

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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



COMMISSION MEETING AGENDA

Thursday, April 27, 2000
Hilton San Pedro
2800 Via Cabrillo Marina
San Pedro, CA 90731
(310) 514-3344

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

CALL TO ORDER - 10:00 A.M.

COLOR GUARD AND FLAG SALUTE

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

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

- Officer Russell Miller, Chino Police Department
- Officer Louis Villalobos, Los Angeles Police Department
- Officer Jeffrey Azuar, Vallejo Police Department

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION

WELCOMING ADDRESS

APPROVAL OF MINUTES

- A. Approval of the Minutes of the January 27, 2000, regular Commission meeting at the Hanalei Hotel in San Diego, California.

CONSENT CALENDAR

B.1 Receiving Course Certification Reports

Since the January 2000 meeting there has been 87 certifications, 16 decertifications, and 160 modifications.

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

B.2 Receiving Financial Report - Third Quarter FY 1999/00

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

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

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

- California Penal Code Section 13510 has been amended and Penal Code Section 13526.2 has been added to include the Housing Authority police departments of the Cities of Los Angeles and Oakland as being entitled to receive funding from the Peace Officer Training Fund. Both departments have been moved from the POST Specialized (Non-reimbursable) Program to the Regular (Reimbursable) Program.

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

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

- The Imperial County Sheriff's Department has requested participation in the POST Reimbursable Public Safety Program pursuant to Penal Code Section 13510(c) and 13525.

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

B.5 Receiving Information on Withdrawals from POST Regular (Reimbursable) Program

- The San Diego County Marshal's Department has been merged with the San Diego County Sheriff's Department as a result of a reorganization of county government. The effective date was December 1, 1999.
- The San Bernardino County Marshal's Department has been merged with the San Bernardino County Sheriff's Department as a result of a reorganization of county government. The effective date was October 9, 1999.

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

B.6 Progress Report on Implementing POST's Mandatory Field Training Program

At the conclusion of a public hearing in November 1997, the Commission amended regulations and procedures to implement a mandatory, standardized field training program as part of the basic training requirement for peace officers in California. This report is submitted to the Commission as an update on the program, the agency approval process and various projects that are ongoing to support the field training program mandate. The report is provided for informational purposes only.

B.7 Driver and Force Options Simulator Curriculum

POST has provided funding for driving and force options simulators at 17 locations with an additional five planned for the next fiscal year. These locations have been designated by POST as Regional Skill Centers. Staff has determined that driver and force options simulator training to be effective, must be standardized and must be presented under standardized controlled conditions. The curriculum must be standardized as well as uniform instructor training. This report exemplifies the curriculum standardization and is presented to the Commission for information purposes.

B.8 Royalty Agreement for Driving Scenarios

The Commission has an agreement with Doron Precision Systems, Inc., to market driving simulator scenarios developed by POST and pay a \$2,500 royalty to POST for each site outside of California that purchases the simulator. The recommendation is for the agreement to be renewed with the same terms and conditions.

In approving the Consent Calendar, your Honorable Commission approves the continuation of the agreement.

B.9 Approval of Resolutions

- A Commission Resolution is proposed for former Advisory Committee member Don Brown in appreciation for his dedicated service to law enforcement.
- A Commission Resolution is proposed to commemorate the life and many achievements of the late Richard Breza, Chief of the Santa Barbara Police Department. If the Commission concurs, Executive Director Ken O'Brien will make a formal presentation of the Resolution at the Santa Barbara City Council on May 9, 2000.

In approving the Consent Calendar, your Honorable Commission adopts the above resolutions.

PUBLIC HEARINGS

C. Public Hearing for Modifications to Specialized Investigators Basic Course

The report under this agenda tab requests the Commission approve changes to POST-prescribed minimum hours and curricula regarding the Specialized Investigators' Basic Course (SIBC). The curriculum and hours were last reviewed by the Commission in November 1994.

POST staff and a select committee comprised of training managers, course presenters, state agency supervisors, and trainers have reviewed the SIBC curricula and concurred that changes are necessary to ensure that the course continues to meet the current training needs of state peace officers.

It is proposed to increase the minimum hours from 364 (plus prerequisite 64 hours for P.C. 832) to 587 hours and incorporate the P.C. 832 Arrest and Firearms Course back into the core of the SIBC. This would eliminate the P.C. 832 Course as a prerequisite.

These proposed changes align the SIBC more closely with the Regular Basic Course curriculum and testing. There is a 159-hour net addition to the SIBC if the proposed changes are approved.

If the Commission concurs, subject to the results of the public hearing process, the appropriate action would be a MOTION to amend Commission Regulation 1005 and Procedure D-1-5 as proposed and make it effective July 1, 2000, subject to approval from the Office of Administrative Law.

D. Public Hearing on Proposed Changes to Regulation 1003, Notice of Appointment/Termination

Changes to the Notice of Appointment/Termination from (POST 2-114) are being proposed to require agencies to notify POST when personnel are promoted or demoted. This change would require agencies to submit a Notice of Appointment/Termination form for all officers promoted to first level supervisory, middle management, or executive positions. The promotional information will be stored in the POST peace officer database. It will enable accurate tracking of mandatory training required subsequent to promotion. The information is necessary for Training Delivery and Compliance Bureau to conduct accurate training compliance audits for California law enforcement agencies.

At its January 27, 2000, meeting, the Commission acted to schedule a hearing on this matter.

If the Commission concurs, and subject to public input at the hearing, it is recommended that Regulation 1003 be revised as proposed effective upon approval by the Office of Administrative Law.

ADMINISTRATIVE SERVICES BUREAU

E. Request for Contracts with Davisville Travel

POST has entered into two contracts with Davisville Travel for FY 99-00, one for staff travel in the amount of \$9,000 and one for letter of agreement travel in the amount of \$9,999, the maximum the Executive Director can contract for without Commission approval. These contracts were made necessary by State

Department of General Services decision to allow travel agencies to charge fees for processing air travel arrangements. Previously, travel agency costs were covered by fees recovered from the airlines. Airlines have significantly reduced such fees.

In order to pay Davisville Travel for their authorized services it is necessary to augment a current year contract and provide authorization for new contracts in FY 2000/01. These contracts are exempt from competitive bidding.

If the Commission concurs, the appropriate action would be a MOTION to:

(1) authorize the Executive Director to enter into a contract amendment with Davisville Travel to increase contract funding by \$12,501 (total amount of new contract \$22,500) during FY 1999-00; and

(2) authorize the Executive Director to enter into new contracts with Davisville Travel for a total not to exceed \$81,000 during FY 2000-01. (ROLL CALL VOTE)

BASIC TRAINING BUREAU

F. Proposal on Amendments to Training Standards for School Police Reserve Officers

The report under this agenda tab requests the Commission approve changes to Regulations 1005, 1007, and 1081(a)(20) in regard to legislatively mandated training for school police reserve officers.

On September 23, 1998, Senate Bills 1626 and 1627 were signed into law amending Penal Code sections 832.2 and 832.3, respectively. The amendments moved the training requirements for regular school police officers from PC 832.2 to PC 832.3 (f), (g), and (h); leaving only school police reserve officers subject to a specialized training requirement in PC 832.2.

At the October 28, 1999, meeting, the Commission approved curriculum for a new 32-hour training course for school police officers required by Penal Code section 832.3. An ad hoc committee of subject matter experts, course presenters, and agencies that use school police reserve officers was formed to review this new course to determine if the curriculum also met the training requirements specified for reserve officers in Penal Code section 832.2. The committee concluded that this course should be specified as also meeting the requirement for reserve officers pursuant to P.C. 832.2.

Staff is recommending that both school police officers and school police reserve officers attend the same specialized course of instruction that meets the unique needs of the school environment. In addition, school police reserve officers should be required to complete the specialized course of instruction within two years of the date of first appointment to ensure timely compliance with the training requirement of PC 832.2. It is further proposed that changes be made to the title of the new 32-hour course, as well as expand a topical heading to clarify that the training requirement of Penal Code section 832.2 is covered by the course content.

If the Commission concurs, subject to the results of the Notice of Proposed Regulatory Action process, the appropriate action would be a MOTION to amend Commission Regulations 1005, 1007 and 1081(a)(20) as proposed.

CENTER FOR LEADERSHIP DEVELOPMENT BUREAU

G. Report on Proposed Modifications to the Management Course and Commission Procedure D-4

Commission Regulation 1005(c) requires every full time peace officer promoted to a middle management position to satisfactorily complete a certified Management Course within 12 months of promotion. Four institutions, CSU-Humboldt, Long Beach, and San Jose, and San Diego Regional Training Center, offer 20 presentations of the Management Course each year pursuant to a contract with the Commission. The 80-hour course is presented over 2 consecutive weeks and is completed by approximately 400 managers each year.

The basic curriculum for the Management Course is described in Commission Procedure D-4. The curriculum was last revised in 1991. The report under this tab describes proposed revisions to the curriculum and presentation format that include: 1) adding new material and increasing the length of the course to 104 hours; 2) changing the presentation format from consecutive weeks to 3 workshops, each separated by a 4-week intercession period; and 3) an estimate of the increased cost to present the revised course. The revised course will be presented in FY 2000/01, if approved.

The contracts for presentation of the Management Course in FY 2000/01 are presented to the Commission under a separate agenda item.

Proposed modifications to Procedure D-5 to support the revised course are presented in this report. The modifications will be enacted subject to the Notice of Proposed Regulatory Action process. If a public hearing is not

request, the modifications will become effective 30 days after approval by the Office of Administrative Law.

If the Commission concurs, the appropriate action is a MOTION to: 1) approve modifications to the Management Course in curriculum and presentation format, as described; and 2) approved changes to Procedure D-4 using the Notice of Proposed Regulatory Action process.

INFORMATION SERVICES BUREAU

H. Contract Request for POST Library Subscription Services

POST's Library has contracted out the journal/magazine subscription purchases and renewals since the late 1970's. This service provides POST with a single point of contact for purchasing the journals/magazines instead of dealing with over 90 individual publishers from the United States and Europe. The vendor is also used as POST's agent to obtain missing issues of these magazine/journal subscriptions. At the current 15% yearly increase in subscription prices plus the service charge of 7%, with the addition of four more titles, and bringing all the subscriptions to a common expiration date, the contract will exceed \$10,000.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to increase contract funding with a journal/magazine vendor to an amount not to exceed \$15,000. (ROLL CALL VOTE)

STANDARDS AND EVALUATION BUREAU

I. Augmentation of the Contract for the Regular Basic Course-Modular Format Examination Program

Participation in the Regular Basic Course - Modular Format program has far exceeded the level anticipated by staff when this contract was initiated in July of 1999. The existing contract with Cooperative Personnel Services (CPS) to provide testing services is in the amount of \$14,899.75. At the current rate of usage, an additional 1,500 students will take the tests in an additional 80 administrations through the remainder of the fiscal year. In order to meet the demands of the academies participating in the modular format program, we will need to increase the funds available in the current contract with CPS by an additional \$9,000.00.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to increase the contract with CPS by \$9,000.00 for a new total contract amount not to exceed \$23,899.75. (ROLL CALL VOTE)

J. Contract Request with the Office of State Publishing to Administer the Regular Basic Course - Modular Format Examination.

POST has contracted with one vendor for administration of the POST Regular Basic Course - Modular Format examination since the program's inception in 1999. The vendor with which POST initially contracted, while performing at an acceptable level, has significantly increased its charges in other testing programs in recent years, and we anticipate that costs will rise similarly in this program. An augmentation request for the current year contract is item "I" on this Agenda.

The Office of State Publishing has agreed to provide all of the same services at a cost to POST of \$20,610.00 in FY 2000/01, which represents a 14% decrease from the \$23,900.00 contract for the current fiscal year. We are confident, based on the performance of OSP in administering the Basic Course Workbook program, that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign an agreement with OSP for administration of the POST Regular Basic Course - Modular examination, in an amount not to exceed \$20,610. (ROLL CALL VOTE)

K. Contract Request with Office of State Publishing to Administer the Entry-Level Reading and Writing Test Battery

POST has contracted with one vendor for administration of the POST Entry-Level Reading and Writing Test Battery since 1983. The vendor with which POST initially contracted, while performing at an acceptable level, has significantly increased its charges in recent years.

The Office of State Publishing (OSP) has agreed to provide all of the same services at a cost to POST of \$87,125.00, which represents a 25% decrease from the \$116,235.00 contract for last fiscal year. We are confident, based on the performance of OSP in administering the Basic Course Workbook program, that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign an agreement with OSP for administration of the POST Entry-Level Reading and Writing Test Battery, in an amount not to exceed \$87,125. (ROLL CALL VOTE)

L. Contract Request with the Office of State Publishing to Administer the P.C. 832 Written Examination

POST has contracted with one vendor for administration of the PC 832 Written Examination since 1989. The vendor with which POST initially contracted, while performing at an acceptable level, has significantly increased its charges in recent years.

The Office of State Publishing (OSP) has agreed to provide all of the same services at a cost to POST of \$38,710.00, which represents a 15% decrease from the \$45,367.00 contract for last fiscal year. We are confident, based on the performance of OSP in administering the Basic Course Workbook program, that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign an agreement with OSP for administration of the PC 832 Written Examination, in an amount not to exceed \$38,710. (ROLL CALL VOTE)

TRAINING PROGRAM SERVICES

M. Recognition of Non-POST Certified Training Courses to Satisfy Continuing Professional Training (CPT)

The Commission, at its January 21, 1999, meeting extended the Continuing Professional Training (CPT) requirement to law enforcement executives, managers, Level II reserves, and dispatchers. At that time, it was reported that staff would be researching alternative means for satisfying the CPT requirement specified in POST Strategic Plan, Objective B.4.

Various non-POST certified training courses available to California peace officers over the past three decades have addressed specialized training needs. They have advanced the professionalism of law enforcement, improved officer safety, and provided current insight and solutions to challenges confronting today's law enforcement.

At present, POST recognizes only California, POST-certified training courses for purposes of satisfying the CPT requirement. POST does, however, recognize non-POST certified courses for the purpose of satisfying requirements for its professional certificates.

The successful completion of the eight non-POST-certified courses listed below are recommended as qualifying to meet POST's CPT requirement for a two year period of time. These courses would remain non-certified, non reimbursable by POST, and limited solely to satisfying CPT requirements.

The FBI National Academy and National Executive Institute
The United States Secret Service VIP Security Course
The Northwestern Traffic Institute's Traffic Accident Investigation Course
The National Sheriffs' Association National Sheriff's Institute
The Federal Law Enforcement Training Center Advanced Bomb Scene Investigations
The FBI's Hazardous Devices School, Redstone Arsenal, Alabama
Entities of the United States Armed Forces Special Weapons and Tactics Training

To implement this proposal, the Notice of Regulatory Action is recommended. The recommended effective date would be upon approval of the Office of Administrative Law, which is expected sometime after July 1, 2000.

If the Commission concurs, the appropriate action is a MOTION to authorize the Executive Director to approve the recommended amendments to regulation 1005 (d) and Procedure D-2.

N. Perishable Skills and the Continuing Professional Training (CPT) Requirement

Currently, POST's CPT requirement provides that every officer, first-line supervisor, manager, executive, dispatcher and Level I/II reserve officer must complete 24 hours of POST-certified training every two years. While POST provides some guidance as to recommended training courses/topics in Commission Procedure D-2, law enforcement agencies have been given wide latitude in selecting courses or topics to satisfy this training requirement. Rationale for this approach has been that training needs vary over time, and from agency to agency.

At the January 1998 meeting, the Commission authorized the Executive Director to contract for the services of a Management Fellow for up to one year to study the

feasibility of establishing a perishable skills training requirement. Under the coordination of the Management Fellow, testing of in-service officers at several law enforcement agencies verify what prior similar studies have concluded: there is a reduction in proficiency in these skills unless refreshed periodically. A group of subject matter experts and law enforcement representatives have provided input, and recommend that the Commission mandate perishable skills refresher training.

It is proposed that POST Regulation 1005 (d) (2) and Procedure D-2 be amended to require all peace officers below the rank of first-level supervisor assigned to uniformed patrol and/or traffic, to complete a minimum of 14 hours of the required 24 hours of CPT in specified perishable skills training every two year period as part of the CPT requirement. The remaining 10 hours of CPT would remain non-specified, allowing agency flexibility in the selection and application of other training topics. Minimum hours proposed for each of the four perishable skills are as follows:

Alternative A	Hours	Alternative B	Hours
1. Arrest and Control	4	None	-
2. Driver Training/Awareness	4	Driver Simulator	4
3. Firearms Proficiency/Tactics	4	Force Options Simulator	4
4. Communications (Tactical)	2	Communications (Interpersonal)	2

It is no coincidence that these core skills, when not periodically refreshed, frequently correlate to incidences of personnel complaints, officer injury, officer death, civilian injury, civilian death and resultant liability to law enforcement agencies. Accordingly, the four core skills were identified as lynchpins of safe and effective law enforcement operations.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing in conjunction with the July 2000 meeting, to consider requiring specified "Perishable Skills" as part of the Continuing Professional Training requirement.

O. Revisions to POST's Guidelines for Handling Missing Persons

The item under this tab requests that the Commission approve revised guidelines that should be followed by law enforcement agencies in handling missing person and runaway cases. Penal Code Section 13519.1 requires the Commission to establish guidelines for law enforcement response to missing person and runaway cases. The POST document, *Guidelines and Curriculum for Handling Missing Person and Runaway Cases*, was last modified in 1998 to incorporate legislative changes. Recent changes to Penal Code Sections 14205, 14206(d), and the addition of Education Code 49068.6 necessitate further revision of Commission guidelines.

Subject matter experts from the State of California Department of Justice Missing/Unidentified Persons Unit reviewed existing guidelines and proposed the revisions contained in Attachment "A". The changes, although minor, will ensure that Commission guidelines are consistent with state laws effective January 1, 2000.

If the Commission concurs, the appropriate action would be a MOTION to approve revisions to Commission guidelines to be followed by law enforcement agencies in handling missing person and runaway cases.

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

At the April 1999 meeting, the Commission approved a one-year contract with the San Diego Regional Training Center to provide the services of Forrest Billington for a one-year period to manage the development of the Regional Skills Training Centers.

Since that time, considerable progress has been made in the development of these centers. Seventeen of the centers are in various stages of development. POST's 2000-2001 proposed budget contains an additional \$7 million earmarked for additional skill centers, necessitating support and coordination services from POST.

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

Considerable work remains to be completed in the development of the existing centers and the proposed additional centers. For these reasons, it is proposed that a contract with the San Diego Regional Training Center be written for one year, so that the additional program development and coordination can continue. It is expected that most, if not all, of this work will be completed after one more year.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a one-year contract in the amount of \$130,000.00, with San Diego Regional Training Center to provide the services of Forrest Billington for one year. (ROLL CALL VOTE)

Q. Request to Approve Contract Augmentation for Additional Domestic Violence Training Courses

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112. The funds were dedicated to five (5) designated projects, one of which was the creation and presentation of the Domestic Violence for First Responders course. With subsequent approval, POST entered into an agreement with the Office of Criminal Justice Planning (OCJP) for augmentation of the grant for Fiscal Year Funds 97-98, 98-99 and 99-00, bringing the grant total to \$7 million. The 99-00 grant money ultimately extends until 12-31-00.

At the time of the original grant and the augmentations, the Commission approved the negotiation of contracts with SDRTC to facilitate the First Responder courses throughout the state. We are continuing to contract with SDRTC to facilitate these courses which have been successful in meeting the needs of the field.

The original number of Domestic Violence for First Responder presentations were completed under budget. Therefore, funds remain in the final phase of the grant which would accommodate ten (10) additional presentations. There are still requests by the field for this course.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to augment an existing contract for ten (10) additional presentations of the First Responder course in an amount not to exceed \$40,000. (ROLL CALL VOTE)

R. Request for Contract Amendment for Master Instructor Development Program for FY 1999/2000

The Master Instructor Development Program (MIDP) is a key element in improving the quality of instruction in POST-certified courses. Program enrollees are exposed to a wide range of instructional techniques designed to markedly upgrade their teaching proficiency. Program graduates are expected to return to their agencies and serve as "trainers of trainers." For the past several years, the San Diego Regional Training Center has presented and coordinated the program.

Notwithstanding the laudable goals of the MIDP and its many successes, aspects of the program compel evaluative inquiry. One recurring concern

has been the number of graduates per class. The MIDP has been designed to accommodate 18 students, with an expectation that the number of graduates would approximate the enrollment figures. In reality, the numbers of enrollees and graduates have fallen short of expectations. Exacerbating the enrollment shortfall is the fact there has not been a systematic evaluation of the application of graduates' skills in the training workplace. Some graduates are more prominent than others and their quality and extent of application well known. However, a large number of master instructors' endeavors remain uncharted.

Due in part to a low enrollment figure for Class 13, scheduled to start during April, and to a lingering interest in performing an in-depth examination of the overall program, a decision was made to defer the start of Class 13 to October of 2000. This decision affords the opportunity to redirect the encumbered funds for the initial two workshops of MIDP Class 13, totaling \$61,536, for a much-needed program evaluation (estimated to cost \$25,000) prior to initiating the fall start of Class 13. A portion of the funds may also be allocated to conduct the concluding workshop for Class 12 (expected to cost \$18,348). There will still be a reversion of funds in the amount of \$18,188, but that amount constitutes less than 30 percent of the amount that would revert absent a contract extension and redirection of funds.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to amend and extend the current fiscal year's contract with the SDRTC for the principal purpose of accomplishing an intensive program evaluation.

S. Request to Approve Two Public Safety Dispatcher Telecourses

The report under this tab recommends the Commission authorize the Executive Director to sign an interagency agreement with San Diego State University KPBS Public Broadcasting for the development of two distance learning telecourse training programs related to public safety dispatchers, in an amount not to exceed \$154,000. At its January 1999 meeting, the Commission approved the extension of the 24-hour Continuing Professional Training requirement to public safety dispatchers. Over 335 agencies voluntarily participate in the POST program and employ approximately 6330 dispatchers. POST training records indicate that only 50% of existing dispatchers have satisfied the CPT requirement by completing POST-certified training.

The public safety dispatcher telecourses are designed in a modular format that allows the course to be sectioned into expanded presentations or viewed in its entirety to meet training requirements. The telecourses expand the training that is available to public safety dispatchers and provide a valuable instructional resource for in-house instruction that can be POST-certified.

It is recommended that the Commission authorize the Executive Director to sign an interagency agreement with San Diego State University, for the development of two distance learning telecourse training programs related to public safety dispatchers, not to exceed \$154,800. (ROLL CALL VOTE)

T. Preliminary Plan for Instructor Training Requirements and Certification

Currently, there are more than 6,400 POST-certified courses. However, despite the large volume of certified courses, there has, to date, been no training requirement mandated for those thousands who teach these courses statewide. Thus, while course content has been consistently updated, no such quality assurance exists for the delivery of the courses' content. While substantial ad hoc efforts have been undertaken to promote instructor development, these efforts are not sufficient to effect wide-scale quality improvement.

The proposed plan represents a phased and collaborative effort to improve the quality of instruction in all POST-Certified courses. The plan is directly responsive to Objective B.13 of the POST Strategic Plan: Establish selection guidelines, certification, and training programs for instructors. Preliminary reaction to this plan from academy directors and other stakeholders has been supportive.

If the Commission approves of this preliminary plan, the appropriate action would be a MOTION to accept the plan in concept and to approve its implementation, conditioned on the understanding that staff will continue to work collaboratively with the law enforcement training community throughout plan implementation.

U. Request to Sign an Interagency Agreement for Production of Violence Against Women (VAWA) Grant Telecourses

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112 for Fiscal Year 96-97. Subsequently, the

Commission approved in October 1998, acceptance of an augmentation of the grant for Fiscal Year 97-98 in the amount of \$1,666,333.

In July 1999 the Finance Committee approved the acceptance of an augmentation for additional monies for Fiscal Year 98-99 and 99-00 in the total amount of \$2,448,734. In this augmentation, funds were designated for three additional telecourses with domestic violence and sexual assault as designated subject areas.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign an interagency agreement with San Diego State University for production of Violence Against Women (VAWA) grant telecourses and editing of these telecourses in an amount not to exceed \$273,000.
(ROLL CALL VOTE)

COMMITTEE REPORTS

V. Finance Committee

The agenda for the Finance Committee meeting is under this tab. The Committee will review and report on current year and proposed FY 2000/01 budgets and may offer recommendations.

Proposed FY 2000/2001 contracts which were negotiated as authorized by the Commission in January are listed below:

Training Contracts

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| 1. Renewal of Master Instructor Development Program Contract for FY 2000/2001 With San Diego Regional Training Center | \$ | 202,747.00 |
| 2. Renewal of Tools for Tolerance Training Courses with Simon Wiesenthal Center | | 1,556,000.00 |
| 3. Renewal of Telecourse Training Programs with KPBS, University of San Diego | | 1,118,800.00 |
| 4. Renewal of Video Training Programs Contract with KPBS, University of San Diego | | 162,828.00 |

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| 5. | Contracting with the Los Angeles Sheriff's Department for Presentations of the Homicide Foundation Specialty Course for the Robert Presley Institute of Criminal Investigation (ICI) for FY 2000-01 | 73,689.00 |
| 6. | FY 2000-01 <i>Case Law Today</i> Programs - During FY 1999-00, the Commission approved \$74,000 for contracts with Alameda County District Attorney's Office and Golden West College for the production of 36 <i>Case Law Today</i> programs by each agency. | 92,000.00 |
| 7. | Sacramento Regional Criminal Justice Planning Training Center for Presentations of the Core Course, and Foundation Specialty Courses in Homicide, Sexual Assault and Child Abuse for the Robert Presley Institute of Criminal Investigation (ICI) for FY 2000-01. | 370,881.00 |
| 8. | San Francisco Police Department for Presentations of the Core Course of the Robert Presley Institute of Criminal Investigation (ICI) for FY 2000-01. | 111,035.00 |
| 9. | San Jose State University for Presentations of the Core Course of the Robert Presley Institute of Criminal Investigation (ICI). | 182,660.00 |
| 10. | Los Angeles Police Department for Four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, in an amount not to exceed \$111,564 for fiscal year 2000-01. | 111,564.00 |
| 11. | The Department of Justice Training Center for continued presentation of a variety of POST certified training courses. | 1,999,096.00 |
| 12. | Management Course presentation spread among four presenters: | 579,628.04 |

- California State University - Humboldt
- California State University - Long Beach
- California State University - San Jose
- San Diego Regional Training Center - San Diego

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| 13. | San Diego Regional Training Center for Support of Executive Training (e.g., Law Enforcement Command College, Executive Training and Seminars, and the Leadership 2000 Symposium). | 747,566.00 |
| 14. | The San Diego Regional Training Center for four presentations of the Labor Management Relations Partnership Course. | 76,287.55 |
| 15. | California State University - Long Beach, for Support of the Sherman Block Supervisory Leadership Institute (SBSLI). | 946,507.00 |
| 16. | Renewal of Contracts with specified presenters for Basic Driver Training Motorcycle and Narcotic Courses. | 3,070,468.00 |
| 17. | Contract agreements with specified POST-certified 1,640,450.00 presenters of the Driving Simulator Training and Force Option Simulator Training for FY 2000/01. | |
| 18. | CSU-Sacramento Contract for FY 2000/01 for Crime Analysis Institute | 120,000.00 |
| 19. | San Diego Regional Training Center for presentation of Robert Presley Institute of Criminal Investigation courses. | 471,635.00 |

Standards Contracts

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| 21. | Renewal of Office of State Publishing Contract for the cost of providing Basic Course instructional materials and support services. | 170,225.00 |
| 22. | Continuation of the Contract with Cooperative Personnel Services (CPS) to Administer the Entry-Level Dispatcher Selection Test Battery | 177,449.00 |

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| 23. Continuation of the Contract with CPS to Administer the Basic Course Proficiency Test | 105,593.50 |
| 24. Cooperative Personnel Services - Renewal of Contract to Improve Writing Skills in Basic Academy | 50,984.00 |

Administrative Contracts

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| 25. Contract with CSUS Foundation for Student Assistants. | 15,000.00 |
| 26. Interagency Agreement with Teale Data Center for supplemental computer services. | 65,000.00 |
| 27. Health and Welfare Data Center - CALSTARS support. The mandated California State Accounting and Reporting Systems (CALSTARS) requires an agreement with the Health and Welfare Data Center to provide computer linkage and necessary data processing services. | 32,000.00 |
| 28. Department of Finance, Office of State Audits and valuations (OSAE), to perform a risk assessment/review of internal controls. Commission policy requires this audit on a biennial basis. | 25,000.00 |
| 28. State Controller's Office Agreement for Auditing Services in FY 2000-01 - These audits of participating agencies have been conducted by the State Controller's Office on a yearly basis. | 116,045.00 |
| 29. Continuation of agreement with Danka Office Imaging for maintenance of the Kodak copy machine | <u>13,000.00</u> |

Grand Total: \$ 14,404,138.09

W. Long Range Planning Committee

Rick TerBorch, Chairman of the Long Range Planning Committee, will report on issues discussed at the Committee meeting held April 7, 2000.

X. Legislative Review Committee

Commissioner Bill Kolender, Chairman of the Legislative Review Committee will report on the issues discussed at the Committee meeting held on April 27, 2000.

Y. Advisory Committee

Bob Blankenship, Chairman of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on April 26, 2000, in San Pedro.

Z. **OLD/NEW BUSINESS**

Report of Nominating Committee for Election of Officers

Commissioners Knutson, Baca and Holden, members of the Nominating Committee, will report the results of the Committee's recommendations for nominations for Commission Chairman and Vice-Chairman.

Professional Certificate Special Review Committee

Woody Williams will report on this special Committee's progress.

FUTURE COMMISSION MEETINGS:

July 20, 2000 - Holiday Inn, San Francisco International Airport, S.F.

November 2, 2000 - Holiday Inn Northeast, Sacramento

January 25, 2001 - Piccadilly Inn Airport, Fresno

April 19, 2001 - To be announced.

NOTE: Commission will meet in closed session upon adjournment to review personnel issues

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

COMMISSION MEETING MINUTES

Thursday, January 27, 2000

Hanalei Hotel

2270 Hotel Circle North

San Diego, CA 92018



Gray Davis
Governor

Bill Lockyer
Attorney General

Chairman Rick TerBorch called the Commission meeting to order at 10:00 a.m.

The Color Guard from the San Diego Police Department posted the colors and led the flag salute.

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

- Deputy Allen Sharra, Kings County Sheriff's Department.
- Inspector Kirk Brookbush, San Francisco Police Department
- Officer James F. Dougherty, San Francisco Police Department

HONORING PAST COMMISSIONERS

Chairman TerBorch presented plaques to the following Past Commissioners:

- David C. Anderson, Los Angeles County Sheriff's Department, who served from April 1996 to January 1999;
- Michael T. Carre, Assistant Chief, Bureau of Investigations, Santa Ana, Orange County District Attorney's Office, who served from April 1996 to January 1999;
- Philip del Campo, Ph.D., who served from April 1997 to September 1999; and
- Barbara Warden, Council Member, City of San Diego, who served from February 1998 to January 1999.
- Collene Campbell, who served on the Commission from December 1992 to January 1999, and as the Commission Chairman, from November 1997 to January 1999, was presented with a plaque and gavel.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners present:

Lee Baca
Marc Cobb
George (Joe) Flannagan
Monty Holden
Ted Hunt
William Kolender
Thomas J. Knutson
Bud Hawkins
Rick Terborch

INTRODUCTIONS

Visitors present:

Bob Blankenship, Advisory Committee Chairman, representing Cal Chiefs and Redding Police Department
Phil del Campo, Ph.D., Advisory Committee
Bill Reynolds, Riverside Sheriff's Department
Mike Carre, Orange County District Attorney's office
Mrs. Mike Carre
Collene and Gary Campbell
Robert Macleod, AOCDS
Michael Grima, CA Department of Fish and Game
Charles Byrd, Advisory Committee, representing Siskiyou County Sheriff's Department,
Department,
Fran Clader, Office of Criminal Justice Planning
Cliff Ruff, Los Angeles Police Protective League
Greg Kyritsis, San Bernardino County Sheriff's Department, Training Center
Sid Smith, representing Systems for Public Safety, CPOA - Standards and Ethics Committee
Steve Craig, San Diego District Attorney's office
Al Waters, Advisory Committee, representing CCLEA
Chuck Mullen, Inyo County Sheriff's office
William F. Brown, Jr., Lompoc Police Department
Steve Campbell, Port Hueneme Police Department, CPOA - Chair of Standards and Ethics Committee

Staff present:

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

APPROVAL OF MINUTES

- I. MOTION – Hawkins, second – Hunt, carried unanimously to approve the minutes of the October 28, 1999, Commission meeting at the Flamingo Resort Hotel, Santa Rosa, California.

CONSENT CALENDAR

Commissioner Hunt requested that Item B.8 Review Tuition for Command College for Nonreimbursable Agencies be removed from the Consent Calendar for discussion.

MOTION – Knutson, Second – Hunt, carried unanimously to approve the following items on the Consent Calendar:

- B.1 Course Certification Report
- B.2 Financial Report - First Quarter FY 1999-2000
- B.3 New Entries Into the POST Regular (Reimbursable) Program
- B.4 New Entries Into the POST Public Safety Dispatcher Program

- B.6 Resolution for San Francisco Police Department for Work on Field Training Program Scenarios
- B.7 Resolution for Lieutenant Ray Tucker, POST Management Fellow
- B.9 Tuition for Supervisory Leadership Institute for Non-Reimbursable Agencies

Discussion of Item B.8 - Review Tuition for Command College for Nonreimbursable Agencies

There was a brief discussion of Item B.8, whereupon Commissioner Hunt requested staff to do a cost benefit analysis of the Command College for the past five years. Commissioner Hunt stated that he would like to know, specifically, the number of students who have attended, the number of students who have graduated, the average cost per student, along with the specific benefits returned to the law enforcement community as a result of the Command College program.

MOTION - Hunt, Second - Cobb, carried unanimously, to approve Item B.8 on the Consent Calendar.

Chairman TerBorch presented a resolution to Lieutenant Ray Tucker, Alameda County Sheriff's Department, for his outstanding job in managing the perishable skills study for POST over the past year.

Chairman TerBorch announced that Executive Director, Ken O'Brien will personally present a POST resolution to the San Francisco Police Department for its outstanding work on the development of video training segments for the field training program.

PUBLIC HEARING

- C. Public Hearing To Consider Modifications to Certificate Cancellation Regulations

The Chairman announced that this hearing is related to the proposed adoption and amendment of Commission Regulations. This hearing pertains to the amendment of Commission Regulations relating to cancellation of POST Certificates.

The Executive Director advised that the hearing is conducted in compliance with requirements set forth in the *Administrative Procedures Act*. The records of compliance are on file at POST headquarters. The proposed amendments are described in Agenda Item C and were

announced in POST Bulletins 99-14 and 99-18 respectively, and published in the California Regulatory Notice Register, as required by law.

The Executive Director further reminded those wishing to receive copies of regulations revised as a result of the hearing, to list their name, agency, and mailing address on the sign-in sheet.

HEARING

Chairman TerBorch announced the opening of the hearing to consider the amendments to Commission Regulation 1011(b)(2). He explained that the proposed amendment would delete the provision that persons adjudged guilty of a felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which constitutes either unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offense, shall be denied a POST Professional Certificate or it will be canceled. This provision has never been enforced and the Attorney General has concluded a legal deficiency exists with this provision.

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

Daniel C. Lough, Assistant District Attorney, San Bernardino County Office of the District Attorney wrote in opposition to the proposed amendment. He stated that if an individual is convicted of the listed offenses they should not be allowed a POST certificate.

Sid Smith, Chief Executive Officer, Systems for Public Safety wrote in opposition to the proposed amendment and requested a public hearing. He stated this action, in his opinion, undermines the public trust.

This concluded a summary of the written commentary.

Chairman TerBorch introduced Assistant Executive Director, Glen Fine, who presented the following data with regard to amending Commission Regulation 1011.

Glen Fine reported that at the July 1991 meeting, the Commission acted following a public hearing to adopt an expansion of the regulations relating to certificate cancellation or revocation. Historically, the Commission had revoked certificates only for the conviction of offenses classified, under California law, as felonies. The adoption of the expanded provisions, included in part, the cancellation for conviction of felonies that were subsequently reduced by the Court to misdemeanor status and restricted such cancellations to those that were in the categories that were previously described by the Chairman.

Immediately following the adoption of the regulations, the Commission directed staff to hold the enforcement of the new, expanded provisions in abeyance due to the fact that there were serious concerns and opposition to the enactment of the provisions by some segments of law enforcement. Meetings were held over a period of time and as a result, an Attorney General's Opinion was requested. An opinion was rendered and published by the Attorney General in the latter part of 1993. Mr. Fine stated that the opinion held that the Commission did have authority to enact such regulations, but also opined that there were deficiencies contained in the regulations. The primary basis for the deficiency was that the Commission had failed to declare conviction of misdemeanors in the subject categories to constitute moral unfitness to serve as a peace officer in California. Therefore, for the dual reasons of legal deficiency and the Commission's policy not to enforce the regulation at that time, the regulations were not then, nor have they ever been enforced.

It has been proposed, since the provisions have been in existence for approximately nine years and have never been enforced by the Commission, and without change may not be legally enforceable, that the provisions simply be removed from the regulation at this time.

Chairman TerBorch invited those in attendance who were opposed to the removal of Regulation 1011(b)(2) to present testimony.

Opposed

William F. Brown, Jr., Chief of Police for the City of Lompoc, representing the Lompoc Police Department and the Santa Barbara County Law Enforcement Chiefs.

Chief Brown read the following letter into the record:

“Dear P.O.S.T. Commission Members:

We the undersigned law enforcement executives of Santa Barbara County understand that at your October 29, 1999, meeting you approved rescission of the provision for P.O.S.T. certificate cancellation in P.O.S.T. Manual Section 1011(b)(2). This section provides a mechanism for the P.O.S.T. Commission to deny or cancel P.O.S.T. certificates whenever a person has been adjudged guilty of certain felonies which are subsequently reduced to misdemeanor crimes. We strongly urge you to reconsider this decision, which we believe is not in the best interests of the police service.

Government Code Section 1031 specifically requires that law enforcement agencies conduct background investigations on peace officer applicants, so that only persons of good moral character are hired. We believe that a conviction of any of the listed offenses – regardless of whether they are disposed of as felonies or misdemeanors – constitutes a breach of good moral character. Such a conviction should result in the cancellation of any and all California P.O.S.T. certificates, thereby making the holder ineligible for further employment as a police officer in our state.

We understand that the previous Attorney General identified a legal deficiency in the current language of Section 1011(b)(2). Rather than rescind this section, we suggest that the P.O.S.T. Commission modify it to specifically declare that convictions in the aforementioned offense categories constitute a lack of moral fitness. Once the section is so modified, P.O.S.T. should begin enforcement of it as needed.

Law enforcement officers today are under unprecedented public scrutiny. We have a duty to the public to police our own ranks and remove those who so blatantly violate our Code of Ethics. Please don't

take a step backward for our profession. We urge you not to rescind this important P.O.S.T. regulation.

Signed:

William F. Brown, Jr., Chief of Police, Lompoc Police Department, Chairman, Santa Barbara County C.L.E.C.; Jim Thomas, Sheriff, Santa Barbara County, Sheriff's Department; Rick Breza, Chief of Police, Santa Barbara Police Department; John Sterling, Chief of Police, Santa Maria Police Department; Jerry Tucker, Chief of Police, Guadalupe Police Department; Vince Calderon, Captain, California Highway Patrol; John McPherson, Chief of Police, University of California, Santa Barbara; Tom Sneddon, District Attorney, Santa Barbara County; Sue Gionfriddo, Chief Probation Officer, Santa Barbara County."

Chief Brown further stated that he wished to remind the Commission that California law enforcement has a Code of Conduct established by the California Peace Officers Association, along with other peace officer organizations and representatives throughout the state. He further stated that Law enforcement needs to make clear that there is a mechanism for enforcement of the Code of Conduct and without such a mechanism, although the Code of Conduct is taught in law enforcement academies, the Code of Conduct is meaningless. This regulation should not be removed if, for no other reason, than the negative impression that it would send to the public. Chief Brown further stated that this is not a labor nor a management issue, but a "professional" issue and one with which all of law enforcement should agree and support. Since legislation is now being drafted relating to this issue, POST should focus upon addressing the problem legislatively.

Sidney Smith, representing Systems Republic Safety, a POST Certified Presenter in the area of background investigation, testified next in opposition to the removal of Regulation 1011.

Mr. Smith read the following statement to the Commission:

"For the past two decades, I have been an instructor of public safety background investigation in California, and in other states as well. I have had the pleasure of some of your acquaintance during my career.

I wrote to Executive Director O'Brien and requested a public hearing on this matter because I passionately believe that the proposed action of the Commission in this matter sends precisely the wrong message at precisely the wrong time.

For nearly twenty years, I have had the privilege of instructing public safety background investigators throughout the Western United States that a fitness to serve our profession is so much more than the mere absence of a felony conviction; that the possession of a certificate from California's P.O.S.T. is a unique honor. Indeed, one of my most prized possessions is P.O.S.T. Executive Certificate number E188.

It is abundantly clear that our Attorney General has advised the Commission that Regulation 1011(b)(2) is legally deficient. Indeed, such advice makes it incumbent upon the Commission to act. At the same time, however, I view discarding the regulation, as opposed to addressing its deficiencies, as in the best interests neither of our profession nor those of the citizens of California. Like the cliché: do we throw the baby out with the bath water?

If history teaches our profession anything, it is that in the eyes of many, 'perception' is 'reality'. No clearer message can be derived from the January 10, 2000, headline from the Los Angeles Daily Journal, a newspaper widely read throughout the legal community. In announcing this very hearing, the headline reads: *'Rule Change: Criminal Cops Can Keep Job'*.

Our profession is under unprecedented assault: in the media, in the courts and in public fora. Those who would abuse the sacred obligations of our profession must not be allowed to take one ounce of solace in the Commission's failure to find legally defensible language with which to protect the honor of its certificates.

Tens of thousands of dedicated, honest and professional men and women who carry the title of "peace officer" in this State have a right to know that those who have dishonored their badge cannot stand beside them in the same uniform and call them "brother". If you will not do this, who will? If this is not the time, when is? If these are not the issues, what could they possibly be?

In closing, I wish to read an excerpt from a copy of a letter sent to me by the newly appointed Chief of Police of the City of Sunnyvale, Irwin Bakin, himself a relative newcomer to California law enforcement: 'I believe the people of California will perceive that the law enforcement community sanctions criminal behavior and even protects law enforcement officers who have been convicted of crimes.'

Thank you for your time and for your dedication to California law enforcement."

Steve Campbell, Chief of Port Hueneme Police Department, testified in opposition to the removal of Regulation 1011(b)(2). Chief Campbell stated that he is also Chairman of the California Peace Officers Association Standards and Ethics Committee.

Chief Campbell stated that his purpose in attending the Commission meeting was to reiterate the advice of his colleagues: The rescission of Regulation 1011(b)(c) is something that should be taken very seriously. Law enforcement should send a strong message that ethical standards are not something they will discard.

Chief Campbell reaffirmed Chief William F. Brown's suggestion to address this issue legislatively in an effort to make the regulation more enforceable. He advised the Commission that he and CPOA are willing to work with POST and other groups to make suitable revisions to the regulation.

Chairman TerBorch requested all those in support of removing the regulation come forward to offer testimony.

Support

Detective Cliff Ruff, representing Los Angeles Police Protective League, testified in support of rescinding the regulation. He stated that the LAPPL supports rescission on the basis that the regulation is currently flawed and lacks specificity.

Although the LAPPL does not support the position of allowing felons to be peace officers, he asserted that it is the responsibility of the hiring agency to terminate an officer who is unfit to work for that department. He further stated that he felt that from the statements of previous witnesses, they would change POST into a regulatory agency, a function for which it has neither been legislated nor funded.

Detective Ruff further stated that every police manager has the authority to hire whomever he or she chooses. If an applicant officer has problems in his background concerning integrity, or any violations of the Law Enforcement Code of Ethics, he personally believes that the officer should not be hired. However, the decision of whether to hire that individual rests solely with the particular police manager. If an officer is deemed unfit for service in a specific community, but another agency, after a thorough background check, decides to hire that officer anyway, POST should not intercede and tell the second agency they cannot hire the individual. Each manager is aware of the parameters of civil liability and risk management in hiring anyone with flaws, problems or convictions.

As the law is currently written on the conversion of 17(b)(4)s to misdemeanors, there is a great deal of ambiguity. Is a person who, under Senate Bill 23, owns an assault rifle unfit to be a peace officer? Is an officer who has a dispute with the Internal Revenue Service over his income tax return, deemed unfit because his disputed deductions are an "honesty" issue? With regard to diversity in police departments, many departments have contingents and organizations of gay and lesbian officers - is consenting sexual conduct between two adults "sexual misbehavior" as described in the regulation?

Such possible situations may be the reason why the Attorney General has ruled there are applicability problems. Detective Ruff also noted that there is no "due process" provision.

Detective Ruff reiterated that P.O.S.T. has properly decided to rescind Regulation 1011(b)(2).

There was no further testimony offered either in support or opposition to this regulation. Chairman TerBorch announced that there being no further testimony, the Public Hearing to amend Commission Regulation 1011 was concluded.

