

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083



COMMISSION MEETING AGENDA

November 7, 1996 - 10:00 A.M.
Embassy Suites on Monterey Bay
1441 Canyon Del Rey
Seaside, CA 93955
(408) 393-1115

AGENDA

CALL TO ORDER

FLAG SALUTE

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

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

- o Deputy Anthony Olson, Monterey County Sheriff's Department
- o Officer Karl D. Simons, Long Beach Police Department
- o Ineasie Maxie Baker, California Youth Authority

COMMISSIONER REAPPOINTMENTS

The Governor has announced the reappointment of the following Commissioners:

- o Sherman Block
- o William B. Kolender

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

HONORING FORMER COMMISSIONERS

- o George Kennedy - October 1993 - September 1996

APPROVAL OF MINUTES

- A. Approval of the minutes of the July 18, 1996 regular Commission meeting at the Hyatt Regency in Irvine.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the July meeting, there have been 215 new certifications, 8 decertifications, and 119 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

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

The first quarter financial report is under this tab for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

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

The Humboldt County Coroner's Department and the Maricopa Police Department have met the Commission's requirements and have been accepted into the POST Regular Program. In approving the Consent Calendar, your Honorable Commission receives the report.

B.4 Receiving Information on Withdrawal from POST Regular (Reimbursable) Program

The Perris Police Department, the Peralta Community College District Police Department, and the Dorris Police Department have disbanded and have withdrawn from the program. In approving the Consent Calendar, the Commission takes note they are no longer part of the POST Regular Program.

B. 5 Receiving Information on New Entry Into the Public Safety Dispatcher Program

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

In approving the Consent Calendar, your Honorable Commission notes that the following agencies have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program:

- o El Camino College Police Department
- o Santa Clara County Communications
- o Corona Police Department

STANDARDS AND COMPETENCY

C. Report and Recommendation to Adopt Changes to Regular Basic Course Training Specifications Using the Notice of Proposed Action Process (Bureau Chief Everitt Johnson)

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

Proposed changes to the training specifications for Learning Domains #36 Information Systems and #38 Gang Awareness impact one or more of the domain elements:

o Learning Domain #38 (Gang Awareness)

The proposed modification provides a more explicit instructional goal that requires the student to master techniques related to officer safety when dealing with gang related contacts, detentions and arrests. Ten indicators of gang related criminal activity are proposed as new topics. Additional modifications would require students to receive instruction in specific methods designed to neutralize the impact of gangs.

It is further proposed that an existing exercise test be deleted based on the difficulty presenters have experienced in their efforts to develop a valid testing instrument. It is also proposed that the two existing learning activities be consolidated into one expanded and enhanced activity to provide more detail and specificity to support the required instruction in the domain.

o Learning Domain #36 (Information Systems)

The proposed modifications continue the trend of providing more explicit instructional goals. Minor changes are proposed to the required topics and additional detail is recommended to enhance an existing learning activity.

Staff recommends that the proposed curriculum changes be adopted pursuant to the Administrative Procedures Act by using the Notice of Proposed Action Process. If approved, these changes will be effective January 1, 1997.

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

D. Report and Recommendation to Adopt Proposed Changes to the Regular Basic Course Performance Objectives (Bureau Chief John Berner)

The report under this tab describes proposed changes to the performance objectives in Learning Domains #19, #34, #36, and #38:

o Learning Domain #19 (Vehicle Operations)

The proposed changes to this domain would delete one performance objective which requires the student to perform a pre-shift vehicle inspection. It is recommended that the objective be deleted because the procedure for conducting a pre-shift vehicle inspection varies from agency to agency, and the knowledge required to perform a pre-shift vehicle inspection can best be learned during a brief orientation on the job.

o Learning Domain #34 (First Aid)

The proposed changes to this domain would delete one objective which, due to an oversight, was not deleted at the time the Commission approved the deletion of the corresponding exercise test from the *Training Specifications for the Regular Basic Course - 1995*. The objective calls for the student to define the emergency medical services (EMS) system as "the system of resources that guide a person from the onset of illness or injury through care in a medical facility".

o Learning Domain #36 (Information Systems)

The proposed changes to this domain would add two objectives. One requires the student to identify the particular types of information contained in different law enforcement information systems, the other requires the student to identify under what circumstances an officer is authorized to use DOJ and DMV information systems. A third objective would be deleted and incorporated into another existing objective, and a learning activity would be modified to mirror a revision to the *Training Specifications for the Regular Basic Course - 1995* that is explained in a previous agenda item.

o Learning Domain #38 (Gang Awareness)

The proposed changes to this domain would delete one objective, delete one learning activity and modify another learning activity. These changes also mirror revisions to the *Training Specifications for the Regular Basic Course - 1995* that are explained in a previous agenda item.

The details of all proposed changes to the performance objectives are described in the full agenda report and have been approved by the Consortium of Basic Academy Directors.

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

E. Request to Schedule a Public Hearing on January 23, 1997 on the Proposal to Approve Modifications to Commission Regulations and Procedures Pertaining to Minimum Selection Standards (Bureau Chief John Berner)

A series of changes are recommended to Commission Regulations 1001, 1002 and 1007(a), and Commission Procedures C-1 and C-2 regarding minimum selection standards for regular and reserve officers. Many of the changes are designed to clarify the intent and nature of the Commission's requirements, and are largely editorial in nature. The following more substantive changes are also proposed:

- o Language would be added to the regulations pertaining to minimum education requirements for regular and reserve officers which specifies that high school graduation must be from a U.S. high school. Since 1989, the Commission has interpreted its own regulations, and the underlying provisions of Government Code Section 1031(e), to require graduation from a U.S. high school. A recent review by POST legal counsel confirms that this interpretation is reasonable. The suggested language changes would make the requirement explicit.
- o Language would be added to the same regulations which specifies that the high school graduation requirement may be satisfied by achieving a passing score on the California High School Proficiency Examination (CHSPE). Per Education Code Section 48412, passing the test is the legal equivalent of attaining a high school diploma.
- o Current language in the regulations for regular officers, which specifies the minimum scores that must be achieved on General Education Development Test (GED) in order to satisfy the minimum education requirement, would be added to the regulations for reserve officers.

- o Commission Procedure C-1, subparagraph 1-5(l), which requires the background investigator to collect medical information, would be deleted. This change is necessary to comply with the provisions of the Americans with Disabilities Act of 1991 (ADA), which prohibit the collection of medical information prior to a conditional job offer.
- o Commission Procedure C-1, subparagraph 1-5(g) would be changed to require that the background investigator contact all previous employers of the candidate during the last ten years. Currently there is no time limit and all previous employers must be contacted. The proposed change is consistent with what is recommended in the *POST Peace Officer Background Investigation Manual* and what the candidate is required to document in the *POST Personal History Statement*.
- o A provision would be added to Commission Procedure C-2 to require that the results of the psychological examination be reported in writing to the hiring authority.
- o Another provision would be added that requires the hiring authority to retain written verification that employed persons have been examined and found to be medically and psychologically suitable in accordance with the Commission's requirements. This requirement is necessary to verify compliance, as POST personnel are prohibited from accessing the actual medical records of such individuals per the ADA.
- o The current hearing and vision standards, as stated in Commission Procedure C-2, would be expanded to require that candidates also be screened for near and far visual acuity (corrected and uncorrected), and visual field. Recommended evaluation criteria for these factors are included in existing POST guidelines.
- o The current psychological screening requirements, as stated in Commission Procedure C-2, would be expanded to require a clinical interview for all candidates. At present only candidates for whom the psychological test results are inconclusive or suggest disqualification must be interviewed. In 1985, when the current requirements were enacted, the Commission opted not to require that all candidates be interviewed due to concerns that such an action would place an undue burden on some agencies - both from the standpoint of cost and the limited availability of psychologists in certain remote areas of the state. The Commission has always **recommended** that a clinical interview be conducted for all candidates, and the concerns that existed in 1985 have largely dissipated, as evidenced by the fact that it is now common practice for agencies in the POST program to require a clinical interview for all candidates. Expansion of the requirement is also consistent with the recommendations of both the International Associations of Chiefs of Police and the Division 18 of the American Psychological Association (Psychologists in Police Service).

All proposed changes are described in greater detail in the full agenda report, and attachments to the report show the actual proposed language changes to the Commission's regulations and procedures.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing for the January 23, 1997 meeting to consider the changes to Commission regulations and procedures as proposed.

F. Report of Peace Officer Feasibility Study for the Los Angeles Public Library, Security Division, and Recommendation to Submit the Report to the Los Angeles Public Library and to the Legislature (Bureau Chief Michael DiMiceli)

Penal Code Sections 13540-42 require persons interested in being designated as peace officers to seek a feasibility study from the Commission. Such studies are conducted pursuant to a contract for the recovery of costs. The report of a completed study is submitted to the requesting party and to the Legislature.

Kristina Morita, Assistant Business Manager, City of Los Angeles Public Library, requested a study concerning the designation of 39 Library security officer positions in the Security Division as peace officers.

The jurisdiction of the Los Angeles Public Library Security Division consists of 68 libraries (the Central Library and 67 branch libraries) located within the City of Los Angeles. The report provides information which indicates the duties and responsibilities of library security officers are oriented primarily to the safety and security of buildings, grounds and patrons of the Los Angeles Public Library.

The report concludes that the work of the non-peace officer Library security officers does not regularly nor frequently require peace officer authority and powers. The report recommends those positions not be designated as peace officers.

If the Commission concurs, the appropriate action is a MOTION to submit the completed feasibility study report, including the recommendation, to the Los Angeles Public Library and the Legislature.

G. Approval of Agency Policies for Limited Level I Reserve Officers
(Executive Office)

In 1995, Senate Bill 1874 became law (P.C. Section 832.6 (a)(1)(A) Level I reserve officers, appointed after January 1, 1997, to complete the Regular Basic Course. The law change also authorized law enforcement agencies to request an exemption from the Regular Basic Course if the agency has policies approved by the Commission limiting

duties of Level I reserve officers and these reserve officers satisfy other training requirements established by POST.

Two requests received to date are from the South San Francisco Police Department and the Ventura County Sheriff's Department. Both policies limit the duties to non-general enforcement activities and attempt to minimize exposure to serious crimes in progress. These policies are consistent with law. Because it is reasonable to expect additional such requests, it may be desirable to delegate approval authority to the Executive Director.

If the Commission concurs, the appropriate MOTION would be to approve these policies and to authorize the Executive Director to approve future policies that are consistent with the intent of law.

MAXIMIZING TRAINING DELIVERY

H. Demonstration of P.C. 832: *Arrest and Firearms* IVD Course

A brief demonstration of the courseware is set for this point on the agenda. The development of the new *P.C. 832: Arrest and Firearms* course is in the final phase of its validation testing. When the testing is completed, any needed revisions and final quality checking will be made. The courseware is scheduled to be released to certified P.C. 832 presenters at the end of November.

I. Report on Student Workbook Pilot Project (Bureau Chief Everitt Johnson)

The item under this tab contains a report on the student workbook pilot project and a recommendation to authorize final payment to vendor pending staff's satisfactory approval of all workbook deliverables. The student workbooks have created a new method to design and support basic training. The development of this system creates new opportunities to meet the basic training demands of a variety of programs. The student workbooks and accompanying instructor guides form an instructional system that is more effective in the following ways:

- o Provides the student and instructor with professionally designed curriculum and lesson plans that standardize the delivery of instruction and are far superior to existing instructor unit guides*
- o Reduces lecture time and promotes interactive student activities based on adult learning strategies*
- o Is a cost-effective method of supporting basic training*
- o Provides a new method to deliver basic training in the field training program*

- o Aids in the development of tests*
- o Can be used to upgrade reserve basic training programs*

If the Commission concurs, the appropriate MOTION would be to approve the results of the student workbook pilot project and authorize final payment to vendor pending staff's satisfactory approval of all workbook deliverables.

J. Report and Recommendation to Release Request for Proposal (RFP) to Solicit Bids to Develop Student Workbooks (Bureau Chief Everitt Johnson)

The item under this tab contains a report on the student workbook pilot project and a recommendation to authorize the expenditure of \$200,000 per year for the next three years to develop student workbooks for the remaining 35 Regular Basic Course learning domains.

The Commission approved the development of six student workbooks as a pilot project to measure the costs and benefits of student workbooks. Although the student workbook project is currently in the validation stage it is already obvious that the workbook system has met and exceeded initial expectations.

Staff anticipates that it will cost approximately \$600,000 to convert the remaining basic course learning domains to student workbooks. The development and validation of the workbooks over the three-year period will allow the costs to be amortized in \$200,000 increments.

If the Commission concurs, the appropriate action would be a MOTION authorizing the release of the Request for Proposal for development of the 35 workbooks. If a successful bidder is identified, a proposal for a contract would be submitted at the January Commission meeting.

PARTNERSHIPS

K. Advisory Committee (Chairman Jay Clark)

Jay Clark, Chairman of the POST Advisory Committee, will report on the Committee meeting held July 17, 1996 in San Diego.

TRANSITION

L. Report of the Committee on Strategic Plan Implementation (CSPI)

Commissioner TerBorch, who serves as Chairman of the Committee on Strategic Plan Implementation, will report on the Committee meetings held on August 28, 1996 at POST

Headquarters in Sacramento, on September 18, 1996 in Newport Beach, and October 22, 1996 in Irvine. Results of each meeting are enclosed under this tab.

RESOURCES

M. Report of the Finance Committee

Commissioner TerBorch, Chairman of the Finance Committee, will report on the Committee meeting held on November 6, 1996 in Seaside.

LEGISLATION

N. Report of the Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held November 7, 1996 in Seaside.

LONG RANGE PLANNING

O. Report of Long Range Planning Committee

Chairman Ortega, who also serves as Chairman of the Long Range Planning Committee, will report on the Committee meeting held September 17, 1996 in Irvine.

OLD/NEW BUSINESS

P. Appointment of Advisory Committee Members (Chairman and Commission)

The terms of the following Advisory Committee members expired in September. Both have been recommended for reappointment by their respective constituent organization for a three-year term of office beginning in September 1996:

- o Charles Byrd, representing California State Sheriffs' Association (CSSA)
- o Dr. Ernest R. Leach, California Community Colleges

Also, the term of Judith Valles, who serves as a public member, expired in September. By Commission practice, the Chairman may request that Commission members submit additional names for consideration or may act to reappoint the current member.

Action on Advisory Committee appointments was postponed from the July 1996 meeting due to the absence of the Chairman.

Q. Impact of Basic Training Standards on Chief of Police Entering California from Out-of-State

This matter is carried over from the July 1986 meeting where a request for partial waiver of equivalency testing was received. Reports on this matter will be received from the Long Range Planning Committee and the Advisory Committee.

R. Executive Director Resignation and Stewardship Report
(Executive Director Norman C. Boehm)

I have earlier sent a letter to each Commissioner announcing my intention to retire on June 30, 1997. That date will mark the completion of my 18th year of service to the Commission. Since then, I sent the Commissioners a memo moving the effective retirement date up to January 3, 1997. I was appointed as Executive Director in July 1979 and am in my eighteenth year of service to the Commission.

Over the past 18 years our objective has been to develop POST into a world leader in standards and training for law enforcement. In many ways that has been achieved. We know of no other organization of our type that brings such a wide array of programs and services to its law enforcement cliental. Nationally and internationally, POST is looked to as a leader in setting sustainable standards, pushing the frontiers of learning and training, pioneering the use of technology in testing and training, and preparing innovative leadership development programs.

Everything that has been accomplished found its roots and rationale in the Commission's support and approval. The Commission has a professional and willing staff whose contributions day-in and day-out over the years has been crucial to the Commission's success. Your Commission is a nationally recognized and respected program. It is a program well used by our clientele. In 1995/96, 253,000 officer-training events were recorded representing in excess of 7,000,000 training hours. That is a remarkable commentary on your Commission.

In all, it has been a team effort and should remain so. I am pleased to have been allowed to be a part of it for this time as Executive Director. POST is a magnificent resource to law enforcement and is arguably the best, most comprehensive, most innovative, and effective program of its type in the county and beyond.

S. Report of Executive Search Committee

Chairman Ortega will report on the Committee meetings held on September 18, 1996 in Irvine and via telephone conference call on October 22, 1996.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 23, 1997 - Wyndham Hotel at Los Angeles Airport

(NOTE CHANGE OF HOTEL)

April 24, 1997 - Holiday Inn Capitol Plaza - Sacramento

July 17, 1997 - Hyatt Regency - Irvine

November 6, 1997 - Mission Inn - Riverside



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING MINUTES

July 18, 1996
Hyatt Regency Hotel
Irvine, CA

The meeting was called to order at 1:00 p.m. by Acting Chairman Rutledge.

Commissioner TerBorch led the flag salute.

MOMENT OF SILENCE

The Commission held a moment of silence in honor of the following officers who have lost their lives while serving the public:

- o Officer David W. Manning, California Highway Patrol, Bakersfield
- o Officer Daniel Fraembs, Pomona Police Department
- o Officer Terry L. Fincher, Brea Police Department
- o Deputy Peter J. Aguirre, Ventura County Sheriff's Department, Ventura
- o Officer Donald Burt, California Highway Patrol, Fullerton

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

David C. Anderson
Sherman Block
Collene Campbell
Michael T. Carre
Greg Cowart, Attorney General Representative
Ted Hunt
George Kennedy
William B. Kolender
Ronald E. Lowenberg
Raquel Montenegro
Devallis Rutledge
Rick TerBorch

Commissioners Absent:

Jody Hall-Esser
Manuel E. Ortega, Chairman

POST Advisory Committee Members Present:

Jay Clark, Chairman
Norman Cleaver
Derald D. Hunt
Alexia Vital-Moore
Judith Valles
Woody Williams

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
Dennis Aronson, Senior Instructional Designer, Learning Technology Resource Center
John Berner, Bureau Chief, Standards and Evaluation
Everitt Johnson, Bureau Chief, Basic Training
Holly McDonald, Bureau Chief, Special Projects
Otto Saltenberger, Bureau Chief, Training Program Services
Ken Whitman, Bureau Chief, Learning Technology Resource Center
Frederick Williams, Bureau Chief, Administrative Services
Vera Roff, Administrative Assistant

Visitors' Roster

Raymond Boulden, LAUSD POA/CCLEA
Joe DeLadurantey, Chief, Torrance Police Department
Tom Esensten, Consultant
Bill Harkness, LA Police Protective League
Ed Hendry, Orange County Sheriff's Department
Mike Jimenez, CCPOA/CCLEA
Gene Kulander, Chief, Palm Springs Police Department
Bob Norman, Chief, Foster City Police Department
I. F. Patino, Rio Hondo College/CADA
Doug Peterson, CCPOP/C-POST
Neil Robertson, CAUSE/CCLEA
Darla Singleton, Riverside County Sheriff's Department
Al Waters, San Francisco Sheriff's Department DSA
Richard Wright, Huntington Beach Police Department

APPROVAL OF MINUTES

- A. MOTION - Campbell, second - Block, carried unanimously to approve the minutes of the April 18, 1996 regular Commission meeting at the Holiday Inn in Fresno.

CONSENT CALENDAR

- B. MOTION - Lowenberg, second - TerBorch, carried unanimously to approve the following Consent Calendar:
- B.1 Receiving Course Certification Report
 - B.2 Receiving Financial Report - Fourth Quarter FY 1995/96
 - B.3 Receiving Information on New Entries Into the POST Specialized (Non-Reimbursable) Program
 - B.4 Receiving Information on New Entries Into the Public Safety Dispatcher Program
 - B.5 Approving Resolutions Commending Strategic Planning Steering Committee Members

PRESENTATIONS

Acting Chairman Rutledge presented resolutions to those Strategic Planning Steering Committee members in attendance.

- o Robert Norman, Chief of Foster City Police Department, representing the California Police Chiefs' Association
- o Joe DeLadurantey, Chief of Torrance Police Department, representing the California Police Chiefs' Association
- o Woody Williams, Deputy Chief of San Bernardino County Sheriff's Department, representing the California Peace Officers' Association

Following presentation of the resolutions, Tom Esensten, consultant for the strategic planning process, and Robert Norman, Chairman of the Strategic Planning Steering Committee, informed the Commission that Carrera Consulting Group, which had hired Tom Esensten as a subcontractor, had been removed from the State's Master Services Agreement due to a negative evaluation by the Executive Director. They requested the Commission's assistance in having the Carrera Consulting Group reinstated on the State's Master Services Agreement list.

Acting Chairman Rutledge appointed Commissioner Lowenberg, Chairman, and Commissioners Hunt and Campbell to a subcommittee to review the matter and report to the Long Range Planning Committee as soon as possible.

C. Strategic Planning Steering Committee

Robert Norman, Chairman of the Strategic Planning Steering Committee, presented a plaque to Bureau Chief Holly McDonald in appreciation for her work in development of the strategic plan.

STANDARDS AND COMPETENCY

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

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

- o Learning Domain #7 (Crimes Against Persons) - It was proposed that topics which require instruction on the elements of Gross Vehicular Manslaughter While Intoxicated (191.5 PC) and Terrorist Threats (422 PC) be added to the domain.
- o Learning Domain #8 (General Criminal Statutes) - It was proposed that a topic requiring instruction on the elements of Loitering for the Purpose of Engaging in an Act of Prostitution (653.22 PC) be added to the domain. Minor modifications to existing goals are proposed for accuracy and clarity.
- o Learning Domain #20 (Use of Force) - The proposed modifications continue the trend of providing more explicit instructional goals. It was proposed that the goal that incorporates the concept of reasonable force and the importance of training in coping with dangerous situations be split into two clearly stated instructional goals. Language is proposed that will add detail to the testing requirement and ensure that the student is tested under conditions that simulate physical and mental stress. It was also proposed that the learning activity currently required in the specification be expanded and enhanced to provide more detail and specificity to support the scenario test modification.
- o Learning Domain #28 (Traffic Enforcement) - The proposed modification to the instructional goals expands existing goals to require the student to develop the ability

to visually recognize commonly enforced traffic laws. Modification is consistent with the testing requirement in the domain that requires the student to identify common violations and correlate the violation to the appropriate Vehicle Code Section.

- o Learning Domain #29 (Traffic Accident Investigation) - The proposed changes to this domain would provide additional instructional goals and enhance existing goals by providing more detail and clarity. The required topics are proposed to be modified and enhanced to specifically define the intent of instruction to both the student and instructor. Test specifications are proposed for the required exercise test which more effectively outline the testing standard and require the student to demonstrate requisite knowledge and skill to investigate a traffic collision. The addition of a learning activity that reinforces the instruction was also proposed.

MOTION - Lowenberg - second - TerBorch, carried unanimously to approve the curriculum changes as described in the staff report. If no one requests a public hearing, the changes would go into effect September 1, 1996, subject to approval of the Office of Administrative Law as to form and procedure.

E. Approval to Revise Commission Procedure 1001, Regulation 1080 and Commission Procedure D-1 to Prohibit Cheating in P. C 832 and Basic Training Courses

Currently, neither Commission Regulations nor Commission Procedures define cheating, prohibit cheating, or require sanctions against students caught cheating while attending POST-certified training programs.

It was proposed that Commission Regulation 1001 be modified to define cheating and that Regulation 1055 be amended to prohibit cheating in entry-level, mandated training courses; and require sanctions for students caught cheating. Minor, non-substantive changes to Regulation 1081 and Commission Procedure D-1 are also proposed for purposes of clarity.

There was discussion of language in proposed Regulation 1001 concerning requirement for provision of due process. There was consensus that this language be removed.

MOTION - Block - second, Campbell, carried unanimously to approve, as modified, subject to the results of the Notice of Proposed Regulatory Action process, the changes to Commission Regulations and Procedure as set forth in the report. If approved, changes would go into effect January 1, 1997, subject to approval of the Office of Administrative Law.

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

Ongoing review of the Regular Basic Course performance objectives identified a number of changes that would improve the quality of the domain tests. The proposed changes include:

- o Learning Domain #6 (Property Crimes) - Modify nine performance objectives without changing their original intent. One objective would be modified by removing references to Penal Code Sections 484d through 484j, which refer to unlawful use of access cards - a crime which patrol officers do not typically investigate. Other changes consist of adding the penal code section that provides the punishment for a crime and/or making minor wording changes to improve clarity and consistency.
- o Learning Domain #7 (Crimes Against the Persons) - Would add a performance objective on Terrorist Threats, and make minor wording changes to six other objectives.
- o Learning Domain #8 (General Criminal Statutes) - Modify one performance objective (3.22.2) to reflect changes made to Penal Code Section 647.
- o Learning Domain #20 (Use of Force) - Modify one performance objective (7.4.1) to specify the knowledge, skills, and abilities that students must demonstrate during use-of-force simulations. This change reflects a corresponding change to *Training Specifications for the Regular Basic Course - 1995*, as described in a previous agenda item.
- o Learning Domain #25 (Domestic Violence) - Modify one objective (8.47.13a) to correct an error in the definition of domestic dispute.
- o Learning Domain #28 (Traffic Enforcement) - Modify 12 knowledge objectives and one exercise objective. Ten of the knowledge objectives would be modified to include the specific traffic violations that students must identify, one (9.2.1) would be modified to require students to know the definition of two additional terms, and the last (9.4.18) would be modified to improve clarity. The exercise objective (9.5.4) would be modified to require students to specify those aspects of a field sobriety test that students must be able to demonstrate. This change reflects a corresponding change to the *Training Specifications for the Regular Basic Course - 1995* as described in a previous agenda item.
- o Learning Domain #29 (Traffic Accident Investigation) - Combine three existing exercise objectives (9.14.1, 9.14.8, 9.14.9) into one new exercise objective (9.14.10)

to increase testing efficiency. These changes reflect corresponding changes to the *Training Specifications for the Regular Basic Course - 1995* as described in a previous agenda item.

MOTION - Block, second - Kolender, carried unanimously to adopt the recommended changes to the Regular Basic Course performance objectives effective for all academy classes that begin on or after October 1, 1996.

G. Approval to Adopt Changes to the Basic Academy Physical Conditioning and Testing Program as Specified in the *Basic Academy Physical Conditioning Manual - 1990*

Pursuant to POST Regulation 1005 and Commission Procedure D-1-3, all graduates of a Regular Basic Course and a Reserve Module D Course must satisfactorily complete a POST-prescribed physical conditioning program and pass a POST-developed physical abilities test battery as described in the *Basic Academy Physical Conditioning Manual - 1990*.

Current minimum program requirements for the conditioning program specify that a minimum of 36 one-hour exercise sessions must be conducted within 12 to 14 weeks consecutive weeks. Recommended changes include: (1) decrease the minimum time period within which the required 36 exercise sessions must be conducted from 12 to 10 consecutive weeks; and (2) permit modifications to the minimum program requirements upon advance approval by POST. Numerous changes which will update and improve the manual but have negligible impact on the conditioning and testing programs were also proposed.

MOTION - Cowart, second - Kolender, carried unanimously to approve the proposed changes to the *Basic Academy Physical Conditioning Manual - 1990*, and the required corresponding changes to Commission Regulation 1005 and Commission Procedure D-1-3, subject to the Notice of Proposed Action. If no one requests a public hearing, the changes would go into effect January 1, 1997 subject to approval by the Office of Administrative law as to form and procedure.

H. Approval to Contract for a Special Consultant Dedicated to the Study and Coordination of a Statewide Field Training Program

Staff requested approval to contract for the services of a Special Consultant (Management Fellow) to facilitate the study development and coordination of a Statewide Field Training Program. The consultant will conduct research and provide recommendations for mandating FTO Field Training, linking the Basic Course more closely to the FTO Program, and updating POST Field Training publications.

Both the Advisory Committee and the Finance Committee reviewed this proposal at their July 17, 1996 meetings and recommended approval.

MOTION - TerBorch, second - Montenegro, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign a contract with a governmental agency for a special consultant to study and coordinate development of the Field Training Program with the length of the contract not to exceed one year and the cost not to exceed \$120,000.

MAXIMIZING TRAINING DELIVERY

I. Approval to Adopt Amended Regulations to Allow Abbreviated Format Module D Course Presentations

In July 1995 the Commission approved the Reserve Module D Course pursuant to legislation requiring POST to offer a bridging course to enable reserve officers to satisfy requirements of the Regular Basic Course without unnecessary repetition of previous reserve training. This is a 442-hour course designed to include all basic course content not included in the 222 hours of Level I reserve training course Modules A, B, and C.

Modification of Commission Procedure D-1 is proposed to provide that a Module D Course may be presented in an abbreviated format of fewer hours than specified in *Training Specifications for Reserve Training Module D - 1995*. The training presenter must demonstrate to POST's satisfaction that the hours in Module D can be reduced because the presenter's previous Modules A, B and C included required topics and hours, learning activities, scenarios, or exercises. All students admitted to an abbreviated Module D course must have previously satisfied the omitted Module D requirements in their Module A, B, and C training.

MOTION - Block, second - Lowenberg, carried unanimously by ROLL CALL VOTE to approve, subject to the Notice of Proposed Action, modification of Commission Procedure D-1 to allow academy presenters to present the Module D Course in abbreviated formats that satisfy the Regular Basic Course with the understanding that the first year's experience would be as a pilot program and to report back to the Commission in April 1998. If no one requests a Public Hearing, the changes would go into effect January 1, 1997 subject to approval of the Office of Administrative Law.

J. Approval for Authority to Contract for a Special Consultant Dedicated to Study and Recommend Improvement in the POST Reserve Training Program

Penal Code Section 832.6, amended January 1, 1995, required POST to develop an interim bridging course for incumbent reserves who voluntarily wish to meet the Regular Basic Course requirement in lieu of attending the full course. The Commission adopted Module D (442 hours) as a method to allow existing Level I reserves who have completed the minimum 222 hours to satisfy the basic course training standard. The development of Module D involved the analysis of the existing curriculum in Modules A, B, and C and the assignment of topics to Module D while avoiding unnecessary

redundancy. The Regular Basic Course minimum hourly requirements were integrated into the course, making it lengthy and difficult to present.

Staff requested authority to appoint a special consultant (Management Fellow) to assist in carrying out the necessary research and providing recommendations for improving the reserve training program and attendant issues.

Both the Advisory Committee and the Finance Committee reviewed this proposal at their July 17, 1996 meetings and recommended approval.

MOTION - Montenegro, second - TerBorch, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign a contract with a governmental agency for a special consultant to study and recommend improvements in the POST Reserve Training Program with the length of the contract not to exceed one year and the cost not to exceed \$120,000.

K. Approval to Continue the Executive Monitoring of Certified Courses

At its November 1993 meeting, the Commission authorized funding for a pilot project relating to "on-site" monitoring of POST certified courses. The process was pilot tested between April of 1995 and March of 1996 with 10 different monitors visiting a total of 16 courses. Based on the extremely positive feedback received from monitors and presenters alike, it was proposed to formally implement this program as a regular course evaluation activity.

MOTION - Lowenberg, second - Block, carried unanimously to continue the program.

L. Approval of Tuition for the Master Instructor Development Program (MIDP)

The Master Instructor Development Program (MIDP) is a comprehensive year-long training and development experience which brings pre-screened veteran instructors to a mastery level in a variety of training-specific dimensions such as instructional design, adult learning concepts, group facilitation skills, instructional technology research, and active mentoring of peer trainers. The cost of the full program is approximately \$5604 per student; however, there is currently no tuition requirement.

It was recommended that a tuition amount be established for students from non-reimbursable entities who do not directly support POST training, but who may be allowed to attend the program on a space-available basis.

MOTION - Kolender, second - Kennedy, carried unanimously to continue to permit the inclusion of non-reimbursable students without a tuition charge and to establish a tuition amount (\$5604) for students from non-reimbursable entities who do not directly support POST training but may attend on a space-available basis.

M. Report on the Results of the IVD/Telecourse Analysis Project

At its January 1996 meeting, the Commission directed staff to conduct an analysis of the POST IVD and satellite distance learning programs to determine the extent to which the IVD and satellite distance learning programs have been implemented in order to determine ways that POST could best support these programs. The project focused on the IVD program since, unlike the satellite program, no formal survey had been previously conducted. Information was gathered through a questionnaire sent to all the agencies and through a series of focus group meetings. Of the 417 agencies that have IVD systems reimbursed by POST, 90% responded to the questionnaire.

Analysis indicates that implementation of the IVD program is well under way but far from completed. Agencies are beginning to use the two available IVD courses (*Law Enforcement Driver Training* and *Law Enforcement First Aid/CPR*). Some agencies have been very successful, realizing savings through reduced costs and decreased training time as well as seeing increased learning from using interactive technology, though a large number of agencies are still facing various challenges. These include a need for more and better IVD courseware that is easy to use and meets agencies' training needs. Also, agencies need continued support from POST in learning the ways to best use interactive instruction for both group and individualized instruction.

The satellite distance learning program is well received. Breaking the telecourse broadcasts into short, logical segments in response to feedback from the agencies has been helpful. It was recommended that staff continue to monitor the program and make refinements as needed.

MOTION - Campell, second - Montenegro, carried unanimously to accept the report and direct staff to implement the recommendations.

N. Approval of Contract with Museum of Tolerance

POST's 1996/97 budget contains a \$2 million supplemental appropriation for the purpose of cultural and tolerance training to be presented by the Simon Wiesenthal, Museum of Tolerance. Of this amount, \$1.556 million is earmarked for the Museum's presentation and development costs. The remaining \$443,600 will be retained by POST for reimbursement of trainee travel and per diem costs. It is anticipated that as many as 7,000 academy and inservice officers will receive this one-day training that provides a high technology approach to depicting the holocaust, instruction on tolerance, and small group discussions on agency relevant issues.

There was consensus that the January Commission meeting be held at a location convenient to the Museum so that a tour could be conducted. It was further suggested that the annual joint Advisory Committee be held at the same time.

MOTION - Block, second - TerBorch, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with the Simon Wiesenthal, Museum of Tolerance, for \$1.556 million to develop and present cultural and tolerance training for law enforcement.

O. Report on Community Policing Consortium Held in Seattle on June 24, 1996

Commissioner Lowenberg reported on the Community Policing Consortium meeting he attended on June 24 in Seattle along with Commissioner Lowenberg and Executive Director Boehm. The event was sponsored and financially underwritten by the Office of Community Oriented Policing Services (COPS), U.S. Department of Justice. The purpose of the meeting was to discuss the integration of community oriented policing training at the state level and was time well spent.

PARTNERSHIPS

P. Request by Speaker of the Assembly re Certificates for Assembly Sergeants-at-Arms

Staff reported that a request had been received from the Speaker of the State Assembly to issue some form of certificate of recognition or achievement for peace officer members of the Assembly Sergeant-at-Arms Department who complete its 99-hour course of training. The intent of this request is to provide some form of prestigious recognition that would serve to help upgrade and professionalize this department. Discussions with representatives suggest the need for some form of certificate of achievement rather than a POST professional certificate. The course of instruction, developed in concert with the California Highway Patrol Academy staff, contains subjects relevant to the job of a Sergeant-at-Arms Officer. Costs to provide certificates of recognition that are distinguishable from POST's existing professional certificates are minimal.

MOTION - Block, second - Hunt, carried unanimously to approve POST developing and issuing a certificate of completion or achievement to eligible members of the Assembly Sergeant-at-Arms Department.

Q. Advisory Committee

Jay Clark, Chairman of the POST Advisory Committee, reported the Committee met on July 17, 1996 in San Diego.

In response to Commission direction, the Committee discussed possible methods for improving the public's image of law enforcement. As a point of clarification, the Committee has discussed this topic several times over the past six years. At the April Commission meeting, Dan Swift, President of Riverside DSA, shared his concerns as to

media coverage. The Advisory Committee went on record to reassure Mr. Swift and other labor organizations that the Committee's discussion was not judgmental, but merely revisiting the important area of law enforcement's positive image.

The Advisory Committee is finalizing the formation of a subcommittee to begin this positive image mission. Advisory Committee member and President of CPOA, Chuck Brobeck, advised that CPOA has formed a similar committee. After discussion there was consensus that a collaboration of both committees will have a synergistic effect. Commissioner Campbell has also expressed an interest in working with the group. The Committee will work with POST staff and report back to the Commission as progress is made in this important area.

At the April Commission meeting, the Chairman extended congratulations to Advisory Committee Member Derald Hunt for receiving the Department of the Treasury's 1995 Individual Lifetime Achievement for Excellence Award at the Federal Law Enforcement Training Center in Georgia. At the Committee's request, Mr. Hunt brought his award trophy and certificate to share with Committee members.

TRANSITION

R. Approval to Contract for Consulting Services for Transition Portion of the Strategic Plan

At its April 18, 1996 meeting, the Commission approved a strategic plan for POST that recommended the development of a transition plan to prepare the organization to implement change. Several potential consultants were interviewed, and Reuben T. Harris, Ph.D. was selected as the most qualified.

The Committee for Strategic Plan Implementation and the Finance Committee have reviewed this proposal and recommend approval.

MOTION - Lowenberg - TerBorch, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a contract with the San Diego Regional Training Center for the consultive services of Reuben T. Harris, Ph.D., at a cost not to exceed \$40,000.

S. Report of the Committee on Strategic Plan Implementation (CSPI)

Commissioner TerBorch, who serves as Chairman of the Committee on Strategic Plan Implementation, reported that the Committee held an organizational meeting on May 21, 1996 in Irvine and also met on June 19, 1996 in Sacramento to begin review of strategies in the strategic plan that require clarification. The meeting scheduled for July 18 was cancelled and the next Committee meeting will be held on August 28, 1996 in Sacramento.

RESOURCES

T. Report of the Finance Committee

Commissioner TerBorch, Chairman of the Finance Committee, reported the Committee met on July 17, 1996 in Irvine. Commissioners Anderson, Hunt, Lowenberg and Montenegro were also in attendance.

In addition to items previously addressed on the agenda, the Committee addressed the following.

1. Staff reported that 1995/96 ended with revenue for the 12-month period of \$31.038 million. Owing to a combination of POTF revenues, prior year savings, and revenue adjustments, administration/support expenditure savings, and other cost containments, total resources were \$34.8 million. Expenditures were \$30.7 million. The fiscal year ended with a \$4.1 million reserve. Training volume was down by some 1,000 as compared with last fiscal year.
2. The FY 1995-96 Governor's Budget has been signed. The budget includes a one-time augmentation to POST of \$4.1 million and a one-time appropriation of \$2 million for the Museum of Tolerance program.
3. Expenditure projections and options for FY 96/97 were discussed. It is anticipated that \$31,038,000 will accrue to the POTF which will be augmented by the aforementioned \$6.0 million Budget Act revenue augmentation. FY 95/96 ended with savings of \$4.1 million which can be carried over to this year.
4. The Committee made the following recommendations regarding 96/97 expenditures:
 - a. Authorize staff to enter into an agreement to pilot test the multimedia classroom project in an amount not to exceed \$60,000 and authorize the Executive Director to sign a contract for that purpose with a public agency.
 - b. Begin a RFP process for the completion of the student workbooks project for all learning domains in the basic course with a report at the November meeting. This project would approximate \$600,000 expenditure over three years. No formal Commission action will be required until the November meeting.
 - c. Authorize the Executive Director to sign a contract with the San Diego Regional Training Center in an amount not to exceed \$78,326 for delivery of a cultural diversity training course and to recommend that the Commission authorize

\$228,000 to be spend for performance enabling workshops in association with this training with such workshops to be conducted in accordance with existing Commission policy and guidelines for team building workshops, and that this program be considered a pilot with a report back in one year.

- d. Authorize an increase in the Team Building Workshops program from an annual \$250,000 to \$325,000.
 - e. Increase per diem from \$92 to \$102 effective July 1, 1996 (estimated \$760,000 per year).
 - f. Increase the SLI program by 1.5 offerings annually with the understanding that this will bring about an annualized cost of \$178,630.
 - g. Complete by June 30, 1997 the reimbursement for satellite/IVD program for qualified POST reimbursable agencies at a cost of \$1,045,420.
 - h. Authorize encryption of the satellite broadcast system at a cost of \$580,000.
 - i. Offer to expand the driver training simulator program by installing a system at LAPD on the same basis as other current site agreements at a cost of \$360,000, authorize the Executive Director to sign an agreement with the City of Los Angeles, and direct staff to investigate options for the future of this program and report back at the November meeting.
 - j. Continue the 80-hour cap on reimbursable inservice training and report back at the November meeting.
5. The Committee notes that approximately \$2.1 million in projected revenues remain and the Committee will be considering other recommendations at subsequent meetings.
 6. The Committee recommends that the Commission withdraw the award of the shooting judgment simulator scenario production contract with PD Productions and reject all bids on that RFP, and instruct staff to look at alternative methods for producing these scenarios, including working with other state agencies and community college systems.
 7. The Committee recommends approval of a BCP which would shift money from Aid to Cities and Counties to the training contracts item with the understanding that the amount shifted is simply to bring it into line with the current expenditure level.
 9. As required by Commission policy, the Committee reviewed a report on all

9. As required by Commission policy, the Committee reviewed a report on all contracts entered into during FY 95/96.

Commissioner Lowenberg expressed concern regarding a recommendation by the Finance Committee to install a driver training simulator system at a specific site without a staff study to determine the most appropriate location for the system.

MOTION - TerBorch, second - Kolender carried unanimously by ROLL CALL VOTE to approve recommendations of the Finance Committee for items as outlined.
(Commissioner Campbell expressed the same concerns as noted above regarding the driver training simulator.)

LEGISLATION

U. Report of the Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, reported the Committee met on July 18, 1996 in Irvine.

The Committee recommended the following positions on legislation:

1. SJR 47 (Solis) - Senate Joint Resolution Concerning High Speed Vehicle Pursuits - This resolution memorializes POST to review its Vehicle Pursuit Guidelines on appropriate use of force when taking suspects into custody after a pursuit.
Position: Neutral
2. AB 574 (Villaraigosa) - Safety Police Officers and Park Rangers of Los Angeles County - Amendments concerning the training requirements of Los Angeles County Deputy Sheriffs assigned to custodial duties.
Position: Support
3. SB 1205 (Hughes) - Arrest Powers for Members of the California Museum of Science and Industry - This bill would give arrest powers, but not peace officer status, to members designed by the Executive Director of the Museum.
Position: Neutral
4. SB 43 (Solis) - POST Development of Stress Training for Law Enforcement - This bill would require POST to develop and make available stress training for law enforcement.
Position: Support if amended to study to determine need for additional training

Commissioner Anderson expressed concern regarding the impact of AB 574 in reducing compensation to deputy sheriffs.

MOTION - Block, second - Kolender, carried to approve recommendations of the Legislative Review Committee. (No: Anderson/Hunt)

LONG RANGE PLANNING

V. Performance Evaluation Sub-Committee of Long Range Planning Committee

The Evaluation Sub-Committee met on June 28, 1996 in Santa Ana for the purpose of reviewing Executive Director performance and goals for 1996/97. The Committee recommended continuation of the Executive Director's vacation allowance and professional development for FY 1996/97.

MOTION - Hunt, second - Anderson carried unanimously to approve the continuation of the Executive Director's vacation allowance and professional development for FY 1996/97.

OLD/NEW BUSINESS

W. Appointment of Advisory Committee Members

Acting Chairman Rutledge approved the recommendation to appoint Chief Kevin Mince to the remaining term on the POST Advisory Committee to replace Chief Keith Miller and to serve as the CHP representative for the three-year term expiring in September 1999.

Due to absence of the Chairman, the remaining appointments were deferred.

X. Report of the Nominating Committee re Vice Chair

Commissioner Block reported the Nominating Committee recommended Jody Hall-Esser be appointed Vice-Chair for the upcoming year.

There was consensus to approve the recommendation.

Y. Commissioner Carre expressed concern over a recent Capitol Weekly article regarding POST which referred to licensing fees. During discussion it was clarified that the reference was for licensing fees connected to training programs developed by POST.

CORRESPONDENCE

Z. Joe DeLadurantey, Chief of the City of Torrance was present to commend John Berner, Chief, Standards and Evaluation Bureau, for his assistance in helping to bring to a successful conclusion a lawsuit filed by the United States Department of Justice regarding

testing instruments used by the Torrance Police Department for entry level selection process for police officers.

Z. (This item was actually addressed at an earlier time on the agenda.)

Chief Gene Kulander addressed the Commission to request a limited waiver of one portion of the Basic Course certification process for himself and Chief Mike Berkow in order to satisfy the Basic Course and certificate requirements for peace officers in the state of California.

