

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, December 13, 2001

Hyatt Regency Hotel
200 South Pine Avenue
Long Beach, California
(562) 491-1234

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

CALL TO ORDER - 1:00 P.M.

COLOR GUARD AND FLAG SALUTE

Long Beach Police Department Color Guard will present the colors.

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

Since the last Commission meeting, no officers have lost their lives while serving the public.

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION

WELCOMING ADDRESS

Jerome Lance, Chief of Police, Long Beach Police Department will make welcoming remarks.

A. APPROVAL OF MINUTES

Approval of the Minutes of the November 8, 2001, Commission meeting at the Holiday Inn Northeast, Sacramento, California.

ADMINISTRATIVE SERVICES

B. POST's Priorities

At the November 8th meeting, the Commission directed that a special Commission meeting be held December 13th to address POST priority setting and proposals for funding reductions. This agenda item affords the Commission opportunity for open discussion about its priorities. To facilitate discussions, the report under this tab provides background information on the factors that influence POST priorities including:

- POST's Strategic Plan;
- Commission Reimbursement Policies;
- Training Determination;
- State Law;
- Budget Constraints;
- Training Partnership.

Following a brief staff presentation on this subject, there will be open discussion on POST's priorities.

C. Budget Reduction Recommendations

At the November 8 meeting, the Commission addressed issues related to the anticipated \$4.8 million deficit in the POST budget. The Commission was presented with nine separate recommended options intended to balance this year's budget, free-up funds for anti-terrorism training, and provide a contingency reserve in case the state is unable to fulfill its assurance to offset the difference between revenues and the Governor's appropriation.

The Commission approved two of the nine recommendations and directed staff to return with more details of the remaining seven options.

If the Commission concurs, the appropriate action would be to approve the cost containment options as presented and report on implementation to the Finance Committee.

FUTURE COMMISSION MEETINGS

January 31, 2002 - Marriott - Riverside, CA

April 18, 2002 - Ramada Plaza - Culver City, CA

July 18, 2002, Hyatt Regency S. F. Airport - Burlingame, CA

NOTE: Upon adjournment, at the request of the Executive Director, the Commission will meet in closed session for discussion of Commission and personnel issues.

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, November 8, 2001

Holiday Inn Northeast

5321 Date Avenue

Sacramento, CA 95841



STATE OF

CALIFORNIA

Gray Davis
Governor

Bill Lockyer
Attorney General

Chairman William Kolender called the Commission meeting to order at 10:10 a.m.

FLAG SALUTE AND WELCOMING ADDRESS

The Color Guard from the Sacramento County Sheriff's Department posted the colors. Chairman Kolender led the pledge of allegiance.

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

- Deputy Erik Telen, Fresno County Sheriff's Office
- Deputy Hagop "Jake" Kuredjian, Los Angeles County Sheriff's Office
- Officer Richard Perkins, Bishop Police Department
- Officer Jeffrey Fontana, San Jose Police Department

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners present:

Lee Baca
Patrick Boyd
Marc Cobb
George (Joe) Flannagan
James P. Fox
Bud Hawkins
Monty Holden
Ted Hunt
William Kolender
Arthur Lopez
Rana Sampson
Laurie Smith

Commissioners absent:

None.

WELCOMING REMARKS

California Attorney General Bill Lockyer welcomed the Commission to Sacramento, and related that the mission of the Department of Justice is to provide the best support services possible to front-line prosecutors and law enforcement agencies. In addition, the Attorney General provided data on various programs that have proved successful due in part to cooperative efforts with law enforcement agencies.

Commissioner Boyd, a member of the San Jose Police Department, expressed his deep appreciation to Attorney General Lockyer for taking time to come to San Jose and speak with the police department and personally visit the family of Officer Jeffrey Fontana, who was recently killed in the line of duty.

INTRODUCTIONS

Visitors present:

Sergeant Mike Pon, Richmond Police Department
Sergeant Janet Lacampagne, San Francisco Police Department
Lieutenant Tim Marsh, Mendocino County Sheriff's Office
Steve Beukelman, Tracy Police Department
Lieutenant Tom McMahon, Sacramento Sheriff's Department
Lieutenant Ken Corney, Ventura Police Department
Lieutenant Ed Gilbert, San Diego State University Police Department
Chief Bob Nichelini, Vallejo Police Department
Commander George Gascon, Los Angeles Police Department
Lieutenant Lori Lee, Vallejo Police Department
Philip del Campo, POST Advisory Committee
Cliff Harper, Stanislaus County Sheriff's Department Training Div.
Lieutenant Ken Corney, Ventura Police Department
Lieutenant Tim Marsh, Mendocino County Sheriff's Department
Michael Caesar, Bell Garden Police Department
Suzanne Foucault, Executive Director, San Diego Regional Training Center
Alex Bernard, POST Advisory Committee
Chief Don Sherman, OCJP
Don Ruiz, Montebello Police Department (Ret.), COPS
Norman Cleaver, CADA, POST Advisory Committee
Kevan Otto, POST Advisory Committee
Bob Waddleberg, American River College and CADA

Staff present:

Kenneth J. O'Brien, Executive Director
Dick Reed, Assistant Executive Director

Hal Snow, Assistant Executive Director
Mike DiMiceli, Assistant Executive Director
Ray Bray, Bureau Chief, Training Program Services
Alan Deal, Bureau Chief, Public Information/Legislative Liaison
Tom Hood, Bureau Chief, Training Delivery and Compliance
Tom Liddicoat, Administrative Services
Frederick Williams, Bureau Chief, Administrative Services
Mickey Bennett, Basic Training Bureau
Bud Lewallen, Bureau Chief, Basic Training
Paula Burnette, Bureau Chief, Standards & Evaluation
Ron Crook, Training Program Services
Ed Pecinovsky, Training and Delivery Bureau
Ron Wood, Training and Delivery Bureau
Bernie Homme, Training and Delivery Bureau
Julie Hemphill, Training and Delivery Bureau
Pat Hunton, Training Program Services
Karen Hightower, POST Advisory Committee Secretary
Bob Stresak, Training Program Services
Marylin Heald, Administrative Services
Karen Cramer, Administrative Services
Miriam Townsend, Administrative Services
Mary Pinard, Information Services
Frank Decker, Basic Training Bureau
Anita Martin, Commission Secretary

APPROVAL OF MINUTES

- A. MOTION - Hawkins, Second - Sampson, carried unanimously to approve the Minutes of the August 16, 2001, meeting at the Doubletree Hotel, Ontario, California.

CONSENT CALENDAR

MOTION - Hawkins, Second - Boyd, carried unanimously to approve the following items on the Consent Calendar:

- B.1 Course Certification Report
B.2 Financial Report - First Quarter FY 2001 - 2002.
B.3 New Entries Into the POST Regular (Reimbursable) Program
B.4 New Entries Into the Public Safety Dispatcher Program
B.5 POST's Recruitment Symposium
B.6 Report to the Legislature on Course Quality Assessment Program

B.7 Resolutions

- Retiring POST Bureau Chief Frederick Williams;
- Retiring POST Senior Law Enforcement Consultant Mickey K. Bennett;
- Retiring; POST Senior Law Enforcement Consultant, Bernie Homme
- POST Management Fellow Lori Lee;

C. PRESENTATION OF RESOLUTIONS

Chairman Kolender presented resolutions to Frederick Williams, Mickey Bennett, Bernie Homme and Lori Lee, and congratulated each on their many outstanding contributions to law enforcement and to POST.

The Chairman explained that the Finance Committee Report (Item P) would be presented *out of Agenda order* because the Public Hearing (Item D) was expected to be very time consuming.

P. FINANCE COMMITTEE REPORT

Commissioner James Fox, Chairman of the Finance Committee, reported on the meeting held on November 7, 2001, at POST Headquarters in Sacramento.

In addition to those items addressed on the Commission Agenda, the Finance Committee discussed the following matters:

POST's Current Year Revenue and Expenditure Status

Revenue for the first three months of the fiscal year is approximately \$3.8 million less than the amount received at the same time last year. This decrease is due to the fact that POST will not receive the \$14 million this year, as it has in past years, from the Driver Training Penalty Assessment Fund.

Commissioner Fox reported that due to the reduction in revenue and the actions that occurred during the State Budget process, POST has a projected budget deficit of \$ 4,817,483.

He reported that the Finance Committee had made the following recommendation on a 4 - 1 vote:

Commission approval of the redirection of two budget change proposals (BCPs), the first in the amount of \$2,150,000; the second in the sum of \$2,600,000; for a total savings of \$4.75 million.

The Committee further recommended that the Commission discuss priorities pertaining to the following eight proposed actions:

	<u>Projected Savings</u>
1) Limit curriculum development workshops and seminars;	\$ 200,000
2) Continue to modify or terminate under-performing training contracts;	1,000,000
3) Reduce Backfill reimbursement to 50%;	1,000,000
4) Reduce number of Plan I and Plan III presentations;	100,000
5) Eliminate MIDP Class #2 for FY 01-02;	114,000
6) Defer new Command College class;	85,000
7) Suspend Team Building Workshops temporarily;	141,000
8) Establish an 80-hour cap on reimbursement temporarily.	<u>1,000,000</u>

Total Projected Savings from #1 - 8: \$3,640,000

Projected Budget Shortfalls

There was a lengthy discussion with reference to the projected budget shortfall and the list of eight actions proposed by staff to make up the deficit and carry out other training needs and unforeseeable expenses.

Item #2 (modify or terminate under-performing training contracts, for a projected savings of \$1,000,000) was identified as one proposal that should be approved.

MOTION - Sampson, Second - Hunt, carried unanimously to immediately authorize the adjustment and revision of under-performing contracts.

The Commission discussed the issue of how spending priorities should be determined and whether or not the setting of priorities should be done by the full Commission.

MOTION - Sampson, Second - Hunt, carried unanimously, to have a full Commission meeting on the afternoon of Thursday, December 13, 2001, following the Long Range Planning Committee meeting that morning.

MOTION - Fox, Second - Boyd, carried unanimously, to authorize the Executive Director to immediately go forward with a request to the Governor's Office and Department of Finance to redirect the \$4.75 million on the two afore-mentioned Budget Change Proposals.

Explanation of Contracts Process

In response to inquiries made during the August Finance Committee meeting, staff reported on the selection process used for contract providers and the rules that govern the letting of State contracts. Clarification of this issue was provided by material from the State Administrative Manual, Commission Policy Manual; and the POST Internal Manual.

The evolution of POST's business relationship with specific public entities (UC, CSU and Community Colleges) and Joint Powers Agencies, as well as the cost efficiencies that are assessed in doing business in various venues throughout the State, were discussed.

Allocation of Peace Officers Training Fund (POTF) FY 00/01

In response to Committee members' inquiry at the October Workshop, staff provided a report specifying POTF dollar amounts reimbursed to the field, comparing funds provided for line staff and supervisors with those for management and executive staff. The report reflected that approximately 81% of the funds go for the training of line staff and supervisors.

Alteration of Schedule for Committee Meetings

Due to the fact that many recommendations and decisions made by the Finance Committee impact those made by the POST Advisory Committee, a proposal to reverse the two committees' meeting times was made and approved by the Finance Committee. In the future, the Finance Committee will meet at 9:00 a.m., and the Advisory Committee will meet at 2:00 p.m. on the day prior to the Commission meeting.

PUBLIC HEARING

D. Public Hearing on Proposed Amendment of Regulation 1005(d) Continuing Professional Training (CPT) Hourly Requirement

Executive Director Ken O'Brien stated that the hearing was being conducted in compliance with requirements set forth in the *Administrative Procedures Act*. He further stated that the proposed amendment is described in Agenda Item D, announced in POST Bulletin 01-12, and published in the California Regulatory Notice Register, as required by law.

Chairman Kolender announced that the Hearing was open to consider the amendment of Commission Regulation 1005(d), Continuing Professional Training. This proposal would require all peace officer ranks to satisfactorily complete the CPT requirement of 40 or more hours at least once every two years, effective July 1, 2003. The CPT hour requirement for Reserve Level I and Level II, Public Safety Dispatcher, and Public Safety Dispatch Supervisors shall remain at 24 hours.

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

Michael Poehlman, Chief of Police, Oceanside Police Department wrote:

- Most of his officers were not exceeding the proposed 40-hours of POST certified training every two years.
- Does not understand how this proposal will provide agencies with greater flexibility in meeting their local training needs.
- Who are the other states who have exceeded California's requirement?

Bernard C. Parks, Chief of Police, Los Angeles Police Department wrote:

- The fiscal impact of 40 hours of mandatory training every two years, as well as decreasing resources could compromise public safety.
- They recommend a compromise to increase CPT training to 40 hours every three years.

Ed Jagels, President, Kern County Police Chiefs' Association wrote:

- The addition of 16 hours of training will place additional burdens on agencies, requiring jiggling of shifts and overtime.
- Believes there will be financial distress to law enforcement agencies.

Marvin L. Reyes, Chief of Police, State Center Community College District wrote:

- The addition of 16 hours of training will place additional burdens on agencies, especially smaller agencies who will not have sufficient personnel to absorb time lost while personnel are away at training.
- Believes there will be a harmful fiscal impact to law enforcement agencies.

Kory Frost, President BART Police Officers' Association wrote in support of this proposed amendment.