He further stated that the California Code of Regulations requires POST to list each objection or recommendation made by the public, how the proposed action now under consideration is to be changed to accommodate each concern or recommendation, or the reasons for making no change. At this time, the Chair called upon staff to address each written or oral concern or recommendation made by the public.

Executive Director Ken O'Brien stated that the response to Daniel C. Lough's concern that POST should not cancel Regulation 1011(b)(2) is as follows:

The Commission is appreciative of the points of view expressed; however, it simply proposes to remove regulations that are not legally enforceable.

The response to Sid Smith's letter in opposition to the proposed amendment stating his concern that the proposed action may contribute to further undermining of public trust for law enforcement is as follows:

The Commission is devoting resources in other areas to help foster a positive public image. The purpose of this proposed action is simply to remove regulations that currently are not legally enforceable.

The Chairman requested Advisory Committee Chairman, Bob Blankenship to report on the findings of the Advisory Committee concerning this issue, at its meeting the previous day.

Bob Blankenship reported that after a great deal of discussion on the issue, the Advisory Committee found that the regulation is unenforceable as currently written. It recommended that the issues involved be clarified and the problem resolved either legislatively or through the Commission's action. With that in mind, the Committee supported staff's recommendation to remove Regulation 1011, as it is now written.

There was a further discussion and Commissioner Baca stated that, before the Commission takes any action, he would like the issue analyzed to determine whether the regulation's language can be amended to render it legally enforceable.

Commissioner Hunt stated that he would like to clarify for all, including the Los Angeles Daily Journal, that rescission of this POST regulation has nothing to do with the hiring or firing of individuals guilty of criminal behavior. He stated that it actually goes to the issue of "licensing" by P.O.S.T., as opposed to "credentialing". The question is "What is a POST certificate? Is it a "credential", i.e., evidence of having been trained to do something, or is it a "license", which would be controlled by a bureaucracy in Sacramento.

Commissioner Hunt further reported that proposed legislation is currently being drafted by the Legislative Counsel's office and that it specifically addresses the issue of "vagueness".

After further discussion, the Chairman postponed this issue and directed that a committee be formed to work with staff for the purpose of conducting a study to analyze this issue and report back to the Commission. The study was deemed a "high priority" matter and is to be done in a timely manner. During the study, staff will give status updates of the project to the Long Range Planning Committee at each of its meetings.

This concluded the public hearing.

Chairman TerBorch announced that the Advisory Committee Report would be taken out of order because Advisory Committee Chairman Bob Blankenship needed to leave the meeting early.

Report of the Advisory Committee

- U. Advisory Committee Chairman, Bob Blankenship reported that the committee met on Wednesday, January 25, 2000, and approved recommendations for Governor's Award for Excellence in Peace Officer Training. There were approximately 35 applicants. The Committee makes the following recommendations to the Commission:

Individual Achievement Category

- Angela Witt, Department of Justice Advance Training Center, for her training on Cold Case Investigation;
- *Honorable Mention:* Ken Whitley, Garden Grove Police, for training on officers' contacts with parolees. Mr. Whitley has authored a book addressing this area.

Organizational Achievement

- The Delinquency Control Institute of U.S.C. for being a model training institute in juvenile investigations since 1949.
- *Honorable Mention:* The Orange County Sheriff's Department for its Basic Academy and Laser Village Tactical Training Center.

Lifetime Achievement

- Dr. Susan Oliviera, Director of the South Bay Regional Training Consortium, for co-founding that institution and her work in development of POST Basic Training on Sex Crime Investigation, Child Abuse Victimology, and Report Writing. Her involvement includes the last 25 years.
- *Honorable Mention:* Devallis Rutledge, Chief Assistant District Attorney, Orange County, and a former POST Commissioner, for his law enforcement training on Criminal Law and Evidence.

The Advisory Committee also considered the issue of venue for the presentation of these awards. The Committee recommends that the awards continue to be presented at the luncheon for the Law Enforcement Legislative Day, March 1st, in Sacramento at the Convention Center. Additionally, if the Governor is unable to attend, a private presentation in the Governor's office, will also be scheduled.

Finally, the Committee voted to begin its meetings at 9:00 a.m. instead of 10:00 a.m.

The Chairman requested a motion on the recommendation for the Governor's awards.

There was a short discussion concerning the recommendations. Mr. Hunt stated that he is reluctant to vote for something about which he has no information. In addition, he requested an explanation as to the locale for the presentation of awards.

Ken O'Brien, Executive Director, explained that the Law Enforcement Legislative Day, which is an annual gathering of law enforcement representatives from many various organizations throughout the State, has been the traditional location for the awards presentation for many years. Since this all-day event takes place at the Sacramento Convention Center across from the State Capitol, it has been convenient for the Governor to attend.

Mr. O'Brien went on to explain that the Commission has, for many years, delegated the responsibility of making recommendations for the Governor's Awards to the POST Advisory Committee. He further stated that while there are a large number of applications submitted, each is thoroughly studied before any recommendations are made. In addition, Mr. O'Brien remarked that it has been his personal experience that the Committee has taken its responsibility very

seriously and worked diligently and forthrightly to determine the most qualified applicants for the awards.

The Chairman affirmed that this has been a long-established procedure and, that as a former Commission Liaison to the Advisory Committee, he has personally witnessed the process and has been impressed with the Committee's diligence.

Commissioner Flannagan, a former member of the Advisory Committee, reiterated that the Advisory Committee was assigned this task by the Commission at the time the Governor's Awards were first initiated. The selection is extremely time-consuming and labor-intensive. The basic reasoning for delegating the responsibility to the Advisory Committee was to "free up" the Commission.

Commissioner Hunt agreed to accept the recommendations of the Advisory Committee as to this year's recommendations, with the caveat that prior to next year's selection, the Commission will carry out an in-depth examination of this matter with respect to the presentation venue and the selection method.

MOTION - Flannagan, Second - Hawkins, carried unanimously to accept the recommendations of the Advisory Committee for the Governor's Awards.

At this point, the Commission moved back into the normal sequence of the Agenda.

Bud Hawkins, representing the Attorney General, was absent from this point on.

BASIC TRAINING

D. Contract Request for Tactical Communications/Verbal Judo Instructor Training.

The Commission, in 1992, approved a four-phase program by Dr. George Thompson of the Verbal Judo Institute to train officers using his patented "Verbal Judo" course. Over the years this has been proven to be an excellent course for officers of all ranks. While approximately 139 instructors have now been trained, it is evident from a recent review that additional training of new instructors is needed to continue to offer effective training statewide.

The Long Range Planning Committee recommended that this training be included in the CPT requirements as a "perishable skill".

Staff proposed that the San Bernardino County Sheriff's Department facilitate the logistics and coordination for the presentation of two 40-

hour train-the-trainer courses. The contractor would also coordinate the development and filming of additional video scenarios that would be made available to all basic training presenters.

It is estimated that approximately 100 instructors will be trained. Video tapes would be produced and provided to the attendees.

Finance Committee Chairman, Tom Knutson, reported that this matter came before the Finance Committee on January 26, 2000, and was carefully considered and discussed. The Committee recommended the Commission approve this item.

MOTION - Hunt, Second - Holden, carried unanimously by ROLL CALL VOTE of members present, to authorize the Executive Director to contract with the San Bernardino County Sheriff's Department to facilitate the presentation of two 40-hour train-the-trainer instructor courses and development of video training scenarios on Verbal Judo/Tactical Communication techniques at a cost not to exceed \$49,429.

E. Contract Amendment for Work on Specialized Investigators Basic, Requalification and District Attorneys Investigation Courses.

In July 1999, POST entered into a sole-source contract with Hugh Foster, formerly of Golden West College, for services to update the Specialized Investigators' Basic Course, the Requalification Course, and the District Attorneys' Trial Preparation and Investigation Course. Before completion of the update work, Mr. Foster exhausted all of the hours under the original contract. Staff recommends extension of the contract to allow completion of the work.

After some discussion by Commission members, Chairman TerBorch stated that California law mandates the Commission on POST as the body that sets the minimum training standards for all law enforcement in the State. The Commission has a duty to establish training criteria to ensure that all law enforcement personnel meet the same high standards. Any money invested in such training is for the good of local agencies because it gives assurance that in tense situations, state law enforcement officers have adequate training when they are standing side-by-side with local law enforcement personnel.

Finance Committee Chairman, Tom Knutson, reported that the Finance Committee addressed this issue the previous day, and recommended approval by the Commission.

MOTION - Kolender, Second - Baca, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to amend the existing contract with Hugh Foster for completion of the work on the SIBC, the Requalification Course, and the District Attorneys' Trial Preparation and Investigation Course at a cost not to exceed \$25,624.

F. Request for Public Hearing for Modification to Specialized Investigators Basic Course

Staff reported that this item is a request for a public hearing to be held in April 2000, for the purposes of approving specifications for Specialized Investigators Basic Course (SIBC) and approving specific changes to regulations. The last review of curriculum and hours was in 1994.

POST staff and a select committee comprised of training managers, course presenters, state agency supervisors, and trainers have reviewed the SIBC curricula and concur that changes are necessary to ensure that the course continues to meet the current training needs of state peace officers.

Staff proposed an increase of the minimum hours from 364 (plus 64 hours for P.C. 832) to 587 hours, and to incorporate the P.C. 832 Arrest and Firearms Course into the core of the SIBC. This would eliminate the P.C. 832 Course as a prerequisite.

The proposed changes align the SIBC more closely with the Regular Basic Course curriculum and testing. There is a 159-hour net addition to the SIBC if the proposed changes are approved.

MOTION - Knutson, Second - Holden, carried unanimously to approve setting a public hearing date for the April 2000 Commission meeting to receive testimony concerning the proposed changes to Regulation 1005(a)(5) and Procedure D-1-5 regarding the Specialized Investigators' Basic Course.

G. Proposal to Develop Student Workbooks for the Specialized Investigators' Basic Course

Staff reported that this request is to solicit bids for development of four workbooks for the four learning domains that would be established for the SIBC course under the curriculum defined under "Item F", above.

Four workbooks need to be developed, specifically, Learning Domain 60 - Vehicle Operations and Surveillance; Learning Domain 61 - Administrative Procedures; Learning Domain 62 - Case Management and Sources of Information; and Learning Domain 63 - Computer Crime and Seizure.

Finance Committee Chairman, Tom Knutson, reported that this matter was reviewed by the Finance Committee at its meeting the previous day, and the Committee recommended approval by the Commission.

After a brief discussion, it was affirmed that the workbooks will be sold and there would be a cost recovery.

MOTION - Holden, Second - Hunt, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to 1) release a Request for Proposal for development of the four workbooks and, 2) enter into a contract to develop and deliver workbooks for four domains at the conclusion of the Request For Proposal process at a cost not to exceed \$120,000.

H. Proposal to Develop Additional Field Training Officer Program Video-Based Scenarios

Staff reported that this item is a request for a contract for the development and production of video training scenarios for the Field Training Officer Program.

At the Advisory Committee meeting the previous day, staff demonstrated the first phase of the Field Training Officer (FTO) Program video scenarios. The current request is to provide advanced scenarios dealing with such topics as domestic violence, hazing, sexual harassment, ethics, officer safety, use of force, and report writing. The proposal is for another 16 FTO videos for field use.

Finance Committee Chairman, Tom Knutson, reported that this item was reviewed by the Finance Committee the previous day and recommended the Commission's approval. Dr. Knutson also stated that after having watched the demonstration during the Advisory Committee meeting, he and others came away with a profound appreciation for the excellent work done on the videos. He commended staff for the production of such excellent "state of the art" material.

MOTION - Hunt, Second - Flannagan, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to enter into a

contract with a public entity to develop the second phase of the Field Training Officer Course video-based scenarios at a cost not to exceed \$100,000.

COMPUTER SERVICES

I. Request for Contract Increase for Student Assistant Services

POST's Computer Services unit has contracted with the CSUS Foundation to obtain Student Assistants for several years. The current contract was established at \$9,999. An increase of \$5,000 will allow one Student Assistant to remain at POST part-time until June 30, 2000. The Student Assistants complement the full time staff by performing necessary installation and maintenance tasks.

Tom Knutson, Chair of the Finance Committee reported that this issue came before the Finance Committee the previous day and the committee recommended approval by the Commission.

MOTION – Knutson, Second – Hunt, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to increase contract funding with CSUS Foundation for Student Assistant Services to \$14,999.

INFORMATION SERVICES

J. Proposed Changes to Regulation 1003, Notice of Appointment/Termination.

Changes to the Notice of Appointment/Termination form (POST 2-114) are being proposed to require agencies to notify POST when personnel are promoted or demoted. This change would require agencies to submit a Notice of Appointment/Termination form for all officers promoted to first level supervisory, middle management, or executive positions. The promotional information will be stored in the POST Peace officer database. This procedure will enable accurate tracking of mandatory training that is required subsequent to promotion. The information is necessary for Training Delivery and Compliance Bureau to conduct accurate training compliance audits. Additionally, the procedure should include notice to POST when officers have a name change.

MOTION - Kolender, Second - Cobb, carried unanimously to schedule a public hearing on this proposal to be held at the April 2000 meeting.

K. Regulatory Review and Clean Up

In compliance with Executive Order W-131-96, issued by former Governor Pete Wilson, which required state agencies to identify unnecessary or redundant regulations, staff proposes changes to Commission Regulations 1001-1005. The recommended changes deal primarily with adding, amending, and/or deleting language in those regulations, as well as amending Regulation 1000. The proposed changes are not substantive in nature and will not add any new requirements or regulations affecting agencies participating in the POST program.

MOTION - Hunt, Second - Knutson, carried unanimously to give notice by means of the Notice of Proposed Regulatory Action process, with the changes to become effective 30 days after approval by the Office of Administrative Law.

Due to intermittent business commitments of some Commissioners, items requiring roll call votes were deferred to the latter portion of the meeting.

TRAINING PROGRAM SERVICES

M. Report on the Voluntary Basic Course Instructor Certification Program

The Voluntary Basic Course Instructor Certification Program was developed at the request of the Commission in April 1998, to partially fulfill the POST Strategic Plan objective B.13: "Establish selection guidelines and certification and training programs for instructors." The program was pilot tested at six different academies and appears to be a very effective program. A report on this program was presented to the Commission, along with a *Guidelines and Curriculum* document. Staff's recommendation is to extend the availability of the program to other interested basic academies.

There was a brief discussion of this issue.

MOTION – Holden, Second – Flannagan, carried unanimously to accept the Report on the Voluntary Basic Course Instructor Certification Program, including the *Guidelines and Curriculum* document, and approve extending the program to all interested basic academies.

Report of the Long Range Planning Committee

- S. Rick TerBorch, Chairman of the Long Range Planning Committee, reported that the Committee met at the Los Angeles Sheriff's Department, Administrative Headquarters, on December 28, 1999, at 1:00 P.M. Present were Commissioners Baca, Holden, Hunt, Knutson, Kolender and TerBorch. POST Staff present were Executive Director, Ken O'Brien, Mike DiMiceli and Hal Snow.

In addition to items already addressed on the agenda, the Committee received reports on the following issues:

1. Proposed Changes to Penal Code Section 13511(b)

This section requires the Commission to provide an opportunity for testing in lieu of attendance at a basic academy. The proposed amendment will provide additional flexibility to the Commission to develop regulations and alternative means to satisfy this training requirement. The Committee accepted the report and recommends the Commission's approval of the proposal to seek an amendment to Section 13511(b), P.C.

MOTION – Knutson, Second – Holden, carried unanimously, to accept the recommendation of the Committee to seek an amendment to Section 13511(b), P.C.

2. Additional Prerequisites for the Regular Basic Course

The POST Strategic Plan calls for an examination of the feasibility of establishing additional prerequisites for the Regular Basic Course. The staff report described the preliminary work that has been done to identify possible topics for further study.

Following discussion, the consensus of the Committee was to direct staff to consider expanding the list of possible prerequisite topics and to continue the study project.

3. Crime Victim's Video Project

The Committee received a report concerning a POST video that dealt with crime victims. The Committee accepted staff's report and recommends that the Commission give approval to add this video to the regular pool of videos maintained and distributed through KPBS in San Diego, pursuant to a separate contract.

MOTION – Knutson, Second – Baca, carried unanimously to add the video to the regular pool of videos that is maintained and distributed by San Diego State University, KPBS, pursuant to a separate contract.

4. Recognition of Out-Of-State Training to Satisfy the Continuing Professional Training (CPT) Requirement

Following a lengthy discussion, the consensus of the Committee was to accept the report and direct staff to expand the scope of the research concerning training courses and positions that would be covered by this proposal, and report back to the Long Range Planning Committee.

5. Incorporation of Perishable Skills Into the Continuing Professional Training (CPT) Requirement

Following discussion, the consensus of the Committee was to direct staff to continue the research, consider adding interpersonal skills and First Aid/CPR to the list of topics, and to continue to explore the concept of testing in lieu of the training.

6. Basic Academy Testing

The POST Strategic Plan calls for increased testing in the basic course. The Committee received and approved this informational report, which described the status of the project to develop and validate midcourse and end-of-course (final) tests for the Regular Basic Course.

7. Training Course Audit Program

The Committee also received and approved an informational report on the Training Course Audit Program. In accordance with the POST Strategic Plan objective to assess the quality of certified training courses, staff proposed to significantly increase auditing activities. A Budget Change Proposal (BCP) for \$346,000 to support an expanded auditing program for training courses has been approved by the Department of Finance and awaits final approval by the Legislature in April 2000. If the BCP is approved, implementation of the expanded audit program will take place in FY 2000/01.

8. Revisions to Commission Policy Manual for 2000

This item was postponed for action until the Commission meeting in April 2000.

L. Proposed Approval of Contracts for Driving Simulator Training & Force Option Simulator Training for Fiscal Year 1999/2000

Staff reported that this proposal would authorize the Executive Director to enter into negotiations individually with specified presenters to offer driving and/or force option simulator training during Fiscal Year 1999/2000. The contracts will replace the tuition for the training that is currently approved.

Commissioner Knutson, Chairman of the Finance Committee, reported that the Finance Committee had discussed this item and recommends approval.

MOTION – Hunt, Second – Cobb, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to enter into contracts with identified training presenters to present driving and force option simulator training for the remainder of FY 1999/2000, at a cost not to exceed \$399,000.

N. Request for Contract with Sacramento County Sheriff's Department to Establish a Multimedia Courseware Testing Laboratory

Staff reported that this proposal is for POST to contract with the Sacramento County Sheriff's Department to establish a computer laboratory for testing multimedia courses. This laboratory would be located in an existing in-service training facility at the Sheriff's Department and would be used jointly by POST and the Sheriff's Department. POST would use the facility as a courseware testing laboratory and the Sheriff's Department would use the facility for conducting training.

Chairman of the Finance Committee, Tom Knutson, reported that this item came before the Committee, was discussed, and the Committee recommends approval.

MOTION – Hunt, Second – Holden, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to enter into a contract with the Sacramento County Sheriff's Department, at a cost not to exceed \$50,000, for the establishment of a laboratory for testing computer-based multimedia courseware.

O. Request for Interagency Agreement with San Diego State University/KPBS to Manage the Development of CD-ROM Training Courses

In 1998, the Commission authorized replacement of the interactive videodisc (IVD) systems with CD-ROM interactive multimedia computer systems. The Commission also authorized staff to convert several of the existing IVD courses to CD-ROM format and to begin developing new courses on CD-ROM.

Staff's recommendation is for approval for POST to enter into an agreement with San Diego State University, KPBS, to manage the development of additional courses. Because the Learning Technology Resource Center staff is currently engulfed in work and unable to manage any additional projects, this also presents an opportunity to increase the production of courseware.

Finance Committee Chairman, Tom Knutson, reported that this item came before the Finance Committee and the Committee recommends approval.

MOTION – Hunt, Second – Knutson, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to enter into an interagency agreement with San Diego State University/KPBS for an amount not to exceed \$125,000 to provide management services from March 2000 through June 2001, for the conversion of IVD courseware and development of new interactive multimedia courseware.

P. Request for Approval to Expend VAWA Funds for Purchase of Mosaic 20, Domestic Violence Lethality Assessment Software

In August 1997, the Commission voted to accept a Violence Against Women Act (VAWA) Law Enforcement grant in the amount of \$2,929,112. As a result of this grant, several training courses were designed and presented to law enforcement. The importance of lethality assessment is presented in some of these courses.

Currently, \$360,000 is unspent from the 1996-97 funds with the spending deadline for this money extended to March 2000. Staff proposes utilizing a portion of these grant funds to purchase copies of Mosaic 20 software – a “risk assessment” software which has proven to be very successful with pilot agencies that have used it. The software would be distributed to law

enforcement agencies that have participated in the VAWA training courses dealing with lethality assessment.

Finance Committee Chairman, Tom Knutson, reported that the Committee had heard this item and recommends approval.

There was a brief discussion by the Commission.

MOTION – Hunt, Second – Kolender, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into a sole source contract with Gavin DeBecker, Incorporated, for the purchase of Mosaic 20 software for qualifying law enforcement agencies, in an amount not to exceed \$350,000.

Q. Requested Contract Amendment for San Diego Regional Training Center for the Robert Presley Institute of Criminal Investigation

POST annually contracts with the San Diego Regional Training Center to conduct curriculum update workshops for various Robert Presley Institute of Criminal Investigation (ICI) training courses. During this fiscal year four curriculum update workshops were funded by POST. It is proposed that the contract be amended to update three training courses, along with other needed adjustments.

Finance Committee Chairman, Tom Knutson, reported that the Committee had heard this item and recommends approval.

MOTION – Hunt, Second – Flannagan, carried unanimously by ROLL CALL VOTE, to authorize the Executive Director to amend the current fiscal year's contract with the San Diego Regional Training Center for additional ICI Instructor and Curriculum Development Workshops in an amount not to exceed \$44,307.

Report of the Finance Committee

- R. Commissioner Knutson, Chairman of the Finance Committee, reported that the Finance Committee met on January 26, 2000, in San Diego. In addition to the items already considered, the Committee discussed the following issues:

The Committee received a briefing on the Second Quarter Financial Report. The Report reflects that training volume and reimbursement expenditures have increased appreciably over the same period last year; revenues to the Peace Officers Training Fund have also increased.

Projections for the balance of this fiscal year indicate that available training funds can be expended.

Commissioner Knutson reported that a copy of the Governor's proposed Budget for POST for FY 2000/01 was received by the Committee. Significant features of the Budget are a permanent increase of \$4 million in POST spending authority and a one-time increase of \$7.6 million to fund an additional POST investment in driving and force option simulator training. Overall, the budget proposed an increase from approximately \$48 million to approximately \$61 million.

Additionally, staff presented a proposed revision of Commission Procedure E-4. This procedure publishes Commission policies concerning a variety of training reimbursement issues. The Committee recommended that staff publish a revision for the Commission that deletes archaic policies relating to salary reimbursement and includes recent past policies concerning backfill reimbursement.

Following discussion, the Committee further recommended that past policies of the Commission imposing an 80-hour annual cap on reimbursement for in-service training be rescinded effective immediately.

Finally, the Committee reviewed annually recurring contracts and recommends that staff negotiate new contracts for FY 2000/2001.

MOTION – Flannagan, Second – Baca, carried unanimously to accept the Finance Committee Report.

Following the motion, there was a discussion concerning "backfill reimbursement". Commissioner Hunt stated that backfill reimbursement puts an undue burden upon large agencies – specifically, the Los Angeles Police Department. There was consensus that this problem should be addressed at a future meeting.

Legislative Review Committee

- T. Commissioner Kolender reported that the Legislative Review Committee met January 27, 2000.

The following legislation was discussed by the Committee:

Two Year Bills

AB 1326 (Baugh), pertains to the "Miranda Rights Training". It was amended earlier this month and no longer impacts POST in any way.

Due to the amendment, the Committee recommended that POST take no position.

AB 1494 (Wildman), requires the Commission to complete a feasibility study on a proposed change in designation for the Los Angeles Unified School District Police Department.

SB 66 (Murray), would require POST to incorporate specific cultural diversity topics in the Basic Course and would require California peace officers to receive refresher training in this area every five years.

SB 122 (Haynes), creates the Public Safety Training Facilities Fund which would finance a three-year pilot project to develop three regional skills centers.

SB 381 (Baca), seeks to remove body armor from the category of "recommended safety equipment" to the category of "required safety equipment" to be furnished to peace officers. It was noted that the author of this legislation has now been elected to Congress and no other state legislator has assumed this bill.

New Legislation

AB 1442 (Shelley), clarifies existing elder abuse training topics currently offered by POST, and sets up an elder abuse media campaign through the Attorney General's office. The Committee recommended *support*.

AB 1718 (Hertzberg), mandates recurring training in the handling of individuals with developmental disabilities or mental illness. POST is currently providing training in this area consistent with past legislative intent and the expressed need of the law enforcement community. The author has expressed a desire to work with POST to amend the proposal so that, while it would provide for additional training, it would not impose excessive training time or expense to the field. Until this is accomplished, the committee recommends an *oppose unless amended* position.

Bills Monitored by POST

SB 1353 (Rainey) provides protection for reserve officers.
AB 1762 (Villaraigosa) – Mental Illness Task Force pilot.

Proposed Legislation for 2000

Safety Retirement for POST staff formerly employed as peace officers.
POST is currently negotiating with DPA.

Training in Lieu of the Basic Academy

This bill would amend current Penal Code language to allow POST to streamline the Basic Course waiver examination process.

MOTION – Kolender, Second – Knutson, carried unanimously to accept the report of the Legislative Review Committee.

Report of the Strategic Plan Implementation Committee

- V. Hal Snow, Assistant Executive Director, who oversees the Committee reported that although the Committee has not met recently, a great deal of progress has been made in implementing the Strategic Plan.

OLD/NEW BUSINESS

- W. Reappointment of POST Advisory Committee Members

MOTION – Hunt, Second – Kolender, carried unanimously that the following members be reappointed to serve on the Advisory Committee:

Chief Kevin Mince, Commander of Personnel and Training,
recommended by the California Highway Patrol;
Leo Ruelas, recommended by the California Community College
Chancellor's Office.

- X. Appointment of Nominating Committee

Chairman TerBorch appointed the following three members to the Commission Nominating Committee:

- Tom Knutson, Chair
- Lee Baca, member
- Ted Hunt, member

The Nominating Committee was instructed to report back at the April 2000 meeting with its recommendations for the offices of Commission Chairman and Vice Chairman, both offices to become effective July 2000.

FUTURE COMMISSION MEETINGS

April 27, 2000 – Hilton San Pedro, San Pedro, California
(formerly scheduled for April 20, 2000, but changed due to a conflict with another statewide event.)

July 20, 2000 – Holiday Inn, San Francisco International Airport, San Francisco

November 2, 2000 – Holiday Inn Northeast, Sacramento

January 25, 2001 – Piccadilly Inn Airport, Fresno.

The Chairman announced that the scheduled Executive Session was continued to the April, 2000 meeting.

Adjournment.

Respectfully submitted,

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COMPUTER SERVICES

I. Request for Contract Increase for Student Assistant Services

POST's Computer Services unit has contracted with the CSUS Foundation to obtain Student Assistants for several years. The current contract was established at \$9,999. An increase of \$5,000 will allow one Student Assistant to remain at POST part-time until June 30, 2000. The Student Assistants complement the full time staff by performing necessary installation and maintenance tasks.

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MOTION - Kolender, Second - Cobb, carried unanimously to schedule a public hearing on this proposal to be held at the April 2000 meeting.

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MOTION - Hunt, Second - Knutson, carried unanimously to give notice by means of the Notice of Proposed Regulatory Action process, with the changes to become effective 30 days after approval by the Office of Administrative Law.

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There was a brief discussion of this issue.

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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report - Third Quarter 1999-2000		Meeting Date April 27, 2000
Bureau Administrative Services Bureau	Reviewed By <i>[Signature]</i> Frederick Williams	Researched By Staff
Executive Director Approval <i>[Signature]</i> Kenneth J. O'Brien	Date of Approval 4-11-00	Date of Report April 10, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

This report provides financial information relative to the local assistance budget through March 31, 2000. Revenue which has accrued to the Peace Officers' Training Fund is shown, as are expenditures made from the 1999-00 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through March 31, 2000. We received \$39,548,831. The total is \$1,825,581 more than originally anticipated, and is \$1,714,202 more than received for the same period last fiscal year. (See Attachment 1).

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 43,253 trainees reimbursed through the third quarter represent an increase of 2,128 (5%) compared to the 41,125 trainees reimbursed during the similar period last fiscal year. (See Attachment 2).

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the third quarter of \$15,827,675 represent a \$2,683,682 (20%) increase compared to last fiscal year. (See Attachments 3 and 4).

SUMMARY - Revenue received for the first six months of the fiscal year is \$1.8 million more than anticipated. Similarly, the number of trainees during the second quarter significantly exceeds the number reimbursed for training during the same time frame last year. These occurrences have contributed to reimbursements which amount to a significant increase over what was the case last year.

Updated projections will be provided to the Finance Committee at its April 26, 2000 meeting.

File: REVENUE

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1998-1999 AND 1999-2000

1998-99					1999-2000							
MONTH	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER *	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
JUL	2,990,479	879,426	18,989	\$3,888,894	\$4,161,750	3,531,568	1,047,898	37,846	\$4,617,310	110.95%	\$4,617,310	110.95%
AUG	2,861,730	1,137,131	23,988	\$7,911,743	8,323,500	3,089,514	1,242,972	31,832	\$4,364,318	104.87%	8,981,628	107.91%
SEP	2,999,959	1,371,787	19,389	\$12,302,876	12,485,250	3,450,836	1,232,194	30,034	\$4,712,864	113.24%	13,694,492	109.69%
OCT	2,753,725	1,259,214	20,626	\$16,336,443	16,647,000	3,095,393	1,245,629	12,620	\$4,353,642	104.61%	18,048,134	108.42%
NOV	2,711,610	1,239,958	24,613	\$20,312,622	20,808,750	3,019,827	1,209,755	44,991	\$4,274,573	102.71%	22,322,707	107.28%
DEC	3,218,338	1,471,669	15,700	\$25,018,327	25,238,000	2,971,741	1,195,590	14,965	\$4,182,296	94.42%	26,505,003	105.02%
JAN	2,675,323	1,223,362	484,034	\$29,401,046	29,399,750	2,880,985	1,159,077	780,009	\$4,820,071	115.82%	31,325,074	106.55%
FEB	2,703,214	1,236,116	36,342	\$33,376,718	33,581,500	2,667,821	1,081,363	31,505	\$3,800,889	91.32%	35,125,763	104.66%
MAR	3,041,813	1,390,949	25,149	\$37,834,629	37,723,250	3,134,523	1,281,080	27,465	\$4,423,068	106.28%	39,548,831	104.84%
APR	2,794,741	1,276,047	20,922	\$41,928,039	41,885,000				\$0	0.00%	39,548,831	94.42%
MAY	2,923,611	1,337,114	76,141	\$46,264,905	46,046,750				\$0	0.00%	39,548,831	85.89%
JUN	3,324,927	1,520,413	492,648	\$51,602,893	50,478,000				\$0	0.00%	39,548,831	78.35%
TOTAL	\$34,999,468	\$15,345,184	\$1,256,241	\$51,602,893	\$50,478,000	\$27,862,008	\$10,675,558	\$1,011,267	\$39,548,831	78.35%	\$39,548,831	78.35%

* - Includes \$172,748 from coroner permit fees (per Ch 990/90)

***-Per Section 24.10, Budget Act of 1999

COMMISSION ON POST
NUMBER OF REIMBURSED TRAINEES BY CATEGORY
MARCH

COURSE	1998-99			1999-2000		
	Actual Total For Year	Actual July-March	% of Total	Projected Total For Year	Actual July-March	% of Projection
Basic Course	1,028	802	78%	1,100	1,003	91%
Dispatchers - Basic	324	235	73%	350	254	73%
Advanced Officer Course	1,878	1,541	82%	2,000	1,571	79%
Supervisory Course (Mandated)	634	466	74%	650	417	64%
Management Course (Mandated)	289	175	61%	300	195	65%
Executive Development Course	334	250	75%	350	172	49%
Supervisory Seminars & Courses	3,708	2,711	73%	3,800	2,747	72%
Management Seminars & Courses	2,185	1,200	55%	2,200	1,165	53%
Executive Seminars & Courses	599	358	60%	600	368	61%
Tech Skills & Knowledge Course	45,834	32,407	71%	46,000	34,427	75%
Field Management Training	48	38	79%	50	12	24%
Team Building Workshops	611	422	69%	650	416	64%
POST Special Seminars	770	486	63%	800	492	62%
Approved Courses	35	34	97%	50	14	28%
Tools for Tolerance	278	0	0%	0	0	N/A
TOTALS	58,553	41,125	70%	58,900	43,253	73%

* - 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

1998-99

1999-2000

COURSE	Total For Year	Actual July-March	Actual March	Actual July-March
Basic Course	\$1,578,101	\$1,199,418	\$382,948	\$1,331,444
Dispatchers - Basic	291,427	201,604	4,134	207,885
Advanced Officer Course	136,899	118,020	12,744	140,998
Supervisory Course (Mandated)	421,713	321,670	31,854	259,384
Management Course (Mandated)	329,639	206,175	23,025	232,069
Executive Development Course	278,418	215,000	13,080	150,456
Supervisory Seminars & Courses	1,546,542	1,156,673	222,512	1,205,694
Management Seminars & Courses	810,440	469,462	62,054	431,637
Executive Seminars & Courses	244,676	144,950	12,161	141,265
Tech Skills & Knowledge Course	11,991,098	8,386,271	1,154,333	10,656,557
Field Management Training	24,246	18,472	0	5,341
Team Building Workshops	305,019	210,464	37,436	230,915
POST Special Seminars	238,102	137,469	35,082	180,537
Approved Courses	4,037	3,988	0	2,177
Training Aids Technology	914,181	354,357	36,956	651,316
Tools for Tolerance	73,478	0	0	0
TOTALS	\$19,188,016	\$13,143,993	\$2,028,319	\$15,827,675

* - \$902,135 for 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget.

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1998-99 Total	1998-99 July-March	2000 March	1999-2000 July-March
Resident Subsistence	\$9,910,210	\$7,045,221	\$905,651	\$6,944,486
Commuter Meal Allowance	1,103,211	812,339	70,513	697,196
Travel	3,022,140	2,155,678	240,336	2,116,678
Tuition	3,400,251	2,402,961	421,712	2,983,570
Backfill Salary	764,545	373,437	353,151	2,434,429
Training Technology Assistance	914,181	354,357	36,956	651,316
Tools for Tolerance Training	73,478	0	0	0
TOTALS	\$19,188,016	\$13,143,993	\$2,028,319	\$15,827,675

* - \$902,135 for 2,554 trainees rolled over from June and paid in July 1999 so as not to exceed FY 98-99 budget .

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

MUSEUM OF TOLERANCE

EXPENSE CATEGORIES	FY 1998-99 Total	1998-99 July-March	2000 March	1999-2000 July-March
Resident Subsistence	\$313,089	\$279,676	\$12,610	\$155,182
Travel	196,889	169,487	13,006	103,633
TOTALS	\$509,978	\$449,163	\$25,616	\$258,815

Reimbursed Trainees	2,471	2,129	119	1,168
Total Trainees (through February)	7,078	6,136	792	4,743

**COMMISSION ON POST
EXPENDITURE SUMMARY
FISCAL YEAR 1999-00
(AS OF 3-31-00)**

RESOURCES		\$68,739,000
Revenue Projection	36,476,000	
Budget Act Revenue (Sec 24.10)	14,000,000	
Beginning Fund Balance/Reserve	18,263,000	

EXPENDITURES:

ADMINISTRATION		\$10,802,000
TRAINING CONTRACTS/LA		\$15,114,709
Contracts Approved (See list)	13,214,709	
Letters of Agreement	1,700,000	
Conf Room Rental	200,000	
TRAINING REIMBURSEMENT	(Trainees: 62,246)	\$23,701,344
Subsistence	10,285,000	
Commuter meals	1,341,166	
Travel	3,035,439	
Tuition	4,539,739	
Backfill	3,500,000	
Training Aids Technology	1,000,000	
MUSEUM OF TOLERANCE		\$2,000,000
Contract	1,556,000	
Reimbursements	444,000	

EXPENDITURES, TOTAL	\$51,618,053
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BUDGET AUTHORIZATION	\$47,980,000
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RESERVES/DEFICIT	
Deficit-A	-\$3,638,053
Unavailable Reserves-B	\$20,759,000

A-This is the amount by which estimated expenditures exceed the authorized level of expenditure per the Governor's Budget

B-Expenditure of any of this reserve is not permissible as it would exceed the authorized level of expenditure

FY 99-00 TRAINING CONTRACTS

Commission Approved Training Contracts

Management Course	\$ 479,934
Executive Training	485,397
Supervisory Leadership Institute	929,647
DOJ Training Center	1,999,751
Satellite Video Training	110,000
Case Law Updates	74,000
Telecourse Programs	940,000
Basic Course Proficiency Exam-CPS	103,187
Basic Narcotic, Motorcycle, and Driver Training	2,222,658
Master Instructor Program	283,128
ICI Core Course (SFPD)	117,759
PC 832 Exam-CPS	46,528
Labor/Management Partnership Course	87,608
Entry Level Reading/Writing-CPS	139,271
Entry Level Dispatcher Selection Test Battery-CPS	180,000
Cultural Diversity Training (SDRTC)	169,582
Transition Pilot Program Testing-CPS	54,900
ICI Core & Homicide Course-Sac RCJTC	297,075
ICI Core Course - SDRTC	350,688
ICI - CSU, SJ	196,168
ICI - LAPD	102,773
ICI Homicide Course-LASD	91,414
Instructor Workbooks-OSP	302,801
Basic Course Modular Format-CPS	22,241
Job Analysis of Supervisors & Managers	300,000
Driver Training Scenarios-LASD	33,000
Develop Student Workbooks (FY 96-7:JWK)	222,655
Crime Analysis Training-CSUS	80,000
Driver Training & Force Options Simulators-So. Bay RTC	834,800
Force Options Simulator-West Covina	100,000
Convert PC 832 IVD to CD-ROM	190,000
ICI Hate Crimes Course Pilots	51,900
ICI Sexual Assault & Child Abuse Courses	124,484
Basic Supervisory Course Pilot	180,000
Supervisory Course Instructors' Training Workshop	108,000
Management Fellow - Recruitment	130,000
Alameda County SD Driver Training Simulator Augmentation	10,000
Tactical Communications/Verbal Judo Instructor Training	49,429
Contract Amendment-Specialized Investigators Courses	25,624
Student Workbooks for Specialized Investigators' Basic Course	120,000
FTO Course Video-Based Scenarios	100,000
Driver Training & Force Options Simulator Training	399,000
Multimedia Courseware Testing Laboratory	50,000
CD-ROM Training Courses	125,000
Contract Amendment-ICI Instructor Workshops	44,307
Miscellaneous Contracts Under \$10,000 (Annual Estimate)	150,000
Total Training Contracts	\$ 13,214,709

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>Dick Reed</i>	Researched By Rachel S. Fuentes <i>Rachel S. Fuentes</i>
Executive Director Approval <i>Kenneth J. Obrien</i>	Date of Approval 4-3-00	Date of Report March 31, 2000
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

The following courses have been certified or decertified since the January 27 2000 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Report Writing	San Francisco P.D.	Technical	N/A	\$ -0-
2. Level III Modular Training Part 2	Merced College	BC Modular Format	N/A	-0-
3. Defensive Tactics Instructor, Adv.	Ray Simon CJTC	Technical	II*	10,800
4. Level I Modular Training	Tulare-Kings L.E. Advisory Board	BC Modular Format	N/A	-0-
5. Level II Modular Training (Intensive)	Tulare-Kings L.E. Advisory Board	BC - Modular Format	IV	24,425
6. Level II Modular Training	Tulare-Kings L.E. Advisory Board	BC - Modular Format	N/A	-0-
7. Level I Modular Training (Intensive)	Tulare-Kings L.E. Advisory Board	BC - Modular Format	IV	29,900
8. Level III Modular Training Part 2 (Intensive)	Tulare-Kings L.E. Advisory Board	BC - Modular Format	N/A	17,550
9. Level III Modular Training	Tulare-Kings L.E. Advisory Board	BC - Modular Format	N/A	-0-

*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
10. Skills & Knowledge Modular Modular Training	Selma P.D.	Technical	IV	\$ 3,920
11. Skills & Knowledge Modular Modular Training	CSU San Marcos P.D.	Technical	IV	5,292
12. FTO Update	Long Beach P.D.	Technical	II*	4,000
13. Firearms/Tactical Rifle	Orange Co. S.D.	Technical	II*	13,160
14. Skills & Knowledge Modular Training	San Diego Harbor P.D.	Technical	IV	4,000
15. Crime Prevention - Multi- Housing	El Cajon P.D.	Technical	III	9,024
16. Traffic Collision - Computer Diagramming	Los Medanos College	Technical	IV	9,050
17. Level II Modular Training	Sierra College	BC Modular Format	N/A	-0-
18. Level II Modular Training	Palomar College	BC Modular Format	N/A	-0-
19. Level III Modular Training	Palomar College	BC Modular Format	N/A	-0-
20. Interview/Advanced Forensic	CSU, Sonoma	Technical	IV	19,440
21. Cal Gang End User	San Jose P.D.	Technical	IV	3,600
22. Supervisory Update	San Jose P.D.	Supv. Trng.	IV	1,500
23. Traffic Collision-Photography	San Jose P.D.	Technical	III	15,200
24. Supervisory Update	San Mateo P.D.	Supv. Trng.	IV	1,260
25. Gang Awareness Update	Monterey Pen. Col.	Technical	II*	48,600
26. Gang Awareness Update	Los Medanos College	Technical	II*	8,000
27. Defensive Tactics Update	San Mateo S.D.	Technical	II*	4,000
28. Level II Modular Training	Porterville LETC	BC Modular Format	N/A	-0-

*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
29. Level II Modular Training	Allan Hancock College	BC Modular Format	N/A	\$ -0-
30. Level II Modular Training	Kern Co. S.D.	BC Modular Format	N/A	-0-
31. Firearms/Tactical Shotgun	Santa Rosa Center	Technical	II*	3,240
32. Driver Training Simulator	Ray Simon CJTC	Technical	I*	10,368
33. Patrol Officer Update	San Joaquin Co. S.D.	Technical	IV	5,460
34. Public Speaking for L.E.	FBI, Sacramento	Technical	IV	1,008
35. Management Update Seminar	Cal State Sheriff Assn.	Mgmt. Trng.	IV	12,870
36. Instructor Dev. - Basic Course	Sacramento Co. S.D.	Technical	IV	7,258
37. Leadership Development	Los Angeles Co. S.D.	Technical	IV	19,000
38. Line-of-Duty Deaths	Bakersfield P.D.	Technical	N/A	-0-
39. Crime Scene Investigation	CA Highway Patrol	Technical	IV	8,820
40. Level II Modular Training	Cerro Coso College	BC Modular Format	N/A	-0-
41. Gang Abatement	CSU, Long Beach	Technical	III	18,000
42. Vice Enforcement for Patrol	Fresno P.D.	Technical	IV	800
43. Special Weapons & Tactics, Adv.	Golden West College	Technical	IV	1,000
44. Level II Modular Training	College of the Siskiyou	BC Modular Format	N/A	-0-
45. Level II Modular Training	Martinez Adult School	BC Modular Format	N/A	-0-
46. Firearms, Shotgun Patrol Update	Orange Co. S.D.	Technical	IV	8,000
47. Firearms, Semi-Auto Rifle	Richmond P.D.	Technical	N/A	2,080
48. Dispatcher, PS - Extended	Rio Hondo College	PS Dispatcher	N/A	-0-
49. Supervisory Update	Sacramento P.D.	Supv. Trng.	IV	8,505

*Backfill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
50. Advanced Officer	San Joaquin Co. S.D.	A.O.	IV	\$ 5,460
51. Bicycle Patrol - Adv.	Ventura CJTC	Technical	IV	4,048
52. Tactics-Covert/Crisis Entries	Oxnard P.D.	Technical	II*	480
53. Defensive Tactics Update	Santa Maria P.D.	Technical	II*	3,000
54. Arrest Control & Baton Upd.	Stockton P.D.	Technical	II*	108,864
55. Radar Operator	Santa Monica P.D.	Technical	IV	12,000
56. Dispatcher, PS Update	Yuba Co. S.D.	Technical	N/A	-0-
57. Domestic Violence Instructor	Napa Valley College	Technical	II*	1,800
58. Instr. Technology for LE	Sacramento Co. S.D.	Technical	III	17,280
59. Drug Influence - 11550 H&S	Napa Valley College	Technical	IV	11,200
60. Arrest & Control Instructor	Irvine P.D.	Technical	II*	7,980
61. Firearms Instructor Update	FBI, Sacramento	Technical	IV	1,120
62. Crime Prevention, Rural	San Diego Co. S.D.	Technical	IV	2,200
63. Terrorism: Biological/Chemical	CSU, Sacramento	Technical	N/A	-0-
64. Gang Awareness Update	Orange Co. S.D.	Technical	II*	24,000
65. LIDAR - Basic Operator	CA Highway Patrol	Technical	IV	204
66. CCI-ID of Building Materials	CCI	Technical	IV	1,763
67. Firearms/Tactical Rifle	Siskiyou Co. S.D.	Technical	II*	-0-
68. COP/Policing Techniques Update	Monterey Co. S.D.	Technical	IV	3,000
69. Driver Training Update	Ray Simon CJTC	Technical	I*	107,520
70. COPPS Update	RCPI, Los Angeles	Technical	N/A	-0-

*Backfilled approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
71. CCI-Breathalyze: Fuel Cell	CCI	Technical	IV	11,970
72. Sexual Assault Inv.-1st Responder	San Diego RTC	Technical	IV	24,000
73. Standards of Conduct/LE Officials	CPOA	Technical	IV	532
74. Level II Modular Training	San Mateo College	Technical	N/A	-0-
75. Fraud: Worker's Comp. Claims	CPOA	Technical	IV	1,512
76. Pitchess Motion Update	CPOA	Technical	IV	630
77. Behavioral Philosophy of Successful Leadership	San Diego Co. S.D.	Technical	IV	1,000
78. Firearms/Tactical Rifle	Torrance P.D.	Technical	II*	8,000
79. Firearms/Tactical Rifle	Rio Hondo College	Technical	II*	34,272
80. Radar Operator	Sacramento P.D.	Technical	N/A	-0-
81. Rural Surveillance Training	Division of Forestry	Technical	N/A	-0-
82. Radar Operator	Lassen College	Technical	IV	750
83. Instructor Development	CA DP&R	Technical	IV	2,700
84. Defensive Tactics Update	Huntington Beach P.D.	Technical	II*	12,500
85. Firearms/Tactical Rifle	Culver City P.D.	Technical	II*	-0-
86. Vehicle Emissions Tampering	CA Air Resources Bd.	Technical	IV	5,249
87. Traffic Collision Inv., Intermediate	Bakersfield P.D.	Technical	IV	1,000

*Backfill approved courses

88. - 99. There were 12 additional IVD courses certified as of 3-31-00. To date, 208 IVD certified presenters have been certified and 812 IVD courses certified.
94. - 104. There were 5 additional Telecourses certified as of 3-31-00. To date, 450 Telecourse presenters have been certified.
- None There were no additional Proposition 115 Hearsay Evidence Testimony Course Presenters certified as of 3-31-00. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date, 296 presenters of Proposition 115 have been certified.