MOTION - Kulender, second - Hunt, carried unanimously to approve an extension on the 180-day time period required to accomplish the skills test, direct staff to seek legal advise on POST's authority to waive the format of the skills test, and have staff and Advisory Committee look at the whole issue of certifying chief executive officers in the state of California.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

November 7, 1996 - Embassy Suites at Monterey Bay

January 23, 1997 - Hyatt Sunset Hotel - Los Angeles

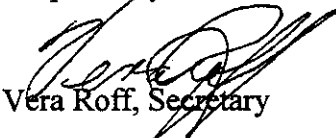
April 24, 1997 - Holiday Inn Capitol Plaza - Sacramento **(NOTE CHANGE OF DATE)**

July 17, 1997 - Orange County/San Diego

November 6, 1997 - Mission Inn - Riverside

The meeting was adjourned at 3:45 p.m. with a moment of silence in honor of officers who have lost their lives while serving the public.

Respectfully submitted,


Vera Roff, Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Item Title Course Certification/Decertification Report		Meeting Date November 7, 1996
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief <i>[Signature]</i>	Researched By Rachel S. Fuentes
Executive Director Approval	Date of Approval	Date of Report October 21, 1996

Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report	Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No
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In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the July 18, 1996 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. First Aid & CPR Update	Lake Co. S.D.	Technical	N/A	\$ -0-
2. Supervisor as Communicator	Justice Training Institute	Supv. Trng.	III	40,000
3. Stress Debriefing in Critical Incidents	Redding P.D.	Mgmt. Trng.	IV	554
4. Bicycle Patrol	L.A. City Housing Authority P.D.	Technical	IV	2,304
5. Reserve Training Module D	Butte Center	Basic-Reserve Format	IV	-0-
6. Radar Operator	Butte Center	Technical	IV	3,600
7. Defining the Future	Comm. on POST	Command Col.	IV	-0-
8. Enhanced Leadership	Comm. on POST	Command Col.	IV	-0-
9. Futures Forecasting & Social Issues	Comm. on POST	Command Col.	IV	-0-
10. Technological and Environmental Issues	Comm. on POST	Command Col.	IV	-0-

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
11. Economical and Political Issues	Comm. on POST	Technical	IV	\$ -0-
12. Futures Planning Tools	Comm. on POST	Technical	IV	-0-
13. Bicycle Patrol	Hayward P.D.	Technical	IV	4,425
14. Arson/Explosive (ICI)	CCI	Technical	IV	1,624
15. Skills & Knowledge Modular Training	Antioch P.D.	Technical	IV	20,000
16. Search Warrant & Arrest	Stanislaus Co. S.D.	Technical	IV	1,400
17. Baton/Impact Weapons	Woodland PD	Technical	IV	-0-
18. Dispatch, Staffing & Scheduling	David W. Hobson	Technical	III	9,240
19. Tactical Shield	Sacramento PSC	Technical	IV	2,304
20. Area Command Team	Los Angeles S.D.	Technical	IV	5,600
21. Soil & Minerals, ID of	CCI	Technical	IV	812
22. Community Oriented Officer	Fresno P.D.	Technical	IV	31,000
23. Narc Inv., Adv.	DOJ Training Center	Technical	IV	72,000
24. Gangs - G.R.E.A.T.	Kern Co. S.D.	Technical	IV	3,456
25. Personnel Mgmt. Skills for Supervisors	CA. Training Co.	Technical	III	22,000
26. TBW	Donald J. Burnett	TBW	III	5,489

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
27. Skills & Knowledge Modular Training	LA. Port P.D.	Technical	IV	\$ -0-
28. Tactical Comm. Instructor	Santa Clara P.D.	Technical	IV	2,400
29. Firearms-Long Rifle Instructor	Sunnyvale DPS	Technical	IV	3,600
30. Dispatcher, PS Extended	San Mateo Comm.	Dispatcher, PS	IV	4,900
31. Rifle Marksmanship & Sniper	San Luis Obispo SD	Technical	IV	4,952
32. Skills & Knowledge Modular Training	Dept. of ABC	Technical	IV	-0-
33. Spanish for LE-Part III	Ventura Co. CJTC	Technical	N/A	-0-
34. Dispatcher Update, PS	Newport Beach PD	Technical	IV	3,360
35. Sexual Harassment: Prev. Strategy	Imperial Valley Col.	Supv. Trng.	IV	600
36. Fingerprint Comparison-Latent	FBI, Los Angeles	Technical	IV	1,200
37. Fingerprint, Latent Dev. Techniques	FBI, Los Angeles	Technical	IV	1,200
38. Supervisory Update	Woodland P.D.	Supv. Trng.	IV	460
39. Radar Operator	Roseville P.D.	Technical	IV	2,048
40. Cult. Div.-Tools for Tolerance	Museum of Tolerance	Technical	IV	90,000
41. Clandestine Lab-Safety Cert.	DOJ Training Center	Technical	IV	1,200
42. Traffic Collision Inv.-Intermediate	CHP	Technical	IV	15,960

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
43. Community Serv. Ofcr.	Napa Valley College	Technical	IV	\$ 4,000
44. Defensive Tactics Instructor	DOJ Training Center	Technical	IV	2,000
44. Dive Rescue, Adv.	Dept. of P&R	Technical	IV	-0-
45. Skills & Knowledge Modular Training	La Mesa P.D.	Technical	N/A	-0-
46. Domestic Viol./Sex. Assault Inv.	Los Angeles P.D.	Technical	IV	7,000
47. First Aid/CPR Instructor	Los Angeles P.D.	Technical	IV	2,400
48. Reserve Coordinator Update	Butte College	Technical	IV	940
49. Baton/Impact Weapons Update	El Centro P.D.	Technical	N/A	-0-
50. Baton Instructor-Expandable	El Centro P.D.	Technical	N/A	-0-
51. Arrest & Firearms (IVD)	San Joaquin S.D.	P.C. 832	N/A	-0-
52. Firearms/Tactical Shotgun Instructor	San Joaquin S.D.	Technical	IV	14,550
53. West Point Instr. Training Program	Los Angeles P.D.	Technical	V	6,300
54. Bicycle Patrol	Inglewood P.D.	Technical	IV	1,080
55. Defensive Tactics Instructor	Modesto CJTC	Technical	IV	14,250
56. Instructor Dev.	Stanislaus S.D.	Technical	IV	1,200
57. Hostile Work Mgt. Inv./ Claims	V.T. & Associates	Supv. Trng.	III	31,650

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
58. Crime Scene Inv., High Technology	V.T. & Associates	Technical	III	\$ 49,224
59. Fraud - Cellular Phones	V.T. & Associates	Technical	III	24,006
60. Bicycle Patrol	Fresno P.D.	Technical	IV	6,560
61. Officer Safety/Field Tactics Update	Roseville P.D.	Technical	IV	2,016
62. Drug Exam Update	Modesto CJTC	Technical	IV	4,800
63. Clandestine Lab - Safety Concerns	Colton P.D.	Technical	IV	2,100
64. Skills & Knowledge Modular Training	Clovis P.D.	Technical	N/A	-0-
65. Traffic Collision Skidmark Analysis	Sacramento PSC	Technical	IV	4,608
66. Community Oriented Policing	Los Angeles S.D.	Technical	IV	1,400
67. Dispatcher Update, PS	Oceanside P.D.	Technical	N/A	-0-
68. Child Vict.-Multidiscp. Interview, Part II	Children's Institute International	Technical	IV	1,600
69. Specialized Inv. BC	DOJ Training Center	Spec. Inv. BC	IV	-0-
70. Arrest & Firearms (P.C. 832)	DOJ Training Center	P.C. 832	N/A	-0-
71. Officer Safety/Field	San Francisco P.D.	Technical	IV	8,875
72. Leadership/Supervision Review	Santa Barbara S.D.	Supv. Trng.	IV	1,362
73. Basic Course - Extended	South Bay Reg. TC	Basic	N/A	-0-
74. Dispatcher-Computer Aided Dispatching Instr.	Shasta College	Technical	N/A	-0-

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
75. Training Conference (Financial Abuse of the Elderly)	Ventura DA/Elder Abuse Council	Technical	N/A	-0-
76. Firearms Instructor	DMV, Div. of Inv.	Technical	IV	960
75. Training Conference (Natl. Tactical Ofcr.)	Santa Clara S.D.	Technical	N/A	-0-
76. Training Conference (Polygraph Exams)	CA Assn. of Polygraph Examiners	Technical	N/A	-0-
77. Child Abuse/Sex Exploitation	San Jose P.D.	Technical	IV	11,520
78. Child Abuse Expl. Team Inv.	San Jose P.D.	Technical	IV	11,520
79. Child Abuse Sexual Assault	San Jose P.D.	Technical	IV	11,520
80. Child Abduction Inv.	San Jose P.D.	Technical	IV	8,640
81. Firearms/Tactical Handgun	Sunnyvale DPS	Technical	IV	360
82. Livestock Theft/Rural Crime	South Bay Reg. TC	Technical	IV	8,400
83. Computer Crime Inv.	South Bay Reg. TC	Technical	IV	2,400
84. Basic Course - Extended	Palomar College	Basic	N/A	-0-
85. Skills & Knowledge Modular Training	Coalinga P.D.	Technical	IV	1,780
86. Sexual Deviance, Understanding	Los Angeles P.D.	Technical	IV	840
87. Radar Operator	Milpitas P.D.	Technical	IV	640
88. Crowd Control Instr.	South Bay Reg. TC	Technical	IV	18,000
89. Criminal Inv.	Oakland P.D.	Technical	IV	3,000

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
90. Illegal Animal Fighting	The Humane Society of U.S	Technical	IV	\$ 900
91. Internet Crime Inv., Intro	Search Group, Inc.	Technical	IV	1,600
92. Sexual Assault Response Team	King-Drew Medical Center	Technical	IV	1,200
93. Lab Safety for Supv.	CCI	Supv. Trng.	IV	1,624
94. Reserve Training Module D	Fresno State Center	BC-Reserve Format	IV	-0-
95. Canine Handler Update	Feather River Col.	Technical	IV	662
96. Driving Under Influence	Roseville P.D.	Technical	IV	210
97. BC Transition, Part I	Butte Center	BC-Transition	N/A	-0-
98. BC Transition, Part I	DeAnza College	BC-Transition	N/A	-0-
99. BC Transition, Part I	Cerritos College	BC-Transition	N/A	-0-
100. BC Transition, Part I	Santa Rosa Jr. Col.	BC-Transition	N/A	-0-
101. BC Transition, Part I	Hartnell College	BC-Transition	N/A	-0-
102. BC Transition, Part I	San Mateo College	BC-Transition	N/A	-0-
103. BC Transition, Part I	Golden West College	BC-Transition	N/A	-0-
104. BC Transition, Part I	Sacramento City Col.	BC-Transition	N/A	-0-
105. BC Transition, Part I	Shasta College	BC-Transition	N/A	-0-
106.-209.	103 additional IVD courses certified as of 10-21-96. To date, 130 IVD certified presenters have been certified and 278 IVD courses certified.			
210.-	There was one additional Proposition 115 Hearsay Evidence Testimony Course Presenters - certified as of 10-21-96. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 290 presenters of Proposition 115 have been certified.			

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
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211.-215. There were 4 additional Telecourses certified and one decertified as of 10-21-96. To date, 372 Telecourse presenters have been certified.

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1.	Juvenile Law Enforcement	Sacramento PSC	Technical	IV
2.	Fingerprint, Adv.	FBI, Los Angeles	Technical	IV
3.	Fingerprint, Basic	FBI, Los Angeles	Technical	IV
4.	Substance & Child Abuse	CSU, Fresno	Technical	IV
5.	Firearms/Toolmarks Intro I	CCI	Technical	IV
6.	Arrest & Firearms	San Mateo S.D.	P.C. 832	IV
7.	Americans with Disabilities Act	CPOA	Technical	III
8.	Telecourse	Peralta Comm. Col. Dist. PD	Technical	N/A

TOTAL CERTIFIED	<u>215</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>1</u>
TOTAL TELECOURSES CERTIFIED	<u>5</u>
TOTAL IVD COURSES CERTIFIED	<u>278</u>
TOTAL DECERTIFIED	<u>8</u>
TOTAL MODIFICATIONS	<u>119</u>

2,033 Skills & Knowledge Modules certified as of 10-21-96
278 IVD Courses as of 10-21-96
372 Telecourses as of 10-21-96
1,885 Other Courses certified as of 10-21-96

704 certified presenters

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report - First Quarter 1996/97		Meeting Date November 7, 1996
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval <i>Morgan C. Beckman</i>	Date of Approval	Date of Report October 23, 1996
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

This report provides financial information relative to the local assistance budget through September 30, 1996. Revenue which has accrued to the Peace Officers' Training Fund is shown as are expenditures made from the 1996-97 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through September 30, 1996, we received \$9,427,647. The total is \$261,648 more than originally anticipated and is \$1,659,638 (21%) more than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 8,998 trainees reimbursed through the first quarter represents an increase of 1,566 (21%) compared to the 7,432 trainees reimbursed during the similar period last fiscal year. (See Attachment 2)

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the first quarter of \$2,223,212 represents a \$90,651 (4%) decrease compared to last fiscal year. (See Attachments 3A and 3B.)

SUMMARY - Revenue received for the first three months of this fiscal year is slightly more than anticipated. This will provide a small cushion should revenues fall short of estimates for any month during the year. As a reminder, projected revenue was increased by approximately \$6.1 million for FY 96-97. This was effected by Section 24.10, Budget Act of 1996, which transfers 19.28% of the Driver Training Penalty Assessment Fund to the POTF. This is one time funding that makes up past year and current year revenue shortfalls and provides funding for the "Tools for Tolerance" training program.

The increase in the number of reimbursed trainees is primarily due to the increase of 1,665 trainees for Technical Skills and Knowledge Courses. Though the volume of reimbursed trainees has increased, the decrease in reimbursements is due to less costly training being conducted (such as Skills and Knowledge Courses). Of utmost importance is that reimbursement expenditures are within estimates presented to the Commission at its meeting in July 1996.

Updated projections, including October revenue and expenditures, will be provided to the Finance Committee at its November 7, 1996 meeting.

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1995-96 AND 1996-97

1995-96

1996-97

MONTH	PENALTY ASSESSMENT		CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER *	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
	FUND	OTHER									
JUL	\$2,468,334	\$3,371	\$2,471,705	\$3,055,333	\$2,949,499	\$418,485	\$17,371	\$3,385,355	110.80%	\$3,385,355	110.80%
AUG	2,862,613	15,199	5,349,517	6,110,666	2,383,405	492,252	-9,197 **	2,866,460	93.82%	6,251,815	102.31%
SEP	2,409,839	8,653	7,768,009	9,165,999	2,623,487	541,853	10,492	3,175,832	103.94%	9,427,647	102.85%
OCT	2,539,486	11,431	10,318,926	12,221,332				0	0.00%	9,427,647	77.14%
NOV	2,246,004	19,665	12,584,595	15,276,665				0	0.00%	9,427,647	61.71%
DEC	2,640,773	32,010	15,257,378	18,331,998				0	0.00%	9,427,647	51.43%
JAN	2,472,777	240,337	17,970,492	21,607,331				0	0.00%	9,427,647	43.63%
FEB	2,514,104	30,716	20,515,312	24,662,664				0	0.00%	9,427,647	38.23%
MAR	2,388,904	19,923	22,924,139	27,717,997				0	0.00%	9,427,647	34.01%
APR	2,693,237	26,681	25,644,057	30,773,330				0	0.00%	9,427,647	30.64%
MAY	2,487,614	16,241	28,147,912	33,828,663				0	0.00%	9,427,647	27.87%
JUN	2,786,099	226,201	31,160,212	37,104,000				0	0.00%	9,427,647	25.41%
TOTAL	\$30,509,784	\$650,428	\$31,160,212	\$37,104,000	\$7,956,391	\$1,452,590	\$18,666	\$9,427,647	25.41%	\$9,427,647	25.41%

* - Includes \$13,773 from coroner permit fees (per Ch 990/90)

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

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

COMMISSION ON POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

SEPTEMBER

COURSE	1995-96			1996-97		
	Actual Total For Year	Actual Jul-Sep	% of Total	Projected Total For Year	Actual Jul-Sep	% of Projection
Basic Course	2,082	493	24%	2,200	448	20%
Dispatchers - Basic	347	40	12%	350	52	15%
Advanced Officer Course	3,966	712	18%	4,000	599	15%
Supervisory Course (Mandated)	497	43	9%	500	91	18%
Management Course (Mandated)	269	13	5%	3,400	41	1%
Executive Development Course	324	102	31%	300	86	29%
Supervisory Seminars & Courses	3,331	634	19%	2,000	660	33%
Management Seminars & Courses	1,898	198	10%	400	234	59%
Executive Seminars & Courses	500	54	11%	500	48	10%
Other Reimbursement	0	0	0%	0	0	0%
Tech Skills & Knowledge Course	32,308	4,942	15%	33,000	6,607	20%
Field Management Training	8	4	50%	10	12	120%
Team Building Workshops	583	116	20%	650	72	11%
POST Special Seminars	419	69	16%	450	38	8%
Approved Courses	44	12	27%	50	10	20%
TOTALS	46,576	7,432	16%	47,810	8,998	19%

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1995-96 Total	1995-96 July-Sep	1996 September	1996-97 Jul-Sep
Resident Subsistence	\$7,439,571	\$1,155,690	\$404,595	\$1,127,782
Commuter Meal Allowance	\$964,544	168,863	\$93,192	\$224,421
Travel	\$2,569,904	432,081	\$125,100	\$421,788
Tuition	\$3,453,703	557,229	\$146,531	\$449,223
Salary	\$0	0	\$0	\$0
Training Technology Assistance	\$0	0	\$0	\$0
TOTALS	\$14,427,722	\$2,313,863	\$769,418	\$2,223,212

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

1995-96

1996-97

COURSE	Total For Year	Actual Jul-Sep	Actual September	Actual Jul-Sep
Basic Course	\$1,958,399	\$452,186	\$228,016	\$445,539
Dispatchers - Basic	279,521	23,652	6,089	22,406
Advanced Officer Course	229,914	44,733	4,234	36,943
Supervisory Course (Mandated)	291,535	29,956	22,683	54,899
Management Course (Mandated)	249,210	10,953	900	36,381
Executive Development Course	226,686	75,749	31,644	69,475
Supervisory Seminars & Courses	1,321,727	239,301	70,519	213,646
Management Seminars & Courses	562,512	53,395	15,211	74,719
Executive Seminars & Courses	153,657	12,139	6,311	19,828
Other Reimbursement	1,391	0	0	0
Tech Skills & Knowledge Course	8,771,615	1,288,617	373,903	1,193,231
Field Management Training	2,955	2,112	1,164	7,954
Team Building Workshops	262,538	56,255	0	35,052
POST Special Seminars	105,505	21,903	7,923	10,524
Approved Courses	10,557	2,912	821	2,615
Training Aids Technology	0	0	0	0
TOTALS	\$14,427,722	\$2,313,863	\$769,418	\$2,223,212

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Humboldt County Coroner's Department		Meeting Date November 7, 1996
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief <i>RTA</i>	Researched By Bob Spurlock <i>BS</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 10-15-96	Date of Report September 11, 1996
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Humboldt County Coroner's Department is seeking entry into the POST Regular (Reimbursable) Program on behalf of its investigators.

BACKGROUND

The provisions of 830.35 Penal Code permit the Coroner's Department to employ sworn investigators and participate in the POST Regular (Reimbursable) Program. The County of Humboldt has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Humboldt County Coroner's Department has two full-time investigators. Adequate background investigations have been conducted and the agency is complying with POST Regulations. Fiscal impact for reimbursement of training costs is approximately \$1,000 per year.

RECOMMENDATION

The Commission be advised that the Humboldt County Coroner's Department be admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Maricopa Police Department		Meeting Date November 7, 1996
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief	Researched By Bob Spurlock
Executive Director Approval <i>William C. Bahr</i>	Date of Approval 10-18-96	Date of Report September 19, 1996
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

The Maricopa Police Department is seeking entry on the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

The department's officers are appointed pursuant to Section 830.1 of the Penal code. Suitable background and other provisions of the Government Code regarding selection standards have been met. The department originally entered the POST Program on December 20, 1971, and remained until July 22, 1993, when it disbanded and law enforcement services were provided under contract by the Taft Police Department. The City Council has elected to reestablish a police department.

ANALYSIS

The police department currently employs two officers.

Fiscal impact for reimbursement of training will costs approximately \$1,000 per year.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Item Title Dorris Police Department - Withdrawal from POST Regular (Reimbursable) Program		Meeting Date November 7, 1996
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief	Researched By Bob Spurlock <i>BS</i>
Executive Director Approval <i>William C. Boehm</i>	Date of Approval 10-16-96	Date of Report October 7, 1996
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

The Dorris Police Department has been disbanded effective April 10, 1996. Law enforcement services will be provided by the Siskiyou County Sheriff's Department.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from Undersheriff Michael Lyon, Siskiyou County Sheriff's Department, has been received advising POST of that fact.

ANALYSIS

The department had two sworn officers.

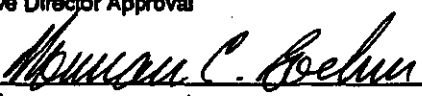
This change will have no impact on the POST budget.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Peralta Community College District Police Department - Withdrawal from POST Regular (Reimbursable) Program		Meeting Date November 7, 1996
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief	Researched By Bob Spurlock
Executive Director Approval 	Date of Approval 10-18-96	Date of Report October 17, 1996
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

The Peralta Community College District Police Department has been disbanded effective August 11, 1996. Law enforcement services will be provided by the Alameda County Sheriff's Department.

BACKGROUND

The College is no longer eligible for POST membership. Documentation from Doris Kogo, Staff Assistant, Peralta Community College District Police Department, has been received advising POST of that fact.

ANALYSIS


The department had three sworn officers.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date November 7, 1996
Bureau Training Delivery & Compliance Bureau	Reviewed By Ronald T. Allen, Chief 	Researched By Bob Spurlock
Executive Director Approval	Date of Approval	Date of Report July 26, 1996
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed willingness to abide by POST Regulations and have passed ordinances or resolutions as required by Penal Code Section 13522.

ANALYSIS

All of the agencies presently employ full-time dispatchers and some employ part-time dispatchers. The agencies have all established minimum selection and training standards which equal or exceed the standards adopted for the program.

RECOMMENDATION

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

NEW AGENCIES IN THE PUBLIC SAFETY DISPATCHER PROGRAM

JULY - OCTOBER 1996

<u>Name</u>	<u>Ord/Res/Letter</u>	<u>Entry Date</u>
El Camino College Police Department	Resolution	7-17-96
Santa Clara County Communications	Ordinance No. 300.586	9-16-96
Corona Police Department	Ordinance No. 2190	9-16-96

There are currently 344 agencies participating in the program.

10-7-96

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Basic Course Training Specifications		Meeting Date November 8, 1996
Bureau Basic Training Bureau	Reviewed By Everitt Johnson <i>(EJ)</i>	Researched By Jody Buna
Executive Director Approval <i>Thomas C. Bellum</i>	Date of Approval 10-17-96	Date of Report October 4, 1996
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission approve, subject to a public review process, changes to the basic course training specifications as enumerated in this report?

BACKGROUND

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

Proposed changes to the training specifications for Learning Domains #36 Information Systems and #38 Gang Awareness are the result of these regularly scheduled reviews and impact one or more of the following elements of the domains:

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

ANALYSIS

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

- **Learning Domain #36 (Information Systems)**

Changes to Instructional Goals

The proposed modifications continue the trend of providing more explicit instructional goals to

more clearly support the design of the instructor unit guides. Expansion of the existing goal of requiring the student to have knowledge of the minimum information necessary to generate a system inquiry is proposed. If approved, the student must attain mastery in specific inquiry categories.

Changes to Required Topics

A topic requiring instruction on information available is proposed to be changed to "accessible" to law enforcement agencies which more accurately describes that to some agencies the system may be "accessible" but not immediately "available". The California Department of Motor Vehicles is added to the list of systems.

Changes to Learning Activities

It is proposed that the learning activity currently required in the specification be expanded and enhanced to provide more detail and specificity to the training requirement. The added detail supports the proposed instructional goal change.

- **Learning Domain #38 (Gang Awareness)**

Changes to Instructional Goals

The proposed modification provides a more explicit instructional goal which requires the student to master techniques related to officer safety when dealing with gang-related contacts, detentions and arrests.

Changes to Required Topics

Ten indicators of gang-related criminal activity are described to be more specific regarding the intent of the topic. They are:

1. Victim is a gang member
2. Suspect is a gang member
3. Type of crime
4. Number of suspects
5. Suspect descriptions with emphasis on teenagers and young adults
6. Location of crime (hangout, territory)

7. Type of vehicle(s)
8. Victim or witness opinions
9. Gang attire
10. Slogans, hand signs

Specific methods to reduce the impact of gangs are also proposed. If the additions are approved, students would receive instruction in specific methods to include gang suppression methods, law enforcement, investigation and prosecution strategies. Other specific topics are proposed that will enhance the required instruction in indicators of gang territory, identifying gang members and interpreting gang communications.

Changes to Testing Requirements

Successful completion of the domain currently requires the passage of an exercise test. Presenters have not been able to construct an exercise test that accurately reflects the student's mastery of local gang activity. Gang tattoos, graffiti and communications are constantly changing. As a result, none of the academies polled were complying with the testing requirement. The collective recommendation by the consortium was to delete the testing requirement and add a similar learning activity.

Changes to Learning Activities

There are currently two learning activities required in the domain. It is proposed that the two learning activities be consolidated into one activity that is expanded and enhanced to provide more detail and specificity to support the required instruction in the domain. The new activity would reinforce the student's knowledge of local/regional gang dynamics. The instructor would be required to discuss suppression, enforcement and prosecution tactics and techniques. Gang tattoos, graffiti and communications would be covered under gang characteristics. Topics would include:

1. Categories of gangs (e.g., street gangs, organized crime gangs, outlaw motorcycle gangs and prison gangs)
2. Types of street gangs (e.g., Hispanic, white, black, Asian, multi-racial)
3. Reasons for gang membership
4. Characteristics common to most gangs
5. Common criminal activities

6. Suppression, investigation, enforcement and prosecution tactics and techniques
7. Officer safety techniques in gang-related contacts, detentions and arrests

The proposed revisions are recommended by staff and curriculum consultants to update and further refine the existing language of the training specifications. All proposed changes have been reviewed and endorsed by the Consortium of Academy Directors. Proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act and it is proposed that the Notice of Proposed Action Process be used. These changes would be effective January 1, 1997 if approved. Proposed changes to the training specifications are included as Attachment A and a copy of Regulation 1005 is included as Attachment B.

RECOMMENDATION

If the Commission concurs, it is proposed that Commission Regulation 1005 be modified and the document, *Training Specifications for the Regular Basic Course*, be amended to include the recommended revisions.

REGULAR BASIC COURSE

SPECIFICATIONS FOR LEARNING DOMAIN #36 INFORMATION SYSTEMS

~~July 1, 1993~~ January 1, 1997

I. INSTRUCTIONAL GOALS

The goals of instruction on **Information Systems** are to provide students with:

- A. an understanding of the type of information contained in the local state and national information systems ~~available~~ accessible to California law enforcement agencies;
- B. knowledge of the minimum information requirements for generating a system inquiry related to the following categories:
 - 1. Wanted persons
 - 2. Property, vehicles and firearms
 - 3. Criminal histories
 - 4. DMV information
 - 5. Miscellaneous information:
- C. an understanding of the laws relating to access and dissemination of information from the system; and
- D. ~~an understanding~~ knowledge of the California Department of Justice policies and procedures of the Department of Justice regarding the use of information systems, including verification, confirmation, and access governing uses of the system.

II. REQUIRED TOPICS

The following topics shall be covered:

- A. California Penal Code and California Government Code sections governing access and dissemination of information from the system
- B. California Department of Justice policies and procedures governing

access, dissemination, and verification of system information

- C. National Crime Information Center (NCIC) policies and procedures governing access, dissemination, and verification of system information
- D. Information ~~services available~~ accessible to law enforcement agencies from the following systems:
 - 1. California Law Enforcement Telecommunications System (CLETS)
 - 2. Criminal Justice Information System (CJIS)
 - 3. National Law Enforcement Telecommunications System (NLETS)
 - 4. National Criminal Information System (NCIC)
 - 5. California Department of Motor Vehicles (DMV)
- E. The minimum information needed to search the criminal justice database for information about persons, vehicles/vessels, property, and firearms.

III. REQUIRED TESTS

The POST-constructed knowledge test for Domain #36

IV. REQUIRED LEARNING ACTIVITY

~~Students shall participate in an instructor-led discussion of how to use the criminal justice information system to retrieve specific types of information. The instructor will describe a hypothetical investigation and the students will discuss how the systems could be used to retrieve information needed by the investigators. A variety of methods (e.g., videotape depictions or simulations) can be used to present the hypothetical investigation to the students.~~

The student will participate in a learning activity that simulates an incident in which information is required to complete a preliminary investigation. The activity shall reinforce the student's knowledge and understanding of the types of information accessible to law enforcement through local, state and national information systems. During the activity the student shall demonstrate a knowledge of the minimum information requirements for generating a system inquiry related to the following categories:

- 1. Wanted persons
- 2. Property, vehicles and firearms

3. Criminal histories
4. DMV information
5. Miscellaneous information

V. HOURLY REQUIREMENTS

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

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

None

January 1, 1997

REGULAR BASIC COURSE
SPECIFICATIONS FOR LEARNING DOMAIN #38
GANG AWARENESS

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

I. INSTRUCTIONAL GOALS

The goals of instruction on **Gang Awareness** are to provide students with:

- A. knowledge of the types of gangs in California;
- B. an understanding of gang culture and dynamics;
- C. an understanding of the law enforcement methods that are useful in suppressing gang activity;
- D. knowledge of criteria which can assist in identifying suspected gangs, gang subgroups, gang crimes, and individual gang members;
- E. knowledge of how to interpret graffiti and other gang communications;
- F. an understanding of how to identify gang territory;
- G. an understanding of the importance of appropriate and thorough documentation of both gang members and gang activities;
- H. an understanding of officer safety issues ~~particular to gang contacts~~ techniques in gang-related contacts, detentions and arrests; and
- I. knowledge of laws related to criminal gang activity.

II. REQUIRED TOPICS

The following topics shall be covered:

- A. Categories and types of gangs
 - 1. Street (Hispanic, Bblack, Wwhite, Asian, multi-racial)
 - 2. Organized crime
 - 3. Outlaw Mmotorcycle

4. Prison
- B. How gangs attract and hold members
- C. Gang culture and characteristics/dynamics
- D. Indicators of gang-related Gangs and criminal activity
1. Victim is a gang member
 2. Suspect is a gang member
 3. Type of crime
 4. Number of suspects
 5. Suspect descriptions with emphasis on teenagers and young adults
 6. Location of crime (hangout, territory)
 7. Type of vehicle(s)
 8. Victim or witness opinions
 9. Gang attire
 10. Slogans, hand signs
- E. Enforcement methods Methods to reduce the impact of gangs:
1. Suppression
 2. Enforcement
 3. Investigation
 4. Prosecution
- F. Gang identification Indicators of gang territory
1. ~~Subgroups~~
 2. ~~Territory~~

1. Graffiti
2. Violent crime
3. Active gang members

G. Gang member identification

1. Admission of gang membership or association
2. Observed associating with known gang members on a regular basis
3. Tattoos indicating gang membership
4. Gang clothing, symbols, etc., that identify the person with a specific gang
5. Pictured in a photograph with known gang members and/or observed using gang-related hand signs
6. Name is on a gang document, hit list, or gang-related graffiti
7. Identification as a gang member by a reliable source
8. Arrested in the company of identified gang members or affiliates or participates in a gang-related crime
9. Corresponds with known gang members or writes and/or receives correspondence about gang activities
10. Writes about gangs (graffiti) on walls, books, papers, etc.
11. Attendance at gang functions or known gang hangouts

H. How to interpret Interpreting gang communications

1. Specific individual or gang involved
2. Neighborhood or area
3. Indicators of pending or past gang conflicts
4. Graffiti

5. Tattoos

6. Other types of communication

I. Officer safety considerations techniques in gang-related contacts, detentions and arrests particular to gang contacts

J. Laws related to gangs and criminal gang activity

III. REQUIRED TESTS

None

~~An exercise test related to the interpretation of gang communications~~

IV. REQUIRED LEARNING ACTIVITIES

~~A. Participation in a facilitated group discussion concerning gang dynamics~~

~~B. Participation in a facilitated group discussion concerning local/regional criminal gang activities~~

The student will participate in a learning activity to reenforce knowledge of local /regional gang dynamics including recent crime trends. The activity shall include discussion of suppression, investigation, enforcement and prosecution tactics and techniques. Topics shall include:

1. Categories of gangs (e.g., street gangs, organized crime gangs, outlaw motorcycle gangs and prison gangs)

2. Types of street gangs (e.g., Hispanic, white, black, Asian, multi-racial)

3. Reasons for gang membership

4. Characteristics common to most gangs

5. Common criminal activities

6. Suppression, investigation, enforcement and prosecution tactics and techniques

7. Officer safety techniques in gang-related contacts, detentions and arrests

V. HOURLY REQUIREMENTS

Students shall be provided with a minimum of **8 hours** of instruction on gangs.

VI. ORIGINATION DATE

July 1, 1993

VII. REVISION DATES

March 1, 1994

July 15, 1995

January 1, 1997

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to the Regular Basic Course Performance Objectives		Meeting Date November 7, 1996
Bureau Standards and Evaluation	Reviewed By John Berner <i>[Signature]</i>	Researched By Jim Norborg <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 10 - 21 - 96	Date of Report September 30, 1996
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

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

BACKGROUND

Performance objectives serve as blueprints for constructing the tests administered to Regular Basic Course students. Commission Policy C13 requires that major changes to the objectives (i.e., additions or deletions) be approved by the Commission in advance of their adoption. As a matter of practice, virtually all changes are reported to the Commission before adoption.

The proposed changes to the performance objectives are the result of ongoing review of the Regular Basic Course curriculum. The intent is to keep the Regular Basic Course curriculum and the corresponding tests up to date and technically sound. The proposed changes have been approved by the consortium of basic academy directors and are consistent with the *Training Specifications for the Regular Basic Course - 1995*.

ANALYSIS

This report describes proposed changes to the performance objectives in four learning domains: Domain 19, Vehicle Operations; Domain 34, First Aid; Domain 36, Information Systems; and Domain 38, Gang Awareness.

Domain 19

The proposed change to Domain 19, Vehicle Operations, would delete exercise objective 6.5.2. This objective requires students to perform a pre-shift vehicle inspection. The procedure for conducting a pre-shift vehicle inspection varies from agency to agency, and the knowledge required to perform a pre-shift vehicle inspection can best be acquired during a brief on-the-job orientation. Although this objective has existed since 1993, there has never been a corresponding exercise test requirement in the *Training Specifications for the Regular Basic Course - 1995*. The proposed change would align the performance objective document with the training specifications. It is shown in underline-strikeout format in Attachment 1.

Domain 34

The proposed change to Domain 34, First Aid, would delete objective 8.45.27, which calls for the student to define the emergency medical services (EMS) system as "the system of resources that guide a person from the onset of illness or injury through care in a medical facility". At the November 1995 Commission meeting, the Basic Training Bureau submitted an agenda item recommending the deletion of the exercise test corresponding to this objective. The recommendation was approved by the Commission and the exercise test was deleted from the *Training Specifications for the Regular Basic Course - 1995*. However, due to an oversight, performance objective 8.45.27 was not deleted from *Performance Objectives for the Regular Basic Course*. The proposed change would align the performance objective document with the training specifications. It is shown in underline-strikeout format in Attachment 2.

Domain 36

The proposed changes to Domain 36, Information Systems, would add two objectives, delete one objective and incorporate its requirements into another existing objective, and modify one learning activity.

New objectives 8.13.8 and 8.13.9 would require students to identify which law enforcement information systems contain particular kinds of information (Objective 8.13.8), and under what circumstances an officer is authorized to use Department of Justice and Department of Motor Vehicles information systems (Objective 8.13.9).

Objective 8.13.5 would be deleted and incorporated into modified objective 8.13.6. As modified, objective 8.13.6 would require students to identify unlawful uses of two kinds of criminal offender information: Criminal offender information compiled and maintained by local criminal justice agencies and summary criminal history information compiled and maintained by the state's attorney general.

Learning Activity 13.36.1 would be modified to mirror a revision to the *Training Specifications for the Regular Basic Course - 1995* that is explained in another agenda item.

The proposed changes would also modify objectives 8.13.4 and 8.13.7 to increase clarity. All proposed changes are shown in underline-strike format in Attachment 3.

Domain 38

The proposed changes to Domain 38, Gang Awareness, would delete objective 8.50.10, delete learning activity 13.38.2, and modify learning activity 13.38.1. These changes also mirror revisions to the *Training Specifications for the Regular Basic Course - 1995* that are explained in another agenda item.

RECOMMENDATION

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

Attachment 1
LEARNING DOMAIN 19: VEHICLE OPERATIONS

KNOWLEDGE TEST:

6.1.1 Given a direct question, the student will identify the following factors which affect defensive driving:

- A. Driver attitude to include:
 - 1. Overconfidence
 - 2. Self-righteousness
 - 3. Impatience
 - 4. Preoccupation
- B. Driver skill to include:
 - 1. The level of the driver's psychomotor skills
 - 2. Understanding and controlling the physical forces acting upon a vehicle (e.g., braking, throttle, steering, etc.)
 - 3. The level of the driver's experience
- C. Driver condition to include:
 - 1. Decreased visual efficiency as a result of fatigue, illness, etc.
 - 2. Longer perception, decision/reaction time as a result of fatigue, alcohol and drugs
 - 3. Managing physiological and psychological factors (e.g., driver stress, adrenaline flow, peer pressure)
- D. Vehicle capability and condition to include:
 - 1. Level of care provided by driver
 - 2. Mistreatment of vehicle
 - 3. Detection of and provision for proper maintenance
 - 4. Individual characteristics of vehicle (e.g., front wheel drive vs. rear wheel drive)
- E. Driving conditions to include:
 - 1. Weather (e.g., rain, fog, snow)
 - 2. Road surface
 - 3. External actions (e.g., other drivers, pedestrians, animals, etc.)

NO CHANGE

6.1.3 Given a direct question, the student will identify the following driving movements or other factors which most frequently contribute to law enforcement vehicle collisions:

- A. Unsafe speed for conditions
- B. Right-of-way violations
- C. Left-hand turns
- D. Backing
- E. Parking
- F. Distractions/inattention

NO CHANGE

6.1.5 Given a direct question, the student will identify common types of occupant safety devices and their benefits to include:

- A. Use of safety belts:
 - 1. Is the simplest and most effective protection against injury or death in a collision
 - 2. Lessens the consequences of the human collision and the organ collision
 - 3. Prevents occupants from striking objects inside the vehicle
 - 4. Provides "ride-down" effect
 - 5. Secures the driver behind the wheel for better vehicle control
 - 6. Complies with law and agency policy (VC 27315.5)
 - 7. Sets a positive example for the public
- B. Air bags:
 - 1. Can reduce injury or death
 - 2. Are not a substitute for safety belts (e.g., ejection, secondary impact)
 - 3. Are only effective in frontal crashes

NO CHANGE

6.2.2 Given a direct question, the student will identify the following factors which affect the stopping distance of a vehicle:

- A. Factors relating to the driver
 - 1. Perception, decision/reaction
 - 2. Preoccupation (e.g., boredom, distractions, personal problems and concerns)
 - 3. Mental and physical fatigue
- B. Factors relating to the vehicle
 - 1. Overall maintenance
 - 2. Condition of braking system (e.g., overheated brakes, fluid level)
 - 3. Tires (e.g., pressure)
- C. Factors relating to the braking system
 - 1. ABS
 - 2. Non-ABS
- D. Factors relating to road and weather conditions
 - 1. Presence of materials which will change the coefficient of friction (e.g., sand, mud, gravel, etc.)
 - 2. Weather which will change the coefficient of friction (e.g., water, snow, ice)
 - 3. Type of road surface (e.g., asphalt, concrete, dirt, etc.)
- E. Speed of the vehicle

NO CHANGE

6.2.3 Given a direct question, the student will identify the effects of speed upon a turning vehicle:

- A. Turning radius increases as speed increases and decreases as speed is reduced
- B. Traction limits may be exceeded as speed increases
- C. Weight transfer occurs in opposite direction of turn
- D. Weight transfer increases as speed increases

NO CHANGE

6.2.5 Given a vehicle's speed in miles per hour, the student will identify the distance it travels in:

- A. 3/4 of a second
- B. One second

NO CHANGE

6.3.1 Given a direct question, the student will identify the following provisions which are usually included in a law enforcement agency's emergency driving policy:

- A. That, if available, there be supervisory control of the pursuit (VC 17004.7(c)(1))
- B. That procedures be identified for designating the primary pursuit vehicles and for determining the total number of vehicles to be permitted to participate at one time in the pursuit (VC 17004.7(c)(2))
- C. That procedures be identified for coordinating operations with other jurisdictions (VC 17004.7(c)(3))
- D. That guidelines be identified for determining when the interests of public safety and effective law enforcement justify a law enforcement pursuit and when a vehicular pursuit should not be initiated or should be terminated (VC 17004.7(c)(4))
- E. That guidelines be identified for the proper use of emergency lighting and siren (VC 21806)

NO CHANGE

6.3.2 Given a direct question, the student will identify the following limitations of law enforcement emergency warning devices:

- A. During daylight hours, traditional red or blue overhead lights are difficult to see and should be augmented by the patrol vehicle's headlights

- B. Steady burning high beam lamps tend to mask emergency lights and should not be used
- C. High speeds reduce the effectiveness of the siren as a warning device
- D. The audio and visual effects of warning devices can be impaired by physical barriers or other mechanical and/or environmental conditions

NO CHANGE

- 6.4.1 Given a word picture depicting an officer operating a patrol vehicle, the student will identify if the officer is exempt from the rules of the road under the requirements of Vehicle Code Section 21055. Vehicle Code Section 21055 exempts authorized emergency vehicles from the rules of the road when the emergency vehicle is displaying a lighted red lamp visible from the front, is sounding a siren as may be reasonably necessary, and when the officer is involved in any one of the following:
- A. Responding to an emergency call
 - B. Engaged in a rescue operation
 - C. In pursuit of an actual or suspected violator
 - D. Responding to a fire alarm

NO CHANGE

- 6.4.3 Given a word picture depicting an officer operating a patrol vehicle under nonemergency conditions, the student will identify if the vehicle is being operated lawfully. An officer operating a patrol vehicle under nonemergency conditions must comply with the same rules of the road as any other driver. (Vehicle Code Section 21052)

NO CHANGE

- 6.4.4 Given a direct question, the student will identify the following conditions under which an officer or law enforcement agency may be held liable for death, injury, or property damage which occur while an emergency vehicle is being operated with red lights and siren (Code 3):
- A. An officer may be civilly liable if the officer was not in immediate pursuit of a suspect or responding to a bona fide emergency as described in Vehicle Code Section 17004
 - B. An officer may be criminally liable if the officer fails to drive with due regard for the safety of others as described in Vehicle Code Sections 21056 and 21807
 - C. A law enforcement agency may be civilly liable for death or injury or property damage caused by an employee who negligently or wrongfully operates a motor vehicle as described in Vehicle Code Section 17001
 - D. A law enforcement agency may be civilly liable for death or injury or property damage caused by a vehicle being operated by a suspect being pursued by a peace

officer unless the agency has adopted a written procedure on vehicle pursuits in accordance with Vehicle Code Section 17004.7

NO CHANGE

6.4.5 Given a word picture depicting an officer operating a patrol vehicle, the student will identify if the officer is exempt from the rules of the road under the provisions of Section 21057 of the Vehicle Code which exempts authorized emergency vehicles from the rules of the road under the following conditions:

- A. When serving as an escort for preserving life
- B. When escorting supply movements in cases of emergency or war

NO CHANGE

EXERCISES:

~~6.5.2 The student will conduct a pre-shift vehicle inspection. The inspection will include:~~

- ~~A. Mechanical check~~
- ~~B. Interior check~~
- ~~C. Exterior check~~

RECOMMENDATION: Delete objective 6.5.2. The procedure for conducting a pre-shift inspection varies from agency to agency, and the knowledge required to perform a pre-shift vehicle inspection can best be acquired during a brief on-the-job orientation.