Victoria K. Coots, President, Butte County Deputy Sheriff's Association wrote in support of this proposed amendment.

This concludes the summary of the written commentary. Responses to the points raised were given later in the public hearing.

Staff reported that the intensity and complexity of law enforcement work over the years justifies the increase in training hours. Periodic refresher training through the CPT requirement has also been the primary means by which law enforcement agencies have defended themselves against civil liability claims of negligent training. Such training is frequently the subject of scrutiny by courts and litigants.

In addition, of the current 24 hours required, a recent regulation mandates agencies train 14 hours in Perishable Skills. Increasing the hours to 40 will give agencies more flexibility in training for other topics.

Currently, 22 states have surpassed California's 24-hour biannual CPT requirement. Of the 22, five states mandate 40 hours annually and 15 states mandate a minimum of 16 hours annually (32 hours biannually). Four states have triennial requirements.

A review of all California peace officer training records over the past three fiscal years revealed that the average annual training hours per officer exceeds 40 hours. Since most agencies in the state already exceed the proposed increase, it should not have a negative impact.

The change would not occur until July 1, 2003, which will give sufficient time for implementation.

In answer to a Commissioner inquiry, Executive Director O'Brien listed the states that surpass California's 24-hour biennial CPT requirement, as follows:

Connecticut	Delaware	Kentucky
Indiana	Kansas	Massachusetts
Louisiana	Maryland	Nevada
Minnesota	Missouri	North Carolina
New Mexico	North Dakota	Utah
Tennessee	Texas	Wisconsin
Vermont	Virginia	
Wyoming	Georgia	

At this point, the Chairman announced that testimony from the audience would be received and requested that persons testifying first give their full name and agency affiliation.

Those who were opposed to the recommendation were invited to come forward.

Commander George Gascone, Los Angeles Police Department, stated that he opposed the issue on several grounds.

He stated that the first objection relates to the unfunded training cost liability that the increase in hours will create. 75,000 peace officers will be impacted by this amendment. At a time when there are tremendous fiscal constraints, not only at the State level but local level as well, this proposal will amount to an unfunded training liability of approximately \$48 million.

Commander Gascone also asserted that there would also be potential labor issues connected with this increase. If the CPT continues to increase in hours, and in the next few years POST becomes a licensing agency, he was apprehensive there could be significant labor issues caused by large numbers of people out of compliance or forced to "scramble" to be in compliance.

Additionally, Commander Gascone maintained that this would bring about significant civil liability concerns for local and state agencies. He further stated that training is always cited as an issue in civil lawsuits containing allegations of negligence. In such a lawsuit, one of the first things that must be proven by the defense is that the officer in question is in compliance with state training requirements. If an agency is out of compliance, its liability is increased when there is an increase in the number of training hours.

Commander Gascone stated that his department also differed with the staff's assessment that most large agencies are already in compliance. He explained that when examining the total of hours for an agency, the number of officers trained might be distorted depending upon the type and number of hours required to complete a course.

He affirmed that the Los Angeles Police Department fully supported training but felt that the downturn in the economy made this proposal untimely.

Lieutenant Ed Gilbert, San Diego State University Police Department, representing San Diego Training Managers Association, came forward in opposition. He stated that although no member of the Association is opposed to the concept of additional training, his organization opposed the proposal for many of the same reasons already presented. Many of those concerns were raised at a recent meeting of the San Diego Training Managers Association.

Lt. Gilbert presented copies of a letter signed by the San Diego Training Manager's Association (SDTMA) President, which contradicted many of the claims set out in POST Bulletin (01-12) dated August 27, 2001.

The letter stated the following disagreements with claims made in the POST Bulletin:

- *The vast majority of officers are already exceeding the 40 hours every two years.*

Only one law enforcement agency indicated that their department was comfortable with administering over 40 hours of POST certified training every two years. Most San Diego County agencies were not surveyed by POST regarding the impact this change might have. The majority of law enforcement agencies in San Diego County have repeatedly expressed concern about meeting the CPT compliance of 24 hours every two years. Due to staffing levels and limited budgets, most agencies are having a difficult time arranging training for field operations personnel. In addition, agencies must also meet training mandates that are imposed or required by their agency, local government, other state regulatory agencies (i.e., CAL OSHA) and federal entities. Some of these other training mandates are not POST certifiable due to the nature of the class (i.e., not law enforcement specific).

- *The increase will facilitate law enforcement agencies increasing their training budgets.*

Members do not believe that the proposed CPT mandate will increase their training budgets. Most agencies have a training plan in place, which they use to assist managers in formulating their budgets. However, due to the economic state that most cities are in, training budgets do not increase correspondingly when additional training is mandated. Some agencies will roll over their existing annual training budgets without any increases, some may receive POST reimbursement for training at the department level. However, others do not receive the funds as they are routed to their general fund. In those cases, the departments then have no further ability to use the reimbursement funds for additional training.

- *The increase will provide agencies greater flexibility in meeting local or agency training needs.*

The increase will not provide "greater flexibility" but will instead create a burden. In light of the perishable skills mandate, departments will be forced to scrutinize the type of training personnel attend. Given the limited training budget at most agencies, a specific amount of mandated hours, no matter the number (i.e., 24 versus 40 hours) would not limit or prohibit them from additional training.

- *Many other states have exceeded California's CPT requirement.*

California law enforcement has historically led the way in the area of quality training. The SDTMA would like to examine the documentation upon which this claim is based.

Tim Marsh, Mendocino County Sheriff's Office, stated that his department opposes the increase in CPT hours for many of the same reasons mentioned by Commander Gascone. He felt this change would be especially difficult for small agencies. Officers from his department must travel one to one and one-half hours to Santa Rosa for the nearest training facility. There are a number of small agencies in Mendocino County - one with 25 officers, another with only 15, and still another with only 13. His department agrees that this proposal would be untimely.

Chairman Kolender invited those who were in support of the recommendation to come forward.

POST Advisory Committee Vice Chairman Alex Bernard reported that on November 7th, the Advisory Committee had voted to support the recommendation.

There was no further testimony and the Chairman concluded the hearing to amend Commission Regulation 1005(d).

Chairman Kolender announced that 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.

Executive Director Ken O'Brien reported the following concerns or recommendations and POST's response:

Chief Poehlman's concerns:

- Most of his officers were not exceeding the proposed 40-hours of POST certified training.

POST's response: During the two-year period of 1999 and 2000, POST records indicate that your agency had an average of 100 training hours that would count toward CPT, far surpassing the 40-hour minimum.

- Does not understand how this proposal will provide agencies with greater flexibility in meeting their local training needs.

POST's response: This will provide agencies with greater flexibility, since a recent regulation mandates agencies to train 14 hours of the current 24 hours in perishable skills. Increasing to 40 hours will give agencies more flexibility in training for topics other than perishable skills.

- Who are the other states who have exceeded California's requirement?

POST responded with a list of the 22 states which have surpassed California and mandated more than 24 hours of training every two years. (Those states are listed on page 8 of these Minutes.)

Chief Parks concerns:

- The fiscal impact of 40 hours of mandatory training every two years, as well as decreasing resources could compromise public safety.

POST's response: A review of this agency's training records for the two-year period, 1999-2000, revealed their officers averaged 77 hours of CPT training.

- They recommend a compromise to increase CPT training to 40 hours every three years, instead of every two years.

POST's response: This is an increase of only one-hour per year. The training records for the three-year period 1998-2000 (inclusive) showed that this agency had an average of 97 CPT hours for the three-year period.

President Jagel's concerns:

- The addition of 16 hours of training will place additional burdens on agencies, requiring jiggling of shifts and overtime.

POST's response: Law enforcement has various alternative methods for satisfying the CPT requirement, including, 1) use of multimedia training programs within each agency, 2) viewing and documentation of POST's telecourses, 3) recognition of certain non-POST certified courses presented out of state, 4) certified conference attendance, 5) testing in lieu of training for perishable skills, and 6) certified training presented within departments.

- Believes there will be financial distress to law enforcement agencies.

POST's response: It appears that agencies of your association would not have an adverse financial impact since nearly all your agencies already complete 50% more than the recommended increase of CPT.

Chief Reyes concerns:

- The addition of 16 hours of training will place additional burdens on agencies, especially smaller agencies who will not have sufficient personnel to absorb time lost while personnel are away at training.

POST's response: A review of this agency's training records for the 1999-2000 two-year period showed an average of 71 CPT hours per officer.

- Believes there will be a harmful fiscal impact to law enforcement agencies.

POST's response: It appears this agency would not be adversely impacted since on an average, officers already complete 50% more training than the recommended increase.

Kory Frost, President, BART Police Officers' Association wrote in support of this proposed Amendment.

POST's response was to thank President Frost and the Association for their support.

Victoria K. Coots, President, Butte County Deputy Sheriff's Association wrote in support of this proposed amendment.

POST's response was to thank President Coots and the Association for their support.

It was noted by staff that the Training Managers Association, as well as the California Academy Directors Association, were both in support of the proposal.

Having considered staff recommendations and the written and oral testimony received, the Chairman called for a motion regarding this proposal.

There was further discussion of this issue and its financial impact upon law enforcement agencies.

MOTION - Fox, Second - Hunt, failed by a ROLL CALL VOTE of 4-8 to approve the proposal to amend Commission Regulation 1005(d), Continuing Professional Training. (Ayes: Sampson, Flannagan, Boyd, Cobb; Noes: Kolender, Baca, Fox, Hunt, Holden, Hawkins, Lopez, Smith)

MOTION - Fox, Second - Hunt, carried unanimously to continue this matter to the first regularly scheduled meeting of the POST Commission subsequent to commencement of the next fiscal year.

Additionally, staff was directed to provide an analysis of the fiscal impact this mandate would have on agencies.

There was a discussion concerning college classes attended by law enforcement officers that enhance law enforcement professionalism, but are not certified by POST and do not fulfill the CPT requirement. It was determined that this issue should be considered at the Long Range Planning Committee meeting in July 2002.

BASIC TRAINING

E. Proposed Changes to Public Safety Dispatcher Basic Course Requirements

Staff explained that, as part of the ongoing process to ensure basic training content is contemporary, POST staff and curriculum consultants thoroughly review learning domain content to determine if revisions are necessary. Materials are updated to reflect the emerging training needs, compliance with legislatively mandated subject matter, changes in the law or practice, or to improve student learning and evaluation.

In this instance, the recommended changes would significantly modify the course by reorganizing learning domain titles, numbers, and hours, enhancing existing goals and objectives by adding new needs and objectives to update the course specificity, and add more interactive student learning activities.

MOTION - Kolender, Second - Fox, carried unanimously to approve the proposed changes to the Public Safety Dispatchers' Basic Course as described in Attachment "A" of the staff report.

F. Proposed Changes to Basic Course Equivalency and Three Year Requalification Processes

Staff reported that both of these processes have been in place for several years but are cumbersome. Although separate processes, they are intertwined because the Requalification Course has also become a de facto method for Basic Course Waiver applicants to satisfy the skills testing requirement. There would be a POST-developed written test, consistent with the Basic Course, and it would align the Requalification Course with the Basic Course. The use of common testing between the two programs allows for a consistent examination standard. Candidates in both processes will be able to use the student workbooks because the tests are driven by basic course material. The proposed amendments are the result of a long-term project to revise both programs, and

will reduce staff time required to complete the evaluation process while maintaining the high standards inherent in California law enforcement.

MOTION - Lopez, Second - Hawkins, carried unanimously to approve, subject to the Notice of Proposed Regulatory Action, the amendments to Regulation 1008 and Commission Procedures D-10 and D-11.

G. Proposed Changes to Reserve Training Regulations

Staff reported that the Minimum Standards for Employment for every peace officer (other than reserve officers) are delineated in Regulation 1002. The corresponding section for reserve officers is Regulation 1007(a). The minimum standards for reserve officer selection parallel the standards for other peace officers with two exceptions. Reserve officers are not required to take a test to demonstrate their reading and writing ability and Level III reserve officers are not required to meet the same psychological suitability examination requirements as Level I and II reserve officers.

Staff further explained that Regulation 1002 was amended in 2000 as part of a multi-phase project to review and clean up Commission Regulations to assure clarity, consistency and accuracy. The proposed amendments to Regulation 1007(a) are intended to bring the language in this regulation into alignment with Regulation 1002 and require Level III reserve officers to meet the same psychological screening requirements as Level I and II reserve officers.

Legislation enacted in 1994 required that all Level I reserve peace officers appointed on or after January 2, 1997, must complete the same entry level training as full-time regular officers. The legislation also required the Commission to develop a supplemental course for existing Module A, B and C trained Level I reserve officers desiring to complete the Regular Basic Course. Module D was developed to meet this requirement.

Subsequent legislation has impacted the areas of assignment, supervision and training for Level II and III reserves. In response to these changes, a new entry level training system for reserve officers was implemented on July 1, 1999. Since that time the Module A, B, C and D format has been going through a phase-out period. All Module B and C courses were decertified effective July 1, 2000. Legislation, approved by the Governor, will remove the legislative requirement that led to the development of Module D effective January 1, 2002. The proposed amendments to Regulation 1005 and Commission Procedures D-1 and H-5 are intended to delete the reference to Modules A, B, C and D.

MOTION: Sampson, Second - Holden, carried unanimously to approve, subject to the results of the Notice of Proposed Regulatory Action, the amendments to Regulations 1005 and 1007 (a) and Commission Procedures D-1 and H-5.