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1. The World of the 21 st Century	South Bay RTC	Supv. Trng.	
2. Legal Issues	South Bay RTC	Supv. Trng.	
3. Recruitment/Retention of Workers	South Bay RTC	Supv. Trng	
4. Budget Process	South Bay RTC	Supv. Trng	N/A
5. Business Technology	South Bay RTC	Supv. Trng	N/A
6. Century Management	South Bay RTC	Supv. Trng	N/A
7. Conflict Resolution	South Bay RTC	Supv. Trng	N/A
8. Training Issues	South Bay RTC	Supv. Trng	N/A
9. Workload Management	South Bay RTC	Supv. Trng	N/A
10. Performance Stds. Aprsl. Proc.	South Bay RTC	Supv. Trng	N/A
11. Documentation - Effective Dscpl.	South Bay RTC	Supv. Trng	N/A
12. Business Comm./Writing Skills	South Bay RTC	Supv. Trng	N/A
13. Project Management	South Bay RTC	Supv. Trng	N/A
14. Employee Relations	South Bay RTC	Supv. Trng	N/A
15. Media/Press Relations	South Bay RTC	Supv. Trng	N/A
16. Wellness	South Bay RTC	Supv. Trng	N/A

*Backfill approved courses

TOTAL CERTIFIED	<u>87</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>0</u>
TOTAL TELECOURSES CERTIFIED	<u>5</u>
TOTAL IVD COURSES CERTIFIED	<u>12</u>
TOTAL DECERTIFIED	<u>16</u>
TOTAL MODIFICATIONS	<u>160</u>

3,861 Skills & Knowledge Modules certified as of 3-31-00

812 IVD Courses as of 3-31-00

450 Telecourses as of 3-31-00

2,810 Other Courses certified as of 3-31-00

770 Certified Presenters

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Change in Status - Los Angeles City Housing and Oakland Housing Authority to POST Regular (Reimbursable) Program		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed <i>D.R.</i>	Researched By <i>Robert Spurlock</i> Bob Spurlock
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval	Date of Report March 14, 2000
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

Penal Code Section 13510 has been amended and Penal Code Section 13526.2 has been added to include the housing authority police departments of the City of Los Angeles and the City of Oakland as being entitled to receive funding from the Peace Officers' Training Fund.

BACKGROUND

Both agencies are currently members of the POST Regular (non-reimbursable) Program, City of Los Angeles Housing Authority Police Department with 78 peace officers since January 8, 1979 and City of Oakland Housing Authority Police Department with 34 peace officers since September 25, 1998, and have met all standards relative to participation in the POST Program.

ANALYSIS

The two agencies have a total of 112 peace officers. Fiscal impact is estimated at \$648 per officer for a total annual cost of \$73,000.

The agencies became eligible for this entitlement on January 1, 2000.

RECOMMENDATION

The Commission be advised that the City of Los Angeles Housing Authority Police Department and City of Oakland Housing Authority Police Departments have been moved from the POST Regular (Non-reimbursable) Program to the Regular (Reimbursable) Program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>D. W. Reed</i>	Researched By Bob Spurlock <i>Robert Spurlock</i>
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-27-00	Date of Report March 27, 2000
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 the Imperial County Sheriff's Department into the Public Safety Dispatcher Program.

BACKGROUND

The Imperial County Sheriff's Department has requested participation in the POST Reimbursable Public Safety Program pursuant to Penal Code Sections 13510(c) and 13525. The agency has expressed willingness to abide by POST Regulations and has passed an ordinance as required by Penal Code Section 13522.

There are currently 359 agencies participating in the program.

ANALYSIS

The agency presently employs 10 full-time dispatchers. The agency has established minimum selection and training standards which equal or exceed the standards adopted for the program. There will be no fiscal impact on the POST budget.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title San Diego County Marshal's Department - Withdrawal from POST Regular (Reimbursable) Program		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>D. Reed</i>	Researched By <i>Bob Spurlock</i> Bob Spurlock
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-7-00	Date of Report February 23, 2000
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 San Diego County Marshal's Department has been merged with the San Diego County Sheriff's Department as a result of a reorganization of county government. The effective date was December 31, 1999.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from William Kolender, San Diego County Sheriff's Department, has been received advising POST of that fact.

ANALYSIS

The department had 204 sworn officers.
This change will have no impact on the POST budget.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title San Bernardino County Marshal's Department -Withdrawal from POST Regular (Reimbursable) Program		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance Bureau	Reviewed By Dick Reed, Chief <i>D. Reed</i>	Researched By <i>Bob Spurlock</i> Bob Spurlock
Executive Director Approval <i>Kenneth D. Brinn</i>	Date of Approval 4-6-00	Date of Report March 30, 2000
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 San Bernardino County Marshal's Department has been merged with the San Bernardino County Sheriff's Department as a result of a reorganization of county government. The effective date was October 9, 1999.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from Gary Penrod, San Bernardino County Sheriff's Department, has been received advising POST of that fact.

ANALYSIS

The department had 162 sworn officers.
This change will have no impact on the POST budget.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Progress Report on Field Training Program		Meeting Date April 27, 2000
Bureau Basic Training Bureau	Reviewed By Bud Lewallen	Researched By Frank Decker/Kelly York
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-26-00	Date of Report February 25, 2000
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

This is a progress report on the Field Training Officer Program.

BACKGROUND

At the conclusion of a public hearing in November 1997, the Commission amended regulations and procedures to implement a mandatory, standardized field training program as part of the basic training requirement for peace officers in California. The regulation changes were approved by the Office of Administrative Law and became effective January 1, 1999.

ANALYSIS

The standardized program approved by the Commission mandates that regular officers hired on or after January 1, 1999 complete a minimum ten-week field training program before being allowed to perform general law enforcement patrol duties without immediate supervision. The same requirement was later extended to Level I Reserve Officers hired on or after July 1, 1999. Agencies in the POST Program that provide general law enforcement services are required to obtain POST-approval of their field training programs. Bulletin 98-1, dated January 9, 1998, was sent to those agencies to inform them of the impending mandates and the criteria that needed to be met in order to obtain POST approval. A waiver provision was also approved to accommodate any agency that was unable to comply with the program provisions due to either financial hardship or lack of availability of personnel who qualify to serve as FTOs.

Currently, there are 487 agencies in the POST Program that provide general law enforcement services and are required to have a POST-approved Field Training Program. To date, POST has received a total of 470 applications for review, and 459 (98%) have been approved. This includes 22 agencies that have been granted either a waiver or exemption. POST staff continues to work with the 11 agencies who have yet to obtain approval, and contacts continue with the 17 agencies that have not yet submitted an application nor requested a waiver.

In addition to approving all agency program packages, staff has been working on various projects related to the Field Training Program. In September 1998, the 40-hour Field Training Officer Course curriculum was updated and distributed to all 26 presenters. Development of 12-video based scenarios which supplement the instruction in the 40-hour Field Training Officer Course has just recently been completed. The scenarios are

specifically aimed at training new Field Training Officers (FTOs) on proper strategies to use when they are evaluating new officers. The videos are currently being reproduced and will be distributed shortly. Preliminary work has begun on the development of 16 additional video-based scenarios that will address more advanced and tactical situations.

Work continues on updating both the 24-hour FTO Update Course and Field Training Administrator Course. Pilot tests of the revised curriculum have been conducted and valuable feedback was received from the class participants. Staff hopes to have both curricula available by the summer.

POST received national recognition and praise as the first mandated field training program in the United States from the National Association of Field Training Officers (NAFTO) at their June 8-11, 1998 conference. One of many presentations at the conference was an overview of California's Field Training Program. NAFTO is using the POST Field Training Program Guide as a model to assist in its goal of implementing mandated field training programs nationwide.

The mandated field training program has been in place for over a year and by all accounts has been a success. A survey of a cross section sampling of agencies participating in the program indicates that the program is widely accepted and is not creating any difficulties or hardships. Despite its success, POST staff will continue to analyze and identify any needed changes with the program standards, methodologies for strengthening the tie between field training officers and basic academy training, and strategies for obtaining feedback from agencies participating in the program.

This report is provided for informational purposes only.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Driving and Force Options Simulator Course Curriculum.		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Forrest Billington
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-29-00	Date of Report March 28, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for 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 report is provided to the Commission for information on standardized curriculum for the Driving Simulator and Force Options Simulators to be presented in the Regional Skills Training Centers.

BACKGROUND

POST has provided funding for driving and force options simulators at 17 locations with an additional five locations planned for the fiscal year 2000-2001. These locations have been designated by POST as Regional Skill Centers.

The need to standardize this training as much as possible has been identified. The Commission is expending considerable financial resources in developing these Skill Centers. A previous staff study concluded that driver simulator training to be effective must be presented under carefully controlled conditions. This standardization is necessary to provide the maximum benefit to students receiving the training. A standardized curriculum also provides the benefit of making uniform costs to facilitate POST contracting. This relatively complex training makes use of sophisticated simulators and scenarios which suggest the need for not only standardized curriculums, but also uniform instructor training. Courses for instructors are being developed. A committee of subject matter experts assisted POST staff in the design of these courses.

ANALYSIS:

Each course is proposed for four hours in length. Both courses are intended to improve the judgmental decision making of officers when engaged in either driving or using force. These courses have been field tested and modified several times. Expanded outlines and PowerPoint presentations for each course will be developed once they are approved.

The Driving Simulator Course (Attachment A) provides for one instructor for up to six students and two instructors for seven or eight students. Curriculum includes Training Philosophy, Simulator Orientation, Driving Demonstration, Universe and Scenario Orientation, Vehicle Control Techniques Related to Simulator Program Application Phase, Emergency Vehicle Operation Regulations, Emergency Driving Policy and

Procedures, Vehicle Operation Tactics, and Program Critique. Students receive approximately one hour of classroom instruction and three hours on the simulator.

The proposed Force Options Simulators Course (Attachment B) calls for eight students with two instructors. Content includes Introductory Overview, Force Options, Weapons Safety, test, practical application simulator scenarios, and course evaluation and final review.

This report is provided to the Commission for information.

Four-hour Law Enforcement Driving Simulator Course
LEDS PRESENTATION OUTLINE

(Note: Each presenter will have to make adjustments to the curriculum to meet it's own specific needs, the outline was written for a AMOS 2.)

INSTRUCTOR-STUDENT RATIO: 2-8, MAXIMUM CLASS SIZE 8.

I. TRAINING PHILOSOPHY

- A. Create a Positive Attitude toward Vehicle Operation
- B. Increase Officer survival and public safety
- C. Increase Awareness as a Driver
- D. Review liability issues
 - 1. Lawsuits
 - 2. Disciplinary Action
 - 3. Monetary Losses and Loss due to injuries

II. LEDS SYSTEM ORIENTATION (CAP-204 LOADED)

- A. 5 Screens-220 Field of View
- B. Adjust Swivel Seat-Front & Rear Release
- C. Seat Belt
- D. Steering Wheel (caster recovery)
- E. Automatic Transmission / Coll AMN, Shift Lever.
- F. Ignition Switch (start simulator)
- G. Horn/Siren Button
- H. Dashboard
 - 1. Headlight Switch
 - 2. Hazard Lights
 - 3. Windshield Wipers
 - 4. Fuel Gauge

5. Turn Indicator Lever
6. Analog Speedometer/Odometer
7. On Screen Digital Speedometer & Compass
8. Design Switches (Do Not Touch)

I. Brake Pedal (A.B.S. & Standard)

J. Gas Pedal / Throttle

K. Parking Brake

L. Two Frequency Radio with P.A. Switch

M. Emergency Lighting Controls

1. White Button--Off
2. Yellow Button—Amber to Rear
3. Blue Button—Red Light/Siren on Horn Button
4. Red Button—Full Light Bar and Siren

III. LEDS DRIVING DEMONSTRATION (CAP-204 LOADED)

A. Position Seat as far back as comfortable

B. Start Simulator (Must be in Park)

C. Point Out Reference Points (Push Bars)

1. Right Push Bar at Center of Sidewalk (Legal Park)
2. Left Push Bumper is Drivers Position in Lane

D. Hood of Vehicle Covering Far X-Walk Line is a Proper Stop

E. Scan all Screens in Simulator to Develop Good Habits

F. Look Left & Right at Intersections, Except One Way Street

G. To Make Right Turns The Curb Must be 1/3 into Right Screen

H. In Left Turns the Curb must be out of the Front Screen

I. To Aid in Speed Judgement, Develop a Relationship between the Digital Speedometer and the Movement of Objects and the Broken Yellow Line on the Roadway

J. The Vehicle "Feel" of Driving is Created by:

1. Seat Speaker Vibration for "Road Feel"
2. Steering Recovery "Caster" Out of Turns
3. Visual Feedback Matching Driver Actions
4. 3-D Graphic

K. Demonstration of Exercise CAP-204

1. Drive to First Stop and Reference Hood on Second Crosswalk Line (Refer to Instructions Monitor)
2. Accelerate through Intersection without Changing Lanes
3. Signal and then change lanes. Point out the need for Smooth Steering Movements and Looking Ahead "High visual Horizon"
4. Remind The Student to Remain in the same Lane to the next stop (use the Left push Bumper for Position).
5. Complete the Demonstration
6. Explain the Relationship of Student Vehicle to Suspect Vehicle for Proper Stop (Traffic & Felony)

IV. UNIVERSE AND SCENARIO ORIENTATION

A. Center City (Show Map)

1. Residential, Commercial and Open Areas
2. E/W Streets are all Letters "A" through "N"
3. N/S Streets are all numbers "1" through "14"
4. Main Street is the Primary E W Street
5. Wall Street is the Primary N S Street
6. Contains Signals, Stop Signs and Yield Signs
7. Numerous Uncontrolled Intersections (Blind)
8. Various Traffic (Vehicle, Bicycle, Animal & Ped's)
9. D.M.V. ,Fire Station, Police Station, Mall, School, Hospital And Mini-Markets

B. Scenarios

1. Pre-Programmed Set of Circumstances
2. Realistic Driving Situations
 - a. Normal "Routine Driving
 - b. Traffic Stops
 - c. Emergency (Code-3) Response
 - d. Pursuits

3. Progress from Simple to Complex
 4. Require Decision Making
 5. Require Demonstration of Knowledge of Rules
 - a. State Laws Governing Emergency Vehicles
 - b. Agency Policy
 - c. Accepted Standards and Procedures
1. Demonstration of Good Judgement and Decision Making Skills
 2. Allows Students to Experience The Consequences of Their Decisions
 - a. Proper Driving Tactics & Hazard Recognition
 - b. Replay of Critical Decision Areas
 - c. Response to Hazards
 - d. Collisions
 - e. Tactical Decisions at End of Scenarios

V. VEHICLE CONTROL TECHNIQUES RELATED TO SIMULATORS

A. Steering

1. Two Hand Method (Shuffle/Feed the Wheel)
2. Smooth Operation (Steady Wheel)
3. Soft Grip (Holding a Bird)

B. Breaking

1. Right Foot Operation
2. A.B.S. Application (Pounding of Pedal)
3. Straight Line (Not During Turning Motions)
4. Limited Depth Perception Adds to Early Braking

C. Weight Transfer (Visual only, Hood Moves Up/Down and Leans)

D. Road Position

1. Apexing Limitations due to Visual Obstructions
2. Use proper Driving Line (Center of Roadway-Code 3)
 - a. Better Visibility approaching Blind Corners
 - b. Improves Visibility of your Vehicle (Code-3)
 - c. Provides more room for Evasive Action

E. Speed Judgement

1. Closure Rate / Depth Perception Limited

2. Lack of Sensation of Movement
3. Reference movement of Broken Line, Building, etc.
4. Reference on Screen Movement to Digital Speedometer

F. Throttle Usage

1. Lack of Sensation of Speed Caused Entry Speed Into Corners
To be Improper (Fast or Slow)
2. Monitor Digital Speedometer on Long Straight Roads
3. Check Digital Speedometer as You Near Turns

VI. PROGRAM APPLICATION PHASE

A. Training is not skills Intensive

B. Emphasizes Judgement and Proper Driving Tactics

C. Provides Simulated Life and Death Situations

1. Allows Real Time Dangerous Conditions without Risk
2. Allows Practice of Emergency Driving without Risk
3. Is not intended to Replace "Hands on E.V.O.C. Training
4. Evaluates Knowledge and Defensive Driving Skill

D. Defensive Driving ("Drive to Stay Alive")

1. The Defensive Driver

- a. Avoids Collisions Regardless of Right of Way
- b. Recognizes Hazards
- c. Reacts Properly to Hazards
- d. Maintains a Professional Attitude
- e. Recognizes Dangerous Attitudes

- (1) Over-Confidence
- (2) Self Righteousness
- (3) Impatience
- (4) Preoccupation

2. Develops a Habit of Intersection Analysis

- a. Check Each Intersection for Danger Areas
- b. Focus on Danger areas as you approach each Intersection
- c. Move your Vehicle to the Best Position on the Roadway
To see Danger
- d. Slow or Stop if Necessary to be Safe

VII. EMERGENCY VEHICLE OPERATION REGULATIONS

A. Vehicle Code Section (21052)

1. Non "Code-3 Routine Driving
2. Obey All "Rules of the Road"

B. Vehicle Code Section (21055)

1. Exempt From Rules of the Road (F.E.R.P.)
 - a. Proper Lighting
 - b. Proper Audio Signal (Siren)
 - c. Conditions That Allow For Code-3 Response
 - (1) Fire
 - (2) Emergency
 - (3) Rescue
 - (4) Pursuit

C. Vehicle Code Section (21056)

1. Drive With Due Regard for Others
2. Regardless of The Issue of "Right of Way"

D. Vehicle Code Section (21806)

1. Other motorist Duty to Yield
2. Knowledge of Approach
3. See Light & Hear Siren

VIII. EMERGENCY DRIVING POLICY AND PROCEDURES

A. Legal Provisions

1. State Law
2. Agency Policy
3. Case Law

B. Initiation of Pursuits

1. Type of Offense (Infraction / Most Misd.)
2. Speeds Involved
3. Public Safety
4. Officer Safety
5. Traffic Volume (Peds?)

6. Time of Day
7. Weather / Road Conditions
8. Familiarity with the Area

C. Emotional Factors

1. Siren Syndrome (Physiological)
2. Adrenaline Rush
3. Tunnel Vision
4. Need for Self – Control
5. Post – Pursuit Discipline

D. Abandonment of Pursuits

1. Decision to Pursue is not Irreversible
2. Based upon all factors (Past, Current, and Future)
3. Unreasonable Danger
 - a. Speed
 - b. Traffic Volume
 - c. Maneuvering Required
 - d. Capability of the Driver and the Vehicle

IX. VEHICLE OPERATION TACTICS

A. Close Distance before Attempting Stop, Liability and Immunity Considerations

B. Consider “Slack Mode” If an Air Unit is Present

C. Offensive Tactics, Attempt to stop by:

1. Boxing in
2. Heading Off
3. Ramming
4. Driving Alongside
5. P. I. T.

D. Pursuits are Following Actions

1. No Caravanning by Non – Involved Units
2. No Passing (Unless Requested)
3. Spacing of Units to Insure Safety

- a. Proper Braking Distance

b. Sufficient Reaction Time / Distance

4. Roadblocks

- a. Last Resort
- b. Generally Ineffective

5. Road Spikes

- a. Time and Availability of Additional Units
- b. Controlled Direction of Travel Necessary
- c. Danger to Pursuing Units

E. Blocking Intersections

- 1. For Public and Officer Safety
- 2. Have Coordination / Communications between Units
- 3. No Guarantee of Safe Access Through Intersection

F. General Pursuit Considerations

- 1. All Persons Involved Are Held Accountable
- 2. Balance Need for Apprehension VS Risk Created,
Safety is the Priority
- 3. Roll of the Supervisor is Well Defined and Understood
- 4. Primary and Back – Up Unit Only, Unless More Authorized
- 5. Use of Firearms is Limited to imminent Danger (Deadly Force)

G. Safe Driving Tactics

1. Activation of Lights and Siren

- a. Close The Distance Before Activation if Possible
- b. Vary Siren Pitch Approaching Intersections
- c. Traffic Conditions Should Dictate Use of the MDT

2. Use of the MDT (Computer Terminal)

- a. Routine Operation – Stop in a Safe Place
Before Using any Equipment That Requires
You to Take Your Eyes Off The Road for
Extended Periods of Time.
- b. Communications of Immediate Nature (Use
Radio)
- c. Traffic Conditions Should Dictate Use of the MDT

- (1) When in Doubt, Use the Radio
- (2) Be A Driver First, be Cautious
- (3) Collisions While Operating the MDT
Will Usually be Preventable

H. Radio Use While Driving

1. Broadcast While Driving in a Straight Line
2. Stay Calm and Speak Clearly

I. Intersections and Cross Traffic

1. Observation of Cross Street Should Start Before Entering Each Intersection (Intersection Analysis)
2. Identify Hazardous Areas and Set Up for Them (Move Away From Danger)
3. Slow or Stop Before Entering Intersections
4. Look in All Directions (Left, Right, Left)
5. Clear Intersections Lane By Lane
6. Both Hands on the Steering Wheel
7. Prima Facia Speed Limits
 - a. Reasonable Speeds – Blind Intersection 15 MPH
 - b. Stop, If Vision is Blocked or Obscured (Even on Green Lights on some Occasions)

J. Passing Other Vehicles (Code-3)

1. Allow Motorists Time to Hear / See and React
2. Pass on the Left, If Possible and Safe
3. Stop and Allow Motorist to Pull to the Right
4. If You Must Pass on the Right, SLOW DOWN 10MPH Or Less Allows You Time To React.

K. Collision Avoidance

1. Drive with Anticipation, not Automation
2. Look Through The Turns Before Entry
3. Consider Steering Behind (Rear) The Moving Vehicle
4. Driver Around The Problem, Don't Become Part of It.

X. PROGRAM CRITIQUE

1. Drive with Anticipation, not Automation
2. Look Through The Turns Before Entry
3. Consider Steering Behind (Rear) The Moving Vehicle
4. Driver Around The Problem, Don't Become Part of It.

X. PROGRAM CRITIQUE

Four-hour Force Options Simulator Course
FOS Presentation Outline

INSTRUCTOR-STUDENT RATIO: 2 – 8, MAXIMUM CLASS SIZE 8

I. INTRODUCTION (1 - hour)

A. Goal: Improve decision making skills related to use of force.

B. Objectives:

1. Increase awareness in current law and departmental policy in the use of force.
2. Increase proficiency in selection of appropriate force options.
3. Improve skills in tactics and force options by utilization of simulator.

II. LAW (Refer to LD 20 Workbook)

A. Federal law

1. Title 18, USC Sec 242 and 1983 (Civil Rights)
2. State Law
 - a. PC 835, Method of making arrest, amount of restraint
 - b. PC 835a, Use of reasonable force to effect arrest, prevent escape or overcome resistance
 - c. PC 843, Arrest under warrant; force permissible, what force may be used.
 - d. PC 196, Justifiable homicide; public officers
 - e. PC 197, Justifiable homicide; any persons
 - f. PC 198, Justifiable homicide; sufficiency of fear
 - g. PC 198.5, Home protection; use of deadly force: Presumption of fear of death or great bodily injury

C. Case Law Reasonable Force

1. Tenn. Vs Garner (deadly force)
In order for peace officers to employ lethal force, they must
 - a. Life-threatening escape-“Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either

to the officer or others..”

- b. Life-threatening felony – “..if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction of serious bodily harm...”
- c. Give warning where feasible – “...the court imposes a constitutional requirement that some warning be given prior to the use of lethal force where feasible...” “HALT, POLICE! Stop or I’ll shoot!”
- d. If necessary to prevent escape – “...in order for lethal force to be constitutionally permissible, there must be probable cause to believe that the use of lethal force is reasonably necessary...”

2. Graham Vs Conner (reasonable force)

The reasonableness of a particular use of force must be

- a. Judged from the perspective of a reasonable officer
- b. Examined through the eyes of an officer on the scene at the time the force was applied
- c. Based on the facts and circumstances confronting the officer without regard to the officer’s underlying intent or motivation
- d. Based on the knowledge that the officer acted properly under the established law at the time

3. Long Beach Vs Long Beach POA

Agency can have more restrictive policy than state/federal law

4. Long Beach Vs Peterson

Officer can be held liable for violating agency policy

5. Forrester Vs San Diego

Level of force used

- a. Officers do not necessarily need to use the least intrusive force
- b. Force must be reasonable and justified
- c. Example: Officers don’t have to carry protesters, they can use pain compliance or other means to effect arrest

D. Agency Policy

- 1. Generic overview of policies

NOTE: *Each student will be responsible for knowledge of their department use of force policy prior to attending the class.*

- 2. Force Options Defined (LD 20):

Choice available to a police officer concerning the methods available as

identified in each agency or department policy documentation.

E. Tactical Overview

1. Awareness
 - a. Familiarization with equipment
 - b. Accuracy (target acquisition), Center mass
 - c. Avenue of escape/surroundings
 - d. Movement
 - e. Cover (generally stops bullets)
 - f. Concealment (hides officers position)
 - g. Distance to enhance tactical advantage (distance = time)
2. Communicate
 - a. With subject/suspect
 - b. Fellow officers
 - c. Dispatch

F. Force options

1. Uniform Presence
2. Verbal
3. Chemical Agents
4. Hands/ Control Holds
5. Impact Weapons
6. Electronic Weapons
7. Less Lethal
8. Lethal Force

G. Weapons Safety

1. Four basic safety rules.
 - a. Guns are always loaded
 - b. Never allow muzzle to cover anything you are not willing to destroy.
 - c. Keep finger off trigger until ready to shoot.
 - d. Be sure of your target and background.

H. Weapons Familiarization specific to simulator

III. TEST (1/2 - hour)

A. Covers law, use of force, basic safety rules, and tactical overview.

IV. PRACTICAL APPLICATION SIMULATOR SCENARIOS (2 - hours)

A. Minimum of 3 scenarios for each student.

B. Critique and debrief after each scenario.

V. COURSE EVALUATION AND FINAL REVIEW (1/2 - hour)

November 10, 1999
FOLP.GSR

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Renewal of Contract to Distribute Driving Simulator Scenarios		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Bray	Researched By Dennis Aronson
Executive Director Approval <i>[Signature]</i> Kenneth J. O'Brien	Date of Approval 3-31-00	Date of Report March 31, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input checked="" type="checkbox"/> No

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

ISSUE

Should the Commission renew the marketing agreement with Doron Precision Systems, Inc. to distribute, on a non-exclusive basis, scenarios developed by POST for the A.M.O.S. law enforcement driving simulator?

BACKGROUND

In 1996 POST entered into an agreement with Doron Precision Systems, Inc., owner of the A.M.O.S. 5000 driving simulator, to provide 70 scenarios to each site that purchases one or more simulators. The agreement was renewed in 1998. In addition to the scenarios, each customer also receives a copy of the Instructor Guide developed by the POST Driving Simulator Committee, providing information on how to operate the simulators and details about each scenario. The scenarios and Instructor Guide are provided free of charge to agencies in California purchasing the simulators. For each sale outside of the state, the marketing agreement specifies that POST receive a \$2,500 royalty payment, paid on a quarterly basis.

ANALYSIS

To date, POST has received \$45,000 in royalty payments. Doron is in the process of consummating sales that will result in additional payments to POST. A good working arrangement has been established between POST and Doron that is anticipated to continue.

RECOMMENDATION

Renew the existing marketing agreement with Doron Precision Products to market the POST driving simulator scenarios on a non-exclusive basis through June 30, 2002.



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

WHEREAS, Don Brown has served on the POST Advisory Committee since 1986 representing the California Organization of Police and Sheriffs, and

WHEREAS, Don has provided invaluable advice and counsel to the Commission on virtually all POST issues relevant to its mission, and

WHEREAS, This advice has resulted in remarkable advancements in POST providing services and standards for California law enforcement, and

WHEREAS, Don has faithfully fulfilled his responsibilities as a POST Advisory Committee member, now therefore,

BE IT RESOLVED, that the Commission express its deepest appreciation for this outstanding service, and

BE IT FURTHER RESOLVED, that the Commission further wishes him continued success in all future endeavors.




Chairman

Executive Director

April 27, 2000



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

WHEREAS, Richard A. Breza served law enforcement with distinction since 1971, working his way through the ranks as a patrol officer with the Santa Barbara City Police Department, and serving in a wide variety of challenging assignments;

WHEREAS, Richard A. Breza was appointed Chief of Police for the City of Santa Barbara in 1987;

WHEREAS, Chief Breza, brought to the Department a philosophy of Community Oriented Policing which emphasizes working with the community to make Santa Barbara a better place to live;

WHEREAS, Chief Breza was actively involved with the Fighting Back project since its inception and served as Co-Chair of the Fighting Back Task Force and a member of the Steering Committee;

WHEREAS, Chief Breza received numerous law enforcement honors throughout his career and was active in community and professional organizations;

WHEREAS, Chief Breza was committed to using community-based methods and law enforcement strategies in dealing with substance abuse;

WHEREAS, Chief Breza pioneered the concept of Citizen Police Academies in the City of Santa Barbara;

WHEREAS, Richard A. Breza held a Masters Degree in Public Administration from Golden Gate University and was a graduate of the FBI National Academy and the POST Command College;

WHEREAS, Richard A. Breza will always be an outstanding role model for police administrators throughout the State of California, particularly in the area of Community Policing; and

WHEREAS, Chief Richard A. Breza retired following 29 years of distinguished service to the public and California law enforcement; now therefore

BE IT RESOLVED, The Commission on Peace Officer Standards and Training recognizes Chief Richard A. Breza's many contributions to law enforcement and the people of California; and

BE IT FURTHER RESOLVED, That the Commission honors the life and achievements of Richard A. Breza.




Chairman


Executive Director

March 22, 2000

Date

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PUBLIC HEARING: April 27, 2000

ADOPTIONS AND AMENDMENTS OF REGULATIONS REGARDING:

Hearing I: SPECIALIZED INVESTIGATORS' BASIC COURSE

Hearing II: NOTICE OF APPOINTMENT/TERMINATION FORM

SCRIPT

CHAIRMAN:

These hearings are related to the proposed amendments of Commission Regulations and Procedures. There are two hearings. Hearing I pertains to the amendment of Commission Regulations and Procedures relating to the Specialized Investigators' Basic Course. Hearing II pertains to the amendment of Commission Regulation 1003 related to the Notice of Appointment/Termination Form.

EXECUTIVE DIRECTOR:

These hearings are conducted in compliance with requirements set forth in the *Administrative Procedures Act*. The records of compliance are on file at POST headquarters. The proposed amendments are described in Commission Agenda Items C and D and were announced in POST Bulletins 00-03 and 00-04, respectively, and published in the California Regulatory Notice Register, as required by law.

I would like to remind any persons wishing to receive copies of any regulation revised as a result of the hearing today, to please be sure to list your name, agency, and mailing address on the sign-in sheet located at the registration table.

Hearing I

CHAIRMAN:

We will now open Hearing I to consider the amendments to Commission Regulation 1005, Commission Procedure D-1-5, and the document *Training Specifications for the Specialized Investigators' Basic Course*. These proposed amendments will incorporate 32 of the 41 Regular Basic Course learning domains into the Specialized Investigators' Basic Course (SIBC) and create four new investigative specific learning domains. In addition, the PC 832 curriculum would be incorporated into the SIBC instead of being a prerequisite. These curriculum changes align the SIBC more closely with the Regular Basic course curriculum so that when changes occur

in the Regular Basic Course, they are automatically changed in the SIBC. These amendments also substantially improve the preparedness of the State specialized peace officers to assume their important and critical duties.

CHAIRMAN:

We will now hear staff's report on amending Commission Regulation 1005 and Commission Procedure D-1-5.

Does [unclear] have received NO communications in Sept or opposition of this proposal

We will now receive, for the record, testimony from the audience. Persons testifying on the issue before us now, are requested to please state their full name and agency affiliation.

Those who **oppose the recommendation**, please come forward

Those who **support the recommendation**, please come forward.

There being no further testimony, the Public Hearing to amend Commission Regulation 1005 and Commission Procedure D-1-5 is concluded.

CHAIRMAN:

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

The Chair now welcomes the comments and questions of the Commissioners regarding this matter.

Having considered staff's recommendations and the written and oral testimony received, the Chair will now entertain a motion regarding the proposal to amend Commission Regulation 1005 and Commission Procedure D-1-5 (**Specialized Investigators Basic Course**).

Hearing II

CHAIRMAN:

We will now open Hearing II to consider the amendment of Commission Regulation 1003 related to the Notice of Appointment/Termination Form.

Annual inspections of agency training records and background investigation files are conducted by POST consultants as required by Penal Code section 13512. This is done to determine compliance with POST Regulations. Many agencies voluntarily

send in new Notices of Appointment/Termination forms to POST when personnel are promoted, demoted, or have a name change; however absent a regulation change requiring such action, information in the POST records database will be inaccurate. These inaccuracies in our database cause problems when resolving issues of training compliance. In addition to mandatory training requirements which certain ranks must complete within one year of promotion, effective July 1, 2000, Continuing Professional Training (CPT) will be required for all peace officers, Level I and II reserve peace officers, dispatchers and dispatch supervisors.

Changes are proposed for the Notice of Appointment/Termination Form which incorporate new Federal Guidelines for race/ethnicity categories, new wording for Reserve Level I peace officer authority, addition of a new section requiring the penal code section which is the authority for appointment, and a new check-off box under the appointment section which requires notification for promotions or demotions. Clarity and design changes were made to make it easier to complete the form

CHAIRMAN:

We will now hear staff's report on amending Commission Regulation 1003.

We will now receive, for the record, testimony from the audience. Persons testifying on the issue before us now are requested to please state their full name and agency affiliation.

Those who oppose the recommendation, please come forward

Those who support the recommendation, please come forward.

*Chf Jim Sisco
Matter, CA*

There being no further testimony, the Public Hearing to amend Commission Regulation 1003 is concluded.

CHAIRMAN:

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

The Chair now welcomes the comments and questions of the Commissioners regarding this matter.

Having considered staff's recommendations and the written and oral testimony received, the Chair will now entertain a motion regarding the proposal to amend Commission Regulation 1003 (**Notice of Appointment/Termination**).

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing for Modifications to Specialized Investigators' Basic Course Curriculum		Meeting Date April 27, 2000
Bureau Basic Training Bureau	Reviewed By <i>Bud Lewallen</i>	Researched By Staff
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-9-00	Date of Report March 6, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission approve, subject to a public hearing, proposed changes to POST-prescribed minimum hours and curricula regarding the Specialized Investigators' Basic Course (SIBC)?

BACKGROUND

Penal Code 13510.5 empowers the Commission to adopt and amend minimum standards for training "Specialized Peace Officers" employed by a variety of state agencies. The training standard adopted by the Commission is listed in the POST document *Training Specifications for the Specialized Investigators' Basic Course - 1995*, as described in Commission Procedure D-1-5 and incorporated by reference in Regulation 1005 (a)(5). The majority of the existing Specialized Investigators' Basic Course was taken directly from the Regular Basic Course. The Specialized Investigators' Basic Course (SIBC) was last updated by the Commission in November 1994 following a public hearing. The increasingly diverse challenges and expanding service demands expected of law enforcement require that the content, length, and instructional methodologies of peace officer training be periodically reviewed and updated.

ANALYSIS

POST staff and a committee comprised of training managers, course presenters, state agency supervisors, and trainers have met and reviewed the SIBC curricula and concurred that changes are necessary to ensure that the course continues to meet current training needs. As a result, the following recommendations were proposed by that committee:

1. Update the *Training Specifications for the Specialized Investigators' Basic Course* requiring instructional goals, topics, tests, and learning activities, and continue to use the content of the Regular Basic Course and an analysis of the functions of the state investigator's position as a model.
2. Develop an additional Learning Domain series - Learning Domain 60 for the Specialized Investigators' Basic Course that would cover a range of specific training needs for peace officers assigned to an investigative function.

No letter for a appeal

3. Develop student workbooks and instructor guides for the new Learning Domain 60 areas to complement the use of the Regular Basic Course student workbooks.
4. Increase the *minimum* hours from 364 (plus prerequisite 64 hours for PC 832) to 587 hours and incorporate the PC 832 Arrest and Firearms Course back into the core of the SIBC. This would eliminate the PC 832 Course as a prerequisite as outlined in Attachment A. Attachment B describes proposed regulatory language to effect that change.

An analysis of the existing curricula indicates that relevant Regular Basic Course curriculum needs to be incorporated into the existing course and that new instruction be developed which focuses on the job functions performed by State specialized investigators. The proposed changes align the SIBC more closely with the Regular Basic Course curriculum so that when changes occur in the Regular Basic Course they are automatically changed in the SIBC.

Attachment A outlines the current SIBC curricula and the proposed curricula that would become effective upon approval by the Commission. The current course is presented by Golden West Criminal Justice Training Center and Yuba College. Both courses are currently certified for a total of 400 hours. With the completion of the prerequisite PC 832 Course, the current state peace officer acquires approximately 428 hours of training. While the courses are certified at 400 hours, both currently average approximately 417 hours each. There is a 159 hour net addition to the SIBC if the proposed changes are approved.

It is also proposed to amend Commission Regulation 1005 and Procedure D-1-5 to include the revisions to the document *Training Specifications for the Specialized Investigators' Basic Course* and to make technical changes to regulatory language to align it with definitions of terms, and testing and training requirements used in the Regular Basic Course. Attachments B and C shows proposed regulatory language to effect those changes.

SUMMARY

The changes proposed in this report represent the collective thought of trainers and managers and dramatically align the proposed SIBC to be consistent with the Regular Basic Course. The proposed revisions should substantially improve the preparedness of State specialized peace officers to assume their important and critical duties.

Executives of the agencies served by the SIBC were invited to attend a briefing on January 4, 2000, and concur with the proposed course changes. The impact of the proposed changes are substantial, particularly with respect to increased training hours.

RECOMMENDATION

If the Commission concurs, subject to the results of the public hearing process, the appropriate action would be a MOTION to amend Commission Regulation 1005 and Procedure D-1-5 as proposed and make effective July 1, 2000 subject to approval from the Office of Administrative Law.

Current Specialized Investigators' Basic Course		
LD	Domain Title	Min. Hrs.
1	Ethics, Professionalism, Career Orient.	16
2	Cultural Diversity/Discrimination	24
3	General Law	24
4	Search and Seizure Issues	24
5	Investigative Techniques	34
6	Id, Collect and Preserve Physical Evid.	12
7	Investigative Report Writing	32
8	Use of Force	8
9	Firearms/Chemical Agents	44
10	Field Procedures	48
11	Fitness and Arrest Methods	60
12	First Aid and CPR	21
13	Persons with Disabilities	6
	Examinations	11
	TOTAL MINIMUM HOURS	364

Current PC 832 Arrest/Firearms*	
Course Title	Min. Hrs.
Arrest	40
Firearms**	24
TOTAL MINIMUM HOURS	64

**TOTAL MIN. HOURS TO MEET
TRAINING REQUIREMENT**

428

*PC 832 is currently a prerequisite for the SIBC

**Firearms course is only required for investigators who have authority to carry a weapon as part of their assignment.

Proposed Specialized Investigators' Basic Course		
LD	Domain Title	Min. Hrs.
1	History, Professionalism and Ethics	8
2	Criminal Justice System	4
3	Community Relations	12
4	Victimology/Crisis Intervention	6
5	Introduction to Criminal Law	6
6	Property Crimes	10
7	Crimes Against Persons	10
8	General Criminal Statutes	4
9	Crimes Against Children	6
10	Sex Crimes	6
11	Juvenile Law and Procedure	6
12	Controlled Substances	12
15	Laws of Arrest	12
16	Search and Seizure	12
17	Presentation of Evidence	8
18	Investigative Report Writing	40
20	Use of Force	12
23	Crimes in Progress	16
25	Domestic Violence	8
26	Unusual Occurrences	4
30	Preliminary Investigation	42
32	Lifetime Fitness (Lecture Only)	4
33	Arrest and Control/Baton	60
34	First Aid and CPR	21
35	Firearms/Chemical Agents	72
36	Information Systems	4
37	Persons with Disabilities	6
38	Gang Awareness	8
39	Crimes Against the Justice System	4
40	Weapons Violations	4
41	Hazardous Materials	4
42	Cultural Diversity/Discrimination	24
60	Vehicle Operations & Surveillance	24

61	Admin. Proc., Affidavits, Court Orders, Warrants	24
62	Case Management and Sources of Info.	32
63	Computers, Computer Crime, Search & Seizure	8
	Administrative Time	8
	Scenario Tests (7 tests)	10
	POST-Constructed Tests (LD Tests, Midterm and Final***)	26
	TOTAL MINIMUM HOURS	587****

***** The Midterm and Final exams are currently under development and will be available in 2001.**

******Includes PC 832 instruction**

1005. Minimum Standards for Training.

(a) (1) through (k)(2) continued

PAM section D-1-5 adopted effective October 20, 1983, and amended September 26, 1990, October 27, 1991, January 14, 1994 ~~and~~ May 7, 1995 and July 1, 2000 is herein incorporated by reference.

The document, *Training Specifications for the Specialized Investigators' Basic Course* ~~1995~~ adopted effective May 7, 1995 and amended July 1, 2000 is herein incorporated by reference.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-1

BASIC TRAINING

D-1-1 through D-1-4 continued

1-5. Specialized Investigators' Basic Course Definitions and Requirements: The terms used to describe testing and training requirements are defined in paragraph 1-5(a). Testing and training requirements are described in paragraph 1-5(b). Testing, training, content and hourly requirements are provided in detail in *Training Specifications for the Specialized Investigators' Basic Course - 1995*. Requirements for reporting successful course completion are contained in Commission Regulation 1055(i). ~~The P.C. 832, Arrest and Firearms Course, described in Regulation 1081(a)(1), is a course prerequisite.~~

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

- (1) **Learning Domain.** An instructional unit that covers related subject matter. ~~Each Specialized Investigators' Basic Course learning domain is described in *Training Specifications for the Specialized Investigators' Basic Course - 1995*.~~ Training Specifications for each learning domain include instructional goals, topics, and hourly requirements. Training specifications for a domain also may include learning activities and testing requirements.
- (2) **Instructional Goal.** A general statement of the results that instruction is supposed to produce.
- (3) **Topic.** A word or phrase that succinctly describes subject matter associated with an instructional goal.
- (4) **Test.** An evaluation of the extent to which students have achieved one or more instructional goals. Tests are graded on a pass/fail basis. Three types of tests may be used in the Specialized Investigators' Basic Course:
 - (A) **POST-Constructed Knowledge Test.** A POST-constructed, paper-and-pencil test that measures acquisition of knowledge required to achieve one or more instructional goals.
 - (B) **Scenario Test.** A job-simulation test that measures acquisition of complex psychomotor skills required to achieve one or more instructional goals.
 - (C) **Exercise Test.** Any test other than a POST-constructed knowledge test or scenario test that measures the acquisition of knowledge and/or skills required to achieve one or more instructional goals. There are two kinds of exercise tests: (1) a POST-developed report writing test which is administered and scored under POST's supervision, and (2) All other exercise tests which are administered and scored by the training presenters.