6.6.1 The student will regain control of a vehicle experiencing:

- A. A front wheel skid (understeer)
- B. A rear wheel skid (oversteer)

NO CHANGE

6.6.2 While driving, the student will experience a vehicle in an "all wheel" locked braking skid to understand:

- A. Loss of steering control while skidding
- B. Regaining steering control when brakes are released

NO CHANGE

6.6.4 The student will demonstrate proper road position, weight transfer, throttle control, braking and steering accuracy both forward and backward while performing a series of driving exercises.

NO CHANGE

6.6.5 Given a marked course, the student will, upon command, demonstrate the ability to rapidly displace the vehicle, left or right, or stop.

NO CHANGE

6.6.6 The student will demonstrate the ability to threshold brake:

- A. When coming to a complete stop
- B. Prior to a turning movement

NO CHANGE

6.7.1 The student will demonstrate an ability to safely operate and control a law enforcement-equipped vehicle operating under emergency conditions (Code 3) applying proper driving techniques and avoiding potentially hazardous situations such as road obstacles, cross traffic, pedestrians, road dips, passing on the right, and other hazards.

NO CHANGE

6.7.2 During a controlled speed pursuit of an instructor-driven vehicle, the student will demonstrate the ability to safely operate and control a law enforcement-equipped vehicle applying proper driving and communication techniques while avoiding potentially hazardous situations such as road obstacles, cross traffic, pedestrians, road dips, passing on the right, and other hazards.

NO CHANGE

Attachment 2
LEARNING DOMAIN 34: FIRST AID

KNOWLEDGE TEST:

8.45.4 Given a word picture depicting a medical emergency, the student will select an appropriate course of action based on the following considerations:

- A. Providing for officer and public safety
- B. Taking enforcement action
- C. Requesting additional assistance (e.g., emergency medical services (EMS), fire services (HazMat), utility services)
- D. Assessing the patient's medical condition by performing a primary and secondary survey (i.e., airway, breathing, and circulation)
- E. Setting priorities for treating multiple patients

NO CHANGE

8.45.5 Given a word picture depicting a medical emergency, the student will identify if it is appropriate to move the patient. It is generally **inappropriate** to move a patient (especially if there is a possibility of spinal injury) except under the following circumstances:

- A. There is imminent danger to the patient's life
- B. It is impossible to assess the patient's condition or provide life-saving procedures due to the patient's position or location

NO CHANGE

8.45.6 Given a word picture depicting a medical emergency that requires moving a patient, the student will identify if the patient was moved in accordance with the following procedures:

- A. Protect the patient from the forces of movement
- B. Stabilize any fractures as much as possible before moving the patient
- C. Keep the patient's body in a straight line while moving
- D. Keep the patient lying down
- E. Drag the patient from under the arms, supporting the patient's head between your forearms
- F. Keep the patient's head and shoulders close to the ground
- G. Move the patient only as far as necessary

NO CHANGE

8.45.7 Given a word picture depicting a medical emergency involving an open wound (excluding the specific wounds covered under PO 8.45.9), the student will identify the appropriate first aid treatment according to the following principles for treating open wounds:

- A. Expose the wound site
- B. Control the bleeding through the use of the following techniques:
 - 1. Direct pressure
 - 2. Elevation
 - 3. Pressure points
 - 4. Tourniquet
- C. Prevent contamination
- D. Treat for shock

NO CHANGE

8.45.8 Given a word picture depicting a medical emergency and the first aid treatment provided, the student will identify if the treatment was appropriate based upon the following criteria:

- A. Maintain the patient's body temperature
- B. Position the patient correctly
 - 1. Positioning is normally in the supine position with the legs elevated unless one of the following contraindications exists:
 - (a) Suspected spinal injury or head injuries - immobilize and leave in position found;
 - (b) Difficulty breathing - place in position of comfort or semi-sitting position;
 - (c) Fractures of the lower extremities - do not elevate legs; or
 - (d) Stroke - if conscious, elevate head and shoulders.
- C. Reassure the patient
- D. Treat injuries as required

NO CHANGE

8.45.9 Given a word picture depicting a medical emergency involving one of the "specific" injuries listed below, the student will identify the appropriate first aid treatment.

- A. Eye (traumatic, thermal, chemical)
 - 1. Traumatic eye injuries
 - (a) Bandage both eyes loosely to minimize movement of the injured eye
 - (b) If an object is impaled in the eye, place a protective device around the object to stabilize it before bandaging

2. Thermal eye injuries
 - (a) Loosely bandage both eyes
 - (b) Bandage both eyes, using a moist dressing, if available. Use dry dressing if moist unavailable
 3. Chemical eye injuries
 - (a) Hold the eye wide open
 - (b) Keep the injured eye lower than the uninjured eye
 - (c) Use available water to flush the eye
 - (d) Flush from bridge of the nose to the outside of the face
 - (e) Rinse until burning pain stops
 - (f) If both eyes affected, flush both
 - (g) Bandage both eyes loosely after flushing
- B. Head and facial injuries
1. Do not move patient's head or neck
 2. Check and maintain open airway
 3. Bleeding
 - (a) Apply controlled direct pressure on facial injury
 - (b) Control bleeding without applying pressure to any head or skull deformity
 - (c) For nosebleeds, have patient assume a seated position, leaning slightly forward and pinch nostrils
 4. Dress any open wounds
 5. Monitor the level of consciousness
 6. Locate, protect and transport lost teeth
 7. Treat for shock
- C. Chest and abdomen injuries
1. Place the patient on back with knees bent
 2. Stabilize patient with lower back injury in position found
 3. Treat for shock
 4. Place an occlusive dressing over open wound or protruding organs (do not touch or replace organs)
 5. Apply appropriate dressing to the wound
 6. Have patient with chest injury lay on the injured side or place a soft object over injured area
- D. Impaled objects
1. Remove impaled objects only if the object is interfering with airway or CPR process
 2. Stabilize objects and leave them where they are

NO CHANGE

8.45.10 Given a word picture depicting a medical emergency involving an injury to bone, muscle, or joint, the student will identify the appropriate first aid treatment as described below.

- A. Expose injured area
- B. Control bleeding by applying a pressure bandage
- C. Immobilize the injury

NO CHANGE

8.45.11 Given a word picture depicting a medical emergency in which a person is displaying symptoms resembling those of substance or alcohol abuse, the student will identify whether there is a medical emergency and if there is a medical emergency, identify whether the patient is suffering from a head injury or diabetic emergency.

- A. Symptoms of head injury:
 - 1. Bleeding from ears and/or nose
 - 2. Deformity of the head or skull, such as protrusions, depressions, and swellings
 - 3. Altered level or total loss of consciousness
 - 4. Discoloration around the eyes or behind the ears
 - 5. Unequal size of pupils
 - 6. Abnormal breathing patterns
 - 7. Agitated or confused state
 - 8. Vomiting (projectile)
 - 9. May be combative or appear intoxicated
- B. Symptoms of diabetic emergency
 - 1. Diabetic coma
 - a. Dry, red, warm skin
 - b. Displays signs of intoxication
 - c. Dry mouth, intense thirst
 - d. Abdominal pain and vomiting
 - e. Restlessness and confusion
 - f. Decreased level of consciousness
 - g. Labored breathing
 - h. Weak, rapid pulse
 - i. Sunken eyes
 - j. Fruity odor on the breath
 - 2. Insulin shock
 - a. Skin pale, cold and clammy; profuse perspiration
 - b. Hostile or aggressive behavior
 - c. Displays signs of intoxication
 - d. Dizziness and headache
 - e. Fainting, convulsions and possible coma
 - f. Rapid pulse
 - g. Excessive hunger
 - h. Drooling

NO CHANGE

8.45.12

Given a word picture depicting a medical emergency in which a person is displaying symptoms resembling those of substance abuse, a head injury or diabetic emergency (symptoms are described in objective 8.45.11), the student will identify the appropriate first aid treatment:

- A. Treatment of a person displaying symptoms similar to substance abuse
 - 1. Monitor the ABC's
 - 2. If the patient is breathing, place in the recovery position
- B. Treatment of patient displaying symptoms of head injury
 - 1. If the patient is unconscious, look for medic alert information
 - 2. Administer emergency care
 - a. Check and monitor ABC's
 - b. Maintain an open airway
 - c. Control bleeding without applying pressure to any head or skull deformity
 - d. Be alert for cerebrospinal fluid (CSF) and if present, bandage loosely without restricting the flow
 - e. Monitor the patient's level of consciousness
 - f. Treat the patient for shock and be prepared for vomiting
 - g. Do not move the patient
- C. Treatment for diabetic emergency
 - 1. Look for medic alert information and obtain medical history
 - 2. Summon medical personnel immediately
 - 3. Administer emergency care
 - a. Check and monitor ABC's
 - b. Provide reassurance to the patient
 - c. For a conscious patient: Allow the patient to take glucose, juice or sugar dissolved in water
 - d. For an unconscious patient:
 - (1) Do not give anything by mouth
 - (2) Monitor the ABC's, position the patient on his/her side (recovery position)

NO CHANGE

8.45.13

Given a word picture depicting a medical emergency involving a person who may be having a seizure, the student will identify the appropriate first aid treatment.

- A. Signs and symptoms of a seizure:
 - 1. Muscular rigidity and jerking of the body and limbs which can vary in intensity
 - 2. Can be caused by epilepsy, head injury, high fever, substance abuse and other conditions
- B. First aid treatment during a seizure:
 - 1. Do not restrain but attempt to protect the patient's head from injury

2. Remove surrounding hazards
 3. Do not put anything in the patient's mouth
- C. First aid treatment after a seizure:
1. Attempt to maintain an open airway
 2. Place patient on side (recovery position)
 3. Examine for injuries
 4. Reassure, keep area quiet, and monitor vital signs
 5. Treat for shock

NO CHANGE

8.45.14 Given a word picture depicting a medical emergency involving a person who may be having a stroke, the student will identify the appropriate first aid treatment:

- A. Signs and symptoms of stroke:
1. Paralysis on one side of the body
 2. An altered level of consciousness
 3. Difficulty with speech, vision, breathing or swallowing
 4. Headache
 5. Confusion
 6. Convulsions
 7. Pupils may be unequal in size
- B. Appropriate first aid treatment:
1. Attempt to maintain an open airway
 2. Request medical assistance
 3. Reassure patient
 4. Treat for shock
 5. Elevate head and shoulders if patient is conscious
 6. Lay on paralyzed side if patient is unconscious or semi-conscious
 7. Monitor ABC's
 8. Try to prevent the patient from hurting self

NO CHANGE

8.45.15 Given a word picture depicting a medical emergency involving the sudden unconsciousness, the student will identify the appropriate first aid treatment as described below.

- A. Provide support to a falling patient
- B. Monitor ABC's
- C. Treat for shock

NO CHANGE

8.45.16

Given a word picture depicting a medical emergency in which the signs of cardiac or respiratory emergency are present, the student will identify the appropriate first aid treatment based on the following criteria:

- A. Signs and symptoms of cardiac emergency
 - 1. Persistent chest pain or pressure
 - 2. Radiating pain in the arm, jaw, shoulder, neck or upper back
 - 3. Profuse sweating or cool, pale, moist skin
 - 4. Nausea or heartburn
 - 5. Shortness of breath
 - 6. Pale or ashen skin color
- B. Appropriate first aid treatment for cardiac emergencies
 - 1. Place patient in position of comfort
 - 2. Monitor ABC's
 - 3. Allow patient to take medications
 - 4. Keep patient calm and still
- C. Signs and symptoms of respiratory emergency
 - 1. Shortness of breath
 - 2. Labored or unusual breathing
 - 3. Rapid or slowed breathing
 - 4. Cyanosis (bluish nail beds, lips or skin due to lack of oxygen)
- D. First aid treatment for respiratory emergencies
 - 1. Place patient in position of comfort
 - 2. Monitor ABC's
 - 3. Allow person to take prescribed medications
 - 4. If patient is hyperventilating, try to get patient to slow down their breathing. Do not have patient breathe into a paper bag

NO CHANGE

8.45.17

Given a direct question or incomplete statement relating to the treatment of a cardiac or respiratory emergency, the student will identify the appropriate first aid treatment based on the basic life support standards and guidelines prescribed in the latest version of the "Standards and Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiac Care (ECC)" as published in The Journal of the American Medical Association.

NO CHANGE

8.45.18

Given a word picture depicting one of the "environmental emergencies" listed below, the student will identify the appropriate first aid treatment.

- A. First aid treatment for burns (chemical, thermal, electrical)
 - 1. Chemical burns
 - a. Remove excess chemical, saturated clothing or jewelry

NOTE: Dry chemicals should be brushed off before flooding. Sometimes combining dry chemicals with water can cause more damage

- b. Flood the affected area with water for 15 to 30 minutes or until the pain has stopped
 - c. After flooding is completed, cover the burned area with a clean dry dressing
2. Thermal burns
 - a. Remove the patient from the source of heat
 - b. Cool the burn with water
 - c. Loosely cover the burned area
 - (1) For first and second degree burns (closed blisters) apply a moist clean dressing and bandage loosely
 - (2) For second and third degree burns (open blisters) apply a dry clean dressing and bandage loosely
 - d. Monitor the ABC's
 - e. Treat for shock
 3. Electrical burns
 - a. After turning off the power:
 - (1) Begin the ABC's. If the patient's heart has stopped, begin CPR immediately
 - (2) Be aware that there may be extensive internal injuries and treat accordingly
 - (3) Check for both entrance and exit wounds
- B. Heat emergencies (cramps, exhaustion, stroke)
1. Heat cramps
 - a. Remove the patient from the source of the heat
 - b. Have the patient rest
 - c. Provide fluids
 2. Heat exhaustion
 - a. Remove the patient from the source of the heat
 - b. Have the patient rest
 - c. Provide fluids in small amounts
 3. Heat stroke
 - a. Cool the body immediately
 - b. Loosen or remove clothing
 - c. Apply wet towels
 - d. Monitor ABC's
 - e. DO NOT give fluids to semiconscious or unconscious patient
- C. Cold emergencies (hypothermia/frostbite)
1. Hypothermia
 - a. Monitor ABC's
 - b. Remove any wet clothing

- c. Move the patient to a warm environment
 - 2. Frostbite
 - a. Immobilize the frozen part
 - b. Wrap in a dry, clean loose bandage
 - c. DO NOT rub it
 - d. Allow the part to rewarm **slowly**
- D. Poisoning (ingested, inhaled, absorbed and injected)
 - 1. Ingested poisons
 - a. Monitor the patient's ABC's
 - b. Monitor the patient's level of consciousness
 - c. Attempt to identify the ingested substance
 - 2. Inhaled/absorbed poisons
 - a. Remove the patient from the source of the poison
 - b. Monitor ABC's
 - c. Monitor patient's level of consciousness
 - d. Attempt to identify the inhaled substance
 - e. If applicable, brush off any dry poison taking care not to get any on yourself
 - 3. Injected poisons
 - a. Attempt to identify the injected substance
 - b. Monitor the ABC's
 - c. Monitor the patient's level of consciousness
 - d. Wash the affected area thoroughly
- E. Stings/bites (anaphylactic shock)
 - 1. Stings
 - a. Scrape away stinger
 - b. Monitor ABC's
 - c. Assist the patient in taking any prescribed medication for their condition if they have it
 - d. Place ice pack on the bite to slow the rate of absorption
 - 2. Marine life stings
 - a. Monitor ABC's
 - b. Apply heat
 - c. Apply dressing
 - 3. Spider bites
 - a. Monitor ABC's
 - b. Place cold compress on the bite to slow the rate of absorption
 - 4. Snake bites
 - a. Lay the patient down
 - b. Immobilize the part of the body with the bite
 - c. Apply constricting bands on both sides of bite

- d. DO NOT place an ice pack on the bite site
- e. Keep the patient calm
- f. Treat for shock
- g. Monitor ABC's
- 5. Animal bites
 - a. Cover with a clean dry dressing
 - b. Monitor ABC's
 - c. Treat for shock
- 6. Human bites
 - a. Monitor ABC's
 - b. Flush with water
 - c. Cover with a clean dry dressing
 - d. Treat for shock

NO CHANGE

8.45.19 Given a word picture depicting a normal child birth, the student will identify the appropriate course of action to take during and after delivery. The appropriate course of action includes:

- A. Preparation for delivery
 - 1. Provide support and reassurance to the mother
 - 2. Insure her as much privacy as possible
 - 3. Have someone stay at the mother's head to speak with her as you assist with the delivery
- B. Procedures for delivery
 - 1. Support the head of the baby as it is delivered
 - 2. Apply gentle pressure so that the head isn't delivered in an explosive manner. This will help to prevent tearing of the vagina
 - 3. As the head emerges, it will generally rotate to one side
 - 4. When the entire head is delivered, look and feel to see if the cord is around the baby's neck
 - 5. If the cord is around the baby's neck and is loose enough, you may slip it over the baby's head or shoulder
 - 6. Continue supporting the head and body as the baby is delivered
- C. Post-delivery treatment
 - 1. Keep the baby's head low for draining of the airway
 - 2. Do not pull on, tie or cut the umbilical cord
 - 3. The placenta and the rest of the cord will probably deliver within the next half hour. Look for a lengthening of the cord and a sudden gush of blood
 - 4. Wrap the placenta to transport with the mother

5. Place towels or pads at the vaginal opening to help reduce the bleeding
6. Close and elevate the mother's legs
7. Feel the mother's abdomen to find the uterus, which is the size of a grapefruit. Rub using circular motions to help reduce bleeding
8. Place the baby on the mother's chest and encourage breast feeding
9. Keep the baby warm by drying and wrapping in clean available materials

NO CHANGE

8.45.20 Given a word picture depicting a child birth emergency, the student will identify an appropriate course of action in the following situations:

- A. Breech birth
 1. Support the baby's body, do not pull on the baby
 2. Establish an AIRWAY. Explain your actions to the mother. Using a gloved hand, insert two fingers in a V-shape into the vagina on either side of the baby's nose. Maintain this airway until emergency medical personnel arrive.
- B. Limb presentation
 1. Assist the mother by placing her in the knee-chest position. This will help slow the birthing process
 2. Arrange for immediate transportation.
- C. Prolapsed cord
 1. Assist the mother by placing her in the knee- chest position. This will help slow the birthing process
 2. Arrange for immediate transport
- D. Multiple births
 1. Tie or clamp and cut the cord of the first child before the second child is born
 2. Follow the same procedures as for the first child
- E. Baby does not breathe
 1. Begin the ABC's
 2. Provide rescue breathing or CPR as necessary
- F. Premature baby
 1. DO NOT wrap the baby tightly; breathing could be restricted
 2. Constantly monitor the ABC's
 3. Be sure to clear mucus from the nose and mouth
 4. Maintain body temperature
- G. Stillborn
 1. If NOT SURE whether the baby is dead, begin CPR
 2. If the baby is obviously dead, DO NOT begin CPR
- H. Excessive bleeding

1. Gently apply clean compresses
 2. Do not pack the vaginal opening
 3. Arrange for immediate transport
- I. Amniotic sac over baby's head
1. Pinch, twist and tear the sac
 2. Be careful not to hurt the baby
 3. Continue with a normal delivery

NO CHANGE

8.45.21 Given a word picture depicting a woman who is pregnant and experiencing labor pains, the student will determine if the woman can be transported or if the birth is imminent and assistance is required in the delivery.

The birth is imminent when:

- A. Contractions are occurring less than two minutes apart
- B. The woman feels the urge to push or bear down
- C. Crowning is present (crowning is when the baby's head is present at the vaginal opening)

NO CHANGE

8.45.22 Given a word picture depicting the treatment provided by an officer to a patient, the student will identify whether the treatment was consistent with the following legal principles:

- A. Special responsibility and obligation
- B. Standard of care
- C. Actual or implied consent
- D. Abandonment of care

NO CHANGE

EXERCISES:

8.45.23 Given an exercise, the student will bandage a simulated injury while using barrier protection to minimize the dangers associated with infectious diseases and wash hands and disinfect equipment after providing treatment in accordance with the following principles:

- A. Use the cleanest material that is available
- B. Expose the injury site
- C. Cover the entire injury site

- D. Bandage snugly but without impairing circulation
- E. Leave patient's fingers and toes exposed
- F. Immobilize injury site as necessary

NO CHANGE

8.45.24 Given an exercise, the student will conduct a primary survey and a secondary survey.

- A. Primary survey
 - 1. Check for responsiveness
 - 2. Check airway
 - 3. Check for breathing
 - 4. Take carotid pulse
 - 5. Look for serious bleeding
- B. Secondary survey
 - 1. Gather information (i.e., complaints and special medical problems)
 - 2. Check pulse, respiration, skin color, and temperature

NO CHANGE

8.45.25 Given an exercise, the student will demonstrate the following first aid techniques for controlling bleeding of a limb while using barrier protection.

This demonstration will include the application of:

- A. Direct pressure
- B. Elevation
- C. Pressure bandage
- D. Pressure points
- E. Tourniquet (no pressure)

NO CHANGE

8.45.26 Given an exercise, the student will demonstrate the use of the following basic life support (BLS) techniques:

- A. Clearing an obstructed airway on conscious and unconscious patients
 - 1. Adult or child
 - 2. Infant
 - 3. Obese or pregnant
- B. Rescue breathing
 - 1. Adult
 - 2. Child

3. Infant
- C. Cardiopulmonary resuscitation
 1. Adult
 2. Child
 3. Infant

Treatment must be provided in accordance with the basic life support standards and guidelines prescribed in the latest version of the "Standards and Guidelines for Cardiopulmonary Resuscitation (CPR) and Emergency Cardiac Care (ECC)," in The Journal of the American Medical Association.

NO CHANGE

~~8.45.27 — Given a paper and pencil exercise, the student will define the emergency medical services (EMS) systems as "the system of resources that guide a person from the onset of illness or injury through care in a medical facility."~~

RECOMMENDATION: Delete objective 8.45.7. The corresponding exercise test was deleted by the Commission at its November 1995 meeting.

- 8.45.28 Given an exercise simulating a medical emergency, the student will treat the patient for shock and answer the following questions relating to shock:
- A. Under what circumstances should a patient be treated for shock?
 - B. What are the possible consequences of failing to treat for shock?
 - C. Are there circumstances under which the consequences of shock may be more dangerous than the injury that caused it?

NO CHANGE

Attachment 3
LEARNING DOMAIN 36: INFORMATION SYSTEMS

KNOWLEDGE TEST:

8.13.4 Given a word picture depicting ~~the a possible use of a law enforcement computer crime involving to access data, tampering, interfering with, damaging or accessing information in an unauthorized manner by law enforcement personnel,~~ the student will identify if a crime has been committed occurred. It is a crime to knowingly access and without permission add, alter, damage, delete, or destroy any data, computer software, or computer programs which reside or exist internal or external to a computer, computer system, or computer network. (Penal Code Section 502(c)(4))

RECOMMENDATION: Modify objective 8.13.4 for clarity.

~~8.13.5 Given a word picture depicting a possible unlawful release or receiving of state Criminal Offender Record Information (CORI), the student will identify if a crime has occurred. (Penal Code Sections 11142 and 11143)~~

SME RECOMMENDATION: Delete objective 8.13.5 and incorporate the requirement to identify unlawful uses of state criminal offender record information with objective 8.13.6.

8.13.6 Given a word picture depicting ~~a possible unlawful~~ the release or receipt receiving of local cCriminal oOffender rRecord iInformation (CORI), the student will identify if the release or receipt of the information was lawful a crime has occurred. (Penal Code Sections ~~13302, 13303, and 13304~~)

A. CORI stands for "criminal offender record information" and refers to criminal records originated and maintained by both local and state criminal justice agencies as defined below.

1. Local summary criminal history information means the master record of information compiled by any local criminal justice agency pertaining to the identification and criminal history of any person, such as name, date of birth, physical description, dates of arrests, arresting agencies and booking numbers, charges, dispositions, and similar data about the person. It does not refer to records and data compiled by criminal justice agencies other than that local agency. (Penal Code Section 13300(a))
2. State summary criminal history information means the master record of information compiled by the Attorney General pertaining to the identification and criminal history of any person, such as name, date of birth, physical description, and fingerprints. State summary criminal history information does not refer to records and data compiled by criminal justice agencies other than the Attorney General. (Penal Code Section 11105(a)(2))

- B. Release and receipt of local CORI information
1. Local CORI information must be released to those individuals and agencies listed in Penal Code Section 13300(b)
 2. Local CORI information may be released to those individuals and agencies listed in Penal Code Section 13300(c)
 3. Any employee of a local criminal justice agency who knowingly furnishes local CORI information to a person who is not authorized by law to receive it is guilty of a misdemeanor (Penal Code Section 13302)
 4. Any person authorized by law to receive local CORI information who knowingly furnishes it to a person who is not authorized by law to receive it is guilty of a misdemeanor (Penal Code Section 13303)
 5. Any person who, knowing he is not authorized by law to receive local CORI information, knowingly buys, receives, or possesses it is guilty of a misdemeanor (Penal Code Section 13304)
- C. Release or receipt of state CORI information
1. State CORI information must be released to those individuals and agencies listed in Penal Code Section 11105(b)
 2. State CORI information may be released to those individuals and agencies listed in Penal Code Section 11105(c)
 3. Any person authorized by law to receive state CORI information who knowingly furnishes it to a person who is not authorized by law to receive it is guilty of a misdemeanor (Penal Code Section 11142)
 4. Any person who, knowing he is not authorized by law to receive state CORI information, knowingly buys, receives, or possesses it is guilty of a misdemeanor (Penal Code Section 11143)

RECOMMENDATION: Modify to include requirements of objective 8.13.5.

8.13.7 Given a word picture depicting a situation in which an officer ~~receives~~ obtains an ~~apparent~~ computer match in response to an inquiry regarding a person or property, the student will identify whether ~~or not~~ the officer is required to confirmation was necessary, and if so, was it obtained the computer match with the originating agency before taking enforcement action, according to Department of Justice requirements. ~~The requirements are:~~ A computer match must be confirmed whenever the officer intends to take immediate enforcement action based on the validity of the information obtained as a result of a computer inquiry.

Note: Confirmation means checking with the originating agency and determining that the person or property is still wanted by the originating agency and is probably the same as the person or property of inquiry. (Telecommunications Training Guide, May 1994, prepared by Commission on Peace Officer Standards and Training and California Department of Justice)

- ~~A. That efforts were made to verify the information and match (e.g., details such as accuracy of the license plate run, date of birth, consistency of the physical description, etc.)~~
- ~~B. That the officer ensured that confirmation occurred with the originating agency to verify that the person or property is still wanted~~
- ~~C. That confirmation occurred before an arrest or before the confiscation of property in response to the computer match~~

SME RECOMMENDATION: Modify for clarity.

8.13.8 Given a direct question or an incomplete statement about a circumstance that requires an inquiry into a law enforcement information system, the student will identify the system that would most likely contain the information.

- A. Circumstances where an inquiry would be necessary
 - 1. To locate information on lost, stolen, or recovered property including vehicles
 - 2. To establish probable cause for a search or an arrest
 - 3. To verify the validity of a restraining order
 - 4. To verify the validity of a driver's license, vehicle registration, vessel registration, or occupational license
 - 5. To determine if a person is wanted
 - 6. To determine the status of a person on parole or probation
 - 7. To report or locate a missing person
- B. Law Enforcement Information Systems
 - 1. Automated property systems (APS)
 - 2. Stolen Vehicle systems (SVS)
 - 3. Wanted persons systems (WPS)
 - 4. Department of Motor Vehicles (DMV)
 - 5. Automated Firearms Systems (AFS)
 - 6. Supervised Release File (SRF)
 - 7. Domestic Violence Restraining Orders System (DVROS)
 - 8. Missing Unidentified Person System (MUPS)

Note: Students must be able to recognize law enforcement systems by either their full name or abbreviation.

RECOMMENDATION: Add objective 8.13.8. Students need to be able to identify the kinds of information available from different law enforcement information systems.

8.13.9 Given a word picture depicting an officer's use of Department of Justice or Department of Motor Vehicles information systems, the student will identify if the use was authorized. Use of the information systems is authorized when information is needed to do an official law enforcement task.

Authorized uses:

- A. During a preliminary or ongoing criminal investigation ("need to know" and "right to know")
- B. Determining ownership of property and vehicles for official purposes only ("need to know" and "right to know")
- C. When verifying existing court orders (DVROS) ("need to know" and "right to know")
- D. Preparing cases for the district attorney's office ("need to know" and "right to know")
- E. Determining prior criminal history record ("need to know" and "right to know")

RECOMMENDATION: Add objective 8.13.9. Students need to know the circumstances under which officers are authorized to use the Department of Justice and Department of Motor Vehicles information systems.

LEARNING ACTIVITY:

- 13.36.1 ~~Given a series of simulations, scenarios, video representations, word pictures or other sets of facts depicting incidents which involve the need to make an inquiry into a law enforcement telecommunication system, The student will participate in a learning activity that simulates an incident in which information is required to complete a preliminary investigation. must participate in an instructor-led discussion which addresses the types of information available from the system and the minimum data required to obtain it.~~

The activity shall reinforce the student's knowledge and understanding of the types of information accessible to law enforcement through local, state and national information systems. During the activity the student shall demonstrate a knowledge of the minimum information requirements for generating a system inquiry related to the following categories:

~~The inquiries must address the following information categories:~~

- 1. Wanted pPersons
- 2. Property, vVehicles/vessels and firearms
- 3. Criminal histories Property
- 4. DMV information Firearms-
- 5. Miscellaneous information

RECOMMENDATION: Modify this learning activity to match corresponding changes to the training specifications.

Attachment 4
LEARNING DOMAIN 38: GANG AWARENESS

EXERCISE:

- 8.50.10 ~~Given examples of tattoos, gang graffiti or other forms of gang communication, the student will determine, either verbally or in writing, the following:~~
- ~~A. Specific individual or gang involved~~
 - ~~B. Neighborhood or area~~
 - ~~C. Indicators of pending or past gang conflicts~~

RECOMMENDATION: Delete this objective to match corresponding changes to the training specifications.

LEARNING ACTIVITIES:

- 13.38.1 ~~The student will participate in a facilitated discussion regarding learning activity to reinforce knowledge of local/regional gang dynamics including recent crime trends. The activity shall include discussion of suppression, investigation, enforcement and prosecution tactics and techniques. The discussion should address: Topics shall include:~~
- 1. ~~Categories~~ Types of gangs (e.g., street gangs, organized crime gangs, outlaw motorcycle gangs and prison gangs)
 - 2. Types of street gangs (e.g., Hispanic, white, black, Asian, multi-racial)
 - ~~23.~~ Reasons for gang membership
 - ~~34.~~ Characteristics common to most gangs
 - ~~45.~~ Common criminal activities
 - ~~5.~~ Enforcement methods that reduce gang activity
 - ~~6.~~ Officer safety considerations for gang contacts
 - ~~6.~~ Suppression, investigation, enforcement and prosecution tactics and techniques
 - ~~7.~~ Officer safety techniques in gang-related contacts, detentions and arrests

RECOMMENDATION: Modify this learning activity to match corresponding changes to the training specifications.

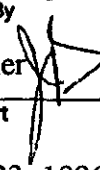
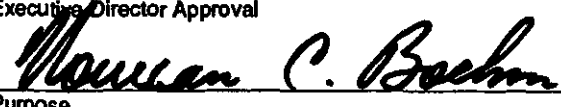
- ~~13.38.2 Given stimulus material provided by the instructor (e.g., newspaper articles, news videos, intelligence information, crime analysis data, etc.), the student will participate in a facilitated discussion regarding local/regional criminal gang activity occurring in the geographical area serviced by the academy. Examples include:~~
- ~~1. Gang-related crimes (e.g., drive-by shootings, other assaults on gang members, murders in the name of the gang, etc.)~~
 - ~~2. Profit-related gang crimes (e.g., swarm robberies, narcotics trade, etc.)~~

- ~~3. Nontraditional crimes (e.g., kidnapping, vehicle identification number switching, etc.)~~
- ~~4. Enforcement methods used to reduce gang activity~~

RECOMMENDATION: Delete this learning activity to match corresponding changes to the training specifications.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Changes to Minimum Selection Standards		Meeting Date November 7, 1996
Bureau Standards and Evaluation	Reviewed By	Researched By John Berner 
Executive Director Approval 	Date of Approval	Date of Report October 23, 1996
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Should the Commission schedule a public hearing for the January 23, 1997 meeting to consider modifications to Commission Regulations 1001, 1002, and 1007(a), and to Commission Procedures C-1 and C-2?

BACKGROUND:

Commission Regulation 1001 defines the terms used throughout the Commission's Regulations. Commission Regulation 1002 specifies the minimum employment standards for regular peace officers in the POST program, and Commission Regulation 1007 likewise specifies the minimum selection requirements for reserve peace officers. Commission Procedure C-1, entitled "Personal History Investigation," implements the requirements established in Regulations 1002(a) and 1007(a)(5). Similarly, Commission Procedure C-2, "Physical and Psychological Suitability Examinations," implements Sections 1002(a)(7) and 1007(a)(7) of the Regulations.

The proposed modifications to the Regulations and Procedures fall into three broad categories: (1) language and/or formatting changes that are intended to clarify the nature and intent of the requirements, or to correct information which has become inaccurate, (2) changes to the requirements necessitated by new legal requirements, and (3) changes to the requirements that are recommended to improve and enhance the current minimum employment standards. Details of the proposed modifications are described below. Proposed changes to the actual language in the Regulations and Procedures are shown in underline-strikeout format in the attachments to the report.

ANALYSIS:

Proposed Changes to Commission Regulation 1001: (Definitions) [Attachment A]

- o It is proposed that the definition of "high school" be changed to refer specifically to a U.S. high school. This change in definition is germane to Commission Regulations 1002(a)(6) and 1007(a)(6), which specify the minimum education requirements for regular and reserve officers, and which in turn, are based on the "high school" graduation requirement for all peace officers that is embodied in Government Code Section 1031(e). Since 1989, the Commission has interpreted the Government Code and its own regulations to require graduation from a U.S. high school. A recent review by POST legal counsel

regulations to require graduation from a U.S. high school. A recent review by POST legal counsel confirms that this interpretation is reasonable. This change in the Commission's definition of "high school" would serve to clarify the intent of the Commission's Regulations.

Proposed Changes to Commission Regulation 1002: (Minimum Standards for Regular Officers) [Attachment B]

- o Regulation 1002(a)(3), which refers to citizenship requirements, would be amended by adding a reference to Government Code Section 24103, which requires that deputy sheriffs and deputy marshals be U.S. citizens.
- o It is proposed that language be added to Regulation 1002(a)(6) which acknowledges that passage of the California High School Proficiency Examination is the legal equivalent of attaining a California high school diploma, and thus is an acceptable means of satisfying the high school graduation requirement.
- o Regulation 1002(a)(7), which specifies what must minimally be evaluated during the required pre-employment interview that is conducted by the department head or his/her representative, would be modified by deleting the outdated references to appearance, personality, maturity, temperament, and background, which are more appropriately addressed in other required phases of the selection process (i.e., background investigation and psychological suitability examination).

Proposed Changes to Commission Regulation 1007(a): (Minimum Standards for Reserve Officers) [Attachment C]

- o The same reference to the California High School Proficiency Examination proposed above for regular officers would be added to Regulation 1007(a)(6), which refers to the minimum education requirements for reserve officers. Additionally, it is proposed that language be added which parallels current language in the Regulations for regular officers with regard to minimally acceptable scores on the General Education Development Test (GED).

Proposed Changes to Commission Procedure C-1: (Personal History Investigation) [Attachment D]

- o Procedure 1-1 would be modified to more accurately describe the purpose of the personal history investigation as being to "verify the absence of past behavior indicative of unsuitability to perform the duties of a peace officer."
- o Procedure 1-5(b) would be modified by replacing "educational achievements" with the broader term "school record" in describing what is to be determined by contacting the high school and higher education institutions attended by the candidate.

- o Procedure 1-5(c) would be modified by replacing "State bureau of vital statistics or county records" by the broader term "appropriate official documents" in describing what may be used to verify the candidate's age and place of birth.
- o Procedure 1-5(g) would be modified to change the current requirement that **all** previous employers of the candidate be contacted to require that **all previous employers during the past 10 years** be contacted. This change will make the requirement consistent with what is recommended in the *POST Peace Officer Background Investigation Manual* and what the candidate is required to document in the *POST Personal History Statement*.
- o Procedure 1-5(l), which requires the background investigator to collect medical information, would be deleted. Pursuant to the Americans with Disabilities Act of 1991 (ADA), such medical information may not be collected prior to a conditional job offer, which in turn, must be predicated, to the extent possible and practical, on completion of the background investigation. Further, the background investigator is not qualified to determine whether the "candidate's current or past health would be a disqualifier for the position sought" as is currently stated in the Procedure.
- o Procedure 1-6 would be modified to acknowledge the legal prohibitions on collecting medical information prior to a conditional job offer, while at the same time acknowledging that once a conditional job offer has been made, and subject to the confidentiality provisions of the ADA, medical information may be exchanged between the investigator and the examining physician or examining psychologist for purposes of determining the candidate's medical or psychological suitability for the job.

Proposed Changes to Commission Procedure C-2: (Medical and Psychological Suitability Exams) [Attachment E]

- o Procedure 2-1 would be modified by adding a reference to Commission Regulation 1007(a)(7), thereby acknowledging that the Procedure also applies to reserve officers in the POST program. Language is also proposed that would clarify that the intent of the Procedure is to select personnel who are free of any medical, mental or emotional condition that **would be expected** to adversely affect their performance of peace officer duties, rather than "might" or "would probably" affect their performance.
- o Procedure 2-2 would be modified to acknowledge that medical information may not be collected prior to a conditional job offer (per the ADA).
- o A new procedure would be added (new Procedure 2-3) to require the hiring authority to retain written verification that employed persons have been examined and found to be medically and psychological suitable in accordance with the provisions of the Procedure. This requirement is necessary for purposes of verifying compliance with the Procedure, since the confidentiality provisions of the ADA prohibit POST personnel from having access to the actual medical and psychological files of the employees.

- o General language referring to the types of medical history information that must be collected in advance of the medical examination would be replaced by language which specifies that the medical history must be obtained using the *POST Medical History Statement*, or an equivalent form. Use of the POST form or an equivalent will ensure that a comprehensive medical history is obtained.
- o Similarly, general language referring to the need for the examining physician to report the examination findings in writing would be replaced by language which specifies that the examination findings must be reported by completing the *POST Medical Examination Report*, or an equivalent form. Use of the POST form or an equivalent will ensure that the examining physician's findings and recommendations take into account the requirements of the ADA.
- o The minimum hearing and vision screening requirements would be expanded. The current requirements specify that candidates must be screened for "hearing, color vision, and visual acuity." As recommended in the POST hearing and vision screening guidelines, the expanded screening requirements would require at a minimum that candidates be screened for near and far visual acuity (both corrected and uncorrected), color vision, visual field and hearing sensitivity.
- o The current psychological screening requirements would be expanded to require a clinical interview for all candidates. At present only candidates for whom the psychological tests results are inconclusive or suggest disqualification must be interviewed. When the current requirements were enacted in 1985, the Commission opted not to require that all candidates be interviewed due to concerns that such an action would place an undue burden on some agencies - both from the standpoint of cost and the limited availability of psychologists in certain remote areas of the state. The Commission has always **recommended** that a clinical interview be conducted for all candidates, and the concerns that existed in 1985 have largely dissipated, as evidenced by the fact that it is now common practice for agencies in the POST program to require a clinical interview for all candidates. Further, expansion of the requirement as proposed is consistent with the recommendations of both the International Associations of Chiefs of Police and the Division 18 of the American Psychological Association (Psychologists in Police Service).
- o A new procedure would be added to require that the results of the psychological examination be reported in writing to the appointing authority.

Other Changes:

- o In general, the provisions of Commission Procedure C-2 would be reformatted to achieve parallel construction with regard to the two examinations addressed in the Procedure (i.e., medical and psychological).

- o The term "physical" would be replaced by the more appropriate term "medical" when referring to medical examination requirements.

RECOMMENDATION:

Schedule a public hearing for the January 23, 1997 meeting to consider the proposed modifications to Regulations 1001, 1002, and 1007(a), and to Commission Procedures C-1 and C-2.

COMMISSION REGULATIONS

1001. Definitions. . .

- (o) "High School" is a U.S. school accredited as a high school by the department of education of the state in which the high school is located, or a U.S. school accredited as a high school by the recognized regional accrediting body, or a U.S. school accredited as a high school by the state university of the state in which the high school is located.

COMMISSION REGULATIONS

1002. Minimum Standards for Employment.

(a) Every peace officer employed by a department shall be selected in conformance with the following requirements:

- (1) **Felony Conviction.** Government Code section 1029: Limits employment of convicted felons.
- (2) **Fingerprint and Record Check.** Government Code sections 1030 and 1031(c): Requires fingerprinting and search of local, state, and national files to reveal any criminal records.
- (3) **Citizenship.** Government Code sections 1031(a) and 1031.5: Specifies citizenship requirements for peace officers. Government Code section 24103 specifies citizenship requirements for deputy sheriffs and deputy marshals.
- (4) **Age.** Government Code section 1031(b): Requires minimum age of 18 years for peace officer employment.
- (5) **Moral Character.** Government Code section 1031(d): Requires good moral character as determined by a thorough background investigation.

The background investigation shall be conducted as prescribed in the POST Administrative Manual, Section C-1. The background investigation shall be completed on or prior to the appointment date.

- (6) **Education.** Government Code section 1031(e): Requires high school graduation, passage of the General Education Development Test (GED) or attainment of a two-year or four-year degree from an accredited college or university.

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

Per Education Code Section 48412, passage of the California High School Proficiency Examination is the legal equivalent of attainment of a California high school diploma.

- (7) **Physical Medical and Psychological Suitability Examinations.** Government Code section 1031(f): Requires an examination of physical, emotional, and mental conditions.

The examinations shall be conducted as prescribed in the POST Administrative Manual, section C-2.

- (8) Interview. Be personally interviewed prior to employment by the department head or a representative(s) to determine the person's suitability for police law enforcement service, which includes, but is not limited to, the person's ~~appearance, personality, maturity, temperament, background, and ability to communicate~~. This regulation may be satisfied by an employee of the department participating as a member of the person's oral interview panel.
 - (9) Reading and Writing Ability. Be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability.
- (b) All requirements of section 1002 of the Regulations shall apply to each lateral entrant, regardless of the rank to which the person is appointed, unless waived by the Commission.

COMMISSION REGULATIONS

1007. Reserve Officer Minimum Standards.

- (a) Every reserve peace officer shall be selected in conformance with the following requirements:
- (1) **Felony Conviction.** Government Code section 1029: Limits employment of convicted felons.
 - (2) **Fingerprint and Record Check.** Government Code sections 1030 and 1031(c): Require fingerprinting and search of local, state and national files to reveal any criminal records.
 - (3) **Citizenship.** Government Code sections 1031(a) and 1031.5: Specify citizenship requirements for peace officers.
 - (4) **Age.** Government Code section 1031(b): Specifies minimum age of 18 years for peace officer employment.
 - (5) **Moral Character.** Government Code section 1031(d): Requires good moral character, as determined by a thorough background investigation. For Level III, Level II and Level I reserve officers, the background investigation shall be conducted as prescribed in PAM Procedure C-1.
 - (6) **Education.** Government Code section 1031(e): Requires high school graduation, passage of the General Education Development Test (GED) or attainment of a two-year or four-year degree from an accredited college or university.

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

Per Education Code Section 48412, passage of the California High School Proficiency Examination is the legal equivalent of attainment of a California high school diploma.
 - (7) **Physical Medical and Psychological Suitability Examinations.** Government Code section 1031(f): Requires an examination of physical, emotional and mental conditions. For Level II and Level I reserve officers, Psychological Suitability Examinations shall be conducted as prescribed in PAM section C-2.
 - (8) **Interview.** Commission requirement: Each peace officer shall be interviewed personally by the department head or his/her representative prior to appointment.