EXECUTIVE OFFICE

H. Status Report on Anti-Terrorism Training Plan

Staff reported that in late September, POST staff initiated a statewide assessment of training needs related to terrorism. Senior Consultant Lou Madeira, Training Delivery Bureau, has been specially assigned to this project. During the initial phase of the training needs assessment, Senior Consultant Lou Madeira gathered information by meeting with training managers, regional training manager groups, and regional chiefs' associations. A survey instrument has been distributed to approximately 100 agencies, selected to provide a representative statewide sample. Responses to the survey are due at POST by November 1, 2001.

The inventory of training resources includes a review of current and previously certified courses related to terrorism, incident management and response, airport security, and hazardous materials. In addition, federally funded courses and other training resources outside of California are being identified and reviewed. Staff has also made several contacts within the federal government to identify potential fiscal and other resources to support new training in California.

The upcoming courses will have First Responder training, dealing with weapons of mass destruction, as a part of the primary focus. This training will include lessons learned as a result of the terrorist attack in New York City. The courses are in sync with the Office of Emergency Services' activities, as well as the Governor's Task Force. In addition, staff has had meetings with the Attorney General's Office and has been working with other various groups to develop training and information.

In response to an identified need for information on the threat of terrorism and the potential for attacks, staff of the Training Program Services Bureau (TPS) is designing a "Town Hall" teleconference that is scheduled for broadcast on November 13. The program is designed for executives and senior staff to share the latest information and answer questions. Staff is also working on the concept of other video programs that are more focused and technical in content.

Finally, staff of the Information Services Bureau are developing plans to add terrorism related information to the POST website.

This report was provided for information and discussion only. Staff related that additional information would be presented at future meetings to the Long Range Planning Committee and the Commission.

STANDARDS AND EVALUATION

I. Extension of Contract for POST Proficiency Exam Services

At its May meeting, the Commission authorized staff to contract with Cooperative Personnel Services to administer the POST Proficiency Examination for the first six months of the 2001-02 fiscal year. In order to administer pilot exams to sufficient numbers of students to complete the ongoing validation study of the Basic Academy mid-term and final examinations, it will be necessary to extend the term of the contract through the end of the fiscal year and to augment the amount originally approved.

Commissioner Fox, Chairman of the Finance Committee, reported that the Finance Committee had reviewed this item the day before and recommended approval.

MOTION - Hawkins, Second - Flannagan, carried by ROLL CALL VOTE of 9-1 (Holden dissenting, Baca and Lopez absent from the room) to authorize the Executive Director to extend the contract with Cooperative Personnel Services for the period of January through July 2002, and to augment the contract in an amount not to exceed \$54,733.65.

J. New Hearing Screening Guidelines and Revisions to Other Medical Screening Manual Chapters

Staff reported that new hearing screening guidelines are ready for issuance to replace the existing POST guidelines created in 1985. The guidelines provide state-of-the-art examination and evaluation protocols to comprehensively assess important job-related hearing capacities. In addition to being available from the POST publication desk, these new guidelines, as well as the entire Medical Screening Manual, will be installed on the POST website.

MOTION - Hunt, Second - Fox, carried unanimously to authorize the issuance and publication of these new hearing guidelines for incorporation into the POST Medical Screening Manual for California Law Enforcement.

TRAINING AND DELIVERY BUREAU

K. Request to Modify Existing Contract for Santa Rosa Center's Simulator Training

Previously, the Commission approved several course sites for Regional Skills Centers, one of which would have been the College of the Redwoods in Eureka. Staff reported that after further analysis it was determined that, due to the relatively small student population on the northern coast of California, it would be more practical to have a mobile driver simulator provide service to agencies in that portion of the state (Del Norte, Humboldt, Mendocino and Lake counties). Further, rather than purchase an additional mobile system for this purpose, it was decided that it would be more cost effective to convert the existing stationary site at the Santa Rosa Training Center to a mobile training platform.

Chairman Fox, Finance Committee Chairman, reported that the Finance Committee has recommended approval of this item.

MOTION - Fox, Second - Hawkins, carried by ROLL CALL VOTE of 9-1 (Holden dissenting, Lopez and Baca absent) to approve the increase in the amount of the contract by \$48,240, the total amount of the contract not to exceed \$86,040 for the period starting November 8, 2001, through June 30, 2002.

TRAINING PROGRAM SERVICES

L. **Approval of POST Guidelines and Training on Mentally Ill and Developmentally Disabled.**

Pursuant to Penal Code section 13510.25, which requires the Commission to develop and make training available for peace officers responding to persons who are developmentally disabled or mentally ill, staff has assembled subject matter experts, designed an eight-hour curriculum with supporting references and guidelines, and conducted a pilot presentation of this course.

There was a discussion concerning the high quality of the publication. POST Management Fellow Pat Hunton was recognized for her outstanding work in developing the pamphlet. Executive Director O'Brien stated that the information contained in the booklet was so important that the booklet will be made available to every peace officer in the state.

MOTION - Sampson, Second - Hawkins, carried unanimously to approve amendments to Regulation 1081 adding minimum requirements for training on mentally ill and developmentally disabled.

M. **Proposed Recognition Program for Training Institutions Using POST-Trained Instructors**

Staff reported that recognition of presenters who use POST-certified instructors was one of the steps in the Commission-approved Plan for Instructor Certification. The recognition program has been discussed in depth by the POST Instructor Advisory Council, the broad-based advisory body for implementation of the Plan for Instructor Certification. The Advisory Council has recommended that formal recognition take the form of plaques for conforming training entities and pins for respective instructional staff members. Presenters would also be specially recognized in the *POST Catalog of Certified Courses*.

Only basic academies would be eligible to participate, making costs for implementation of the program nominal. If, and when, all 40 academies become eligible, the cost would be \$6,861, which would be extended over a period of several years as the program is implemented.

MOTION - Holden, Second - Fox, carried by ROLL CALL VOTE of 9-1 (Hunt dissenting, Baca and Lopez absent), to approve the implementation of the recognition program.

MOTION - Holden, Second - Fox, carried by ROLL CALL VOTE of 9-1 (Hunt dissenting, Baca and Lopez absent), to approve the implementation of the recognition program.

COMMITTEE REPORTS

N. Long Range Planning Committee Report

Commission Chairman Bill Kolender, Chairman of the Long Range Planning Committee, reported on the committee's actions on October 12, 2001. There were no questions or comments.

O. Advisory Committee Report

In the absence of Chairman Leisha Lekawa, Vice Chair of the Advisory Committee, Alex Bernard, reported on the following actions taken by the Committee when it met the day before:

- o The Committee set January 29, 2002, at 1:00 p.m., Riverside, California, for the Governor's Award Selection meeting.
- o The Committee recommended support for increasing the CPT requirement to 40 hours;
- o The Committee supported the Finance Committee's recommendation for expenditures;
- o Election of 2002 officers: Alex Bernard was elected Chairman and Dr. Phil del Campo was elected Vice Chairman.

Q. Legislative Review Committee

Commissioner Laurie Smith, Chairman of the Legislative Review Committee, requested Alan Deal of POST staff, to present the report.

Alan Deal reported that there were three items discussed at the Legislative Review Committee when it met at 9:00 a.m. that morning.

- o The Status of Legislation of Interest to POST.

AB 1152 (Vargas) - this pertains to minimum standards for peace officers - *Chapter No. 29.*

SB 485 (Senate Public Safety Committee) - this is the clean-up bill that eliminates Module D - *Chapter 473.*

o Status of POST Legislative Effort to Increase the Peace Officer Training Fund

The Committee discussed potential support for proposed legislation in an effort to provide more secure funding for POST training needs. The bill will increase the percentage the POTF receives from the State Penalty Fund from 23.99% to 31.49%. This action would mean an increase of approximately \$12 million to the POTF as an operation of law and not an annual fund-to-fund transfer.

o Recap of Meeting of Law Enforcement Representatives Relative to Law Enforcement/Anti-Terrorism Needs

There was a discussion of the meeting that took place on October 2, 2001, hosted by Senator Bruce McPherson, concerning training issues related to anti-terrorism.

R. OLD/NEW BUSINESS

Appointment of Advisory Committee Members

The terms of the following Advisory Committee members are due to expire and they have been recommended for reappointment by their respective constituent organizations for a three-year term of office beginning September 2001.

- o Alex Bernard to represent Peace Officers Research Association of California (PORAC);
- o Kevin Otto to represent Specialized Law Enforcement;
- o Sheriff Charlie Byrd to represent the California State Sheriffs' Association (CSSA);
- o Al Waters to represent the California Coalition of Law Enforcement Association (CCLEA);
- o Sergeant Michael Reid to represent the California Police Training Officers Association (CAPTO).

The California Peace Officers Association (CPOA) has submitted the name of Chief Sam Spiegel to replace Woody Williams as the CPOA representative to the Advisory Committee.

MOTION - Hunt, Second - Kolender, carried unanimously to approve the above recommendations.

State Hiring Freeze

The Executive Director reported that the Governor has recently implemented a hiring freeze. POST is already understaffed by three positions and an additional three employees are scheduled to retire by the end of the year. Director O'Brien stated that he hopes to obtain a waiver from the Department of Finance to fill some of the positions.

Problem Oriented Policing (POP) Conference

Chairman Kolender reported that this event, hosted by the Police Executive Research Forum (PERF) and the San Diego Police Department, will be held at Paradise Point in San Diego on December 5 - 8, 2001. The POST Commission has received a complimentary invitation.

Long Range Planning Committee and Full Commission Meeting

It was agreed that on December 13, 2001, at the Hyatt Regency Hotel in Long Beach, the Long Range Planning Committee will meet at 10:00 a.m., and the entire Commission will meet at 1:00 p.m., for the primary purpose of setting Commission priorities.

In preparation for the December 13th Commission meeting, Commissioner Sampson requested the Executive Director to present data reflecting the assignment of staff on various projects.

FUTURE COMMISSION DATES

January 31, 2002, Marriott Hotel, Riverside
April 18, 2002, Ramada Plaza Hotel, Culver City
July 18, 2002, location to be determined

Respectfully submitted,

Anita L. Martin
Anita L. Martin
Commission Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Background on POST Priorities		Meeting Date December 13, 2001
Bureau <i>Kenneth J. O'Brien</i>	Reviewed By Kenneth J. O'Brien	Researched By Hal Snow
Executive Director Approval	Date of Approval <i>11-29-01</i>	Date of Report
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

This is an informational report on Commission priorities that attempts to accurately describe longstanding realities and their rationale.

BACKGROUND:

POST's priorities have been and continue to be determined by a combination of factors that make it one of the most effective and highly regarded organizations of its kind. Those factors include a combination of Commission policy setting, law enforcement agency training determination, state law, budget constraints, and a foundation of shared financial responsibilities or partnerships for training costs between POST, law enforcement agencies, and training presenters.

ANALYSIS:

Commission Reimbursement Policies -

The POST Commission has established policies with regard to reimbursement for training that is primarily directed at allocating reimbursement within available financial resources. Those policies, for example, consider the proximity of law enforcement agencies with the training presenters. Those policies attempt to obtain the most "bang for the buck" while maintaining some sense of equity for allocating resources. Undergirding POST'S reimbursement policies are the principles: (1) that the amount of reimbursement is directly correlated to the amount of training an agency receives and (2) law enforcement agency heads determine which officers receive particular types of training. The Commission's policy determination has largely been consumed by matching reimbursement and contract resources with the volume of trainees to stay within budget. Attachment A provides a copy of POST's 2001-02 budget.

POST's Strategic Plan -

POST's Strategic Plan (Attachment B) was first approved by the Commission in 1997 with annual updates also approved by the Commission. The plan is the Commission's expressed priorities for its standards, training delivery, and services. The plan has heretofore represented a collaboration between POST, its clients, and its partners. In effect, POST's priorities have been and continue to be those of law enforcement. For example, the effort to "raise the bar" on selection and training standards came from input and direction from all three sectors. POST Commission meeting agendas are largely consumed by items emanating from its Strategic Plan. POST's staffing and organizational structure (Attachment C) are largely a reflection of the Strategic Plan's priorities and to some extent state law for certain POST services.

Training Determination -

Law enforcement agencies largely drive the POST training program in terms of what is certified, where certifications occur, and how many course presentations are authorized. The California POST training system is the largest and most comprehensive of its kind anywhere. (POST's Catalog of Certified Courses will be made available at the meeting.) As evidenced by the Course Certification reports presented to the Commission quarterly, the system is dynamic, constantly changing to meet continuously changing needs. This process is facilitated by POST's annual training needs assessments. But ultimately, agencies determine what trainees and what courses they will be sent to for training. This way of doing business recognizes the fact that agencies know best what training is needed in their area and agency. This is why POST has largely allowed agencies flexibility in determining what training should satisfy the CPT requirement.

State Law -

While the vast majority of training is locally determined, some is mandated either by POST or the State Legislature. It is important to note that the vast majority of state training mandates have been preceded by POST making such training available based upon expressed needs by law enforcement. Most statutory training mandates affirm what already exists within POST training. To a large extent, state training mandates (Attachment D) are a reflection of what already exists.