- (5) **Learning Activity.** An activity designed to achieve or facilitate one or more instructional goals. Students participating in a learning activity may be coached and/or provided feedback, but unlike tests, learning activities are not graded on a pass-fail basis.
- (6) **Test-Item Security Agreement.** An agreement between a training presenter and POST that identifies the terms and conditions under which the training presenter may be provided access to acquire and use specific POST-constructed knowledge tests. Failure to accept or abide by the terms and conditions of this such agreement is grounds for decertification in accordance with POST Regulation 1057.

(b) **Testing and Training Requirements**

- (1) **Topics.** As specified in *Training Specifications for the Specialized Investigators' Basic Course -1995*, ~~t~~Training presenters shall provide appropriate instruction on each required all topics specified in *Training Specifications for the Specialized Investigators' Basic Course*.
- (2) **Hourly Requirements.** The minimum number of hours of instruction that shall be delivered for each learning domain is specified in the *Training Specifications for the Specialized Investigators' Basic Course -1995*. The total minimum hourly requirement for the Specialized Investigators' Basic Course is ~~364~~ 587 hours.
- (3) **POST-Constructed Knowledge Tests.** As specified in *Training Specifications for the Specialized Investigators' Basic Course -1995*, POST-constructed knowledge tests may be are required in some, but not all, learning domains. Where a POST-constructed knowledge test is required, students must earn a score equal to or greater than the minimum passing score established by POST. Students who fail a POST-constructed knowledge test on the first attempt shall: (a) be provided with an opportunity to review their test results in a manner that does not compromise test security; (b) have a reasonable time, established by the training presenter, to prepare for a retest; and (c) be provided with an opportunity to be retested with a POST-constructed, parallel alternate form of the same test. If a student fails the second test, the student fails the course unless the training presenter determines that there were extenuating circumstances, in which case, the student may be tested a third time. If a student fails the third test, the student fails the course.
- (4) **Scenario Tests.** As specified in *Training Specifications for the Specialized Investigators' Basic Course -1995*, scenario tests may be are required in some, but not all, learning domains. Where a scenario test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program acceptable to the presenter. This determination shall be made by the training presenter. Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course unless the training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.

- (5) **Exercise Tests.** As specified in *Training Specifications for the Specialized Investigators' Basic Course -1995*, exercise tests may be are required in some, but not all, learning domains. Where an exercise test is required, students must demonstrate their proficiency in performing the tasks required by the test. Proficiency means that the student performed at a level that demonstrates that he or she is prepared for entry into a field training program acceptable to the presenter. ~~This determination shall be made by the training presenter.~~ Students who fail to clearly demonstrate proficiency when first tested shall be provided with an opportunity to be retested. If a student fails to demonstrate proficiency on the second test, the student fails the course ~~unless the training presenter determines that there were extenuating circumstances or the student performed marginally (as determined by the training presenter), in which case, the student may be tested a third time. Marginal test performance is performance that does not clearly demonstrate either proficiency or lack of proficiency. If a student fails to clearly demonstrate proficiency on the third test, the student fails the course.~~
- (6) **Learning Activities.** As specified in *Training Specifications for the Specialized Investigators' Basic Course -1995*, learning activities may be are required in some, but not all, learning domains. Where a learning activity is required, each student must participate in that activity. A student who does not participate in a learning activity when given the opportunity fails the course unless the training presenter determines that there were extenuating circumstances. Students who do not participate in a learning activity due to extenuating circumstances shall be given a second opportunity to participate in the same or a comparable learning activity. If a student fails to participate in a learning activity after being given a second opportunity, the student fails the course.
- (7) **Training Presenter Requirements.** POST has established minimum, statewide training standards for the Specialized Investigators' Basic Course. However, local conditions may justify additional training requirements or higher performance standards than those established by POST. This may include but is not limited to the use of higher minimum passing scores on POST-constructed knowledge tests.

D-1-6 through D-1-7 continued

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Notice of Appointment and Termination Form		Meeting Date April 27, 2000
Bureau Training Delivery and Compliance Bureau	Reviewed By <i>Paul Harman & Dick Reed</i> Paul Harman & Dick Reed	Researched By Gary Sorg/Anna Del Porto
Executive Director Approval <i>Harold J. Brown</i>	Date of Approval 4-3-00	Date of Report March 30, 2000
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: Quarterly - rpts

A public hearing is being held in conjunction with the Commission meeting to consider a proposal to amend Regulation 1003 and revise the Notice of Appointment/Termination Form (POST 2-114) to require notification of promotions, demotions, name changes, and other changes for consistency and clarity.

BACKGROUND:

At the January 27, 2000 meeting in San Diego, the Commission heard a report explaining that current Commission Regulations do not require agencies to notify POST when sworn personnel are promoted to first-level supervisory, middle management or executive level positions, however, this information is needed because there are mandatory training requirements for first-level supervisory and middle management positions which must be completed within one year of promotion. The training requirement for Continued Professional Training (CPT) will be required for all peace officers, Level I and II reserve peace officers, dispatchers and dispatch supervisors effective July 1, 2000. To determine compliance with the mandated training requirements, it is necessary for POST to receive appointment or promotional information at the first-level supervisory, middle management, executive, and dispatch supervisor levels. This new requirement is proposed for addition to Regulation 1003, Notice of Appointment/Termination. Other less substantive changes to improve clarity and add information needed for processing the Notices are also proposed.

In response, the Commission directed that a public hearing be held to consider the proposal to modify POST Regulation 1003 to require notification of promotions, demotions, name changes and other changes for consistency and clarity.

ANALYSIS:

Annual inspections of agency training records, background investigation files, etc., are conducted by the Training Delivery and Compliance Bureau, as required by Penal Code section 13512, to determine compliance with POST Regulations. To enable consultants to do a more complete compliance inspection, this proposal includes a new section on the Notice of Appointment/Termination form to gather promotion and demotion information.

Other changes to the regulation include the addition of text that requires agencies to notify POST of an individual's name change. Although many agencies have been doing this voluntarily for years, it is being proposed for addition to Regulation 1003, in order to make it a requirement and to further improve the accuracy of the POST data base.

For consistency with other parts of the POST Administrative Manual, the terms "regular officer" and "specialized officer" are being removed. The text in Regulation 1003 has been modified to reflect this and now shows that the Notice of Appointment/Termination form is required for *all* peace officers of participating departments.

The Notice of Appointment/Termination form is part of Regulation 1003, thus any change to the form itself must also be in compliance with the Administrative Procedures Act. The following changes to the form are proposed:

- Revisions to the race/ethnicity categories to bring this section in line with new federal guidelines.
- Addition of text to the Reserve Level I peace officer appointment in order to determine type of authority (24-hour authority or duration of assignment only).
- Addition of the new selections of "Promotion" and "Demotion".
- Addition of a new section requiring departments to report the penal code section which reflects the authority for the individual being reported.
- Other miscellaneous changes added for clarity.

The Public Hearing on this matter was announced in Bulletin 00-04 dated February 22, 2000. The Bulletin, Notice of Public Hearing, and proposed amendments to Regulation 1003 are provided as Attachment A.

RECOMMENDATION:

Subject to the results of the public hearing, adopt the proposed amendments to Regulation 1003 and the Notice of Appointment/Termination form to become effective, upon approval of the Office of Administrative Law.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083
www.post.ca.gov

February 22, 2000

BULLETIN: 00-04

**SUBJECT: PUBLIC HEARING: PROPOSAL TO AMEND COMMISSION
REGULATION 1003 - Notice of Appointment/Termination Form,
POST 2-114 &
ERRATA NOTICE - RE: BULLETIN 00-03**

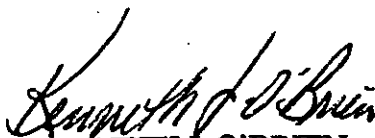
A public hearing is being held to consider a proposal to amend Commission Regulation 1003 and revise the Notice of Appointment/Termination Form (POST 2-114) to require notification of promotions, demotions, name changes, and other changes for consistence and clarity. The public hearing will be held:

Date: April 27, 2000
Time: 10:00 a.m.
Place: San Pedro Hilton
2800 Via Cabrillo Marina
San Pedro, CA

Pursuant to the provisions of the Administrative Procedures Act, the Commission invites input on this proposal. Written comments relative to the proposed actions must be received at POST no later than 4:30 p.m. on April 17, 2000. The proposed amendment will become effective 30 days after approval by the Office of Administrative Law.

The attached Notice of Proposed Regulatory Action provides details concerning the proposed regulatory changes. Inquires concerning the proposed action may be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 227-3891.

Please be advised that the public hearing announced in Bulletin 00-03 regarding the Specialized Basic Course previously scheduled for April 20, 2000 has been rescheduled for April 27, 2000 at the time and place shown above.


KENNETH J. O'BRIEN
Executive Director

Attachment



Commission on Peace Officer Standards and Training

**NOTICE OF PROPOSED REGULATORY ACTION: Amendment of Commission
Regulation 1003 - Notice of Appointment/Termination Form
(POST 2-114)**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 of the Penal Code (powers of the Commission on POST) and Section 13506 (authority for Commission on POST to adopt regulations), and Section 13512 (authority to conduct annual inspections of agency training records), proposes to adopt, amend or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Current Commission Regulation 1003 does not require agencies to notify POST when sworn personnel are promoted to first-level supervisory, middle management, or executive level positions; however, this information is needed because there are mandatory training requirements which must be completed within one year of promotion. Continued professional training (CPT) will be required for all peace officers, Level I and II reserve peace officers, dispatchers and dispatch supervisors effective July 1, 2000. To determine compliance with this and other mandated training requirements, it is necessary for POST to receive appointment or promotional information at the first-level supervisory, middle management, executive, and dispatch supervisory levels.

Other changes to Commission Regulation 1003 include the addition of text that would require agencies to notify POST of an individual's name change. These proposed changes will be reflected on the Notice of Appointment/Termination Form 2-114 as well as other less substantive changes being made to the form for clarity and consistency.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed action. All written comments must be received at POST no later than 4:30 p.m. on April 24, 2000. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposal substantially as described in this notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before adoption, the text of any modified language clearly indicated will be made available at least 15 days before the date of adoption to all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained by submitting a request in writing to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m., Monday through Friday).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Declaration Relating to Impact on All California Businesses Including Small Businesses: The Commission on Peace Officer Standards and Training, in the development of the proposed regulation, has assessed the potential for adverse economic impact on businesses in California, including the ability of California businesses to compete with businesses in other states, and has found that the proposed amendment of Regulation 1003 will have no effect. This finding was based on the determination that the proposed amendment of Regulation 1003 in no way applies to businesses.

Costs Impact on Private Persons or Entities: None

Housing Costs: None

ASSESSMENT

The adoption of the proposed amendments to this regulation will neither create nor eliminate jobs in the state of California, nor result in the elimination of existing businesses or create or expand businesses in the state of California.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquires concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Leah Cherry, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 227-3891.

Commission on Peace Officer Standards and Training

AMENDMENT OF COMMISSION REGULATION 1003
NOTICE OF APPOINTMENT/TERMINATION

1003. Notice of Appointment/Termination.

Whenever a ~~regular, specialized, limited function, or reserve~~ peace officer of a participating department is newly appointed, promoted to a first-level supervisory, middle management or executive position (refer to Regulation 1001 for definitions), demoted, enters a department laterally, terminates, changes his/her name, or changes ~~peace officer~~ appointment status within the same agency department, the department shall notify the Commission within 30 days of such action on the Notice of Appointment/Termination, Form 2-114 (Rev. 12/97/2000), "Notice of Appointment/Termination."

For departments in the Public Safety Dispatcher Programs, the form shall be submitted whenever a person is appointed, promoted to a public safety dispatch supervisor position, changes his/her name, reclassified, or transferred to a public safety dispatcher position, or whenever the person is terminated from a public safety dispatcher position.

Eligibility to receive the Records Supervisor Certificate requires that the form be submitted a minimum of 30 days prior to application for award of the certificate for persons appointed, changed his/her name, promoted, reclassified, or transferred to a records supervisor position. The form shall also be submitted when the person is terminated from a records supervisor position.

Note: Authority cited: Section 13506, Penal Code. Reference: Sections 13512 and 13510.3, Penal Code.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Davisville Travel Contract Amendment		Meeting Date April 27, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams <i>[Signature]</i>	Researched By Tom Liddicoat
Executive Director Approval <i>[Signature: Kenneth J. Quinn]</i>	Date of Approval 4-07-00	Date of Report March 30, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Commission approval is requested for contracts with Davisville Travel for the payment of authorized transaction fees.

BACKGROUND

Prior to January 1, 2000, POST has entered into "no cost" contracts for over 10 years with Davisville Travel for travel agency services in accordance with policy directives from the State Department of General Services. Davisville Travel, as all travel agencies, was paid a commission from the airlines based on tickets issued. With the reduction in commissions paid to travel agencies by the airlines, the State announced via Management Memo 99-17 an amendment to the State master agreement with authorized travel agencies permitting travel agencies to charge fees for their services starting January 1, 2000 and extending through June 30, 2001.

ANALYSIS

POST has entered into two contracts with Davisville Travel for FY 99-00. One is for services associated with POST staff travel (for approximately 125 tickets per month) in the amount of \$9,000. The other one is services for letter of agreement travelers in the amount of \$9,999, the maximum the Executive Director can contract for without Commission approval. However, Davisville Travel issues approximately 250 airline tickets monthly for letter of agreement travel. At \$15 per transaction, the monthly service charge is approximately \$3,750. Over 6 months this totals \$22,500. In order to pay Davisville Travel for their authorized services, it is necessary to augment the latter contract by \$12,501 for a revised contract cost of \$22,500 for FY 99-00. The grand total for all contract costs with Davisville Travel in FY 99-00 would be \$31,500.

Additionally, in order to pay Davisville Travel for their authorized services during FY 2000-01, it is necessary to enter into new contracts in amounts not to exceed \$31,500 for staff travel (175 tickets per month at \$15 each = \$31,500) and \$49,500 for letter of agreement travel (275 tickets at \$15=\$49,500). The total for all contract costs with Davisville Travel in FY 00-01 would be \$81,000.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to amend a current year contract with Davisville Travel for letter of agreement travel ticketing/transaction fees by ~~\$12,501~~. This amendment will provide the funds necessary to pay Davisville Travel for their services for the period January 1, 2000 through June 30, 2000. The total amount of the contract will be \$22,500.

It is further recommended that the Commission authorize the Executive Director to enter into new contracts with Davisville Travel for a total not to exceed \$81,000. These contracts will provide the funds necessary to pay Davisville Travel for their services during FY 2000-01.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposal on Amendments to Regulations 1005, 1007 and 1081(a)(20) Training Standards for School Police Reserve Officers		Meeting Date April 27, 2000
Bureau Basic Training Bureau	Reviewed By <i>F. J. Wallen</i> Frank Decker	Researched By Frank Decker/Kelly York
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-3-00	Date of Report March 27, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission, subject to the Notice of Proposed Regulatory Action process, approve a proposal to amend Regulations 1005, 1007, and 1081(a)(20) in regard to Legislatively Mandated Training for School Police Reserve Officers?

BACKGROUND

Effective October 1, 1990 the Commission approved a 32-hour course of instruction for school police officers that was required by Penal Code section 832.2. Successful completion of the course was compulsory for any school police officer.

On September 23, 1998, Senate Bill (SB) 1627 was signed into law adding subsections (f), (g), and (h) to Penal Code section 832.3. Subsection (f) requires that any school police officer employed after July 1, 1999 must successfully complete the Regular Basic Course before exercising the powers of a peace officer. Subsection (g) requires the Commission to prepare a specialized course of instruction, for the training of school police officers, to meet the unique needs of the school environment. Subsection (h) specifies that officers hired before July 1, 1999 must successfully complete the course no later than July 1, 2002, and officers hired after July 1, 1999 must successfully complete the course within two years of the date first employed.

An ad hoc committee of subject matter experts, course presenters and others was formed to review the previous course and make recommendations regarding course content and delivery. The committee developed a new 32-hour School Police Officer Course designed to meet the requirements established by the passage of SB 1627. At the October 28, 1999 meeting, the Commission approved the curriculum for the new training course.

Prior to the enactment of SB 1627, training requirements for regular school police officers and school police reserve officers were covered by Penal Code section 832.2. SB 1627 moved the requirements for regular officers into the above referenced subsections of Penal Code section 832.3. Senate Bill 1626 was a companion bill to SB 1627 and amended Penal Code section 832.2 by removing the reference to regular officers and only addressing school police reserve officers. The original training requirement, specified in this section, was left intact. The section requires that school police reserve officers complete a course of training approved by the Commission. It also specifies that the 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.

In order to address the changes to Penal Code section 832.2, the 32-hour course curriculum approved by the Commission in October 1999 was not forwarded to the Office of Administrative Law for approval.

ANALYSIS

The passage of Senate Bills 1626 and 1627 has resulted in the training standards for school police reserve officers being defined in Penal Code section 832.2 (see Attachment A) and regular school police officers being defined in Penal Code section 832.3 (see Attachment B). The legislation also required the development of a specialized course of instruction for regular school police officers. This leaves school police reserve officers with a different training standard than regular officers.

The separate training standards cause a number of concerns. Regular and reserve school police officers are working in the same environment with different training requirements. The training requirement for reserve officers consists of a course that will no longer be used for regular officers because it was replaced by the new course. The separate training standard for reserve officers requires the maintenance of an outdated course that would be presented infrequently because, according to POST records, there are only 3 agencies that use school police reserve officers. A class specifically for reserve officers would be costly to present because of the small student base. For these reasons, a study was conducted to see if the new training course developed for regular officers would meet the training needs of reserve officers.

An ad hoc committee of subject matter experts, course presenters, and agencies that use school police reserve officers was formed to review the new School Police Officer Course to determine if the curriculum also meets the training requirements specified for school police reserve officers in Penal Code section 832.2. After reviewing the course content and the training requirement in Penal Code section 832.2, the committee determined that the mandate is met by the new course.

The committee made the following recommendations:

- School police officers and school police reserve officers should have to attend the same specialized course of instruction that meets the unique needs of the school environment.
- All school police reserve officers should be required to complete the specialized course of instruction within two years of the date of first appointment to ensure timely compliance with the training requirement of PC 832.2.
- The name of the new 32-hour training course approved by the Commission in October 1999 should be changed from "School Police Officer Course" to "Campus Law Enforcement Course" to prevent confusion with the former course which was titled "School Peace Officer Course".
- The topical heading "Laws and Liability" should be changed to "Laws and Liability/Mandated Reporting Requirements" to clarify that the training requirement of PC 832.2 is covered by the course content.

In order to implement the committee's recommendations, staff is proposing amendments to POST Commission Regulations 1005, 1007, and 1081(a)(20). The proposed changes are provided in Attachments C, D and E.

Adoption of this course for reserve officers must be pursuant to the Administrative Procedures Act. A Notice of Proposed Regulatory Action is recommended. Unless a request is made for a public hearing, the regulations would become effective upon approval by the Office of Administrative Law.

RECOMMENDATION

It is recommended that the Commission, subject to the results of the Notice of Proposed Regulatory Action, approve the amendments to Commission Regulations 1005, 1007, and 1081(a)(20) as proposed.

Attachments

Commission on Peace Officer Standards and Training

California Penal Code

832.2. Every school police reserve officer, as described in Section 38000 of the Education Code, shall complete a course of training approved by the Commission on Peace Officer Standards and Training relating directly to the role of school police reserve officers. The school police reserve 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.

Passed 2 separate bills
- school police officers
- school police reserve officers - to Commission
last Jan - thinking it)

Same course for both -

832.2 school police reserve officers
832.3 school police officers

32 hrs in addition to basic course -

- only 14 reserve officers to work for school agencies -
- reserves officers agree to agenda item.

Commission on Peace Officer Standards and Training

California Penal Code

832.3. (a) Except as provided in subdivision (e), any sheriff, undersheriff, or deputy sheriff of a county, any police officer of a city, and any police officer of a district authorized by statute to maintain a police department, who is first employed after January 1, 1975, shall successfully complete a course of training prescribed by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training. Each police chief, or any other person in charge of a local law enforcement agency, appointed on or after January 1, 1999, as a condition of continued employment, shall complete the course of training pursuant to this subdivision within two years of appointment. The training course for a sheriff, an undersheriff, and a deputy sheriff of a county, and a police chief and a police officer of a city or any other local law enforcement agency, shall be the same.

(b) For the purpose of ensuring competent peace officers and standardizing the training required in subdivision (a), the commission shall develop a testing program, including standardized tests that enable (1) comparisons between presenters of the training and (2) assessments of trainee achievement. The trainees' test scores shall be used only for the purposes enumerated in this subdivision and those research purposes as shall be approved in advance by the commission. The commission shall take all steps necessary to maintain the confidentiality of the test scores, test items, scoring keys, and other examination data used in the testing program required by this subdivision. The commission shall determine the minimum passing score for each test and the conditions for retesting students who fail. Passing these tests shall be required for successful completion of the training required in subdivision (a). Presenters approved by the commission to provide the training required in subdivision (a) shall administer the standardized tests or, at the commission's option, shall facilitate the commission's administration of the standardized tests to all trainees.

(c) Notwithstanding subdivision (c) of Section 84500 of the Education Code and any regulations adopted pursuant thereto, community colleges may give preference in enrollment to employed law enforcement trainees who shall complete training as prescribed by this section. At least 15 percent of each presentation shall consist of nonlaw enforcement trainees if they are available. Preference should only be given when the trainee could not complete the course within the time required by statute, and only when no other training program is reasonably available. Average daily attendance for these courses shall be reported for state aid.

(d) Prior to July 1, 1987, the commission shall make a report to the Legislature on academy proficiency testing scores. This report shall include an evaluation of the correlation between academy proficiency test scores and performance as a peace officer.

(e) (1) Any deputy sheriff described in subdivision (c) of Section 830.1 shall be exempt from the training requirements specified in subdivisions (a) and (b) as long as his or her assignments remain custodial related.

(2) Deputy sheriffs described in subdivision (c) of Section 830.1 shall complete the training for peace officers pursuant to subdivision (a) of Section 832, and within 120 days after the date of employment, shall complete the training required by the Board of Corrections for custodial personnel pursuant to Section 6035, and the training required for custodial personnel of local detention facilities pursuant to Division 1 (commencing with Section 100) of Title 15 of the California Code of Regulations.

(3) Deputy sheriffs described in subdivision (c) of Section 830.1 shall complete the course of training pursuant to subdivision (a) prior to being reassigned from custodial assignments to duties with responsibility for the prevention and detection of crime and the general enforcement of the criminal laws of this state.

(f) Any school police officer first employed by a K-12 public school district or California Community College district after July 1, 1999, shall successfully complete a basic course of training as prescribed by subdivision (a) before exercising the powers of a peace officer. A school police officer shall not be subject to this subdivision while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training.

(g) The commission shall prepare a specialized course of instruction for the training of school peace officers, as defined in Section 830.32, to meet the unique safety needs of a school environment. This course is intended to supplement any other training requirements.

(h) Any school peace officer first employed by a K-12 public school district or California Community College district before July 1, 1999, shall successfully complete the specialized course of training prescribed in subdivision (g) no later than July 1, 2002. Any school police officer first employed by a K-12 public school district or California Community College district after July 1, 1999, shall successfully complete the specialized course of training prescribed in subdivision (g) within two years of the date of first employment.

Commission on Peace Officer Standards and Training

POST Administrative Manual

1005. Minimum Standards for Training

(a) Basic Training Standards (Required)

(a)(1) thru (a)(4) continued

- (5) Every school police officer employed by a K-12 school district or California Community College district before July 1, 1999, in addition to the Regular Basic Course requirement set forth in Regulation 1005(a)(1), shall complete a POST-certified Campus Law Enforcement Course [Regulation 1081(a)(20)] no later than July 1, 2002. Every school police officer employed by a K-12 school district or California Community College district after July 1, 1999, in addition to the Regular Basic Course, shall complete a POST-certified Campus Law Enforcement Course within two years of the date of first appointment.

Commission on Peace Officer Standards and Training

POST Administrative Manual

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

(a) thru (b)(3) continued

- (c) Every school police reserve officer appointed by a K-12 school district on or after July 1, 2000, in addition to the entry level training requirement set forth in (b) of this section, shall complete the POST-certified Campus Law Enforcement Course [Regulation 1081(a)(20)] within two years of the date of first appointment.
- (cd) To be eligible for the award of the Reserve Officer Certificate, a reserve peace officer, shall be currently appointed or deputized as a reserve peace officer as described in Penal Code 830.6(a), meet the selection requirements for Level I reserve peace officer assignment as described in paragraph (a), and have completed the training and general law enforcement experience as described in paragraph (b)(1) and in PAM, section H-4.
- (de) The Commission may waive completion of a POST-certified training program required by paragraph (b) for an individual who has completed training equivalent to the requirements of Module B and/or C. This waiver shall be determined by an evaluation and examination process as specified in PAM, section D-12, Waiver of Training for Reserve Officer Modules B and/or C.

Commission on Peace Officer Standards and Training

POST Administrative Manual

1081. Minimum Standards for Legislatively-Mandated Courses.

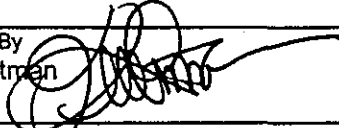
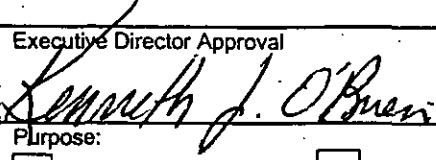
(a)(1) thru (a)(19) continued

(20) ~~School Peace Officer~~ Campus Law Enforcement Course- 32 Hours
(~~Penal Code Section 832.2~~)

- (A) ~~Role of School Peace Officers~~ Role and Responsibility of School Police
- (B) ~~Laws Impacting School Campuses~~ Laws and Liability/Mandated Reporting Requirements
- (C) ~~Maintaining Campus Community Relations~~ Tactical Awareness in the Educational Environment
- (D) ~~Reporting Offenses to Other Law Enforcement Agencies~~ Campus/Community Oriented Policing and Problem Solving
- (E) ~~Violence/Gangs on Campus~~ Mediation/Conflict Resolution
- (F) ~~Campus Parking, Traffic, and Crowd Control~~ Standardized Emergency Management/Incident Command Systems
- (G) ~~Facility Protection~~ Dynamics of Student Behavior
- (H) ~~Disasters and Emergencies~~ Written Examination

Note: The Commission recommends that school peace officers who perform general law enforcement duties complete the Regular Basic Course prior to appointment or assignment as a peace officer. This course satisfies the training specified in Penal Code sections 832.2 and 832.3(g).

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on proposed modifications to the Management Course and Commission Procedure D-4		Meeting Date April 27, 2000
Bureau Center for Leadership Development	Reviewed By Ken Whitman 	Researched By Steve Lewis
Executive Director Approval 	Date of Approval 4-7-00	Date of Report April 10, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Detail) <input type="checkbox"/> No

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

Issue

Should the Commission approve modifications to the Management Course and changes to Commission Procedure D-4?

Background

Commission Regulation 1005(c) requires every full time peace officer promoted or transferred to a middle management position to satisfactorily complete a certified Management Course prior to promotion or within 12 months after the initial promotion, appointment or transfer to such position. First-level supervisors may attend the course with the approval of the agency executive.

Four institutions, CSU-Humboldt, San Jose, and Long Beach, and the San Diego Regional Training Center, pursuant to contracts with POST, present the Management Course. *Approximately 20 presentations are provided annually to approximately 400 managers. The current 80-hour Management Course is presented in two consecutive weeks. The minimum hours and 5 broad learning goals for the course are specified in Commission Procedure D-4.

Analysis

In July 1998, the Center for Leadership Development began a study of the POST Management Course. The course was last revised in 1991. Focus groups and survey instruments were used to collect information about the Management Course. In general, the respondents considered the Management Course very useful for new managers. However, the course was too theoretical, needed more "how to" instruction, and contained too much material to be retained from one 80-hour session.

The focus groups identified the changing role of the middle manager as the most important issue facing them, particularly in the area of Community and Problem Oriented Policing. Middle managers of today have greater interaction with the community on criminal activity impact mitigation and quality of life issues.

A design team proposed changes to the course that are comprised of adding new topics to the curriculum, increased use of experiential learning techniques, and a change to the general format. The California State Sheriffs Association Training Committee, the California Police Chiefs Association Training Committee, and the Management Course presenters reviewed the proposed model. Their suggestions and comments were incorporated into the proposed model.

The proposed course is 104 hours, presented in 3 workshops separated by an intercession period of approximately 4 weeks. The additional 24 hours in the revised course is an expansion of approximately 30% in the length and curriculum of the course. A description of the course and content of each workshop are detailed in Attachment A.

The revised Management Course will require additional resources estimated to be approximately \$150,000 annually, based on the average costs for the previous three years. Approximately \$60,000 of the projected increase is comprised of increased instructional and facility costs, and additional materials that are required for the longer curriculum. Pro-rated over 20 presentations, the increase in instructional and related costs is approximately \$3,000 per presentation. The remaining \$90,000 increase is comprised of reimbursement for student travel and per diem caused primarily by restructuring the Management Course into three separate modules and the increased length of the course.

Commission Procedure D-4, incorporated into Regulation 1005(c), must be revised to accommodate the modifications of the course. The Notice of Proposed Regulatory Action will be used to amend the procedure. The proposed regulatory language changes to Procedure D-4 are Attachment B.

The proposed modification of the Management Course presentation format was reviewed and approved by the Long Range Planning Committee at its April 7, 2000 meeting.

Recommendation

It is recommended that the Commission 1) approve modifications to the Management Course presentation from the 80-hour format to the 104-hour format effective July 1, 2000, and 2) approve changes to Procedure D-4 using the Notice of Proposed Regulatory Action process.

LAPD

Training only

Attachment A

*POA's
current regulations*

MANAGEMENT COURSE FORMAT

Below is proposed the model for the Management Course. Between each of the three sessions will be an inter-session period of two to four weeks.

Session 1	Session 2	Session 3
Role of the Lieutenant	Personnel Issues	Media
Transition to Lieutenant	Legal Issues	Leadership
Leadership	Critical Incident Management	Project/Presentation
COP/POP Mgmt and development	Leadership/Ethics	Personal/Professional Growth
Strategic Planning	Risk Management	
Environmental Scanning (STEEP)	Fiscal Management	
	Group Facilitation	
40 hours	32 hours	32 hours

Each student will have an assigned reading project to be completed during the inter-session. The reading project will be directly related to the content of the next session—particularly in the area of leadership and ethics.

Each module will have, as integral parts, actual exercises to provide students with the opportunity to practice the principles and theories learned during the cognitive portion of instruction.

MANAGEMENT COURSE FORMAT -- DETAIL

The major thrust of the entire course will be to acquaint new managers their new role and provide skills to assist them in the specific areas identified as key to their success. Each of the modules listed in the course format model on the previous page will focus on

Session 1 -- 40 hours

Role of the Lieutenant -- Students will understand their role as a middle manager particularly as it relates to the differences between a Lieutenant and line supervisor.

Transition to Lieutenant -- Students will be acquainted with and understand the issues and complexities of transitioning from Sergeant to Lieutenant. This block will build on the skills and knowledge acquired in the "Role of the Lieutenant" block.

Leadership -- Students will acquire leadership concepts associated with their new role as a middle manager. While the principles of personal leadership remain constant, the new role of these individuals requires that they change their leadership paradigm to include their new perspective within the organization.

COP/POP -- Students will acquire knowledge about Community Oriented /Problem Oriented Policing. The emphasis of this module will be on understanding that COP/POP is an organizational philosophy that must be developed, implemented and maintained within an organization. They will discuss processes for working both within and without the organization to ensure success.

Strategic Planning -- Students will learn the principles and process which will allow them to understand their environment using a model (STEPP) that will enable them to determine current paradigms and plan to move to

Session 2 -- 32 hours

Personnel Issues -- Students will learn about various laws and regulations affecting daily operations. Such regulations as FLSA, ADA, FMLA, EAP (Employee Assistance Programs), Selection of personnel (hiring etc.), Pitchess Motions, and contract issues.

Legal Issues -- Students will learn about legal requirements particularly in the area of internal affairs investigations. Students will learn how to manage an investigation and to properly analyze the facts gathered to support a legally defensible conclusion regarding discipline.

Critical Incident Management -- Student will learn the concepts and requirements of the Law Enforcement Incident Command System (LEICS) and the Statewide Emergency Management System (SEMS) particularly as it relates to management and reporting requirements to ensure successful cost recovery. Both planned and unplanned incidents will be dealt with.

Leadership/Ethics – Students will continue with instruction began in the first session. This session will include discussion of actual student experiences at their own agency and the principles and theories learned from the inter-session reading assignment.

Risk Management – Students will learn the nature of their responsibilities in the area of risk management. Such areas as harassment in the workplace, use of force, and other officer conduct, which could impute liability to their organization will be covered. The thrust of the instruction will be the need for pro-active efforts by the middle manager to recognize potential hazards, intervene appropriately, and resolve situations prior to an actual incident. Attention will also be paid to post incident stress as it affects the individuals and the organization.

Fiscal Management – Students will learn the function of the budgeting process both as an accounting document and as a policy document. They will learn about the political process involved with fiscal matters and how to prepare a budget document.

Group Facilitation – Students will learn the principles associated with facilitating team meetings as it relates to group dynamics and process. Students will also learn to apply the same principles to community groups particularly in the area of Community Oriented Policing.

Session 3 -- 32 hours

Media – Students will learn to deal with the media in both dynamic situations (interviews and press releases) and with the legal aspects of release of records.

Leadership -- Students will continue with instruction began in the first two sessions. This session will include discussion of actual student experiences at their own agency and the principles and theories learned from the inter-session reading assignment

Project/Presentation – Students will learn the requirements of completed staff work— research, analysis, and recommended solution. They will also acquire skills related to presentations to such groups as city councils, citizen action committees, and other city departments.

Personal/Professional Growth – The students will learn the principles of personal and professional growth with emphasis on planning and goal setting. Each student will be exposed to the principles of group interaction and their own leadership attributes through the use of nationally recognized profiling instruments.

Commission on Peace Officer Standards and Training

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE D-4

MANAGEMENT COURSE

Purpose

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

Content

4-2. Management Course: The Management Course is a minimum of ~~80~~ 104 hours and consists of the learning goals adopted ~~in the revision completed in October 1981 by the Commission.~~ In order to meet local needs, flexibility in curriculum may be authorized with prior POST approval. The POST Management Course Learning Goals are organized under the following broad topic areas;

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

Historical Note:

Procedure D-4 was adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982, and amended April 27, 2000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Library Contract Services		Meeting Date April 27, 2000
Bureau Information Services Bureau	Reviewed By <i>Paul M. Farman</i>	Researched By Phyl Barrus
Executive Director Approval <i>Kenneth J. S'Bein</i>	Date of Approval 4-3-00	Date of Report April 3, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for Details) <input type="checkbox"/> No

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

ISSUE:

Should the Commission approve the journal/magazine subscription contract for the POST Library to \$15,000 for FY00/01?

BACKGROUND:

POST has contracted out the subscription purchases and renewals since the late 1970s. This service provides The POST Library with a single point of contact for purchasing the journals/magazines instead of dealing with more than 90 individual publishers from the United States and Europe. The vendor for these services is also used as our agent to obtain missing issues of these magazine/journal subscriptions.

ANALYSIS:

At the current 15% yearly increase in subscription prices plus the service charge of 7% and with the addition of four more titles, and bringing all the subscriptions to a common expiration date, the contract will exceed \$10,000.

RECOMMENDATION:

Authorize the Executive Director to contract for journal subscription services for an additional \$5,000 to bring the contract total to \$15,000 through FY00/01.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Augmentation of the Contract for the Regular Basic Course - Modular Format Examination Program		Meeting Date April 27, 2000
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>[Signature]</i>	Researched By Donna Brown
Executive Director Approval <i>[Signature]</i>	Date of Approval 3-29-00	Date of Report March 29, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Amendment of the contract with Cooperative Personnel Services for administration of the Regular Basic Course Modular Format testing program to increase the funding available by \$9,000.00.

BACKGROUND:

The modular format option of the regular Basic Course became effective on July 1, 1999. Each module requires students to take and pass one or more POST-constructed knowledge test(s) in order to successfully complete the training. Prior to implementation of the program, staff estimated that there would be 70 administrations of the tests to 5,000 candidates statewide and requested that the Commission approve a contract with Cooperative Personnel Services to administer the program in an amount not to exceed \$14,899.75 .

ANALYSIS:

Participation in the modular format program has far exceeded the level anticipated by staff. As of March 1, approximately 4,000 students have taken the tests in 170 test administrations. At the current rate, we anticipate that an additional 1,500 students will take the tests in an additional 80 administrations through the remainder of the fiscal year. In order to meet the demands of the academies participating in the modular format program, we will need to augment the contract with Cooperative Personnel Services.

RECOMMENDATION:

It is recommended that the Commission authorize the Executive Director to amend the contract with Cooperative Personnel Services for administration of the Basic Course Modular Format testing program to increase funds available by \$9,000.00.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Initiate a Contract with OSP to Administer the Regular Basic Course - Modular Format Examination		Meeting Date April 27, 2000
Bureau Standards & Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Donna Brown
Executive Director Approval <i>Arnold J. Oberman</i>	Date of Approval 3-30-00	Date of Report March 29, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Initiation of a POST contract with the Office of State Publishing (OSP) to administer the Regular Basic Course Modular Format testing program.

BACKGROUND:

The Modular Format option of the Regular Basic Course became effective on July 1, 1999. Each module requires students to take and pass one or more POST-constructed knowledge test(s) in order to successfully complete the training. Because POST has neither the staff and equipment resources, nor the space allocation necessary to assume direct responsibility for performing services associated with the administration of the tests (e.g., printing, maintaining sufficient inventory, shipping and retrieving test booklets, etc.), we have contracted with an outside vendor to provide those services.

ANALYSIS:

The vendor with which POST initially contracted, while performing at an acceptable level, has proposed a significant increase in charges for the upcoming fiscal year. The cost of the contract for the 1999/2000 fiscal year was \$23,900.00.

The Office of State Publishing has agreed to provide all of the same services at a cost to POST of \$20,610.00, which represents a 14% decrease. We are confident, based on the performance of OSP in administering the Basic Course Workbook program, that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

RECOMMENDATION:

Authorize the Executive Director to contract with the Office of State Publishing to administer the POST Regular Basic Course - Modular Format testing program during fiscal year 2000/01 for an amount not to exceed \$20,610.00.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Initiate a Contract with OSP to Administer the Entry-Level Reading and Writing Test Battery		Meeting Date April 27, 2000
Bureau Standards & Evaluation	Reviewed By Alan Deal <i>AL Deal</i>	Researched By Donna Brown
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 3-30-00	Date of Report March 29, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Initiation of a POST contract with the Office of State Publishing (OSP) to administer the POST Entry-Level Reading and Writing Test Battery.

BACKGROUND:

Since 1983, the Commission has authorized the POST Entry-Level Test Battery be made available to agencies in the POST program at no cost. Because POST has neither the staff and equipment resources, nor the space allocation necessary to assume direct responsibility for performing services associated with the administration of the test (e.g., printing, maintaining sufficient inventory, shipping and retrieving test booklets, etc.), we have contracted with an outside vendor to provide those services.

ANALYSIS:

Since 1983, POST has contracted with the same vendor to provide services associated with the administration of the Entry-Level Reading and Writing testing program. The vendor, while performing at an acceptable level, has significantly increased the amount it charges to provide those services, particularly in recent years. The cost of the contract for the 1999/2000 fiscal year was \$116,235.00.

The Office of State Publishing has agreed to provide all of the same services at a cost to POST of \$87,125.00, which represents a 25% decrease. We are confident, based on the track record of OSP in administering the Basic Course Workbook program, that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

RECOMMENDATION:

Authorize the Executive Director to contract with the Office of State Publishing to administer the POST Entry-Level Reading and Writing Test Battery during fiscal year 2000/01 for an amount not to exceed \$87,125.00.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Initiate a Contract with OSP to Administer the PC 832 Written Examination		Meeting Date April 27, 2000
Bureau Standards & Evaluation	Reviewed By Alan Deal <i>[Signature]</i>	Researched By Donna Brown
Executive Director Approval <i>[Signature]</i>	Date of Approval 3-30-00	Date of Report March 29, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Initiation of a POST contract with the Office of State Publishing (OSP) to administer the POST PC 832 Written Examination.

BACKGROUND:

Penal Code Section 832(a) requires that persons must pass a POST-developed or POST-approved examination in order to successfully complete the PC 832 course. Because POST has neither the staff and equipment resources, nor space allocation necessary to assume direct responsibility for performing services associated with the administration of the test (e.g., printing, maintaining sufficient inventory, shipping and retrieving test booklets, etc.), we have contracted with an outside vendor to provide those services.

ANALYSIS:

Since 1989, POST has contracted with the same vendor to provide services associated with the administration of the PC 832 testing program. The vendor, while performing at an acceptable level, has significantly increased the amount it charges to provide those services, particularly in recent years. The cost of the contract for the 1999/2000 fiscal year was \$45,367.00.

The Office of State Publishing has agreed to provide all of the same services at a cost to POST of \$38,710.00, which represents a 15% decrease. We are confident, based on the track record of OSP in administering the Basic Course Workbook program, that we will be able to continue to meet the needs of our local-agency clients with no decrease in our level of service.

RECOMMENDATION:

Authorize the Executive Director to contract with the Office of State Publishing to administer the POST PC 832 Written Examination during fiscal year 2000/01 for an amount not to exceed \$38,710.00.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Non-POST Certified Training Courses for Satisfying the Continuing Professional Training Requirement		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Bob Stresak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-2-00	Date of Report March 9, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for 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 modify regulation 1005 (d) and Procedure D-2 to recognize certain non-POST certified training courses for the purpose of satisfying POST's Continuing Professional Training (CPT) requirement?

BACKGROUND

The Commission, at its January 21, 1999 meeting extended the Continuing Professional Training (CPT) requirement to law enforcement executives, managers, Level II reserves, and dispatchers. At that time, it was reported that staff would be researching alternative means for satisfying the CPT requirement specified in POST Strategic Plan, Objective B.4. One of the recommendations from the POST 1998 CPT study was to include certain non-POST certified training courses, frequently attended by California peace officers.

Various non-POST certified training courses available to California peace officers over the past three decades have addressed specialized training needs. They have advanced the professionalism of law enforcement, improved officer safety, and provided current insight and solutions to challenges confronting today's law enforcement. At present, POST recognizes only California, POST-certified training courses for purposes of satisfying the CPT requirement. POST does, however, recognize non-POST certified courses for the purpose of satisfying requirements for its professional certificates.

ANALYSIS

In May 1999 a focus group met to discuss this issue. The group was comprised of 25 law enforcement agencies throughout the State; and also represented the California Police Chiefs Assn., the California State Sheriff's Assn, the California Peace Officers Assn, the Peace Officers' Research Assn. of California, and numerous county training associations. This group unanimously agreed that POST recognize at a minimum, the following non-POST-certified courses as meeting the CPT requirement:

- The FBI National Academy and National Executive Institute
- The United States Secret Service VIP Security Course
- The Northwestern Traffic Institute's Traffic Accident Investigation Course
- The National Sheriffs' Association National Sheriff's Institute

Additionally, POST staff recommends that completion of the following non-POST-certified courses also be recognized as satisfying the CPT requirement:

The Federal Law Enforcement Training Center Advanced Bomb Scene Investigations
The FBI's Hazardous Devices School, Redstone Arsenal, Alabama
Entities of the United States Armed Forces Special Weapons and Tactics Training

All of the above courses far exceed the minimum 24 hours. Some provide up to 3 months of required, full-time, daily attendance. These 8 courses would remain non-certified, non-reimbursable by POST, and limited solely to satisfying CPT requirements..

In the future, other non POST certified courses may also qualify for approval by the Commission. However staff recommends only the above-listed courses receive Commission approval as satisfying CPT requirements. This program will be evaluated by staff for ease of implementation, and its workload imposed upon staff responsible for data entry. Annual workload projections are estimated at approximately 300 attendees statewide for all the listed courses. As more experience with the program is gained, POST staff will identify other non-POST-certified courses for possible inclusion into POST Commission regulations.

Procedurally, this program will operate by law enforcement agencies submitting a POST form, along with a copy of the certificate-of-course-completion for the officer completing the training. The officer's computerized training record will be appropriately amended.

The recognition of a limited number of non-POST certified training courses which meet the CPT requirement is a valid concept. It will allow agencies some flexibility in meeting the requirement. Nationally attended courses provide increased networking while offering a broader, universal perspective of some challenges confronting California law enforcement. This proposal implements one of the objectives of the POST Strategic Plan.

RECOMMENDATION

It is recommended that the Commission approve, subject to the approval of the Office of Administrative Law (OAL), amendments to Commission Regulation 1005 (d) and Procedure D-2 that recognize specified non-POST certified courses, for the purpose of satisfying the CPT requirement.

Commission on Peace Officer Standards and Training

**Proposed Amendment of Commission Regulation 1005
Continuing Professional Training**

1005. Minimum Standards for Training.

[1005 (a) through 1005 (c)(5) continued]

(d) Continuing Professional Training (Required).

