty dollars (\$60).

(3) An initial baton certification fee may not exceed fifty dollars (\$50).

(4) An application fee and renewal fee for certification as a firearms training facility ~~or~~, a baton training facility, or a school security training facility may not exceed five hundred dollars (\$500).

(5) An application fee and renewal fee for certification as a firearms training instructor ~~or~~, a baton training instructor, or a school security training instructor may not exceed two hundred fifty dollars (\$250).

This section shall become operative July 1, 1998. Notwithstanding the operative date of this section, before, on, or after July 1, 1998, the bureau may adopt regulations specifying the fees authorized by this section. If the bureau does not have regulations in effect that delineate the specific fees authorized by this section by July 1, 1998, the schedule of fees in effect as of June 30, 1998, shall remain operative until the bureau adopts regulations specifying the fees.

SEC. 8. Section 832.3 of the Penal Code is amended to read:

832.3. (a) Except as provided in subdivision (e), any sheriff, undersheriff, or deputy sheriff of a county, any police officer of a city, and any police officer of a district authorized by statute to maintain a police department, who is first employed after January 1, 1975, shall successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training. Each police

responsibility for the prevention and detection of crime and the general enforcement of the criminal laws of this state.

(f) Any school police officer first employed by a K-12 public school district or California Community College district after July 1, 1999, shall successfully complete a basic course of training as prescribed by subdivision (a) before exercising the powers of a peace officer. A school police officer shall not be subject to this subdivision while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training.

(g) The commission shall prepare a specialized course of instruction for the training of school peace officers, as defined in Section 830.32, to meet the unique safety needs of a school environment. This course is intended to supplement any other training requirements.

(h) Any school peace officer first employed by a K-12 public school district or California Community College district before July 1, 1999, shall successfully complete the specialized course of training prescribed in subdivision (g) no later than July 1, 2002. Any school police officer first employed by a K-12 public school district or California Community College district after July 1, 1999, or any peace officer assigned primarily to a K-12 or community college campus, after January 1, 2002, shall successfully complete the specialized course of training prescribed in subdivision (g) within two years of the date of first employment or assignment .

SEC. 9. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Date Composed: 02/24 06:51 AM

6. A tribal law enforcement officer shall have all the powers of a peace officer under California law upon compliance with the following requirements: (1) The Commission has certified that the sworn tribal law enforcement officer meets minimum POST peace officer standards and training requirements or equivalent within 90 days of request for certification, (2) POST has certified that the employing tribal government has established a tribal law enforcement agency and that the agency has a supervisory structure headed by a chief law enforcement officer within 90 days of submission.

ANALYSIS

Currently, the State of California has jurisdiction over offenses committed by or against Indians in the areas of Indian country within the state. State criminal laws have the same force and effect within Indian country as they have elsewhere within the state. As a Public Law 280 State, the county sheriff is the recognized law enforcement authority on Indian land. Many tribes have formed their own police department but, officers are limited to enforcing tribal law on tribal lands. Some have formed alliances with the county sheriff which authorizes tribal officers to work as agents of the sheriff and enforce state laws on tribal land.

The primary issue this bill is attempting to address is the desire by some tribal police departments to enhance law enforcement services by obtaining full peace officer authority from the state. This would give tribal police officers full state peace officer status on or off tribal property. No relationship with the county sheriff would be needed.

The curricula for training local law enforcement is fairly clear. The bill is unclear as to what category of officer is required to take this training. In one section the bill refers to officers enumerated in subdivision (a) of Penal Code Section 13510 (which does not include state peace officers) and, in another section, the bill refers to "every law enforcement officer in this state."

The specific regulatory requirements imposed on POST related to tribal peace officer and tribal agency certification are unclear and are not defined in the bill text. In order to be consistent with current POST regulations, bill language is needed to clearly specify selection and training standards for tribal agencies and officers.

This bill does not contain a funding appropriation to cover the training or administrative mandates. The implementation of this bill would require the expenditure of substantial POST resources. Development and reimbursement costs for basic and refresher training for "every law enforcement officer in this state" would cost millions of dollars. Administrative costs for POST staff to certify tribal agencies and officers would present another unbudgeted and unfunded financial obligation.