COMMISSION PROCEDURE C-1

PERSONAL HISTORY INVESTIGATION

Purpose

1-1. Personal History Investigation: This Commission Procedure implements the personal history investigation requirements established in Section 1002(a) of the Commission Regulations. The purpose of the personal history investigation is to ~~find examples of positive or negative behavior in the candidate's life indicative of characteristics which would probably favor or prevent the candidate from becoming a successful peace officer~~ verify the absence of past behavior indicative of unsuitability to perform the duties of a peace officer. ~~The investigation must also examine the candidate's past work performance and impact on other people to determine whether or not those affirmative characteristics which are desirable in a peace officer are possessed by the candidate.~~ The POST "Peace Officer Background Investigators Investigation Manual," or its equivalent should be followed in conducting an investigation.

Procedure

1-2. Personal History Investigation: This procedure shall be followed in the pre-employment investigation of each proposed peace officer employee and shall be completed on or prior to the appointment date.

1-3. Completion of Personal History Statement: The department head shall require the candidate to complete the POST Personal History Statement, Form 2-251, or its equivalent prior to conducting the background investigation.

1-4. Written Evaluation Required: The results of the investigation must be reduced to writing and made available to the department head for the purpose of evaluation to determine whether the candidate is suitable. The results shall be retained by the jurisdiction as a source of authenticated information on personnel for present and successive administrators.

1-5. Sources of Investigation: The investigation shall include an inquiry into the following sources of information for the purpose indicated:

- (a) The State Department of Motor Vehicles, Division of Drivers' Licenses--to determine the candidate's driving record.
- (b) ~~High school and all higher education institutions that the candidate attended--to determine the education achievements~~ school record, character and career potential of the applicant.

- (c) ~~State bureaus of vital statistics or county records~~ Appropriate official documents--to verify birth and age records. In the case of foreign born, appropriate federal or local records.
- (d) All police files in jurisdictions where the candidate has frequently visited, lived or worked--to determine if any criminal record exists.
- (e) Criminal records of the California Bureau of Investigation and Identification. A copy of the return shall be retained in the candidate's personnel record.
- (f) The Federal Bureau of Investigation records. A copy of the return shall be retained in the candidate's personnel records.
- (g) ~~All p~~Previous employers within the past 10 years--to determine the quality of the candidate's work record.
- (h) Within practical limits, references supplied by the candidate, and other references supplied by them, if any--to determine whether or not the candidate has exhibited behavior which would or would not be compatible with the position sought.
- (i) The candidate's present neighborhood and where practicable, neighborhoods where the candidate may have previously resided--to determine whether or not the candidate has exhibited behavior which would or would not be compatible with the position sought.
- (j) The candidate's credit records--to determine his/her credit standing with banks, department stores and other commercial establishments that would tend to give a clear indication of the candidate's reliability and integrity.
- (k) When appropriate, military records, ~~including medical~~, in the service of the United States, jurisdictions therein, or foreign government--to determine the quality of the candidate's service.
- (l) ~~Hospitals, clinics, or physicians having medical records including the current employment physical examination records (if this examination is performed before the Personal History Investigation) of the candidate--to determine whether or not the candidate's current or past health would be a disqualifier for the position sought.~~

1-6. Relationship to Medical and Psychological Examinations: ~~In whatever order the Personal History Investigation or the Physical Examination is performed, the background investigator and the examining physician should work cooperatively by exchanging their findings and observations which may be useful in performing their individual tasks.~~
Pursuant to the provisions of the Americans with Disabilities Act of 1991, the hiring department may not make medical inquiries of a candidate prior to extending a conditional offer of employment. For a job offer to be considered bona fide, all non-medical information should be

gathered at the pre-offer stage, unless doing so is practically or legally unreasonable.
Subsequent to a conditional job offer and provided that the confidentiality provisions of the law
are observed, the background investigator, examining physician, and examining psychologist
should work cooperatively to ensure that each has complete information upon which to make
their respective assessment of the candidate.

COMMISSION PROCEDURE C-2

**PHYSICAL MEDICAL AND PSYCHOLOGICAL
SUITABILITY EXAMINATIONS**

Purpose

2-1. Physical Medical and Psychological Suitability Examinations: This Commission procedure implements the physical medical and psychological suitability examinations requirements established in Government Code Section 1031(f) and Sections 1002(a)(7) and 1007(a)(7) of the Regulations. The purpose of the physical medical examination is to select personnel who are physically sound and free from any physical medical condition which would probably be expected to adversely affect their performance as a of peace officer duties. The purpose of the psychological suitability examination is to select personnel who are free from any mental or emotional condition which might would be expected to adversely affect their performance as a peace officer. ~~The use of the POST "Medical Screening Manual for California Law Enforcement, 1995", or its equivalent, in conducting the physical evaluation is discretionary. The use of the "POST Psychological Screening Manual, December 1984", or its equivalent, in conducting the psychological suitability evaluation is discretionary.~~

Procedure

2-2. Sequencing of the Physical Medical and Psychological Suitability Examinations: The physical medical and psychological suitability examinations shall be conducted ~~as specified in Government Code Section 1031(f)~~ within 1 year before hire. The Americans with Disabilities Act of 1991 prohibits the collection of medical¹ information prior to a conditional offer of employment.

2-3. Verification of Medical and Psychological Suitability: The hiring authority shall retain written verification that persons employed have been examined and found medically and psychologically suitable to perform peace officer duties in accordance with the provisions of this procedure.

Medical Examination Requirements

2-4. Medical Suitability Examination Requirement: As specified in Government Code Section 1031(f), the medical examination shall be conducted by a licensed physician and

¹The Americans with Disabilities Act definition of medical inquiries covers areas related to both medical and psychological disability.

surgeon. The use of the POST "Medical Screening Manual for California Law Enforcement, 1996," in conducting the medical evaluation is discretionary.

~~2-3~~ **2-5. Completion of Medical History Statement:** ~~Each candidate must supply to the examining physician a statement of the medical history of past and present conditions, diseases, injuries or operations. The department head shall require the candidate to complete the POST Medical History Statement, Form 2-252, or its equivalent prior to conducting the medical examination.~~

~~2-4~~ **2-6. Vision and Hearing:** ~~The hiring authority shall establish minimum standards for hearing, color vision and visual acuity, and is responsible for determining that each candidate meets those standards to ensure that candidates are free from any vision or hearing conditions that would be expected to adversely affect their performance of peace officer duties. The POST vision and hearing guidelines provide recommended evaluation criteria for use in this regard. While the use of these guidelines is discretionary, the hiring authority shall, at a minimum, establish criteria for screening visual acuity (near and far; corrected and uncorrected), color vision, visual field, and hearing sensitivity.~~

~~2-5~~ **2-7. Physician's Findings and Record:** ~~The physician shall report the examination findings in writing findings of the examination and shall note, for evaluation by the appointing authority, any past or present physical conditions, diseases, injuries, operations, or any evidence or indications of mental conditions displayed by the candidate which should be further evaluated by competent professionals. The completed written report shall be retained by the local jurisdiction by completing the POST Medical Examination Report, Form 2-253, or its equivalent, to be used by the appointing authority in its hiring decision.~~

Psychological Examination Requirements

~~2-6~~ **2-8. Psychological Suitability:** ~~Peace officer applicants shall be judged to be free from job-relevant psychopathology, including personality disorders, as diagnosed by a qualified professional, as described in Government Code Section 1031(f) (i.e., by a licensed physician and surgeon or by a licensed psychologist who has a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders). References in making this determination are identified in the "POST Psychological Screening Manual, December 1984," the use of which is discretionary.~~

~~2-7. Psychological Suitability Examination:~~ ~~Psychological suitability shall be determined on the basis of psychological test score information which has been interpreted by a qualified professional. A minimum of two psychological tests shall be used. One must be normed in such a manner as to identify patterns of abnormal behavior; the other must be oriented toward assessing relevant dimensions of normal behavior.~~

~~2-8. Clinical Interview:~~ ~~All final recommendations to disqualify candidates for psychological unsuitability shall be based, in part, on a clinical interview conducted by a qualified professional. An interview shall also be conducted when objective test data are inconclusive.~~

2-9. Psychological Suitability Examination Requirements:

- (a) A minimum of two psychological tests shall be used. One must be normed in such a manner as to identify patterns of abnormal behavior; the other must be oriented toward assessing relevant dimensions of normal behavior.
- (b) A clinical interview shall be conducted. The psychological test results shall be reviewed in advance by the individual who conducts the clinical interview.
- (c) Interpretation of the psychological test score information and conduct of the clinical interview shall be performed by a qualified professional as defined in subparagraph 2-8.²

2-10. Findings of the Psychological Suitability Examination: Findings of the psychological suitability examination shall be reported in writing to the appointing authority for use in its hiring decision.

2-9 2-11. Updated Physical Medical and Psychological Suitability Examinations: When more than one year has passed since initial examinations, physical medical and psychological suitability examination updates, as opposed to complete new examinations, may be conducted for individuals who:

- (a) Upgrade within the same agency to reserve peace officer or regularly employed peace officer status;
- (b) Were examined initially in accordance with all of the provisions of subparagraphs 2-1 through 2-8 10 of Commission Procedure C-2, and the results of such examinations are available for review; and
- (c) Have worked continuously for the agency since the time of initial appointment.

Each examination update shall be conducted by a qualified professional as defined in Government Code 1031(f), and shall include, at a minimum:

- (a) A review of previous examination findings;
- (b) A review and evaluation of the individual's work history and job-relevant life history while with the agency for indicators of potential changes in physical medical or psychological status and the conduct of more extensive examination and assessment when warranted by the findings of such review; and

²Since determination of psychological suitability must be made in part on the basis of psychological test score information, as specified in this procedure, the testing is usually conducted by a licensed psychologist.

- (c) Verification in writing by the qualified professional as to the individual's physical medical or psychological suitability for appointment as a peace officer, a copy of which shall be retained by the agency.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Los Angeles Public Library -- Peace Officer Feasibility Study		Meeting Date November 7, 1996
Bureau Management Counseling Services	Reviewed By Michael C. DiMiceli <i>medc</i>	Researched By Paul M. Harman, Senior Consultant
Executive Director Approval <i>Thomas P. Barber</i>	Date of Approval	Date of Report October 11, 1996
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the security officer positions in the Los Angeles Public Library, Security Division, be designated as peace officers?

BACKGROUND

Senate Bill 353 (Presley) added Sections 13540-42 to the Penal Code, effective May 1990. The law requires any person who desires peace officer status and who was not, on January 1, 1990, a peace officer, to request the Commission on Peace Officer Standards and Training (POST) to undertake a feasibility study regarding designation as a peace officer.

The law authorizes the Commission to adopt regulations necessary to undertake a study and to recover from the requesting person the actual costs of the study.

Section 13541 P.C. requires the study to include the current and proposed duties and responsibilities of the persons who seek designation as a peace officer, their field law enforcement duties and responsibilities, their supervisory management structure, and their proposed training methods and funding sources.

Section 13542 P.C. requires the employing agency to have a chief law enforcement officer and to agree to comply with the training requirements of Section 832 P.C.

On March 8, 1994, Assistant Business Manager Kristina Morita, City of Los Angeles Public Library (LAPL), requested a peace officer feasibility study of 39 positions designated as security officers in the Los Angeles Public Library, Security Division. The Commission on Peace Officer Standards and Training and the LAPL entered into an interagency agreement on March 21, 1995 to have POST conduct the study.

Los Angeles Public Library

The Los Angeles Public Library system is extensive. The system includes the Central Library and 67 branch libraries spread throughout an area of 467 square miles of the City of Los Angeles. The Central Library, which is the headquarters facility, is located at 630 West Fifth Street, downtown Los Angeles.

The Central Library complex is the jewel of the LAPL system, consisting of 540,000 square feet (eight floors). This building was extensively damaged by an arson fire in 1993. Since that time, it has been completely restored and refurbished, and an extensive, multi-story wing has been added.

The LAPL receives its revenues from the City of Los Angeles General Fund. A Los Angeles Public Library Foundation has been established for the purpose of maintaining the library programs, hours, resources and improvements. The Los Angeles Public Library, Security Division, provides security services within the buildings, grounds and parking lots of the Central Library and all 67 branch libraries.

Los Angeles Public Library Security Division (LAPLSD)

Article XIV, Section 161, of the Los Angeles City Charter (paraphrased) provides the LAPL the power and duty to maintain and care for all buildings, structures and grounds devoted to the purposes of the Department, from any funds under its control. Based on this section, the Board of Library Commissioners approved the creation of a Library Security Division. The Commission also developed guidelines for acceptable behavior for persons using the Los Angeles Library System, and provided the authority to enforce those rules to the City Librarian in Section 1:383, rather than the Security Division. Los Angeles Public Library security officers are tasked with maintaining the security and safety of patrons using the library system at the direction of the City Librarian. The City of Los Angeles enacted regulations within the Los Angeles Municipal Code, Section 63.93, which further define inappropriate behavior in the Los Angeles City Library System. The security officers enforce the Los Angeles Municipal Code Section 63.93 and California Penal Code Section 490.5 (theft of retail merchandise or library materials).

The LAPLSD consists of 40 positions that include a principal library security officer (Chief of Security), one lieutenant, two supervising library security officers (sergeants), 35 security officer positions and one staff support person.

The LAPLSD deployment consists of one supervisor and 24 officers assigned to shifts that operate 24 hours per day, seven days per week at the Central Library. At the Central Library, officers are rotated to work three fixed positions (i.e., entrances and exits, the grounds and floors of the complex, and the dispatch center). The dispatch center officers maintain the security base station which has a 93 video camera surveillance system and 22 monitors. The officers monitor the Fire Life Safety System, Methane Gas Detection System, Telesite/Veritech Alarm System for the branch libraries and dispatch officers to alarm sites as needed. Two officers per region are assigned to security in the three geographic regions, each containing 22 branch libraries. Three roving security officers in vehicles (one in each region) respond to calls at branch libraries and to check the unstaffed libraries in the region. Night security officers are dispatched from the Central Library to respond to alarms at outlying branches.

A significant amount of the security activity is event-related, such as responding to alarms, juveniles disturbance, or drug and gang activity calls.

At the present time, all arrests made by LAPLSD officers are turned over to the Los Angeles Police Department (LAPD). All criminal complaints are investigated and filed by LAPD detectives.

SCOPE OF THE STUDY

The scope of the study includes the 39 security officer positions of the Los Angeles Public Library System, which encompasses the Central Library and 67 branches. The positions include the Chief (principal security officer), three senior supervising security officers (a lieutenant and two sergeants), and the 35 library security officer positions. The study examined information related to field law enforcement duties and responsibilities, supervisory and management structure, and the proposed training methods and funding sources.

METHODOLOGY OF THE STUDY

POST staff interviewed and discussed the study methodology with Business Manager Chris Morita and Chief Ernest Love. The lieutenant, two sergeants and eight library security officers from assignments at the Central Library, roving patrol and branch regions were also interviewed.

A questionnaire was used to guide the interviews about job tasks and activities completed by security officers. The same questionnaire was also completed by the 27 security officers who were not interviewed.

POST staff reviewed the security programs, cameras and alarm systems at the Los Angeles Central Library and various branch facilities. The internal policies, budget, LAPLSD Policy and Procedures Manual, standard criminal justice texts, Los Angeles Municipal Codes, the Los Angeles City Charter, training records, training budget and case files were also reviewed.

Communications were made with the Los Angeles Police Department's Administrative Headquarters and several Los Angeles Police Department Area Commanders.

ANALYSIS OF DATA

The work required of library security officers primarily relates to security of the library buildings and grounds, as well as the safety of visiting patrons. Some library security officers are assigned to fixed posts within the Central Library building. Other officers are assigned to busier branch libraries. The officers are responsible for securing and unlocking library buildings at prescribed hours.

Library security officers make private person arrests pursuant to Penal Code Section 837, perform limited criminal investigations and write reports of criminal actions or incidents which occur within library buildings or on library grounds. Arrestees are remanded to the custody of the LAPD. The LAPD has jurisdiction over the Central Library, all 67 branch libraries and warehouses, and will respond to calls or assist library security officers. The LAPD handles all investigations of crimes occurring on library property. Library security officers do not write parking citations.

The library security officers wear dark blue uniforms which closely resemble those of the LAPD. The library patrol vehicles bear a City of Los Angeles Security Division seal; however, they are not equipped with emergency lights or radios. Library security officers related to POST that when they are called to respond to incidents involving transients, homeless, itinerant peddlers and juveniles who loiter in and around the library, these individuals are often uncooperative. The library officers are reportedly told *"You aren't police. You can't do anything to me."*

The Library Security Division believes that law enforcement at the City Libraries would be more efficiently handled by the LAPLSD officers than by the LAPD. They believe that the need to maintain order and integrity within the libraries and surrounding parking lots and grounds requires more immediate, on-site law enforcement service capability than the LAPD can routinely provide.

The Library Security Division described the need for full law enforcement authority to support arrests, follow-up investigations and criminal prosecutions. This authority would enable the security officers to address increasing crime problems in and around the library facilities and grounds, and include enforcement of State laws on library premises. The LAPLSD wants peace officer status because it would allow them to search persons detained for theft of library property or other crimes, and ask for identification and run warrant checks on persons detained for disruptive activity. They believe it would also provide equal standing with officers in other agencies. Peace officer status would enable LAPLSD officers to investigate, file and track their own cases, and have access to criminal history information which they believe would provide greater officer safety when dealing with the transient and alcohol or drug-addicted individuals who frequent the facilities.

The Central Library experiences problems that are attributed to the wide variety of individuals who may use the library restrooms, loiter in the outside gardens, and come solely to steal marketable books, videos or other items from the library collection. Law violators at the public libraries are primarily juveniles.

The LAPL management believes long response times from the LAPD pose a potential danger to LAPLSD security officers, particularly when a prisoner becomes restless. The LAPL believes their dependence on another law enforcement agency to collect arrestees, file cases and write parking citations hampers their effectiveness and creates a burden upon the LAPD.

A review was conducted of reports and incidents on file at the Central Library Security Division. All cases that require investigation and prosecution are handled by LAPD. There are no LAPL personnel trained in investigations to track significant theft cases. There is no follow-up by the LAPLSD to determine whether a case was filed or dismissed, or whether a suspect was convicted. To date, search and arrest warrants have not been required on the library cases. Initiative on the part of some library officers has led to the identification of criminal suspects perpetrating vandalism on library facilities, or the theft of some of the Central Library's collectable works.

Incident reports are maintained in the files at Central Library and by librarians at branch offices. The files are not automated nor are they centralized. We found no automated system to capture or index criminal records or reports. An unique numbering system is used to file cases and provide for retrieval of data.

Incident reports for the entire library system for Fiscal Years 1993-95 total 924. The librarians may fill out reports documenting activity which occurred at a branch library for which no police response was requested either from LAPD or from Library Security Division. This is significant because approximately 50% of the felony and misdemeanor crime reports written are not verified by LAPD or Security Division personnel. Those reports are a part of the statistic compilation provided by LAPLSD. Staff reviewed a statistical analysis of the reports which detailed the profile of incidents on file.

An analysis of the type and frequency of crimes, and the number of arrests and service requests is depicted in Exhibits 1 and 2. Exhibit 1, following this page, depicts the most common felony and misdemeanor crimes reported at the Central Library and the 67 branch offices over the past three years.

**LOS ANGELES PUBLIC LIBRARY
SECURITY DIVISION**

CRIME REPORT ACTIVITY	1993-94	1994-95	1995-96	Total # of Crime Incidents in 3 Years for Each Category
<i>Felonies</i>				
Assault	3	3	0	6
Robbery	5	3	6	14
Auto Burglary	13	14	9	36
Burglary	13	21	43	77
Grand Theft	5	16	14	35
Vehicle Tampering	7	17	13	37
Total Felonies	46	74	85	205
<i>Misdemeanors</i>				
Petty Theft	48	73	57	178
Vandalism 594 P.C.	29	37	37	103
Trespassing 602 P.C.	11	16	11	38
Indecent Exposure 314 P.C.	4	9	8	21
Disorderly Conduct 647f P.C.	4	8	5	17
Public Nuisance 370 P.C.	12	20	15	47
Disturbing the Peace 415 P.C.	27	55	57	139
Total Misdemeanors	135	218	190	543

Exhibit 1

**LOS ANGELES PUBLIC LIBRARY
SECURITY DIVISION
WORKLOAD DATA 1993-96**

FISCAL YEAR	REPORTED CRIMES		CRIMES REQUIRING SECURITY/ POLICE RESPONSE	FELONY ARRESTS	MISD. ARRESTS	ALARM ACTIVATIONS
	FELONY	MISD				
1993-94	44	175	133	4	7	952
1994-95	63	280	157	5	13	1,000
1995-96	74	278	181	26	10	1,100
3-YEAR TOTAL	181	733	471	35	30	3,052

Exhibit 2

Exhibit 2, above, summarizes the reported crimes, arrests and alarms for Fiscal Years 1993-95.
NOTE: Security officers responded to 51.5% of the reported crimes.

CONCLUSIONS AND RECOMMENDATION

Conclusions

After review and analysis of the current and proposed duties and responsibilities, the field law enforcement duties and responsibilities, and the workload of the LAPLSD officers, POST staff concludes:

- the non-peace officer security division employees of the LAPLSD perform functions that are desirable and necessary to the Los Angeles Public Library;
- the primary work and daily duties of the security officers does not regularly or frequently require peace officer authority;
- the frequency with which library security officers deal with persons with a significant criminal history cannot be established;
- the library security officers have sufficient powers and authority to perform the assigned functions and responsibilities; and

- law enforcement services provided by LAPD are sufficient to handle existing and projected workloads.

Finally, POST staff concludes the security officer positions at the LAPLSD should not be designated as peace officers.

Recommendation

If the Commission concurs, direct the Executive Director to submit the completed feasibility report, including the conclusions and recommendation, to the State Legislature and the City of Los Angeles Public Library.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Approval of Agency Policies for Limited Level I Reserve Officers		Meeting Date November 7, 1996
Bureau Executive Office	Reviewed By	Researched By Hal Snow <i>HS</i>
Executive Director Approval	Date of Approval	Date of Report October 23, 1996

Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report	Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No
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In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve the policies of the South San Francisco Police Department and the Ventura County Sheriff's Department pursuant to P.C. Section 832.6 (a) (1) (A) limiting the duties of its level I reserve officers, and should the Commission delegate, to the Executive Director, authority to approve future policies when they appear to meet the intent of the law?

BACKGROUND

In 1995, Senate Bill 1874 became law which required level I reserve officers, appointed after January 1, 1997, to complete the Regular Basic Course and to complete the continuing professional training requirement prescribed by the Commission. At the same time, the law change authorized law enforcement agencies to request an exemption from the Regular Basic Course training requirement if the agency has policies approved by the Commission limiting duties of level I reserve officers and these level I reserve officers satisfy other training requirements established by the Commission. The Commission, subsequently, established this training requirement as being reserve training Modules A, B, and C. Since the Regular Basic Course training requirement goes into effect on January 1, 1997, it is timely for the Commission to consider these two requests for approval.

ANALYSIS

The two requests received to date (attached) are from the South San Francisco Police Department and from the Ventura County Sheriff's Department. The policies of both agencies limit the duties of "limited level I reserve officers" to non-general enforcement duties such as response to burglar alarms (not open windows or doors), cover calls, citizen assist, check the area, theft (no suspects), malicious mischief (no suspects), attempt to contact (no suspects), fireworks, security checks, traffic control, limited prisoner transportation, certain parking enforcement, subpoena service, vehicle lockouts, serving "due diligence" warrants, report taking, vacation home checks, and traffic directing.

In both policies, limited level I's may work alone or with other limited level I's. However, they may not be assigned to the prevention and detection of crime and the general enforcement of the laws of this state. If assigned general enforcement duties, they must be under the immediate supervision of an officer possessing a POST basic certificate which is consistent with existing law. Both policies attempt to reduce exposure to hazardous traffic stops, gang calls, repeat calls, and serious crimes in progress.

Even though these policies appear to be consistent with the intent of the law, there remains the unavoidable risk of these officers, who are generally in uniform, being stopped by a citizen or otherwise encountering an "on-view" crime in progress. Furthermore, in the case of the Ventura County's policy (page 4, v), a provision specifies that "it is not the intent of their policy to limit any watch commander or field supervisor from utilizing a reserve deputy as a level I in a critical incident or temporary emergency situation." This provision could be subject to multiple interpretation. These concerns speak more to the viability of the law establishing the limited level I reserve and less to the wisdom of these agency policies. Staff plans to review the viability issue with representatives of law enforcement groups in the near future in order to determine if there might exist better alternatives.

In the meantime the Commission is tasked by the Legislature to approve agency policies, and these policies appear to be reasonable and consistent with law. It is recommended these policies be approved and the Commission delegate to the Executive Director responsibility for further approvals that are consistent with the intent of the law.

RECOMMENDATION

Approve the policies of the South San Francisco Police Department and Ventura County Sheriff's Department limiting the duties of their "limited level I's" and authorize the Executive Director to approve future policies that are consistent with the intent of the law.



OFFICE OF COMMISSION ON POST
THE CHIEF OF POLICE
(415) 877-8930



Mark J. Raffaelli
CHIEF OF POLICE

April 5, 1996

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards & Training
1601 Alhambra Blvd.
Sacramento, CA 95816

Dear Mr. Boehm:

After reviewing the options outlined in the Reserve Peace Officer Status Summary-1995, I am writing to request that POST grant the South San Francisco Police Department the exemption outlined for "Limited Non-Designated Level I" Reserve Officers.

The South San Francisco Police Department has always used Police Reserve Officers to supplement, not supplant, our regular patrol force. Enclosed is South San Francisco Police Department Procedure #120 which outlines the duties our current Non-Designated Level One Reserve Officers perform when they work in pairs on patrol. Our current policy does not allow Reserve Officers to carry out patrol duties individually. When not working in pairs, Reserve Officers are limited to riding with a regular Police Officer. Aside from the patrol work outlined, our Reserve Officers are assigned to special events providing security, traffic and crown control.

I hope that the information provided is sufficient to enable POST to grant the requested exemption. If you require additional information please feel free to contact me. Your prompt attention and written reply will be appreciated.

Sincerely,

Mark J. Raffaelli
Chief of Police

Effective: 15 March 1994

TITLE: LEVEL I RESERVE OFFICER DUTIES

PURPOSE: To establish guidelines that will govern the type of calls Level I Reserve Officers may handle while working in pairs on patrol; to allow Reserves to assist in the delivery of a high level of service to the community in a timely manner; and to increase Reserve Officer development and enthusiasm and increase their value to the Police Department and the community.

POLICY:

Level I Reserve Officers working in pairs may respond to and document the following calls. All documentation must be completed and approved by the on-duty Supervisor prior to the Reserve Officer going off duty.

- + 1. Burglar alarms (residential or commercial)
 - 2. Cover on calls
 - 3. Citizen assist
 - 4. Check the area calls
 - 5. 488 (no suspects)
 - 6. 594 (no suspects)
 - 7. Attempt to contact (no suspects)
 - @#8. Disturbance juveniles/noise/noisy animal
 - 9. Fireworks
 - 10. Property calls - found/lost/destruction
 - 11. Special services
 - 12. Security checks
 - 13. Requests for walk through
 - 14. Traffic control
 - 15. Code 5 (individuals may work certain Code 5s)
 - 16. Prisoner transportation (limited circumstances), with watch commander approval
- + Any alarm verified by an open window door entry will require a regular officer.
- # Repeat calls will be handled by regular officers.
- @ Any calls in traditional gang areas will be handled by regular gang officers: C Street, Susie Way, Cypress Park and 500-600 block of commercial area. If a Reserve Officer suspects gang involvement at any call, they will request a regular officer.

Level I Reserve Officers working in pairs where at least one of them has received specialized training and certification by the department may respond to and handle the following calls:

1. Parking citations limited to:
 - a. Red zones
 - b. Handicapped parking
 - c. No stopping, standing or parking (including between certain hours)
 - d. Vehicles blocking driveway (in response to dispatched complaint). Reserve Officer may complete CHP 180. This form must be reviewed and signed by a regular officer. Reserve may then await arrival of a tow.
 - e. Fire hydrant
2. 653m
3. Subpoena service
4. Vehicle lockouts
5. Expired registration in conjunction with any of the above violations
6. Citing and checking 11-24

The above calls for service may be dispatched to reserve units when available. Calls shall not be held for availability of reserve unit. Watch commander may designate reserves to handle other calls in emergency situations.



VENTURA COUNTY SHERIFF'S DEPARTMENT

- LARRY CARPENTER
SHERIFF
- RICHARD S. BRYCE
UNDERSHERIFF

800 SOUTH VICTORIA AVENUE, VENTURA, CA 93009 PHONE (805) 654-2380 FAX (805) 645-1391

January 24, 1996

Norman C. Boehm, Executive Director
The Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816

Dear Mr. Boehm:

In accordance with the provisions of Senate Bill 1874 which became effective January 1, 1995, I am formally requesting that the Ventura County Sheriff's Department be exempt from the requirement that all reserves hired after January 1, 1997, complete the Regular Basic course of training.

As requested by POST, attached for your approval is the General Order, "Reserve Deputies," which outlines the Department's policies regarding the limited use of our Reserve Deputies.

Should you need further clarification regarding this policy, please contact Lieutenant Christopher Godfrey at (805) 388-4296.

Sincerely,


LARRY CARPENTER
Sheriff

attachments

WEST COUNTY POLICE SERVICES
Kenneth Kipp, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2315 FAX (805) 650-4039

EAST COUNTY POLICE SERVICES
Robert Brooks, Chief Deputy
2101 East Olsen Road
Thousand Oaks, CA 91360
(805) 494-8261 FAX (805) 494-8295

DETENTION SERVICES
Donald R. Lanquist, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2305 FAX (805) 654-3500

SUPPORT SERVICES
Richard Rodriguez, Chief Deputy
800 South Victoria Avenue
Ventura, CA 93009
(805) 654-2378 FAX (805) 654-5151

GENERAL ORDER

SUBJECT: RESERVE DEPUTIES

PURPOSE: To define the tasks and level of supervision under which reserve deputies shall perform their duties.

I. Rules and Regulations

All members of the Ventura County Sheriff's Reserve Unit shall obey the same rules and regulations as regular sworn deputies.

II. Definitions

1. Designated Level I (DL I) - refers to a trained reserve officer as described in Penal Code Section 832.6(a)(1)(B). Per 830.1 P.C., has full powers and duties (24 hours per day), and may be assigned specific police functions whether or not working alone, or to the prevention and detection of crime and the general enforcement of the laws of this state.
2. Non-Designated Level I (NDL I) - refers to a trained reserve officer as described in Penal Code Section 832.6(a)(1)(A). Has peace officer authority on duty only for the duration of a specific assignment. May work alone and be assigned to the prevention and detection of crime and the general enforcement of the laws of this state.
3. Limited Non-Designated Level I (LNDL I) - refers to a trained reserve officer as described in Penal Code Section 832.6(a)(1)(A). Has peace officer authority on duty only for the duration of a specific assignment. May work alone, however, may not be assigned to the prevention and detection of crime and the general enforcement of the laws of this state. If assigned general law enforcement duties, must be under the immediate supervision of an officer possessing a POST basic certificate. (Refer to Field Assignments below)
4. Level II (L II) - refers to a trained reserve officer as described in Penal Code Section 832.6(a)(2). Has peace officer authority on duty only for the duration of a specific assignment. Must work under the immediate supervision of an officer possessing a POST basic certificate, when assigned to the prevention and detection of crime and the general enforcement of the laws of this state.

5. Level III (L III) - refers to a trained reserve officer as described in Penal Code Section 832.6(a)(3). Has peace officer authority on duty only for the duration of a specific assignment. Is deployed in such limited functions as would not usually require general law enforcement powers.

III. Field Assignments

1. The Ventura County Sheriff's Department will utilize reserve deputies as Limited Non-Designated Level I reserves (LNDL I), irrespective of whether or not they currently meet higher standards as outlined on page one under the definitions section.

Limited Non-Designated Level I reserves may be assigned to work alone in a one person unit, or with another Limited Non-Designated Level I reserve. However, they shall not be assigned to "*the prevention and detection of crime and the general enforcement of the laws of the state.*" Per the Sheriff's Department's exemption authorized by POST, specific duties Limited Non-Designated Level I reserves may perform include:

Reserve Deputy / Prisoner Transport Unit

The duty of the prisoner transport detail is to transport prisoners from the area substations to the Sheriff's Main Jail in Ventura. Also, reserve deputies may be asked to assist with the transporting and booking of arrestees from the field to the appropriate station. Reserve deputies working this detail will be responsible for booking prisoners and assisting with the related booking paperwork. This detail is not intended to be used for patrol purposes such as traffic stops, follow-up investigations, or handling calls in progress.

Reserve Deputy / Warrant Service Detail

Limited Non-Designated Level I reserves may be eligible to work the Sheriff's Warrant Detail serving misdemeanor "due-diligence" warrants. The following requirements must be met:

- Prior to a reserve working the Sheriff's Warrant Detail, he or she will attend an eight-hour class on warrant service/due diligence taught by one of the department's detectives working warrants. Also, he or she must work a minimum of twenty-four hours with a fully compensated, full-time detective assigned to the Sheriff's Warrant Detail.
- The reserve deputy must receive approval from the Sheriff's Warrant Detail supervisor prior to working the reserve deputy assignment.
- This detail is not intended to be used for patrol purposes such as traffic stops or the handling of calls in progress. The Reserve Warrant Detail will operate under the radio call sign of "3W60, 3W61, etc."

Reserve Deputy / Report Taking Unit

The responsibility of the reserve deputy report taking unit is to respond to those calls for service where police reports will be taken, i.e., vandalism, burglary, lost or stolen property, etc. This unit is not intended to be used for patrol purposes such as traffic stops or the handling of calls in progress.

Reserve Deputy / Vacation House Check Unit

Limited Non-Designated Level I reserves may be used to conduct vacation house checks. Reserve deputies conducting vacation house checks need to identify the resident(s) requesting the house check, and note the time(s) the residence was checked. This unit is not intended to be used for patrol purposes such as traffic stops or the handling of calls in progress.

Reserve Deputy / Traffic Control Unit

A reserve deputy may be used by any Division's Traffic Detail, or by any officer responding to the scene of a traffic accident. A reserve deputy traffic unit's primary responsibilities at traffic accidents are to help in providing security at the scene, directing traffic, either at a controlled intersection, an uncontrolled intersection, or at a fixed barricade position. A reserve deputy may, at times, be asked to help in transporting family members involved in traffic accidents to or from the hospital. This unit is not intended to be used for patrol purposes such as traffic stops or the handling of calls in progress.

Reserve Radio Call Signs

Ventura County Sheriff's Reserve Deputies assigned to work alone or with another limited Level I reserve are generally identified by any call sign(s) ending in sixty, i.e., 3D60, 3C60, 3B60, 4R60, 4R61, etc.

2. Limited Non-Designated Level I reserve deputies, and all other reserve deputies, while assigned to "*the prevention and detection of crime and the general enforcement of the laws of the state,*" shall be under the immediate supervision of a full-time officer possessing a basic POST certificate.

Immediate supervision is defined as being under the direction of a peace officer who is in the physical proximity of and available to the reserve officer. However, necessary, temporary separations are permitted. The peace officer who is supervising the reserve officer must be deemed qualified to instruct by the department head and possess a POST Basic Certificate.

POST has defined "*the prevention and detection of crime and the general enforcement of the laws of the state*" as being assigned to investigate crime or patrol a geographic area and taking enforcement action on the full range of law violations for which the reserve's

department has enforcement responsibility.

While Limited Non-Designated Level I reserve deputies working alone or in pairs will never be assigned to general law enforcement duties, they may take law enforcement action in which the public safety or expectations would require immediate action by a uniformed patrol officer. Examples may include: battery in progress, significant traffic violations, citizens' request for immediate assistance, etc. In such instances, reserve deputies will, as soon as practical, notify the watch commander and/or field supervisor and appraise him or her of the situation. As soon as practical, a regular sworn officer, possessing a POST Basic Certificate, will be dispatched to the scene to supervise the reserve(s).

It is not the intent of this general order to limit any watch commander or field supervisor from utilizing a reserve deputy as a Level I reserve in a critical incident or temporary emergency situation.

IV. Compensation / Hourly Rate of Pay

The Ventura County Sheriff's Reserve Unit is considered a volunteer organization under the criteria set forth in the Fair Labor Standards Act (FLSA), and as such, no compensation is authorized for services by members in the regular performance of their duties. However, reserve deputies may at times be compensated for special assignments or details i.e., football games, dances, parades, etc. The rate of pay for special assignments will be based on the pay for a bottom step regular deputy, without benefits.

The payment of reserve deputies working special assignments or details is handled directly through the organization or city that contracted the work. Neither the Sheriff's Department Business Office nor the County Auditor generally handle these funds. The exception to this is during election years when reserve deputies are employed by and compensated by the County Elections Division.

V. Training

As of July 1995, state law requires that all Level I reserves meet the minimum continuing professional training (CPT) requirements. Every Level I reserve officer shall satisfactorily complete 24 or more hours at least once every two years of POST certified training. This requirement may also be met by satisfactorily completing one or more of the certified technical courses totaling 24 or more hours, or satisfactorily completing an alternative method of compliance as determined by POST.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report On Student Workbook Pilot Project		Meeting Date November 8, 1996
Bureau Basic Training Bureau	Reviewed By Everitt Johnson	Researched By Joey Duna Shirley Paulson
Executive Director Approval <i>Thomas C. Beckler</i>	Date of Approval 10-21-96	Date of Report October 18, 1996
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 item is a report on the results of the student workbook pilot test and a recommendation that the Commission authorize final payment to vendor pending staff's satisfactory approval of all workbook deliverables.

BACKGROUND

In June 1993, a Management Fellow began research into the use of student workbooks in the Regular Basic Course. A report on the results of that research was presented at the January 1994 Commission meeting. Results of the research demonstrated that use of student workbooks could improve student learning through reduced traditional lecture time, improve critical thinking skills and more effectively use classroom hours through structured preview and review of learning material.

At its July 1994 meeting, the Commission requested a Request for Proposal (RFP) be prepared to obtain cost estimates for developing workbooks for six specifically identified learning domains to form a pilot project which would serve to measure the costs and benefits of student workbooks prior to investing in a full workbook project. An RFP was developed and issued on July 28, 1994 for the development of workbooks for six learning domains for an amount not to exceed \$99,381. The final result of the selection process was award of the contract to International Computers and Telecommunications (ICT) who began work on the project on April 10, 1995. The Long Range Planning Committee favorably reviewed a sample workbook for one of the domains at its October 1995 meeting.

The student workbook study assumed that the existing Regular Basic Course instructor guides could simply be converted to student workbooks. The content of existing instructor guides proved inadequate to supply the contractor with the required resources. Extensive time was

needed to research the curriculum content and develop a complete instructional package of the student workbook and instructor guide. As a result of development delays, only five of the six authorized workbooks were completed. The workbooks completed were Learning Domains #1 History, Ethics and Professionalism, #2 Criminal Justice System, #5 Introduction to Criminal Law, #13 ABC Law, and #32 Lifetime Fitness. The workbook for Learning Domain #30 Preliminary Investigation will be delivered approximately three months following the Commission meeting. Due to the extensive instructional material covered in this domain, multiple workbooks will be required. Additional design and development time is needed.

Staff learned that it requires approximately six months to design, develop, and field test a student workbook. Future development of student workbooks must be based upon a realistic timeframe that allows research and development, subject matter expert review, and validation and field testing. Additionally, staff learned that the student workbook required subject matter expert input beyond the traditional method of unit guide curriculum development. The student workbook is more complex than the instructor guides which are merely outlines. The workbooks contain curriculum, tests, learning activities, and sequenced lesson plans.

ANALYSIS

The Student Workbook Instructional System has met project expectations by reducing traditional lecture time, providing a method to improve student performance, and allowing instructors to use interactive student activities. If fully implemented, it is expected that the workbooks will be a cost-effective method to deliver standardized training throughout the state. Additional advantages of the workbook system may include providing a link between the field training and basic training programs and aiding in the development of POST testing instruments.

The student workbooks and accompanying instructor guides were field tested in various academies throughout the state. The Rio Hondo Regional Training Center, Oakland Police Department, Santa Rosa Training Center, Contra Costa Criminal Justice Training Center, Los Angeles County Sheriff's Department Academy, San Diego Regional Law Enforcement Training Center, Fullerton Community College Academy, and the Los Angeles Police Department Recruit Academy participated in the review portion of the pilot project. Over 1200 copies of the student workbooks and instructor guides were distributed among the academies. Staff personally contacted academy instructors to provide training on the use of the workbooks and instructor guides and request comments on all areas of the Student Workbook Instructional System. Instructors and students were specifically asked to provide written evaluations of the reading level of the content, the use of vocabulary, and the students' comprehension of the material. No adverse comments were received in these areas. No indication of racial or cultural bias was expressed. Comments were favorable regarding the appearance of the workbook and sequencing of material.

The Student Workbook Instructor Guide emerged as an unanticipated benefit of the pilot project. The guide supports the student workbook learning objectives and contains sequenced lesson

plans, new graphics that correlate the training specification document to the workbook, learning goals, and POST-developed student learning activities. Use of the guide discourages lectures and, as an alternative, provides interactive student activities based on adult learning strategies. The new instructor guide was favorably received by instructors who also verified that the content of the workbooks is accurate and relevant to the students' needs.

Students were appreciative of the effort to provide them with instructional aids that improve their ability to do well in the classroom. Comments from students were generally supportive despite the additional work needed to complete the workbooks.

Development of the student workbooks creates a new method to design and support basic training. The development of this system creates new opportunities to meet basic training demands of a variety of programs. The student workbooks and accompanying instructor guides form an instructional system that is more effective in the following ways:

The Student Workbook Instructional System provides the student and instructor with professionally-designed curriculum and lesson plans that standardize the delivery of instruction and are far superior to existing instructor unit guides.

Academy instructors currently are provided with a POST-developed lecture outline which defines the minimum information that the instructor should cover. The development methodology relies on the expertise of curriculum consultants with no training in instructional design to determine the curriculum. The resulting unit guide provides the instructor with only the basic information needed to ensure that the student masters the training objectives. There is no POST requirement that the instructors follow this guide.

The Student Workbook and Instructor Guide provides the student and instructor with professionally designed and sequenced curriculum based upon instructional goals defined in *Training Specifications for the Regular Basic Course*. The workbook provides the student with sequenced lessons, learning exercises, and quizzes that can be used outside the classroom. The instructor guide provides the instructor with lesson plans that are sequenced to mirror the student workbook and contain learning activities to be used to enhance student performance. The workbook and instructor guide support both the instructor and the student.

The Student Workbook Instructional System reduces lecture time and promotes interactive student activities based on adult learning strategies.

The workbooks are designed based on the belief that the student can master learning objectives outside of the classroom setting. By allowing students to prepare prior to formal instruction, instructors can more effectively use classroom time. A student already familiar with the curriculum can be expected to immediately participate in activities that stimulate critical thinking, reasoning, judgment and problem-solving.

Instructors are encouraged to find new ways to facilitate the learning process. In the future, instructors with proper training in adult learning strategies have the opportunity to improve the way students learn.

The development of student workbooks and instructor guides is a cost-effective method of supporting basic training.

Staff learned from the pilot test that the cost of developing student workbooks varies from \$14,000-20,000 per domain. It is anticipated that it will cost approximately \$600,000 to convert the remaining Regular Basic Course learning domains to student workbooks. At the July Commission meeting, the Finance Committee approved the concept of converting the Regular Basic Course learning domains to student workbooks in \$200,000 installments. A Request for Proposal (RFP) has been developed and is presented in a separate agenda item. The RFP solicits proposals from qualified individuals and organizations for the development of student workbooks and confirms cost estimates.

The workbooks have the potential of supporting 5,000 basic trainees per year and 1400 instructors in the basic training system. Maintenance costs for the student workbooks and instructor guides will involve distribution of the documents and routine updates. Several strategies could be employed to keep these costs as low as possible. Staff currently facilitates two curriculum development workshops per month to update the 41 instructional unit guides. The development and maintenance of the proposed 41 student workbooks could be integrated into these meetings at a minimal increase in cost. Training existing staff to develop and maintain the documents would further reduce costs.