- (1) Every peace officer, Level I and Level II Reserve Officer as defined in Commission Procedure H-1-2(a) and H-1-2(b), Public Safety Dispatcher as defined in Commission Procedure 1001(w), and Public Safety Dispatch Supervisor, shall satisfactorily complete the Continuing Professional Training (CPT) requirement of 24 or more hours at least once every two years after meeting the basic training requirement. The CPT requirement is set forth in PAM, section D-2.**
- (2) The above requirement may be met by satisfactory completion of one or more certified Advanced Officer Courses, technical courses, and POST Special Seminars (those designed for training and not those designed to provide advice/input to POST), totaling 24 or more hours, or satisfactory completion of an alternative method of compliance as specified in PAM D-2. A further description of POST Special Seminars is set forth in PAM, section D-8. Requirements for Technical Courses are set forth in PAM, section D-6.**
- (3) Peace officer supervisors may satisfy the requirement by completing POST-certified Supervisory and Management Training Courses, in addition to the methods specified in (2) above.**
- (4) Peace officers in middle management or executive positions may satisfy the CPT requirement by completing any Executive training courses, in addition to the methods specified in (2) and (3) above.**
- (5) The Advanced Officer Course shall consist of time blocks of not less than two hours each, regardless of the subject matter, with an overall minimum of no less than 24 hours. The maximum time period for presenting an Advanced Officer Training Course is 180 days.**

(e) Executive Development Course (Optional).

- (1) The Executive Development Course is designed for department heads and**

**Commission on Peace Officer Standards and Training
POST ADMINISTRATIVE MANUAL
COMMISSION PROCEDURE D-2**

CONTINUING PROFESSIONAL TRAINING

Purpose

2-1. Specification of Continuing Professional Training: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005.(d) of the Regulations for Continuing Professional Training.

Objective

2-2. Continuing Professional Training Objectives: Continuing Professional Training is designed to provide update and refresher training in cognitive areas and psychomotor skills. Flexibility is to be permitted in course content and manner of course offering in order to meet changing conditions and local needs.

Recommended Content

2-3. Continuing Professional Training Content: The Commission recommends the following topics be considered, but not required, as part of Continuing Professional Training for officers assigned to enforcement duties:

- New Laws
- Recent Court Decisions and/or Search and Seizure Refresher
- Officer Survival Techniques
- New Concepts, Procedures, Technology
- Discretionary Decision Making (Practical Field Problems)
- Civil Liability-Causing Subjects
- Ethics
- *Perishable Skills

*Perishable skills are those skills used by an enforcement officer to obtain compliance by persuasion, or to compel compliance by the use of force. These skills tend to deteriorate if not reinforced through training and practice; Tactical Communications, Defensive Tactics, Chemical Agents, Impact Weapons, Firearms, Use of Force Judgement, and Driver's Training.

The training may include the Advanced Officer Course or other currently needed subject matter such as the topical areas of the Basic Course, Commission Procedure D-1. It is suggested elective subjects address current and local problems or needs.

Alternative Methods of Compliance

2-4. Non-POST Certified Training Courses. The following non-POST certified training courses satisfy the CPT requirement if (1) The course was completed within any two year compliance period and (2) POST was notified within 10 days of completing the course via POST form _____.

<u>Course</u>	<u>Presenter</u>
<u>The FBI National Academy</u>	<u>Federal Bureau of Investigation</u>
<u>The FBI National Executive Institute</u>	<u>Federal Bureau of Investigation</u>
<u>VIP Security</u>	<u>United States Secret Service</u>
<u>Traffic Investigation Course</u>	<u>Northwestern Traffic Institute</u>
<u>National Sheriff's Institute</u>	<u>National Sheriff's Association</u>
<u>Advanced Bomb Scene Investigations</u>	<u>Federal Law Enforcement Training Center</u>
<u>Hazardous Devices School, Redstone Ala.</u>	<u>Federal Bureau of Investigation</u>
<u>Special Weapons and Tactics</u>	<u>Entities of the United States Armed Forces</u>

Historical Note:

Procedure D-2 was adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982 and amended ____*_____.

* Date to be determined by OAL.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Proposed Amendment to Continuing Professional Training Requirement	Meeting Date April 27, 2000	
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Bob Stresak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-30-00	Date of Report March 28, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report	Financial Impact: <input type="checkbox"/> Yes (See Analysis for 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 set a public hearing to amend Commission Regulation 1005 (d) (2) and Procedure D-2 to require completion of specified perishable skills as part of the Continuing Professional Training (CPT) requirement?

BACKGROUND

Currently, POST's CPT requirement provides that every officer, first-line supervisor, manager, executive, dispatcher and Level I/II reserve officer must complete 24 hours of POST-certified training every two years. While POST provides some guidance as to recommended training courses/topics in Commission Procedure D-2, law enforcement agencies have been given wide latitude in selecting courses or topics to satisfy this training requirement. Rationale for this approach has been that training needs vary over time, and from agency to agency.

At the same time, POST and the law enforcement training community has experienced a growing awareness in recent years that major psychomotor skills (sometimes referred in the literature as "gross or complex psychomotor skills") diminish rapidly over time unless periodically practiced/used or refreshed through retraining. For law enforcement, the major psychomotor skills include driving, use of firearms, and arrest/control. At its December 1999 meeting, the Commission's Long Range Planning Committee indicated its support for the concept of mandatory perishable skills training with the addition of "communications" to the list of skills.

At the January 1998 meeting, the Commission authorized the Executive Director to contract for the services of a Management Fellow for up to one year to study the feasibility of establishing a perishable skills training requirement. Under the coordination of this Management Fellow, testing of in-service officers at several law enforcement agencies verify what prior similar studies have concluded: there is a reduction in proficiency in these skills unless refreshed periodically. See Attachment A for a summary of these results. A group of subject matter experts and law enforcement representatives (Attachment B) have provided input and support the recommendations of this report. This research was conducted pursuant to POST's Strategic Plan Objective A.3.

ANALYSIS

It is proposed that POST Regulation 1005 (d) (2) and Procedure D-2 be amended to require all peace officers, below the ranks of first-level supervisors and assigned to uniformed patrol and/or traffic assignments, to complete a minimum of 14 hours of the required 24 hours of CPT in specified perishable skills training every two year period as part of the CPT requirement. The remaining 10 hours of CPT would remain non-specified, allowing agency flexibility in the selection and application of other training topics. Minimum hours proposed for each of the four perishable skills are as follows:

Alternative A	Hours	Alternative B	Hours
1. Arrest and Control	4	Arrest and Control *	4
2. Driver Training/Awareness	4	Driver Simulator	4
3. Firearms Proficiency/Tactics	4	Force Options Simulator	4
4. Communications (Tactical)	2	Communications (Interpersonal)	2

While a case can be made to include officers in other assignments or ranks, it is believed that officers assigned to patrol and traffic represent the most critical of assignments. If the Commission acts to approve these regulations, the need for officers in other ranks or assignments can be explored.

It is no coincidence that these core skills, when not periodically refreshed, frequently correlate to incidence of personnel complaints, officer injury, officer death, civilian injury, civilian death and resultant liability to law enforcement agencies. Accordingly, the four core skills were identified as lynchpins of safe and effective law enforcement operations.

For perishable skills 2, 3, and 4, it is proposed that law enforcement agencies be encouraged to switch between Alternatives A and Alternatives B every two year period to maximize exposure to driver and firearms training via hands on/manipulative, and simulator training which focuses on judgement and decision-making. Evidence exists to show that deficit performance in these areas can be attributable to both diminished skill proficiency and inadequate judgement. Attachment C provides an outline of minimum content for these courses. Virtually all of these courses are already POST-certified and available.

* There is no alternative for Arrest and Control training. This topic will be repeated every two year period to maintain the 14 hour requirement.

Communications, although not considered a gross psychomotor skill, is nevertheless a perishable, critical skill that is an inherent part of almost every task performed by peace officers. Communications has significant implications for officer/citizen safety as well as law enforcement's image. Citizen complaints often emanate from ineffective communications. It is proposed that Communications be satisfied alternately between "tactical" and "interpersonal." Tactical communications provides skills in gaining compliance with officer's directives.

Consistent with POST Strategic Plan objective B.4, officers should be able to demonstrate their

proficiency through POST-approved testing. While testing procedures for these perishable skills are not now generally available, it is believed they will become available in the future. For example, POST has been conducting extensive research and development in testing for Arrest and Control. Work is also commencing on testing for firearms proficiency.

Anticipated impact of this requirement on law enforcement agencies includes the following:

- A reduced incidence of driving accidents, use of excessive force incidents, officer injuries and deaths, and citizen complaints against officers.
- Minimal, if any, impact on the volume of training provided to in-service officers since most agencies far exceed POST's CPT minimums.
- Law enforcement agencies will have to pay close attention to the training courses selected to satisfy the CPT requirement.
- An insignificant financial impact upon agencies since all of this training must be POST certified and accordingly, reimbursable.

These impacts are only anticipated. If approved, staff will monitor actual agency impact caused by this proposed requirement. Additionally, POST will examine the feasibility of maximizing the eligibility for backfill reimbursement of this training.

Regulatory language to implement this proposed requirement is found in Attachment D. A public hearing is recommended for the July 2000 meeting in order to adopt these changes. It is recommended that this proposed requirement become effective July 1, 2001 which should allow sufficient opportunity for POST-certification of additional perishable skills courses to be made available.

RECOMMENDATION

It is recommended that a public hearing be scheduled in conjunction with the July 2000 meeting to amend Commission Regulation 1005 (d) (2) and Commission Procedure D-2 to require specified "Perishable Skills" as part of the Continuing Professional Training requirement and that these changes take effect July 1, 2001.

Summary of Results of POST Perishable Skills Testing

Agencies volunteering

Five California law enforcement agencies participated in the survey: Alameda County Sheriff's Department, Los Angeles Police Department, Los Angeles Sheriffs Department, San Bernardino Sheriffs Department, San Francisco Police Department.

Nature of testing

Testing of in-service officers from these agencies concerned Arrest and Control, Driver Training, and Firearms. The testing encompassed the conditions and requirements currently used for graduation from the regular basic course.

Description of Results

<u>Perishable Skill</u>	<u>Number Tested</u>	<u>Failure Rates</u>
Arrest and Control	277 Officers	71.5% Overall
Driver Training	77 Officers	Collision Avoid. 39.3% Offset Lane: 40.7% Code 3: 47.2%
Firearms	247 Officers	67.4% Overall

Limitations of Study

The survey targeted a goal sampling of 503 officers. Only 277 results were received. Representative samples of each agency were sought. However, the survey fell short in this goal and did not achieve a representative sampling of each agency. And lastly, this survey failed to identify "point of departure": that threshold time in which perishable skills began to deteriorate following academy graduation. However, results did verify there is an increasing deterioration of proficiency correlated with the lengths of time since officers have graduated from the academy.

Results support results of previous studies

A 1976 San Jose Police Department project which sought "to identify the need and develop a system of recurrent instruction in police defensive tactics that will keep an officer's level of proficiency at an acceptable level" supports the findings of the above survey.

**Perishable Skills Ad Hoc Committee
Roster
February 2000**

Dave Babineaux, Lieutenant
San Jose Police Department

Ted Barnes, Chief
Pinole Police Department

Rich Bond, Captain
Alameda County Sheriff's Department

Michael Carona, Sheriff
Orange County Sheriff's Department

Frank Cena, Sergeant
Siskiyou County Sheriff's Department

Norm Cleaver, Director
Santa Rosa Training Center

Dennis Cole, Captain
San Diego Regional Public Safety
Training Institute

Steve Craig
PORAC

Greg Dossey, Director
Allen Hancock College
Law Enforcement Academy

Johnny Dredd, Captain
Los Angeles County Sheriff's Department

Tim Finneran, Sergeant
Orange County Sheriff's Department

Gretchen Fretter, Director
Contra Costa Criminal Justice Training
Center

Ron Gannon, Commander
West Covina Police Department

Jeff Kermod, Lieutenant
Irvine Police Department

Steve Keyser, Lieutenant
Los Angeles Police Department

Craig Kilday, Lieutenant
Riverside County Sheriff's Department

Greg Kyritsis, Captain
San Bernardino County Sheriff's Department

Rob Lake, Lieutenant
Sacramento Police Department

Daniel Lawson, Captain
San Francisco Police Department

Leena Maddux, Lieutenant
Sacramento County Sheriff's Department

Frank McKee, Officer
San Francisco Police Department

Bob Norman, Chief
Foster City Police Department

Willie Pannell, Commander
Los Angeles Police Department

Captain Bruce Pfefferkorn
San Diego Regional Public Safety
Training Institute

**Perishable Skills Ad Hoc Committee
Roster
February 2000**

**Mark Puthuff, Sergeant
Ray Simon Criminal Justice Training Center**

**Sharon Shaffer, Lieutenant
Fresno Police Department**

**Neil Slawson
San Bernardino County Sheriff's Department**

**Stan Sniff, Captain
Riverside County Sheriff's Department**

**Larry Stimach
Santa Rosa Training Center
Santa Rosa Junior College**

**Frank Wills, Chief
West Covina Police Department**

Content Outlines for Perishable Skill Course

Each Perishable Skill category contains, at minimum, the following elements:

Firearms

Force Options Simulator

Judgement and Decision Making Evaluation

Policy and Legal issues

Moral Obligations

Accuracy

Availability of less lethal force options

Tactical communications skills

Range

Proficiency

Safety drills

Simunitions

Live fire tactics

Weapons clearing

Driving

Driving Simulators

Judgement and Decision Making Evaluation

Stress scenarios

Pursuit/Code 3

Normal Driving

Policy and Legal Issues

Moral and Legal Obligations

Driving Range (EVOC)

Behind the wheel training

Pursuit/Code 3

Backing/Parking

Intersections

Defensive Driving

Response to crime incidents

Intervention Techniques

Arrest and Control/Defensive Tactics

Control techniques

Verbal Skills

Impact weapons

Less lethal

Lethal

Chemical

Restraint Devices

Communications

Tactical officer to officer

Tactical officer to suspect(s)/citizen(s)

Interpersonal, officers, citizens

Proposed Regulation Changes

Commission on Peace Officer Standards and Training

**Proposed Amendment of Commission Regulation 1005
Continuing Professional Training**

1005. Minimum Standards for Training.

[1005.(a) through 1005.(c)(5) continued]

- (d) Continuing Professional Training (Required).
- (1) Every peace officer, Level I and Level II Reserve Officer as defined in Commission Procedure H-1-2(a) and HB1-2(b), Public Safety Dispatcher as defined in Commission Procedure 1001(w), and Public Safety Dispatch Supervisor, shall satisfactorily complete the Continuing Professional Training (CPT) requirement of 24 or more hours at least once every two years after meeting the basic training requirement. The CPT requirement is set forth in PAM, section D-2.
 - (2) The above requirement may be met by satisfactory completion of one or more certified Advanced Officer Courses, technical courses, and POST Special Seminars (those designed for training and not those designed to provide advice/input to POST), totaling 24 or more hours, or satisfactory completion of an alternative method of compliance as determined by the Commission. A further description of POST Special Seminars is set forth in PAM, section D-8. Requirements for Technical Courses are set forth in PAM, section D-6. For peace officers below the rank of first-level supervisors assigned to uniformed patrol and/or traffic, the 24 hours shall contain a minimum of 14 hours of perishable skills training as specified in PAM Section D-2.
 - (3) Peace officer supervisors may satisfy the requirement by completing POST-certified Supervisory and Management Training Courses, in addition to the methods specified in (2) above.

- (4) Peace officers in middle management or executive positions may satisfy the CPT requirement by completing any Executive training courses, in addition to the methods specified in (2) and (3) above.
- (5) The Advanced Officer Course shall consist of time blocks of not less than two hours each, regardless of the subject matter, with an overall minimum of no less than 24 hours. The maximum time period for presenting an Advanced Officer Training Course is 180 days.

**Commission on Peace Officer Standards and Training
POST ADMINISTRATIVE MANUAL
COMMISSION PROCEDURE D-2**

CONTINUING PROFESSIONAL TRAINING

Purpose

2-1. Specification of Continuing Professional Training: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005.(d) of the Regulations for Continuing Professional Training.

Objective

2-2. Continuing Professional Training Objectives: Continuing Professional Training is designed to provide update and refresher training in cognitive areas and psychomotor skills. Flexibility is to be permitted in course content and manner of course offering in order to meet changing conditions and local needs.

2-3. Perishable Skills: For peace officers below the rank of first-level supervisors and assigned to uniformed patrol and/or traffic, a minimum of 14 hours of this requirement in each two year period shall contain perishable skills training including any four of the following courses that have been specifically designated by POST as satisfying this requirement:

<u>Arrest and Control Procedures Course (Alternative A)</u>	<u>4 Hours Minimum</u>
<u>Firearms Training Course (Alternative A)</u>	<u>4 Hours Minimum</u>
<u>Driver Training Course (Alternative A)</u>	<u>4 Hours Minimum</u>
<u>Driver Training Simulator Course (Alternative B)</u>	<u>4 Hours Minimum</u>
<u>Force Options Simulator Course (Alternative B)</u>	<u>4 Hours Minimum</u>
<u>Communications tactical (Alternative A)</u>	<u>2 Hours Minimum</u>
<u>Communications-interpersonal (Alternative B)</u>	<u>2 Hours Minimum</u>

(a) These courses may be satisfied through testing in lieu of training if the testing procedure has been pre-approved by POST.

Recommended Content

2-3 4. Continuing Professional Training Content: The Commission recommends the following topics be considered, but not required, as part of Continuing Professional Training for officers assigned to enforcement duties:

- New Laws
- Recent Court Decisions and/or Search and Seizure Refresher
- Officer Survival Techniques
- New Concepts, Procedures, Technology
- Discretionary Decision Making (Practical Field Problems)
- Civil Liability-Causing Subjects
- Ethics
- *Perishable Skills**

~~*Perishable skills are those skills used by an enforcement officer to obtain compliance by persuasion, or to compel compliance by the use of force. These skills tend to deteriorate if not reinforced through training and practice, Tactical Communications, Defensive Tactics, Chemical Agents, Impact Weapons, Firearms, Use of Force Judgement, and Driver's Training.~~

The training may include the Advanced Officer Course or other currently needed subject matter such as the topical areas of the Basic Course, Commission Procedure D-1. It is suggested elective subjects address current and local problems or needs.

Historical Note:

Procedure D-2 was adopted and incorporated by reference into Commission Regulation 1005 on April 15, 1982 and amended July 1, 2000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Revisions to Guidelines for Handling Missing Persons and Runaway Cases.		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Jody Buna
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-9-00	Date of Report March 8, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission approve revised guidelines that should be followed by law enforcement agencies in handling missing person and runaway cases?

BACKGROUND

Penal Code Section 13519.1 requires the Commission to establish guidelines for law enforcement response to missing person and runaway cases. The POST document, *Guidelines and Curriculum for Handling Missing Person and Runaway Cases*, was last modified in 1998 to incorporate legislative changes. Recent changes to Penal Code Sections 14205, 14206 (d) and the addition of Education Code 49068.6 necessitate further revision of Commission guidelines.

ANALYSIS

Subject matter experts from the State of California Department of Justice Missing/Unidentified Persons Unit reviewed existing guidelines and proposed the revisions contained in Attachment "A." The changes, although minor, will ensure that Commission guidelines are consistent with state laws effective January 1, 2000.

Revising the operative word "should" to "shall" is the result of the legislature's addition of language to Penal Code section 14206 (d) which states, "The requirements imposed by this section on local police and sheriff's departments shall not be operative * * * if the governing body of the local agency, by a majority vote of the members of that body, adopts a resolution expressly making those requirements inoperative." Additional changes raised the age from 12 to 16 years old when a mandatory "Be on the Lookout" bulletin is broadcast. Notification to a juvenile's area of residence is required when a missing juvenile is reported in an outside jurisdiction and that person is under 16 years of age. Guideline #15, regarding school notification by the investigating agency, was added as a result of new Section 490686 of the Education Code.

RECOMMENDATION

Approve revisions to Commission guidelines that should be followed by law enforcement agencies in handling missing person and runaway cases.

GUIDELINES FOR HANDLING MISSING PERSON AND RUNAWAY CASES

I INITIAL RESPONSE

Guideline # 1 - DETERMINE IF YOU HAVE A MISSING PERSON CASE.

1. Officers, dispatchers, or other designated personnel who take the initial call, by phone or in person, should determine if the call is a missing person case according to the definition of a missing person as it relates to departmental policy.
2. If it is determined the person is a victim of a crime or foul play, the case should be handled with urgency.

Guideline # 2 - EXHIBIT SENSITIVITY TO THE REPORTING PARTY.

Reporting parties and families of missing persons often experience feelings of helplessness and anxiety. Officers, dispatchers, or other designated personnel dealing with these persons should be sensitive to those feelings and respond appropriately.

1. Fingerprints and other documents should be accepted from parents or guardians who have them available.

Guideline # 3 - ACCEPT ANY REPORT, INCLUDING ANY TELEPHONIC REPORT, OF A MISSING PERSON OR RUNAWAY PROMPTLY.

1. It is the duty of all law enforcement agencies to immediately assist any person who is attempting to make report of a missing person or runaway (14210 (a) PC).
 - a. A report **shall** be accepted regardless of jurisdiction.
 - b. Generally the agency having jurisdiction over the missing person's place of residence has ultimate investigative responsibility for the missing person case.
2. If the California Highway Patrol is contacted, including by phone, by someone wishing to make a report of a missing person or runaway the CHP may take the report. After taking the report, the CHP shall immediately advise the reporting party of the name and phone number of the police or sheriff's department having jurisdiction over the residence of the missing person and the place where the missing person was last seen (14205 (a) PC).

Guideline # 4 - GIVE PREFERENCE TO REPORTS OF MISSING PERSON AND RUNAWAY CASES.

1. Officers, dispatchers, or other designated personnel shall ~~should~~ give priority to the handling of missing person and runaway reports over reports relating to crimes involving property (PC 14205 (a)).
 - a. The individual taking the report must exercise good judgment and apply reasonableness in following this guideline.
 - b. The intent of this guideline is to ensure that missing person cases are given appropriate attention over "non-emergency" property-related cases.
 - c. Special attention should be given to reports of very young missing children or for persons with physical or mental limitations. These persons are at greater risk to their safety.

Guideline # 5 - TAKE PROPER COURSE OF ACTION FOR INITIAL RESPONSE AND IMMEDIATELY MAKE AN ASSESSMENT OF STEPS TO LOCATE (14205 (a) PC).

1. Officers or other designated personnel should interview reporting party and any witnesses to determine:
 - a. Type of missing person case.
 - b. Indications the person is at risk - or existence of any suspicious circumstances.
 - c. Description of missing person.
 - d. Other appropriate action.
2. Based upon the law, circumstances of each report and departmental policy, appropriate actions may include:
 - a. **Shall Broadcast a Making-a-local "Be On the Lookout" bulletin broadcast within it's jurisdiction if the person is under 16-12 years of age; or there is evidence a person is at risk or evidence of suspicious circumstances. The "BOL" should be broadcast without delay.**
 - b. Searching the area.

- c. Examining court orders regarding custody matters.
- d. Notifying other agencies.
- e. Calling a supervisor or investigator to the scene.
- f. Securing a recent photo.
- g. Making a referral to local counseling agencies or support groups.
- h. Following reporting requirements.
- i. Utilizing additional resources.

Guideline # 6 - PROVIDE REPORTING PARTY WITH DEPARTMENT OF JUSTICE FORM # SS8567 AUTHORIZING THE RELEASE OF DENTAL OR SKELETAL X-RAYS OR BOTH, INCLUDING INSTRUCTIONS ON WHEN TO OBTAIN THESE AND SUBMIT THEM TO THE AGENCY (14206 (a) (1) PC).

1. Officers, dispatchers, or other designated personnel shall ~~should~~ give the reporting party, in person or by mail, a Department of Justice form which when completed by a reporting party or a family member or guardian authorizes the release of dental/medical records, and/or dental and skeletal X-rays, and the release of a recent photograph if the missing person is under 18 years of age.

The form's instructions state if the person is still missing 30 days after the report is made, that the form is to be signed by a family member or next of kin and taken to the appropriate medical authority. The family member or next of kin shall obtain the dental/medical/skeletal X-rays (includes all X-rays, records, models, and photographs, which are in the possession of a dentist, physician, surgeon, or medical facility) and records, and within ten days submit them to the agency to which the report was made. The dental or skeletal X-rays or both, and a recent photograph shall immediately, thereafter, be submitted to the law enforcement agency.

- a. Dentists, physicians, surgeons, and medical facilities must release the X-rays to the person presenting the request.
2. The form also instructs the reporting party to take the form to the appropriate medical authority immediately when a child is at risk or the disappearance was under suspicious circumstances, or the missing child is under 16 ~~12~~ years of age and has been missing at least 14 days. The dental records and a recent photograph shall immediately, thereafter, be

submitted to the law enforcement agency. In these cases the law enforcement agency may confer with the coroner or medical examiner and submit the report and dental records to DOJ within 24 hours.

Guideline # 7 - THE AGENCY WHERE THE MISSING PERSON WAS LAST SEEN MAY INITIATE AN INVESTIGATION IF APPROPRIATE.

1. It is appropriate to initiate an investigation when the missing person is at risk or when a delay might significantly reduce the possibility of finding the missing person.

Guideline # 8 - WHEN A CHILD IS AT RISK OR MISSING UNDER SUSPICIOUS CIRCUMSTANCES, THE AGENCY MAY IMMEDIATELY OBTAIN THE DENTAL/SKELETAL X-RAYS/MEDICAL RECORDS BY "WRITTEN DECLARATION." IN SUCH CASES THE AGENCY MAY IMMEDIATELY CONFER WITH THE CORONER OR MEDICAL EXAMINER AND SUBMIT THE AGENCY'S REPORT, DENTAL/SKELETAL/MEDICAL RECORDS, AND PHOTO TO THE DEPARTMENT OF JUSTICE WITHIN 24 HOURS (14206 (a) (2) PC).

1. A peace officer may sign a written declaration to obtain the release of dental or skeletal X-rays, or both, immediately when the missing person is under 18 years of age or is at risk and missing under suspicious circumstances. The officer or other designated personnel may immediately confer with the coroner or medical examiner and may submit the report and dental or skeletal X-rays, or both, within 24 hours, thereafter, to DOJ.

II. FOLLOW-UP INVESTIGATION

Guideline # 9 - INITIATE FOLLOW-UP CONTACTS WITHIN 30 DAYS.

1. Officers or other designated personnel should consider re-contacting the reporting party within 30 days of the initial report for additional information and re-contacting any other involved agencies as appropriate.

Guideline # 10 - OBTAIN THE DENTAL/SKELETAL X-RAYS/MEDICAL RECORDS BY "WRITTEN DECLARATION" WHEN A PERSON IS STILL MISSING AFTER 30 DAYS AND NO NEXT OF KIN CAN BE LOCATED (14206 (a) (1) PC).

1. When any person has not been found within 30 days, and no family or next of kin can be located, a written declaration may be executed. The declaration should state that an active investigation seeking the location of the missing person is being conducted and that dental or skeletal X-rays, or both, are necessary to proceed with the investigation. The written

declaration, signed by a peace officer, is sufficient authority for the appropriate medical authority to release the dental or skeletal X-rays or both.

Guideline # 11 - CONFER WITH THE CORONER OR MEDICAL EXAMINER AND SUBMIT A MISSING PERSON REPORT AND THE DENTAL OR SKELETAL X-RAYS, OR BOTH, AND PHOTOGRAPH TO THE DEPARTMENT OF JUSTICE WHEN ANY MISSING PERSON HAS NOT BEEN FOUND WITHIN 45 DAYS (14206 (b) PC).

1. If the person missing has not been found within 45 days, the officer or other designated personnel within the agency initiating or conducting the investigation may confer with the coroner or medical examiner for comparison to unidentified deceased persons. The coroner or medical examiner is required to cooperate with law enforcement in these efforts.

After conferring with the coroner or medical examiner, the investigating officer or other designated personnel may submit a missing person report, dental or skeletal X-rays, or both, and photograph if under 18 years of age, to DOJ.

2. The officer or other designated personnel should send a copy of the release form with the photo to DOJ. DOJ cannot reproduce the photo without a release.
3. Local reporting agencies shall attempt to obtain the most recent photograph available for persons under 18 years of age and forward the photos to DOJ (14209 (b) PC).

III. REPORTING

Guideline # 12 - WHEN A REPORT IS TAKEN THE AGENCY SHALL ~~SHOULD~~ PROMPTLY NOTIFY AND SEND THE REPORT TO THE DEPARTMENT THAT HAS JURISDICTION OVER THE MISSING PERSONS RESIDENCE ADDRESS AND WHERE THE MISSING PERSON WAS LAST SEEN (14205 (c) PC).

1. Officers, dispatchers, or other designated personnel who take a report on a missing person or runaway who resides outside their departments' jurisdiction shall ~~should~~, without delay, notify and forward a copy of the report, when completed, to the police or sheriff's department having jurisdiction over the missing person's residence address and where the missing person was last seen. In cases involving children under 16 ~~12~~ years of age, or persons at risk, this notification should be within 24 hours (14205 (c) PC).

2. It may be appropriate to notify the agency having jurisdiction of the missing person's intended destination.
3. Agencies should define the words "without delay" with a specific time frame that conveys urgency.

Guideline # 13 - THE AGENCY TAKING THE REPORT SHALL ~~SHOULD~~ SUBMIT THE REPORT TO THE DEPARTMENT OF JUSTICE (14205 (c) PC).

1. The report shall be submitted through the California law enforcement telecommunications system on-line missing persons system.

Guideline # 14 - INFORMATION REGARDING MISSING PERSONS UNDER ~~16~~ 12 YEARS OF AGE, OR WHERE THERE IS EVIDENCE THE MISSING PERSON IS AT RISK, ~~SHALL SHOULD~~ BE ENTERED INTO THE MISSING PERSONS SYSTEM (MPS) WITHIN 4 HOURS BY THE AGENCY TAKING THE REPORT (14205 (b) PC).

1. The agency assuming investigative responsibility should make the MPS entry.

Guideline # 15 - WITHIN 10 DAYS OF A CHILD'S DISAPPEARANCE, THE AGENCY RESPONSIBLE FOR INVESTIGATION OF THE MISSING CHILD SHALL INFORM THE CHILD'S SCHOOL THAT HE/SHE IS MISSING. THE NOTICE SHALL BE IN WRITING AND, IF AVAILABLE, INCLUDE A PHOTOGRAPH (49068.6 (a) EDUCATION CODE). LAW ENFORCEMENT AGENCIES MAY ESTABLISH A PROCESS TO INFORM LOCAL SCHOOLS ABOUT ABDUCTED CHILDREN (49068.6 (c) EDUCATION CODE).

Guideline # 16 ~~15~~- WHEN A MISSING PERSON IS FOUND, THE AGENCY MUST REPORT THIS TO THE DEPARTMENT OF JUSTICE AND ~~SHALL SHOULD~~ REPORT TO OTHER AGENCIES AS APPROPRIATE. (14207 PC)

1. When any person reported missing is found, the officer, dispatcher, or other designated personnel shall immediately report that information to DOJ.
2. The reporting party and other involved agencies shall ~~should~~ be notified in accordance with local policy.
3. Any automated systems entries shall be canceled.
4. Information regarding any found, unidentified persons, alive or deceased, should be entered into the CJIS UPS (Unidentified Persons System).

Attachment A

5. When a child under 16 years of age, or a person who is at risk is found, the report of finding shall be made within 24 hours. (14207 (b) PC).
6. The locating agency shall also report to the law enforcement agency that took the initial report (14207 (b) PC).
7. When any missing person is found alive or dead, in less than 24 hours, and is suspected to have been abducted, the law enforcement agency shall submit a report to DOJ (14207 (c) PC).
8. In the event that a missing person is found before being reported missing to DOJ, a missing person report shall still be submitted to DOJ (14207 (c) PC).

March 1, 2000

BULLETIN: 00-05

SUBJECT: BASIC COURSE DRIVER TRAINING TUITION INCREASE

At its October 28, 1999 meeting, the Commission approved an increase in the maximum reimbursable tuition for Basic Course Driver Training. The tuition was last increased in 1986. The tuition increase for basic course driver training is effective July 1, 2000.

The maximum tuition is increased from \$380 to \$525 for agency presenters who receive no subvention from the community college system. The tuition is increased from \$323 to \$445 for presenters who receive off-setting revenues from community colleges.

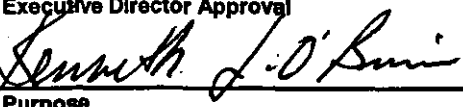
A tuition increase must be approved by POST and be based upon the actual cost of providing the training that is supported by a revised course budget. Presenters may submit revised budgets as part of the regular re-certification/contract process for FY 2000/01.

If you have any questions or need additional information, contact your area consultant at (916) 227-4862.

KENNETH J. O'BRIEN
Executive Director

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Extension for POST Management Fellow Regional Skills Center Coordinator		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Ray A. Bray
Executive Director Approval 	Date of Approval 3-9-00	Date of Report March 8, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission approve a one-year extension of the contract with the San Diego Regional Training Center for the services of a POST Management Fellow assigned to coordinate the development of the POST Regional Skills Training Centers?

BACKGROUND

At the April 1999 meeting, the Commission approved a one-year contract with a government entity to provide POST the services of a POST Management Fellow to coordinate the development of POST Regional Skills Training Centers. Subsequently, POST contracted with the San Diego Regional Training Center to provide the services of Forrest Billington for one year.

Considerable implementation progress, as depicted on the attachments, has been made during this period. However, the 17 skill centers are in various stages of development that will require additional support services from POST. Furthermore, POST's 2000-2001 proposed budget contains an additional \$7 million earmarked for additional skill centers necessitating support and coordination services from POST.

ANALYSIS

POST's Management Fellow assigned to coordinate the development of these skill centers has the following duties:

- Prepare contracts with individual skill centers
- Provide consulting services to skill centers
- Develops operating requirements, curriculum, instructor training
- Conduct inspections of skill center sites as well as simulator equipment vendors
- Assists in development of simulator scenarios

The current POST Management Fellow, Forrest Billington, has performed these duties very well. Implementation progress has been substantial under his leadership and direction. Considerable work remains in developing the existing centers as well as those additional sites that will need to be developed after July 1, 2000, the start of the new fiscal year.

For these reasons, it is proposed that the contract with the San Diego Regional Training Center be extended for one year so that the additional program development and coordination can continue. It is expected that most, if not all, of this work will be completed after one more year.

RECOMMENDATION:

It is recommended that the contract with the San Diego Regional Training Center be extended for one year and augmented by \$130,000 to continue the services of the POST Management Fellow.

Attachments

February 23, 2000

REGIONAL SKILLS CENTER SITE STATUS

SKILLS CENTER	VENDOR		EQUIP DELIVERED		SITE INSPECTION		COURSE CERTIF.	
	DS	FOS	DS	FOS	DS	FOS	DS	FOS
ALAMEDA SD	FAAC	PRISM	Delivered	Order				
98-011-82				Pending				
CC/LOS MEDANOS	AMOS 1	RANGE 2K		yes		yes	yes	
980011-76	Replace in 2K							
ALAN HANCOCK	AMOS 2	PRISM	Delivered	Delivered	yes	yes		
98-011-90								
FRESNO PD	ISIM	RANGE 2K	Delivered	Ordered				
98-011-58								
LOS ANGELES PD	AMOS 1	Out to bid			yes		pending	yes
98-011-78	Replace in 2K							
LOS ANGELES SD	Out to bid	Out to bid					yes	
98-011-96								
MODESTO RSCJTC	AMOS 1	PRISM		Delivered			yes	pending
98-011-59	Replace in 2K	Tractor		Ordered				
ORANGE CO. SD	ISIM	PRISM	Ordered	Ordered				
98-011-91								
REDDING/BUTTE	AMOS 1	FATS 4		Delivered		yes	yes	
98-011-77	Replace in 2K							
RIVERSIDE SD	Undecided	Undecided						
98-011-92								
SAC SD & PD	AMOS 1 & Mobile	Mobile PRISM		Ordered				
98-011-74								
SOUTH BAY RTC								
CONTRACT PEND.								
SAN BDNO SD	Undecided	Undecided					yes	
98-011-97								
SAN DIEGO SD	ISIM	Out to bid	Ordered					
98-011-94								
SISKIYOU SD	AMOS 1	FATS 3					yes	yes
98-011-81	Replace in 2K							
SAN JOSE PD	ISIM	PRISM	Ordered	Ordered				
98-011-98								
SANTA ROSA TC	AMOS 2	FATS 4	Delivered	Delivered	yes	yes		
98-011-95								
WEST COVINA PD	ISIM	FATS 3	Ordered				yes	yes
98-011-99								

DS=DRIVING SIMULATOR
 FOS=FORCE OPTIONS SIMULATOR

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request to Approve the Augmentation of an Existing Contract for the Facilitation of Additional Domestic Violence Training Courses.		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Ray A. Bray	Researched By Jan Bullard
Executive Director Approval <i>[Signature]</i> Kenneth J. O'Brien	Date of Approval 3-26-00	Date of Report March 3, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Executive Director be authorized to augment the existing contract with San Diego Regional Training Center (SDRTC), to facilitate ten (10) additional Domestic Violence for First responders courses in the amount of \$40,000? *

BACKGROUND

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112. The funds were dedicated to five (5) designated projects, one of which was the creation and presentation of the Domestic Violence for First Responders course. With subsequent approval, POST entered into an agreement with Office of Criminal Justice Planning (OCJP) for augmentation of the grant for Fiscal Year Funds 97-98, 98-99 and 99-00, bringing the grant total to \$7 million. The 99-00 grant money ultimately extends until 12-31-00.

At the time of the original grant and the augmentations, the Commission approved the negotiation of contracts with SDRTC to facilitate the First Responder courses throughout the state. We are continuing to contract with SDRTC to facilitate these courses which has been successful in meeting the needs of the field.

ANALYSIS

The original number of Domestic Violence for First Responder presentations were completed under budget. Therefore, funds remain in the final phase of the grant which would accommodate ten (10) additional presentations. There are still requests by the field for this course.

The SDRTC has expressed a willingness to augment the existing interagency agreement to provide the additional presentations of this course. Contracting with the existing provider would ensure continuity to law enforcement agencies requesting these presentations.

RECOMMENDATIONS

Authorize the Executive Director to augment the existing contract with SDRTC for the presentation of ten (10) additional Domestic Violence for First Responders courses in an amount not to exceed \$40,000. *

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Amendment of MIDP Contract for FY-1999/2000		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Mike Hooper
Executive Director Approval <i>Kenneth J. Bruni</i>	Date of Approval 3-26-00	Date of Report March 16, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to amend and extend the current Master Instructor Development Program (MIDP) contract with the San Diego Regional Training Center (SDRTC) for the principal purpose of accomplishing an intensive program evaluation?

BACKGROUND

The MIDP is a key element in improving the quality of instruction for law enforcement. The one-year program requires attendance at five workshops and production of a law enforcement training course ("Total Training Package") which satisfies an identified training need. This intensive program is the linchpin in the master plan to upgrade instructor standards. Operational since 1991, the MIDP has produced to date a total of 123 master instructors. A number of program graduates have served commendably as mentors to both novice and journeyman-level instructors within their organizations. Collectively, they comprise a cadre of instructors available to assist with training development, presentation, and evaluation throughout the state.

Notwithstanding the laudable goals of the MIDP and its many successes, there are aspects of the program that compel evaluative inquiry. A recurring "red flag" has been the number of graduates per class. The MIDP has been designed to accommodate 18 students, with an expectation that the number of graduates would approximate the enrollment figures. In reality, the numbers of enrollees and graduates have fallen short. As an example, Classes 8, 9, and 10 each graduated nine persons. Class 11 graduated 10 individuals. These figures raise concerns about the recruitment and selection of course enrollees.

Exacerbating the enrollment shortfall is the fact there has not been a systematic evaluation of the application of graduates' skills in the training workplace. Some graduates are more prominent than others and their applications well known. However, a large number of master instructors' endeavors remain uncharted.

On March 6, 2000, during contract negotiations, a joint decision was made by POST and SDRTC staff to defer the start of the MIDP class scheduled for April, Class 13, to October 2000. This decision was efficiency-driven, based on the fact that to that date only eight persons had enrolled in the course, and was also considerate of the chronic enrollment shortfall.

ANALYSIS

Based on the foregoing facts, it is prudent to use the time and funds made available through the shift of Class 13 to the next contract year to accomplish an intensive evaluation of the MIDP. Encumbered funds for the two workshops within Class 13 that would be deferred to the next contract year total \$61,536, and the rescheduled start date for Class 13 is October 9, 2000. This provides an evaluation timeline of May through September. The extended contract would end September 30, and the contract renewal for Fiscal Year 2000-2001 would be effective October 1, 2000.

The evaluation would concentrate on three areas: program design and process, program effectiveness, and follow-up evaluation of program enrollees and graduates. Evaluation of program design and process focuses on the structure of the MIDP curriculum design and instructional methodology. Emphasis will be on critical aspects of solid instructional design, e.g., carefully crafted objectives, related instructional activities, and valid tests. Assessment of program effectiveness includes cost-benefit analysis and the alignment of the curriculum with training goals and outcomes. Follow-up of program "enrollees" (those who for various reasons did not complete the course) and graduates principally examines the degree to which skills gained in the MIDP are being applied currently. This follow-up also extends to interviews of the supervisors and employers of enrollees/graduates.

The evaluation of the program design and processes, as well as the program effectiveness, will be performed by two external evaluators. The evaluators have been identified and have both enthusiastically expressed interest in performing the evaluation. Both possess doctorates in the area of instructional technology and are members of the faculties at San Diego State University and San Jose State University. Each will perform an independent evaluation. SDRTC will facilitate access to master instructors and other MIDP staff members as necessary.

The follow-up of enrollees and graduates will be accomplished primarily by SDRTC staff via survey research methodology. They possess the most extensive knowledge of the status of the MIDP cadre and routinely interact with the cadre. In the course of the follow-up, SDRTC will explore alternatives for increasing the pool of MIDP candidates and for improving selection and retention success.

Note: The evaluation is planned to commence in May. It is anticipated that the majority of any recommended revisions to the curriculum and processes will be implemented in advance of the next MIDP class start date (October 9, 2000). Others will be incorporated into the "formative evaluation" that is planned to be ongoing throughout the next class, and funds for this have been included into the contract renewal budget (submitted as a separate agenda item).

The fees for evaluative services provided by the two external evaluators (\$13,000) and SDRTC (\$8,500) will not exceed \$21,500. An additional \$3,500 is allotted for expert resources, i.e., travel expenses or fees for other persons who may be called upon for additional insights. Thus the estimated costs for evaluation total \$25,000. SDRTC will disburse the evaluation funds to the two external evaluators.

The extension of the contract through September necessarily requires funding of the final workshop for Class 12 which falls within the extension period. This Project Validation Workshop is scheduled for July 31 - August 3, 2000, and its cost is projected as \$18,348.

Thus, by amending and extending the Fiscal Year 1999/2000 contract, a total of \$43,348 of the already-encumbered \$61,536 for the two postponed Class 13 workshops becomes available to perform a crucial and timely evaluation of the MIDP and to also fund the culminating workshop for MIDP Class 12. Since these funds would revert if not used, their redirection in the manner described is both efficient and effective. While there will still be a partial reversion of funds, \$18,188, that amount constitutes less than 30 percent of the amount that would revert absent the contract extension and redirection of funds.

RECOMMENDATION

Authorize the Executive Director to amend and extend the current MIDP contract with the SDRTC for the principal purpose of accomplishing an intensive program evaluation.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Interagency Agreement with San Diego State University KPBS Public Broadcasting for the Development of Distance Learning Telecourse Training Programs related to Public Safety Dispatchers		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>[Signature]</i> R. A. Bray	Researched By Jody Buna
Executive Director Approval <i>[Signature]</i> Kenneth J. O'Brien	Date of Approval 3-28-00	Date of Report March 28, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to sign an interagency agreement with San Diego State University KPBS Public Broadcasting (KPBS), for the development of 2 distance learning telecourse training programs related to public safety dispatchers, in an amount not to exceed \$154,800?

BACKGROUND

At its January 1999 meeting the Commission approved the extension of the 24-hour Continuing Professional Training requirement to public safety dispatchers. Over 335 agencies voluntarily participate in the POST program and employ approximately 6330 dispatchers. POST training records indicate that only 50% of existing dispatchers satisfy the CPT requirement by completing POST-certified training.

ANALYSIS

Satellite telecourses continue to be a valuable, effective training medium. It allows the training to be received at individual agencies, reducing travel and training presentation costs. During the existing fiscal year, POST developed a telecourse primarily for public safety dispatchers. The program aired in March of 2000 and was enthusiastically received by dispatchers, supervisors and training managers. The program deals with contemporary dispatcher issues and is designed to meet the Commission's continuing professional training requirement. It is anticipated that two more similar programs can be developed during the fiscal year at a cost of \$77,400 per program.

The public safety dispatcher telecourses are designed in a modular format that allows the course to be sectioned into expanded presentations or viewed in its entirety to meet training requirements. The telecourses expand the training that is available to public safety dispatchers and provides a valuable instructional resource for in-house instruction that can be POST-certified.

San Diego State University KPBS Public Broadcasting has provided POST with excellent production capability. Their management, script writers, producers, directors, and camera operators have adapted well and support POST's demand for high quality law enforcement programming.