The new training and regulatory responsibilities for POST defined in this bill have been the topic of discussion between tribal authorities, POST staff, and other law enforcement organizations for over a year. Several recommendations have been made to tribal officials and the author to mitigate Commission staff concerns. Unfortunately, bill language would seem to indicate that staff recommendations have not been accepted.

The California State Sheriffs' Association (CSSA) has been working closely with the author but, after the introduction of the amended bill on April 16th, 2001, they have chosen to oppose this bill.

Staff will continue to work with all interested parties to address the issues raised by this bill.

COMMISSION POSITION

It is recommended that the Commission adopt an OPPOSE, UNLESS AMENDED position on this bill.

TITLE OR SUBJECT Tribal Police Departments	BILL NUMBER/AUTHOR SB 911/Alarcon	DATE INTRODUCED February 23, 2001
	RELATED BILLS AB 1997 (2000)	DATE LAST AMENDED April 16, 2001
SPONSORED BY Coalition for the Enhancement of Tribal Law Enforcement	RECOMMENDED POSITION Oppose, Unless Amended	

GENERAL

Senate Bill 911 is a very comprehensive bill and this analysis will only address the provisions of this bill that impact POST.

The bill would require that:

1. The Commission, on or before June 1, 2002, to develop and disseminate guidelines and training for all law enforcement officers in California addressing the topics of sovereignty, jurisdictional uniqueness, political contrasts, and Federal statutes and laws that apply specifically to Indians both in and out of Indian country.
 2. The curriculum be created in collaboration with a panel made up of representatives from: (1) The Office of Native American Affairs, (2) A tribal liaison from within the State Department of Social Services, and (3) The Native American Heritage Commission.
- Every law enforcement officer in the state shall participate in the training prescribed and certified by the Commission. Training shall begin no later than January 1, 2003.
4. The course of instruction shall include, but not be limited to, adequate consideration of each of the following subjects: (1) Jurisdictional issues arising in Indian country, (2) The Indian Child Welfare Act, Section 1901, Title 25 of the United States Code, and how it applies to Indians residing in the State of California, (3) The political differences between Indian and non-Indian citizens with respect to sovereignty, citizenship status, and cultural heritage.
 5. Once the initial basic training is completed, each law enforcement officer in California, as described in subdivision (a) of Section 13510 of the Penal Code, who adheres to the standards approved by POST shall be required to complete a refresher course very five years thereafter, or on a more frequent basis if deemed necessary, in order to keep current with changing legal and cultural trends in Indian country.

ANALYSIS BY Tom Hood	DATE April 20, 2001	FISCAL IMPACT Substantial cost for increased local law enforcement training and administrative responsibilities to tribal law enforcement agencies and officers.
LEGISLATIVE LIAISON Tom Hood	DATE April 20, 2001	EXECUTIVE DIRECTOR <i>Joseph D. Bruen</i> DATE 4-20-01
COMMISSION MEETING DATE: May 10, 2001	COMMISSION POSITION:	

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
<p>AB 788 (Firebaugh)</p>	<p>Crime Prevention (continued) This bill would change the definition of racial profiling to mean a consideration in any fashion and to any degree the race or national or ethnic origin of drivers or passengers in deciding which vehicles to subject to any motor vehicle stop or in deciding upon the scope or substance of any enforcement action or procedure in connection with or during the course of a motor vehicle stop.</p> <p>This bill would also permit law enforcement officers to rely in part on race or national or ethnic origin with other physically descriptive characteristics in determining whether reasonable suspicion exists that a given individual who has been identified or described in part by race or national or ethnic origin is a suspect. This bill also authorizes punitive damages against specific officers and their agencies if convicted of engaging in racial profiling.</p>	<p>Assembly Public Safety Committee</p>
<p>AB 1023 - Canciamilla</p>	<p>Animal Control Officers: Use of Batons Existing law provides that police officers, special police officers, peace officers, or law enforcement officers are not prohibited from carrying any wooden club, baton, or any equipment authorized for the enforcement of law or ordinance in any city or county, and would require animal control officers who wish to carry a baton or club to complete a course approved by the Commission on Peace Officer Standards and Training. This bill would apply this provision to animal control officers.</p>	<p>Assembly Public Safety Committee</p>
<p>AB 1322 (Negrete- McCloud)</p>	<p>Peace Officers: Equipment: Existing law requires local agencies to furnish each newly hired, full-time police officer and deputy sheriff with specified safety equipment to the extent that funds have been made available by the Legislature. Existing law also recommends that local agencies provide other items, including protective vests, to those peace officers although the local agencies are not reimbursed for providing those items.</p> <p>This bill would require that the required items be furnished to each full-time police officer and deputy sheriff, and would include protective vests meeting specified standards in the required items, rather than in the recommended items, thereby imposing a state-mandated local program on local agencies.</p>	<p>Assembly Public Safety Committee</p>