It is envisioned that professionally-designed and developed curriculum will significantly reduce the need for change to the Regular Basic Course. If the workbooks were distributed to the academies electronically, maintenance costs could be further reduced by eliminating the need to make changes to existing copies of the documents. To help defer maintenance costs, at the September Consortium meeting the academy directors agreed to make their own copies of workbooks to provide to their instructors and students.

The Student Workbook Instructional System provides a new method to deliver basic training in the field training program

The workbooks provide a method to potentially remove curriculum from the academy classroom to the field training program. The workbook instructor guide contains sequenced lessons that can be taught in field training programs by field training officers that are trained as academy instructors. The obvious utility of the sequenced lessons was of particular interest to the agency academies involved in the field test. Staff from the Los Angeles Police Department Recruit Academy were enthusiastic about the potential of delivering basic and remedial training in their field training program. The delivery of

basic training by field training officers would establish a critical link between the programs.

The Student Workbook System aids in the development of tests

The Student Workbook Instructional System simplifies the curriculum and testing requirements to make it easy for the student to understand. Basing the content of POST-developed tests on the workbooks ensures a good fit between tests and instruction. In those areas where testing is inappropriate, lessons in the workbook provide documentation that the student received the instruction.

The Student Workbook System can be used to upgrade reserve training programs.

The workbooks could be used to upgrade the reserve training program by standardizing curriculum among reserve trainers. The workbooks would also provide reserve training students with a self-paced instructional system for use outside the classroom. Instructors and field training officers could be provided with sequenced lesson plans from the instructor guides.

RECOMMENDATION

Staff recommends that the Commission approve the report on the student workbook pilot project and authorize final payment to vendor pending staff's satisfactory approval of all workbook deliverables.

- Reduces lecture time and promotes student learning activities based on adult learning strategies
- Is a cost-effective method of supporting basic training and provides an opportunity to market POST training nationwide.
- Provides a new method to deliver basic training in the field training program
- Aids the development of tests which is a critical step in moving from standards based upon training requirements to standards based upon competency
- Upgrades other existing basic training programs

ANALYSIS

Staff anticipates that it will cost approximately \$600,000 to convert the remaining basic course learning domains to student workbooks. At the July commission meeting, the Finance Committee approved the concept of converting the Regular Basic Course learning domains to student workbooks in \$200,000 installments. An RFP (Attachment A) is attached to this report that solicits proposals from qualified individuals and organizations for the development of student workbooks based on the parameters outlined by the finance committee. Fourteen workbooks would be delivered in the fiscal year 1997-98, ten in 1998-99 and eleven in 1999-2000. Staff estimates that these groupings of learning domains would cost approximately \$200,000 each.

The RFP provides contractors with the requisite proposal requirements and student workbook background that will be required to develop future student workbooks. The timeframes and development methodology were endorsed by the Consortium of Academy Directors at their September 1996 meeting.

RECOMMENDATION

Staff recommends that the Commission approve the release of the RFP to solicit bids to convert the remaining basic course learning domains to student workbooks. If a successful bidder is identified, staff will make a proposal for a contract at the January Commission meeting. Release of the RFP will not encumber any funds at this time and solicits bids only.

REQUEST FOR PROPOSAL
TO DEVELOP A SERIES OF LAW ENFORCEMENT STUDENT WORKBOOKS

BASIC COURSE STUDENT WORKBOOK PROJECT

Request for Proposal No. 96-011-75

1996

State of California

Commission on Peace Officer Standards and Training

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SECTION I - OVERVIEW OF REQUIREMENTS

A. Introduction

The purpose of this Request for Proposal (RFP) is to solicit proposals from qualified individuals and organizations for the development of a series of interactive student workbooks for basic law enforcement training.

B. Contents of the RFP

The RFP is divided into four sections: Overview of Requirements, Background, Proposal Requirements and Student Workbook Requirements.

- **Overview of Requirements** - outlines the contents of the RFP and contains summaries of the three other sections.
- **Background** - describes how the *Regular Basic Course* fits into other training for peace officers and how it supports the organizational goals of the Commission on Peace Officer Standards and Training (POST). It also describes the audience for the proposed Student Workbook Project and discusses the existing *Regular Basic Course*.
- **Proposal Requirements** - details what a proposal should contain and the desired format. These requirements must be followed in order for a proposal to be eligible for consideration.
- **Student Workbook Requirements** - details the subject matter to be addressed by the student workbooks and the desired development methodology.

C. Administrative Requirements

In addition to meeting the technical requirements of the RFP, vendors must adhere to all administrative requirements such as the action dates, the rules governing competition, and the confidentiality requirement set forth in this section.

D. Confidentiality

To ensure the security and confidentiality of the State's training information systems, each vendor must sign a confidentiality statement. Vendors interested in submitting a proposal can review the confidentiality statement which is attached as part of the Model Contract as Appendix A.

E. Availability

Any final deliverables proposed for RFP must be delivered to the headquarters of the Commission on POST on or before the delivery date specified in Section III, paragraph C.

SECTION II - BACKGROUND

A. Organization

The primary objective of the Commission on Peace Officer Standards and Training (POST) is to raise the level of competence of local law enforcement officers by establishing minimum training standards for peace officers who are responsible for the general enforcement of criminal laws in the State of California. Additionally, POST is responsible for prescribing a course of training to be satisfactorily completed by every peace officer prior to the exercise of peace officer powers.

The POST *Regular Basic Course* is offered at 36 academies across the state. The *Regular Basic Course* is offered both through community college academies and academies operated by state and local law enforcement agencies and county sheriffs' departments.

B. Training Objectives

The main objective of the *Regular Basic Course* is to meet the mandate of the commission to provide basic training for entry level peace officers.

The *Regular Basic Course* consists of 41 Learning Domains, or instructional units, covering all aspects of basic law enforcement training. The subject matter includes Learning Domains as diverse as *History, Professionalism & Ethics, Community Relations, Laws of Arrest, Patrol Techniques, Traffic Accident Investigation, First Aid & C.P.R., Cultural Diversity/Discrimination* and *Firearms/Chemical Agents*. Information regarding the instructional goals, required topics, learning activities, and required tests in the *Regular Basic Course* can be found in the document, *Training Specifications For The Regular Basic Course - 1995*.

The current *Regular Basic Course* consists of a minimum of 664 hours of instruction, however the actual hours of instruction range from 680 hours to 1100 hours, depending upon the individual presenter. The hours of instruction include classroom instruction, learning activities, scenarios and psychomotor skill training sessions which vary from presenter to presenter.

This RFP addresses the 35 Learning Domains which were not developed during the initial pilot project. (Additional information on the training specifications for the Learning Domains selected for the workbook project can be found in Appendix B (*Training Specifications*))

The POST Commission has authorized the conversion of the Regular Basic Course to the Student Workbook Instructional System over the next three years. The RFP requests that proposals be based on the following schedule:

SECTION II - BACKGROUND

March 1997-July 1998

- Learning Domain #6 Property Crimes
- Learning Domain #7 Crimes Against Persons
- Learning Domain #8 General Criminal Statutes
- Learning Domain #10 Sex Crimes
- Learning Domain #9 Crimes Against Children
- Learning Domain #11 Juvenile Law and Procedure
- Learning Domain #12 Controlled Substances
- Learning Domain #15 Laws of Arrest
- Learning Domain #16 Search & Seizure
- Learning Domain #17 Presentation of Evidence
- Learning Domain #39 Crimes Against the Justice System
- Learning Domain #40 Weapons Violations
- Learning Domain #41 Hazardous Materials Awareness
- Learning Domain #34 First Aid & CPR

July 1998-July 1999

- Learning Domain #3 Community Relations
- Learning Domain #4 Victimology/Crisis Intervention
- Learning Domain #18 Investigative Report Writing
- Learning Domain #42 Cultural Diversity/Discrimination
- Learning Domain #31 Custody
- Learning Domain #37 Persons with Disabilities
- Learning Domain #25 Domestic Violence
- Learning Domain #20 Use of Force
- Learning Domain #36 Information Systems
- Learning Domain #24 Handling Disputes/Crowd Control

July 1999- July 2000

- Learning Domain #19 Vehicle Operations
- Learning Domain #21 Patrol Techniques
- Learning Domain #22 Vehicle Pullovers
- Learning Domain #23 Crimes in Progress
- Learning Domain #26 Unusual Occurrences
- Learning Domain #27 Missing Persons
- Learning Domain #28 Traffic Enforcement
- Learning Domain #29 Traffic Accident Investigation
- Learning Domain #33 Person Searches/Baton
- Learning Domain #35 Firearms/Chemical Agents
- Learning Domain #38 Gang Awareness

SECTION II - BACKGROUND

C. Testing and Success Criteria

POST has mandated criteria for evaluating trainee mastery of the *Regular Basic Course* training objectives. Mastery of the training objectives which are cognitive in nature is evaluated by the use of Knowledge Tests. These are paper-and-pencil tests, consisting of multiple-choice and true-false test items which are developed by POST and tracked through the computerized POSTRAC system. Mastery of the objectives requiring exercise of judgement or manipulative skills is tested with the trainee demonstrating proficiency through exercise tests or scenario tests in the presence of an evaluator.

D. Trainee Definition

The California Penal Code identifies over 80 job classifications that hold the powers of a peace officer. Some individuals in these classifications exercise their peace officer powers every day and others rarely exercise peace officer powers at all. This large and diverse group of peace officers can be divided into four groups which are intended to benefit from the pilot student workbook project:

The first group consists of the state and local peace officers responsible for general law enforcement throughout the state. Examples include city police officers, county sheriffs, and members of the California Highway Patrol. This group meets the training mandate set forth in the Penal Code through satisfactory completion of the *Regular Basic Course* as presented by one of the 36 academies in the state. This is intended as the primary target group for the student workbook program.

The second group of trainees requiring the basic training is diverse in terms of peace officer classifications. This group has varying levels of peace officer powers as defined in the Penal Code. Examples of this group include state special investigators from agencies such as Department of Motor Vehicles, Alcoholic Beverage Control, Department of Health Services and Department of Consumer Affairs. These trainees receive their mandated training through the *POST Specialized Investigators' Basic Course* which incorporates selected training objectives from the *Regular Basic Course*. The student workbooks may be incorporated into the *Specialized Investigators' Basic Course*.

The third group of trainees requiring *Regular Basic Course* training is various specialized peace officers at the county level. This group includes county marshals and investigators from county agencies, such as district attorney investigators and coroner investigators. These trainees receive their mandated training through courses such as the *District Attorney Investigators' Course*. Certain student workbooks may be incorporated into these courses.

The fourth group of trainees consists of local law enforcement reserve officers. Reserve Officers are designated as either Level I, Level II or Level III Reserve Officers with their peace officer powers being dependent upon the level of Reserve Officer training they have received. Reserve Officers attend the *POST Reserve Course* which is similar to, and which incorporates selected training objectives from, the *Regular Basic Course*. The

SECTION II - BACKGROUND

Reserve Course is a minimum of 222 hours and is presented at 60 locations throughout the state. Presenters of reserve training may incorporate the workbooks into their programs.

E. Problem Definition

During 1992, a *Basic Course Study* was initiated to identify strategies for improving the overall effectiveness of basic training. Among the specific issues contained in the report was a recommendation to convert certain *Basic Course Instructor Unit Guides* to student workbooks. The development of student workbooks was viewed as a means to:

- Improve student success as measured by improved Learning Domain scores and increased retention of subject matter.
- Provide more effective use of classroom hours through better student preparation.
- Standardize presentation of subject matter by all Regular Basic Course presenters.
- Improve testing methodology and enhance evaluation of student performance.
- Create a living document through ongoing review by experts and prompt distribution of updated materials.
- Reduce the amount of classroom time devoted to certain necessary subjects.
- Resolve current problems associated with student testing which might be best measured by analysis of critical thinking, as opposed to response to a multiple choice question.

The original desire for reduced classroom hours for certain subjects was generated by the amount of material to be covered in the *Regular Basic Course* in the limited time available. These time constraints become greater each year as legislatively-mandated curricula is added to the course. The assumption of the *Basic Course Study* was that the use of student workbooks would reduce classroom hours, making hours available for new or more important subject matter. Further consideration of this assumption indicates that the use of student workbooks would reduce the amount of traditional lecture time in the classroom, but as part of an instructional system, would not necessarily reduce the total classroom time for the subject.

The Basic Course Study also concluded that certain areas which are currently tested through multiple choice test items could be better evaluated through written responses which would test the student's critical thinking ability. Using the material on *Ethics* as an

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example, a properly constructed workbook could present ethical dilemmas which would require a narrative response from the student. Such a response, if reviewed by an instructor, could lend itself to an evaluation of the student's understanding of the material, the student's critical thinking and the student's general writing ability.

In June 1993, a Management Fellow began research into the use of student work books and in January 1994 presented a report to the Commission that concluded workbooks would:

- raise the level of competence of entry level California peace officers,
- reduce agency and officer liability through proper training,
- be used in individual study and instructor-led situations,
- reduce classroom time spent on traditional lectures,
- take advantage of the latest learning technology, and
- be reasonable in cost.

A "pilot project" to measure the costs and benefits of student workbooks was completed in November 1996 at which time student workbooks for five learning domains were developed. Based on the results of the pilot project, the Commission has approved the expansion of the Student Workbook project and authorized the expenditure of additional funds to convert the remaining learning domains to student workbooks.

The Commission has concluded that development of the student workbooks has created a new method to design and support basic training. The development of this system creates new opportunities to meet the basic training demands of a variety of programs. The student workbooks and accompanying instructor guides form an instructional system that is more effective in the following ways:

Provides the student and instructor with professionally designed curriculum and lesson plans that standardize the delivery of instruction

Academy instructors currently are provided with a POST-developed lecture outline which defines the minimum information that the instructor should cover. The development methodology relies on the expertise of curriculum consultants with no training in instructional design to determine the curriculum and establish the learning goals. The resulting unit guide provides the instructor with only basic information needed to insure that the student masters the training objectives. There is no POST requirement that the instructors follow this guide.

The Student Workbook and Instructor Guide provide both the student and instructor with professionally designed and sequenced curriculum based upon instructional goals defined

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in *Training Specifications for the Regular Basic Course*. The workbook provides the student with sequenced lessons, learning exercises and quizzes that can be used outside the classroom. The instructor guide provides the instructor with lesson plans that are sequenced to mirror the student workbook and contain learning activities used to enhance student performance. The support by POST of instructors and the students ensures the standardized delivery of basic training.

The Student Workbook Instructional System discourages instructor lectures and as an alternative provides student learning activities based on adult learning strategies designed to enhance student performance

The workbooks are designed based on the assumption that the student can master the learning objectives outside the classroom. Students are better prepared to immediately use classroom time. The student is familiar with the curriculum and can be expected to participate in learning activities that stimulate critical thinking, reasoning, judgement and problem-solving. Instructors are encouraged to find new ways to facilitate the learning process. With proper training in adult learning strategies they have the opportunity to use classroom time more effectively.

The development of student workbooks and instructor guides is a cost-effective method of supporting basic training and provides an opportunity to market POST training nationwide

The Basic Training Bureau currently maintains the Regular Basic Course by facilitating approximately 20 curriculum development workshops per year at a cost of approximately \$3,500 each. This figure does not include the curriculum consultants' salary that is paid by the training institution. Comparatively, a student workbook and instructor guide can be developed for \$9000-\$31,534 depending on the difficulty. The workbooks have the potential of supporting 5,000 basic trainees per year and 1400 instructors in the basic training system alone.

The development of POST student workbooks generates new markets for the sale of training materials. Preliminary discussions with publishers indicate that there would be an opportunity for POST to recover development costs by selling the workbooks to college students, private security officers and the public in general. The revenues generated by these sales could be used to maintain and develop new workbooks. For instance, if a workbook sold for \$15 to a student, POST would recover approximately \$5 in costs. If all students in the basic training system were charged a nominal fee for the POST-developed materials, revenues would substantially increase. Estimates are speculative at this stage and need further study.

The Student Workbook Instructional System provides a new method to deliver basic training in the field training program

The workbook instructor guide contains sequenced lessons that could be completely taught in new field training programs or blended into existing field training programs by

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properly trained field training officers. Field training officers would require additional training in the requirements of the Regular Basic Course and contemporary methods of instructional delivery based upon adult learning principles. This training methodology links the content of the Regular Basic Course to the field training program and provides a new method to deliver basic instruction in the field training program.

The Student Workbook System aids the development of tests which is a critical step in moving from hour-based training requirements to standards based upon competency

Competency-based training involves the identification of the underlying characteristics that lead to successful job performance and the development of competency-based tests. The Student Workbook Instructional System simplifies the curriculum and articulates clearly the testing requirements to make it easy for the student to understand. Basing the content of POST-developed tests on the workbooks ensures a good fit between tests and instruction. In those areas where testing is inappropriate, lessons in the workbook provide documentation that the student received the instruction and demonstrated the requisite proficiency.

The Student Workbook System will upgrade other existing basic training programs

POST must ensure that reserve training is equivalent to the Regular Basic Course by January 1, 1997. The workbooks can be used to upgrade the Reserve Training Program in the following ways:

- Improve the quality of reserve training by standardizing curriculum among reserve trainers
- Provide the reserve students with a self-paced instructional document that can be used by reserve students outside the classroom
- Improve the quality of instruction by providing instructors with sequenced lesson plans and supporting learning activities
- Provide a method to link the reserve field training program to the basic course which will allow a portion of the reserve training to be delivered in the field

The student workbooks have the potential of upgrading existing basic training programs and developing new programs including the transition course, dispatcher training, specialized investigator's course, cadet training and community volunteers.

The Student Workbook System will lower the development cost of interactive videos, telecourses and other training delivery systems

The student workbooks provide a solid foundation upon which to base other training delivery systems. Development costs for those projects could be lowered by eliminating up front design costs.

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The Commission has approved the expansion of the Student Workbook project and authorize the executive director to expend funds to convert the entire basic training system to the workbook format.

Potential vendors should be aware that the Commission has been involved in a strategic planning process while at the same time studying the utility of student workbooks to enhance student performance and the delivery of standardized training. Many of the advantages to the student workbooks are consistent with direction emerging from the strategic planning process. Student workbooks and accompanying instructor guides will:

- Expand the standardized delivery of basic training
- Provide a new method to ensure compliance with training standards by providing a basis to design competency-based tests
- Provide self-directed courses that can be used in a variety of basic training programs that can be studied outside the formal classroom
- Create new opportunities to market POST training materials to recover development costs and provide a cash stream to maintain the system

Because of the obvious utility of the workbooks, staff and training presenters remain enthusiastic about the potential of the system to meet emerging demands of the strategies being defined by law enforcement. The vendor will be working closely with staff to ensure that the expectations of the field are being met.

SECTION III - PROPOSAL REQUIREMENTS

This section describes the format, rules, and other requirements for submitting an acceptable proposal. Responses to the RFP will be evaluated based on the total proposal. If a contract is awarded, it will be awarded to a single vendor.

A. Basic Requirements

The proposal must meet the following minimum requirements in order to be evaluated by the evaluation committee:

- The proposal must supply all of the information required by this section in the prescribed format.
- The proposal must provide a solution which substantially conforms with the system proposed in Section IV.
- The proposal must be received on time. Any late proposal will not be considered.

B. Format

The proposal must be prepared in the following format:

1. Cover Letter

A cover letter, which will be considered an integral part of the proposal, must be signed by an individual who is authorized to bind the submitting firm contractually.

2. Minority, Women, and Disabled Veteran Business Enterprise (M/W/DVBE) Participation Requirement

California State law requires that State contracts have participation goals of 15% for minority business enterprises (MBEs), 5% for women business enterprises (WBEs), and 3% for disabled veteran business enterprises (DVBEs).

Please read the requirements in Appendix B carefully. FAILURE TO COMPLY WITH THE REQUIREMENTS MAY CAUSE YOUR BID/PROPOSAL TO BE DEEMED NON-RESPONSIVE AND YOUR FIRM INELIGIBLE FOR AWARD OF THE PROPOSED CONTRACT.

3. Vision

Describe the project including its overall look and feel, how it addresses the Commission's goals, how it will meet the audiences' needs, and how the content will be handled.

SECTION III - PROPOSAL REQUIREMENTS

4. Development Process

Show by charts and narrative how the *Regular Basic Course* student workbooks will be developed.

5. Proposed Solutions

Describe how you will address the student workbook requirements as outlined in Section IV.

6. Personnel

Identify the specialized skills provided to do the proposed work and the specific individuals who will do it. Include resumes of key management and operational personnel in an appendix. All resumes should be of persons actually scheduled to do the work. POST recognizes the volatile demands of the business environment and is somewhat flexible in this regard. Replacement of project personnel is allowed only with prior written approval by POST.

~~The vendor's project manager must be assigned full time to this project.~~

7. Experience

Briefly describe your organization's experience in developing the following:

- a. Interactive student workbooks
- b. Programmed instruction materials
- c. Cognitive learning materials
- d. Peace officer training, if applicable

Include the type and size of the company or organization for which the course was developed. (The name, address, and phone of the appropriate contact for each project will be required before final selection is made.) Describe the project scope and the team working on the project, including the way the project was managed. Describe the graphics and art work which were used, indicating if they were done in-house or through a vendor.

8. Work Plan

Present a schedule for developing the proposed student workbooks and delivering the products enumerated in Section IV. Identify important tasks and events in the instructional design process and detail the assumptions on which they are based.

9. Cost

Include assumptions on which the costs are based. Cost must be submitted in a separate sealed envelope clearly marked with the vendor's name and labeled "**CONFIDENTIAL: COST PROPOSAL for RFP 96-011-75 .**" All vendor costs associated with this contract, including travel, are to be included in this proposal. Costs to develop a proposal are the responsibility of the vendor and are not chargeable to the State of California.

SECTION III - PROPOSAL REQUIREMENTS

Bidders are expected to submit proposals that require the developer to assume all costs not covered by POST's contribution to workbook development. Costs would be for development of 35 highly interactive student workbooks. POST's contribution would be to pay non-vendor related costs for convening curricula consultants as needed and to supply certain equipment and props (See Section IV, paragraph G).

The work to be performed will be authorized on a fixed cost basis. Payments for work completed will be negotiated and tied to deliverables.

C. Key Action Dates

The times and dates by which various activities must be completed are shown below. Any needed changes will be accomplished by addendum.

	<u>Action</u>	<u>Time</u>	<u>Date</u>
1.	Release of RFP		Nov. 12, 1996
2.	Vendor's Conference	9:00 a.m.	Dec. 2, 1996
3.	Submission of Proposals	4:30 p.m.	Jan. 2, 1997
4.	Evaluation Meeting	9:00 a.m.	Jan. 6, 1997
5.	Oral Presentations	9:00 a.m.	Jan. 15, 1997
6.	Request for Contract Approval by POST Commission		Jan. 23, 1997
7.	Notification of Intent to Award Contract		Jan. 27, 1997
8.	Protest Period Expires	5:00 p.m.	Jan. 31, 1997
9.	Final Contract Document Prepared and Signed		Feb. 3, 1997
10.	Final State Approvals		Feb. 17, 1997
11.	Beginning of Contract Period		March 1, 1997
12.	Delivery (Ready-for-Use Date)		Jan. 1, 2001

D. Copies

Seven copies of the proposal must be submitted to the departmental official specified in paragraph E below by the submission time and date shown in paragraph C above. Supply one copy of the cost proposal (in a separate, sealed envelope) as specified in paragraph B 9 above.

E. Delivery of Proposals

Proposals must be delivered or mailed to:

Attn: Louise Hanson
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083.

Proposals must be received in this office prior to the time and date shown for submission of proposals in paragraph C above. A postmarked date will not constitute timely delivery. Late proposals will not be considered.

SECTION III - PROPOSAL REQUIREMENTS

Envelopes must have a return address and be marked: "**Confidential: RFP 96-011-75** for the *Basic Course Student Workbook Project*."

F. Evaluation Process

1. Receipt of Proposal

A record will be made of the time and date on which each proposal is received at POST.

2. Evaluation Committee

POST will select an evaluation committee. The committee will meet on the date specified in paragraph C above for the evaluation of proposals received.

3. Minimum Requirements

On the day of the evaluation committee meeting, the committee's first task will be to reject those proposals which do not satisfy the following criteria:

- a. Supplies all of the required information in the format prescribed in this section. If the proposal is incomplete or ambiguous, the committee may reject the proposal or ask the vendor to supply the missing information in a timely manner. If the proposal substantially deviates from the required format, it will be rejected.
- b. Provides a solution which substantially conforms to the requirements in Section IV. If not, the committee will reject the proposal.
- c. Provides evidence that key personnel who will manage and perform the work are appropriately qualified to do so. If not, the committee will reject the proposal.

4. Evaluation Factors and Weights

The committee's second task will be to evaluate the remaining proposals by assigning one to five points (one low, five high) to each of the evaluation factors described below.

a. Vision

The vendor shows a clear understanding of the range of problems the workbooks will address, including their use for both individual student learning and as a basis for classroom instruction, the need for on-going updating of materials, and the potential use of the workbooks in other POST-certified courses. The proposal discusses, at a high level, the overall look and feel of the workbook and solutions to these design and delivery challenges. (15%)

SECTION III - PROPOSAL REQUIREMENTS

b. Development Process

The proposal describes in complete detail the essential steps to be taken in the development of the student workbooks (including analysis, design, development, implementation, and evaluation). (15%)

c. Proposed Solutions

The proposal clearly addresses the key points in Section IV, and the vendor presents realistic, innovative, and effective solutions. (25%)

d. Personnel

The proposal identifies personnel with the appropriate skills to manage and perform the work proposed. (10%)

e. Experience

The vendor documents prior interactive student workbook or textbook development experience which demonstrates an ability to properly analyze and develop law enforcement student workbooks and manage complex projects. (25%)

f. Work Plan

The proposal includes a thorough, workable plan that assures the on-time delivery and testing of all proposed products. (10%)

g. Cost

The total point value will be adjusted using the vendor cost proposals and formula outlined below in paragraph 7a, Cost Adjustment Formula.

5. **Tentative Score**

A tentative score will be computed for each proposal by multiplying the points assigned to each factor by the factor's percentage weight and summing across factors.

6. **Oral Presentation**

Based on the tentative scores, the evaluation committee will invite up to the **four top ranking vendors** to make oral presentations on the date shown for oral presentations in paragraph C, Key Action Dates in this section. The committee may affirm or modify the points assigned to the proposal based on the vendor's oral presentation.

SECTION III - PROPOSAL REQUIREMENTS

7. Final Score

a. Cost Adjustment Formula

The total points assigned to a proposal by the evaluation committee following the oral presentation will be adjusted according to the following formula:

$$\text{Adjusted TP} = \text{TP} - (.25 \times \text{TP} \times (\text{C} - \text{LC}) \div \text{LC})$$

Where: TP = total points assigned by committee
C = the cost of the proposal being evaluated
LC = cost of lowest cost proposal

1) Small Business Preference Adjustment

In the application of the above formula, certified small business bidders shall be granted a preference consisting of five percent of the cost component of the highest scored proposal submitted by another bidder who is not certified as a small business.

2) Target Area Contract Preference Act (TACPA)

Government Code Section 4530 et seq. provides that whenever any State agency contracts for the procurement of goods and services in excess of \$100,000 and the worksite is not fixed by the terms of the contract, preference will be granted to California Code of Regulations, Sections 1986.30 et seq., regarding the labor needed to produce the services. Proposers seeking to obtain the TACPA preference must submit a completed form (Attachment ??) with their bid that includes all appropriate certifications, the address(es) of the worksite(s), a valid signature, and if seeking the additional 1 to 4 percent preference available for hiring persons with a high risk of unemployment, must have checked the appropriate box. The preference will consist of from 5 to 9 percent of the points, depending on the additional 1 to 4 percent claimed. A proposer who has claimed a TACPA preference and is awarded the contract will be obligated to perform the contract in accordance with the preference or preferences requested, provided that the TACPA preference was granted in obtaining the contract.

b. Highest Point Count

The proposal with the highest adjusted total point value (highest score) will be awarded the contract.

8. Award of Contract

Assuming that the proposal selected according to the process described above meets all other administrative requirements, the evaluation committee's recommendation will be submitted to the Commission on Peace Officer Standards and Training for its decision on the award of the contract, except that the State reserves the right to reject any or all proposals at any time.

SECTION III - PROPOSAL REQUIREMENTS

G. Rules

1. General

This RFP, the evaluation process, and the award of any contract will be made in conformance with current competitive bidding procedures as they relate to the procurement of goods and services by public bodies in the State of California. A vendor's proposal is an irrevocable offer for 30 days following the scheduled date for contract award specified in this section. A vendor may extend the offer in writing in the event of a delay caused by a protest of the intended award.

2. Errors in the RFP

This RFP contains an explanation of the State's needs and the prescribed format and content of the proposal. It also refers to supplemental sources of information, including a model personal services contract, which are to be examined by the vendor preparing a proposal. If a vendor discovers any ambiguity, conflict, discrepancy, omission, or other error, the vendor must immediately notify the State of such error in writing and request clarification or modification of the RFP. Any such clarifications or modifications will be accomplished by addendum. Insofar as practicable, the State will furnish such addenda to other interested parties, but the State will not be held responsible therefore.

If a vendor fails to notify POST of an error in the RFP known to him/her prior to the date fixed for submission of proposals, he/she shall bid at his/her own risk. If he/she is awarded the contract, he/she shall not be entitled to additional compensation or time by reason of the error or its later correction.

3. Examination of the RFP

The vendor should carefully examine the entire RFP, any addenda thereto, and any related materials or information referenced therein.

4. Questions Regarding the RFP

Vendors with questions regarding the technical specifications of the RFP can call Shirley Paulson (916-227-4260), or in her absence, Jody Buna (916-227-4259).

Vendors with questions regarding State mandated specifications of the RFP can call Louise Hanson (916-227-3924).

Questions about the RFP relating to any proprietary aspects of a vendor's proposal will be treated as confidential.

If a vendor believes one or more RFP requirements are unfair or impose unnecessary constraints, the vendor may propose a less costly or alternate solution. POST will review the request and if accepted, distribute the change as an addendum to the RFP.

Written questions received at least three working days prior to the vendor's conference date will be answered at the conference. Sources of these questions will not be revealed.

SECTION III - PROPOSAL REQUIREMENTS

A vendor's conference will be held at:

Commission on POST
1601 Alhambra Blvd. Training Room "D"
Sacramento, California 95816-7083

on the date shown in paragraph C above. Attendance at this conference is not mandatory in order to submit a proposal.

Oral questions will be accepted during the conference and an attempt will be made to answer them during the conference. Responses to unanswered questions will be mailed to attendees.

Correspondence relating to the proposal (but not the proposal itself) should be delivered to Shirley Paulson, or mailed to her at POST, 1601 Alhambra Boulevard, Sacramento, California 95816-7083.

5. Copyright Information

- a. POST will be the sole owner of the finished product including all copyrights.
- b. All materials delivered to POST by vendor shall be free of copyright infringements.
- c. Any future marketing arrangements will be negotiated under a separate contract.

6. Reasons for Not Submitting a Proposal

The State is interested to know a vendor's reasons for not submitting a proposal, including unreasonable requirements, unusual terms and conditions, the amount of the contract or any other factor affecting a vendor's decision not to submit a proposal. Reasons for not submitting a proposal may be provided orally or in writing. The State will examine the stated reasons for not submitting a proposal and may amend the RFP if it is in the State's best interest to do so. Vendors are encouraged to notify the State as soon as possible of factors that are negatively affecting their decision to submit a proposal.

7. Addenda

The State may modify the RFP prior to the date fixed for the submission of a proposal by issuance of an addendum to all parties who are participating in the process at the time the addendum is issued.

8. Confidentiality of Proposals

Final proposals are public record upon opening. However, the contents of all proposals, correspondence, or other writings which disclose any aspect of a vendor's proposal will be held in confidence until notice of intent to award.

SECTION III - PROPOSAL REQUIREMENTS

9. Submission of Proposal

a. Preparation

Proposals should provide a concise description of how the requirements of the RFP will be satisfied. Expensive bindings, colored displays, and promotional materials are not necessary.

b. Vendor's Costs

Costs for developing a proposal are the responsibility of the vendor and are not chargeable to the State of California.

c. Complete Proposals

Proposals must be complete in all respects and conform with the requirements set forth in the RFP.

d. False or Misleading Statements

If, in the opinion of the State, the proposal contains false or misleading statements, it will be rejected.

e. Signature

A cover letter, which will be considered an integral part of the proposal, must be signed by an individual who is authorized to bind the submitting firm contractually.

f. Delivery of Proposals

Mail or deliver the proposal to the departmental official listed in paragraph E of this section. If mailed, use certified or registered mail with a return receipt requested.

Proposals must be received in the number of copies and format described in this section, and they must be received on or before the time and date provided in paragraph C of this section. One copy must be clearly marked "MASTER COPY." If discrepancies are found between two or more copies of the proposal, the master copy will be used to resolve discrepancies. If one copy of the proposal is not clearly marked "MASTER COPY," the State will, at its discretion, reject the proposal or select one copy to use as the master copy.

g. Withdrawal or Modification of Proposals

Vendors may withdraw their proposals at anytime by so notifying the State in writing, except as provided for in paragraph G.1. Vendors may modify their proposals by so notifying the State in writing prior to the time and date shown for submission of proposals in paragraph C of this section.

SECTION III - PROPOSAL REQUIREMENTS

h. Rejection of Proposals

The State may reject any or all proposals.

10. Evaluation of Proposal and Award of Contract

a. Evaluation and Selection Process

i. General

Proposals will be evaluated according to the procedures contained in the evaluation section.

ii. Vendor Presentations and Evaluation Questions

During the evaluation and selection process, the State may request the top four scoring vendors to make oral presentations or to answer specific questions, orally or in writing. Oral presentations have been scheduled for the date shown in paragraph C of this section.

b. Award of Contract

Award of contract will be based on an evaluation of the factors enumerated in this section.

11. Contractual Information

a. Contract Form

The vendor must agree to enter into a contract substantially in accordance with the State's model contract which is attached as Appendix A.

b. Protests

Before a protest is submitted, a vendor must make timely use of the procedures described in this section for resolving any disagreements between the State and the vendor. Protests must be written, contain a detailed statement of protest, including the RFP number, the state agency, and who the award was made to:

Department of General Services
Office of Legal Services
Attention: Chief Counsel
1325 J Street, Suite 1911
Sacramento, CA 95814 (and)

Commission on Peace Officer Standards and Training
Attn: Louise Hanson
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

SECTION III - PROPOSAL REQUIREMENTS

Protests must be received as promptly as possible but no later than the time and date specified in paragraph C of this section.

c. Disposition of Proposals

All materials submitted in response to this RFP will become the property of the State of California. The master copy shall be retained for official files and will become public record after the date and time specified in paragraph C for submission of proposals.

d. Replacement Contractor

In the event a contract is entered into but later terminated, POST may enter into a contract with the available proposer having the next highest score in the evaluation process for performance of the remaining contract work.

e. News Releases

Prior to the execution of a contract based on responses to this RFP, proposers shall not issue any news release or make statements to the news media pertaining to the RFP or any proposal and/or contract or work resulting therefrom without prior written approval by POST.

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

A. Workbook Design

1. Course Objectives

The majority of the training objectives for the *Regular Basic Course* have been developed over the past few years. These objectives have been revised on an ongoing basis to reflect changes in the law and changes in the emphasis on various topics. All of the Learning Domains are reviewed for update purposes at least every other year, with some being reviewed annually. These training objectives will be the basis for the content of the student workbooks and are contained in the document, *Training Specifications for the Regular Basic Course, 1995*.

The development of the student workbooks must go beyond meeting the minimal requirements for the concept-level and information objectives by providing exercises that deal with the effects these concepts and information have on officers' actions on the job. In addition, some new higher-level objectives should be devised by combining two or more lower-level objectives to provide realistic job-related learning.

2. Workbook Content

Research will be required to develop the workbook content in addition to the content for the course. The currently recommended content for each training objective is included in the *Instructor Unit Guide* for each Learning Domain. Content for new objectives and for areas where the law has changed may need to be developed. The *Instructor Unit Guides* for the designated learning domains may be viewed at POST Basic Training Bureau, any of the 36 basic training academies throughout the state, or a state depository library. They will also be available at the scheduled vendor's conference.

3. Workbook Format

The student workbooks must facilitate learning by trainees through use of a text formatting procedure that distills and organizes instructional content. Sample student workbooks may be viewed at POST Basic Training Bureau and will be available at the scheduled vendor's conference.

4. Critical Design Features

There are several design features that must be included in the student workbooks.

- a. **Modularity** - At least some of the student workbooks are likely to be used in other courses in addition to the *Regular Basic Course*. While a particular training objective addressed in these other courses is the same as the objective in the *Regular Basic Course*, the objective may be taught in a different sequence or

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

within a different context. This means that each student workbook must be designed so that the workbook can be used independently from other segments of the *Regular Basic Course*.

- b. **Learner Control** - Each student workbook must be designed so that the user has complete control. While a student using a workbook for the first time may be advised to work through lessons in a set order, the same student must be able to access any desired topic in any order when reviewing.
- c. **Feedback to Exercises** - Once a student has answered a question, the student must have feedback as to whether the response is correct or incorrect. The feedback must indicate what the correct answer should be.
- d. **Look and Feel** - The *Regular Basic Course* is the first course many beginning peace officers take. It is important that these new peace officers have a positive attitude toward the content of the course as well as toward the interactive student workbooks. Therefore, the vendor must design the "look and feel" of the student workbook so that students will have a positive learning experience.
- e. **Ease of Update** - Changes in federal and state law, updated arrest techniques, or new firearms tactics frequently occur. Therefore, student workbooks produced for the *Regular Basic Course* will incorporate design techniques that minimize the cost and effort required for modification.

5. Testing

Performance-oriented testing methodology must be designed to effectively determine the ability of individual trainees to meet the performance objectives of the *Basic Course*. POST has the responsibility for developing and delivering paper-and-pencil tests to certify the entry level peace officer's mastery of the *Regular Basic Course* objectives. These paper-and-pencil tests are currently in place as part of the POSTRAC system.

However, various exercises and assessment tools will be developed by the vendor for inclusion in the student workbooks to assist the students in "pre-assessing" mastery of the objectives. The end-of-lesson assessments must adequately measure student progress against the training objectives. These practice exercises and end-of-lesson assessments might include professional and ethical dilemmas or other devices which will prompt narrative responses with the goal of either assessing the student's critical thinking ability and understanding of the concepts presented and/or reinforcement of the student's understanding.

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

6. Media Mix

The media mix will be designed to optimize the attainment of the performance objectives. The vendor will select the mix of graphics, photographs, sketches, charts, or other media best suited to presenting content related to each objective.

B. Project Tasks

There will be a total of 11 project tasks. Three of these tasks are deliverables that will be tied to POST payments. The tasks are listed below.

1. Macro Design Report

The macro design report will include the following:

- a. Audience description
- b. Course goals and high-level objectives
- c. Enabling objectives derived through further analysis of high-level objectives
- d. Exercise strategy
- e. Proposed course organization and sequencing of objectives
- f. Outline of content for each objective
- g. Proposed general plan for use of media (i.e., graphics, photographs, sketches, charts, type size and style, etc.)

2. Detailed Design Report

This report will include the following:

- a. Detailed content for each objective
- b. Instructional and interactive strategies for presentation of content, examples and exercises
- c. Sample practice and exercise items
- d. Plan for ways media will be used
- e. Preliminary specification of POST resources required
- f. Preliminary standards document for workbook text and graphics

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

- g. Plan for developing any necessary support materials, such as an instructor guide or instructor video tape, including content outline
- h. Quality control plan
- i. Formative evaluation plan
- j. Plan for conducting validation and field tests

3. Prototype Workbook

The purpose of the prototype is to illustrate the elements of the design as described in the Detailed Design Report. The prototype should illustrate various features, such as the overall workbook and lesson structures, graphics to be used and the "look and feel" of the proposed workbooks. The prototype should, at a minimum, illustrate the following:

- a. Workbook components (modules, lessons, glossaries, references, exercises, student instructions)
- b. Lesson/unit components (objectives, main content points, demonstrations and examples, practice exercises and feedback)
- c. Range of graphics to be used (sample fonts, illustrations, graphics, photographs, sketches, charts, or other media)
- d. Testing and scoring approach, if appropriate

4. Draft Workbooks

A draft workbook will be prepared for each of the designated Learning Domains. The draft workbooks will be reviewed by POST and by Subject Matter Experts for both content and style.

5. Draft Instructor Guide

The draft Instructor Guide shall be developed to assist instructors in the integration of the student workbooks into the classroom setting. Various ways for involving a group of learners in interacting with the workbook material shall be specified in the instructor guide. The draft will be reviewed by POST and by Subject Matter Experts.

6. Revised Workbooks

The draft workbooks will be revised based upon feedback from POST and the Subject Matter Experts. Approval of the revised workbooks will be necessary prior to validation and field testing.

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

7. Revised Instructor Guide

The Instructor Guide will be revised based upon feedback from POST and the Subject Matter Experts.

8. Validation Report

This written report will present the findings of the tryouts of the student workbooks with students in controlled settings. POST will provide the students. In addition, recommendations for revisions will be made based on results of the tryouts.

9. Field Test Report

This written report will present the findings of the field testing, including recommendations for revisions.

C. Final Deliverables

1. Camera-Ready Masters

Camera-ready masters of each student workbook and each Instructor Guide will be required.

2. Electronic Copies

Electronic copies of each student workbook and each Instructor Guide will also be required. Graphics will also need to be supplied in the WordPerfect format, rather than in the format of the application in which they were created.

3. Packaged Student Workbooks and Instructor Guides

The vendor will deliver packages of the final workbook project to POST. Each package will include the camera ready masters of each workbook and instructor guide, and electronic copies of each workbook and instructor guide (on 3 1/2-inch high density 1.44MB diskettes).

D. Project Milestones

Subject to negotiation with the vendor, submission of the interim deliverables will constitute major milestones of the project. (See the section below, Suggested Project Tasks.)

E. POST/Vendor Relationship

There will be a member of the POST Basic Training Bureau staff overseeing all phases of the project. The vendor will submit bi-weekly project status reports to POST and during

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

certain periods will be in daily contact with the Basic Training Bureau staff via telephone and fax.

F. Suggested Project Tasks

The project tasks below are intended as an example to assist the vendor in developing a work plan and to show the way in which POST should be involved.

1. POST and vendor meet to review contract
2. Vendor submits final contract performance plan
3. POST reviews and approves contract performance plan
4. Project kickoff meeting
5. Submit Macro Design Report
6. Develop content for each objective
7. Submit detailed Design Report
8. POST reviews detailed Design Report
9. Submit prototype workbook print material based upon one Learning Domain
10. POST reviews prototype workbook print material
11. Conduct formative evaluation of selected design elements and make necessary revisions
12. Develop draft student workbook print materials for each of the thirty-five designated Learning Domains, submitting them to POST for review
13. Develop draft instructor guide print materials for each of the thirty-five designated Learning Domains, submitting them to POST for review
14. Submit draft workbooks and Instructor Guide to Subject Matter Experts for review
15. Revise draft workbooks and Instructor Guide based upon Subject Matter Expert feedback
16. Submit revised workbooks to POST for review (Deliverable #1)
17. Submit revised Instructor Guide to POST for review
18. POST reviews each revised workbook to ensure that it is ready for validation
19. Conduct validation according to the plan previously developed
20. Submit written report of results of validation to POST

SECTION IV - STUDENT WORKBOOK REQUIREMENTS

21. POST and vendor meet to determine way in which revisions are made
22. Make revisions as required (Deliverable #2)
23. Conduct field tests of workbooks at selected sites according to the plan previously developed
24. Submit written report of field testing
25. Make revisions as required
26. Submit final workbooks and Instructor Guide to Subject Matter Experts for review
27. Deliver final workbooks and Instructor Guide to POST
28. POST reviews final workbooks and Instructor Guide and gives approval for duplication of camera ready masters and electronic copies
29. Vendor has 25 copies of the camera ready masters and electronic copies duplicated and packaged; submits these to POST (Deliverable #3)

G. Resources from POST

1. Curricula Consultants

The vendor will work with curricula consultants (or subject matter experts) to develop examples, exercises and content for new objectives. These consultants will also be available for reviewing draft workbooks prior to pilot testing.

POST is prepared to underwrite the consultants' travel and per diem costs as needed.