Budget Constraints -

POST operates within the framework of the State of California and its budget. While a certain degree of flexibility is afforded, limitations are established that the Commission is obliged to operate within. For example, when the Budget Act authorizes a certain expenditure for the training offered by the Museum of Tolerance, there appears to be little or no discretion for deviation without specific approval from the Department of Finance.

Training Partnership -

POST's entire training system is founded upon a partnership that has endured since the founding of POST in 1959. This partnership between POST, the agencies, and the training presenters shapes priorities and how the system functions. Each share in the cost of law enforcement training which annually amounts to hundreds of millions of dollars. Community colleges, for example, expend enormous fiscal resources on presentation costs for POST-certified training courses. Each partner has a voice in training course certifications, content standards, and related issues. These are often the subject of collaborative efforts stimulated by POST. POST is often the instigator or the prime mover in making sure training needs are met.

Conclusion -

Some have wondered whether POST is a follower or leader with regard to law enforcement professionalization and priority setting. The fact is that POST continuously serves in both ways. Just as POST can legitimately be viewed as both a regulator and service provider, POST provides a critical role in being both a reactor to needs as well as a catalyst for change. The POST training program is a large and complex system that necessitates priority setting to be done in a collaborative fashion with consideration of all the above factors.

Attachments

- A. 2001-02 POST Budget
- B. POST Strategic Plan
- C. Current POST Organizational Chart
- D. Statutory Training Mandates

(revised 11-16-01)

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

The Commission on Peace Officer Standards and Training (POST) is responsible for raising the competence level of law enforcement officers in California by establishing minimum selection and training standards, improving management practices and providing financial assistance to local agencies relating to the training of their law enforcement officers.

SUMMARY OF PROGRAM

REQUIREMENTS		99-00	00-01	01-02	1999-00*	2000-01*	2001-02*
10	Standards	21.4	24.2	24.2	\$5,264	\$6,091	\$6,883
20	Training	42.9	42.7	44.5	22,737	29,384	26,538
30	Peace Officer Training	-	-	-	21,854	26,621	28,814
40.01	Administration	49.9	58.8	58.8	3,949	4,695	4,379
40.02	Distributed Administration	-	-	-	-3,949	-4,695	-4,379
98	State-Mandated Local Programs	-	-	-	25,642	11,706	6,781
TOTALS, PROGRAMS.....		114.2	125.7	127.5	\$75,497	\$73,802	\$69,016
0001	General Fund.....				25,642	11,726	6,781
0268	Peace Officers' Training Fund				47,739	60,817	60,976
0995	Reimbursements				2,116	1,259	1,259

For the list of standard (lettered) footnotes, see the end of the Governor's Budget.
 * Dollars in thousands, except in Salary Range.

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8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

10 STANDARDS

Program Objectives Statement

The standards program establishes job-related selection standards for peace officers and dispatchers. It also provides management consultation to local agencies. Activities include development of examinations and counseling local law enforcement agencies on ways to improve management practices.

Applied research is conducted in the areas of peace officer selection and training, operational procedures and program evaluation in order to meet statutory requirements and to provide management guidance to local law enforcement agencies. The program also provides local agencies with information and technical expertise in the development and implementation of new programs.

Major Budget Adjustment Proposed for 2001-02

- The budget includes \$921,000 from the Peace Officers' Training Fund for the replacement of the POSTRAC Testing System.

Authority

Penal Code Sections 13503, 13512, 13513, and 13551.

20 TRAINING

Program Objectives Statement

POST's training program increases the effectiveness of law enforcement personnel by developing and certifying courses that meet identified training needs, by providing scheduling and quality control of such courses, and by assisting law enforcement agencies in providing necessary training and career development programs. POST assesses training on a continuing basis to assure that emerging needs are met. Courses are offered through local community colleges, four-year colleges, universities, police academies, private trainers and training centers. The curricula cover a wide variety of technical and special courses necessary to meet statutorily and Commission established training mandates, maintain effectiveness in police work and address the training needs of recruit, officer, advanced officer, supervisor, manager, executive-level, and other law enforcement agency personnel. Curricula content is updated regularly. The Commission uses proven advanced technologies such as satellite broadcast and computer/video interaction in the delivery of training. POST also presents advanced leadership training for law enforcement supervisors and executives through its Command College and the Supervisory Leadership Institute.

The Commission establishes the basic criteria that must be met by each course in order to obtain POST's certification. Assistance is given to applicable educators and police trainers in preparing and implementing courses and training plans. Evaluation mechanisms are employed to ensure that training instructors and coordinators are adhering to established course outlines and are meeting instruction standards. Failure to meet these standards may cause revocation of course certification.

Job-related selection and training standards for peace officers and dispatchers, established by the Standards Program, are enforced through inspections of local agencies receiving state aid to assure they are adhering to minimum state standards.

Major Budget Adjustments Proposed for 2001-02

- The budget includes \$2,600,000 from the Peace Officers' Training Fund on a one-time basis to establish two additional Regional Skills Training Centers, to replace driving simulators at five sites, and to provide for dispatcher simulators.
- The budget includes \$2,150,000 from the Peace Officers' Training Fund on a one-time basis to develop six multimedia courses.
- The budget includes 0.9 personnel year and \$117,000 from the Peace Officers' Training Fund to oversee the Course Quality Assessment Program.
- The budget includes 0.9 personnel year and \$76,000 from the Peace Officers' Training Fund to provide staff for the Learning Technology Resource Center.

Authority

Penal Code Sections 13503 and 13508.

30 PEACE OFFICER TRAINING

Program Objectives Statement

The enforcement of laws and the protection of life and property without infringement on individual liberties are among modern government's most important responsibilities. Carefully selected, highly trained and properly motivated peace officers are important factors in meeting this responsibility. To encourage and assist local law enforcement agencies to meet and maintain minimum standards in the selection and training of law enforcement officers, financial assistance is provided to all 58 counties, approximately 346 cities, and numerous specialized districts and local agencies which have agreed to meet POST's standards. Financial assistance to participating jurisdictions is provided for instructional costs associated with selected training courses. Funding is also provided for the cost of student travel and per diem associated with training presentations. Funding is also provided for necessary overtime paid to enable line officers to receive in-service training in areas of critical need.

Major Budget Adjustment Proposed for 2001-02

- The budget includes \$2,212,000 from the Peace Officers' Training Fund for local assistance peace officer training reimbursement expenditures.

Authority

Penal Code Sections 13500 to 13523, Health and Safety Code 11489.

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

PROGRAM BUDGET DETAIL

PROGRAM REQUIREMENTS

10 STANDARDS

State Operations:	1999-00*	2000-01*	2001-02*
0268 Peace Officers' Training Fund.....	\$5,248	\$6,091	\$6,883
0995 Reimbursements.....	16	-	-
Totals, State Operations	\$5,264	\$6,091	\$6,883

PROGRAM REQUIREMENTS

20 TRAINING

State Operations:	1999-00*	2000-01*	2001-02*
0268 Peace Officers' Training Fund.....	\$20,637	\$28,125	\$25,279
0995 Reimbursements.....	2,100	1,259	1,259
Totals, State Operations	\$22,737	\$29,384	\$26,538

PROGRAM REQUIREMENTS

30 PEACE OFFICER TRAINING

State Operations:	1999-00*	2000-01*	2001-02*
0268 Peace Officers' Training Fund.....	\$92	\$95	\$96
Totals, State Operations	\$92	\$95	\$96
Local Assistance:			
0001 General Fund.....	-	20	-
0268 Peace Officers' Training Fund.....	21,762	26,506	28,718
0995 Reimbursements.....	-	-	-
Totals, Local Assistance	\$21,762	\$26,526	\$28,718

PROGRAM REQUIREMENTS

98 STATE-MANDATED LOCAL PROGRAMS

Budget Acts:	1999-00*	2000-01*	2001-02*
Chapter 246/95-Domestic Violence Arrest Policies and Standards	-	\$6,781	\$6,781
Totals, Budget Acts	-	\$6,781	\$6,781
Claims Bills:			
Chapter 574/99-Domestic Violence Arrest Policies and Standards	\$25,642	219	-
Chapter 177/00-Domestic Violence Arrest Policies and Standards	-	4,706	-
Totals, Claims Bills	\$25,642	\$4,925	-
Totals, Local Assistance	\$47,404	\$38,232	\$35,499

TOTAL EXPENDITURES

State Operations	\$28,093	\$35,570	\$33,517
Local Assistance.....	47,404	38,232	35,499
TOTALS, EXPENDITURES	\$75,497	\$73,802	\$69,016

SUMMARY BY OBJECT

1 STATE OPERATIONS

PERSONAL SERVICES	99-00	00-01	01-02	1999-00*	2000-01*	2001-02*
Authorized Positions (Equals Sch. 7A)	114.2	132.3	132.3	\$6,499	\$7,820	\$7,952
Total Adjustments	-	-	2.0	-	6	210
Estimated Salary Savings	-	-6.6	-6.8	-	-392	-401
Net Totals, Salaries and Wages	114.2	125.7	127.5	\$6,499	\$7,434	\$7,761
Staff Benefits	-	-	-	1,085	810	835
Totals, Personal Services	114.2	125.7	127.5	\$7,584	\$8,244	\$8,596
OPERATING EXPENSES AND EQUIPMENT				\$5,164	\$5,050	\$5,504
SPECIAL ITEMS OF EXPENSE (Training Contracts).....				15,345	22,276	19,417
TOTALS, EXPENDITURES				\$28,093	\$35,570	\$33,517

* Dollars in thousands, except in Salary Range.

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

RECONCILIATION WITH APPROPRIATIONS

1 STATE OPERATIONS

0268 Peace Officers' Training Fund *

APPROPRIATIONS	1999-00*	2000-01*	2001-02*
001 Budget Act appropriation.....	\$10,802	\$12,045	\$12,841
011 Budget Act appropriation.....	9,120	20,720	17,861
012 Budget Act appropriation.....	1,556	1,556	1,556
Allocation for employee compensation	832	66	-
Adjustment per Section 3.60.....	-417	-76	-
Adjustment per Section 16.00.....	4	-	-
Transfer from Local Assistance per Item 8120-011-0268, Provision 2	4,740	-	-
Totals Available	\$26,637	\$34,311	\$32,258
Unexpended balance, estimated savings	-660	-	-
TOTALS, EXPENDITURES	\$25,977	\$34,311	\$32,258
0995 Reimbursements			
Reimbursements.....	\$2,116	\$1,259	\$1,259
TOTALS, EXPENDITURES, ALL FUNDS (State Operations)	\$28,093	\$35,570	\$33,517

SUMMARY BY OBJECT

2 LOCAL ASSISTANCE

	1999-00*	2000-01*	2001-02*
Grants and Subventions.....	\$47,404	\$38,232	\$35,499

RECONCILIATION WITH APPROPRIATIONS

2 LOCAL ASSISTANCE

0001 General Fund

APPROPRIATIONS	1999-00*	2000-01*	2001-02*
101 Budget Act appropriation.....	-	\$20	-
295 Budget Act appropriation (State Mandates)	-	6,781	\$6,781
Chapter 574, Statutes of 1999 (State Mandates)	\$25,861	-	-
Chapter 177, Statutes of 2000 (State Mandates)	-	4,706	-
Prior year balances available:			
Chapter 574, Statutes of 1999 (State Mandates)	-	219	-
Totals Available	\$25,861	\$11,726	\$6,781
Balance available in subsequent years	-219	-	-
TOTALS, EXPENDITURES	\$25,642	\$11,726	\$6,781
0268 Peace Officers' Training Fund *			
APPROPRIATIONS			
101 Budget Act appropriation.....	\$26,058	\$26,062	\$28,274
102 Budget Act appropriation.....	444	444	444
Transfer to State Operations per Item 8120-101-0268, Provision 1.....	-4,740	-	-
TOTALS, EXPENDITURES	\$21,762	\$26,506	\$28,718
TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance)	\$47,404	\$38,232	\$35,499
TOTALS, EXPENDITURES, ALL FUNDS (State Operations and Local Assistance)	\$75,497	\$73,802	\$69,016

FUND CONDITION STATEMENT

0268 Peace Officers' Training Fund *

	1999-00*	2000-01*	2001-02*
BEGINNING BALANCE.....	\$20,056	\$29,698	\$25,768
Prior year adjustments	3,448	-	-
Balance, Adjusted.....	\$23,504	\$29,698	\$25,768

* Dollars in thousands, except in Salary Range.