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

2001 Bills of Interest to POST - Watch Only
(Revised April 18, 2001)

(Note: Text in bold indicates new bills added to list or different bill status since last revision.)

Bill #	Subject	Status
AB 73 (Washington)	Vehicles:Fines:Records: Under existing law, additional penalties are imposed by the counts upon a person when that person fails to appear as promised, pay a fine or bail, or comply with a condition of a court relating to failure to appear or failure to pay a fine or bail. This bill would limit the amount of these additional penalties to \$100, exclusive of the original base fine and original penalty assessments, for infractions involving certain vehicle registration violations, lighting equipment violations, windshield and mirror equipment violations, and all other equipment violations.	Assembly Transportation Committee
AB 788 (Firebaugh)	Crime Prevention: Existing law prohibits law enforcement officers from engaging in 'racial profiling,' which is defined as the practice of detaining a suspect based on a broad set of criteria that casts suspicion on an entire class of people without any individualized suspicion of the particular person being stopped. Under existing law, law enforcement officers must participate in racial profiling training, with the curriculum developed by the Commission on Peace Officer standards and Training, in collaboration with a five-person panel, as specified. Existing law also requires the Legislative Analyst to present a report to the Legislature regarding data collection in connection with racial profiling, as specified.	Assembly Public Safety Committee

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 1555 (Ashburn)	Mental Health: Peace Officers and Crimes: Under existing law, various officers and employees of state and local agencies, including officers of a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, are classified as peace officers. Existing law authorizes these state hospital peace officers to carry firearms only if authorized and under terms and conditions specified by their employing agency. This bill would specify that these peace officers are required to complete the Regular Basic Course of training prescribed by the Commission on Peace Officer Standards and Training.	Assembly Public Safety Committee
SB 926 (Battin)	Peace Officers: Deputy Sheriffs: Riverside County: Existing law also provides that a deputy sheriff of a county of the first class and any deputy sheriff of the county of San Diego, who is assigned to perform duties relating to specified custodial assignments is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when directed to perform other law enforcement duties during a local state of emergency. This bill would provide that this latter provision is applicable to deputy sheriffs employed by Riverside County.	Senate Public Safety Committee
SB 1073 (Knight)	Peace Officers: Deputized: Power: Under existing provisions of law, certain power and authority is conferred upon regularly employed and salaried police officers and deputy sheriffs; designated police officers and employees of the University of California State University, and designated peace officers and other employees of the department of Parks and Recreation. This bill would delete the requirement that these peace officers and designated employees be regularly employed and salaried in order to exercise the power and authority of peace officers.	Senate Appropriations Committee