2. Equipment and Props

POST will provide uniforms, law enforcement vehicles, and other law enforcement equipment required for any necessary photographs or other visual aids.


COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

 1601 ALHAMBRA BOULEVARD
 SACRAMENTO, CALIFORNIA 95816-7083

**POST Advisory Committee Meeting
 Wednesday, November 6, 1996
 Embassy Suites, Room Salon C
 Monterey, CA**

AGENDA

10:00 A.M.

A. Call to Order and Welcome Chair

B. Moment of Silence Honoring Peace Officers
 Killed in The Line of Duty (See Attachment A) Chair

Since the last POST Advisory Committee meeting, the following officers died while serving the public:

1. Deputy Anthony Olson, Monterey County SD
2. Officer Karl D. Simons, Long Beach PD
3. Ineasie Maxie Baker, California Youth Authority

C. Roll Call and Special Introductions

D. Announcements Chair

-Appointments to Advisory Committee
 (Chief Kevin Mince, CHP)

E. Approval of July 17, 1996 Meeting Minutes
 (See Attachment B) Chair

F. Status of Governor's Award for Excellence in
 Peace Officer Training and Brief Video of Governor's
 Presentation Staff

G. Report from Subcommittee on Improving Law
 Enforcement's Image With Public (Attachment C) Joe Flannagan
 Chair

H. Report on the Strategic Planning Transition
 Committee Meetings Chair/
 Members

- | | | |
|----|---|---------------|
| I. | Report on POST's Requirements for Out-Of-State Police Chiefs (Attachment D) | Chair |
| J. | Review of Commission Meeting Agenda and Advisory Committee Comments | Staff/Members |
| K. | Advisory Committee Member Reports | Members |
| L. | Commission Liaison Committee Remarks | Commissioners |
| M. | Election of Officers | Members |
| N. | Old and New Business | Members |
| O. | Next Meeting: | |

Wednesday, January 22, 1997
Wyndham Hotel at LAX Airport
Los Angeles, California

- | | | |
|----|-------------|--|
| P. | Adjournment | |
|----|-------------|--|


COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
July 17, 1996, 10:00 a.m.
Hyatt Regency Hotel
Irvine, California

MINUTES
CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman Jay Clark.

MOMENT OF SILENCE

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

- o Officer David W. Manning, California Highway Patrol, Bakersfield
- o Officer Daniel Fraembs, Pomona Police Department
- o Officer Terry L. Fincher, Brea Police Department
- o Deputy Peter J. Aguirre, Ventura County Sheriff's Department, Ventura
- o Officer Donald Burt, California Highway Patrol, Fullerton

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Charles Brobeck, California Police Chiefs' Association
Jay Clark, California Association of Police Training Officers
Norman Cleaver, California Academy Directors' Association
Derald Hunt, California Association of Administration of Justice Educators
Ernest Leach, California Community Colleges
Judith Valles, Public Member
Alexia Vital-Moore, Women Peace Officers' Association
Woody Williams, California Peace Officers' Association

Absent: Alan Barcleona, California Union of Safety Employees
Don Brown, California Organization of Police and Sheriffs
Charles Byrd, California State Sheriffs' Association
Joe Flannagan, Peace Officers' Research Association of California
Earle Robitaille, Public Member

Commission Advisory Liaison Committee Members Present:

Rick TerBorch

POST Staff Present:

**Norman C. Boehm, Executive Director
Hal Snow, Assistant Executive Director
Vera Roff, Secretary**

Guests Present:

**Raymond Boulden, LAUSD POA
Michael Brooks, Los Angeles Police Department
Willie Pannell, Los Angeles Police Department
Neil Robertson, CAUSE-CCLEA**

ANNOUNCEMENTS

Chairman Clark announced that memorial services for Donald Burt, California Highway Patrol officer, who recently lost his life in the line of duty, will be held at 10:00 a.m. Thursday morning in Costa Mesa. The Commission meeting was postponed until 2:00 p.m. to permit those who wish to attend the funeral. The Legislative Review Committee meeting will be held prior to the Commission meeting at 1:00 p.m.

Chairman Clark invited Derald Hunt to display the award he had received as the recipient of the Department of the Treasury's 1995 Individual Lifetime Achievement Award of Excellence. Derald was previously honored as the recipient of the 1994 California Governor's Award for Excellence in Peace Officer Training in the Lifetime Achievement category.

APPROVAL OF MINUTES OF APRIL 17, 1996 MEETING

MOTION - Cleaver - second, Valles, carried unanimously to approve the minutes of the April 17, 1996 Advisory meeting at the Holiday Inn in Fresno.

GOVERNOR'S AWARD FOR EXCELLENCE IN PEACE OFFICER TRAINING

Hal Snow reported that Governor Wilson personally presented the awards to the 1995 recipients at the CPOA conference in May. Commission Chairman Ortega also participated in the award ceremony. Chief Brobeck was complimented for the excellent job he did in coordinating the program.

The brochures for the 1996 nominations will be released October 1, 1996 with a response date of December 31, 1996. The awards will be presented at the 1996 CPOA conference to be held in early May in Sacramento.

DISCUSSION OF METHODOLOGIES FOR POST ASSISTING TO IMPROVE LAW ENFORCEMENT'S IMAGE WITH PUBLIC

There was a discussion concerning possible methods for improving the public's image of law enforcement. A subcommittee of experts from all aspects of law enforcement will be formed to begin this positive image mission. Chuck Brobeck advised that CPOA has formed a similar committee. There was consensus that a collaboration of both committees will have a synergistic effect. The Committee will work with POST staff and a progress report will be brought to the next Advisory Committee meeting.

REPORT ON THE STRATEGIC PLANNING TRANSITION COMMITTEE MEETINGS

Woody Williams reported that the Committee met initially on May 20 and again on June 19 to begin review of strategies that needed clarification. The meeting on July 18 was cancelled due to the funeral of Officer Burt. The next meeting will be held on August 28 in Sacramento.

Ernie Leach and Norman Cleaver again expressed concern that there was not a greater emphasis on the pivotal role that community colleges have had in supplying the base of funding, expertise, and facilities for law enforcement training. They again suggested that community colleges be identified as a key component in the partnership strategic direction. Commissioner TerBorch, Chairman of the Committee on Strategic Plan Implementation, assured the Advisory Committee that these concerns will be brought to the attention of the CSPI.

REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS

Staff reviewed the July 18, 1996 Commission agenda and responded to questions and discussion of the issues.

ADVISORY COMMITTEE MEMBER REPORTS

California Academy Directors' Association

Norman Cleaver reported that the Jerry Schoenstein, coordinator from Santa Rosa, was elected president at the June 2 CADA meeting. It is planned that the academy directors will tour the Museum of Tolerance in conjunction with the September consortium meeting.

California Community Colleges

Ernie Leach reported that as a result of some recent negative publicity, the colleges are working on new guidelines to be used for state training contracts.

Due to the recent increased tax revenues, the colleges will receive the largest increase in the history - approximately \$430, which should have a significant impact on restoring some of the cuts that have occurred over the past five years.

The search for a new Community College Chancellor continues and should be completed by fall.

California Police Chiefs Association

Chuck Brobeck reported that the CPCA Board of Directors will meet August 21/22 in San Luis Obispo.

Rodney Pierini resigned effective July 15 as Executive Director of CPCA and CPOA. An executive search committee has been assigned the task of recruiting for a new Executive Director. The committee includes Sal Rosano, Maury Hannigan, Greg Cowart, and Hal Barker. It is anticipated the vacancy will be filled within 90 days.

Womens Peace Officers' Association

Alexia Vital-Moore reported that Lora Lorman has been elected WPOA president.

California Peace Officers' Association

Woody Williams reported that Chuck Brobeck has been elected President of CPOA for the current year.

California Association of Administration of Justice Educators

Derald Hunt reported that the CAAJE annual conference will be held April 25-27 in South Lake Tahoe. They are currently working on a web site which will improve communications and also provide an opportunity for contacts with other agencies.

California Association of Police Training Officers

Jay Clark reported that CAPTO is finalizing plans for the August 20-23 training seminar in Indian Wells..

Advisory Committee Liaison Report

Commissioner Montenegro expressed appreciation to the Committee for their active support of the Commission.

Commissioner TerBorch extended an open invitation to Advisory Committee members to attend the Finance Committee meeting which is held following Advisory Committee meeting.

Adjournment

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

There being no further business to come before the Committee, the meeting was adjourned at 12:05 p.m.


Vera Roff
Executive Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Ad Hoc Committee for Enhancing the Image of Law Enforcement
Summary of Meeting Results
October 17, 1996 - Irvine, CA

Present: Joe Flannagan (Chairman), Derald Hunt, Chris Miller, Steve Morse, Stan Henry, Sandra Houston, John Rees, and Hal Snow

There was agreement that law enforcement's image can most effectively be improved by means of a dual track approach including:

- 1) Improving individual officers and their agencies that can best be addressed through POST, and
- 2) A public awareness media program that emphasizes the realities of law enforcement work.

With regard to improving individual officers, the Committee recommends that POST incorporate into all levels of training a community oriented culture and philosophy that emphasizes a balance between law enforcing and service provider/problem solver. There was agreement that what is needed is a top-down approach to improving individual officers' people, problem solver skills.

Hal Snow agreed to prepare a draft plan for establishing a public awareness media program that involves the state's major law enforcement organizations. Representatives of these organizations will be invited to attend the next meeting.

The next meeting of the Committee was set for Monday, December 2, 1996, 10 AM to 3 PM at the Red Lion Inn in Ontario.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Ad Hoc Committee for Enhancing the Image of Law Enforcement
Summary of Meeting Results
August 20, 1996 - Irvine, CA

A meeting of the Ad Hoc Committee for enhancing the image of law enforcement was attended by Joe Flannagan (Chairman), Derald Hunt, Deputy Chris Miller, Steve Morse, Captain Timm Browne, Captain Mike Sellers, Chief Stan Henry, Sergeant Sandra Houston, and Hal Snow.

The following is a summary of the meeting's conclusions and recommendations.

Conclusions

1. Although there was no agreement as to the overall image of California law enforcement, there was agreement that its image can and should be improved.
2. There was agreement that the public's image of law enforcement is far more impacted by personal experiences with peace officers than by the unusual highly publicized incidents involving officers.
3. There was agreement that it is not POST's role to fund public relations campaigns for this purpose but rather could serve as a supportive and technical resource for such an effort.
4. Various mass media approaches to improve law enforcement's image were identified, but the one that appeared to have the greatest appeal would depict positive "real life" stories in a "newsy" format and not a public service announcement (PSA) per se. Other PSA approaches discussed included:
 - a) What we do that other people won't do
 - b) Compassion of officers
 - c) Cops are a different kind of person
 - d) Professionalism
5. Existing literature should be researched in advance of the next meeting, including POST Command College papers.
6. Any public relations effort involving the mass media should be preceded by some marketing research.

Recommendations

1. Two general directions were recommended for improving the public's image of law enforcement, including:
 - a) Improving POST's peace officer selection and training related to

- b) **people/communication skills and dealing with the press, and forming a coalition of law enforcement organizations, including POST, for the purpose of developing a public relations effort involving the mass media.**

2. To improve law enforcement's image, POST should review its:

- a) **Basic Course curriculum for its attention to officers' people/communication skills, positive attitudes, and friendliness**
- b) **Supervisory/management curriculum for attention to media relations especially in responding to inquiries and unusual incidents**
- c) **Telecourses that address the training of in-service peace officers**
- d) **Media Relations Course to see that it meets current needs**
- e) **Selection standards and procedures for entry-level peace officers**

3. This ad hoc committee should meet again to develop a proposed plan for the formation of a coalition and a public relations effort involving the mass media. The plan would be submitted to various law enforcement organizations for consideration.

4. This ad hoc committee should be expanded to include representation from a law enforcement Public Information Officer, northern and central California law enforcement agencies, and private industry.

AD HOC COMMITTEE FOR ENHANCING THE IMAGE OF LAW ENFORCEMENT

Plan for a Public Awareness Media Program

Background -

Law enforcement is portrayed in a variety of ways that are not always objective. The public needs accurate information about law enforcement including the what's and why's. Law enforcement including individual officers and agencies need to have the public's support.

Objective -

To establish the California Law Enforcement Image Coalition which is dedicated to the purpose of establishing and maintaining a public awareness media program that will objectively portray California law enforcement. The Coalition will also establish short and long term goals.

Participation -

Representatives of all statewide law enforcement associations, POST, the Attorney General's Office, the media and the public are eligible to participate on the Coalition's Board of Directors according to a formula to be established by the Board. For purposes of securing necessary funding, the Board of Directors may affiliate itself with an existing 501 (c) (3) foundation or governmental agency. The Board may establish technical and other subcommittees to accomplish its objectives.

Timetable -

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

Funding -

The Coalition's Board of Directors shall develop funding mechanisms for its media development activities including, but not limited to, grants, donations, assessment of its members, etc. To the extent possible, effort will be made to utilize the media itself and advertising/marketing companies to assist with individual projects. Also, efforts of individual law enforcement organizations will be considered for expansion for statewide and/or regional programs.

Technical Expertise -

To the extent possible, the Coalition will make use of the vast technical expertise and creativity within law enforcement agencies, especially from media producers and public information officers.

Possible Projects -

Some of the possible projects that might be undertaken by the Coalition include: 1) one half-hour TV talk show portraying California law enforcement and answering the public's questions, 2) public service announcements, 3) infommercials, and 4) billboards.

Research and Evaluation -

To the extent possible, the Coalition will conduct market research and post-evaluation to determine the effectiveness of individual projects.

State of California

Department of Justice

MEMORANDUM

To : Advisory Committee

Date: October 25, 1996

Norman C. Boehm
Executive Director

From : Commission on Peace Officer Standards & Training

Subject: BASIC COURSE TRAINING REQUIREMENT FOR CHIEFS OF POLICE

At the July 18, 1996 Commission meeting, Commissioners received correspondence and a presentation on this subject. State law requires that city police officers, including police chiefs, complete the basic academy and obtain POST Basic Certificates as a condition of exercising peace officer powers.

State law and Commission regulation provide for a basic course equivalency evaluation and testing process. Those who complete the equivalency process are deemed to have satisfied the basic course requirement. Two police chiefs have completed all but the skills testing part of the equivalency process. At the July meeting, the Commission was asked to waive the skills test. Legal counsel has advised that the Commission may not lawfully grant such a waiver.


The Commission's action in July was, in part, to refer this matter to the Advisory Committee. The Commission's Long Range Planning Committee received a report in September and asked that the Advisory Committee deliberate on the issues and options for legislation in this area.

Attached are copies of pertinent documents including:

- o Correspondence with Chiefs Berkow and Kulander regarding this issue
- o Legal advice memo from the Commission's counsel
- o Copies of related statutes and regulations
- o Report to the Long Range Planning Committee (results of September Committee meeting are included with the regular agenda)

Memorandum

DATE: Sept. 9, 1996

TO: Long Range Planning Committee**FROM:** 
NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards and Training**SUBJECT:** BASIC COURSE TRAINING REQUIREMENT FOR CHIEFS OF POLICE

Members of the Committee are aware that State law and related POST regulations require all city police officers, regardless of rank, to satisfy the POST Basic Course training requirement. An alternative to attending and completing the course is the Basic Course Waiver Process. This process is also based upon statute and regulation and entails: (1) paper demonstration of equivalent training in all required subject matter; (2) passage of a comprehensive written examination; and (3) skills examination requiring demonstration of proficiency in use of weapons, arrest methods, and defensive tactics.

The Commission, at its July 1996 meeting, received correspondence and a presentation regarding the impact of the Basic Course requirement on police chiefs whose prior training and experience was obtained in other States. The Commission received a complaint that police chief executives are treated the same as entry-level officers when the police chief position is the individual's first employment as a California peace officer. The Commission was requested to waive the skill test requirement of the Basic Course Waiver Process when the waiver applicant is a police chief who may reasonably be expected to not perform line officer tasks requiring physical exertion. The complaint, request for Commission waiver, and staff's analysis are generally described in previous correspondence which is attached.

As noted in the Executive Director's July 1996 letter to Chiefs Berkow and Kulander, the Commission's legal counsel has previously advised that State Statutes require police chiefs to satisfy the same training requirement as their subordinate officers. Counsel has also advised that the Commission is not empowered to waive any portion of the required training or any aspects of the training course equivalency evaluation.

At its July 1996 meeting, the Commission directed staff to confer again with legal counsel, refer the issue to the Commission's Advisory Committee, and report back to the Commission at the November 1996 meeting. Commissioners expressed interest in resolving this matter in some fashion that preserves the basic training standard but makes some allowance for chief executives in the physical testing area.

Legal counsel has subsequently been asked whether the Commission may be empowered to administer different Basic Course equivalency examinations for executives than are required for line officers. The answer received is that the Commission is not so empowered essentially because (1) different equivalency exams would be inimical to the statutory requirement that the training course be the same, and (2) the statutory requirement relates to preparedness to carry out peace officer powers regardless of the rank and assignment of the officer.

This legal advise is believed to exhaust efforts to determine whether the Commission may provide remedy to the complaints voiced by Chiefs Berkow and Kulander. It appears that any remedy must be provided by the Legislature.

Subject to direction and discussion at the meeting, it is intended that the Advisory Committee Chairman be asked to appoint a subcommittee to meet and discuss possible recommendations for legislation. The California Police Chiefs' Association has also expressed interest in the Chairman of the Association's Training Committee becoming involved in discussions about this issue.



City of Palm Springs

Police Department
TEL: 619-323-8116
TDD: 619-864-9527

June 20, 1996

Dr. Norm Boehm
Commission on P.O.S.T.
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Dr. Boehm: *Norm,*

Thank you for your prompt response to our letter regarding a limited waiver of the skills portion of the Basic Course Waiver (BCW) process. We understand that we appear to be charting new ground in this area. Your staff has been both helpful and responsive.

Nevertheless, we continue to have questions about this process and therefore are writing to request more information. Specifically,

1) Your letter states that "[c]urrently there are no provisions for waiving any portion of the Basic Course Waiver requirements." Yet, in the next paragraph you allude to waiver provisions that are eligible for persons who were originally certified in California and then seek to return to active status. It is our understanding, from material provided to us by P.O.S.T. that anyone (out of state law enforcement officers and originally certified California officers who have been either out of state or not working as police officers in California for more than three years) are put into the Basic Course Waiver process. The problem, in our eyes, is that no waivers are granted for any portion of the test for out of state persons, while total waivers are granted routinely for once certified California officers.

Please provide us with the actual copies of the regulations on this point.

2) Your letter references an Attorney General's opinion. Notably, you quote the letter as saying that P.O.S.T. "does not have the authority to waive the skills examination component...". Moreover, in our telephone conversation, you mentioned that the Attorney General stated that P.O.S.T. lacked the authority to waive the training requirements relative to State legislatively mandated training (the training we have received by watching more than 20 hours of video tapes).

Dr. Norm Boehm

June 20, 1996

Page 2

Again, however, we are aware of chiefs, once certified in California, who have left the State for years and who then return, being granted total and complete waivers. These waivers have covered the skills portion, the written portion and the legislatively mandated courses - even when the chiefs left the State prior to the creation of the legislative mandate! Frankly, this appears to be an unlawful discriminatory tactic aimed at keeping out of state individuals from achieving P.O.S.T. certified status in California.

We would request a copy of the Attorney General's opinion letter as well as the letter from P.O.S.T. with the questions which prompted the issuance of the Attorney General's letter.

3) We would request a five year summary, not including names or cities, of those individuals who were certified in California, have lapsed from active status either by virtue of leaving the State or leaving law enforcement and have then returned. We would like to know how many of these individuals received a waiver from the BCW process and the extent of the waiver.

Similarly, we would respectfully request a five year list of out of state individuals who have been placed in the BCW process and how many received a total or partial waiver. Additionally, how many out of the initial applicants have been successful.

4) We have been in contact with the Orange County Sheriff's department who will offer the skills test. They have been extremely cooperative and professional, however, there are questions that they cannot answer, that only P.O.S.T. can answer. These are as follows:

a. Firearms: Both of us have completed, under the direction of our P.O.S.T. verified range masters, California approved qualification courses of fire. Do we still need to complete the firearms component of the Basic Course process and if so, why?

b. Skills: The three (3) week re-qualification course lists approximately 25 hours of training that specifically cover the skills portion of the BCW process. Is it possible to take these hours only of the three week course and thereby satisfy the skills portion of the BCW process?

5) Please advise us what is the latest date we can ask to appear on the Commission's agenda for their next meeting as well as the location, format of any presentation, etc. Should we decide to request formal Commission action, we would appear in person and make a presentation.

Dr. Norm Boehm
June 20, 1996
Page 3

Let us re-affirm to you our commitment to the State of California and your office. We fully intend to become certified in California. We remain extremely concerned, however, about the fairness, validity and legality of a process which applies vastly different standards to persons in similar positions, with similar backgrounds, doing the same jobs. It escapes us how P.O.S.T. can grant full and complete waivers to persons simply because they were once certified in California. Frankly, the initial portion of the BCW process is a matching of the out-of-state training with the in-state initial training requirement. If that is the standard, once the out-of-state applicant meets the first portion of the BCW, then they should be eligible for the same waivers as the originally certified in-state candidate.

We appreciate your time and prompt attention to this matter. We wish to resolve these issues sooner rather than later and if there is anything we can do to assist in the process please do not hesitate to call.

Sincerely,



Gene H. Kulander
Chief of Police
Palm Springs Police Department



Michael Berkow
Chief of Police
Coachella Police Department

cc: Chief Ronald Lowenberg
Huntington Beach, California

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

601 ALHAMBRA BOULEVARD
SACRAMENTO, CA 95816-7083

GENERAL INFORMATION

PHONE (916) 227-3909
FAX (916) 227-3895EXECUTIVE OFFICE
PHONE (916) 227-2802

July 11, 1996



Gene H. Kulander and Michael Berkow
Chiefs of Police
c/o P. O. Box 1830
Palm Springs, CA 92263-1830

Dear Chiefs Kulander and Berkow:

This is in response to your letter of June 20, 1996 in which you inquire about waivers for Basic Course Waiver (BCW) skills testing. Your questions suggest that confusion remains regarding the statutory requirement that certain peace officers complete the basic course and administrative law (POST regulations) concerning requalification for those who have previously completed the Basic Course. Your concerns surround the perception of disparate treatment of persons assuming police chief positions. As we discussed on the phone, you should bear in mind the following:

- Penal Code Section 830.1 establishes that chiefs of police are city police officers.
- Penal Code Section 832.3 requires that certain officers, including city police officers, complete a course specified by POST as a condition of exercising peace officer powers. The specified course is the Basic Course.

Chiefs of police may not be relieved of this requirement without statutory change.

Pursuant to Penal Section 13511(b), the Commission provides an alternative evaluation and testing program for interested persons who have completed training equivalent to the Basic Course. The law requires testing for both knowledge and skills and provides no authority to waive demonstration of equivalency to any portion of the Basic Course. The Commission does have latitude to prescribe the tests utilized to verify knowledge and skills in the equivalency/testing program permitted by PC Section 13511. We have considered the possibility of an alternative form of skills testing devised for equivalency seekers who will not perform line police duties. Such an approach would raise, of course, a variety of potential problems and has not been thoroughly analyzed. Further analysis could well conclude that this is not feasible for legal or other reasons.

Penal Code Section 13511(b) is implemented by Commission Regulation 1008 and Procedure D-11.

Gene H. Kulander and Michael Berkow
July 11, 1996
Page 2

The Commission has also, relying upon authority of its enabling statutes (PC 13500 et seq), established a requirement for requalification by persons who have previously satisfied the Basic Course requirement but have had a break in service of three years or more. The requalification requirement is directed at those officers who will perform or directly supervise line work. This requirement is outlined in Regulation 1008(b) and Procedure D-11.

Persons who have been awarded the POST Basic Certificate and are re-entering the occupation at or above the second level of supervision are exempted from the requalification requirement. This exemption may not be considered for non-certificated person or persons who have not previously satisfied the Basic Course requirement.

The foregoing is a summary of law and regulation pertinent to issues raised in your letter. It is most important for you to be aware that the Commission has no authority to waive completion of the Basic Course or any portion of the Basic Course for California police chiefs.

You have requested statistics regarding requalification rule waivers and out-of-state applicants for the equivalency waiver process. We have granted twenty-three waivers of the requalification requirement for persons returning to management or higher positions for the five-year period between 7/1/91 and 6/30/96. Between July 1, 1991 and June 30, 1996, POST has received applications for the Basic Course Waiver process from 150 out-of-state trained individuals. Thirty-two of these individuals successfully completed the Basic Course Waiver process.

You also asked whether you must meet the firearms part of the BCW skills testing requirement. Since there is no provision for waiving portions of the skills testing process, the answer is yes.

You also asked whether partial attendance at the Requalification Course can be approved. If a course presenter will allow you to audit the course, you may do so; but, this cannot substitute for successful completion of the skills test.

Gene H. Kulander and Michael Berkow
July 11, 1996
Page 3

As you requested, we have placed this issue on the July Commission meeting agenda and look forward to seeing you at the meeting. Please contact me if you have any questions regarding this letter.

Sincerely,


NORMAN C. BOEHM
Executive Director

c: POST Commissioners

Enclosures:


1. Penal Code Section 830.1
2. Penal Code Section 832.3
3. Penal Code Section 13511(b)
4. Commission Regulation 1008
5. Commission Procedure D-11
6. Office of the Attorney General advice memo dated May 19, 1992. The originating memo has not been located, but the question is asked in the response.

M e m o r a n d u m

To : GLEN FINE
Deputy Executive Director
Commission on Peace Officer Standards and Training

Date : May 19, 1992

Telephone: CALNET (8) 454-5468
(916) 324-5468
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From : 
VINCENT J. SCALLY, JR.
Deputy Attorney General
Enforcement, Regulation and Administration Section
Office of the Attorney General - Sacramento

Subject : Basic Course Equivalency Examinations

You have asked whether the Commission has authority to waive the requirement of the skills examination component, or physical skills demonstrations within such component, of the Basic Course Waiver Examination for a chief of police who lacks the Basic Course Certificate and whose training and prior employment occurred out-of-state, in view of the primarily administrative duties of a chief of police. You ask whether the Commission has authority to do so either within existing regulations or within existing statutes.

As explained below, the Commission does not have authority within existing regulations to waive the skills examination component, or physical skills demonstrations within such component, for a chief of police who lacks the Basic Course Certificate and whose training and employment occurred out-of-state. Also, the Commission would likely not have the authority within existing statutes to promulgate regulations which would permit such a waiver.

A. The Basic Certificate Requirement

Penal Code §§832.3 and 832.4 require "any police officer of a city" and "any policeman of a city" to successfully complete a course of training prescribed by the Commission and to obtain the basic certificate issued by the Commission before exercising the powers of a peace officer. Section 832.3 requires that the training course for an undersheriff and deputy sheriff of a county and a police officer of a city "shall be the same." Commission regulations execute these requirements that all police officers of a city satisfy the training and certificate requirements. California Code of Regulations, Title 11, §§1005, 1010.

Prior opinions of the Court of Appeal and of the Attorney General, interpreting Penal Code §830.1 as it then read, have concluded that a chief of police is a "police officer of a city" within the meaning of that section. *Gray v. City of Gustine* (1990) 224 Cal.App.3d 621, 626; 63 Ops.Cal.Atty.Gen. 829,831-832 (1980). Inferentially, therefore,

the chief of police would be a police officer or policeman of a city within the meaning of Penal Code §§832.3 and 832.4 and subject to the training and basic certificate requirements.

B. The Basic Course Waiver Examination

Usually, the police officer seeking the Basic Certificate satisfies the training requirements provided by the Basic Course by attending a basic training academy or accredited college. Penal Code §§13511 (a) and (b); 832.3, 832.4, California Code of Regulations, Title 11, §1005, Commission Procedure D-1-3. However, Penal Code §13511 authorizes the Commission, in those instances where persons have acquired prior equivalent peace officer training, to provide the opportunity for testing in lieu of attendance at a basic training academy or accredited college. Section 13511 requires that such "[t]ests shall be constructed to verify possession of minimum knowledge and skills required by the commission as outlined in its basic course."

Commission regulation sets forth the commission requirements for meeting the training requirements and obtaining a basic certificate by means of testing in lieu of attendance at a basic training academy or college. California Code of Regulations, Title 11, §1008, and Commission Procedure D-11, incorporated by reference in §1008. Under §1008, waiver of attendance of a basic course can be obtained through a process of evaluation of prior training and examination. If evaluation of an applicant's prior training demonstrates that the training is equivalent to the "current minimum basic course training requirement appropriate to the individual's assignment," then the individual qualifies for the Basic Course Waiver Examination. The examination consists of two components: written and skills. Upon satisfactory completion of the assessment process, a Waiver of Attendance of a POST-certified Basic Course will be granted and the waiver is valid for three years.

Under §1008, Commission Procedure D-11-7 (b), "the skills examination is designed to evaluate an individual's manipulative skills as acquired in the Basic Course. An individual must demonstrate competency in each skill area."

C. Waiver of Testing/Retraining Requirement

Under certain circumstances specified in Commission Procedures D-11-12, D-11-13, and D-11-14, the Executive Director or the Commission can waive the testing and retraining requirement of the Basic Course Waiver Examination. Under Procedure D-11-12, the Executive Director can waive the requirements for an individual who is returning to law enforcement employment after a three-year or longer break in service, possesses a POST basic certificate, and who is demonstrably or presumptively (through dint of continuous law enforcement employment) currently proficient in the skills required for the basic certificate or who is re-entering a position (either management or permanent "light" duty) which does not entail duties calling for the skills required for basic certificate.

Under Procedure D-11-13, the Executive Director may waive the testing/retraining requirement for an individual who has previously satisfied the basic course training requirement and either does or does not possess the POST Basic Certificate, and is returning to law enforcement employment after a three-year or longer break in service in California or for the first time obtains law enforcement employment after a three-year or greater lapse of time since completion of the Basic Course, and who completes an alternative job-related testing/retraining procedure which demonstrates that the individual is currently proficient and meets or exceeds minimum performance standards established by the Commission for Basic Course equivalency evaluation and testing.

Procedure D-11-14 authorizes the Commission to waive the testing/retraining process for an individual, other than one described in Procedures D-11-12 or D-11-13, who has satisfied the basic training requirement and is reemployed as a peace officer after a three-year or longer break in service. Such waiver must be for good cause and be based upon the individual's employment, proficiency, training and education.

D. The Commission's Authority to Waive Requirements of the Basic Course Waiver Examination Under Current Regulations

Current regulations do not provide the Commission authority to waive the skills component of the Basic Course Waiver Examination or to waive the testing/training requirement for a chief of police who lacks the Basic Course Certificate and whose training and employment occurred out-of-state.

First, should the individual qualify for the Basic Course Waiver Examination by virtue of prior equivalent training, he or she is required to satisfy each component of the examination, both written and skills. Commission Procedure D-11-7 provides that the examination consists of both components and Procedure D-11-7 (b) expressly provides that "[a]n individual must demonstrate competency in each skill area" as acquired in the Basic Course. Given the express admonition of subsection (b), POST regulation requires that the individual participating in testing in lieu of attendance at a basic course academy must satisfy the skills component of the Examination.

Second, the individual described would not appear eligible for a waiver of Testing/Retraining requirement pursuant to Commission Procedures D-11-12, D-11-13, or D-11-14. Procedure D-11-12 requires that the individual seeking a waiver possess the POST Basic Certificate and be returning to law enforcement employment after a three-year or longer break in service. The individual described does not possess a POST Basic Certificate and is not returning to law enforcement employment.

Procedure D-11-13 requires that the individual seeking a waiver have previously satisfied the basic training requirement, whether possessing or not the Basic Course Certificate and be returning to or commencing law enforcement employment after a three-year or greater break in law enforcement employment in California or lapse in time since

completion of the Basic Course. The Procedure also requires the individual seeking waiver to demonstrate through an alternative job-related testing/retraining procedure that he or she is currently proficient and meets or exceeds minimum performance standards established by the Commission for Basic Course equivalency testing. The individual described has not previously satisfied the basic course training requirement and is not returning to law enforcement employment in California after a three-year or longer break in service. Also, the individual would need to meet, through the alternative job-related testing, an equivalent of the skills testing requirement of Basic Course Waiver Examination.

Procedure D-11-14 requires that the individual seeking a waiver have satisfied the basic training requirement and be reemployed as a peace officer after a three-year or longer break in service.

The individual described has not satisfied the basic training requirement and is not reemployed as a peace officer after three-year or longer break in service. Also, such a waiver must be based upon an individual's "proficiency." Such "proficiency" presumably includes proficiency in the skills acquired in the Basic Course, since Penal Code §13511, which provides the Commission authority to permit testing in lieu of attendance at a basic training academy, requires that "[t]ests [in lieu of attendance] shall be constructed to verify possession of minimum knowledge and skills required by the commission as outlined in its basic course," and since Procedure D-11-7 (b) requires skills testing.

As the individual described does not appear to satisfy the requirements for a waiver of the Testing/Retraining requirement, he or she would need to satisfy the requirements of the Basic Course Waiver Examination, which, as explained above, requires the individual to complete the skills testing component of the Examination.

It is noted that Commission regulation provides that completion of satisfactory training makes an individual "eligible to take the Basic Course Waiver Examination (BCWE) appropriate to the individual's assignment." Commission Procedure D-11-4. (Emphasis added.) Procedure D-11-5 (a) also provides that "[w]hen prior training is deemed acceptable, the individual will be eligible to take the appropriate Basic Course Waiver Examination (BCWE)." (Emphasis added.) See also Commission Procedure D-11-6. Arguably, these provisions might be construed to mean that any Examination should be tailored to the specific position or job title of any individual examinee and that if the individual examinee's specific position or job title did not include duties requiring the skills acquired in the Basic Course, then the Examination need not test proficiency in those skills. If the position of chief of police could constitute the individual examinee's "assignment" within the meaning of Commission regulations, then it could be concluded that the "appropriate" examination for a chief of police need not include the skills component because the administrative duties of the position do not require the skills acquired in the Basic Course.

However, an interpretation of Commission regulations permitting tailoring of a Basic Course Waiver Examination to the specific position of chief of police does not appear reasonable in the context of other Commission regulations and in the light of Commission administrative practice. California Code of Regulations, Title 11, §1005 (a) (1), provides that "[e]very regular officer...shall satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the exercise of peace officer power." Section 1001 (v) defines a "regular officer" to include a "police officer of a city." Since regulation requires every regular officer to meet the training requirements of the Basic Course, and since regulation defines a regular officer to include a police officer of a city but does not distinguish among various police officer positions, such as chief of police, then every police officer of city, including a chief of police, must meet the requirements of the Basic Course, whether by acquiring the Basic Course Certificate or participating in the Basic Course Waiver Examination, regardless of the specific position or job title of the police officer.

Commission administrative interpretation of its own regulations supports the conclusion that those regulations do not permit the conclusion that the position of chief of police is an "assignment" for which a Basic Course Waiver Examination would be "appropriate." An administrative agency's interpretation of its own regulations is entitled to great weight. *Monzon v. Schaefer Ambulance Service, Inc.* (1990) 224 Cal.App.3d 16, 30. POST staff advises that the Commission provides an Examination for the position of police officer and does not provide separate examinations for specific police officer positions, such as chief of police.

E. The Commission's Authority to Waive the Skill Component of the Basic Course Waiver Examination Under Existing Statutes

Review of the legislation governing the Commission, specifically Penal Code §13500 et seq., demonstrates that the Commission would likely not have the authority to promulgate regulations which would permit waiver of the skills component of the Basic Course Waiver Examination. Such regulation would appear to conflict with the purpose of those statutes and with the specific statutory requirement that any tests in lieu of attendance at a basic training academy be constructed to verify possession of minimum skills required by the Basic Course.

An administrative agency cannot promulgate regulations which conflict with the purpose of the governing legislation. *Clean Air Constituency v. California State Air Resources Board* (1974) 11 Cal.3d 801. Also, administrative regulations that alter or amend a statute or enlarge or impair its scope are void. *East Peninsula Ed. Council, Inc. v. Palos Verdes Peninsula Unified School Dist.* (1989) 210 Cal.App.3d 155.

The purpose of the Penal Code provisions governing the creation, powers, and duties of the Commission is to raise the level of competence of local law enforcement officers. Penal Code §13510; 13510.1 (b). To that purpose, all police officers of a city,

inter alia, must meet the training and basic certificate requirements of the Commission. Penal Code §§832.3, 832.4. The basic certificate is "established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments...." Penal Code §13510.1. The basic certificate is required in order for a police officer "to exercise the powers of a peace officer." Penal Code §832.4. Although persons who have acquired prior equivalent peace officer training may by statute have the opportunity for testing in lieu of attendance at a basic training academy or college, such tests "shall be constructed to verify possession of minimum knowledge and skills required by the commission as outlined in its basic course." Penal Code §13511 (b).

A regulation which would waive the skills component of the Basic Course Waiver examination would appear to conflict with the purpose of the basic certificate, and conflict with and impair the scope of §13511 (b). Thus, the Commission would not appear to have authority under existing law to promulgate regulations permitting waiver of the skills component of the Basic Course Waiver Examination.

First, given that the purpose of the basic certificate is "to adequately accomplish the general police service duties performed by peace officer members of city police departments" (emphasis added.) and that the certificate is required in order "to exercise the powers of a peace officer," a regulation permitting waiver of the skills component of the Examination for a chief of police, in view of the administrative duties of the position, would be contrary to statutory purpose. The basic certificate is intended to demonstrate acquisition of training and skills necessary for general police service duties, not the narrower range of duties of an administrator such as the chief of police. Also, acquisition of the basic certificate is necessary to exercise peace officer powers and thus the basic certificate should demonstrate acquisition of all the skills necessary to exercise such powers, and not merely the training and knowledge to perform the duties of an administrative position.

Second, a regulation permitting waiver of the skills component of the Examination would impair the scope of Penal Code §13511 (b), which requires that any test in lieu of attendance at a basic academy verify the individual's possession of the skills required by the commission as outlined in the basic course. A waiver of the skills component of the Examination would in effect amend the statutory requirement that any such test verify the possession of skills required by the commission of all police officers of a city.

F. Conclusion

Review of the Commission's governing legislation and regulations demonstrates that the Commission does not have authority under existing laws to waive the skills component of the Basic Course Waiver Examination for a chief of police who lacks the Basic

GLEN FINE
May 19, 1992
Page 7

Certificate and whose training and employment occurred out-of-state, or to promulgate regulations that would permit such a waiver, notwithstanding the primarily administrative duties of a chief of police.

If you have any questions regarding this matter, please contact me.

VJS/lma

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County fish and game wardens, power of arrest, see Fish and Game Code § 878.

Fish and game department deputy, power of arrest, see Fish and Game Code § 851.

Fraudulently personating peace officer as misdemeanor, see Penal Code § 538d.

"Law enforcement member" defined, see Government Code § 20017.75.

Peace officer defined, see Penal Code § 7.

Persons desiring peace officer status, feasibility study, see Penal Code § 13540.

Persons with powers of arrest.

Aeronautics, enforcement of rules, see Public Utilities Code § 21251.

Agricultural Code, enforcement of provisions, see Food and Agricultural Code § 7.

Alcoholic beverage control, see Business and Professions Code § 25755.

Attorney general, special agents and investigators, see Government Code § 12571.

California highway patrol, see Vehicle Code § 2409.

Cemetery, see Health and Safety Code § 8323.

County fire warden and deputies, see Government Code § 24008.

Delinquents, institution employees, see Welfare and Institutions Code § 1076.

Fire protection district employees, see Health and Safety Code § 13873.

Food and drug inspectors, see Health and Safety Code §§ 216, 26230.

Foreign peace officers in fresh pursuit, see Penal Code § 852.2.

Forest protection officers, see Public Resources Code § 4156.

Furniture and bedding inspectors, see Business and Professions Code § 19206.

General service department employees, see Government Code § 14613.

Harbor policemen, enforcement authority, see Harbors and Navigation Code § 663.5.

Harbors and watercraft officers, see Harbors and Navigation Code § 71.2.

Home racing board, see Penal Code § 337.9.

Investigators, Department of Justice, see Penal Code § 11052.

Juvenile probation officers, see Welfare and Institutions Code § 283.

Labor division enforcement officers, see Labor Code § 95.

Livestock identification inspectors, see Food and Agricultural Code § 20432.

Mental health counselors, see Welfare and Institutions Code § 6778.

Motor vehicles, department employees, see Vehicle Code § 1655.

Narcotics enforcement, division employees, see Health and Safety Code § 11450.

Peace officers, defined, see Government Code § 50920.

Probation officers and deputies, see Code of Civil Procedure § 131.4.

Professional and vocational standards, department investigators and inspectors, see Business and Professions Code § 160.

School district security patrol, see Education Code §§ 39670 et seq., 72330 et seq.

Sergeant at arms, legislature, see Government Code § 9194.5.

State college police, see Education Code § 89560.

State park employees, see Public Resources Code § 5008.

State treasurer, guards or messengers, see Government Code § 12304.

Toll takers, see Vehicle Code § 23252.

Weights and measures, sealers and deputies, see Business and Professions Code § 12013.

§ 830. Peace officers; persons included and excluded

Any person who comes within the provisions of this chapter and who otherwise meets all standards imposed by law on a peace officer is a peace officer, and notwithstanding any other provision of law, no person other than those designated in this chapter is a peace officer. The restriction of peace officer functions of any public officer or employee shall not affect his or her status for purposes of retirement. (Added by Stats. 1968, c. 1222, p. 2303, § 1. Amended by Stats. 1989, c. 1165, § 19.)

Cross References

Local emergencies, highway patrol officers as peace officers, see Government Code § 8598.

Minimum standards for public officers or employees having powers of peace officers, see Government Code § 1031.

State of emergency or state of war emergency, classes of state employees authorized to be peace officers, see Government Code § 8597.

Unauthorized possession of weapon or other instruments in state or local public building, exceptions to prohibition, see Penal Code § 171b.

§ 830.1. Persons who are peace officers; extent of authority

(a) Any sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county, any chief of police, employed in that capacity, of a city, any police officer, employed in that capacity and appointed by the chief of police or the chief executive of the agency, of a city, any chief of police, or police officer of a district (including police officers of the San Diego Unified Port District Harbor Police) authorized by statute to maintain a police department, any marshal or deputy marshal of a municipal court, any constable or deputy constable, employed in that capacity, of a judicial district, any port warden or special officer of the Harbor Department of the City of Los Angeles, or any inspector or investigator employed in that capacity in the office of a district attorney, is a peace officer. The authority of these peace officers extends to any place in the state, as follows:

(1) As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs the peace officer.

(2) Where the peace officer has the prior consent of the chief of police, or person authorized by him or her to give consent, if the place is within a city or of the sheriff, or person authorized by him or her to give consent, if the place is within a county.

(3) As to any public offense committed or which there is probable cause to believe has been committed in the peace officer's presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of the offense.

(b) * * * Special agents and Attorney General investigators of the Department of Justice are peace officers, and those assistant chiefs, * * * deputy chiefs, chiefs, deputy directors, and division directors designated as peace officers by the Attorney General are peace officers. The authority of these peace officers extends to any place in the state * * * where a public offense has been committed or where there is probable cause to believe one has been committed * * *. (Added by Stats. 1968, c. 1222, p. 2303, § 1. Amended by Stats. 1977, c. 220, p. 1014, § 1; Stats. 1980, c. 1340, p. 4720, § 5, eff. Sept. 30, 1980; Stats. 1981, c. 744, p. 2915, § 1; Stats. 1989, c. 950, § 1; Stats. 1989, c. 1165, § 20.1; Stats. 1990, c. 1695 (S.B. 2140), § 9; Stats. 1992, c. 832 (A.B. 3603), § 1; Stats. 1994, c. 200 (A.B. 1591), § 1.)

Cross References

Alcoholic beverage laws, powers of peace officers to enforce, see Business and Professions Code § 25755.

Assistance to disabled motorists on highways, written policy for law enforcement officers to provide assistance, see Vehicle Code § 20018.

Carrying loaded firearms as misdemeanor, exclusion of peace officers, see Penal Code § 12031.

Destructive devices, sales to peace officers, exemptions, see Penal Code § 12302.

Firearm silencers, authority of peace officers to possess, see Penal Code § 12501.