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING—Continued

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REVENUES AND TRANSFERS

	1999-00*	2000-01*	2001-02*
Revenues:			
125600 Other regulatory fees.....	\$178	\$175	\$175
130700 Penalties on traffic violations.....	37,903	41,602	43,541
142500 Miscellaneous services to the public.....	53	55	55
150300 Income from surplus money investments.....	1,748	1,000	1,500
161000 Escheat of unclaimed checks and warrants.....	53	55	55
Totals, Revenues.....	\$39,935	\$42,887	\$45,326
Transfers from Other Funds:			
F00178 Driver Training Penalty Assessment Fund per Section 24.10.....	14,000	14,000	14,000
Totals, Revenues and Transfers.....	\$53,935	\$56,887	\$59,326
Totals, Resources.....	\$77,439	\$86,585	\$85,094

EXPENDITURES

Disbursements:			
8120 Commission on Peace Officer Standards and Training:			
State Operations.....	25,977	34,311	32,258
Local Assistance.....	21,762	26,506	28,718
9670 Legislative Claims (State Operations).....	2	-	-
Totals, Disbursements.....	\$47,741	\$60,817	\$60,976
FUND BALANCE.....	\$29,698	\$25,768	\$24,118
Reserve for economic uncertainties.....	29,698	25,768	24,118

CHANGES IN

AUTHORIZED POSITIONS

	99-00	00-01	01-02	1999-00*	2000-01*	2001-02*
Totals, Authorized Positions.....	114.2	132.3	132.3	\$6,499	\$7,820	\$7,952
Salary adjustments.....	-	-	-	-	6	69
Totals, Adjusted Authorized Positions.....	114.2	132.3	132.3	\$6,499	\$7,826	\$8,021
Proposed New Positions:				Salary Range		
Sr Law Enforcement Consultant.....	-	-	1.0	6,548-7,220	-	86
Instl Designer-Tech.....	-	-	1.0	4,136-5,027	-	55
Totals, Proposed New Positions.....	-	-	2.0	-	-	\$141
Total Adjustments.....	-	-	2.0	-	\$6	\$210
TOTALS, SALARIES AND WAGES.....	114.2	132.3	134.3	\$6,499	\$7,826	\$8,162

Item	Amount
<p>in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.</p> <p>2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.</p>	
8120-001-0268—For support of Commission on Peace Officer Standards and Training, payable from the Peace Officers' Training Fund	12,841,000
Schedule:	
(1) 10-Standards	6,883,000
(2) 20-Training	26,538,000
(3) 30-Peace Officer Training.....	96,000
(4) 40.01-Administration.....	4,379,000
(5) 40.02-Distributed Administration	-4,379,000
(6) Reimbursements.....	-1,259,000
(7) Amount payable from the Peace Officers' Training Fund (Item 8120-011-0268)	-17,861,000
(8) Amount payable from the Peace Officers' Training Fund (Item 8120-012-0268)	-1,556,000
8120-011-0268—For support of Commission on Peace Officer Standards and Training, for payment to Item 8120-001-0268, payable from the Peace Officers' Training Fund	17,861,000
Provisions:	
1. Funds appropriated in this item are to be used for contractual services in support of local training programs, pursuant to Section 13503(c) of the Penal Code.	

Item	Amount
2. Funds may be transferred between this item and Item 8120-101-0268 to meet the needs of local training programs.	
8120-012-0268—For support of Commission on Peace Officer Standards and Training, for payment to Item 8120-001-0268, payable from the Peace Officers' Training Fund.....	1,556,000
Provisions:	
1. The funds appropriated in this item are to be used for implementation of the "Tools for Tolerance" training program for law enforcement personnel operated by the Simon Wiesenthal Center-Museum of Tolerance. Eligibility to receive funds appropriated by this item as reimbursements is limited to law enforcement agencies authorized by law to receive training reimbursements from the Peace Officers' Training Fund. Both sworn officers and nonsworn personnel who have contact with the public shall, at the discretion of the head of the law enforcement agency seeking reimbursement under this provision, be eligible for reimbursement, provided that the Museum of Tolerance gives priority to training sworn officers.	
8120-101-0268—For local assistance, Commission on Peace Officer Standards and Training, Program 30, for allocation to cities, counties, and cities and counties pursuant to Section 13523 of the Penal Code, payable from the Peace Officers' Training Fund	28,274,000
Provisions:	
1. Funds may be transferred between this item and Item 8120-011-0268 to meet the needs of local training programs.	
2. The Director of Finance may authorize the augmentation of the total amount available for expenditure under this item in the amount of revenue received by the Peace Officers' Training Fund that is in addition to the revenue appropriated by this item, not sooner than 30 days after notification in writing to the chairpersons of the respective fiscal committees and the Chairperson of the Joint Legislative Budget Committee or his or her designee.	
8120-102-0268—For local assistance, Commission on Peace Officer Standards and Training, Program 30, payable from the Peace Officers' Training Fund	444,000
Provisions:	
1. Funds appropriated in this item are to be used for implementation of the "Tools for Tolerance"	

training program for law enforcement personnel operated by the Simon Wiesenthal Center-Museum of Tolerance. Eligibility to receive funds appropriated by this item as reimbursements is limited to law enforcement agencies authorized by law to receive training reimbursements from the Peace Officers' Training Fund. Both sworn officers and nonsworn personnel who have contact with the public shall, at the discretion of the head of the law enforcement agency seeking reimbursement under this provision, be eligible for reimbursement, provided that the Museum of Tolerance gives priority to training sworn officers.

8120-295-0001—For local assistance, the Commission on Peace Officer Standards and Training, for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or Executive order, for disbursement by the State Controller.....

6,781,000

Schedule:

(1) 98.01.024.695—Domestic Violence Arrest Policies and Standards (Ch. 246, Stats. 1995)..... 6,781,000

Provisions:

1. Except as provided in Provision 2 of this item, allocations of funds provided in this item to the appropriate local entities shall be made by the State Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandate costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the State Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any

other scheduled amounts therein. No other funds may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairperson of the committee in each house which considers appropriation and the Chairperson of the Joint Legislative Budget Committee or his or her designee.

~~8140-001-0001—For support of State Public Defender, 11,812,000~~

~~Schedule:~~

~~(1) 10-State Public Defender..... 11,812,000~~

~~Provisions:~~

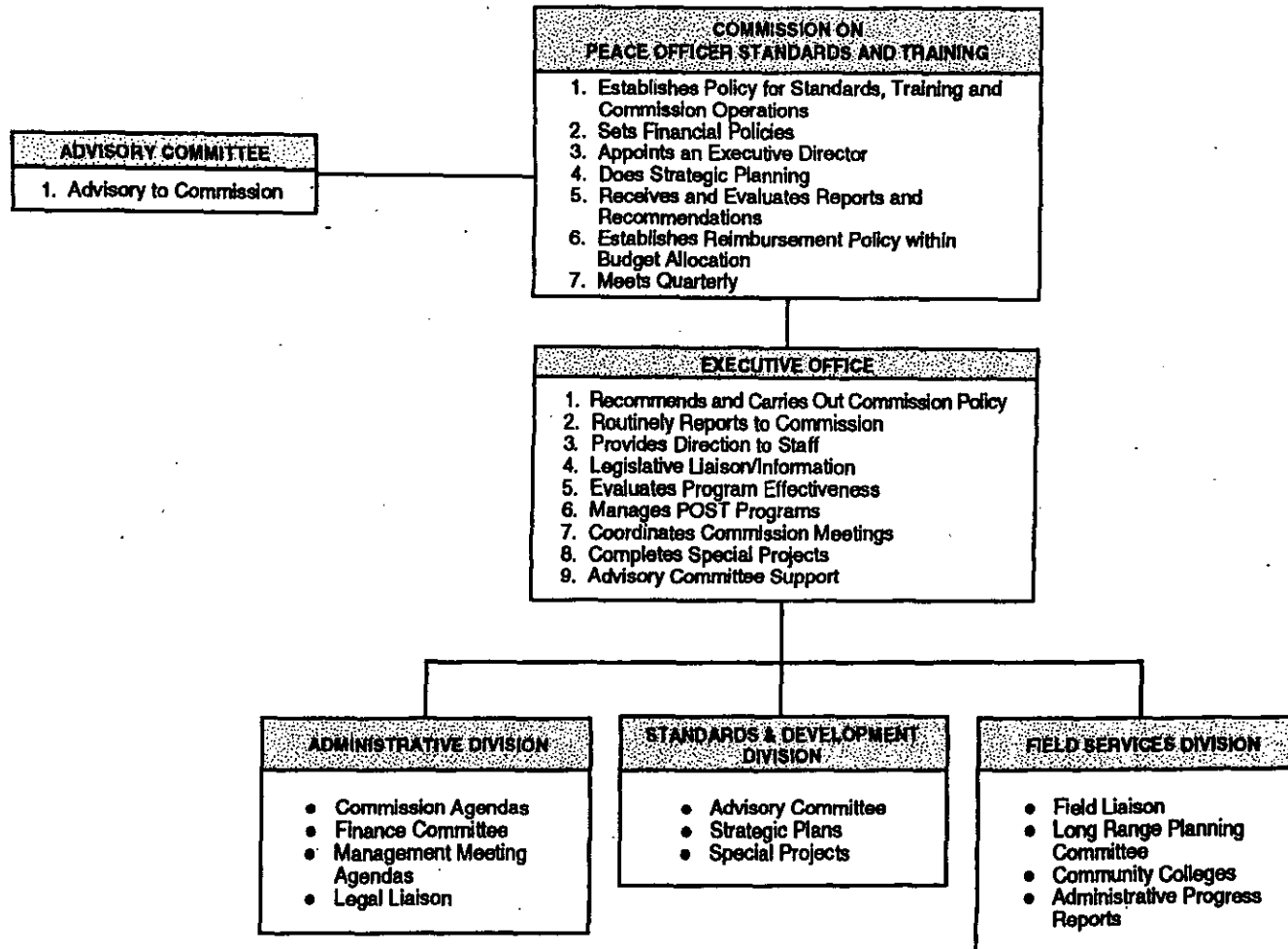
- ~~1. Any federal funds received by the Office of the State Public Defender as reimbursements for legal services provided for capital cases shall revert to the unappropriated surplus of the General Fund.~~

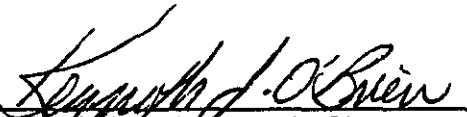
~~8180-101-0001—For local assistance, Payment to Counties for Costs of Homicide Trials; for payment by the State Controller..... 7,500,000~~

~~Provisions:~~

- ~~1. This item is for payment to counties for costs of homicide trials pursuant to Sections 15201 to 15203, inclusive, of the Government Code, provided that expenditures made under this item shall be charged to the fiscal year in which the warrant is issued by the Controller.~~
- ~~2. The Controller shall reimburse counties for reasonable and necessary expenses incurred pursuant to Section 15202 of the Government Code except that reimbursements to a county shall not exceed: (a) for attorney services, an hourly rate equal to that county's average hourly cost for public defenders, the hourly rate paid to appointed counsel, or the hourly rate charged state agencies by the Attorney General for attorney services, whichever rate is less; (b) for investigators, an hourly rate equal to that county's average hourly cost for county-employed investigators or the hourly rate charged state agencies by the Attorney General for investigators, whichever rate is less; and (c) for expert witnesses, the hourly rate that the county generally pays for these services.~~
- ~~3. Notwithstanding any other provisions of law, funds appropriated in this item shall be available for reimbursement of 100 percent of the costs incurred by the County of Shasta for the homicide trial of the People v. Benjamin Matthew Williams and James Tyler Williams.~~

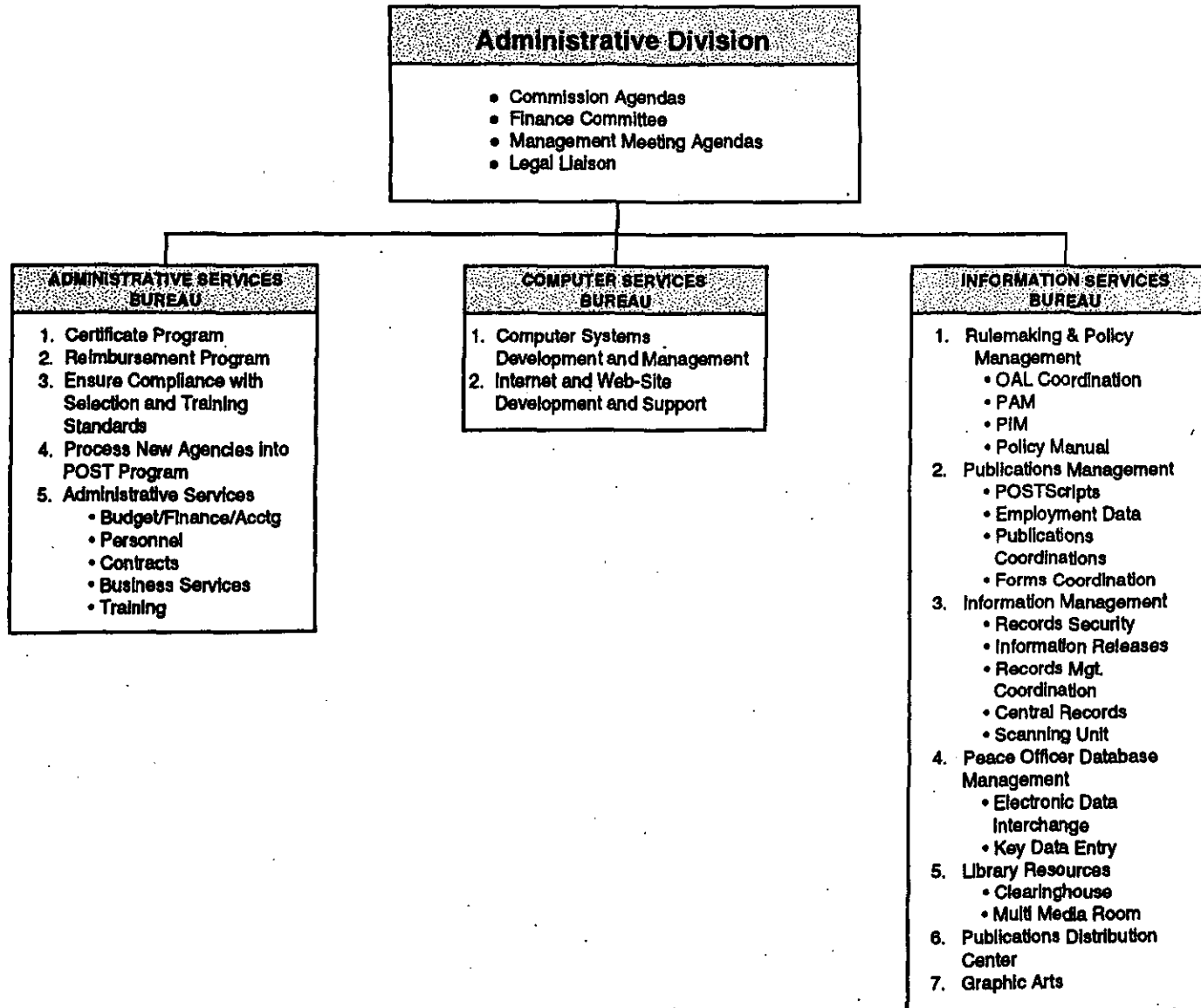
Commission on Peace Officer Standards and Training Functional Organization Chart