Bill #	Subject	Status
<p>AB 838 (Koretz)</p>	<p>Public Post Secondary Education: Waiver of Tuition for Peace Officers: Existing law prohibits any state-owned college, university, community college, or other school from charging any mandatory system-wide tuition or fees to certain dependents or survivors of veterans, including any child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the national poverty level as defined. This bill would prohibit the regents, the board of directors, the trustees, or any community college district from requiring mandatory system-wide fees or tuition of a full-time peace officer who is a resident of the state, is employed on active status, and whose principal duties consist of active law enforcement services, as defined. This prohibition would be applicable to the regents only if the regents, by resolution, make them applicable.</p>	<p>Assembly Higher Education Committee</p>
<p>SB 27 (Brulte)</p>	<p>Law Enforcement Funding: Existing law establishes in each county treasury a Supplemental Law Enforcement Services Fund (SLESF), sets forth provisions governing the administration of these funds, and appropriated \$242,600,000 from the General Fund for the 2000-01 fiscal year for allocation to counties and other entities for specified law enforcement purposes. This bill would appropriate \$75,000,000, and an amount sufficient to ensure the receipt of no less than \$100,000 by each recipient, from the General Fund to the Controller to be allocated, as specified, and subject to prescribed conditions, to county sheriffs, city police chiefs, and certain cities and special districts for the purpose of funding technology grants and technology-related acquisitions to enhance public safety.</p>	<p>In Senate</p>

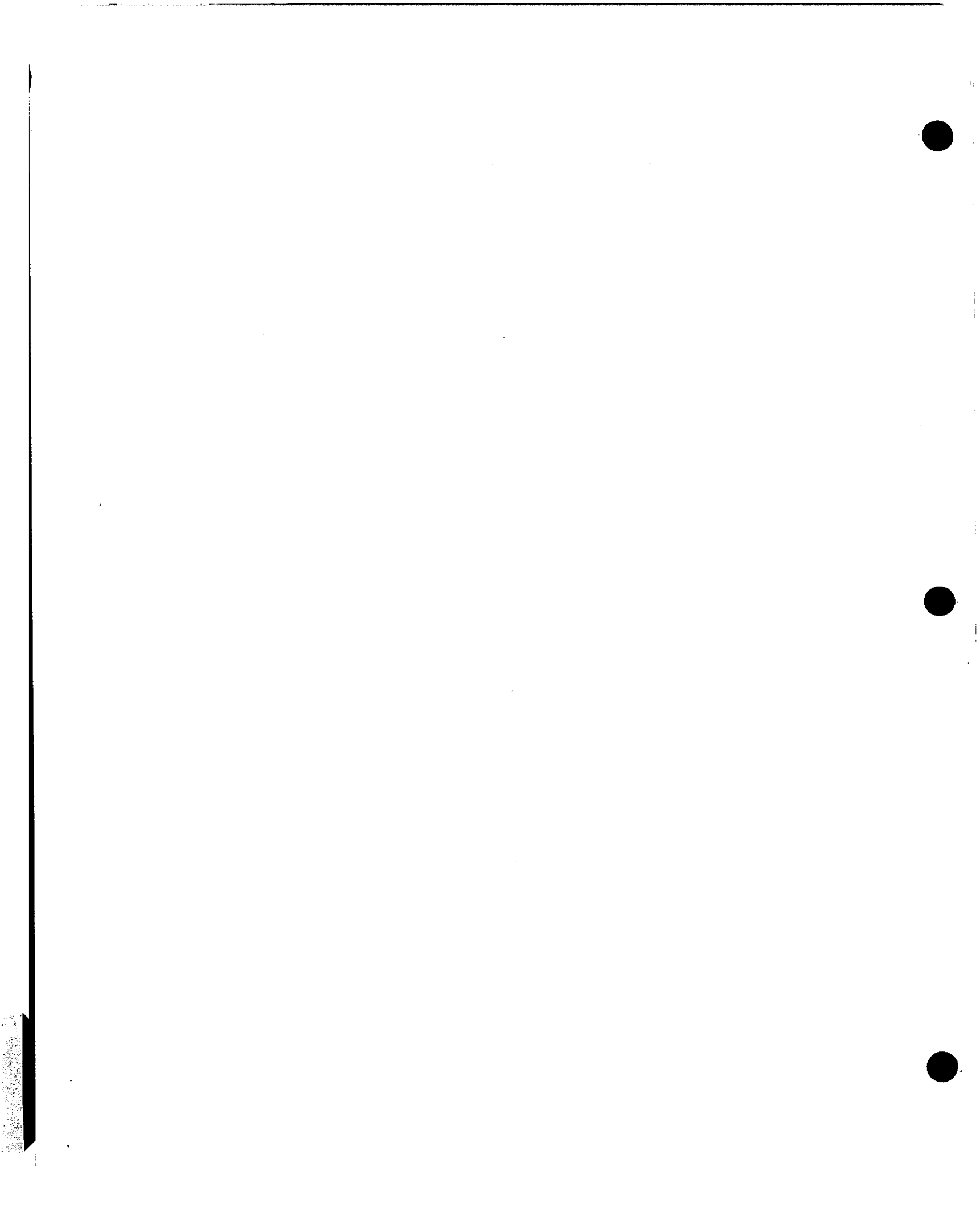
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