RECOMMENDATION

Authorize the Executive Director to sign an interagency agreement with San Diego State University, for the development of 2 distance learning telecourse training programs related to public safety dispatchers, not to exceed \$154,800.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Preliminary Plan for Instructor Training Requirements and Certification		Meeting Date April 20, 2000
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Ray A. Bray	Researched By Mike Hooper
Executive Director Approval <i>[Signature]</i> Kenneth J. O'Brien	Date of Approval 3-26-00	Date of Report March 6, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for 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 this proposed plan for the certification of instructors who teach in POST-certified training courses?

BACKGROUND

The number of courses certified by POST has grown steadily through the years, as have the diversity and complexity of topics. Currently, there are more than 6,400 POST-certified courses. This growth trend is expected to continue as the law enforcement mission responds to emerging challenges.

However, despite the large volume of certified courses, there has been no training requirement mandated for those thousands who instruct these courses statewide. Thus, while course content has been consistently updated, no such quality assurance exists for the delivery of the courses' content. This is not to say, though, that POST has not attempted to continuously improve the quality of instruction. Substantial ad hoc efforts have been directed toward promoting instructor development. The POST Administrative Manual lists 13 instructor development courses and 160 specialized instructor development courses. In programs such as the Robert Presley Institute of Criminal Investigation and the Sherman Block Supervisory Leadership Institute, the respective program managers have required all instructors to complete a POST instructor course as a prerequisite for their instructional role. A CD-ROM entitled "Learners First: Facilitation Skills for Learner-Centered Instruction" has been developed to simulate a classroom environment and enhance instructors' decision making. Additionally, a Master Instructor Development Program has been presented for several years and has graduated to date 123 Master Instructors who regularly contribute their expertise to "training the trainer" programs. Most recently, POST has piloted a Voluntary Basic Course Instructor Certification Program, which is expected to substantially upgrade instruction in the Basic Course.

These ongoing endeavors have contributed to marked quality improvement in instruction in several POST programs. However, certain factors have emerged to compel an urgent systematic approach toward establishing standards, and certification, for instructors teaching any POST-certified courses. These emergent factors include the following:

- * Elimination of entry-level instructional training requirements for instructors at community colleges, resulting in a standards deficit statewide.

- * Shift in the instructional model from one that is "presentational" to an adult, participative model, which requires programmatic revision in curriculum delivery techniques across-the-board.
- * Exponential growth in the technological component of instruction, both in subject matter presentation and in course delivery, necessitating correspondent improvement in instructor preparation.
- * Recent rapid increase in the volume of courses and instructors, hastening the need to implement a mechanism for quality control in instruction.

Further urging the creation of a master plan to address these pressing issues is the reality that on a national level California has lagged in developing instructor standards. A 1999 survey of all states by the International Association of Directors of Law Enforcement Standards and Training revealed that California is among only a handful of states *not* specifying requirements for instructor certification.

In furtherance of ensuring the highest level of quality of instruction, POST has adopted as a strategic objective (Objective B.13 of the 1999 Strategic Plan) a commitment to establishing selection guidelines, certification, and training programs for instructors. The following "Analysis" section identifies a plan for achieving this strategic objective.

ANALYSIS

The following are the values, assumptions, and objectives that constitute the framework for enhancing the quality of instruction in all POST courses, and for eventual certification of instructors.

Values

The following *values* will resonate within the stages of implementation of the comprehensive plan to establish instructor standards and certification:

- * *Effective* in improving the quality of instruction, with a particular emphasis on transitioning from the traditional presentational approach to adult-experiential learning.
- * *Acceptable* to the law enforcement and training communities.
- * *Affordable* to instructors, training presenters, and POST.
- * *Adaptable* to changing conditions throughout future years.
- * *Comprehensive* in impacting preparatory training and selection for all instructors teaching in POST programs.

- * *Collaborative* in its relationship with stakeholders.
- * *Commitment* to ethics in all phases of the development and delivery of training.

Assumptions

The following are assumptions pertinent to the plan for instructor standards and certification:

- * Implementation of the plan objectives will be phased (see Attachment A).
- * The move toward standards will be a partnership, with costs shared among the partners (POST, presenters, and instructors).
- * To the extent possible, Master Instructor Development Program graduates will be lead trainers.
- * Throughout the period of plan implementation, there will be ongoing evaluation of the Master Instructor Development Program, ongoing CD-ROM/internet instructor training, and annual instructor update programs.

Objectives

The following are the principal objectives in furtherance of the goal of establishing instructor standards and certification:

- * Establish a single quality control point, within POST, for all instructor training programs (and courses containing instructor training components), for coordination of evaluation and refinement activities.
- * Establish an Instructor Standards Advisory Council.
- * Make mandatory the existing practices that require instructor development training as a prerequisite for course instruction, e.g., the Robert Presley Institute of Criminal Investigation and the Sherman Block Supervisory Leadership Institute.
- * Identify and adopt a universal core curriculum that meets minimal expectations for all instructor training and ensure the presence of this core in all instructor development programs.
- * Review and analyze all programs with an instructor development component to determine the extent to which they align with the "universal core" and constitute equivalency.

- * Identify competencies that are required for instructors of specialized training courses, e.g., Firearms Instructor Course and Chemical Agent Instructor Course, and ensure the related instructor training addresses such competencies.
- * Develop an update course emphasizing adult learning specifics for already schooled instructors.
- * Adopt a "voluntary instructor certification program" patterned after the Voluntary Basic Course Instructor Certification Program.
- * Empower presenters to assume additional portions of training programs' operational aspects, e.g., records of training and completion of course certificates.
- * Define equivalencies for satisfaction of instructor training requirements, as well as exemptions, e.g., for "proprietary" training and for adjunct instructors.
- * Develop a formal means of recognizing training presenters who employ only POST-certified instructors.
- * Adopt mandatory instructor certification for all instructors appointed after a date to be determined.

Additional Information

"Attachment A" diagrams a proposed sequence for implementing these objectives. Clearly, this preliminary plan provides a general framework for standards for instructors. Numerous specifics have been purposefully omitted to provide opportunity for further field input and refinement. Full implementation would require numerous public hearings and actions by the Commission over a period of years.

Preliminary reaction to this plan from academy directors and others has been supportive. However, staff believes that intensive input from law enforcement and training organizations is essential to ultimately achieve a partnership and support.

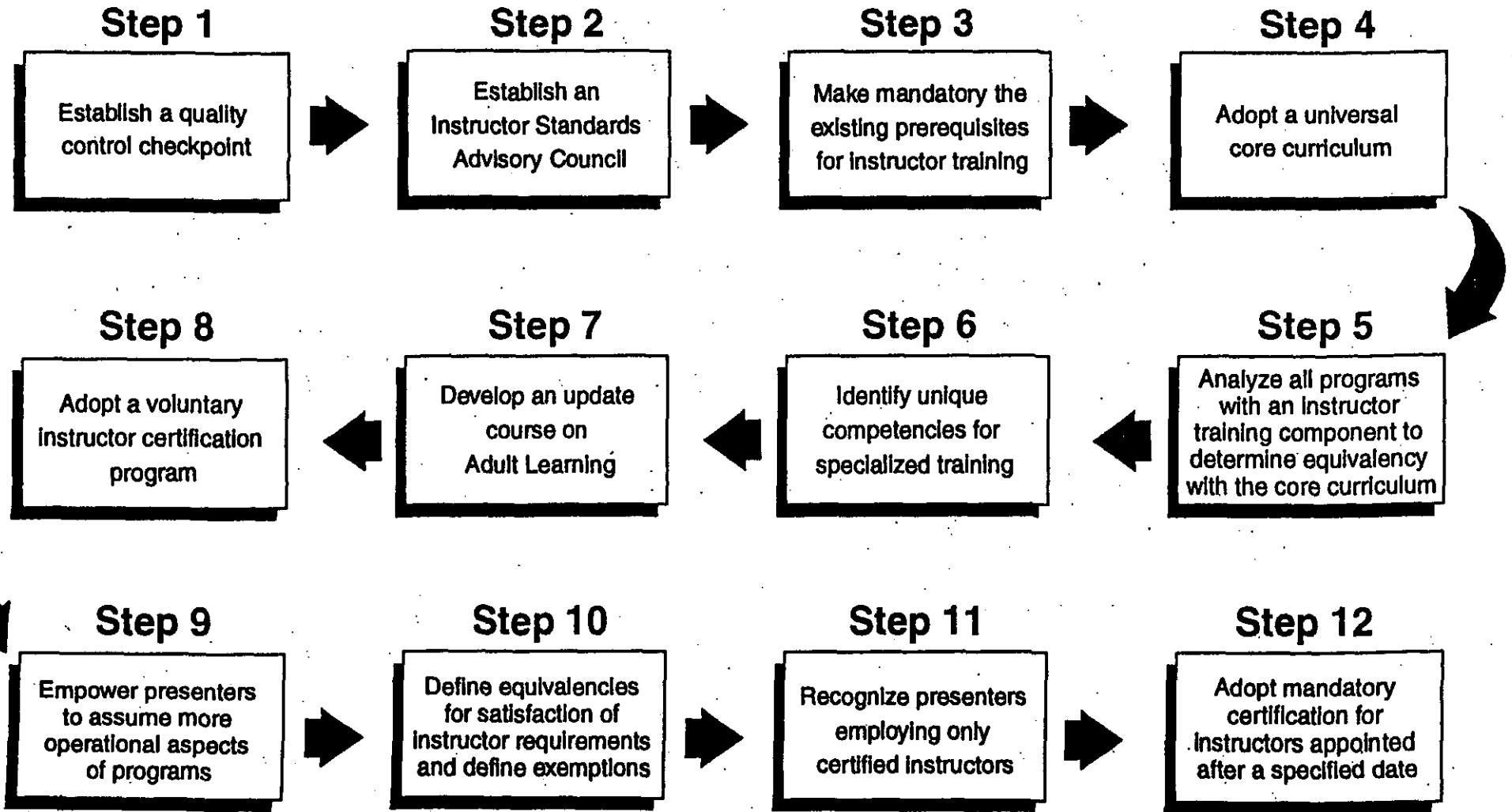
If the Commission approves of this preliminary plan, it would be staff's intention to: 1) continue to seek input on the plan from law enforcement and training organizations, 2) return to the Commission with any significant proposed changes based upon this input and review, and 3) incrementally begin to bring agenda items for implementation before the Commission, beginning at its July meeting.

RECOMMENDATION

Approve this preliminary plan for the eventual mandatory certification of all instructors who teach in POST-certified training courses.

Proposed Plan for the Certification of Instructors

Sequence of Implementation of Objectives



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request to Sign an Interagency Agreement for Production of Violence Against Women (VAWA) Grant Telecourses		Meeting Date April 20, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Jan Bullard
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-14-00	Date of Report
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to sign an interagency agreement with KPBS Television/San Diego State University to produce three Violence Against Women Act (VAWA) project telecourses not to exceed \$273,000?

BACKGROUND

On August 1, 1997, the Commission on POST was a recipient of a Violence Against Women Act (VAWA) Law Enforcement Training Grant in the amount of \$2,929,112 for Fiscal Year 96-97. Subsequently, the Commission approved in October 1998, acceptance of an augmentation of the grant for Fiscal Year 97-98 in the amount of \$1,666,333.

In July 1999 the Finance Committee approved the acceptance of an augmentation for additional monies for Fiscal Year 98-99 and 99-00 in the total amount of \$2,448,734. In this augmentation, funds were designated for three additional telecourses with domestic violence and sexual assault as designated subject areas.

ANALYSIS

\$250,000 was designated in the 98-99 and 99-00 VAWA grant augmentation for the production of three telecourses and \$23,000 was designated for editing these telecourses for basic academy training. POST currently has a contract with KPBS Television for production and broadcast of the monthly telecourses and legal updates.

RECOMMENDATIONS

It is recommend that the Commission authorize the Executive Director to sign an interagency agreement with KPBS Television/San Diego State University, for the production of three VAWA grant telecourses and editing of these telecourses in an amount not to exceed \$273,000.

FINANCE COMMITTEE MEETING

April 26, 2000 — 2:00 P.M.

Hilton San Pedro

2800 Via Cabrillo Marina

San Pedro, California 90731

(310) 514-3344

AGENDA

COMMITTEE MEMBERS

Tom Knutson, Chairman

Lee Baca

Marc Cobb

Joe Flannagan

Rick TerBorch

A. CALL TO ORDER

B. FY 2000/01 GOVERNOR'S BUDGET

There will be a report on the status of POST's proposed budget which is currently before the Legislature.

C. Financial Report—Third Quarter for FY 99/2000.

A report will be made on the status of the training reimbursement budget. The Committee will review the reimbursable training volume and expenditures to date.

D. Report on Expenditure Projections For FY 99/00

A report will be provided at the meeting with projections for the balance of this fiscal year.

E. Per Diem Increase

The per diem allowance was last increased from \$110 to \$119, effective July 1, 1998. Commissioners have expressed interest in increasing the allowance from \$119 to \$124 to match the State of California allowance for its employees. The estimated annualized cost of the increase is \$441,738. It is believed that resources projected to be available in FY 2000/01 will support such an increase. The matter is before the Committee for consideration.

F. Review of Expenditure Proposals on the April 27, 2000 Commission Agenda

- Request for Contracts with Davisville Travel
(Tab E - Commission Agenda)
- Contract Request for POST Library Subscription Services
(Tab H - Commission Agenda)
- Augmentation of the Contract for the Regular Basic Course -
Modular Format Examination Program
(Tab I - Commission Agenda)
- Request for Contract Extension for POST Management Fellow
Regional Skills Training Center Coordinator
(Tab P - Commission Agenda)
- Request to Approve Contract Augmentation of Additional
Domestic Violence Training Courses
(Tab Q - Commission Agenda)
- Request to Approve Two Public Safety Dispatcher Telecourses
(Tab S - Commission Agenda)
- Request to Sign an Interagency Agreement for Production of
Violence Against Women (VAWA) Grant Telecourses
(Tab U - Commission Agenda)

G. Review of Proposed Contracts For FY 2000/01

The Committee met on January 27, 2000 and recommended that the Commission authorize the Executive Director to negotiate a number of contracts. The Commission accepted the Finance Committee recommendation. The contracts have been negotiated and are now before the Finance Committee for review at this meeting. Among the Committee's purposes is formulation of recommendations for the Commission on these contracts for FY 2000/01. An overview of each contract is under Tab V of the Commission agenda.

H. ADJOURNMENT

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Renewal of Master Instructor Development Program for FY 2000-2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Mike Hooper
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-26-00	Date of Report March 13, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to contract with the San Diego Regional Training Center (SDRTC) for an amount not to exceed \$202,747 for coordination and presentation of the Master Instructor Development Program (MIDP) for Fiscal Year 2000-2001?

BACKGROUND

At its January meeting the Commission approved contract renewal negotiations with the SDRTC to provide coordination and presentation of the MIDP. The current contract expenses total \$283,128 and cover a gamut of services that include multi-day instructional workshops, consulting during and between workshops, project review, preparation of student progress reports, facilitation.

ANALYSIS

The MIDP remains the "flagship" program for instructor development. In the context of the strategic plan for enhanced instructor quality, the program occupies a central position. The master instructors, numbering 123 to date, are envisioned to ultimately be "trainers of trainers" for instruction in the vast majority of POST-certified courses. This planned use was vividly demonstrated in the recent process of extension of the curriculum for the Voluntary Basic Course Instructor Certification Program to all academies. The correspondence accompanying the curriculum guidelines strongly encouraged the academies to use their in-house master instructors for delivery of the new curriculum to academy trainers. Academies were also provided rosters of master instructors residing nearby in the event none were on staff.

While the program has proven successful in developing several extremely capable instructors, there have been factors stimulating concern about the overall efficiency and effectiveness of the program. These factors include a succession of classes conducted with low-end enrollment figures, unevenness in the quality of program products ("Total Training Packages"), and uncertainty as to the degree of ongoing involvement in training activities by graduates.

In consideration of the foregoing concerns, the emphasis throughout Fiscal Year 2000-2001 is on refinement of the MIDP. Accordingly, only one class (Class 13) has been scheduled to start during the new contract year (normally there are two classes). In the spirit of effecting continuous quality improvement in the MIDP,

three value-added elements have been integrated into the program: a mentoring component, an MIDP update conference, and systematic formative evaluation. The mentoring component entails assignment of a master instructor to each MIDP candidate. The master instructor serves as a coach and mentor and will meet with the candidate throughout the program to answer questions, review work in progress, and provide other requested support. It is anticipated this effort will markedly increase retention rates.

The MIDP update will be a three-day conference that will bring together all program graduates, as well as candidates. Emphasis will be on skills upgrade, networking, mentoring, and feedback on ways to improve the program.

The formative evaluation component will consist of ongoing, constant attention to the instructional process by SDRTC staff as workshops are in progress. Observations from external evaluators and learners that lead to design or process improvement will be implemented summarily. In essence, the formative evaluation process is expected to not only yield an improved product, but is hoped to also serve as a conspicuous exemplar of the process of instructional design taught in the program.

In addition to the components described previously, one-time acquisition of equipment and software has been added to the budget to maintain pace with emerging technology. This contract represents a savings of more than \$80,000 in comparison with the previous fiscal year's contract. A listing of the discrete activities and services comprising the Fiscal Year 2000-2001 budget may be reviewed in Attachment A.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the SDRTC in an amount not to exceed \$202,747 for the MIDP for Fiscal Year 2000-2001.

Description of Services

The San Diego Regional Training Center will provide the Master Instructor Development Program (MIDP) workshops, facilitator services, program coordination, facilities, materials, equipment, academic consulting during and between workshops, project review, student and class progress reports, marketing, mentoring, and continuous program development and design. There are four MIDP workshops, one graduation, and one update conference scheduled during the contract period.

<u>Class</u>	<u>Event Description</u>	<u>Month</u>	<u># Days</u>	<u>Costs</u>
13	Core Course	Oct '00	10	\$ 44,724
12	Graduation	Oct '00	1	\$ 3,858
13	Learning Contract W/S	Nov '00	4	\$ 19,665
13	Progress Workshop	Feb '01	4	\$ 19,895
13	Dimension Validation	May '01	4	\$ 17,745
	Marketing			\$ 9,258
	Update Conference	Mar '01	3	\$ 24,311
	Mentoring			\$ 21,045
	One-Time Expenses (Equipment, software, course redesign, and development)			\$ 42,245
				\$ 202,747

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Simon Wiesenthal Center, dba Museum of Tolerance for the presentation of Tools for Tolerance for Law Enforcement training courses for the fiscal year 2000-2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Dave Spisak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-13-00	Date of Report February 29, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Museum of Tolerance for the delivery of Tools for Tolerance for Law Enforcement for the Fiscal Year 2000-2001 contingent upon Legislative approval and commensurate allocation in an amount not to exceed \$1,556,000?

BACKGROUND

In 1996 the California Legislature allocated two million dollars to POST to provide an 8-hour experiential training program for 7,000 law enforcement officers. That allocation has continued each year to the present. Of the two million dollars, POST retains \$444,000 to reimburse agencies for their travel and per diem in conjunction with the travel to Los Angeles. The remaining \$1,556,000 is available for tuition for the Museum of Tolerance. Last year the tuition was \$209.30 per student. In 1997 the Legislature modified the act allowing the chief law enforcement officers to designate any agency employee to attend the training.

ANALYSIS

During FY 1998-1999 an independent evaluation of the effectiveness of the Tools for Tolerance training was conducted. That 5-month effort resulted in several recommendations for modifications and enhancements to the program. Those recommendations have been implemented.

This action will establish a fifth year contract with the Museum of Tolerance for an additional 7,000 law enforcement employees. POST will again retain \$444,000 for travel and per diem and make \$1,556,000 available to the Museum in the form of tuition. The tuition will again be \$209.30 per student.

From the establishment of the program in July 1996 through January 31, 2000, 26,811 reimbursable employees have participated in this training experience. This includes 17,211 sworn, 4,750 academy and 4,850 non-sworn employees.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Museum of Tolerance for the delivery of Tools for Tolerance for Law Enforcement for the Fiscal Year 2000-2001 contingent upon Legislative approval and commensurate allocation in an amount not to exceed \$1,556,000.

Tools for Tolerance, Simon Wiesenthal Center

This is a request to negotiate a fourth year contract with the Museum, contingent upon receiving state funding. The proposed amount for FY 00/01 is \$1,556,000.00.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract for FY 2000-01 Telecourse Programs		Meeting Date April 20, 2000
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Jody Buna
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-28-00	Date of Report March 28, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to sign an interagency agreement with San Diego State University KPBS Public Broadcasting (KPBS), for the development of distance learning telecourse training programs, specialized videos and related video services for Fiscal Year 2000-01 for an amount not to exceed \$1,118,800?

BACKGROUND

During the fiscal year 1999-00, POST produced 12 telecourses at an average cost of \$61,081 each for a total of \$733,000 and four specialized videos at an average cost of \$61,500 each for a total of \$246,000. In addition \$124,000 was spent for duplication, mailing and handling and other production services. A total of \$1,103,000 was contracted to KPBS for video development, production and broadcast services during the fiscal year.

The production and presentation of satellite telecourses continues to be a valuable, effective training medium. The law enforcement community has enthusiastically accepted the medium, as evidenced by positive evaluations and many unsolicited calls requesting specific topics for future broadcasts. Moreover, 429 law enforcement agencies currently possess satellite receivers provided by the Commission and an increase in program demand continues.

ANALYSIS

The interagency agreement with KPBS will incorporate conditions to complete several projects during the fiscal year including:

1. During the 2000-01 Fiscal Year, POST plans to develop 12 telecourses. The average cost to produce a telecourse will increase to \$77,400 from \$61,081. \$7500 of the added expense is due to the production, duplication and mailing of the telecourse reference guides which was previously charged to the POST administrative budget. Talent, professional moderation and video production are all increased costs for each telecourse. We are also requesting three additional days of field video production for more scenarios in the 12 telecourses.

TOTAL COST OF 12 TELECOURSES

\$ 928,800

2. Staff anticipates the need to produce three specialized videos at an average cost of \$50,000 each. Each year POST assumes responsibility for the production of videos that are not named at the beginning of the fiscal year. These videos are typically designed to meet a specific training need and are expensive to produce. Design and front-end production costs are equivalent to the production of a telecourse.

TOTAL COST OF SPECIALIZED VIDEOS **\$ 150,000**

3. The cost of \$40,000 for video duplication, mailing and handling which has been delegated to KPBS, thereby freeing POST staff will continue.

TOTAL COST OF MAILING AND DUPLICATION **\$ 40,000**

TOTAL COST OF SERVICES **\$1,118,800**

San Diego State University KPBS Public Broadcasting has provided POST with excellent production capability. Their management, script writers, producers, directors, and camera operators have adapted well and support POST's demand for high quality law enforcement programming.

RECOMMENDATION

Authorize the Executive Director to sign an interagency agreement with San Diego State University, for the development of distance learning telecourse training programs, specialized videos and related training services for Fiscal Year 2000-01 for an amount not to exceed \$1,118,800.

1. Post-production editing, graphics production and broadcast of twelve (12) episodes each of *CPTN Video Review* and *Case Law Today*. The average cost to produce each monthly broadcast will increase to \$7,119 from \$6,050. The added expense is due to additional video edit and graphics production time required monthly to package these programs, and increased costs in satellite transponder services.

TOTAL COST OF 12 TRAINING VIDEO BROADCASTS **\$85,428**

2. Satellite signal encryption (scrambling) of all thirty-six (36) satellite broadcasts at an average cost of \$1,039 per broadcast.

TOTAL COST OF SATELLITE ENCRYPTION SERVICES **\$37,400**

3. VHS video duplication and fulfillment (handling, shipping, internet-based ordering) of *CPTN Video Review* and *Case Law Today* programs. These services have been delegated to KPBS, which maintains the master POST video library and provides professional fulfillment services for all POST video programs.

TOTAL COST OF DUPLICATION AND FULFILLMENT **\$25,000**

4. Assembly, publication, distribution, and electronic (internet-based) production of the POST Video Catalog.

TOTAL COST OF VIDEO CATALOG PRODUCTION **\$15,000**

TOTAL COST OF SERVICES **\$162,828**

RECOMMENDATION

Authorize the Executive Director to an interagency agreement with San Diego State University/KPBS San Diego Public Television for production, satellite broadcast, duplication, and distribution of twelve (12) videotape training programs, encryption, and related services during Fiscal Year 2000-01 for an amount not to exceed \$162,828.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the Los Angeles Sheriff's Department for FY 2000/2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By Ray Bray	Researched By Dave Spisak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>4-6-00</i>	Date of Report February 27, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Los Angeles Sheriff's Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Homicide Foundation Specialty Course in an amount not to exceed \$73,689 for fiscal year 2000/2001?

BACKGROUND

The Los Angeles Sheriff's Department in cooperation with the Los Angeles Police Department has presented the ICI Homicide Foundation Specialty course for the past three years. Last year they joined the California Department of Justice and the Sacramento Regional Criminal Justice Training Center as presenters of this course. Last year their average presentation cost was \$19,224. Additionally, they had one time equipment purchases totaling \$14,518.

ANALYSIS

The Homicide course is one of 12 ICI Foundation Specialty choices for follow-up investigators to select. Until recently, homicide investigators frequently waited over 2 years for an opening in the Homicide class.

The Los Angeles Sheriff's Department agreed to join the Department of Justice and the Sacramento Regional Criminal Justice Center to reduce the waiting list by becoming an ICI course presenter.

The average presentation cost this year is \$18,422. This \$802 reduction of presentation costs (-4.2%) is based entirely on the policy of reducing overhead from 20% to 15% this year. Because the Sheriff's Department will furnish most of the instructors and the Class Administrator at no cost, the cost of each class is substantially less than the DOJ and Sacramento Regional Criminal Justice Center's presentation costs.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Los Angeles Sheriff's Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Homicide Foundation Specialty Course in an amount not to exceed \$73,689 for fiscal year 2000/2001.

DETAIL OF CONTRACTS

Contractor: Los Angeles Sheriff's Department

A.	Homicide Course	\$18,422 X 4	\$ 73,689
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RECOMMENDATIONS

Authorize the Executive Director to sign an interagency agreement with Alameda County District Attorney's Office, Golden West College and/or other public entity for the production of 36 *Case Law Updates* training programs by each agency during Fiscal Year 2000-01 for an amount not to exceed \$92,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the Sacramento Regional Criminal Justice Training Center for FY 2000/2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Dave Spisak
Executive Director Approval <i> Kenneth J. O'Brien</i>	Date of Approval 2-13-00	Date of Report February 25, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Sacramento Regional Criminal Justice Training Center for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course; and four each presentations of the Homicide, Child Abuse, and Sexual Assault Foundation Specialty Courses in an amount not to exceed \$370,881 for fiscal year 2000/01?

BACKGROUND

This is a renewal of a contract that was in effect for fiscal year 1999-2000. Demand for the ICI Program has remained steady with increasing pressure for the Core, Sexual Assault and Child Abuse courses. This contract maintains the same number of presentations as last year. Currently the Center's presentation costs are: Core Course \$32,076; Homicide \$21,966, Sexual Assault \$12,622, and Child Abuse \$12,804. Additionally, the Center has been responsible for directing the curriculum review process for the Sexual Assault and Child Abuse courses at a cost not to exceed \$12,780.

ANALYSIS

ICI Core Course

The Sacramento Regional Criminal Justice Training Center is one of five providers of the ICI Core Course. All are presented using adult experiential learning concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is, therefore, the foundation upon which all other courses are built.

The proposed FY 2000/01 cost of the Core Courses is \$171,005, an average cost of \$34,201. This presentation cost is an increase of \$10,625 or 6.6%. The increase cost is due to an increase in hotel rental costs and a \$5 per hour increase for most instructors. SRCJTC's pay scale remains below other ICI presenters and the POST guidelines due to the language of their labor contracts.

Homicide Foundation Specialty

The proposed FY 2000/01 cost of the Homicide Foundation Specialty is \$84,616, an average cost of \$21,154. This presentation cost is a decrease of \$3,248 or -3.7%. The decrease is due to the reduction of overhead allowed from 20% to 15%.

Child Abuse Foundation Specialty

The proposed FY 2000/01 cost of this course is \$49,148, an average cost of \$12,287. This presentation cost is a 4.0% reduction, or \$2,068 which is due to the reduction of overhead as noted above. Demand for this course is increasing (partially as a result of legislation supporting increased training for this investigative specialty). The need for additional presentations of this class will be evaluated in the 3rd quarter of this fiscal year in conjunction with the Los Angeles Sheriff's Department, our other ICI presenter of this topic.

Sexual Assault Foundation Specialty

The proposed FY 2000/01 cost of this course is \$48,412, an average cost of \$12,103. This presentation cost is a 4.1% reduction over last year (\$2,076) as a result of the reduction of overhead allowed. This course, like Child Abuse, is drawing greater investigator interest from the field. The student demand, as expressed by lists of officers waiting for the course, will be evaluated during the 3rd quarter, again in conjunction with our other presenter, the Los Angeles Sheriff's Department, to determine if additional classes need to be authorized.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Sacramento Regional Criminal Justice Training Center for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course; and four each presentations of the Homicide, Child Abuse, and Sexual Assault Foundation Specialty Courses in an amount not to exceed \$370,881 for fiscal year 2000/01.

DETAIL OF CONTRACTS

Contractor: Sacramento Regional Criminal Justice Training Center

A.	Core Courses	\$34,201	X 5	\$171,005
	One-time equipment ¹			\$ 11,000
B.	Homicide	\$21,154	X 4	\$ 84,616
	One-time equipment ²			\$ 5,200
C.	Child Abuse	\$12,287	X4	\$ 49,148
D.	Sexual Assault ³	\$12,103	X4	\$ 48,412
	One-time equipment			\$ 1,500
			TOTAL	\$370,881

[2/25/00 Version]

1 LCD projector, notebook computer, \$11,000.

2 VHS tape player, 35" monitor, notebook computer, \$5,200.

3 4 flip charts, portable dry eraser board, \$1,500.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the San Francisco Police Department for FY 2000/2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Dave Spisak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 2.13.00	Date of Report February 25, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the San Francisco Police Department for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$111,035 for fiscal year 2000/2001?

BACKGROUND

This is a renewal of contracts that were in effect for fiscal year 1999/2000. This provider currently is presenting five ICI Core Courses at a cost not exceeding \$115,865 at an average cost of \$23,173 per class, plus a one-time equipment purchase cost of \$1,893.

ANALYSIS

The San Francisco Police Department is one of five providers of the ICI Core Course. All courses are presented using adult experiential learning concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is, therefore, the foundation upon which all other courses are built.

The evaluations for this provider's classes have been excellent. They have selected and trained excellent instructors. Because of recent numerous promotions of investigators at the San Francisco Police Department they have requested to continue offering five classes this fiscal year. 15% of students must enroll from other law enforcement agencies.

The San Francisco Police Department will present five classes at an average cost of \$22,207. This is a decrease of \$4,830 (or - 4.2%) compared to last years costs. The decreases is the result of the reduction of overhead permitted from 20% to 15%.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Francisco Police Department for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$111,035 for fiscal year 2000/2001.

DETAIL OF CONTRACTS

Contractor: San Francisco Police Department

A.	Core Courses	5	\$22,207	\$111,035
			Total	\$111,035

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract, with San Jose State University for FY 2000/2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By Ray Bray	Researched By Dave Spisak
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-26-00	Date of Report March 10, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with San Jose State University for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$182,660 for fiscal year 2000/01?

BACKGROUND

This is a renewal of a contract that was in effect for fiscal year 1999/2000. Demand for all ICI courses has remained steady as law enforcement agencies recognize value of this training. This provider currently is presenting five courses at a cost not to exceed \$188,400, an average presentation cost of \$37,680, plus equipment purchases of up to \$7,768.

ANALYSIS

San Jose State University is one of five providers of the ICI Core Course. All are presented using adult experiential learning concepts which has proven to be an excellent method of instruction for follow-up investigators. Students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is the foundation upon which all other courses are built. Members of Bay Area law enforcement agencies are expressing an increased interest in the course. As a result, San Jose State University has presented five courses during the past two contract years.

San Jose State University will present five offerings at a cost of \$182,660. This is a decrease of \$5,740 (-3%) over the current year cost. This slight decrease is due to the reduction of overhead from 20% to 15%. At the proposed Fiscal Year 00-01 contract level, the cost per presentation is \$36,532.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with San Jose State University for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$182,660 for fiscal year 2000/01.

DETAIL OF CONTRACTS

Contractor: San Jose State University

A.	Core Courses	5	\$36,532	\$182,660
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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the Los Angeles Police Department for FY 2000-2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>Ray Bray</i>	Researched By Dave Spisak
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 3-12-00	Date of Report February 22, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the Los Angeles Police Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$111,564 for fiscal year 2000-01?

BACKGROUND

This is a renewal of a contract that was in effect for fiscal year 1999-00. This provider currently is presenting four ICI Core Courses at a cost not exceeding \$102,773 at an average cost of \$25,693 per class.

ANALYSIS

The Los Angeles Police Department is one of five providers of the ICI Core Course. All courses are presented using adult experiential learning concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is, therefore, the foundation upon which all other courses are built. The presenter is required to register no less that 15% of their students from non-LAPD agencies.

The Los Angeles Police Department will present four offerings at a cost of \$104,564. This is an increase of \$1,791 (1.7%) over current year cost. This slight increase is due to increased hotel rental costs. At the proposed Fiscal Year 00-01 cost, the cost per presentation is \$26,141. This budget also contains funds to purchase one LCD projector for the course at a cost not to exceed \$7,000.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Los Angeles Police Department for four presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course in an amount not to exceed \$111,564 for fiscal year 2000/01.

DETAIL OF CONTRACTS

Contractor: Los Angeles Police Department

A.	Four Core Courses at \$26,141 each	\$104,564
B.	One time equipment purchase ¹	<u>7,000</u>
	Total	\$111,564

[2/22/00, Version 1]

¹ One LCD projector.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Department of Justice Contract for Fiscal Year 2000/2001		Meeting Date April 27, 2000
Bureau Training Delivery and Compliance	Reviewed By <i>Dick Reed</i> Dick Reed, Bureau Chief	Researched By Bernie Homme
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 4-3-00	Date of Report March 24 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Shall the Commission approve an Interagency Agreement (IA) between POST and the Department of Justice Advanced Training Center in the amount not to exceed \$1,999,096 to cover the cost of training delivery services for Fiscal Year 2000/2001?

BACKGROUND

POST has contracted with the Department of Justice to present certified courses since 1974. The amount of the agreement each year has been based upon actual presentation costs to DOJ for instruction, coordination, clerical support, supplies, and travel. Courses included in the contract are based on training needs assessment information and agency feedback. Individual course budgets are developed in accordance with existing certification requirements. The contract for this Fiscal Year 2000/2001 is \$1,999,096.

ANALYSIS

The contract amount for Fiscal Year 2000/2001 is \$1,999,096. This amount reflects direct and indirect costs to train approximately 3,456 students in 25 different technical courses (Attachment "A").

The costs are within the new budget guidelines; number of course offerings; the number of students; instructor travel and per diem; hotel meeting room costs; audio visual equipment rental, and a slight reduction in the number of courses presented.

Increases in individual course costs reflect changes in presentation locations initiated at POST's request, direct increases in the cost of student materials, and rental costs for essential instructional support equipment. Changes to certification conditions are limited to minor adjustments to total numbers of students, total instructional hours, or to the number of course presentations authorized.

RECOMMENDATION

Authorize the Executive Director to negotiate an Interagency Contract Agreement with the Department of Justice for Fiscal Year 2000/2001. This contract will not exceed \$1,999,096.

Department of Justice
2000/2001

Attachment "A"

Adv. Fraud	3	\$2,010	\$275	\$900	\$600	\$468	\$475	\$750	\$2,548	\$817	\$2,052	\$10,895	\$2,179	\$13,074	\$39,222	78
Basic Intelligence	4	\$2,008	\$275	\$900	\$600	\$1,620	\$743	\$750	\$1,919	\$605	\$2,060	\$11,480	\$2,296	\$13,776	\$55,104	120
CAMP	1	\$360	\$330	\$1,325	\$1,500	\$0	\$515	\$1,680	\$650	\$2,260	\$100	\$8,720	\$1,744	\$10,464	\$10,464	30
Clan Lab	6	\$4,720	\$275	\$900	\$600	\$1,215	\$1,028	\$180	\$1,997	\$733	\$1,750	\$13,398	\$2,680	\$16,078	\$96,468	180
Cold Case	2	\$21,292	\$275	\$1,000	\$600	\$0	\$105	\$750	\$9,560	\$1,450	\$2,040	\$37,072	\$7,414	\$44,486	\$88,972	40
Cold Update	2	\$2,100	\$110	\$300	\$360	\$360	\$245	\$300	\$1,810	\$655	\$1,140	\$7,380	\$1,476	\$8,856	\$17,712	40
Computer T4T	2	\$1,920	\$220	\$800	\$600	\$132	\$399	\$0	\$1,690	\$980	\$1,724	\$8,465	\$1,693	\$10,158	\$20,316	24
Comp. Forensics*	1	\$7,560	\$275	\$900	\$600	\$720	\$228	\$48,350	\$3,700	\$995	\$2,282	\$65,610	\$13,122	\$78,732	\$78,732	16
Crime Mapping	3	\$2,400	\$165	\$600	\$360	\$468	\$995	\$450	\$823	\$563	\$1,452	\$8,277	\$1,655	\$9,932	\$29,796	78
Crim. Intell./EXEC.	4	\$1,691	\$110	\$400	\$360	\$864	\$236	\$450	\$3,751	\$528	\$1,432	\$9,822	\$1,964	\$11,786	\$47,144	64
Dignitary Sec.	6	\$5,360	\$275	\$900	\$600	\$540	\$548	\$1,054	\$3,075	\$1,254	\$2,260	\$15,866	\$3,173	\$19,039	\$114,234	180
Drug ID & Inf.	3	\$3,960	\$275	\$900	\$600	\$2,025	\$2,888	\$225	\$4,380	\$1,210	\$1,700	\$18,163	\$3,633	\$21,796	\$65,388	150
DI&I T4T	1	\$4,235	\$330	\$1,500	\$1,500	\$871	\$2,655	\$0	\$1,740	\$75	\$200	\$13,106	\$2,621	\$15,727	\$15,727	20
Drug Trafficker	3	\$5,110	\$275	\$1,000	\$600	\$216	\$1,405	\$945	\$3,850	\$1,355	\$1,332	\$16,088	\$3,218	\$19,306	\$57,918	48
Electronic Surv.	10	\$820	\$55	\$200	\$360	\$1,350	\$1,113	\$0	\$606	\$379	\$200	\$5,083	\$1,017	\$6,100	\$61,000	500
Hi-Tech Comp.	8	\$2,028	\$275	\$900	\$600	\$1,296	\$510	\$225	\$2,228	\$1,013	\$2,548	\$11,622	\$2,324	\$13,946	\$111,568	192
Homicide	4	\$5,044	\$440	\$1,900	\$1,500	\$972	\$294	\$450	\$5,556	\$1,850	\$3,548	\$21,554	\$4,311	\$25,865	\$103,460	96
Informant Dev.	4	\$2,128	\$220	\$800	\$600	\$540	\$368	\$120	\$1,564	\$800	\$1,760	\$8,900	\$1,780	\$10,680	\$42,720	120
Internet Crime	8	\$4,238	\$220	\$800	\$600	\$450	\$415	\$372	\$2,730	\$970	\$793	\$11,588	\$2,318	\$13,906	\$111,248	160
Lab Safety Cert	2	\$15,682	\$275	\$1,000	\$600	\$2,025	\$2,230	\$7,870	\$7,280	\$910	\$1,800	\$39,672	\$7,934	\$47,606	\$95,212	100
Modulars	19	\$544	\$55	\$200	\$360	\$945	\$488	\$45	\$482	\$482	\$705	\$4,306	\$861	\$5,167	\$98,173	570
Narcotic Inv.	11	\$13,826	\$440	\$2,000	\$1,500	\$1,884	\$2,354	\$754	\$6,474	\$657	\$1,794	\$31,683	\$6,337	\$38,020	\$418,220	286
Ofcr. Inv. Shoot.	8	\$3,690	\$275	\$900	\$600	\$468	\$475	\$750	\$2,150	\$1,059	\$2,052	\$12,419	\$2,484	\$14,903	\$119,224	208
Spec. Unit Mgrs	2	\$2,228	\$275	\$900	\$600	\$675	\$548	\$225	\$3,260	\$1,003	\$2,060	\$11,774	\$2,355	\$14,129	\$28,258	60
Spec. Surv. Equip	6	\$2,092	\$275	\$950	\$600	\$432	\$748	\$484	\$1,977	\$523	\$2,032	\$10,113	\$2,023	\$12,136	\$72,816	96
TOTAL	123															

* This is a new course for 2000/01.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Renewal of Contract to Improve Writing Skills in the Basic Academy		Meeting Date April 27, 2000
Bureau Standards & Evaluation	Reviewed By Alan Deal <i>[Signature]</i>	Researched By Donna Brown
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-4-00	Date of Report March 31, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Renewal of POST contract with Cooperative Personnel Services (CPS) to continue ongoing efforts to develop a machine-scoreable writing component of the Entry-Level Law Enforcement Test Battery (Reading and Writing Test) and to conduct research to evaluate and revise the report writing curriculum in the basic academy.

BACKGROUND:

For many years, improving cadet and officer writing has been viewed as a pressing need by both academies and agencies. To address this need, POST has contracted for the development of machine-scoreable writing test items which have been pilot-tested through the Entry-Level Test Battery.

The proposed research will provide a means to evaluate cadet report writing, to provide academies with necessary feedback regarding the effectiveness of their report writing programs, and identify ways of improving the curriculum and delivery of instruction to address training needs identified in the evaluation.

ANALYSIS:

In the past, the cost of new test item development has been one component of the contract with CPS for administration of the Entry-Level Law Enforcement Test Battery (Reading & Writing Test). However, for FY 00-01, a different vendor will be administering this test for POST. This new vendor, unfortunately, will not be able to provide the item development services previously provided by CPS. Therefore, the existing contract must be renewed with CPS to ensure that test item development services are continued. The cost for development of the 165 new test items necessary for this aspect of POST's writing research is \$22,724.00.

The proposed research will entail POST reading and evaluating various academy mid-term and final report writing tests. Academy staff will score report writing tests in their usual manner and will then forward the test documents to POST to be holistically scored. Based on the readings, POST will provide a written evaluation of the specific types of writing deficiencies that the reports are manifesting, thus providing the academy with a reliability check of their evaluation standards. The information will also be used to improve writing curriculum. The total cost for this new research is \$28,260.00.

RECOMMENDATION:

It is recommended that the Commission authorize the Executive Director to sign a contract with Cooperative Personnel Services to continue writing test item development and to conduct research to evaluate and revise the report writing curriculum in the basic academy during fiscal year 2000/01 for an amount not to exceed \$50,984.00.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Management Course Contracts – Fiscal Year 2000/2001		Meeting Date April 27, 2000
Bureau Center for Leadership Development	Reviewed By Ken Whitman <i>[Signature]</i>	Researched By Steve Lewis
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 4-7-00	Date of Report March 30, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Detail) <input type="checkbox"/> No

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

Issue

Commission review and approval of Management Course contracts for Fiscal Year 2000/2001. Total maximum cost is \$579,628.04 for 20 presentations of the Management Course and a one-time purchase of recommended equipment.

Background

Staff is recommending that, effective July 1, 2000, the Management Course be expanded from an 80-hour course presented in two consecutive weeks to a 104-hour course presented in three separate sessions of 40 hours, 32 hours, and 32 hours respectively. The new course module format proposal is being presented for approval under another agenda item. This new format is being implemented in response to input from the field, focus group comments, and course survey instruments, and design team recommendations. The resulting course will include expanded curriculum and additional time for increased experiential adult learning exercises.

The Management Course contract in 1999/2000 fiscal year was \$479,934. Staff has contacted each coordinator representing the four contract presenters for the Management Course. Staff is recommending that the total number of presentations be decreased from 21 (FY 1999/2000) to 20 (FY 2000/2001). This decrease of one presentation is recommended because there is no anticipated backlog of student applicants this fiscal year.

Analysis

Course costs are consistent with POST tuition guidelines. Approximately 400 law enforcement middle managers will attend the 20 presentations during fiscal year 2000/2001. Each contractor is satisfactorily presenting required learning goals. The fiscal year 2000/2001-contract costs for presentations will not exceed a total of \$540,828.04. This represents an increase of \$60,894.04 (13%) over fiscal year 1999/2000. The increase is a direct result of additional course costs associated with increasing the course to 104 hours.

The following costs have been negotiated and agreed to by POST staff and the presenters:

<u>Contractor</u>	<u>Number of Presentations</u>	<u>Contract Amount</u>
California State University Long Beach Foundation	6	\$152,426.52
Humboldt State University	4	\$104,473.60
San Diego Regional Training Center	6	\$158,700.00
San Jose State University Foundation	4	\$125,227.92
TOTAL	20	\$540,828.04

Additional funds are also recommended to permit each presenter a one-time purchase of electronic classroom instructional equipment specifically dedicated to the Management Course. This request represents a continuation of equipment upgrade that began in FY 1999/2000 with CSU, San Jose and is considered essential to the current Management Course re-design efforts. This equipment will also meet the increased demand from students for contemporary technology as part of the final presentation. Purchase of the equipment will be more cost effective over time when compared to continued equipment rental. The total cost of equipment for the four presenters will not exceed \$38,800.