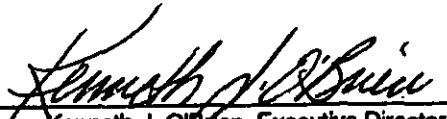



 Kenneth J. O'Brien, Executive Director
 March 15, 2001

Commission on Peace Officer Standards and Training

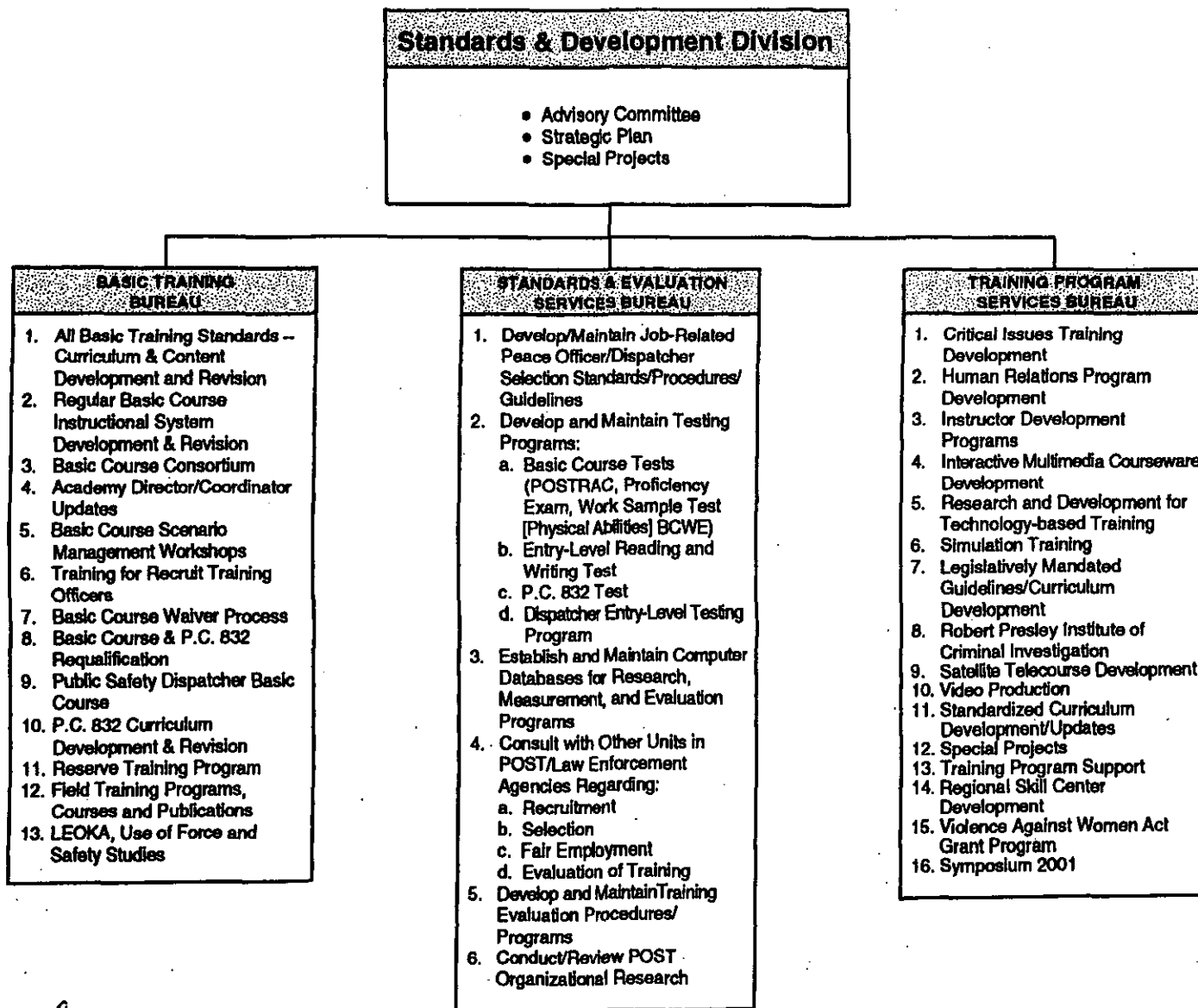
Functional Organization Chart - Administrative Division

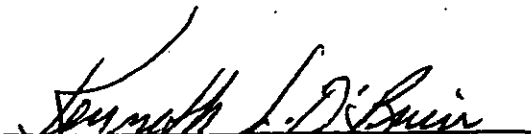



Kenneth J. O'Brien, Executive Director
March 15, 2001

Commission on Peace Officer Standards and Training

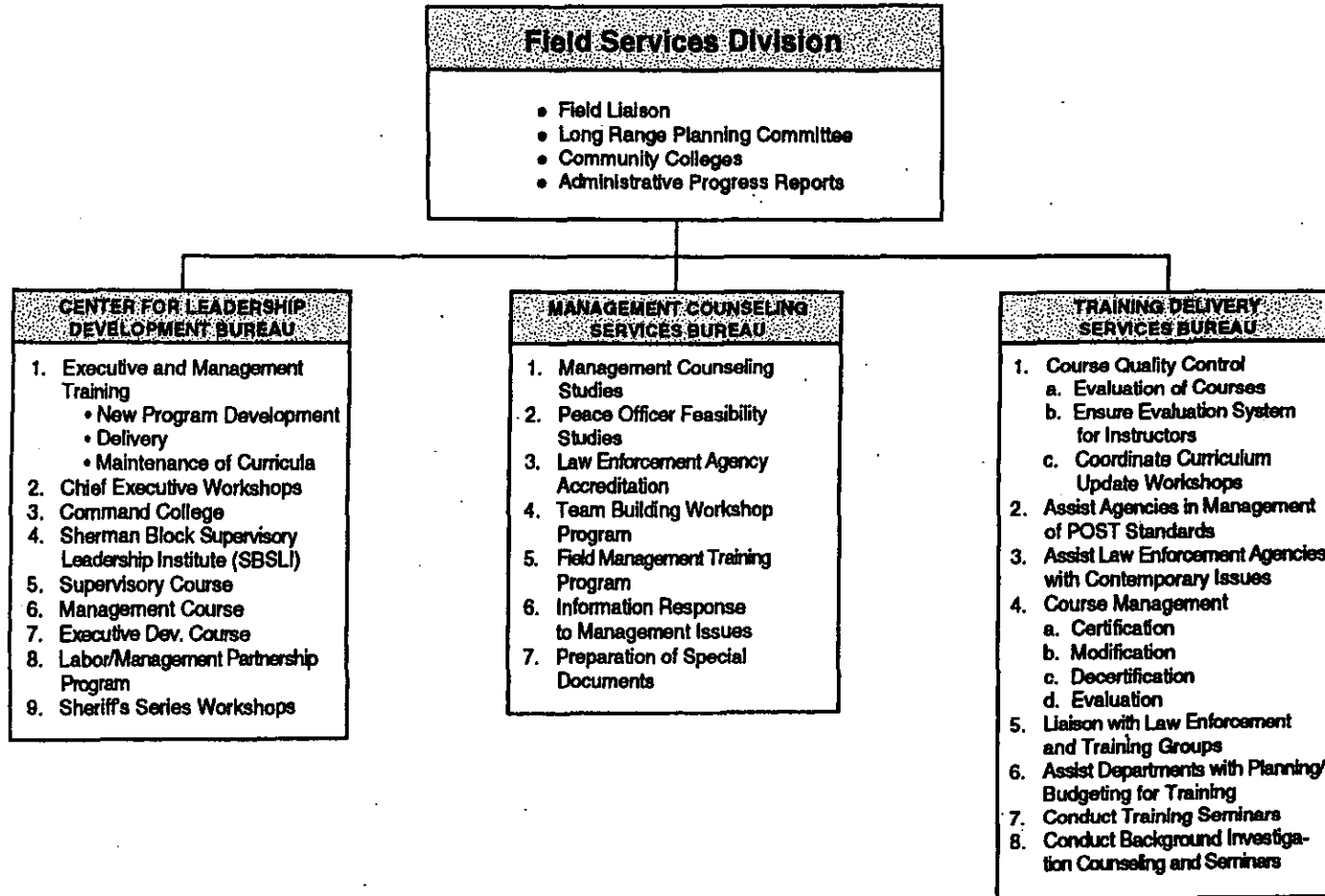
Functional Organization Chart - Standards & Development Division

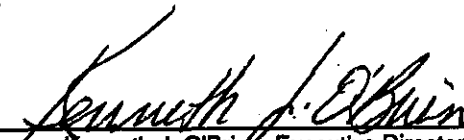



 Kenneth J. O'Brien, Executive Director
 March 15, 2001

Commission on Peace Officer Standards and Training

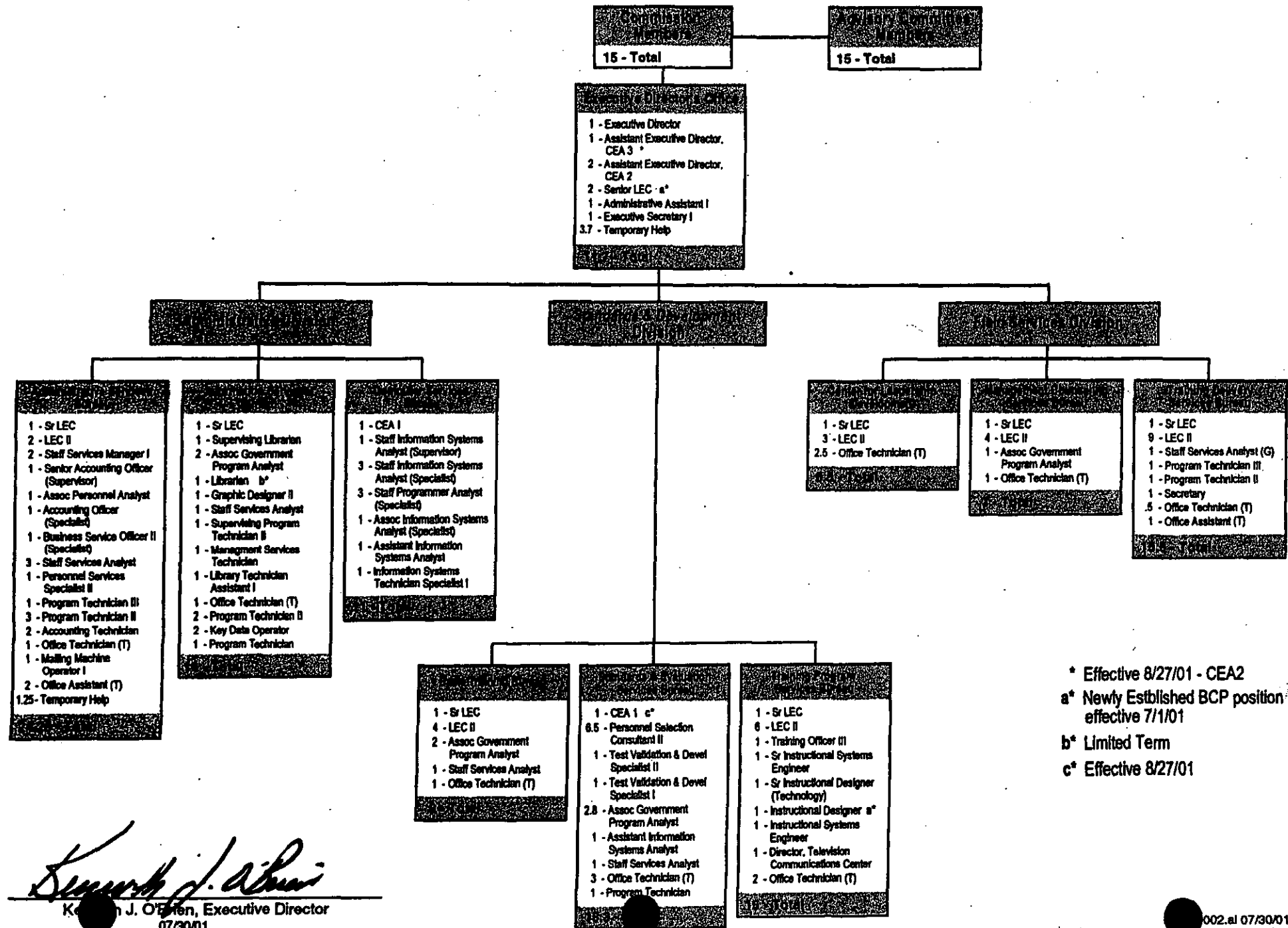
Functional Organization Chart - Field Services Division




Kenneth J. O'Brien, Executive Director
March 15, 2001

Commission on POST

Personnel Allocation Chart



* Effective 8/27/01 - CEA2
 a* Newly Established BCP position effective 7/1/01
 b* Limited Term
 c* Effective 8/27/01

Kevin J. O'Brien
 Kevin J. O'Brien, Executive Director
 07/30/01

LEGISLATIVE TRAINING MANDATES (UPDATED 6/01)

Disclaimer: This handout is intended for use as a quick reference. Its purpose is not regulatory. For complete text refer to appropriate law section.