2001 Status of Informational Legislation
(Revised April 18, 2001)

(Note: Text in bold indicates new bills added to list or different bill status since last revision.)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 86 (Cardenas)	Law Enforcement Funding: Existing provisions of the California Constitution and related implementing statutes provide for the imposition of specified statewide sales and use tax rate, and require that the revenues derived from that rate be allocated to qualifying local agencies, as described, to supplement otherwise available funding for local public safety services, as defined. Under existing law, these statutes governing supplemental local law enforcement funding will become inoperative on July 1, 2002, and will be repealed as of January 1, 2003. This bill would make these provisions inoperative on July 1, 2007, and would repeal them as of January 1, 2008.	Assembly Local Government Committee
AB 562 (Cox)	Local Law Enforcement Funding: Existing law establishes in each county treasury a Supplemental Law Enforcement Services Fund (SLESF), sets forth provisions governing the administration of these funds, and appropriates \$242,600,000 from the General Fund for the 2000-01 fiscal year for allocation to counties and other entities for specified law enforcement purposes. This bill would appropriate \$100,000,000 from the General Fund to the Controller to be allocated to county sheriffs, city police chiefs, specified special districts providing police protection services, and cities that contract for police and sheriff services, for the purpose of funding technology grants and technology-related acquisitions to enhance public safety.	Assembly Local Government Committee

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 101 (Brulte)	<p>Abandonment of Newborns: Existing law provides that no parent or other person having lawful custody of a minor child 72 hours old or younger may be prosecuted for a violation of specified crimes if he or she voluntarily surrenders physical custody of the child to any employee on duty at a public or private hospital emergency room, or any additional location designated by the board of supervisors. This bill would appropriate \$3,000,000 from the General Fund to the State Department of Social Services and would require the department, in consultation with the State Department of Health Services, the State Department of Education, and the office of the Attorney General, to use these funds to develop and implement a social marketing campaign to determine what members of the population are most likely to abandon newborn infants, and to determine what options, including the options available under specified provisions of law, are available to them.</p>	Senate Appropriations Committee
SB 823 (Poochigian)	<p>Local Law Enforcement Funding: Existing law establishes in each county treasury a Supplemental Law Enforcement Services Fund that receives from the Controller an annual allocation of state funds. Moneys from this fund are required to be allocated by the county auditor to the county, each city located within that county, and designated districts providing law enforcement services, in accordance with specified requirements. The moneys are allocated for, among other things, front-line law enforcement services and the implementation of a comprehensive multi-agency juvenile justice plan with specified components and objectives, developed by the local juvenile justice coordinating council in each county and city and county. These provisions will become inoperative on July 1, 2002, and are repealed as of January 1, 2003.</p> <p>This bill would prohibit the county auditor from transferring moneys from the fund to a recipient agency until the county Supplemental Law Enforcement oversight committee certifies receipt of an approved expenditure plan from the governing board of that agency. The bill would also delete the inoperative and repeal dates, thereby continuing the operation of this funding program indefinitely.</p>	In Assembly





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February 16, 2001

Commission on Post

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Dear Mr. Snow:

As I understand it, my term on the Advisory Committee will expire at the September 2001 meeting. I recently have become the President of the California Police Chiefs Association, and from that position, I am recommending Chief John Gurney, Sonoma Police Department, to replace me as the California Police Chiefs' representative on the Advisory Committee.

Sincerely,

Robert P. Blankenship
Chief of Police, Redding Police Department
President, California Police Chiefs Association

rb/cf