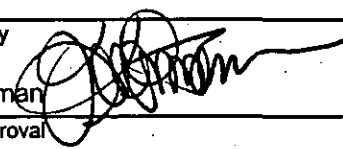
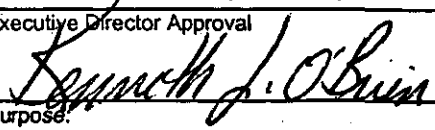
The proposed modifications to the Management Course are under a separate agenda heading for approval.

Recommendation

Authorize the executive director to enter into contract agreements with the four contractors to 1) present 20 presentations of the Management Course during the fiscal year 2000/2001, and 2) acquire electronic classroom instructional equipment at a total cost not to exceed \$579,628.04.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Command College, Executive Development Course, Executive Training and Leadership 2000 Symposium - Fiscal Year 2000/2001		Meeting Date April 27, 2000
Bureau Center for Leadership Development	Reviewed By Ken Whitman 	Researched By Alicia Powers
Executive Director Approval 	Date of Approval 4-6-00	Date of Report March 10, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Detail) <input type="checkbox"/> No

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

ISSUE

The Law Enforcement Command College, Executive Training, and Executive Development Course contract in the amount of \$ 747,566 for fiscal year 2000/2001 is presented to the Commission for review and approval.

BACKGROUND

The cost for this contract in fiscal year 1999/2000 was \$485,397. The proposed contract amount includes the addition of a Course Manager for Command College and funding for the POST Leadership 2000 Symposium to be held in December, 2000.

Twenty-seven classes have completed the Command College program. Class 28 will graduate in May. Two classes are in session, and one class will start in May. There are a total of 14 workshops scheduled during the fiscal year. The contract will provide the necessary support to present the 14 Command College workshops, including site, materials, facilitators, instructors and continuous development costs. In addition, funds will be used for class mentors, project review, on-going curriculum development, selection and orientation of new instructors, and funding for interview panels as the final phase of the selection process.

The contract also includes funds for the development and presentation of training seminars for sheriffs, chiefs of police and senior managers, six presentations of the 80-hour Executive Development Course, and the Leadership 2000 Symposium planned for December 2000.

ANALYSIS

The Command College continues to receive widespread support and interest from law enforcement nationally and internationally. The program places an emphasis on the future as it relates to emerging issues that may impact the participant's agency and law enforcement in general. Contemporary leadership theories and practices for the 21st century are a key part of the program and provide necessary tools to help agency leaders prepare for the future.

Chiefs and sheriffs continually request management and executive training seminars on a variety of contemporary issues. The Sheriffs' Workshop Series, New Police Chiefs' Orientation, Area Training Seminars, Problem-Solving Seminars, Small Agency Chiefs, Contract City Commanders, and Commands of Large Cities, will be continued under this contract. The training workshops will ensure that top managers and executives meet the new Continuing Professional Training requirement.

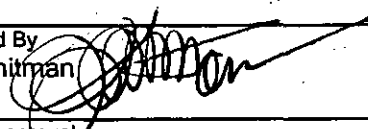
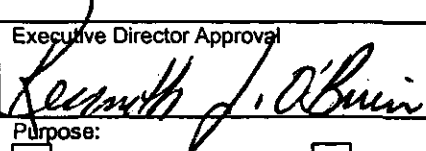
<u>Program</u>	<u>1999/2000</u>	<u>2000/2001</u>
Command College	\$216,975	\$291,405
Executive Development Sheriffs' Workshop Series	\$128,700	\$117,000
Executive Development Course	\$139,722	\$141,570
POST Leadership 2000 Symposium	\$ 0	\$129,631
	Subtotal	\$679,606
10% Indirect Costs	<u>(Included above)</u>	<u>\$ 67,960</u>
	Total	\$747,566

The increase of \$231,798 (48%) over the 1999/2000 fiscal year is due to increased meeting room and lodging costs, the addition of a Course Manager for the Command College, one time purchase of computer equipment dedicated to specific programs, facilitator rate adjustments, and funding for the POST Leadership 2000 Symposium during this contract period.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center to provide support for the Command College, executive training, the Executive Development Course, and the POST Leadership 2000 Symposium for a maximum cost of \$747,566 for fiscal year 2000/2001.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Labor/Management Partnerships Training – Fiscal Year 2000/2001		Meeting Date April 27, 2000
Bureau Center for Leadership Development	Reviewed By Ken Whitman 	Researched By Steve Lewis
Executive Director Approval 	Date of Approval 4-6-00	Date of Report March 20, 2000
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Detail) <input type="checkbox"/> No

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

Issue

Commission review and approval of the Labor/Management Partnerships Training contract in the amount of \$76,287.55 for fiscal year 2000/2001.

Background

The Commission approved a contract with the San Diego Regional Training Center to present four presentations of the Labor/Management Partnerships Core Course, develop the Labor Law Course, and present a pilot of the Labor Law Course during the 1999/2000 fiscal year, at a cost not to exceed \$87,608.

Analysis

Effective fiscal year 2000/2001, the course offerings in the area of labor/management relations will be expanded. The core course continues to be well received by law enforcement executives and labor leaders who have evaluated it as meeting their needs. Three presentations of the core course are planned for 2000/2001 to meet the demand for this training.

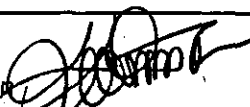
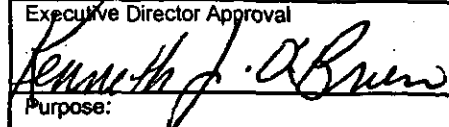
The Labor Law module will provide labor groups and agency chiefs with knowledge of current laws applicable to labor/management relationships. Two presentations will be offered during fiscal year 2000/2001.

Recommendation

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center for three presentations of the Labor/Management Partnerships Core Course and two presentations of the Labor Law Course during the 2000/2001 fiscal year at a cost not to exceed \$76,287.55.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Contract for Supervisory Leadership Institute for Fiscal Year 2000/2001		April 27, 2000
Bureau	Reviewed By	Researched By
Center for Leadership Development	Ken Whitman 	Neil Zachary
Executive Director Approval	Date of Approval	Date of Report
	4-7-00	February 17, 2000
Purpose:		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for Detail)
<input checked="" type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input type="checkbox"/> No
<input type="checkbox"/> Status report		

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

ISSUE

The Sherman Block Supervisory Leadership Institute (SBSLI) contract for Fiscal Year 2000/2001 is presented to the Commission for review and approval. The contract total cost is \$946,507.

BACKGROUND

The SBSLI contract for fiscal year 1999/2000 was for \$929,647. This contract request is for presentation of 12 classes every eight-month cycle which is a total of 144 three-day sessions per year. Each class of the SBSLI is eight months in length and consists of eight three-day workshop sessions presented at monthly intervals.

ANALYSIS

The success and popularity of the SBSLI over the past 10 years has resulted in a high number of applications being submitted for attendance. As of January 1, 1999 there were approximately 850 applicants on a waiting list to attend the course. The Commission approved the suspension of applications at its January 1999 meeting in order to eliminate the extensive backlog of applicants. As of March 1, 2000 all individuals on the waiting list have received a class assignment. The acceptance of applications will resume July 1, 2000 for classes scheduled to begin in November 2000.

The contract approval to present the next twelve classes will continue to provide law enforcement with a cadre of first line supervisors who have an opportunity to incorporate and practice the values and principles of leadership within their respective agencies. The increase over the fiscal year 1999/2000 budget is approximately \$16,860 (1.8%) and is due to an increase in the cost of training room rentals.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the Foundation for Criminal Justice Research and Training at California State University - Long Beach to administer the SBSLI program at a cost not to exceed \$946,507 for fiscal year 2000/2001.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contract Approvals - Basic Driver Training, Motorcycle & Narcotic Courses		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance	Reviewed By Dick Reed <i>D. W. Reed</i>	Researched By Gary C. Sorg
Executive Director Approval <i> Kenneth J. O'Brien</i>	Date of Approval 4-6-00	Date of Report March 24, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

Should the Executive Director enter into contract agreements with specific POST-certified presenters of the Basic Course Driver Training, the Basic Motorcycle Course, Motorcycle Update Course, and the Basic Narcotic Course to provide training to California law enforcement for FY 2000/2001?

BACKGROUND

The Commission has recognized the difficulty for some law enforcement agencies to pay for tuition costs in advance of the course presentation. For several years the Commission has allowed the transfer of some categories of training, identified as high cost and needed statewide, from Plan III to contract. *Basic Course Driver Training, Basic Motorcycle Training, and Basic Narcotics Training*, were identified as meeting this criteria. Last year the Commission also approved the addition of the *Motorcycle Update Course* for conversion from Plan III to a contract course. Switching from Plan III to contracts has not appreciably increased or decreased the cost to the Peace Officer Training Fund. These contracts have moderately increased the workload for POST staff.

At the October 1999 Commission meeting the Commission approved an increase in the *Basic Course Driver Training* "per student tuition cap" from \$323 to \$445 for colleges and from \$380 to \$525 for agencies. This increase will raise the cost approximately \$846,015 above the current year contract amount for the *Basic Course Driver Training*.

ANALYSIS

The amount proposed represents the same amount that would be allocated through terms of certification for tuition under Plan III and does not increase the fiscal impact to the Peace Officer Training Fund. These actions are a step towards making training programs more convenient for law enforcement and to ensure critical training is delivered.

Contract agreements would occur for the training specified above with the following agency and college presenters:

Alameda County Sheriff's Department
Allan Hancock College
Fresno Police Department
California Highway Patrol
Los Medanos College
Los Angeles Police Department
Oakland Police Department
Orange County Sheriff's Department
College of the Redwoods - Redwoods Center
Sacramento Police Department
San Bernardino County Sheriff's Department
San Diego Police Department
South Bay Regional Public Safety Training Consortium
Ventura County Sheriff's Department

RECOMMENDATION

Authorize the Executive Director to enter into contracts with the agencies and colleges described to train a maximum of 5,372 students in *Basic Course Driver Training, Basic Motorcycle Training, Motorcycle Update Training, and Basic Narcotics Training*. The total amount of these contracts is not to exceed \$3,070,468 for FY 2000/2001.

**Contracts FY 2000/2001
Basic Driver Training, Basic Motorcycle, Motorcycle Update
and Basic Narcotic Courses**

Agency Name	# Students	Cost/Student	D. T. Cost	Motorcycle Cost	Motorcycle Upd.	Narcotics Cost
Alameda Co. Sheriff	200	445	89,000			
Alameda Co. Sheriff	50	1478		73,900		
Alameda Co. Sheriff	50	161			8,050	
Allan Hancock College	30	445	13,350			
California Highway Patrol	65	1485		96,525		
California Highway Patrol	72	214			15,408	
Fresno Police Dept.	60	991		59,460		
Los Angeles Police Dept.	1315	525	690,375			
Los Angeles Police Dept.	100	1578		157,800		
Los Medanos College	150	445	66,750			
Oakland Police Dept.	120	525	63,000			
Orange Co. Sheriff	200	525	105,000			
Orange Co. Sheriff	125	547				68,375
Redwoods Center	10	445	4,450			
Sacramento Police Dept.	75	525	39,375			
San Bernardino Co. Sheriff	1500	525	787,500			
San Bernardino Co. Sheriff	200	1109		221,800		
San Diego Police Dept.	380	445	169,100			
So. Bay Reg. PSTC	400	525	210,000			
Ventura Co. Sheriff	250	525	131,250			
TOTALS			3,691,150			68,375

Grand Total Contracts 3,070,468

Projected Students	DT	4,650
	M	475
	MU	122
	N	125
Total Students		5,372

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Driver Simulator Training and Force Option Simulator Training		Meeting Date April 27, 2000
Bureau Training Delivery & Compliance	Reviewed By Dick Reed <i>dr</i>	Researched By Gary C. Sorg
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-00	Date of Report March 24, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

Should the Executive Director enter into contract agreements with specific POST-certified presenters of the *Driving Simulator Training and Force Option Training* to provide training to California law enforcement for FY 2000/2001?

BACKGROUND

The Commission has recognized the importance of judgement and decision making training in the areas for driving and use of force situations for California law enforcement. In response to these critical training needs, the Commission has expended over six million dollars to purchase technological hardware in the form of Driving and Force Option Simulators. This represents a tremendous commitment by the Commission to ensure that both the public and peace officers are protected when split second decisions and judgements must be made during critical incidents. In its decision, the Commission recognized driving and use of force represents two of the highest potential sources of civil liability for law enforcement today. At the October 1999 Commission meeting, the Commission took action allowing conversion of *Driving Simulator and Force Option Simulator Training* from Plan III (Tuition based) to contract in order to make this important training more convenient.

The Commission at their January 2000 meeting, authorized the Executive Director to enter into contacts with those simulator training presenters who were prepared to provide training on a contract basis from March 1, 2000 for the remainder of the current fiscal year. This proposal would allow the Executive Director to enter into contracts with presenters of *Driving Simulator and Force Option Simulator Training* for FY 2000/2001.

ANALYSIS

The amount proposed represents the same amount that would be expended through terms of certification for tuition under Plan III and does not increase the fiscal impact to the Peace Officer Training Fund. These actions are a step towards making training programs more convenient for law enforcement and to ensure critical training is delivered.

Contract agreements would occur with the following agency and college presenters:

Alameda County Sheriff's Department
Allan Hancock College
Butte College
Fresno Police Department
Humboldt County Sheriff's Department
Kern County Sheriff's Department
Los Medanos College
Los Angeles Police Department
Los Angeles County Sheriff's Department
Orange County Sheriff's Department
Ray Simon Criminal Justice Training Center
Redding Police Department
Riverside County Sheriff's Department
Sacramento Police Department
Sacramento County Sheriff's Department
San Bernardino County Sheriff's Department
San Diego County Sheriff's Department
San Francisco Police Department
San Jose Police Department of Public Safety
Santa Rosa Training Center
College of the Siskiyous
South Bay Regional Public Safety Training Consortium
Ventura County Sheriff's Department
West Covina Police Department

RECOMMENDATION

Authorize the Executive Director to enter into contracts with the agencies and colleges described to train a maximum of 23,550 students in *Driving Simulator and Force Option Simulator Training*. The total amount of these contracts is not to exceed \$1,640,450 for FY 2000/2001.

Driving Simulator & Force Option (firearms) Simulator Training
 Contracts FY 2000-2001

Agency	#Students	Cost/Student	Driving	Force Option
Alameda County Sheriff	400	92	36,800	
Alameda County Sheriff	400	96		38,400
Allan Hancock College	250	80	20,000	
Allan Hancock College	250	73		18,250
Butte College	250	69	17,250	
Fresno Police Dept.	400	66	26,400	
Fresno Police Dept.	400	54		21,600
Humboldt County Sheriff	200	68	13,600	
Humboldt County Sheriff	200	68		13,600
Kern County Sheriff	400	68	27,200	
Kern County Sheriff	400	68		27,200
Los Medanos College	800	87	69,600	
Los Medanos College	400	68		27,200
Los Angeles Police Dept.	1600	68	108,800	
Los Angeles Police Dept.	1600	68		108,800
Los Angeles County Sheriff	1600	48	76,800	
Los Angeles County Sheriff	1600	48		76,800
Orange County Sheriff	600	87	52,200	
Orange County Sheriff	600	54		32,400
Ray Simon Center	300	94		28,200
Ray Simon Center	250	52	13,000	
Redding Police Dept.	300	81		24,300
Riverside County Sheriff	400	68	27,200	
Riverside County Sheriff	400	62		24,800
Sacramento Police Dept.	400	78	31,200	
Sacramento County Sheriff	600	82		49,200
San Bernardino County Sheriff	800	79	63,200	
San Bernardino County Sheriff	800	71		56,800
San Diego County Sheriff	600	68	40,800	
San Diego County Sheriff	600	68		40,800
San Francisco Police Dept.	600	68	40,800	
San Francisco Police Dept.	600	68		40,800
San Jose Police Dept.	400	68	27,200	
San Jose Police Dept.	400	68		27,200
Santa Rosa Trng. Ctr.	250	104	26,000	
Santa Rosa Trng. Ctr.	350	85		29,750
Siskiyou College	100	54	5,400	
Siskiyou College	150	54		8,100
S. Bay Regional PSTC	400	68	27,200	
S. Bay Regional PSTC	400	68		27,200
Ventura County Sheriff	250	68	17,000	
Ventura County Sheriff	250	68		17,000
West Covina Police Dept.	800	83	66,400	
West Covina Police Dept.	800	85		68,000
Totals			834,050	806,400

Projected Students Driving 11,750
 Force Option 11,800

Totals Students 23,550 Contracts Total 1,640,450

RECOMMENDATION

Authorize the Executive Director to enter into an Interagency Agreement with California State University - Sacramento, Regional and Continuing Education, for Fiscal Year 2000/2001 to present the described training courses for an amount not to exceed \$120,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

ATTACHMENT "A"

CSU-SAC, CONTINUING EDUCATION
DESCRIPTION OF PROPOSED COURSES

COURSE TITLE	PROPOSED STATUS	PROPOSED CHANGES 99/00	ESTIMATED COST 98/99	ESTIMATED COST 00/01
Crime Analysis 5730-34010	16 Hrs 29 Students	Increase number of students from 25 to 29	336 @ Student 6,300 @ Course 12,600 @ Year	336 @ Student* 9,744 @ Course 19,488 @ Year
Crime Analysis Application 5730-34000	20 Hrs 29 Students	Increase number of students from 25 to 29	295 @ Student 5,310 @ Course 10,620 @ Year	295 @ Student* 8,555 @ Course 17,110 @ Year
Basic Elements of Criminal Intelligence 5730-32010	20 Hrs 29 Students	Increase number of students from 25 to 29	335 @ Student 6,281 @ Course 12,562 @ Year	335 @ Student* 9,715 @ Course 19,430 @ Year
Criminal Intelligence Analysis 5730-32020	16 Hrs 29 Students	Increase number of students from 25 to 29	255 @ Student 4,590 @ Course 9,180 @ Year	336 @ Student* 9,744 @ Course 19,488 @ Year
Criminal Investigative Analysis - Violent Crimes 5730-31412	24 Hrs 29 Students	Increase number of students from 25 to 29	385 @ Student 7,328 @ Course 14,656 @ Year	385 @ Student* 11,165 @ Course 22,330 @ Year
Criminal Investigative Analysis - Profiling 5730-31413	16 Hrs 29 Students	Increase number of students from 25 to 29	255 @ Student 4,590 @ Course 9,180 @ Year	255 @ Student* 7,395 @ Course 14,790 @ Year
Law Enforcement Research & Statistics - Forecasting 5730-22720	20 Hrs 29 Students	Increase number of students from 25 to 29	345 @ Student 6,468 @ Course 12,936 @ Year	345 @ Student* 10,005 @ Course 20,010 @ Year
Law Enforcement Research & Statistics - Sampling 5730-22730	16 Hrs 29 Students	Increase number of students from 25 to 29	255 @ Student 4,590 @ Course 9,180 @ Year	255 @ Student* 7,395 @ Course 14,790 @ Year

* = Student Fees for POST agency employees

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Kodak Copier Maintenance Contract		Meeting Date April 27, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-00	Date of Report March 24, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Continuation of an agreement with Danka Office Imaging for maintenance of the Kodak copier.

BACKGROUND

Each year the Commission on Peace Officer Standards and Training must enter into a contract for maintenance of its Kodak copier, a high volume copier. The cost of the FY 99-00 maintenance agreement was based on a flat rate of \$470.00 per month plus a charge of \$.0053 per copy up to 110,000 copies per month in accordance with a Master Services Agreement developed by the State Department of General Services.

ANALYSIS

Part of the cost of owning a copier is the monthly maintenance charge for usage. The Commission approved an agreement not to exceed \$16,000 for the current fiscal year. The actual service agreement is for \$12,636.00. Approval is requested to enter into a similar agreement for FY 00-01 for an amount to maintain the current level of service.

RECOMMENDATION

Authorize the Executive Director to sign a contract with Danka Office Imaging for a total not to exceed \$13,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Robert Presley Institute of Criminal Investigation Contract with the San Diego Regional Training Center for FY 2000/2001		Meeting Date April 27, 2000
Bureau Training Program Services	Reviewed By <i>[Signature]</i> Ray Bray	Researched By Dave Spisak
Executive Director Approval	Date of Approval	Date of Report April 10, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for detail) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to enter into a contract with the San Diego Regional Training Center for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, five presentations of the ICI Instructor Workshop Class including Phase III, the 6th Annual Instructor Update Workshop, and specified administrative support for the ICI Program in an amount not to exceed \$471,635 for fiscal year 2000/2001?

BACKGROUND

This is a renewal of a contract that was in effect for fiscal year 1999/2000. Demand for all ICI courses has remained steady requiring that 5 sessions of both the Core and the Instructor Development courses be offered. SDRTC is the Southern California presenter of ICI Courses. The Instructor Development activities are moved throughout the State as needed. Currently SDRTC is presenting five ICI Core Courses at a cost not to exceed \$142,462 at an average cost of \$37,830.

SDRTC also provides five presentations of the ICI Instructor Workshop Class at an average cost of \$16,728 each, the Annual Instructor Update Workshop, and specified administrative support for the ICI Program. The FY 1999/2000 budget for these activities is \$394,995.

ANALYSIS

This contract will provide for five deliverable instructional and support activities for the ICI Program:

Contract Item 1. ICI Core Course

The San Diego Regional Training Center (SDRTC) is one of five providers of the ICI Core Course. All courses are presented using adult experiential learning concepts. These concepts have proven to be an excellent method of instruction for follow-up investigators. The students are challenged to learn by performing in realistic role-play exercises and practical simulations. The Core Course is a recommended prerequisite to all other courses in the ICI program and is, therefore, the foundation upon which all other courses are built. The average

cost for this year is \$36,963 per presentation. The \$867 per presentation reduction (-2.3%) is because of the reduction of overhead authorized by POST from 20 to 15% in spite of a 2% increase in hotel rental costs.

Contract Item 2. ICI Instructor Development Workshops

SDRTC will present the same number of ICI Instructor Workshop Classes as last year. Five presentations are projected to meet anticipated instruction qualification needs. San Jose State University and Fresno Community College will be coming on line with new ICI courses. The presentation cost is \$18,256, a 9.1% increase. These increases are based on two course enhancements, \$1,500 for computer rentals and \$500 for student materials.

Contract Item 3. Phase III Instructor Development

This program addition was successfully piloted during FY 1998/1999 and fully implemented during FY 1999/2000. Last year budgeted for 16 students for each of the originally scheduled 4 courses (a total of 64 students) for a cost of \$41,600. Based on our experience and the scheduled 5 classes, funding is requested for 17 students from each of the five requested class presentations (a total of 85 students). The per student cost has not changed. Because of the growth of the program an additional \$10,000 is requested for the design, printing and training on a "mentoring handbook" for use by the MIDP officers who will be hired to provide the student teaching experience. The program continues to involve Master Instructor Development Program graduates monitoring up to two presentations by the ICI Instructor Development trainee in their ICI class setting.

This program takes advantage of the skills of MIDP graduates by applying their mentoring skills directly in the ICI classroom. Phase III is giving POST valuable information on methods to enhance classroom instruction and improving the learning by our end user, the follow-up investigator. This program provides up to \$500 for the MIDP mentor for two visits (if needed) for 85 ICI Instructor Development trainees during this contract year. This program also contains \$9,600 for coordination and preparation of Master Instructors to administer the evaluations and to schedule the on-going mentoring sessions. \$62,100 is requested to fund Phase III this contract period, which includes the new Mentoring Handbook and MIDP training element.

Contract Item 4. 6th Annual ICI Instructor Workshop

This annual workshop, like last years, is 3 days in length and will again include not only instructors from the Core course but also all Foundation Specialty courses. Attendance will increase from 150 instructors to 200. Last year \$42,000 was expended for this event. This year's contract requests \$45,000 for the delivery of the 5th Annual and the planning for the 6th Annual Instructors Workshop.

Contract Item 5. Administrative Support

SDRTC will continue to provide the same administrative support as last year, including student counseling and coordination, design and establishment of an ICI web page, and editing and formatting the Follow-Up quarterly newsletter. New activities include printing and distribution of the newsletter,

database population and maintenance, web page population and maintenance, and the coordination of the instructor development program. This program element also will provide management oversight for all Instructor Development activities including scheduling classes, updating curriculum and other instructor development and updating activities. This will allow POST staff to focus on quality assurance of courses, the development and update of investigator curriculum, and contract management. The ICI Instructor Development will report to POST thereby reducing POST staff time committed to the ICI program without reducing the quality or accountability of the program. This program deliverable will be provided for \$88,440.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with the San Diego Regional Training Center for five presentations of the Robert Presley Institute of Criminal Investigation (ICI) Core Course, five presentations of the ICI Instructor Workshop Class including Phase III, the 6th Annual Instructor Update Workshop, and specified administrative support for the ICI Program in an amount not to exceed \$471,635 for fiscal year 2000/2001.

DETAIL OF CONTRACTS

Contractor: San Diego Regional Training Center

1.	Core Course	\$36,963	X5	\$184,815
2.	Instructor Development Course	\$18,256	X5	\$ 91,280
3.	Phase III Instructor Development			\$ 62,100
4.	Annual Instructor Update			\$ 45,000
5.	ICI Administrative Support			\$ 88,440
	Contract Total			\$471,635

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Office of State Publishing Contract for Fiscal Year 2000/2001		April 27, 2000
Bureau	Reviewed By Bud Lewallen, Bureau Chief	Researched By
Basic Training Bureau	<i>[Signature]</i>	Mickey Bennett
Executive Director Approval	Date of Approval	Date of Report
<i>[Signature]</i>	3-27-00	March 21, 2000
Purpose		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		<input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Shall the Commission approve an Interagency Agreement between POST and the Office of State Publishing (OSP) in the amount not to exceed \$170,225 to cover the cost of providing Basic Course instructional materials and support services for Fiscal Year 2000/2001?

BACKGROUND

POST has contracted with the Office of State Publishing since 1998. The OSP has provided materials and services to law enforcement academies, including: 1) printing, packaging and distribution of basic training instructor materials; 2) video duplication, packaging, and distribution; 3) development of a pilot delivery process to deliver instructional materials using CD ROM technology; and 4) development of a pilot Digital Archive System to store and track instructional curriculum for student workbook and instructor materials. The contract for this Fiscal Year 1999/2000 is \$302,801.

The development of the basic course learning domain workbooks will be completed on schedule by July, 2000. The 42 learning domain workbooks now require maintenance and updating to retain their value to the field.

ANALYSIS

The Commission goals and direction continue to provide focus and expansion of the Basic Course. There is a continuing need for the services provided by OSP to POST and POST's clients. Requested services include:

- The Basic Course is now authorized to be presented in a regular, extended and modular format. In order to support the Basic Course presenters an estimated 3,250 additional instructor packages will be required this fiscal year for an amount of \$121,225.
- A minimum of 27 learning domains will be updated this fiscal year. An estimated 900 sets of student workbooks and instructors guides are required to support the subject matter experts during the workbook update process for an amount of \$11,000.
- Updated learning domains workbook information will be provided to 500 academies and agencies. OSP will produce CD-ROMs and distribute student workbook training materials covering 14 selected learning domains to academies and agencies for an amount of \$38,000.

RECOMMENDATION

Authorize the Executive Director to enter into an Interagency Agreement with the Office of State Publishing to present the described services for an amount not to exceed \$170,225.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Continuation of the Contract with CPS to Administer the Entry-Level Dispatcher Selection Test Battery		Meeting Date April 27, 2000
Bureau Standards & Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Donna Brown
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval 3-29-00	Date of Report March 29, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> YES (See Analysis for details) <input type="checkbox"/> No

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

ISSUE:

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Entry-Level Dispatcher Selection Test Battery.

BACKGROUND:

In January 1997, the Commission authorized that the POST Entry-Level Dispatcher Selection Test Battery be made available to agencies in the POST Public Safety Dispatcher Program at no cost, effective with the July 1, 1997, implementation date for new dispatcher selection standards [cf. Regulation 1018(c)(4)]. During the last fiscal year, POST contracted with CPS to provide services related to the production and distribution of examination materials to these participating agencies.

ANALYSIS:

CPS has performed acceptably under the contract in providing services that could not be performed by POST without additional staff. The amount of the 1999/2000 fiscal year contract is \$179,818.00. The proposed contract for fiscal year 2000/01 is for an amount not to exceed \$177,449.00 (reflecting a slight decrease in the number of candidates anticipated to be tested).

RECOMMENDATION:

It is recommended that the Commission authorize the Executive Director to sign a contract with Cooperative Personnel Services for administration of the Entry-Level Dispatcher Test Battery to agencies in the POST Public Safety Dispatcher Program during fiscal year 2000/01 for an amount not to exceed \$177,449.00.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Continuation of the Contract with CPS to Administer the Basic Course Proficiency Test

Meeting Date
April 27, 2000

Bureau
Standards & Evaluation

Reviewed By
Alan Deal *Alan Deal*

Researched By
Donna Brown

Executive Director Approval

Date of Approval
3-29-00

Date of Report
March 29, 2000

Purpose

Decision Requested Information Only Status Report

Financial Impact: Yes (See Analysis for details)
 No

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

ISSUE:

Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Proficiency Examination.

BACKGROUND:

Penal Code Section 832.3(b) requires POST to develop a standardized examination which enables 1) comparisons between presenters of the training, and 2) development of a data base for subsequent training programs.

Since 1981, all basic course graduates have been required to take the POST Proficiency Examination.

ANALYSIS:

Because of the volume of test administrations and a lack of available POST staff, POST has contracted with CPS for administration of the Proficiency Examination for each of the last 19 years. CPS has done an acceptable job of administering the examination.

The amount of the 1999/2000 fiscal year contract is \$102,598.00. The proposed contract for fiscal year 2000/01 is for an amount not to exceed \$105,593.50, reflecting a slight (6%) increase in the cost of shipping materials and the cost of proctor services.

RECOMMENDATION:

It is recommended that the Commission authorize the Executive Director to sign a contract with Cooperative Personnel Services for administration of the POST Proficiency Examination during fiscal year 2000/01 for an amount not to exceed \$105,593.50.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Increase Contract with CSUS Foundation		Meeting Date April 27, 2000
Bureau Computer Services Bureau	Reviewed By Mitch Coppin	Researched By Sherrie Girard
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-26-00	Date of Report March 17, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to negotiate an Interagency Agreement with the CSUS Foundation in FY 00/01 for Student Assistant services not to exceed \$15,000?

BACKGROUND

POST has contracted with CSUS Foundation to obtain Student Assistants for the past several years. Student Assistants perform a variety of computer-related tasks and assist computer support staff with PC moves, new installs, and help desk troubleshooting. In times of unfilled positions, vacations, or illness, Student Assistants have helped bridge the gap and allowed POST staff to continue with its computer-related projects.

ANALYSIS

The current year contract with CSUS Foundation was established at \$9,999 and, subsequently, amended to \$15,000. This agreement provides POST with Student Assistants to help POST's computer staff in the repair and upgrade of personal computers and Local Area Network Servers. Costs are expected to be similar to this year (\$15,000).

RECOMMENDATION

Authorize the Executive Director to sign an Interagency Agreement with CSUS Foundation for an amount not to exceed \$15,000 for FY 00/01.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Interagency Agreement With Teale Data Center		Meeting Date April 27, 2000
Bureau Computer Services Bureau	Reviewed By Glen Fine	Researched By Mitch Coppin
Executive Director Approval	Date of Approval	Date of Report March 17, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center in FY 00/01 for computer services for an amount not to exceed \$65,000?

BACKGROUND

POST has an Interagency Agreement with Teale Data Center (a State agency) for computer services. The contract provides for a link between POST's local area network (LAN) and the Teale Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's LAN or PCs can provide. The Teale Data Center also serves as POST's Internet provider and provides web hosting and a T1 Communications line to POST. Teale Data Center staff also provides LAN support and consulting services. The current year contract is for \$65,000.

ANALYSIS

POST uses the Teale Data Center mainframe computers for processing large statistical jobs and the storage of large test score data files. POST will also need support services for installing, maintaining, and troubleshooting our LAN system. This agreement gives POST needed processing power, storage capabilities, and technical LAN support that it needs during FY 00/01. Costs are expected to be similar to this year (\$65,000).

RECOMMENDATION

It is recommended the Commission authorize the Executive Director to enter into an Interagency Agreement with the Teale Data Center for computer services in FY 00/01 for an amount not to exceed \$65,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Health and Welfare Data Center - CALSTARS Support		Meeting Date April 27, 2000
Bureau Computer Services Bureau	Reviewed By Glen Fine	Researched By Mitch Coppin
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 3-27-00	Date of Report March 17, 2000
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should the Commission authorize the Executive Director to negotiate an Interagency Agreement with the Health and Welfare Agency Data Center (a State agency) in FY 00/01 for computer linkage in support of the State Accounting System (CALSTARS) and other associated data processing services?

BACKGROUND

The mandated California Accounting and Reporting System (CALSTARS), implemented in 1986, requires that POST enter into a yearly contract with the Health and Welfare Data Center to provide data processing services during the year. The Health and Welfare Data Center also provides related data processing services such as: 1) Internet connections, 2) Local Area Network support, and 3) consulting services. The Commission approved an agreement not to exceed \$30,000 for current Fiscal Year 99/00.

ANALYSIS

Without the continuation of an agreement with the Health and Welfare Data Center, POST will not be able to perform necessary state accounting functions and will be out of compliance with accounting requirements. Costs are expected to be similar to this year (\$32,000).

RECOMMENDATION

Authorize the Executive Director to sign an Interagency agreement in an amount not to exceed \$32,000 with the Health and Welfare Agency Data Center for computer services during Fiscal Year 00/01.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Internal Control Audit		Meeting Date April 27, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-00	Date of Report April 4, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Should POST contract for an internal control audit?

BACKGROUND

In 1995, POST entered into an interagency agreement for \$20,000 with the Department of Finance, Office of State Audits and Evaluations (OSAE), to perform a risk assessment/review of internal controls. The review was made to assist POST in satisfying the audit requirement of the State Administrative Manual, Section 20010, which requires that reviews are made every two years of agencies systems of internal control. Upon receiving the final audit report and notice from staff regarding corrective action taken, the Commission directed that POST have an internal control audit performed biennially.

The most recent biennial audit was conducted during FY 97-98 at a cost of \$40,000. A full scope internal control review/audit that provided a detailed evaluation and quantification of all findings was conducted. The report detailed areas of a technical nature which required attention, e.g., improved separation of accounting duties. All of the deficient areas have been corrected. It is time again to have an internal control audit performed.

ANALYSIS

Staff have had discussions with OSAE for cost estimates for internal control audits. The first proposal is similar to that performed four years ago. For \$25,000 the OSAE will conduct a risk assessment/limited internal control review. The second proposal is for a full scope internal control review like was done in FY 97-8 that will provide detailed evaluation and quantification of all findings. The cost of the latter will not exceed \$40,000.

Though both proposals will provide an internal control review/audit that will satisfy the review and reporting requirements of the State Administrative Manual, Section 20010, it is recommended that the risk assessment/limited internal control review be performed. This review would be sufficient to determine that audit objectives have been met. It would provide the Commission and the Executive Director with a reasonable determination whether there are effective controls over receipts, expenditures, and assets and liabilities at POST.

RECOMMENDATION

Authorize the Executive Director to enter into an interagency agreement with the Department of Finance, Office of State Audits and Evaluation, to perform a limited Internal Control Review of POST for an amount not to exceed \$25,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title State Controller's Office Agreement for Auditing Services in FY 2000-01		Meeting Date April 27, 2000
Bureau Administrative Services Bureau	Reviewed By <i>[Signature]</i> Frederick Williams	Researched By Staff
Executive Director Approval <i>[Signature]</i>	Date of Approval 4-6-00	Date of Report March 24, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Commission review and final approval of an interagency agreement for auditing services with the State Controller's Office for Fiscal Year 2000-01.

BACKGROUND

There is a need to selectively audit the training reimbursement claims made by local agencies against the Peace Officer Training Fund. These audits have been conducted by the State Controller's Office on a yearly basis. The Commission approved an agreement not to exceed \$85,000 for the current Fiscal Year 1999-00.

ANALYSIS

Each year for the past several years POST has negotiated an interagency agreement with the State Controller's Office to conduct audits of selected local agencies which receive POST reimbursement funds. The Controller's Office continues to do an acceptable job in auditing selected jurisdictions to assure that reimbursement funds are being appropriately expended. The FY 99-00 contract was for the SCO to conduct 14 audits for \$85,000. Due to increased salary and travel costs, only 10 audits were able to be completed. The SCO has given POST an estimate of \$116,045 for 14 audits (see attached). 10 audits would cost \$84,245.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to enter into an interagency agreement with the State Controller in an amount not to exceed \$116,045 to audit local agency reimbursement claims during Fiscal Year 2000-01.

**SCO Audits
POST Program
2000 - 01 Estimated Cost - 14 Audits**

Cost Per Audit:	Average Hours Per Audit	Anticipated Hourly Rate (1)	Amount
Auditor	93	65.50	\$ 6,092
Manager	10	76.75	768
Quality Control	5	65.50	328
Travel (12.5% of Auditor Cost)			<u>762</u>
			\$ 7,950
Number of Audits			<u>x 14</u>
Cost of 14 Audits (less administrative costs)			\$111,300
Administrative Cost:	Estimated Hours	Anticipated Hourly Rate (1)	Amount
Auditor	8	65.50	\$ 524
Manager	48	76.75	3,684
Bureau Chief	6	89.50	<u>537</u>
Total Administrative Costs			<u>4,745</u>
Total Costs - 14 Audits			<u>\$116,045</u>

(1) Current billing rates x 1.04

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Kodak Copier Maintenance Contract		Meeting Date April 27, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 4-6-00	Date of Report March 24, 2000
Purpose <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

Continuation of an agreement with Danka Office Imaging for maintenance of the Kodak copier.

BACKGROUND

Each year the Commission on Peace Officer Standards and Training must enter into a contract for maintenance of its Kodak copier, a high volume copier. The cost of the FY 99-00 maintenance agreement was based on a flat rate of \$470.00 per month plus a charge of \$.0053 per copy up to 110,000 copies per month in accordance with a Master Services Agreement developed by the State Department of General Services.

ANALYSIS

Part of the cost of owning a copier is the monthly maintenance charge for usage. The Commission approved an agreement not to exceed \$16,000 for the current fiscal year. The actual service agreement is for \$12,636.00. Approval is requested to enter into a similar agreement for FY 00-01 for an amount to maintain the current level of service.

RECOMMENDATION

Authorize the Executive Director to sign a contract with Danka Office Imaging for a total not to exceed \$13,000.

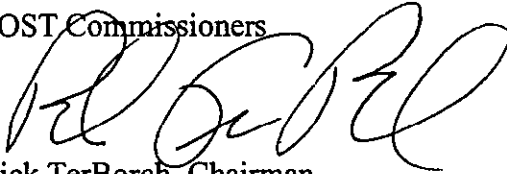
State of California

Department of Justice

MEMORANDUM

Date: April 4, 2000

To: POST Commissioners



From: Rick TerBorch, Chairman
Long Range Planning Committee

Re: REPORT OF THE LONG RANGE PLANNING COMMITTEE

The Committee met at POST Headquarters, in Sacramento, on April 7, 2000, at 10:00 a.m. Present were Commissioners TerBorch, Holden, Hunt, Kolender, and Knutson. Commissioner Baca was absent. POST staff present included Ken O'Brien, Mike DiMiceli, and Hal Snow. A number of POST staff was present as visitors.

The Committee received reports from staff on the following issues:

Report of the Senate Budget Subcommittee Hearing on FY 2000/01 POST Budget

The Executive Director described the April 6, 2000 hearing of Senate Budget Subcommittee #2 on the POST budget for FY 2000/01. The budget was approved by the committee with the following additions: 1) Add \$518,000 to the budget, specifically for permanent staff (4 positions) to conduct the course quality control program. This amount augments the budget request for \$346,000 to employ part-time positions for this program; and 2) Add supplemental budget language to require the Commission to review gang training programs, create a new gang awareness training course, and report findings and recommendations concerning improvements to gang training to the Joint Legislative Budget Committee by January 1, 2001. The Executive Director informed the committee the Assembly hearing on the POST budget is scheduled for May 3, 2000.

Governor's Award Selection Process

Staff presented a report, requested by the Commission, describing the selection process for the Governor's Award for Excellence in Peace Officer Training.

Following discussion, the Committee approved the staff report and directed staff to adopt a modified selection process that will: 1) include the Commissioners who are the Advisory Committee Liaison Committee in the review of applications and development of recommendations for the award; and 2) provide a preliminary

report on applications for the award to the Commission at the annual November meeting and present the recommendations for the award at the annual January meeting.

Feasibility Study - San Diego City Attorney

Assistant Director Mike DiMiceli described the process for presenting the completed peace officer feasibility study report and recommendation to the Committee. The Committee considers the report and directs its distribution in order to maintain the independence of the full Commission as the appellate reviewer of the study.

Pursuant to Sections 13540-42, Penal Code, and a request from the San Diego City Attorney, staff has completed a peace officer feasibility study concerning the designation of investigators employed by that Office as peace officers. The report summarized the study including the conclusion that the investigators have sufficient authority to perform the assigned functions and the recommendation that the position not be designated as a peace officer.

Following discussion, the Committee directed staff to distribute the report of the study, including the recommendation, to the Legislature and the San Diego City Attorney, as required by law.

POST Strategic Plan

The Committee received a report on the progress of implementing the Strategic Plan. Following a discussion of the need to seek broad-based input concerning the update of the Plan, the Committee agreed that revision of the Plan for 2000 should include input from a diverse group of clients, constituents, and interested parties. The Committee directed staff to update the Plan using a public process to collect information that is similar to the process that was used to in 1996 create the Strategic Plan.

Staff reported the charter of the Strategic Plan Implementation Committee will expire, as planned, in July 2000. Following discussion, the Committee agreed that oversight of implementation of the Strategic Plan is consistent with their mission and responsibility. Accordingly, the Long Range Planning Committee will assume this function after July 2000.

Preliminary Plan for POST Instructor Certification

The Committee received a report concerning the proposed plan for training and certification of all instructors who teach in POST-certified courses. The proposal will also be presented to the Commission at the April 2000 meeting. The proposal includes the definition of instructor competencies, development of instructor training and equivalency programs, and certification of instructors.

The Committee received and approved this informational report.

Contract Manager for the Command College

At the December 1999 meeting, the Commission approved a contracted course manager for the Command College program for the remainder of FY 1999/00 and directed staff to present a complete proposal on a course manager at the April 2000 meeting.

A course manager has been used in the Command College since December 1999. The position appears to be beneficial in that POST staff is relieved of some of the administrative tasks associated with presentation of the program. A full-time course manager will assume significant administrative responsibility for the presentation of each workshop and overall program coordination. The staff proposes to add a contract course manager position to the program for FY 2000/01 at a cost estimated not to exceed \$75,330. The funds and the position will be added to the existing contract with the San Diego Regional Training Center.

The contract for the San Diego Regional Training Center, including funds for the course manager in the Command College, will be presented to the Commission at the April 2000 meeting.

Following discussion, the Committee received the report and recommends Commission approval of the proposal to add a course manager to the Command College program for FY 2000/01.

Report on the Sherman Block Supervisory Leadership Institute

At the January 1999 meeting, the Commission approved a staff plan to suspend applications to the Sherman Block Supervisory Leadership Institute (SBSLI) for one year. This was necessary to permit staff to eliminate the waiting list and the waiting period, and to modify the program to accommodate 450 applicants each year.

Staff reported the waiting list has been eliminated and all interested applicants have been assigned to a SBSLI class. In addition, staff is preparing a plan to receive new applications and make class assignments beginning in June 2000, and is exploring the feasibility of an electronic application process.

The Committee received and approved this informational report.

Cost-Benefit Analysis of the Command College

The Commission directed staff to prepare a 5-year, cost-benefit study of the Command College. The review focused on the Law Enforcement Command College, but also included the Robert Presley Institute of Criminal Investigation (AICI), the Master Instructor Development Program (MIDP), and the Sherman Block Supervisory Leadership Institute (SBSLI).

The staff report provided instructional and presentation costs for each of the programs for the period from FY 1994/95 through FY 1998/99, excluding the cost of reimbursement. The analysis included total program costs, including per student and per-student hour costs, and a description of the audience and number of graduates of each program. The consensus of the Committee was to suggest that staff explore less costly training courses as an alternative to the MIDP. The status of the planned review of the MIDP was reported to the Committee.

After discussion, the Committee received and approved the report.

Status of the Backfill Reimbursement Program

The Commission directed staff to provide a status report on the Backfill Reimbursement Program. A concern is that the reimbursement process poses obstacles to participation for the large agencies.

Staff reported the total backfill reimbursement paid during the period from May 1998 through February 2000 is approximately \$2,852,526. During this period, reimbursement to the 28 agencies that have 500 or more employees was approximately \$1,635,000 (57%). Twenty-one (75%) of these agencies participate in the program, 5 agencies plan to participate in the future, and the remaining 2 agencies (LAPD and San Diego PD) may only participate in limited manner in the future.

After discussion, the Committee received and approved the report.