LAW SECTION	HOURS	COURSE TITLE *requires POST certification	REQUIRED FOR	OTHER PERTINENT INFORMATION
PC 832	64 (less if IVD trained)	Arrest and Firearms*	All peace officers in the POST program. Requires completion prior to exercise of powers.	Training can be satisfied by a stand-alone course or completion of other larger courses which include Arrest and Firearms curriculum, e.g. Regular Basic Course. Peace officers with a 3-year-or-longer break in service must requalify their training (Commission Regulation 1080).
PC 832.1	20	Aviation Security*	All airport: security officers, policeman, and special officers shall complete within 90 days of hire and shall not continue to have peace officer powers after 90 days until satisfactory completion.	
PC 832.3	664	Basic Course (Regular)*	Entry level requirement for all peace officers in the POST program except Level II and Level III reserve officers and peace officers whose primary duties are investigative (Reg 1005). Requires completion prior to exercise of powers.	There is a equivalency and waiver process for the Regular Basic Course. There is a 3-year rule and 6-year rule for requalification specified in Commission Regulation 1008.
Cal OSHA Regulation 5193		Bloodborne Pathogens	All public and private employees who are exposed to blood in the workplace.	Training included in the Regular Basic Course. Annual refresher training required. POST telecourse available.
H&S 1797.187	4	Carcinogenic Materials* (LD41)	POST requires for all peace officers who must complete the Regular Basic Course.	Curriculum included in the Regular Basic Course.
PC 832.2 (reserves) PC 832.3 (g) (school police)	32	Campus Law Enforcement*	School police reserve officers and school police officers.	School police first employed by a K-12 public school district or CA Community College district before 7-1-99 must complete no later than 7-1-02, and all others must complete within 2 years of hire date. No completion deadline specified for school police reserve officers.
PC 12403	Modules A- 4 B- 2 C- 4	Chemical Agents* (LD 35)	All peace officers as defined in Chapter 4.5 of Title 3 of Part 2 (commencing with Section 830).	Completion of this training is required for peace officers purchasing, possessing, transporting, or using tear gas or tear gas weapon. Modules A&B, included in Regular Basic Course, satisfies requirements of PC12403 for peace officer using aerosol chemical agents and who are expected to use a gas mask. Module C satisfies the requirements for those who are responsible for deployment of tactical chemical agent munitions.
PC13517	24	Child Abuse Investigation* (LD30)	POST requires for all peace officers who must complete the Regular Basic Course.	Included in the Regular Basic Course. Commission required to certify an optional course for specialists. No deadline specified for completion.
PC 13515.55	4	Computer Crimes*	City police and deputy sheriff supervisors assigned to field or investigative duties.	Must be completed by 1-1-00 or within 18 months of assignment to supervisory duties.
PC 13519.2	4	Developmental Disabilities and Mental Illness* (LD37)	POST requires for all peace officers who must complete the Regular Basic Course.	Peace officers who did not complete in the Regular Basic Course are required to complete supplementary training.

LEGISLATIVE TRAINING MANDATES (UPDATED 6/01)

Disclaimer: This handout is intended for use as a quick reference. Its purpose is not regulatory. For complete text refer to appropriate law section.

LAW SECTION	HOURS	COURSE TITLE *requires POST certification	REQUIRED FOR	OTHER PERTINENT INFORMATION
GC 8607	No hours specified	Disaster Response	All emergency response personnel.	The Office of Emergency Services mandated to develop course in coordination with POST and others. POST Telecourse 95-04 available.
PC 13519	8	Domestic Violence*	POST requires for all peace officers who must complete the Regular Basic Course. The Penal Code in addition requires for officers described in PC 830.31.	Officers completing the Basic Course prior to 1-1-86 must complete supplementary training. Various deadlines in Penal Code depending on individual's peace officer category.
PC 13519(g)	No hours specified	Domestic Violence Update* (LD25)	Each law enforcement officer below the rank of supervisor who is assigned to patrol duties and would normally respond to domestic violence shall complete every two years.	For all other officers local law enforcement agencies are encouraged to include update training but not mandatory. Update training available as a POST-certified course.
PC 13515	2	Elder and Dependent Abuse (Dependent abuse added by stats 2000 not yet added to POST-certified training) *	Every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties.	Completion required within 18 months of assignment to field or investigative duties.
PC 13518	21	First Aid/CPR (LD34)	POST requires for all peace officers who must complete the Regular Basic Course.	Included in the Regular Basic Course. Curriculum standards set by Emergency Medical Services Authority (EMSA) (Reference California Code of Regulations, Title 22, Division 9, Chapter 1.5, sections 100005-100028.) For officers primarily doing administrative or clerical duties refer to the code for an exception.
PC 13518(a)	12	First Aid/CPR Refresher	Peace officers subject to the Regular Basic Course requirement.	Penal Code 13518(a) requires periodic refresher training. EMSA requirement is a minimum of 12 hours every three years or appropriate testing in cardiopulmonary resuscitation and other first aid as prescribed by EMSA.
PC13519.5	No hours specified	Gang and Drug Enforcement (LD12, 38)	POST requires for all peace officers who must complete the Regular Basic Course.	Training included as part of the Regular Basic Course. Also available as POST Telecourse training. No deadline specified for completion.
PC 13519.6	4	Hate Crimes* (LD 42)	POST requires for all peace officers who must complete the Regular Basic Course.	No deadline specified for completion.
PC 872(b)	1	Hearsay Testimony* (LD 17)	All peace officers with less than five years of service and who wish to testify to hearsay evidence in preliminary hearings.	Curriculum included in the Basic Course. Also available in video training.
PC 13519.8(a)	2	High Speed Vehicle Pursuit Training I* (LD 19)	Peace officers of a local police department, sheriff's department or California Highway Patrol who are below middle management rank and who completed the Regular Basic Course prior to 7-15-95.	Curriculum included in the Basic Course. Penal Code 13519.8 encourages periodic update training.

LEGISLATIVE TRAINING MANDATES (UPDATED 6/01)

Disclaimer: This handout is intended for use as a quick reference. Its purpose is not regulatory. For complete text refer to appropriate law section.

LAW SECTION	HOURS	COURSE TITLE *requires POST certification	REQUIRED FOR	OTHER PERTINENT INFORMATION
PC 13519.8(c)	1	High Speed Vehicle Pursuit Training II*	Middle managers and above of local police departments, sheriff departments or California Highway Patrol who completed the Regular Basic Course prior to 7-15-95.	This training can be satisfied by completion of either High Speed Vehicle Pursuit Training I or II.
PC 629.94		Interception of Wire, Pager, and Cellular Communications	All peace officers.	Training not yet developed.
VC40802	8	Laser Operator*	Peace officers issuing speed violation citations using laser or any other electronic speed measuring devices and where a traffic and engineering survey is beyond five years.	Prerequisite Radar Operator Course.
B&P 25755	160	Narcotics Enforcement*	All peace officer investigators of the Department of Alcoholic Beverage Control.	The 160 hours of training is satisfied by combination of the 80-hour POST certified Narcotics Investigation Course* plus the 80-hour Narcotics Investigation Field Training Program. *Two or more POST-certified courses (totaling a minimum of 80 hours) which include the Narcotics Investigation curriculum specified by POST may be substituted for the 80-hour course.
PC 13519.1	4 2 in-service	Missing Persons* (LD 27)	Peace officers and dispatchers of a local police department, sheriff's department or California Highway Patrol	Curriculum included in the Regular Basic Course and P.S. Dispatcher's Basic Course. If Regular Basic Course or Public Safety Dispatcher's Basic Course was completed prior to 1-1-89, completion of supplementary in-service training is required.
VC 40802	24	Radar Operator*	Peace officers issuing speed violation citations using radar speed measuring devices and where a traffic and engineering survey is beyond five years.	
PC 13519.4	No hours specified	Racial and Cultural Diversity* (LD42)	All peace officers specified in Penal Code section 13510(a) [Note this includes reserves].	Curriculum included in the Regular Basic Course. ****New training curriculum to be added to the Basic Course by 1-1-02.
PC 13519.4 (i)		Racial and Cultural Diversity Refresher	All peace officers specified in Penal Code section 13510(a) [Note this includes reserves].	****Expanded training to be developed by 1-1-02 and to include new profiling curriculum and other specified topics Required every five years or on a more frequent basis if deemed necessary, in order to keep current with changing racial and cultural trends..

LEGISLATIVE TRAINING MANDATES (UPDATED 6/01)

Disclaimer: This handout is intended for use as a quick reference. Its purpose is not regulatory. For complete text refer to appropriate law section.

LAW SECTION	HOURS	COURSE TITLE *requires POST certification	REQUIRED FOR	OTHER PERTINENT INFORMATION
PC 832.6	344 L I 224 L II 162 :LIII	Reserve Level I Module Reserve Level II Module Reserve Level III Module	Level I Reserve officers must complete all three modules (774 hours) or the Regular Basic Course (664 hours). Level II Reserve officers must complete Reserve Modules II and III (386 hours). Reserve Level III officers must complete Reserve Module III (162 hours).	Training must be completed before being assigned duties which include the exercise of peace officer powers.
PC 13516(b)	6	Sexual Assault Investigation (LD 30)	POST requires for all peace officers who must complete the Regular Basic. A supplementary course is certified for investigators of sexual assault cases, child sexual exploitation cases and child sexual abuse cases (18 hours).	Officers assigned to investigation duties which include the handling of cases involving the sexual exploitation or sexual abuse of children are required to complete the supplementary course within six months of the date of assignment.
PC13516(c)	18			
PC 13519.7(b)	2	Sexual Harassment (LD 42)	POST requires for all peace officers who must complete the Regular Basic Course. Peace officers who have not completed in the Regular Basic Course shall complete supplementary training.	Curriculum included in the Regular Basic Course.
PC 13519 (c)				
PC 12020 (b)(1)	16 16	Shotgun (Long/Short Barrel)*[see comment A] Rifle (Long/Short Barrel)* [see comment B]	Peace officers of local police departments, sheriffs departments, marshals departments, California Highway Patrol or Department of Justice and reserve officers of these departments.	Comment A – This training requirement can be satisfied by completing the Regular Basic Course, Reserve Training Modules I or II, or Reserve Modules A, B, C, and D which contain POST-certified shotgun training. Comment B – Prerequisite for Rifle training is completion of the Regular Basic Course, Reserve Training Modules I or II, and III or Reserve Modules A, B, C, and D. Comment C – Completion of this training exempts these officers from the provisions of PC 12020(a).
PC 13519.3	2	Sudden Infant Death Syndrome (LD 30)	Penal Code specifies all peace officers specified in PC13510 (a) who are assigned to patrol or investigations. POST requires for all peace officers who must complete the Regular Basic Course	Supplementary training required for in-service officers who did not receive in the Basic Course.
PC14304		Toxics Training for Peace Officers		Training never funded. Insufficient funds in the Hazardous Materials Enforcement and Training Account of Department of Toxic Substances Control to implement.
PC 13514.5	No hours specified	Civil Disobedience	Peace officer who are required to complete the Regular Basic Course.	Telecourse developed.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Budget Reduction Recommendations		Meeting Date December 13, 2001
Bureau Administrative Services	Reviewed By Dick Reed	Researched By Tom Liddicoat
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 11-20-01	Date of Report November 16, 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 a series of cost containment options, researched and proposed by staff, to balance the Fiscal Year 01/02 POST budget.

BACKGROUND:

At the August 16 meeting, Commissioners were apprized of a projected \$4.8 million shortfall in the FY 01/02 budget. At the November 8 meeting, Commissioners were reminded of the anticipated shortfall and advised that staff anticipated additional funding may be needed for anti-terrorism training in the latter half of the fiscal year. During that meeting, the Executive Director expressed concern that the worsening condition of the State Budget may impact the state Department of Finance's (DOF) ability to fund POST to the appropriation limit as POST had been assured would be done in a July 30 letter from DOF.

The Commission was presented with nine recommended options intended to balance this year's budget, free-up funds for anti-terrorism training, and provide a contingency reserve in case the State is unable to fulfill its assurance to offset the difference between revenues and the Governor's appropriation.