Hate crimes, training courses and guidelines for peace officers as defined by this section, see Penal Code § 13519.6.

Issuance of notice of violation following traffic accident, see Vehicle Code § 40600.

Jury service, exemption of peace officers defined in this section, see Code of Civil Procedure § 219.

proves the course of training shall complete the course of instruction within one year from the date his or her employment commences.

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

(c) This section does not apply to any school peace officer whose employer requires its school peace officers to possess the basic certificate that is awarded by the Commission on Peace Officer Standards and Training or to any school peace officer who possesses the basic certificate that is awarded by the Commission on Peace Officer Standards and Training. (Added by Stats.1989, c. 1078, § 1. Amended by Stats.1992, c. 1249 (S.B.1126), § 2; Stats.1993, c. 302 (S.B.821), § 1; Stats. 1994, c. 117 (S.B.281), § 5.)

§ 832.3. Training as prerequisite to exercise of peace officer powers; training proficiency testing program

(a) Except as provided in subdivision (b), any sheriff, undersheriff, or deputy sheriff of a county, any police officer of a city, and any police officer of a district authorized by statute to maintain a police department, who is first employed after January 1, 1975, . . . shall successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training. The training course for an undersheriff and deputy sheriff of a county and a police officer of a city shall be the same.

(b) For the purpose of standardizing the training required in subdivision (a), the commission shall develop a training proficiency testing program, including a standardized examination which enables (1) comparisons between presenters of such training and (2) development of a data base for subsequent training programs. Presenters approved by the commission to provide the training required in subdivision (a) shall administer the standardized examination to all graduates. Nothing in this subdivision shall make the completion of such examination a condition of successful completion of the training required in subdivision (a).

(c) Notwithstanding subdivision (c) of Section 84500 of the Education Code and any regulations adopted pursuant thereto, community colleges may give preference in enrollment to employed law enforcement trainees who shall complete training as prescribed by this section. At least 15 percent of each presentation shall consist of nonlaw enforcement trainees if they are available. Preference should only be given when the trainee could not complete the course within the time required by statute, and only when no other training program is reasonably available. Average daily attendance for such courses shall be reported for state aid.

(d) Prior to July 1, 1987, the commission shall make a report to the Legislature on academy proficiency testing scores. This report shall include an evaluation of the correlation between academy proficiency test scores and performance as a peace officer. (Added by Stats.1973, c. 477, p. 950, § 1. Amended by Stats.1974, c. 1397, p. 3055, § 1, eff. Sept. 26, 1974; Stats.1978, c. 1193, p. 3846, § 1; Stats.1978, c. 1260, p. 4091, § 1; Stats.1978, c. 1260, p. 4091, § 2, operative July 1, 1979; Stats.1984, c. 43, § 2; Stats.1987, c. 1433, § 2.)

Cross References

Corrections Training Fund, see Penal Code § 6040 et seq.

§ 832.4. Standards and training; basic certificate for certain peace officers; employment after Jan. 1, 1974; employment after Jan. 1, 1988

(a) Any undersheriff or deputy sheriff of a county, any policeman of a city, and any policeman of a district authorized by statute to maintain a police department, who is first employed after January 1, 1974, and is responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state, shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training within 18 months of his employment in order to continue to exercise the powers of a peace officer after the expiration of such 18-month period.

(b) Every peace officer listed in subdivision (a) of Section 830.1, except a sheriff, elected constable, or elected marshal, who is employed after January 1, 1988, shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training upon completion of probation, but in no case later than 24 months after his or her employment, in order to continue to exercise the powers of a peace officer after the expiration of the 24-month period.

In those cases where the probationary period established by the employing agency is 24 months, the peace officers described in this subdivision may continue to exercise the power of a peace officer for an additional three-month period to allow for the processing of the certification application. (Added by Stats.1973, c. 478, p. 950, § 1. Amended by Stats.1974, c. 1006, p. 2166, § 3; Stats.1980, c. 1340, p. 4728, § 23, eff. Sept. 30, 1980; Stats.1987, c. 843, § 1.)

§ 832.5. Citizens' complaints against personnel; investigation; description of procedure; retention of records

(a) Each department or agency in this state which employs peace officers shall establish a procedure to investigate citizens' complaints against the personnel of such departments or agencies, and shall make a written description of the procedure available to the public.

(b) Complaints and any reports or findings relating thereto shall be retained for a period of at least five years. (Added by Stats.1974, c. 29, p. 43, § 1. Amended by Stats.1978, c. 630, p. 2083, § 4.)

Cross References

Access to records of complaints or discipline, see Evidence Code § 1045.

Discovery or disclosure, procedure, see Evidence Code § 1043.

§ 832.6. Deputies or appointees as reserve or auxiliary officers; powers of peace officers; conditions

(a) Every person deputized or appointed, as described in subdivision (a) of Section 830.6, shall have the power of a peace officer only when the person is any of the following:

(1)(A) Deputized or appointed pursuant to paragraph (1)(A) subdivision (a) of Section 830.6 and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training prescribed by the Commission on Peace Officer Standards and Training. (B) Notwithstanding subdivision (a) of Section 830.6, the level I reserve officers appointed pursuant to this paragraph after January 1, 1977, the basic training shall meet the minimum requirements established by the commission for deputy sheriffs and police officers. A law enforcement agency may request an exemption from this training requirement if the agency has policies approved by the commission limiting the

of level I satisfy other provisions. All subordinate requirements

(B) A person (2) of subdivision (2) of a peace officer and whether or not the basic training prescribed by Training. Le paragraph requirement p

(2) Assigned the general and the immediate certificate issue cards and Traffic program approved Standards and Training course required prescribed by the o

(3) Deployed a not requiring general performance. These duties only a possessing a basic shall have completed and any other train persons. Notwithstanding level III reserve personnel administration services, communication services, which without supervision.

(4) Assigned to the crime or crimes or particular individual supervision of a California state border who Commission on Peace person is a law enforcement by a local or state law and has completed the officers in his or her t

This training shall fulfill requirements required by law, in no case shall a peace officer within a California which the regular law enforcement involved in a labor dispute

(b) Notwithstanding subdivision (a) of Section 830.6, the level I reserve officer shall have the full powers and duties of a peace officer if the agency is not authorized, either individually or collectively, to determine the person is performing the duties by reason of the person's reserve officer certificate. Persons who were not issued the certificate before the certificate before

Cross References

Authority for regulations, see Penal Code § 13506.

Course of training prescribed by commission on peace officer standards and training, see Penal Code § 431.

State aid for training of certain local public safety dispatchers, see Penal Code § 13525.

§ 13510.1. Certification program; purpose; requirements; application; cancellation of certificates

(a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.

(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.

(c) (1) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.

(2) In determining whether an applicant for certification has the requisite education, the commission shall recognize as acceptable college education only the following:

(A) Education provided by a community college, college, or university which has been accredited by the department of education of the state in which the community college, college, or university is located or by a recognized national or regional accrediting body.

(B) Until January 1, 1998, educational courses or degrees provided by a nonaccredited but state-approved college that offers programs exclusively in criminal justice.

(d) Persons who are determined by the commission to be eligible peace officers may make application for the certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.

(e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.

(f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony. (Added by Stats.1979, c. 231, p. 486, § 1. Amended by Stats.1992, c. 1249 (S.B.1126), § 4.)

§ 13510.2. Misuse of certificates; misdemeanor; punishment

Any person who knowingly commits any of the following acts is guilty of a misdemeanor, and for each offense is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail not to exceed one year, or by both a fine and imprisonment:

(a) Presents or attempts to present as the person's own the certificate of another.

(b) Knowingly permits another to use his or her certificate.

(c) Knowingly gives false evidence of any material kind to the commission, or to any member thereof, including the staff, in obtaining a certificate.

(d) Uses, or attempts to use, a canceled certificate. (Added by Stats.1984, c. 43, § 3.)

§ 13510.5. Rules of minimum standards; certain peace officers

For the purpose of maintaining the level of competence of state law enforcement officers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards for training of peace officers as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who are employed by any railroad company, the California State Police Division, the University of California Police Department, a California State University police department, the Department of Alcoholic Beverage Control, the Division of Investigation of the Department of Consumer Affairs, the Wildlife Protection Branch of the Department of Fish and Game, the Department of Forestry and Fire Protection, including the Office of the State Fire Marshal, the Department of Motor Vehicles, the California Horse Racing Board, . . . the Bureau of Food and Drug, the Division of Labor Law Enforcement, the Director of Parks and Recreation, the State Department of Health Services, the Department of Toxic Substances Control, the State Department of Social Services, the State Department of Mental Health, the State Department of Developmental Services, the State Department of Alcohol and Drug Programs, the Office of Statewide Health Planning and Development, and the Department of Justice. All rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. (Added by Stats.1973, c. 1172, p. 2894, § 1. Amended by Stats.1979, c. 229, p. 483, § 2; Stats.1983, c. 143, § 211; Stats.1992, c. 427 (A.B.3355), § 135; Stats.1993, c. 409 (A.B.2308), § 3, eff. Sept. 17, 1993; Gov.Reorg.Plan No. 1 of 1995, § 25, eff. July 12, 1995; Gov.Reorg.Plan No. 3 of 1995, § 8, eff. Sept. 6, 1995.)

§ 13511. Place of training; testing in lieu of attendance at training academy or college

(a) In establishing standards for training, the commission shall, so far as consistent with the purposes of this chapter, permit required training to be obtained at institutions approved by the commission.

(b) In those instances where persons have acquired prior equivalent peace officer training, the commission shall, no later than July 1, 1981, and thereafter, provide the opportunity for testing in lieu of attendance at a basic training academy or accredited college. Tests shall be constructed to verify possession of minimum knowledge and skills required by the commission as outlined in its basic course. These tests shall be scheduled periodically in convenient locations, and an opportunity shall be provided for testing and retesting under procedural guidelines established by the commission. The retesting procedures shall be designed so that any portion which has been previously passed need not be retaken. The commission shall charge a fee to cover administrative costs which is sufficient to cover all the costs associated with the testing conducted under this subdivision. (Added by Stats.1959, c. 1823, p. 434, § 2. Amended by Stats.1980, c. 213, § 1; Stats.1986, c. 33, § 1.)

§ 13511.3. Approval of pertinent training completed by any jurisdiction's officers

The commission may evaluate and approve pertinent training previously completed by any jurisdiction's law enforcement officers as meeting current training requirements prescribed by the commission pursuant to this chapter. The evaluations performed by the commission shall conform to the standards established under this chapter. (Added by Stats.1994, c. 43 (A.B.1329), § 2.)

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-11

**WAIVER OF ATTENDANCE OF A
POST-CERTIFIED BASIC COURSE**

Purpose

11-1. Establishes Guidelines: This Commission procedure establishes the guidelines for determining whether or not an individual's prior law enforcement training is sufficient for a waiver of attendance of a POST-certified basic course. The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Section 1005 of the Regulations. The requirements for the basic courses are specified in POST Administrative Manual (PAM), Section D-1. A waiver of attendance of a POST-certified basic course is authorized by Section 1008 of the Regulations.

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

Evaluation, Examination, and Reexamination Fee

11-2. Fee: A fee to cover administrative costs of evaluation, examination, and reexamination, if applicable, shall be charged by the Commission. The appropriate fee must accompany the request for evaluation, examination, and reexamination. The appropriate fee shall be determined by the Commission and shall be based on actual expenditures related to this procedure.

The evaluation requirement and/or the evaluation fee shall be exempted by the Commission in the following circumstances:

- (a) An individual who has been awarded a POST Basic Certificate is exempt from the evaluation of training and the evaluation fee. A photocopy of the certificate must accompany the application form.
- (b) An individual who is hired by an agency prior to the date the agency enters the POST program is exempt from the evaluation fee.
- (c) An individual who has completed a POST-certified Basic Course after July 1, 1980 is exempt from the evaluation of training and the evaluation fee. A photocopy of the certificate of completion from the academy must accompany the Application for Assessment of Basic Course Training, POST Form 2-267 (Rev. 7/87).

Eligibility

11-3. Eligibility for Evaluation: An individual who has previously completed law enforcement training is eligible for evaluation. The request for evaluation of prior law enforcement training may be submitted to POST by the individual. To qualify for an evaluation of previously completed basic course training, the individual must have successfully completed the current minimum required hours for the appropriate basic course as specified in PAM, Section D-1.

11-5. POST Evaluation Process: Upon receipt of the completed POST Forms 2-260, or 2-260.1, and POST 2-267, all supporting documents and the appropriate fee, POST will evaluate the individual's prior training to verify equivalent training. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's college transcript must be submitted. POST may require additional supporting documents to complete the evaluation.

The individual, and the agency when appropriate, will be notified of the results of the evaluation.

- (a) When prior training is deemed acceptable, the individual will be eligible to take the appropriate Basic Course Waiver Examination (BCWE).
- (b) When the prior training is deficient in one or more functional areas, the individual shall have up to 180 days from date of notification by POST to provide additional verification of completion of the additional required training without the payment of an additional evaluation fee. Failure to make up deficiencies within 180 days from the date of notification by POST will result in closure of the application process. After that deadline, the individual shall be required to file a new application (including training certification information) and shall be subject to the training standards, testing, and fee requirements in effect at the time of submission of the new application.

Basic Course Waiver Examination

11-6. Examination Scheduling: The appropriate Basic Course Waiver Examination (BCWE) will be scheduled upon receipt of the examination fee and the properly completed application form.

- (a) The Application for Assessment for Basic Course Training, POST Form 2-267, signed by the individual, and the department head when appropriate, in Section 2, Request for Examination, is to be submitted to POST with the examination fee in the form of a certified check or money order, payable to the Commission on POST.
- (b) Location and Frequency of Examination: The Basic Course Waiver Examination will be administered periodically as determined by POST. The frequency will be based upon the number of individuals eligible to take the examination. The geographic location of the individuals will be taken into consideration in determining the most appropriate location for the examination to be administered.

The individual, and the agency when appropriate, will be notified of the examination date, time, and location.

11-7. Completion of the Basic Course Waiver Examination: The examination consists of two components: written and skills.

- (a) The written examination is designed to evaluate an individual's knowledge of Basic Course content and is pass/fail. An individual must pass the written examination before being admitted to the skills examination. The written examination must be completed within 180 days of notification by POST of successful completion of the waiver evaluation process, if appropriate.
- (b) The skills examination is designed to evaluate an individual's manipulative skills as acquired in the Basic Course. An individual must demonstrate competency in each skill area. The skills examination must be completed within 180 days from the date of notification by POST of successful completion of the written examination.

- (a) Is re-entering a middle management or executive rank and who will function at least at the second level of supervision; or
- (b) Has been (with no more than a 60-day break between law enforcement employers) employed continuously in another state as a full-time peace officer; or
- (c) Has served (with no more than a 60-day break in service between law enforcement employers) continuously as a Level I or Level II reserve officer in California and the individual's department head attests in writing that the reserve officer is currently proficient; or
- (d) The individual's employment, training, and education during the break in service provides assurance, as determined by POST, that the individual is currently proficient; or
- (e) Is re-entering in a permanent "light" duty assignment not involving general enforcement duties if attested to in writing by the agency head.

11-13. The Executive Director may waive the testing/retraining requirement for an individual who: (1) has previously satisfied the basic course training requirement and either does or does not possess the POST Basic Certificate, and is returning to law enforcement employment after a three-year or longer break in service in California; or (2) for the first time obtains law enforcement employment after a three-year or greater lapse of time since completion of the Basic Course; and (3) the individual's department has obtained prior written approval from POST for the use of an alternative job-related testing/retraining procedure, conducted by a presenter of the POST-certified Basic Course, which verifies that the individual is currently proficient and meets or exceeds minimum performance standards established by the Commission for Basic Course equivalency evaluation and testing.

14. The Commission, in response to a written request or on its own motion may, upon a showing of good cause, based upon an individual's employment, proficiency, training and education, waive the testing/retraining process for any individual, other than one described in paragraph D-11-12 or D-11-13, who has satisfied the basic training requirement and is re-employed as a peace officer after a three-year or longer break in service.

Historical Note:

Procedure D-11 was adopted and incorporated by reference into Commission Regulation 1008 on January 28, 1982, and amended on August 17, 1986, and January 29, 1988.



City of Palm Springs

Police Department
TEL: 619-323-8116
TDD: 619-864-9527

July 12, 1996

Peace Officer Standards and Training Commission
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Commissioners:

We are currently scheduled to appear before you at your regular meeting of July 18, 1996. Our purpose in coming before you is quite simple: we are seeking a **limited waiver** of one portion of the Basic Course certification process. This letter outlines our position and why we are asking you to take action in our favor.

At the outset we need to state explicitly that we are extremely supportive of the goal of and the need for professional certification. We have both made a firm commitment to become certified in the State of California and we have spent a great deal of time, energy and money towards that end. In short, **we will get certified by POST**. The issue at this stage is one of fairness, equity and reasonableness.

We also want to stress that we have no quarrel with POST or its staff. We have been responded to promptly by POST executive staff and Executive Director Boehm has taken the time to discuss this issue with us repeatedly and has made himself available on a number of occasions to work on this issue.

Professional Backgrounds:

Both of us are professional police officers who came here with years of appropriate, relevant experience. Both of us hold college degrees, both have advanced (graduate) education and both have professional, long-term police training (FBI National Academy; Southern Police Instituted). Importantly, both of us hold certificates from other states similar to the California POST requirements.

We have attached individual resumes for your review.

California Process:

POST has established the Basic Course Waiver (hereinafter BCW) process. This process is supposed to be applied to any individual seeking initial entry into California law enforcement who has served elsewhere, as well as to those individuals who had at one time received a California POST certificate but who had left either policing generally or the state specifically for more than three (3) years. The BCW is supposed to apply to both categories of candidates: those never certified in California but certified elsewhere and those whose California certification has lapsed.

The BCW process is basically composed of the following components:

1) Equivalency match of prior training. This segment is for out of state applicants. This section requires the applicant to prove to POST that the non-California training covered the same elements as the California Basic certification process. This is a detailed, time consuming process, which places the burden on the candidate to prove that the out of state training meets the California standards.¹

2) Written exam. This three hour written examination covers all areas of law enforcement, from the California Penal Code to the Vehicle Code to basic police tactics.

3) Legislatively mandated topics. Over the years, the California legislature has directed that police officers receive certain specific training. This is currently over 20 hours of video based training on topics ranging from domestic violence to suicide.

4) Skills. This area of the testing relates to firearms skills, police tactical skills and actual defensive tactics (handcuffing, physical techniques, etc.).

There are three paths that one can use to complete the BCW. These are:

1) Take a re-qualification course. This is a three week, full time course given approximately once a year at two different locations in the state. At the conclusion of this course, with passage of the tests, a Basic Certificate Wavier is issued.

¹Commission Regulation 11-4, spells this out in great detail. ("Satisfactory training must have been completed in each of the Basic Course functional areas for an individual to be eligible to take the Basic Course Waiver Examination appropriate to the individual's assignment.")

2) Take the tests to pass each stage of the process as outlined above. This is rarely if ever done. In fact, we have had significant problems in even determining the process involved in taking the skills test.

3) Getting a waiver of the BCW process. This is commonly, regularly granted but only to those individuals who were once certified in California.

Our Specific Situation:

We have been working at the BCW process for more than one year. As we stated at the outset, we have made a firm commitment to become certified in the State of California. To date, we have:

POST REQUIREMENT	KULANDER'S STATUS	BERKOW'S STATUS
1) Training equivalency	Satisfied	Satisfied
2) Written exam	Passed	Passed
3) Legislative Mandates	Satisfied	Satisfied
4) Skills Test	Pending	Pending

Our single request to the Commission is a limited waiver of the Skills portion of the testing.

Skills Test:

Attachment B is a letter from the Orange County Sheriff's Department, the agency which would administer the skills test for POST, outlining the requirements of the test. As you can see, it covers firearms, both shotgun and handgun, day and night firing and it covers defensive tactics including basic empty hand tactics, handcuffing and baton usage.

Again, both of us have qualified with our Departmental range masters (appropriately POST certified individuals) and we will continue to do that in the same fashion that we require each member of our respective departments to qualify. Thus, the only items we are truly requesting a waiver on is the defensive tactics (empty hand, handcuffing, baton).

Past Waiver Practice:

While the regulations state that everyone—out-of-state applicants and persons once certified in California but who have not actively practiced our profession—go into the same BCW, the fact is that waivers are regularly and routinely granted for the individuals who were once certified in California. We are aware of a number of individuals whose certification had lapsed, who applied under the BCW process and then requested a waiver of that process, and were granted it completely.

We are referring here to full waivers: these individuals have not been required to complete any portion of the BCW process. These waivers have even applied as to the legislatively mandated topics, even in cases where the applicant has been out of state and never received any training in these mandated areas.

In contrast, no waiver of any type is granted to an out-of-state applicant, regardless of background, training, education, etc.

Discussion:

We applaud reasonable requirements to become certified in the State of California. Both of us see a strong need to learn the State Penal Code and Criminal Procedure Code². Both of us can and would support a reasonable certification process based on required knowledge areas. But the current system is very problematic.

First, the BCW bears no relationship to our positions. We are working in California as Chiefs of Police not new police officers. The BCW is based on becoming a first line police officer, not to test the skills of someone who is working as a chief. Thus, there is no rational basis between the skills and abilities which are tested and the jobs we were hired to do.

Secondly, the waiver process³ appears unsupportable. The initial portion of the BCW process is a matching of the out-of-state training with the in-state initial training requirement. If that is the standard, once the out-of-state applicant meets the first

²Interestingly, there are very few questions about either of these areas anywhere in this process.

³This is actually a misnomer: it is the waiver process for the basic course waiver that we are referring to.

portion of the BCW, then they should be eligible for the same waivers as the originally certified in-state candidate. That is not occurring.

Moreover, the originally certified in-state candidate is not being required to even attend the legislatively mandated training. We are unclear about how a waiver can be granted to anyone in this area. We are even aware of officers who have been medically retired in the State of California, have left law enforcement for more than three years, subsequently returned to policing and been granted full and complete waivers of the entire process.

As a legal matter, the California Penal Code provides very minimal guidance. Penal Code 830.1 states that any chief of police employed by a city is a peace officer. Penal Code Section 832.3, states in relevant part:

"(a) Except as provided in subdivision (b), ...any police officer ...who is first employed after January 1, 1975, shall successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer...."

"(b) For the purpose of standardizing the training required in subdivision (a), the commission shall develop a training proficiency testing program.... Nothing in this subdivisions shall make the completion of such examination a condition of successful completion of the training required in subdivision (a)."

The Commission has adopted guidelines relating to the "Waiver of Attendance of a POST-Certified Basic Course". (See POST Administrative Manual, Commission Procedure D-11). Commission Procedure D-11, sets forth the entire Basic Course Waiver process. It also provides the process for the waiver of the BCW process. (See 11-12).

Regulation 11-14, states:

"The Commission, in response to a written request or on its own motion may, upon a showing of good cause, based upon an individual's employment, proficiency, training and education, waive the testing/retesting process for any individual ... who has satisfied the basic training requirement and is re-employed as a peace officer after a three-year or longer break in service."

This regulation appears to give the Commission the immediate power to grant the very limited waiver we are seeking.

Conclusion:

We are appearing before you on the 18th, to seek your help. We are firmly committed to the high standards of California law enforcement. Both of us intend to remain in the State, both of us intend to be active in the profession and both of us believe we have already made and will continue to make contributions to our chosen profession.

We are asking for a very limited waiver. We believe we have demonstrated our commitment to the process as well as our abilities. We believe that the testing process for a chief ought to be different than that of a entry level police officer. We feel quite strongly that the current practice of granting full and complete waivers to individuals who attended a basic academy in California at some point in time, while denying any waiver to out-of-state applicants is unfair and inappropriate. Finally, we strongly support reasonable, appropriate, job-related standards and testing to serve as a chief of police in the State of California.

Thank you and we respectfully request that you grant us a limited waiver of the skills portion of the BCW process.



Gene H. Kulander, Chief of Police
Palm Springs Police Department



Michael Berkow, Chief of Police
Coachella Police Department

GHK:MB:rm
Enclosures

**Commission On Peace Officer Standards And Training
POST BASIC COURSE WAIVER SKILLS TEST**

The skills test is designed to evaluate an individual's manipulative skills as acquired in the Basic Course. A careful review of this booklet should facilitate your skills test performance.

You may complete skills testing through either a separate examination or the Requalification Course. The same skills tests are administered in both. Enrollment information for the course is described in a separate flyer. Information on arranging the separate exam is included in this booklet.

What Skills Are Tested?

The critical skills which you are expected to perform are:

FIREARMS SAFETY

Handgun and Shotgun

FIREARMS RANGE

HANDGUN

Marksmanship, Shooting Positions, Use -
Day Range, Use - Nighttime/Low Light
Range, Combat - Day Range, Combat -
Nighttime/Low Light Range

SHOTGUN

Marksmanship, Shooting Positions, Combat
- Day Range, Combat - Nighttime/Low
Combat Range

**DEFENSE TACTICS/ARREST AND
CONTROL TECHNIQUES**

Search and Control Techniques
Restraint Techniques
Control Hold
Takedown
Carotid Restraint
Gun Take-aways
Weapon Retention
Baton Use

These skill areas are considered critical and liability-causing and are not intended to be all-inclusive of Basic Course skill areas. POST's completion standards for these skills test are standardized and are those generally accepted by POST-certified basic academies as the minimum acceptable performance standard. An individual must demonstrate competency in each skill area.

Subject matter experts will accompany you through each testing station to evaluate your performance and will complete standardized check sheets for each skill area. Each step or element of performance is considered essential and you should demonstrate each as you perform the skill. Included in this information package is a copy of each skill area check sheet and the Basic Course Waiver Skills Test Summary. The California POST Basic Course performance objective being tested for each skill is shown on the check sheet.

How Do I Qualify To Take The Separate Skills Test?

After you have passed the POST Basic Course Waiver written examination, you will receive a letter of eligibility to take the skills test and further instructions. The skills test must be completed within 180 days from the date of your eligibility letter.

Upon receipt of the \$300 test fee at POST, a POST Basic Course Waiver Skills Test Authorization card will be issued to you. You may then arrange for a test date. You must present the POST Basic Course Waiver Skills Test Authorization card to the Skills Testing Center on your scheduled test date.

When And Where Is The Separate Skills Test Given?

The Skills Test covers approximately five hours of structured testing which may be scheduled on one Saturday a month. You must contact one of the Skills Testing Centers at least one week in advance of the test date you desire. If you fail to appear on the scheduled date and time, without a 72-hour prior notification to the center or a verifiable emergency, your Skills Test fee may be forfeited. There must at least two test applicants to schedule a test date; this is based on the \$300 fee per person.

The POST-approved Skills Testing Centers are:

Northern California

Napa Valley College
Police Academy
2277 Napa-Vallejo Highway
Napa, CA 94558
Contact: Bruce Beckler (707) 253-3250

Southern California

Orange County Sheriff's Office
Training Division
1900 W. Katella Avenue
Orange, CA 92667
Contact: Jenny Boyd (714) 261-9496

When Will I Know My Test Results?

You will be told your test results the day of the test. A copy of the overall BCW Skills Test Results Summary will be furnished to you. If you pass all areas on the Skills Test, a letter from POST which waives attendance of a POST-certified Basic Course will be issued to you within five working days.

What Happens If I Fail The Skills Test?

All skill areas must be passed. In the event you fail a skill area, the Skills Testing Center will provide recommended re-mediation. Re-testing for failed skills can be scheduled with the Skills Testing Center after payment to the Center of \$50 for each skill module. Skills re-testing is allowed more than once for each module. Your original test, and any needed re-mediation and retesting must be completed at the same Skills Testing Center. You must successfully complete re-testing within 180 days from the date of your original skills examination results. If you do not pass the skills test within the required time, you must satisfactorily complete a POST-certified basic course before exercising peace officer powers.

How Should An Applicant Prepare For The Separate Skills Test?

You should physically prepare and practice for each of the skills tests listed in this package. You may wish to arrange to take a POST-certified course(s) in the above skills areas, hire a basic academy instructor to tutor you, or observe these skills being taught in a basic academy class.

ORANGE COUNTY SHERIFF-CORONER DEPARTMENT

PHYSICAL REQUIREMENTS

Segments of the POST Requalification course will require students to participate in activities involving physical exertion such as running, lifting, squatting, bending, twisting, and falling on padded surfaces. Student should minimally be in moderate physical condition to participate.

Students will be required to participate in a baton exercise that will require them to run, strike stationary striking bags and live targets without stopping for approximately four minutes. This requires good cardiovascular fitness on the part of the student to be successful and to prevent injury. In order for the student to successfully complete this portion of the course he/her should be able to run one mile at a pace of 9.5 minutes. This is not a requirement for the course but is a benchmark for the student to judge his/her fitness level.

I have read and understand the above requirements:

Signature _____

Date _____

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083**COMMITTEE ON STRATEGIC PLAN IMPLEMENTATION**October 22, 1996
Hyatt Irvine Hotel
Irvine, CA**MINUTES****A. CALL TO ORDER**

Commissioner Ortega called the meeting to order at 10:10 a.m.

B. INTRODUCTIONS**Committee Members**Mannie Ortega, Acting Chairman
Jay Clark
Bob Norman
Jerry Shadinger
Woody Williams
Consultant Reuben Harris**Staff**Norman C. Boehm
Glen Fine
Vera Roff, Secretary**Guests**Alan Barcelona, CAUSE/CCLEA
Mike Nadau, Investigator, DOJ
Stephen D. Hart, Office of State Fire Marshal
Neil Robertson, CAUSE/CCLEA
Dean Shelton, Governor's Law Enforcement Liaison**C. Approval of Minutes**

MOTION - Norman, second - Clark, carried unanimously to approve the minutes of the September 18, 1996 Committee meeting held in Newport Beach as presented.

D. Progress Report on Strategic Plan Transition Planning

Consultant Harris reported that he had met several times with the POST Management Team to build on the ideas of the steering committee's plan to the Commission. Much progress

has been made in supplementing and providing additional depth and dimension to the original document. It is anticipated a final report will be presented for the Committee and Commission's review in January.

Committee members expressed great satisfaction with the draft report and concurred with the direction staff is taking.

E. Clearinghouse Proposal

As directed by the Committee at its August meeting, staff presented a proposal for conducting an exploratory workshop regarding establishing a Clearinghouse function at POST. The Committee was very supportive of the idea as it was one of the directions suggested by the field. The workplan and schedule would be:

- o November 1996 - Identify, select, and establish a broad-based resource committee to assist with the development and maintenance of the clearinghouse.
- o December 1966 - Activate an internal POST ad hoc group to provide continuous feedback, information, and strategies for implementing recommendations.
- o January 1997 - Convene the initial Clearinghouse Resource Committee meeting to address needs assessment and relevant issues.
- o March 1997 - Prepare reports to Commission and appropriate committees.

The schedule for developing a clearinghouse and bringing it on line would be set following the workshop.

MOTION - Williams, second - Norman, carried unanimously to approve the clearinghouse proposal for an exploratory workshop as outlined in the report.

Discussion then led to keeping the field informed of the progress being made in implementing directions outlined in the strategic plan. It was suggested that, perhaps in April, several workshops be held in various parts of the state inviting the same people who had originally provided input. There was also a suggestion that representatives from the various organizations be invited to the April Commission meeting for an update on progress of implementing directions.

E. Regional Skills Centers

In 1996, AB 1020 (Campbell) was introduced which proposed the establishment of public safety skills centers through general obligation bonds totalling \$850 million. Although the bill failed to pass, the 11 regions have recently met and support the bill's introduction. The

committee will meet later in the day to discuss alternatives and options for possible legislation for the development of regional skills centers throughout the state.

CSPI members were very supportive of this proposal.

F. Next Meeting

o November 7, 1996 - Embassy Suites - Monterey Bay

G. ADJOURNMENT - 11:56 A.M.

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

September 18, 1996

Sheraton Hotel

Newport Beach, CA

MINUTES**A. CALL TO ORDER**

Chairman TerBorch called the meeting to order at 9:45 a.m.

B. INTRODUCTIONS**Committee Members**

Rick TerBorch, Chairman

Jay Clark

Ted Hunt

Bill Kolender

Skip Murphy

Bob Norman

Jerry Shadinger

Woody Williams

Staff

Norman C. Boehm

Glen Fine

Vera Roff, Secretary

Guests

Dave Anderson, Commissioner

Sheila Baker, LAPPL

Alan Barcelona, CAUSE/CCLEA

Rich Barton, Irvine POA

Bruce Bottolfson, Anaheim Police Association

Pete Brodie, ALADS

Mike Carre, Commissioner

Sheldon Carson, LAUSD POA

Adam Christin, CAHP

John Clough, Marshals' Association

Ed Estrada, Torrance POA

Gary Fullerton, LAPPL

David Grant, Sacto Co. DSA

Mitch Grasso, LAPPL
Frank Grimes, LAPPL
Bill Harkness, LAPPL
Ed Hendry, Orange County Sheriff's Department
Hank Hernandez, LAPPL
Ron Hurth, AOCDS
Mike Jimenez, CAL COPS
Adelyn Lemmon, APA
Jim Martin, CCPOA/CCLEA
Martin Mayer, Mayer, Coble & Palmer
David McCain, HBPD
Doug McLellan, ALADS
Dave Mihalik, Irvine POA
Mike Minton, LBPOA/CCLEA
Lenny Munoz, LBPOA/CCLEA
Larry Rhodes, CAUSE/CCLEA
Neil Robertson, CAUSE/CCLEA
Cliff Ruff, LAPPL
Joe Simpson, Torrance POA
Ron Snider, CAHP
James Vogts, PPOA/CCLEA
Rich Wells, LAPPL
Paul Wheeler, AMVIC/CCLEA
Mike White, LBPOA/CCLEA
Dennis Zine, LAPPL

C. Approval of Minutes

The minutes of the August 28, 1996 Committee meeting held in Sacramento were approved as presented.

D. Professional Licensing

As a result of input received from the field at workshops held throughout the state, one of the directions included in the strategic plan was that of moving toward professional licensing. The recommendation was that POST, in partnership with law enforcement professional associations, should thoroughly explore the issue and assess the implications for the individual and employing agencies.

Representatives of labor associations listed above spoke in opposition to the issue of professional licensing.

All speakers were adamantly opposed to the issue of professional licensing and requested that it not be included in the strategic plan. The reasons for opposition ranged from the issue of local control to concern for officers being put at risk for their employment twice. There were many expressions of confidence for the certification system currently in place.

After discussion, the following motion was made:

MOTION - Williams - second, Murphy - carried unanimously to recommend a report be presented to the Commission advising them that the Committee has addressed the issue of licensing, examined it, took input from public members, and recommends support for the current existing system with no further study of licensing to be pursued at this time.

E. NEXT MEETINGS

- o October 22, 1996 - Hyatt Regency - Irvine
- o November 7, 1996 - Embassy Suites - Monterey Bay

F. ADJOURNMENT - 12:45 P.M.



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMITTEE ON STRATEGIC PLAN IMPLEMENTATION

August 28, 1996
POST Headquarters
Sacramento, CA

MINUTES

A. CALL TO ORDER

Chairman TerBorch called the meeting to order at 9:45 a.m.

B. INTRODUCTIONS

Committee Members

Rick TerBorch, Chairman
Jay Clark
Ted Hunt
Skip Murphy
Bob Norman
Woody Williams

Staff

Norman C. Boehm
Glen Fine
Darrell Stewart
Reuben Harris, Consultant
Vera Roff, Secretary

Guests

Alan Barcelona, CAUSE/CCLEA
Jim Martin, CCPOA
Lenny Mualoz, LAPPL
Doug Peterson, CCPOA/CPOST
Neil Robertson, CAUSE/CCLEA
Tom Savage, Sacto County Deputy Sheriff's Assn.
Jim Vogts, PPOA/CCLEA
Dennis P. Zine, LAPPL

C. Approval of Minutes

The minutes of the June 21, 1996 Committee meeting held in Sacramento were approved as presented.

D. Progress Report on Transition Planning

Consistent with the strategic plan, Norman Boehm reported that the Commission approved a recommendation to hire POST Management Fellows to do the reserve officer study and the field training officer study. Recruitment is well underway. It is anticipated that interviews for the Fellows will be held in September.

Reuben Harris reported that while the strategic plan provides a basic structure, some "holes" must be filled in before the transition plan can be developed. He reported that the POST Management Team met off-site to begin that process. The meeting was held on August 13-15 and staff began work on a vision statement to define POST in the year 2001. Staff will meet again on October 7/8 to continue its work in developing the transition plan. The goal is to have the plan ready for implementation by the end of the calendar year.

Norman Boehm suggested, and the CSPI agreed, that staff should begin working on those items included in the plan that can be easily done. A Home Page for the Internet is being developed and will be on-line by the end of August. There was approval by the Committee to accept the staff recommendation to gather a group of users and experts to further develop the idea of a Clearinghouse as soon as practical.

The Committee recommended that updates be provided to the field regarding progress reports on strategic plan implementation. An update should be included in all POST publications (POSTScripts, Pacesetter, etc.) as well as sending to each SPSC workshop attendee. A letter will be sent by CSPI Chairman to the major organizations requesting they, in turn, include the updates in their respective newsletters.

E. REVIEW OF MATRIX AND PRIORITIZATION

It was recommended that POST staff review the matrix and prioritize the strategies, outcomes, etc., as set forth in the strategic plan and report back to the Committee for further discussion.

CSPI members requested background information on the following items prior to the next Committee meeting:

- o Accreditation program for California law enforcement agencies
- o Results of Regional Skills Center meeting on July 24, 1996
- o Licensing issue

F. NEXT MEETINGS

- o September 18, 1996 - Orange County

The major item on the agenda will be a discussion of licensing. Accreditation will not be on the September agenda, but will be addressed at a later date.

12.
o October 22, 1996 - Orange County

The major item on the agenda will be a report of results of the staff meetings regarding preliminary actions to be taken and issues to be addressed.

G. PROJECT MANAGEMENT

Although Norman Boehm has submitted his retirement effective the end of this fiscal year, both he and the POST Management Team are diligently pursuing successful implementation of the strategic plan. A project management computer program will be used to keep track of strategies, timelines, etc. so that nothing will "fall through the cracks."

H. ADJOURNMENT - 11:45 A.M.

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

November 6, 1996 - 2:00 p.m.

Embassy Suites on Monterey Bay

1441 Canyon Del Rey

Seaside, CA 93955

(408) 393-1115

AGENDA**COMMITTEE MEMBERS**

Rick TerBorch, Chairman

David Anderson

Ted Hunt

Ronald Lowenberg

A. CALL TO ORDER**B. POST'S Current Year Budget, Revenue, and Status**

The Committee will review budgeted and actual revenues as well as training volumes for the First Quarter 1996/97.

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

C. Review of 80-Hour Cap

At the July 1996 meeting, the Commission acted to continue the 80-hour annual cap on reimbursable training. Previous exemptions to this cap were also continued.

Discussion of the cap by the Finance Committee included potential negative impact of the cap on the Institute for Criminal Investigation (ICI) program and critical training for those assuming specialized assignments. Staff was asked to report on this matter at the next Finance Committee meeting. A report is under this tab.

D. Report on Driver Training Simulator Program

At its July 18, 1996 meeting, the Commission approved an additional driver simulator site at the Los Angeles Police Department on the recommendation of the Finance Committee. The Finance Committee also requested that staff investigate options for the future of the driver simulator program and provide a report for the November 1996 committee meeting.

A comprehensive and positive report covering the first two full years of the simulator pilot project was presented to the Commission at its November 1995 meeting. The Long Range Planning Committee received an update at its October 1996 meeting, and the Commission has received periodic reports on the progress of this pilot program since its inception.

The report under this agenda tab provides an update on the program to date and indicates that the pilot program will be largely complete by September 30, 1997. The report also provides some options that could be considered as part of any long-term plan for the use of driver simulators.

This item is on the agenda for information, discussion, guidance, and recommendations.

E. Report on Inability of Some IVD Systems to Run the Drug Courses

Twenty-five laws enforcement agencies purchased personal computers (under the IVD system reimbursement program) that will not run the most recently developed IVD training course. There are 59 such computers and all are IBM equipment. IBM will no longer support the equipment and the only solution is replacement. The matter is more fully described in the enclosed report.

F. Report on COPS More Technology Working Group Meetings

The U.S. Department of Justice COPS office has been distributing large amounts of money under their COPS MORE (Making Officer Redeployment Effective) allowing agencies to purchase technology applications in support of their agency community-policing efforts. To date over 70 agencies have received grants.

Since August 1995 POST has hosted three special seminars for California agencies in the POST program that have received COPS MORE funding. These meetings allow for technology presentations and solutions, networking among the agency representatives, sharing ideas and work as a large group to resolve issues concerning various technology applications.

Additional grant funds have been allocated to agencies in California that could dramatically increase the number of agencies attending these special working group meetings. That would significantly increase POST costs to hold these bi-annual meetings. POST has received a number of letters complimenting the Commission for its help in holding these meetings and urging that the Commission continue to support these very worthwhile meetings in the future. Support for this program will require additional funds from POST on an on-going basis.

This item is on the agenda for information and discussion.

G. ADJOURNMENT

State of California

Department of Justice

M e m o r a n d u m**DATE:** October 24, 1996**TO:** Finance Committee**FROM:** NORMAN C. BOEHM
Executive Director
Commission on Peace Officer Standards and Training**SUBJECT:** LIMITATION ON MAXIMUM HOURS REIMBURSEMENT FOR IN-SERVICE TRAINING (80-hour Cap)

At its July 20, 1995 meeting, the Commission approved an 80-hour cap on reimbursable non-mandatory in-service training, effective September 1, 1995. This was done as a cost-saving measure to allow POST to stay within its budget. The following courses were 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; POST Special Seminars/Workshops; and the Executive Development Course.

The first fiscal year of this policy occurred September 1, 1995 to June 30, 1996. Evidence is that the cost-saving intent of this cap on in-service training was realized with impressive results. While it is difficult to account for all agency personnel training decisions, it is, nevertheless, estimated that the cap caused an approximate \$1 million dollars savings that otherwise would have been expended toward in-service training.

At its July 18, 1996 meeting, the Commission directed staff to continue the 80-hour cap into this current fiscal year. The Finance Committee also requested staff to report at the November, 1996 meeting on any problems associated with this limitation on agency training. Specifically, the concern was expressed about any negative impact on the Preseley Institute of Criminal Investigation, or such an impact on delaying training aimed at preparing officers for specialized assignments.

Documented patterns of training and other issues were examined relative to specialized assignments. These efforts failed to detect any clear imposition of a negative impact on the options available to agencies to train personnel for particular assignments. It is further noted that there is the absence of complaints from agencies which would point to problems in this area.

On the other hand, there has been indication of problems associated with attendance at the Preseley Institute of Criminal Investigation. The Core Course of the Institute is 80 hours. The required Specialty Courses that complete the Institute requirements are of a variety of hours in length. From the standpoint of timely sequencing of the Core and other Speciality courses, the 80-hour cap poses a problem. There could be undue delay between the time of completion of the Core course and the undertaking of the Specialty courses. The Core course of investigation has five presenters who combine to train approximately 350 officers per year.

The Commission may wish to consider including the Core course of the Preseley Institute of Criminal Investigation among the courses exempt from the 80-hour cap.

State of California

Department of Justice

Memorandum

To: Finance Committee

Date: October 23, 1996

Norm
NORMAN C. BOEHM, Executive Director

From: Commission on Peace Officer Standards and Training

Subject: REPORT ON THE DRIVING SIMULATOR PROGRAM

At its July 18, 1996 meeting, the Commission approved an additional driver simulator site at the Los Angeles Police Department on the recommendation of the Finance Committee. The Finance Committee also requested that staff investigate options for the future of the driver simulator program and provide a report for the November 1996 Committee meeting. A comprehensive and positive report covering the first two full years of the simulator pilot project was presented to the Commission at its November 1995 meeting. The Long Range Planning Committee, the Finance Committee, and the Commission have received periodic reports on the progress of the pilot program since its inception.

To date the Commission will have expended and/or encumbered \$2,017,484 to implement and support the driver training simulator program through September 30, 1997. This figure includes the Los Angeles Police Department site authorized at the July 18, 1996 meeting. At the conclusion of the contracts in September 1997, the Commission will have provided four years of support for this pilot program at the three initial sites and presumably one year at the LAPD site. The support has consisted of acquiring and installing the simulator equipment, providing instructor salaries at the selected sites, and the funding for a half-time instructor position to develop scenarios for all of the sites.