The Commission directed staff to proceed with two of the nine options. Those were to:
 1) seek DOF approval to redirect \$4.75 million appropriated for Budget Change Proposals # 2 & 3, (FY 01/02 budget), and 2) adjust under-performing training contracts for FY 01/02 so unexpended funds could be applied to the deficit, development and delivery of anti-terrorism training, and other unanticipated training needs.

The seven remaining staff recommendations were deferred for discussion at a special meeting of the Commission on December 13, 2001.

ANALYSIS:

The seven cost containment reduction options deferred for discussion from the November 8 meeting are listed as items 1-7 (below). Since that meeting, staff has added an additional option to the list (item 8) for Commission consideration. With the exception of number 5, all options are of equal viability and priority. A Field Impact statement and Staff Recommendation follows each individual option. Potential total savings from options 1- 8 are \$1,992,333.

Action	Potential Savings
<p>1. Limit POST presented curriculum development workshops and seminars, effective 1-1-02 through 6-30-02</p> <p><u>Field Impact:</u> This activity is controlled by POST. Some functions can be deferred to next fiscal year with minimal disruption to the field.</p> <p><u>Staff Recommendation:</u> Support.</p>	\$200,000
<p>2. Reduce Backfill reimbursement to 50% effective 2-1-02 to 6-30-02</p> <p><u>Field Impact:</u> Direct impact to client agencies, however, regulation states that funds are payable, when available, at Executive Director's discretion. This is a recommendation to reduce, not eliminate, backfill for the balance of the fiscal year. With proper notice the field can adjust scheduled training so that impact to client agencies is minimal.</p> <p><u>Staff Recommendation:</u> Support</p>	833,333
<p>3. Reduce number of Plan I and Plan III presentations from 1-1-02 to 6-1-02.</p> <p><u>Field Impact:</u> Since the November 8 meeting, presenters have been asked to reduce the number of presentations on a voluntary basis. By delaying the start date of some courses into the next fiscal year the \$100,000 goal for this option has been met. Unless otherwise directed, POST staff will continue to request voluntary delays in start dates from presenters. Mandatory reductions are not necessary to achieve these savings.</p> <p><u>Staff Recommendation:</u> Support <i>voluntary</i> reductions.</p>	100,000

Action	Potential Savings
<p>4. Eliminate MIDP Class #2 for FY 01-02</p> <p><u>Field Impact:</u> This is an important class that trains trainers. After ten years of operation there are 160 Master Instructors Development Course graduates. This is a costly but important instructor training program. That said, a five-month delay in the start of one class will not result in significant harm to the program, and the projected savings are significant in relation to the scope of this year's fiscal problems.</p> <p><u>Staff Recommendation:</u> Support.</p>	114,000
<p>5. Defer Start of December Command College Class</p> <p><u>Field Impact:</u> No longer an option. Class started on December 2. Estimated savings presented at the November 8 meeting was \$85,000.</p> <p><u>Staff Recommendation:</u> Delete from list.</p>	0
<p>6. Suspend Team Building Workshops from 1-1-02 to 6-30-02</p> <p><u>Field Impact:</u> This activity controlled by POST staff (Management Counseling Services Bureau). TBWs are management-level workshops. Given POST's fiscal problems, little reaction is expected from the field.</p> <p><u>Staff Recommendation:</u> Support.</p>	141,000
<p>7. Establish an 80-hour Cap on Reimbursement for FY 01-02, effective 7-1-01 (retroactive)</p> <p><u>Field Impact:</u> This action saved approximately \$1 million per year when last in place (from September 1, 1995, through January 1, 2000). This proposal will minimally impact agencies who send students to disproportionately high amounts of reimbursable training. However, there are reasonable exemptions that may be adopted by the Commission so that critical training is excepted from the 80-hour cap. (Attachments 1, 1a, 1b).</p> <p><u>Staff Recommendation:</u> Support as constituted at the time of cancellation, to include exemptions.</p>	500,000

Action	Potential Savings
<p>8. Convert all Skill and Knowledge Module courses to POST Plan N/A (CPT credit given/no reimbursement)</p> <p><u>Field Impact:</u> Minimum. S&K training is intended to be presented “in-house,” to minimize travel and overtime costs to the employing department. Over time, many S&Ks were certified to Plan IV, thereby qualifying for travel and per diem. Reverting to the original intent of the certification is timely and proper.</p> <p><u>Staff Recommendation:</u> Support.</p>	104,000
Total Options 1 - 8:	\$1,992,333

Since the November 8 Commission meeting, staff has requested permission from DOF to redirect \$4.75 million in Budget Change Proposals (BCPs) to the projected deficit. Additionally, approximately \$1,175,000 in contract savings has been identified. Lastly, a letter (Attachment 2) has been sent to all chiefs and sheriffs, requesting they attempt to meet their department’s training needs with as little reimbursable travel as possible.

If DOF approves the redirection of the two BCPs, as requested, and if all the cost containment options are implemented, the Commission could reallocate up to \$7.917 million (BCP- \$4.75 + Contracts - 1.175M + Options - 1.992 = 7.917) to balance the budget and redirect as needed. While these savings might seem consequential, recent dramatic declines in state revenues give rise to concerns that the actions recommended in this report may not be sufficient. The difference between the Governor’s \$60.9 million appropriation and POST’s total available resources (a combination of current year revenues plus prior year reserves) is presently -\$5.4 million. Should POST revenues decline along the same trend line as have revenues in the State Budget, the difference will increase significantly. Though DOF has stated its intention to cover the difference between POST revenues and the appropriated amount, escalating budget difficulties at the State level may make it difficult for DOF to meet this commitment. If this were to occur, the Commission would need to consider additional reductions in reimbursement and/or service to the field before the end of the fiscal year.

Recommendation:

Approve the cost containment options as presented and report on implementation to the Finance Committee.

STATE OF CALIFORNIA

PETE WILSON, Governor

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

August 1, 1995

BULLETIN: 95-16

TO: Law Enforcement Administrators and Training Managers

SUBJ: LIMITATION ON MAXIMUM HOURS REIMBURSABLE FOR IN-SERVICE TRAINING

At its July 20, 1995 meeting, the Commission considered projections of both revenue and training reimbursement expenditures for FY 95/96. The most optimistic projection would result in a deficit of \$1.2 million. Any further revenue decline or increase in training volumes could result in an even larger deficit.

Clearly, the Commission must compensate to stay within its budget. POST has been denied its request for a general fund augmentation in FY 95/96 and has been advised that revenue enhancements for the Peace Officer Training Fund (POTF) should be pursued through the Legislature. A legislative remedy would require the initiative and full support of the law enforcement community.

These conditions prompted the Commission to delay certain administrative contract expenditures, direct savings in POST's administrative budget, and set a cap on reimbursement for non-mandatory in-service training. These measures should offset the projected deficit.

The cap is set at 80 hours for all ranks and classifications and will remain in effect until further notice. The cap will apply to courses starting between September 1, 1995 and June 30, 1996 for which reimbursement is claimed. There are certain exceptional criteria as described below:

- o The cap may be exceeded when the last course attended started before the cap was reached. For example, if an officer has been reimbursed for a 16-hour course and is then assigned to an 80-hour course, the entirety of the 80-hour course will be reimbursed. Of course, POST will monitor the results of this strategy and adjust if necessary.
- o Courses certified for more than 80 hours will be reimbursed for the full length of certified hours.

- o The following courses are exempt and reimbursed attendance will not be counted toward the cap: Basic Courses (including the Requalification Course); the Supervisory Course; the Management Course; the Command College; the Supervisory Leadership Institute; the Master Instructor Program; Team Building Workshops; and POST Special Seminars/Workshops.
- o Attendance of reimbursable training courses for which reimbursement is not requested will not be counted toward the cap.

Questions concerning the limitation for reimbursable training may be directed to your area consultant at (916) 227-4862.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1801 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

January 28, 1998

BULLETIN: 98-2

SUBJECT: NEW EXEMPTIONS TO 80-HOUR REIMBURSEMENT CAP

At its January 22, 1998 meeting, the Commission authorized additional exemptions to the 80-hour reimbursement cap for in-service training that was first set by the Commission in July 1995. Exemptions from the 80-hour limitation for the following courses are effective for courses which will commence on or after March 1, 1998:

- Motorcycle Training Course (80+ hours)
- Child Abuse Investigation Course (24-40 hours, Penal Code 13517)
- Narcotic Investigation Course (80-hour course only)
- Sexual Assault Investigators' Course (24-40 hours, Penal Code 13516)
- Field Training Officer Course (40+ hours)

Previously approved exemptions, announced in POST bulletins #'s 95-16, 95-24, and 96-14, included:

- Basic Courses, including the Requalification Course (95-16)
- The Supervisory Course (95-16)
- The Management Course (95-16)
- The Command College (95-16)
- The Supervisory Leadership Institute (95-16)
- The Master Instructor Program (95-16)
- Team Building Workshops (95-16)
- POST Special Seminars/Workshops (95-16)
- Courses for which reimbursement is not requested (95-16)
- The Executive Development Course (95-24)
- All courses specified in Regulation 1005 as part of the minimum basic training requirement (95-24)
- Core Course of the Institute of Criminal Investigation (96-14)

Please contact your POST area consultant in the Training Delivery and Compliance Bureau at (916) 227-4862, if you have additional questions regarding the 80-hour cap or exemptions.

Sincerely,

Kenneth J. O'Brien
KENNETH O'BRIEN
Executive Director

STATE OF CALIFORNIA

GRAY DAVIS, *Governor*

DEPARTMENT OF JUSTICE

BILL LOCKYER, *Attorney General***COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083
www.post.ca.gov

February 1, 2000

Bulletin: 00-02**SUBJECT: RECISSION OF 80-HOUR ANNUAL CAP ON
REIMBURSABLE IN-SERVICE TRAINING**

At its meeting on January 27, 2000, the POST Commission acted to rescind its policy limiting annual reimbursement for individual trainees to 80 hours. The policy was originally instituted to conserve funds during a period of fiscal constraints. Improved revenue and budget authorizations have enabled the Commission to rescind this policy.

The 80-hour cap policy, first announced in Bulletin 95-16, is rescinded effective January 27, 2000.

A handwritten signature in cursive script that reads "Kenneth J. O'Brien".

KENNETH J. O'BRIEN
Executive Director



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 November 15, 2001



CALIFORNIA

Ed Ripley, Interim Chief
Adelanto Police Department
P.O. Box 10
11613 Bartlett Avenue
Adelanto, CA 92301

Gray Davis
Governor

Dear Chief Ripley:

Bill Lockyer
Attorney General

The Commission met on November 8 to discuss, among other things, a projected \$4.8 million deficit in the POST budget at the end of this fiscal year.

The Commission directed staff to seek approval from the State Department of Finance to redirect \$4.75 million approved in this budget for the development of multimedia courseware and perishable skills training hardware. This request has been submitted to the Department of Finance.

The Commission also directed staff to modify under-performing training contracts so that unexpended funds can be applied to the deficit or be used to meet evolving training needs through the balance of this year.

Other budget cutback options will be reviewed by the Commission at a special Commission meeting on December 13, 2001, at the Long Beach Hilton Hotel. The Long Range Planning Committee will meet at 9 a.m.; the Commission meeting will begin at 1:00 p.m. The Commission Agenda will be limited to two items: 1) POST Priorities; and, 2) Budget Reduction Alternatives.

A recent, sharp increase in the number of reimbursable trainees complicates POST's budget problems. Last year 65,000 trainees were reimbursed before POTF funds were exhausted. However, reimbursement claims were submitted for over 72,500 officers and dispatchers. Consequently, POST was only able to pay a limited number of reimbursement claims in June 2001. The unpaid reimbursements became an encumbrance on the FY 01/02 budget. This year, with an expected deficit in POTF funds, first quarter projections indicate that over 72,500 reimbursement claims again will be submitted. Therefore, I must act now to reduce the number of reimbursable trainees attending POST-certified courses.

The problems cited above are serious. However, you can assist us in controlling expenditures without significantly impacting the volume or quality of training needed by the front-line officers and dispatchers serving our communities. **Here's how you can help:** In FY 00/01 over \$15,480,000 was expended on reimbursement for travel, commuter lunches, and per diem. In an attempt to contain these training-related costs, I am appealing to you to limit training-related travel as much as possible for the balance of this fiscal year. This means training your officers and dispatchers within your region when possible, while still achieving your training needs.

Of course, in some instances it will be necessary to send people away for training. But in many instances, non-mandatory training can be postponed into the next fiscal year or, in some instances, be imported to your region so that extended travel and overnight lodging is not necessary. Your POST Region Consultant, working with your local training manager's association, can help by ensuring that, when possible, training is brought to your location rather than you (and POST) having to endure additional costs associated with traveling to another venue for training.

While I am confident that we can balance our budget in this fiscal year, we may be facing a bigger challenge in FY 02/03. The State Department of Finance informed us of a possible \$3 million reduction in POST's budget next year. We hope the state's financial picture improves in the ensuing months. However, it is important to be fiscally positioned to absorb such a substantial reduction so that any impact to the field is minimized. With Commission support and assistance from you, we will get past this difficult time together.

Thank you for your understanding, cooperation, and assistance. Please do not hesitate to contact me personally if you have any questions regarding POST's budget or any related issue.

Sincerely,


KENNETH J. O'BRIEN
Executive Director

KJO:dr:kh

cc: All training managers
All presenters of POST-certified training
POST Commissioners
Law Enforcement Labor Organizations