In addition the Commission has funded regularly scheduled meetings for the Driving Simulator Committee. The committee is composed of driver training and simulator experts from each of the training sites. These meetings have provided for the development and evaluation of driving scenarios, a comprehensive driver simulator instructor manual, and the development of strategies to evaluate the effectiveness of the driver simulators as part of a comprehensive driver training.

The City of West Covina Police Department has purchased and installed the simulators at their agency. The Association of Bay Area Governments (ABAG) has purchased a mobile training unit to house their simulators, and the Coachella Valley Joint Powers Insurance Authority is in the process of purchasing a mobile system. Each of these agencies purchased their systems with their own resources. Approximately 25 agencies across the country have followed the Commission's lead and acquired these types of

driving simulators. There has been an increased interest from agencies across the nation in the use of simulators to train peace officers.

The use of these simulators continue to receive good evaluations, both from the trainees that have been using them and from the veteran trainers that have been teaching with them. They continue to be an effective tool to assess judgment and decision-making using a series of POST-designed scenarios. The scenarios are designed by experts to provide key learning points while operating emergency vehicles in a variety of situations.

In addition to the DORON systems, three new simulator systems have been identified with interest in entering the marketplace. These include a 3-D motion-based system, a system that has been developed for the Department of Energy for truck operations, and a system that has been developed for the entertainment industry that can be converted to emergency vehicle operations training. These systems could provide law enforcement training with new simulation technology. POST staff has received preliminary information on the systems and will be attending demonstrations on them in October and November. The companies that are developing the new systems believe that they are well suited to training public safety personnel in driving emergency vehicles as part of a comprehensive training program. It appears that only one of the companies has a system that has been designed specifically with a law enforcement application in mind. The other systems would require modifications to make them readily applicable to emergency vehicle training.

While most of the trainee population is in Southern California, only one POST-supported system is available in the Bay area and northern part of the state. The San Jose site has been providing training to the Bay area agencies. ABAG is providing training to selected cities in the Bay area on their own. However, two large portions of the state do not have ready access to the simulator training. One is the central valley area (Bakersfield to Modesto), and the second is the Sacramento Valley area and north to the Oregon border. If these areas were to obtain systems, it may be best suited for a mobile system that could be moved to the various training sites on a regular basis. While many locations could benefit from these simulator systems, it is likely that providing for and sustaining these systems may be beyond the Commission's resources in any one year. Over the next several years, however, it seems appropriate that a simulator system be available to officers in each of the ten POST training regions.

The pilot program will be largely complete by September 30, 1997. The following options could be considered as part of any long-term plan for the use of driver simulators:

- o Establish additional simulator sites to balance the program statewide under the same conditions that the Commission established the pilot sites (including the initial purchase of the simulator hardware); purchase of fixed sites are estimated at \$265,000 each and mobile systems are estimated at \$700,000 each (without maintenance or other instructor support).

- o Continue to fully support the four sites that have been established or authorized (this would consist of instructor salary and scenario development only); costs are estimated at \$390,000 for Fiscal Year 1997-98.
- o Continue to support and fund the four sites in some form of modified status (i.e. 75% down to 0% over a specific time period).
- o Discontinue support of the pilot sites and turn the programs over to the agencies; some support and maintenance funding could be returned to the agencies by certifying plan III courses with a fixed tuition for each trainee.
- o Enter into partnerships with the insurance risk programs statewide to provide the necessary funding for establishing and supporting simulator sites.
- o Apply for grant funding from the National Highway Traffic Safety Administration in cooperation with the California Office of Traffic Safety to implement additional sites. Emergency vehicle operation is a nationwide issue and should be supported at the federal level.

The use of simulation technology for driver training is expanding worldwide. The Commission has been on the leading edge in providing resources to acquire, implement, and evaluate the simulator program since the early 1990's. A long-term plan should be developed that will provide the Commission with strategies on how best to accomplish training using simulators.

This item is on the agenda for information, discussion, guidance, and recommendations. We will be ready to provide and assemble additional information as necessary.

State of California

Department of Justice

Memorandum

To: Finance Committee

Date: October 24, 1996

NORMAN C. BOEHM
Executive Director

From: Commission on Peace Officer Standards and Training

Subject: INABILITY OF SOME IVD SYSTEMS TO RUN THE DRUG COURSES

Background

In 1993 the Commission initiated the program enabling agencies to be reimbursed for the purchase of IVD systems. Agencies were directed to purchase a system recommended by POST.

Each of these systems has functioned well for the IVD courses, *Introduction to Law Enforcement*, *Law Enforcement Driver Training*, and *Law Enforcement First Aid/CPR*. Unfortunately, the new drug courses will not run on 59 of the computers (all are IBM PS/2 Model 57), which were purchased by 25 agencies and reimbursed by POST. The reason is that the more sophisticated graphics in the drug courses use 256 colors, whereas the previous courses used only 16 colors. The PS/2 Model 57 computers are not capable of running 256 colors.

GRCI/SWL, the vendor that developed the course, assumed that IBM PS/2 computers would support 256 colors and did not realize the problem until well into the course development process. The vendor and POST worked with IBM and the developer of the authoring system in effort to solve the problem. The research resulted in the conclusion that the only solution is replacing the PS/2 computers. It should be pointed out that these computers will not run any future IVD courses that POST develops. Also, most of the computers have small hard disks (80MB) and are slow machines. Only the computer and the video adapter board need replacing; the other components will continue to work (monitor, videodisc player, and speakers).

Most of the agencies with the IBM PS/2 systems are aware of the problem. Letters have been received from two chiefs requesting that POST replace their computer since it was one of the recommended systems. The cost to replace each PS/2 computer would be approximately \$2600 to \$3200, depending on the vendor from whom the system was purchased.

Solution Options

Option 1: POST reimburse each agency for the cost of the replacement computer(s)

The cost for replacing the 59 computers would range from approximately \$153,400 to \$188,800, depending on the vendor.

Option 2: POST share the replacement cost with agencies

If POST and each agency split the cost equally, the Commission would spend approximately \$76,700 to \$94,400.

If POST were to reimburse agencies for the video adapter boards (\$1000 each), the Commission would spend \$59,000. Each agency would then have to pay the remaining cost (approximately \$1600 to \$2200 per computer).

Option 3: Each agency replace the computer(s) without any reimbursement from POST

This option would not cost the Commission anything.

The matter is brought to the Committee for discussion and formulation of recommendations.

State of California

Department of Justice

Memorandum

To: Finance Committee

Date: October 17, 1996

NORMAN C. BOEHM
Executive Director

From: Commission on Peace Officer Standards and Training

Subject: COPS MORE TECHNOLOGY WORKING GROUP MEETINGS

The U.S. Department of Justice COPS Office has been distributing large amounts of money under their COPS MORE (Making Officer Redeployment Effective) allowing agencies to purchase technology solutions (e.g. laptop computers for vehicles and officers, computer-aided dispatch and records management systems) to support community-oriented policing efforts. To date, over 70 agencies have received an estimated \$38 million statewide in grant funding.

In August 1995 several agencies approached POST to facilitate meetings of the COPS MORE grantee agencies to allow them to network, share ideas, look towards group compatibility and solutions, and work as a large group to resolve issues concerning the technology arena.

POST has facilitated three meetings since October 1995. The first meeting occurred in October 1995 and was attended by a representative from each of the 16 agencies that had received grants. The second meeting was held in March 1996 and was attended by a representative from most all of the 67 agencies that had received grants through that date. The third meeting was held in September 1996 and again was attended by many of the agencies holding grants.

An additional round of grants for COPS MORE have just been awarded. COPS MORE had \$100 million dollars to award nationwide from the fiscal 1996/97 federal budget. Plans call for significant additional funds to be available in the 1997/98 federal budget that will award grants to additional agencies in California.

As an example, the Sacramento Police Department was just awarded \$7.1 million from COPS MORE in the latest round of awards, and it is anticipated that there will be a large number of grants awarded over the next few weeks to other California agencies.

As the number of cities receiving COPS MORE funding grows, the resources and funding necessary to continue support of these bi-annual meetings will grow. The latest meeting was attended by 54 representatives from the agencies that have received grants. It is estimated that this last two-day meeting cost approximately \$270 per person or approximately \$15,000.

POST has received a number of letters from chief executives complimenting the Commission for taking the initiative to host these valuable meetings. Additional letters have been written recently expressing concerns that POST may not continue to provide support for any further meetings. The agencies are advocating that POST continue to take the leadership role that has led to the types of quality meetings in the past to help them work on a variety of critical planning issues as they work to implement many of the new technologies. POST has advised each agency that has written that the matter is being reviewed by the Finance Committee for recommendations on the future of these programs.

Agencies are receiving large funding grants to develop and implement technology solutions at their agencies but no provisions are available to support valuable meetings such as these that have been provided by POST. California has been the only state in the nation to hold such meetings but POST cannot receive funding from this program and could spend thousands of dollars supporting it.

This item is on the agenda for information, discussion, and recommendation.

To: POST Commissioners

From: Rick TerBorch, Chairman
Finance Committee

Date: November 7, 1996

Subject: ACTIONS TAKEN AT NOVEMBER 6, 1996 FINANCE COMMITTEE

The Committee met Wednesday, November 6, 1996 in Seaside. In attendance were myself and Commissioners Anderson, Hunt, Lowenberg, and Ortega. Also present were POST staff members Norman Boehm, Glen Fine, Frederick Williams, Tom Liddicoat, Dennis Aronson, and Vera Roff.

A. Staff reported that through September 30, 1996, the first quarter of this fiscal year, we received \$9,427,647 revenue. The total is \$261,648 more than originally anticipated and is \$1,659,638 (21%) more than received for the same period last year.

B. Review of 80-Hour Cap

Following discussion, the Committee recommended including the Institute of Criminal Investigation (ICI) core course in the 80-hour exemption and the continuation of the 80-hour cap.

C. Report on Driver Training Simulator Program

There are three agencies currently in the driver training simulation program and one additional authorized. The Committee recommends that those agencies be notified the driver training simulator program is under review by the Commission and that the Commission may not be in a position to continue financial support for this program indefinitely.

The Committee also recommends that staff do additional work on exploration of funding this program including risk management, joint power agreements, insurance companies, federal grants, and other possible options.

D. Report on Inability of Some IVD systems to Run the Drug Courses

Approximately 25 agencies bought computers which are not capable of running the drug and/or 832 courses and future programs that POST may do on an interactive video disc. Therefore, as a one-time measure, the Committee recommends that the Commission approve up to \$189,000 to replace 59 computers in these 25 agencies.

E. Report on COPS More Technology Working Group Meetings

The Committee noted that POST support of departments participating in the COPS More grant programs is welcomed and effective. The Committee recommends that the Commission authorize continuation of POST funds to support the workshops regionally, where possible, and explore alternatives for federal funding to offset these meeting room costs.

F. Per Diem Rate

In view of projected year-end and available funds, the Committee recommends the Commission approve increase the per diem from \$102 to \$110 effective December 1, 1996.

G. Adjournment - 3:25 p.m.

COMMISSION ON POST

FISCAL YEAR 1996-97
(AS OF 10-6-96)

EXPENDITURE SUMMARY		CONTRACT SUMMARY	
RESOURCES (A)		APPROVED TRAINING CONTRACTS	
Revenue Projection	31,038,000	Management Course	\$ 309,539
Prior Year Savings and other adj	4,821,000	Executive Training	422,345
Budget Act Revenue Adj (Sec 24.10)	6,066,000	Supervisory Ldrship Inst	473,320
		DOJ Training Center	993,451
		Satellite Video Trng	68,000
		Case Law Updates	58,000
		Telecourse Programs	550,000
		Basic Course Prof Exam	58,000
		Basic Narcotic, Motorcycle, and DT	1,518,722
		Master Instructor Program	244,103
		ICI Core Course	442,000
		POSTRAC *	230,000
		PC 832 Exam	39,700
		ICI Instructor Update	58,000
		Driver Training Sims	281,759
		Spanish Language Training *	127,000
		Entry level reading/writing	109,850
		Labor Management Course	-
		Special Consultant (FTO)	120,000
		Special Consultant (Reserve Trng Program)	120,000
		Miscellaneous Contracts	59,211
		* - Approved in FY 95-6	Total \$ 6,283,000
EXPENDITURES:			
ADMINISTRATION	\$10,181,000		
TRAINING CONTRACTS/LA	\$8,419,956	Additional Training Contracts (July 96 Meeting)	
Contracts (See list)	7,159,956	Multimedia Classroom Project Pilot	60,000
Letters of Agreement	1,100,000	Student Work Books	200,000
Conf Room Rental	160,000	Cultural Diversity Trng (SDRTC)	78,326
		Driver Training Sim (LAPD)	360,000
		SLI Program Increase	178,630
			Total \$ 876,956
TRAINING REIMBURSEMENT	\$15,774,089		Grand Tot \$ 7,159,956
Trainees: 47,810			
Subsistence	8,002,707		
Commuter meals	1,363,601		
Travel	2,658,557		
Tuition	3,749,224		
MUSEUM OF TOLERANCE	\$2,000,000		
Contract	1,556,000		
Reimbursements	444,000		
ACTIONS TAKEN AT JULY 96 MEETING	\$2,613,420		
1. Per diem increase	760,000		
2. Team Bldg Workshops (Cultural Div)	228,000		
3. Satellite Antennas/IVD	1,045,420		
4. Encryption	580,000		
EXPENDITURES, TOTAL	\$38,988,465		
RESERVES/DEFICIT	\$2,936,535		

A- Budget expenditure authority is \$42.952 million

NEEDS OPTIONS

PROJECTED FY 96-7 YEAR END BALANCE:	\$ 2,936,535
Driver Training Simulator Pods (2)	\$ 720,000
Replacement IVD Systems	\$ 188,800
Eliminate the Cap on Training Hours	
a. Lift the cap	\$ 1,600,000
b. 120 hour cap	\$ 907,000
c. 160 hour cap	\$ 1,316,000
Per Diem Increase: \$10 (9.9%) increase from \$102 to \$112	
For 7 months remaining in the year	\$ 506,000
Effective to 7-1-96	\$ 867,500

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083**LEGISLATIVE REVIEW COMMITTEE
THURSDAY, NOVEMBER 7, 1996
EMBASSY SUITES, Board Room
MONTEREY, CA****AGENDA****9:00 A.M.****Attachment****A. Results of the 1996 Legislative Session****A**

Attachment A provides charts indicating the status of all active and informational bills followed during 1996. This item is provided for information purposes and no action is necessary.

B. Proposed Legislation for 1997**B**

Every year at the November meeting, the Commission considers possible legislation that can be introduced in coordination with other statewide law enforcement organizations. Attachment B provides a description of possible legislative proposals that the Committee may wish to consider including:

1. Regional Public Safety Skills Centers Bond Bill
2. Private Security Officer Chemical Agent Training Standards
3. Fee Charging for POST Testing
4. Second-year Supplemental Funding for Museum of Tolerance Training

The Committee may wish to consider other possible legislative proposals.

C. Reserve Officer Status**C**

Attachment C provides a status of staff's research into determining law enforcement's preference about resolving present confusion about the powers and duties of various levels of reserve officers. Among the possible resolutions is for law enforcement associations to propose legislation clarifying the levels and duties.

**D. Request for Formal AG's Opinion on Peace Officer Status of
Police Chiefs**

D

Attachment D provides an opinion request to the Attorney General about the peace officer powers and exemptions of police chiefs who have not obtained the POST Basic Certificate.

Commission on Peace Officer Standards and Training

Status of 1996 Active Legislation of Interest to POST

(Revised 10-15-96) Final Status Report

<u>Bill No./ Author</u>	<u>Subject</u>	<u>Commission Position</u>	<u>Status</u>
SB 43 (Solis)	<i>Stress Training:</i> This bill would require POST to make available stress training for law enforcement.	*	Dead
SJR 47 (Solis)	This resolution would memorialize POST to adopt guidelines and and protocol on the use of excessive force and jurisdictional hierarchy for high speed pursuits through multiple jurisdictions.	*	Dead
AB 294 (Tucker)	<i>Franchise Tax Board Investigators:</i> This bill would authorize the Board to designate its investigators as peace officers.	Neutral	Dead
SB 357 (Palanco)	<i>Franchise Tax Board Investigators:</i> This bill would authorize the Board to designate its investigators as peace officers.	Neutral	Dead
AB 574 (Villarigosa)	For Los Angeles County deputy sheriffs, postpones the basic training and basic certificate requirements until assigned to patrol. Also makes Safety Police Officers and Park Rangers of Los Angeles County eligible for POST reimbursement if POST standards are met.	Support	Chapter 950
AB 638 (Knight)	<i>Concealed Weapons Licenses:</i> This bill would require applicants for a concealed weapons permit to complete a firearms training course approved by POST.	Oppose Unless Amended	Dead
AB 854 (Hoge)	<i>Department of Insurance:</i> This bill would extend peace officer status to the Insurance Commissioner, and reclassify the Chief of the Bureau of Fraudulent Claims and designated investigators.	Neutral	Dead
SB 932 (Polanco)	<i>Law Enforcement Apprenticeship Program:</i> This bill would establish this program within OCJP.	Neutral	Dead
AB 1020 (Campbell)	<i>Public Safety Training Centers:</i> This bill would place a bond measure before the voters in 1996 that would establish these centers.	Support	Dead
SB 1205 (Hughes)	<i>Arrest Powers:</i> This bill would provide arrest powers (not status) to members of the California Museum of Science and Industry.	Neutral	Chapter 709
SB 1672 (Rosenthal)	<i>Arrest Powers:</i> This bill would provide peace officer powers (not status) to investigators of the Investigations Bureau of the Department of Insurance.	Neutral	Chapter 1066
AB 2072 (K. Murray)	<i>Vehicle Assessments:</i> This bill would add a \$3 assessment on every \$10 or fraction thereof of traffic fine to be for local law enforcement purposes.	Oppose	Dead
SB 2172 (Hayden)	<i>Appropriation:</i> This bill would make a \$2 million appropriation from the state's General Fund to POST for law enforcement training from the Museum of Tolerance.	Support	Dead, Resolved in Budget Act
AB 2301 (Battin)	<i>Tactical Radio Channel:</i> This bill would require POST to develop a 10 radio code system that would require all law enforcement agencies to use the system and for POST to include 8 hours of instruction in the Basic Course.	*	Dead
AB 2651 (Hawkins)	<i>Security Officers:</i> This bill would provide that a sheriff's security officer is a public officer, and not a peace officer, employed by the sheriff of a county, whose primary duty is the security of locations or facilities as directed by the sheriff.	Support	Chaptered 143
AB 2713 (Conroy)	<i>Peace Officer Status:</i> As amended, this bill would authorize peace officer powers to designated members of the PUC Safety and Enforcement Division.	Neutral	Chapter 1065
AB 3064 (Hawkins)	<i>Local Law Enforcement Records Supervisors:</i> This bill would require POST to establish a <i>voluntary professional certification program</i> for law enforcement records supervisors and eliminate the July 1, 1996 implementation date for the POST law enforcement agency accreditation program.	Support As Amended	Chapter 591

*Note: The Commission takes positions only on bills that relate to issues for which it has direct responsibility.
* The Commission has not had opportunity to consider these bills.*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Status of Informational Legislation of Interest to POST (Revised 10-2-96) Final Status Report

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 357 (Hoge)	National Guard: Border Patrol - This bill would provide that the National Guard may patrol the state's international border with Mexico in order to restrict illegal entries and would do so with peace officer powers.	Dead
AB 890 (Rogan)	Reserve Peace Officers: This bill would exempt reserve officers from jury duty and prohibitions from carrying concealed weapons.	Dead
SB 1407 (Ayala)	Use of Force by Peace Officers: This bill would authorize a peace officer to use any necessary force to arrest, prevent the escape, or overcome resistance of a person whom the officer has reasonable cause to believe has committed a felony.	Dead
AB 1478 (Martinez)	Peace Officers: This bill would move the San Francisco Bay Area Rapid Transit District Police from P.C. Section 830.33 to Section 830.1 thus giving them full peace officer powers.	Dead
AB 1537 (Aguiar)	Public Employee Retirement: This bill would continue retirement benefits for spouses of peace officers or firefighters who died in the line of duty.	Dead
SB 1797 (Thompson)	Peace Officers: Tribal Police - This bill would clarify existing law that gives authority to county sheriffs to deputize or appoint persons designated by a sovereign Native American tribe as reserve or auxilliary sheriffs or reserve deputy sheriffs, provided they satisfactorily complete required training.	Chapter 1142
SB1881 (Rogers)	Federal Employees: This bill would prohibit any federal employee from making an arrest, search, or seizure without first requesting and obtaining the permission of a local law enforcement officer.	Dead
AB 2021 (Tucker)	Elder and Dependent Adults: This bill in its original form would have required POST to develop guidelines and required Basic Course training on the detection, investigation, and response to cases in which elder or dependent adult is a victim of an act of abuse or neglect prohibited by the Penal Code.	Dead
SB 2075 (Haynes)	Fines and Forfeitures: Deletes the June 30, 1997 repeal date for counties to implement a comprehensive program to identify and collect delinquent fines in excess of \$100.	Dead
AB 2076 (Haynes)	Custodial Officers: This bill would add custodial officers of the Riverside Sheriff's Dept. to the definition of custodial officers in P.C. Section 831.5 and thus enable them to carry firearms.	Dead

AB 2095 (Richter)	Public Safety Agency: This bill would change the name of the Youth and Adult Correctional Agency to the Public Safety Agency.	Dead
SB 2109 (Hayden)	Fish and Game Wardens: This bill would remove peace officer powers for wardens promoted to first-level supervisory positions if they do not complete POST's supervisory course within the minimum time limit prescribed by POST.	Dead
AB 2112 (Goldsmith)	Board of Corrections: This bill would add an appointed member from a labor organization to the Board of Corrections.	Vetoed
AB 2176 (Miller)	Peace Officer Disciplinary Investigation: This bill would authorize a law enforcement agency which employees peace officers to release factual information concerning a disciplinary investigation if the peace officer or the peace officer's agent makes any comments in a public forum regarding the investigation or the imposition of disciplinary action.	Chapter 220
AB 2881 (Woods)	Elder Abuse: This bill would authorize local law enforcement officers to take endangered elderly persons into emergency protective custody and perform other notifications.	Chapter 913
AB 3095 (Villaraigosa)	Vehicles: Fines: Amnesty Program: This bill would authorize counties to establish and operate an amnesty program for person delinquent in vehicle fines for a minimum three month period and exempt these persons from criminal and additional monetary sanctions.	Chapter 742
AB 3156 (Martinez)	Los Angeles County: This bill would require a study on combining the Los Angeles Transit Police with the Los Angeles Sheriff's or the Los Angeles Police Department.	Dead
AB 3169 (Martinez)	Protective Vests: This bill requires local agencies to pay for protective vests for peace officer employees.	Chapter 65
AB 3173 (Katz)	Office of Inspector General: This bill would authorize the state's Inspector General and employees to have the authority of a peace officer.	Dead
AB 3214 (Machado)	Social Security Numbers: This bill would allow social security numbers from DMV records to be used to assist counties in collecting delinquent traffic fines or penalties.	Dead
AB 3398 (Knox)	Crime Laboratories: This bill would declare the intent of the Legislature to ensure reliable funding of forensic science laboratories under the jurisdiction of local and state agencies by annually appropriating adequate funds to meet the demand for these laboratory services.	Dead

State of California

Department of Justice

MEMORANDUM

To : Legislative Review Committee

Date: October 21, 1996

NORMAN C. BOEHM

Executive Director

From : Commission on Peace Officer Standards & Training

Subject: PROPOSED LEGISLATION FOR 1997

The following is proposed legislation for the 1997 session that would be, if approved, submitted in conjunction with other statewide law enforcement organizations:

1. Regional Public Safety Skills Center Bond Bill

AB 1020 (Campbell) was introduced in 1996 but failed passage due primarily to insufficient support from public safety agencies and the Governor's Office. The bill proposed the establishment of public safety skills centers through general obligation bonds totalling \$850 million. Representatives of the eleven regions and the original planning committee will meet to consider what amendments, if any, are needed to secure additional support.

It is recommended that law enforcement leadership secure the Governor's approval prior to reintroduction of this bill and that POST support this bill that would be introduced by the Public Safety Committee.

2. Private Security Officer Chemical Agent Training Standards

At direction of the Commission, an unsuccessful attempt was made during 1996 to transfer the standards-setting authority for private security officer chemical agent training from POST to the Department of Consumer Affairs. This action was taken after the law was changed to delete any training requirements for private citizens and the Citizens' Chemical Agent training course for private citizens going out of existence. Last year's transfer attempt was unsuccessful because of Consumer Affairs' concerns about needed fee changing provisions. It is recommended this issue be coordinated with Consumer Affairs and reintroduced.

3. Fee Charging for POST Testing

Under current law, POST has limited authority to charge fees not to exceed actual costs for trainees completing the P.C. 832 course. However, no fee charging authority exists for such tests as the training-achievement tests (e.g., the comprehensive and report writing exams required for the new Transition Basic Course) nor for POST's employment exams taken by job candidates. It is recommended that legislation be introduced to permissively authorize such authority to POST to cover actual costs including development, printing, administering, scoring, notifying, and collecting fees. Agency-sponsored students could be made exempt from these fees.

Fee charging authority would have the effect of reducing current expenditures from the POTF, i.e., \$100,000 per year for the read/write test alone (not including development costs). The current interest in additional "competency-based" training suggests more testing costs will be incurred in the future.

Another advantage of fee charging, especially as it applies to job candidates, is that it would enable POST to establish regional testing sites. Those who test would be issued "notice of official results" that they could take to any employer. Thus, the need for every agency to conduct its own testing session would be lessened, and exposure to our tests would be reduced because the same person would not be taking our tests at multiple agencies.

4. Second-year Supplemental Funding for Museum of Tolerance Training

The Museum of Tolerance has expressed its desire to pursue second-year funding for its tolerance and cultural awareness training for law enforcement. Reports to date indicate that the Museum's training is well received by law enforcement trainees. This year POST supported the Museum's effort to secure supplemental funding. Amendments will be sought to: 1) authorize POST to reimburse non-affiliated basic academy trainees and state agency peace officers, and 2) permit the Museum to count these trainees toward their required quota. It is recommended POST support the Museum's proposed funding for the 1997-98 fiscal year.

State of California

Department of Justice

MEMORANDUM

To : Legislative Review Committee

Date: October 16, 1996

Norman C. Boehm
Executive Director

From : Commission on Peace Officer Standards & Training

Subject: RESERVE OFFICER STATUS

Input from law enforcement agency reserve coordinators and administrators, along with results of a recent post survey of agencies, suggest that: 1) there is widespread misunderstanding about the legalities and limitations for using reserve officers, 2) the laws and POST regulations governing the use of reserves has gotten overly complex, especially with the addition of the Limited Level I, and 3) there remains considerable concern about the impact of SB 1874 mandating the basic course for Level I reserves and POST's implementation of Reserve Module D training course.

Because of the above, staff is in the process of bringing together representatives of the major law organizations to review current law and determine whether corrective legislation is needed. This is particularly timely in view of POST's current plans to employ a Management Fellow for the purpose of reviewing the reserve training modules and related training delivery issues.

The Legislative Review Committee will be provided periodic updates.

STATE OF CALIFORNIA

PETE WILSON, Governor

DEPARTMENT OF JUSTICE

DANIEL E. LUNGREN, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAININGALHAMBRA BOULEVARD
SACRAMENTO, CA 95816-7083GENERAL INFORMATION
(916) 227-3909
FAX (916) 227-3895EXECUTIVE OFFICE
(916) 227-2802

October 23, 1996



Daniel E. Lungren, Esq.
Attorney General, State of California
Department of Justice
1300 "I" Street, #1714
Sacramento, CA 95814

Re: Request for Formal Opinion

Dear Mr. Lungren:

The Commission on Peace Officer Standards and Training (POST) is requesting a formal opinion regarding P. C. Sections 830, 830.1, 832.3, and 832.4. as they relate to peace officer training standards, powers, and exemptions. Specifically, this opinion request concerns the following questions:

- o What are the standards imposed by law on a peace officer, as described in P.C. Section 830, and what is the effect of the failure to meet those standards?
- o What are the specific powers of a peace officer appointed pursuant to P.C. Section 830.1, and are exemptions from certain restrictions established in the law (e.g., the ability to carry a concealed weapon, as described in P.C. Section 12027 and exemption from selected chapters of the Vehicle Code as described in Section 21055, Vehicle Code) also the powers of these peace officers?
- o If a person who is appointed to a peace officer position fails to meet the training standard or obtain the POST basic certificate (as required by P.C. Sections 832.3 and 832.4), is that officer precluded from exercising all of the powers and denied all of the exemptions of a peace officer? If the failure to obtain the POST basic certificate does not preclude the exercise of all powers and remove all exemptions, what powers specifically may not be exercised and what exemptions specifically are denied?

Daniel E. Lungren, Esq.

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October 23, 1996

The following is provided as background:

P.C. Section 830 broadly defines a peace officer in California and states, "Any person who comes within the provisions of this chapter and who otherwise meets all standards imposed by law on a peace officer is a peace officer, and notwithstanding any other provision of law, no person other than those designated in this chapter is a peace officer. The restriction of peace officer functions of any public officer or employee shall not affect his or her status for purposes of retirement."

Peace officers appointed pursuant to P.C. Section 830.1 include the sheriff, undersheriff or deputy sheriff, employed in that capacity, of a county, any chief of police employed in that capacity, of a city, any police officer, employed in that capacity, appointed by the chief of police, and other officers (i.e., chief of police and police officers of a district, including the San Diego Unified Port District, any marshal or deputy marshal of a municipal court, any constable or deputy constable of a judicial district, any port warden of the Harbor Department of the City of Los Angeles, or any investigator in the office of the district attorney).

The Commission on Peace Officer Standards and Training (POST) recognizes that Chapter 4.5 of the Penal Code, and other laws, confer on the peace officers defined in P.C. Section 830.1 broad powers that include certain exemptions from laws that regulate or proscribe the actions of the average citizen.

The Commission (POST) believes the requirement of P.C. Section 830, that a person must meet "all standards imposed by law," establishes a prerequisite for holding a peace officer position. The Commission further believes P.C. Section 832.3 establishes a training standard that is a prerequisite for the exercise of the peace officer powers. Finally, the Commission also believes P.C. Section 832.4 requires the chief of police and officers of a city or district, the undersheriff and deputy sheriffs of a county, deputy constables and deputy marshals to obtain the POST basic certificate as a prerequisite for the exercise of peace officer powers.

The Commission is interested in the identification of the standards imposed by law for a peace officer to which P.C. Section 830 refers; the effect of the failure to meet all standards imposed by law on the eligibility to hold a peace officer position; the identification of the powers of those peace officers identified in P.C. Section 830.1; and the extent to which the exercise of those powers is limited by the failure to obtain a POST basic certificate.

Daniel E. Lungren, Esq.

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October 23, 1996

To assist your office, the following information is supplied: 1) Attachment A is a list of previous Opinions of the Attorney General that are related to the exercise of peace officer powers or limits on those powers, and 2) Attachment B is a brief summary of laws that describe the powers of a peace officer and the exemptions from law that are granted to a peace officer.

If you have any questions concerning this request, please call Glen Fine, Deputy Executive Director, at (916) 227-2809.

Sincerely,

NORMAN C. BOEHM
Executive Director

PEACE OFFICER AUTHORITY

Opinions of the California Attorney General related to the authority of a peace officer.
Source: WestLaw on-line research, 8-7-96

1. 62 Ops. Atty. Gen. 378 (1979)
2. 62 Ops. Atty. Gen. 394 (1979)
3. 62 Ops. Atty. Gen. 626 (1979)
4. 63 Ops. Atty. Gen. 385 (9180)
5. 64 Ops. Atty. Gen. 832 (1981)
6. 64 Ops. Atty. Gen. 886 (1981)
7. 65 Ops. Atty. Gen. 120 (1982)
8. 65 Ops. Atty. Gen. 527 (1982)
9. 65 Ops. Atty. Gen. 631 (1982)
10. 65 Ops. Atty. Gen. 674 (1982)
11. 67 Ops. Atty. Gen. 535 (1984)
12. 68 Ops. Atty. Gen. 42 (1985)
13. 69 Ops. Atty. Gen. 119 (1986)
14. 69 Ops. Atty. Gen. 153 (1986)
15. 70 Ops. Atty. Gen. 20 (1987)
16. 72 Ops. Atty. Gen. 154 (1989)
17. 72 Ops. Atty. Gen. 167 (1989)
18. 78 Ops. Atty. Gen. 209 (1995)

INVENTORY OF PEACE OFFICER POWERS AND AUTHORITY

A brief and incomplete inventory of the authority, duties and powers of a peace officer appointed pursuant to P.C. Sections 830.1 and 830.2 that attach only to a peace officer and are not available to other citizens.

1. Arrest on the basis of a warrant (P.C. 836).
2. Arrest upon reasonable cause for a felony, whether or not actually committed or not committed in the officer's presence (P.C. 836).
3. Arrest upon reasonable cause for violation of a protective order (P.C. 836).
4. Arrest upon reasonable cause for carrying a loaded firearm on the person or in a vehicle in any public place, whether or not the violation has occurred or not committed in the officer's presence (P.C. 12031).
5. Carry a firearm anywhere in the state, on-duty and off-duty, concealed [exempt from P.C. Sections 12025 and 12031] (P.C. 12027).
6. May possess short-barreled shotgun or rifle when authorized by agency and within course and scope of duties (P.C. 12020).
7. May possess any weapon/equipment prohibited in Control of Deadly Weapons [P.C. 12000, et. seq.] when authorized by agency (P.C. 12002).
8. Operate an emergency vehicle and violate Vehicle Code laws/rules of the road.
9. Not required to retreat or desist from an arrest due to resistance (P.C. 835a).
10. May break doors/windows to make an arrest, in all cases (P.C. 844).
11. Must accept person arrested by private citizen if officer has reasonable cause to believe the arrest is lawful or for a felony (P.C. 847).
12. May receive criminal history information (P.C. 11105).

State of California

Department of Justice

M e m o r a n d u m

DATE: September 20, 1996

TO: POST Commissioners

FROM: MANNIE ORTEGA, Chairman
Long Range Planning Committee
Commission on Peace Officer Standards and Training

SUBJECT: REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met at the Hyatt Regency in Irvine on September 17, 1996 at 9:30 a.m. Present in addition to myself were Commissioners Campbell, Hall-Esser, and Lowenberg. Staff present were Norman C. Boehm and Glen Fine.

Report by Sub-Committee Regarding Carrera Consulting Group

Ron Lowenberg, Chairman of the Sub-Committee, reported that members reviewed the complaint received at July Commission meeting that the Carrera Consulting firm may have lost its preferential standing with the Department of General Services because of the performance evaluation provided by the POST Executive Director.

Following the review, it was concluded that:

1. There was no evidence of any wrong doing by POST staff.
2. Preferential standing is based on a variety of factors.
3. A considerable number of such firms did not make the preferred list.
4. The Carrera Consulting firm was accorded appeal rights, and their appeal was heard by a state hearing officer in accordance with Department of General Services' policy.
5. Their appeal was denied, along with similar appeals pursued by several other consulting firms.

Given that full appeal rights were granted and already exercised, the Sub-Committee recommended that no further action on this matter should be undertaken by the Commission.

MOTION - Campbell, second - Ortega, carried unanimously that the Commission be advised that the investigation has been concluded with the finding that there was no wrong doing and with a recommendation that no further action, such as a letter to the Department of General Services, be considered.

Update on Strategic Plan Implementation

Members of the Committee received a copy of the progress report from Commissioner Rick TerBorch, Chairman of the Strategic Plan Implementation Committee. This report has been distributed to associations and interested individuals to keep them apprised of progress. Members of the Committee expressed satisfaction that the strategic plan implementation is proceeding in an orderly manner.

Status Report on the Driver Simulator Project

The Committee received a staff report and briefing from the Executive Director regarding activities and costs to date in the subvention and oversight of the driver training simulation programs that have been conducted on a pilot basis. The Finance Committee will receive a full report on this matter at its November meeting. That report will outline alternative future directions regarding Commission support for this program. Members of the Long Range Planning Committee suggested looking at insurance consortia, such as ABAG, that might support this training as a liability risk reduction approach.

Expansion of the Student Workbook Project

Following the staff report and discussion, the Committee expressed approval at the results of the workbook evaluation to date. This matter will be before the Commission at its November meeting, both for a final report on pilot evaluation and a potential for expansion of the program to embrace all learning domains in the Basic Course.

Certificate Requirement for Chiefs From Out-of-State

The Committee was apprised that further legal review has been completed by Commission counsel. The review was occasioned by a request of two police chiefs who were involved in the equivalency process who believe that the Commission may be empowered to create a waiver of the process. Legal counsel concludes that the Commission does not have the authority to create such a waiver or any dispensation for chief executives who may be involved in the Basic Course Equivalency Examination, and therefore, any changes would need to come from legislation.

As discussed by the Commission at its July 1996 meeting, staff plans to take this matter to the POST Advisory Committee and also to request support from the CPCA Training Committee for involvement in this matter.

The Committee requested that the report from the Advisory Committee should clearly spell out what the requirements are and what the options for any legislation would consist of.

Search for New Executive Director

There was general discussion concerning the search for a new Executive Director necessitated by the announced retirement of the incumbent. There was consensus that the Commission should seek to employ a consulting firm that specializes in executive searches. There was further consensus that it would be important to use care in selecting the firm and that the firm have an individual heading the search who is familiar with law enforcement.

Following discussion, Chairman Ortega appointed an Executive Search Committee to consist of himself as Commission Chairman, Vice-Chairman Hall-Esser, immediate Past Chairman Rutledge, and Commissioner Lowenberg. There was consensus that a letter be sent by the Chairman to all Commissioners describing appointment of the Executive Search Committee and the process being proposed.

There was also consensus that the Chairman send a letter to all law enforcement association presidents, members of the Commission's Steering Committee, and the Governor's Office seeking their input as to desirable qualifications they would like to be considered for the new job description.

Report by Commissioner Campbell re Progress on POST Video Training for Victims of Crimes

Commissioner Campbell reported that the video development is progressing well, being in the scripting stages. She distributed an outline on "Thoughts and Purpose" of the project. Committee members commented favorably on the project and expressed support and interest in the impact the video is expected to have.

ADJOURNMENT - 11:25 a.m.



California State Sheriffs' Association

Organization Founded by the Sheriffs in 1894

May 28, 1996

Officers

President
Ronald D. Jarrell
Sheriff
Lassen County

1st Vice President
Charles Byrd
Sheriff
Siskiyou County

2nd Vice President
Glenn Seymour
Sheriff
Madera County

Secretary
Charles C. Plummer
Sheriff
Alameda County

Treasurer
Steve Magarian
Sheriff
Fresno County

Sergeant-at-Arms
Les Weidman
Sheriff
Siskiyou County

Directors
Warren Ruff
Sheriff
Contra Costa County

Don McDonald
Sheriff
El Dorado County

Sherman Block
Past President
Sheriff
Los Angeles County

Tom Sawyer
Sheriff
Merced County

Brad Gates
Past President
Sheriff
Orange County

Bill Kolender
Sheriff
San Diego County

Jim Thomas
Sheriff
Santa Barbara County

Jim Pope
Immediate Past President
Sheriff
Shasta County

Gary Tindel
Sheriff
Yuba County

Executive Director
Sue Muncy

Devallis Rutledge
Commission Chairman
Commission of Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Commissioner Rutledge:

At the Executive Board meeting of California State Sheriffs' Association (CSSA) on May 23/24, 1996, your letter requesting the name of our representative to serve on the POST Advisory Committee was considered.

Sheriff Jarrell, President, has requested that I convey to you that it was unanimous among the board members present that Charles Byrd, Sheriff of Siskiyou County, continue to represent CSSA on the POST Advisory Committee.

Sheriff Byrd can be contacted at:
311 Lane Street
Yreka, CA 96097
916/842-8310
916/842-8356 (FAX)

Please contact me should you have any questions regarding this matter.

Sincerely,


Sue Muncy
Executive Director

CC: Sheriff Ronald Jarrell, President
Sheriff Charles Byrd, Siskiyou County

2125 - 19th Street, Suite 103 ★ P.O. Box 160168 ★ Sacramento, California 95816-0168
Telephone 916/448-4242 ★ Fax 916/448-2137

CHANCELLOR'S OFFICE

CALIFORNIA COMMUNITY COLLEGES

1107 NINTH STREET
SACRAMENTO, CA 95814
445-8752



April 30, 1996

Devallis Rutledge, Chairman
Commission on Peace Officer
Standards and Training
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Chairman Rutledge:

Thank you for the opportunity to nominate Ernest R. Leach to continue serving as the California Community Colleges representative on the POST Advisory Committee. I believe he is the most qualified person to represent the community college system on the Advisory Committee.

Sincerely,

David Mertes

David Mertes
Chancellor

Memorandum

DATE: October 16, 1996

TO: POST Commissioners

FROM: MANNIE ORTEGA, Chairman
Executive Search Committee
Commission on Peace Officer Standards and Training

SUBJECT: REPORT OF THE EXECUTIVE SEARCH COMMITTEE

The Committee met via telephone conference call on October 16, 1996 at 10:00 a.m. Those participating in the call in addition to myself were Commissioners Hall-Esser, Kolender, Lowenberg, and Rutledge. Staff present were Norman C. Boehm, Glen Fine, and Vera Roff.

Committee member Hunt was out of the country, and the operator was unable to reach him for the call. Although not a member of the Committee, Commissioner Carre was a listener.

After a brief discussion concerning the executive director job description and position expectations, the Chairman suggested that these items be deferred until after a decision has been made regarding the selection procedure for hiring a new Executive Director.

The Chairman reported that the Committee had met on October 1st with only he and Commissioner Lowenberg in attendance. There was a split decision on whether to hire an executive search firm.

At the Long Range Planning Committee meeting on September 17, the LRPC recommended that the Commission hire a consulting firm that specializes in executive searches. Commissioner Lowenberg stated he supported the LRPC recommendation as it would provide a fair and comprehensive process that would increase the chances of getting the most qualified person for this position. Although it would involve an expenditure of funds, he felt it would be money well spent. Support for hiring an executive search firm to conduct a nationwide search has been expressed by CPOA, CalChiefs, and the Orange County Chiefs' and Sheriff's Association.

The Chairman agreed that at the time of the LRPC meeting he was in favor of accepting that recommendation; however, since that time he realized that the breadth of the strength of members of the Executive Search Committee should be more than ample to undertake the task. The field is already aware that Norm has announced his retirement and using the resources of CPOA/CSSA/CPCA/PORAC/CCLEA, many good, qualified people will

come forward who can do the job. He stated that his two main objections to the CPS proposal were the cost of approximately \$18,000 and the time frame which indicates that it would be April 1997 before qualified candidates could be interviewed. The Chairman reported that he had received calls from the Governor's staff that indicate they would like this process to move a little bit quicker and would like the Commission to keep the process in-house, thus saving the money and expediting the time.

MOTION - Lowenberg, second - Rutledge, and carried that the Executive Search Committee recommend to the full Commission at its November meeting that we hire the services of a professional search firm for the purposes of hiring a new Executive Director.

Roll Call Vote: NO: Kolender/Ortega; YES: Hall-Esser/Lowenberg/Rutledge

Commissioner Hall-Esser suggested that the Committee advise the search firm that timing is of the essence, and it should be clearly stated if the desire is to move the process quicker. A search firm would likely stimulate applications from qualified persons who would not otherwise apply. She further stated that additional input will be necessary from the Search Committee to the firm prior to the formal release of the announcement for recruitment. Using a professional search firm to do the work would be a very significant advantage for the Commission.

Commissioner Kolender spoke in opposition to hiring an outside firm and expressed confidence that the Committee itself is very well qualified to conduct the search.

In response to the Chairman's question, staff reported that the role of an executive search firm would be to work closely with the Committee to determine the job description as well as any other expectations pertaining to the job.

The Chairman stated that the recommendation will be taken to the Commission for a final decision on the procedure to be followed in the selection process.

ADJOURNMENT - 10:30 a.m.