Revisions to the POST Management Course

The 80-hour Management Course is required to be completed by every officer who is promoted to a middle management position within 12 months of that promotion. CSU-Humboldt, Long Beach, and San Hose, and the San Diego Regional Training Center present the course. It was last revised in 1991.

The staff report summarized the work to review and revise the course, and recommends: 1) the course be expanded from 80 hours to 104 hours of specified curriculum; and 2) the revised course be presented in an extended format consisting of 3 separate workshops, each separated by a 4-week intercession period. If approved, the revised course will be presented in FY 2000/01, effective

July 1, 2000. This issue will be presented to the Commission at the April meeting as a request to amend Procedure D-4 and as a contract item for the new fiscal year.

The Committee approved the report and recommends Commission approval of the revised Management Course.

Agency Accreditation Program Budget Change Proposal

SB 1126 (Presley) created Penal Code Sections 13550-53 and directed the Commission to create and administer a law enforcement agency accreditation program. The program was contingent upon new funds being available to avoid diversion to the program of funds from the Peace Officer Training Fund. In the absence of new funding, the program has not been implemented. In 1998, the Commission approved distribution of the draft accreditation standards to interested agencies solely to aid in the administration, management, and operations of an agency.

Staff has prepared preliminary estimates of the costs to complete development, pilot testing, and implementation of the program. Approximately \$500,000 may be required for program development. Annual program administration costs are estimated to be approximately \$1,200,000 for 3-4 full-time staff, a number of part-time positions, and other administrative costs. Full implementation of the program will probably begin in Year 2, at the earliest. Staff recommends development of a Budget Change Proposal for FY 2001/02 to implement the program. In addition, progress reports concerning program development and funding will be provided to the Long Range Planning Committee.

Following discussion, the Committee approved the report and recommends Commission approval.

Amendment to the Continuing Professional Training Requirement

The Committee received a report that describes the proposed changes to the Continuing Professional Training (CPT) requirement that will require completion of specified perishable skills as part of the requirement. The proposal will be presented as a separate item at the April Commission meeting.

The Committee discussed the use of the Advanced Officer Course as a means to presenting perishable skills training. Following discussion, the Committee approved the report and recommends Commission approval of the proposed changes to the CPT requirement.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

LEGISLATIVE REVIEW COMMITTEE

Thursday, April 27, 2000
San Pedro Hilton
2800 Via Cabrillo Marina
San Pedro, CA 90731
(310) 514-3344



AGENDA

Gray Davis
Governor

MEMBERS

Bill Lockyer
Attorney General

Bill Kolender, Chairman
Lee Baca
Monty Holden
Ted Hunt
Bill Lockyer

8:30 A.M.

Attachment

A. Status of POST-approved Legislation

AB 1494 (Wildman) - Peace Officers: Los Angeles Unified School District: This bill would require the Commission to complete a feasibility study on a proposed change in designation for the Los Angeles Unified School District Police Department from Penal Code Section 830.32 to Section 830.1. This bill would also expand the scope of peace officer feasibility studies conducted by POST. **A**
Commission Position: Support

AB 1718 (Hertzberg) - Peace Officers: Advanced Training: Mental Illness: This bill would require POST to develop a classroom training program to address the handling of developmentally disabled and mentally ill persons. Additionally, this bill would require POST to report to the Legislature, by July 1, 2002, the number of agencies participating in this course. **B**
Commission Position: Oppose, unless amended

AB 1819 (Shelley) - Elder Abuse: This bill would add specified subjects to existing law which requires police officers and deputy sheriffs at a supervisory level or below who are assigned field or investigative duties to complete an elder abuse training course certified by POST. Subjects include physical and psychological abuse of elders and the role of local adult protective services and public guardian officers.

Commission Position: Support

C

SB 66 (Murray) Crime Prevention: Peace Officer Training: This bill calls for POST to incorporate specific cultural diversity topics into the Basic Course and would require California peace officers to receive refresher training in this area every five years.

Commission Position: Support

D

B. New Legislation of Interest to POST

AB 1762 (Villaraigosa) Peace Officer Training: Mentally Ill Persons: This bill directs the Office of Criminal Justice Planning to establish a Crisis Intervention Team pilot project for the training of law enforcement officers and public safety dispatchers concerning the nature of mental illness and appropriate methods of handling the mentally ill in order to accomplish specified policy goals. Provides that these projects shall be established in Los Angeles County and a county located within the Central Valley of California.

E

AB 1928 (Vincent) Peace Officers: Court Services Investigators: This bill would designate a court services investigator as a peace officer. A POST feasibility study would be required before this bill would take effect. This bill would also modify existing regulations to allow POST to Streamline the current requalification process.

F

AB 1997 (Strickland) Tribal Relations: Law Enforcement: This bill would declare the Legislature's intent to establish normalized public safety relations between federally recognized tribal entities and law enforcement agencies in the state of California, as defined, in order to benefit urban communities in this state.

G

AB 2059 (Vincent) Peace Officers: Welfare Fraud Investigators: This bill would provide that all welfare fraud investigators or inspectors appointed as peace officers on or after January 1, 2001, shall attend and complete a specialized basic investigators course approved by the Commission on Peace Officer Standards and Training within one year of being hired, but that welfare fraud investigators and inspectors appointed prior to January 1, 2001, shall not be required to attend and complete this training.

H

AB 2449 (Wildman) Law Enforcement: Peace Officer Training: This bill would add an additional member to the class of peace officers including four peace officers of the rank of sergeant or below with a minimum of five year's experience, thereby increasing the Commission on Peace Officer Standards and Training's membership to 15 members. This bill would also limit POST's authority to cancel an officer's Basic POST Certificate to a felony conviction only. I

SB 1389 (Murray) Commissioner of the California Highway Patrol: This bill would require each member of the California Highway Patrol to report to the Commissioner of the Patrol in the manner prescribed by the commissioner, as to the number of motor vehicle drivers stopped by law enforcement, whether or not a citation or warning was issued, for each stop, certain specified information and other information. Also, this bill would impose the same reporting requirements on each city and county law enforcement agency at specified dates. J

SB 1831 (Hughes) School Safety: This bill would establish the School Safety Academy Pilot Program, to be administered by the Department of Justice, whereby regional community policing institutes in the Counties of Sacramento, Los Angeles, and San Diego, defined as school safety academies, would receive funding from the Department of Justice to develop and implement integrated, comprehensive school safety training for those responsible for school safety. K

SB 1833 (Schiff) Law Enforcement Technology: This bill states findings and declarations of the legislature, concerning the need for technology coordination with regard to the acquisition, testing, and use of high-tech law enforcement tools. This bill states the intent of the Legislature to provide a centralized resource for local law enforcement agencies for the research, testing maintenance, and upgrade of current and emerging technologies with law enforcement applications. L

SB 1945 (Ortiz) Crimes: Support for Abortion Rights: This bill expresses the Legislature's intent that anti-abortion crime and hate crime be addressed in concert by law enforcement. This bill would add support for reproductive choice or abortion rights to the list of victim characteristics required to be reported. M

SB 2004 (Speier) Pursuit Intervention Termination Management: This bill would require the Department of the California Highway Patrol to enter into a contract with a manufacturer of Pursuit Intervention Termination Management Systems. This bill would also require POST to develop a course of instruction, in consultation with the manufacturer, for officers who use PITMS equipment. N

ATTACHMENT A

STATE and FEDERAL LEGISLATION	STATE and FEDERAL REGULATIONS	NEWS / REFERENCE	CON
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In bill text, brackets have special meaning:

- [A] <A] contains added text, and
- [D] <D] contains deleted text.

California 1999-00 Regular Session
 1999 CA AB 1494
 Amended
 04/03/2000
 Wildman
 ASSEMBLY BILL

AB No. 1494

INTRODUCED BY Assembly Member Wildman

=====

AMENDED IN SENATE APRIL 3, 2000
 AMENDED IN SENATE AUGUST 16, 1999
 AMENDED IN ASSEMBLY MAY 18, 1999
 AMENDED IN ASSEMBLY APRIL 14, 1999

FEBRUARY 26, 1999

An act to amend Sections 13540, 13541, and 13542 of, and to add and repeal Section 13543 of, the Penal Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1494, as amended, Wildman. Peace officers.

Under existing law, any person or persons desiring peace officer status who, on January 1, 1990, were not entitled to that status under specified provisions of law, are authorized to request the Commission on Peace Officer Standards and Training (POST) to undertake a feasibility study regarding the designation of that person or persons as a peace officer.

This bill would authorize any person or persons who are designated as peace officers under specified provisions of law, and who desire a change in their peace officer designation or status, to request [D] the commission on <D] POST to undertake a study to assess the need for that change. This bill would also require persons who are designated as peace officers to meet specified conditions in order to obtain a change in their peace officer designation or status.

The bill would also require that any study regarding a change in their peace officer status or designation must include, but not be limited to, the current and proposed duties and responsibilities of the persons employed in the category seeking the designation change and their field duties and responsibilities, and the extent to which their current duties and responsibilities require additional peace officer powers and authority.

The bill would require [D] the Commission on <D] POST to issue within a specified timeframe a study and recommendations to the Los Angeles Unified School District Police Department regarding changing the peace officer designation of that department's school police. This bill would repeal these provisions on January 1, [D] 2001 <D] [A] 2002 <A] , unless a later enacted statute, that is enacted before January 1, [D] 2001 <D] [A] 2002 <A] , deletes or extends that date.

This bill would declare that is to take effect immediately as an urgency

statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13540 of the Penal Code is amended to read:

13540. (a) Any person or persons desiring peace officer status under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 who, on January 1, 1990, were not entitled to be designated as peace officers under that chapter shall request the Commission on Peace Officer Standards and Training to undertake a feasibility study regarding designating that person or persons as peace officers. The request and study shall be undertaken in accordance with regulations adopted by the commission. The commission may charge any person requesting a study, a fee, not to exceed the actual cost of undertaking the study. Nothing in this article shall apply to or otherwise affect the authority of the Director of Corrections, the Director of the Youth Authority, the Director of the Youthful Offender Parole Board, or the Secretary of the Youth and Adult Correctional Agency to designate peace officers as provided for in Section 830.5.

(b) Any person or persons who are designated as peace officers under Chapter 4.5, (commencing with Section 830) of Title 3 of Part 2, and who desire a change in peace officer designation or status, shall request the Commission on Peace Officer Standards and Training to undertake a study to assess the need for a change in designation or status. The request and study shall be undertaken in accordance with regulations adopted by the commission. The commission may charge any person, agency, or organization requesting a study, a fee, not to exceed the actual cost of undertaking the study.

SEC. 2. Section 13541 of the Penal Code is amended to read:

13541. (a) Any study undertaken under this article shall include, but shall not be limited to, the current and proposed duties and responsibilities of persons employed in the category seeking the designation change, their field law enforcement duties and responsibilities, their supervisory and management structure, and their proposed training methods and funding sources.

(b) A study undertaken pursuant to subdivision (b) of Section 13540 shall include, but shall not be limited to, the current and proposed duties and responsibilities of the persons employed in the category seeking the designation change and their field law enforcement duties and responsibilities, and the extent to which their current duties and responsibilities require additional peace officer powers and authority.

SEC. 3. Section 13542 of the Penal Code is amended to read:

13542. (a) In order for the commission to give a favorable recommendation as to a change in designation to peace officer status, the person or persons desiring the designation change shall be employed by an agency with a supervisory structure consisting of a chief law enforcement officer, the agency shall agree to comply with the training requirements set forth in Section 832, and shall be subject to the funding restriction set forth in Section 13526. The commission shall issue the study and its recommendations to the requesting person or agency [D> within 18 months of the request if the request is made in accordance with the regulations of the commission. A <D] [A> within 18 months of the mutual acceptance of a contract between the requesting person or agency and the commission. A <A] copy of that study and recommendations shall also be submitted to the Legislature.

(b) (1) In order for the commission to give a favorable recommendation as to a change in peace officer designation or status, the person or persons desiring the change in peace officer designation or status shall be employed

by an agency that is currently participating in the Peace Officer Standard Training program.

(2) If the designation change is moving the person or persons into Section 830.1, the person or persons shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training, set forth in Section 832.4.

(3) The commission shall issue the study and its recommendations, as specified in subdivision (b) of Section 13540, to the requesting person or persons, within [D] 12 months of the request if the request is made in accordance with the regulations of the commission, or as <D] [A] 12 months of the mutual acceptance of a contract between the requesting person or agency and the commission, or as <A] soon as possible thereafter if the commission shows good cause as to the need for an extension of the 12-month time period.

(4) A copy of that study and recommendation shall also be submitted to the Legislature.

SEC. 4. Section 13543 is added to the Penal Code, to read:

13543. (a) Notwithstanding the provisions of paragraph (3) of subdivision (b) of Section 13542, the commission shall issue a study and its recommendations to the Los Angeles Unified School District Police Department for a change in peace officer designation of that department's school police from Section 830.32 to Section 830.1 nine months from the date of whichever of the following occurs last:

(1) This section becomes effective.

(2) The commission has received a request for that study.

(b) The commission shall submit a copy of its study and recommendations prepared pursuant to subdivision (a) to the Legislature.

(c) This section shall remain in effect only until January 1, [D] 2001 <D] [A] 2002 <A] , and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, [D] 2001 <D] [A] 2002 <A] , deletes or extends that date.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide for the preservation and enhancement of public safety through the examination of the potential for improved enforcement of the law at the earliest possible time; it is necessary for this act to take effect immediately.

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Peace Officer Advanced Training: Mental Illness		BILL NUMBER/AUTHOR AB 1718/Hertzberg		DATE INTRODUCED 1-3-2000	
		RELATED BILLS SB 2049 (1998) - Vetoed by Governor Wilson		DATE LAST AMENDED 3-28-2000	
SPONSORED BY Los Angeles County Sheriff's Department		RECOMMENDED POSITION Support			

GENERAL

This bill would add Penal Code Section 13515.25 to require that:

1. The Commission, on or before June 30, 2001, to establish and keep updated a continuing education classroom training course relating to law enforcement interaction with developmentally disabled and mentally ill persons.
2. The training course be developed by the Commission in consultation with appropriate community, local and state organizations, and agencies that have expertise in the area of mental illness and developmental disability. Appropriate consumer and family advocate groups shall also be included.
3. The Commission submit a report to the Legislature by July 1, 2002, that shall include specific information.

News media articles in the recent past have questioned police tactics when encountering persons with developmental disabilities, mental illness, or both. Several use of force incidents have been scrutinized in the press asking whether officers possess the necessary skills and knowledge to effectively deal with these individuals. For several years, special interest groups have sought legislation to require officers to receive recurring update training.

This bill was originally drafted as a recurring training mandate. At the request of the Commission at their January 2000 meeting, POST staff and the author negotiated this amended draft of the bill. While the time frames for implementation and reporting back to the Legislature are very short, POST staff will continue to work with the author to address these issues.

As amended, this bill would require POST to develop a classroom training course which includes the use of role-playing and scenarios to address the following topical areas:

1. The cause and nature of mental illnesses and developmental disabilities

ANALYSIS BY Tom Hood	DATE 3-8-2000	FISCAL IMPACT None at This Time	
LEGISLATIVE LIAISON Tom Hood	DATE 3-8-2000	EXECUTIVE DIRECTOR Kenneth J. O'Brien	DATE 4-5-00
COMMISSION MEETING DATE: April 27, 2000		COMMISSION POSITION:	

2. How to identify indicators of mental illness and developmental disability and how to respond appropriately in a variety of common situations.
3. Conflict resolution and de-escalation techniques for potentially dangerous situations.
4. Appropriate language usage when interacting with mentally ill and developmentally disabled persons.
5. Alternatives to lethal force when interacting with potentially dangerous mentally ill and developmentally disabled persons.
6. Community and state resources available to serve mentally ill and developmentally disabled persons and how these resources can be best utilized by law enforcement to benefit the mentally ill and developmentally disabled community.

Training in the handling of persons with developmental disabilities, mental illness, or both, has been presented in the Regular Basic Course for a number of years. In addition, the Commission has developed and broadcast two telecourses on this topic -- one in 1990 and the other in 1995. A third telecourse is scheduled for broadcast in February 2000 to update training in this topical area. To meet additional training needs of law enforcement personnel, a Plan III POST-certified training course, designed to train in-house trainers, is offered six times per year.

The report mandated by this bill would include a description of the process by which the course was established, information on the number of law enforcement agencies utilizing the course, and the number of officers attending the course over a two-year period (the year before and the year after the course is implemented).

The author notes that it is the intent of the Legislature to re-evaluate, based on the POST report, the extent to which law enforcement officers are receiving adequate training in how to interact with mentally ill and developmentally disabled.

As the author has negotiated in good faith, it is recommended that the Commission drop its opposition to this bill and adopt a Support position.

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MESSAGE OF THE DAY	SITE INDEX	HOME	BAC

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In bill text, brackets have special meaning:

[A] <A> contains added text, and
[D] <D> contains deleted text.

California 1999-00 Regular Session
1999 CA AB 1718
Amended
03/28/2000
Hertzberg
ASSEMBLY BILL

AB
No. 1718

INTRODUCED BY Assembly Member Hertzberg

[A] (Principal coauthor: Assembly Member Keeley) <A>
[D] (Coauthors: Assembly Members Kuehl, Longville, Machado, Mazzoni,
Steinberg, and Strom-Martin) <D>
[A] (Coauthors: Assembly Members Aroner, Bock, Davis, Kuehl, Longville,
Machado, Maddox, Mazzoni, Steinberg, Strom-Martin, and Washington) <A>
[A] (Coauthor: Senator Perata) <A>

AMENDED IN ASSEMBLY MARCH 28, 2000

JANUARY 3, 2000

An act to add Section 13515.25 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1718, as amended, Hertzberg. Peace officers: advanced training: mental illness.

Existing law requires specified categories of law enforcement officers to meet training standards pursuant to courses of training certified by the Peace Officers Standards and Training (POST) program, including a basic training course for law enforcement officers containing an adequate instruction in the handling of persons with developmental disabilities or mental illness, or both, as specified.

This bill would require [D] every city police officer or deputy sheriff at a supervisory level or below who is assigned field or investigative duties to complete, every four years after being assigned field or investigative duties, an advanced training course in the handling of persons with developmental disabilities or mental illness, or both, as specified. By imposing additional duties on local agencies, this bill would impose a state-mandated local program. <D>

[D] The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000. <D>

[D] This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions <D> [A] that, on or before June 30, 2001, POST establish and keep updated a continuing education classroom training course relating to law enforcement

intervention with developmentally disabled and mentally ill persons and that the course be developed in consultation with specified groups and entities <A> .

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: [D> yes <D] [A> no <A] .

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13515.25 is added to the Penal Code, to read:

[D> 13515.25. Every city police officer or deputy sheriff at a supervisory level or below who is assigned field or investigative duties shall, every four years after being assigned field or investigative duties, complete an advanced training course in the handling of persons with developmental disabilities or mental illness, or both, that is consistent with Section 13519.2 and is certified by the Commission on Peace Officer Standards and Training. Completion of the course may be satisfied by telecourse, video training tape, or other instruction. The training shall, at a minimum, address relevant laws, mental disabilities, behavior indicators, confrontation resolution, and any other topics specified in subdivision (b) of Section 13519.2. <D]

[D> SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund. <D]

[A> 13515.25. (a) The Commission on Peace Officer Standards and Training shall, on or before June 30, 2001, establish and keep updated a continuing education classroom training course relating to law enforcement interaction with developmentally disabled and mentally ill persons. The training course shall be developed by the commission in consultation with appropriate community, local and state organizations, and agencies that have expertise in the area of mental illness and developmental disability and with appropriate consumer and family advocate groups. In developing the course, the commission shall also examine existing courses certified by the commission that relate to mentally ill and developmentally disabled persons. The commission shall make the course available to law enforcement agencies in California. <A]

[A> (b) The course described in subdivision (a) shall consist of classroom instruction and shall utilize role-playing and the development of scenarios to simulate actual situations. The course shall include, at a minimum, core instruction in all of the following: <A]

[A> (1) The cause and nature of mental illnesses and developmental disabilities. <A]

[A> (2) How to identify indicators of mental illness and developmental disability and how to respond appropriately in a variety of common situations. <A]

[A> (3) Conflict resolution and de-escalation techniques for potentially dangerous situations involving mentally ill and developmentally disabled persons. <A]

[A> (4) Appropriate language usage when interacting with mentally ill and developmentally disabled persons. <A]

[A> (5) Alternatives to lethal force when interacting with potentially dangerous mentally ill and developmentally disabled persons. <A]

[A> (6) Community and state resources available to serve mentally ill and

developmentally disabled persons and how these resources can be best utilized by law enforcement to benefit the mentally ill and developmentally disabled community. <A]

[A> (d) The commission shall submit a report to the Legislature by July 1, 2002, that shall include all of the following: <A]

[A> (1) A description of the process by which the course was established, including a list of the agencies and groups that were consulted. <A]

[A> (2) Information on the number of law enforcement agencies that utilized and the number of officers that attended the course or other courses certified by the commission relating to mentally ill and developmentally disabled persons from July 1, 2001, to July 1, 2002, inclusive. <A]

[A> (3) Information on the number of law enforcement agencies that utilized and the number of officers that attended courses certified by the commission relating to mentally ill and developmentally disabled persons from July 1, 2000, to July 1, 2001, inclusive. <A]

[A> (e) The Legislature encourages law enforcement agencies to include the course created in this section or any other course certified by the commission relating to mentally ill and developmentally disabled persons as part of their advanced officer training program. <A]

[A> (f) It is the intent of the Legislature to reevaluate, on the basis of its review of the report required in subdivision (d), the extent to which law enforcement officers are receiving adequate training in how to interact with mentally ill and developmentally disabled persons. <A]

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- [D] <D> contains deleted text.

California 1999-00 Regular Session
 1999 CA AB 1819
 Amended
 03/23/2000
 Shelley
 ASSEMBLY BILL

AB
 No. 1819

INTRODUCED BY Assembly Member Shelley
 (Principal coauthor: Senator Speier)

- [D] (Coauthors: Assembly Members Cardoza, Dutra, Honda, Keeley, Knox, Kuehl, Leach, Lowenthal, Machado, Scott, Soto, Strom-Martin, and Washington) <D]
- [A] (Coauthors: Assembly Members Alquist, Cardoza, Correa, Cunneen, Davis, Dutra, Havice, Hertzberg, Honda, Keeley, Knox, Kuehl, Leach, Lowenthal, Machado, Mazzoni, Scott, Strickland, Strom-Martin, and Zettel) <A]
- [D] (Coauthors: Senators Alpert and Karnette) <D]

- [D] (Coauthors: Senators Alpert and Karnette) <D]
- [A] (Principal coauthor: Assembly Member Washington) <A]

AMENDED IN ASSEMBLY MARCH 23, 2000

FEBRUARY 3, 2000

An act to amend Section 13515 of the Penal Code and to amend [D] Sections 15610.43 and <D] [A] Section <A] 15610.53 of the Welfare and Institutions Code, relating to elder abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 1819, as amended, Shelley. Elder abuse.

Existing law requires police officers and deputy sheriffs assigned field or investigate duties to complete an elder abuse training course certified by the Commission on Peace Officer Standards and Training. The training is required to include specified subjects.

This bill would [A] expand and <A] recast the specified subjects [A] to include dependent adults <A] and would add to the list of required subjects physical and psychological abuse of [D] elders <D] [A] elder and dependent adults <A] , and the role of the local adult protective services and public guardian offices. The bill would also require the Attorney General's office in conjunction with the Health and Human Services Agency to establish a statewide elder [A] and dependent <A] abuse awareness media campaign.

Existing law establishes the Elder Abuse and Dependent Adult Civil Protection Act which, among other things, requires specified mandated reporters to report instances of elder abuse, as defined, under certain circumstances and requires those reports to be investigated by local law enforcement and child protective agencies as specified. Elder abuse is defined to include [D] isolation of an elder <D] [A] mental suffering <A] .

This bill would expand the definition of [D] isolation to include convincing or persuading an elder or dependent adult by deliberately false or misleading statements or by deceptive acts that cause the elder or dependent

adult to believe that his or her family, friends, or concerned persons wish to terminate all contact with him or her or are not acting in his or her best interest <D> [A> mental suffering to include, among other things, deliberately false or misleading statements or deceptive acts <A> .

By expanding the definition of reportable elder or dependent abuse, this bill would impose increased duties on local officials.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13515 of the Penal Code is amended to read:

13515. (a) Every city police officer or deputy sheriff at a supervisory level and below who is assigned field or investigative duties shall complete an elder [A> and dependent adult <A> abuse training course certified by the Commission on Peace Officer Standards and Training within 18 months of assignment to field duties. Completion of the course may be satisfied by telecourse, video training tape, or other instruction. The training shall, at a minimum, include all of the following subjects:

- (1) Relevant laws.
- (2) Recognition of elder [A> and dependent adult <A> abuse.
- (3) Reporting requirements and procedures.
- (4) Neglect of elders [A> and dependent adults <A> .
- (5) Fraud of elders [A> and dependent adults <A> .
- (6) Physical abuse of elders
- (7) Psychological abuse of elders [A> and dependent adults <A> .
- (8) The role of the local adult protective services and public guardian offices.

(b) The topical areas above reflect the elder [A> and dependent adult <A> abuse course curricula currently approved by the Commission. The course may be presented as part of a training program that includes other subjects or courses.

(c) The Attorney General's office in conjunction with the Health and Human Services Agency shall establish a statewide elder [A> and dependent adult <A> abuse awareness media campaign.

[D> SEC. 2. Section 15610.43 of the Welfare and Institutions Code is amended to read: <D>

[D> 15610.43. (a) "Isolation" means any of the following: <D>

[D> (1) Acts intentionally committed for the purpose of preventing, and

that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls. <D]

[D> (2) Telling a caller or prospective visitor that an elder or dependent adult is not present, or does not wish to talk with the caller, or does not wish to meet with the visitor where the statement is false, is contrary to the express wishes of the elder or the dependent adult, whether he or she is competent or not, and is made for the purpose of preventing the elder or dependent adult from having contact with family, friends, or concerned persons. <D]

[D> (3) False imprisonment, as defined in Section 236 of the Penal Code. <D]

[D> (4) Physical restraint of an elder or dependent adult, for the purpose of preventing the elder or dependent adult from meeting with visitors. <D]

[D> (5) Convincing or persuading an elder or dependent adult by deliberately false or misleading statements or by deceptive acts that cause the elder or dependent adult to believe that his or her family, friends, or concerned persons wish to terminate all contact with him or her, including, but not limited to, termination of telephone calls or visits, or that his or her family, friends, or concerned persons are not acting in his or her best interest. <D]

[D> (b) The acts set forth in subdivision (a) shall be subject to a rebuttable presumption that they do not constitute isolation if they are performed pursuant to the instructions of a physician and surgeon licensed to practice medicine in the state, who is caring for the elder or dependent adult at the time the instructions are given, and who gives the instructions as part of his or her medical care. <D]

[D> (c) The acts set forth in subdivision (a) shall not constitute isolation if they are performed in response to a reasonably perceived threat of danger to property or physical safety. <D]

[D> SEC. 3. <D]

[A> SEC. 2. <A] Section 15610.53 of the Welfare and Institutions Code is amended to read:

15610.53. "Mental suffering" means fear, agitation, confusion, severe depression, or other forms of serious emotional distress that is brought about by [D> threats, harassment, or other forms of intimidating behavior or by deliberately false or misleading statements or deceptive acts specifically intended to isolate that elder or dependent adult pursuant to paragraph (5) of subdivision (a) of Section 15610.43. <D] [A> forms of intimidating behavior, threats, harassment, or by deliberately false or misleading statements or deceptive acts. <A]

[D> SEC. 4. <D]

[A> SEC. 3. <A] Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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ATTACHMENT D

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California 1999-00 Regular Session
1999 CA SB 66
Amended
04/20/1999
Murray

AMENDED IN SENATE APRIL 20, 1999
AMENDED IN SENATE APRIL 8, 1999

SB
No. 66

SENATE BILL

INTRODUCED BY Senator Murray

DECEMBER 7, 1998

An act to amend Section 13519.4 of the Penal Code, relating to crime prevention.

LEGISLATIVE COUNSEL'S DIGEST

SB 66, as amended, Murray. Crime prevention: racial profiles.

Existing law requires that the Commission on Peace Officer Standards and Training, develop and disseminate specified guidelines and training including adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups.

This bill additionally would prescribe a course of instruction and specified subjects to be included in this training. The bill also would require each California law enforcement officer to complete a refresher course every [D] 3 <D] [A] 5 <A] years, as specified, once the initial basic training is completed. Because the bill would require local agencies to perform increased duties, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13519.4 of the Penal Code is amended to read:

13519.4. (a) The commission shall develop and disseminate guidelines and training for all law enforcement officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by

the commission, on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

(b) The course of basic training for law enforcement officers shall include adequate instruction on racial and cultural diversity in order to foster mutual respect and cooperation between law enforcement and members of all racial and cultural groups. In developing the training, the commission shall consult with appropriate groups and individuals having an interest and expertise in the field of cultural awareness and diversity.

(c) As part of the training described in subdivision (b), the course of instruction shall include, but not be limited to, adequate consideration of each of the following subjects:

(1) Identification of key indices and perspectives that make up cultural differences among residents in a local community.

(2) Negative impact of biases, prejudices, and stereotyping on effective law enforcement, including examination of how historical perceptions of discriminatory enforcement practices have harmed police-community relations.

(3) The history and role of the civil rights movement and struggles and their impact on law enforcement.

(4) Specific obligations of officers in preventing, reporting, and responding to discriminatory or biased practices by fellow officers.

(5) Perspectives of diverse, local constituency groups and experts on particular cultural and police-community relations issues in a local area.

(d) Once the initial basic training is completed, each law enforcement officer in California as described in subdivision (a) of Section 13510 who adheres to the standards approved by the commission shall be required to complete a refresher course every [D] three [A] five years thereafter, or on a more frequent basis if deemed necessary, in order to keep current with changing racial and cultural trends.

(e) For the purposes of this section, "culturally diverse" and "cultural diversity" include, but are not limited to, gender and sexual orientation issues.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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STATE and FEDERAL LEGISLATION	STATE and FEDERAL REGULATIONS	NEWS / REFERENCE	CON
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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Persons With Mental Illness Training		BILL NUMBER/AUTHOR AB 1762/Villaraigosa		DATE INTRODUCED 1-18-2000	
		RELATED BILLS AB 1718 (Opposed by Commission)		DATE LAST AMENDED 2-22-2000	
SPONSORED BY		RECOMMENDED POSITION No Position at This Time - Watch Only			
GENERAL					
<p>Assembly Bill 1762 would direct the Office of Criminal Justice Planning (OCJP) to establish a Crisis Intervention Team pilot project. As part of this project, training programs for law enforcement officers and public safety dispatchers would be developed to address the nature of mental illness and appropriate methods of handling persons with mental illness. The Crisis Intervention Team pilot areas will be in Los Angeles and San Joaquin Counties along with the City of San Jose.</p>					
ANALYSIS					
<p>The primary intent of this bill is for OCJP to establish Crisis Intervention Teams to more effectively address the growing concern related to the handling of persons with mental illness. In addition, OCJP shall encourage law enforcement agencies that are, as part of this pilot program, actively involved in providing training for the proper handling of persons with developmental disabilities and mental illness, to coordinate their efforts in order to ensure consistency of training.</p>					
<p><u>At this time, this bill does not impact POST.</u> In discussions with the author's staff, there is no intention to include POST as a partner in this bill. Considering the fact that POST is the recognized law enforcement training entity in California, it seems possible that this bill may either be amended to ask POST to develop the training programs called for or, include POST as a development partner with OCJP.</p>					
<p>This is not a training mandate. Under this bill, all training intended for patrol officers and public safety dispatchers is voluntary and must be made available to them 4 times per year. The training may be made available during the "initial training phase" (i.e., the Regular Basic Course/FTO) or may also be made available throughout his or her career (i.e., in-service courses).</p>					
<p>Training in this area is currently part of the POST Regular Basic Course. POST-certified training is also available to in-service officers and dispatchers via classroom and telecourse programs.</p>					
ANALYSIS BY		Tom Hood		DATE 3-8-2000	
LEGISLATIVE LIAISON		Tom Hood		DATE 3-8-2000	
COMMISSION MEETING DATE:		April 27, 2000		EXECUTIVE DIRECTOR Kenneth J. O'Brien	
				DATE 3-28-00	
				COMMISSION POSITION:	

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California 1999-00 Regular Session
 1999 CA AB 1762
 Amended
 02/22/2000
 Villaraigosa
 ASSEMBLY BILL

AB
 No. 1762

INTRODUCED BY Assembly Member Villaraigosa
 [A] (Coauthors: Assembly Members Mazzoni, Shelley, Strom-Martin, Thompson,
 Wayne, and Zettel) <A]
 [A] (Coauthors: Senators Bowen, Murray, and Perata) <A]

=====

AMENDED IN ASSEMBLY FEBRUARY 22, 2000

JANUARY 18, 2000

An act to add and repeal Chapter 3 (commencing with Section 13720) of Title 5 of Part 4 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1762, as amended, Villaraigosa. Peace officer training: [D] mentally ill <D] persons [A] with mental illness <A] .

Existing law provides that the Commission on Peace Officer Standards and Training shall include in the basic training course for law enforcement officers adequate instruction in the handling of persons with developmental disabilities or mental illness, or both. Existing law requires the commission to develop this training and related supplemental training in consultation with appropriate groups and individuals having an interest and expertise in this area, and to include specified subject matter.

This bill would direct the Office of Criminal Justice Planning to establish a Crisis Intervention Team pilot project for the training of law enforcement officers and public safety dispatchers concerning the nature of mental illness and appropriate methods of handling [D] the mentally ill <D] [A] persons with mental illness <A] in order to accomplish specified policy goals. The bill would provide that these projects shall be established in the County of Los Angeles and in a county to be located within the [D] Central <D] [A] San Joaquin <A] Valley of California, and would also provide funding to the existing Crisis Intervention Team program located in the City of San Jose. The bill would provide that completion of the training course specified under this program shall satisfy specified training requirements of existing law, that the implementation of their pilot projects shall be subject to appropriation by the Legislature, [A] that the Office of Criminal Justice Planning shall evaluate the effectiveness of this pilot program and submit a report to the Legislature by January 1, 2003, <A] and that these provisions shall be repealed on January 1, 2004.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 3 (commencing with Section 13720) is added to Title 5

of Part 4 of the Penal Code, to read:

CHAPTER 3. CRISIS INTERVENTION

13720. The Legislature finds and declares the following:

(a) Approximately 40 percent of persons suffering from serious mental illness will be arrested at least once during their lifetimes.

It is imperative that progressive law enforcement agencies assume the responsibility of evaluating situations, recognizing mental illness and the need for treatment and ensuring that the [D] mentally ill person [A] person with mental illness [A] receives the proper treatment resources. [A] An emphasis should be placed on assessment and placement of persons with mental illness into treatment centers, where appropriate, rather than incarceration. [A]

(b) Increases in drug and alcohol abuse and the release of the [D] mentally ill [A] persons with mental illness [A] from institutions have caused many to become homeless and increase the probability of violence and involvement with law enforcement.

(c) Lawsuits regarding excessive force and related community reaction are significant concerns for local law enforcement agencies, and traditional police methods, misinformation, and lack of sensitivity can cause frustration for both the [D] mentally ill [A] persons with mental illness [A] and their families as well as for law enforcement. Peace officers responding to calls involving the [D] mentally ill [A] persons with mental illness [A] may be faced with a lack of knowledge about mental illness, resulting in a fear of the unknown, and an increase in the likelihood of physical confrontation.

(d) [A] The continuation of programs, such as the MET/SMART teams currently operating in Los Angeles County, where a specially trained mental health evaluation team consisting of a mental health clinician and a law enforcement officer are assigned together to assist other officers with contacts with citizens with mental illness is an important aspect in handling these situations. [A]

[A] (e) [A] An effective program has been established by the San Jose Police Department called the Crisis Intervention Team (CIT) to train law enforcement officers in the proper handling of persons suffering from mental illness.

[D] (e) [D]

[A] (f) [A] The pilot project created pursuant to this act is intended to address these concerns by providing regional training programs by which law enforcement officers can become familiar with the nature of mental illness, the tools and resources available for assisting the [D] mentally ill [A] persons with mental illness [A], and related matters.

13721. The Office of Criminal Justice Planning shall establish a pilot project based on the Crisis Intervention Team program of the San Jose Police Department to accomplish the following goals:

(a) Reduce the number of [D] mentally ill persons [A] persons with mental illness [A] in custody.

(b) Decrease the number of [D] mentally ill persons [A] persons with mental illness [A] placed into emergency commitment custody.

(c) Provide better training and education for law enforcement officers and dispatchers regarding mental illness.

(d) Decrease the use of force during crisis events involving the [D> mentally ill <D] [A> persons with mental illness <A] .

(e) Reduce the number of injuries to both [D> the mentally ill <D] [A> persons with mental illness <A] and to law enforcement officers.

(f) Improve interaction between law enforcement agencies and mental health service providers.

13722. Crisis Intervention Teams shall be established and funded pursuant to this chapter in the County of Los Angeles and in a county to be located within the [D> Central <D] [A> San Joaquin <A] Valley of California, and the Crisis Intervention Team program located in the City of San Jose shall also be eligible to receive funding under this chapter. Crisis Intervention Teams receiving funding pursuant to this pilot project shall do all of the following:

(a) Establish a training program [A> to be offered four times per year <A] where patrol officers and public safety dispatchers [D> shall <D] [A> may <A] attend a 40-hour curriculum under the instructional supervision of mental health professionals, family advocates, and mental health consumer groups. [A> This training may be in modular configurations that allow for the development of scenarios to simulate actual situations. Training may be made available during the recruiting or initial training phase of a law enforcement officer or public safety dispatcher and training may also be made available throughout his or her career. <A]

(b) Recruit [D> instructors <D] [A> mental health professionals <A] from local hospitals, mental health advocacy groups, community agencies, and private mental health providers with experience in the assessment and treatment of [D> mentally ill persons <D] [A> persons with mental illness, as well as city attorneys and tactics trainers, to provide the instruction component of the training program <A] .

(c) Require instructors to complete ride-alongs with patrol officers and sit-alongs with public safety dispatchers to better understand police operations.

[A> (d) The Office of Criminal Justice Planning shall encourage law enforcement agencies that are, as part of this pilot program, actively involved in providing training for the proper handling of persons with developmental disabilities and mental illness, to coordinate their efforts in order to ensure consistency of training. <A]

[A> (e) The Office of Criminal Justice Planning shall evaluate the effectiveness of this pilot program and shall submit a report on its findings to the Legislature no later than January 1, 2003. <A]

13723. Completion of the training course authorized under this section shall satisfy the training requirements of Section 13519.2.

13724. Establishment of the Crisis Intervention Team pilot project authorized pursuant to this chapter shall be subject to an appropriation by the Legislature.

13725. This chapter shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

ATTACHMENT F

AB 1928 - Bill Analysis
To be Provided at the Meeting

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- [D] <D> contains deleted text.

California 1999-00 Regular Session
 1999 CA AB 1928
 Introduced
 02/15/2000
 Vincent
 ASSEMBLY BILL

No. 1928

=====

INTRODUCED BY Assembly Member Vincent

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FEBRUARY 15, 2000

An act to amend Section 830.5 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1928, as introduced, Vincent. Peace officers: court services investigators.

Under existing law certain persons who are designated as peace officers may carry firearms only if authorized by and under the terms and conditions specified by their employers.

This bill would designate a court services investigator as a peace officer under these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 830.5 of the Penal Code is amended to read:

830.5. The following persons are peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment or as required under Sections 8597, 8598, and 8617 of the Government Code. Except as specified in this section, these peace officers may carry firearms only if authorized and under those terms and conditions specified by their employing agency:

(a) A parole officer of the Department of Corrections or the Department of the Youth Authority, probation officer, deputy probation officer, [D] or <D> a board coordinating parole agent employed by the Youthful Offender Parole Board [A] , or a court services investigator <A> . Except as otherwise provided in this subdivision, the authority of these parole or probation officers shall extend only as follows:

- (1) To conditions of parole or of probation by any person in this state on parole or probation.
- (2) To the escape of any inmate or ward from a state or local institution.
- (3) To the transportation of persons on parole or probation.

(4) To violations of any penal provisions of law which are discovered while performing the usual or authorized duties of his or her employment.

(5) To the rendering of mutual aid to any other law enforcement agency.

For the purposes of this subdivision, "parole agent" shall have the same meaning as parole officer of the Department of Corrections or of the Department of the Youth Authority.

Any parole officer of the Department of Corrections, the Department of the Youth Authority, or the Youthful Offender Parole Board is authorized to carry firearms, but only as determined by the director on a case-by-case or unit-by-unit basis and only under those terms and conditions specified by the director or chairperson. The Department of the Youth Authority shall develop a policy for arming peace officers of the Department of the Youth Authority who comprise "high-risk transportation details" or "high-risk escape details" no later than June 30, 1995. This policy shall be implemented no later than December 31, 1995.

The Department of the Youth Authority shall train and arm those peace officers who comprise tactical teams at each facility for use during "high-risk escape details."

(b) A correctional officer employed by the Department of Corrections or any employee of the Department of the Youth Authority having custody of wards or the Inspector General of the Youth and Adult Correctional Agency or any internal affairs investigator under the authority of the Inspector General or any employee of the Department of Corrections designated by the Director of Corrections or any medical technical assistant series employee designated by the Director of Corrections or designated by the Director of Corrections and employed by the State Department of Mental Health to work in the California Medical Facility or employee of the Board of Prison Terms designated by the Secretary of the Youth and Adult Correctional Agency or employee of the Department of the Youth Authority designated by the Director of the Youth Authority or any superintendent, supervisor, or employee having custodial responsibilities in an institution operated by a probation department, or any transportation officer of a probation department.

(c) The following persons may carry a firearm while not on duty: a parole officer of the Department of Corrections or the Department of the Youth Authority, a correctional officer employed by the Department of Corrections or any employee of the Department of the Youth Authority having custody of wards or any employee of the Department of Corrections designated by the Director of Corrections. A parole officer of the Youthful Offender Parole Board may carry a firearm while not on duty only when so authorized by the chairperson of the board and only under the terms and conditions specified by the chairperson. Nothing in this section shall be interpreted to require licensure pursuant to Section 12025. The director or chairperson may deny, suspend, or revoke for good cause a person's right to carry a firearm under this subdivision. That person shall, upon request, receive a hearing, as provided for in the negotiated grievance procedure between the exclusive employee representative and the Department of Corrections, the Department of the Youth Authority, or the Youthful Offender Parole Board, to review the director's or the chairperson's decision.

(d) Persons permitted to carry firearms pursuant to this section, either on or off duty, shall meet the training requirements of Section 832 and shall qualify with the firearm at least quarterly. It is the responsibility of the individual officer or designee to maintain his or her eligibility to carry concealable firearms off duty. Failure to maintain quarterly qualifications by an officer or designee with any concealable firearms carried off duty shall constitute good cause to suspend or revoke that person's right to carry firearms off duty.

(e) The Department of Corrections shall allow reasonable access to its ranges for officers and designees of either department to qualify to carry concealable firearms off duty. The time spent on the range for purposes of meeting the qualification requirements shall be the person's own time during the person's off-duty hours.

(f) The Director of Corrections shall promulgate regulations consistent with this section.

(g) "High-risk transportation details" and "high-risk escape details" as used in this section shall be determined by the Director of the Youth Authority, or his or her designee. The director, or his or her designee, shall consider at least the following in determining "high-risk transportation details" and "high-risk escape details": protection of the public, protection of officers, flight risk, and violence potential of the wards.

(h) "Transportation detail" as used in this section shall include transportation of wards outside the facility, including, but not limited to, court appearances, medical trips, and interfacility transfers.

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ATTACHMENT G

**AB 1997 - Bill Analysis
To be Provided at the Meeting**

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- [A] <A> contains added text, and
- [D] <D> contains deleted text.

California 1999-00 Regular Session
 1999 CA AB 1997
 Introduced
 02/18/2000
 Strickland
 ASSEMBLY BILL

No. 1997

 INTRODUCED BY Assembly Member Strickland

FEBRUARY 18, 2000

An act to add Section 830.85 to the Penal Code, relating to tribal relations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1997, as introduced, Strickland. Tribal relations: law enforcement.

Existing federal law recognizes Indian tribal groups as governmental entities with certain sovereign rights.

This bill would declare the Legislature's intent to establish normalized public safety relations between federally recognized tribal entities and law enforcement agencies in the State of California, as defined, in order to benefit tribal, rural, and urban communities in this state.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 830.85 is added to the Penal Code, to read:

830.85. It is the intent of the Legislature to establish normalized public safety relations between federally recognized tribal entities and law enforcement agencies in the State of California as defined in Section 830, in order to benefit tribal, rural, and urban communities in this state.

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Welfare Fraud Investigators		BILL NUMBER/AUTHOR AB 2059/Vincent		DATE INTRODUCED 2-22-2000	
		RELATED BILLS		DATE LAST AMENDED 2-22-2000	
SPONSORED BY California Welfare Fraud Investigators' Association		RECOMMENDED POSITION Neutral			
<u>GENERAL</u>					
<p>This bill would add Section 832.25 to the Penal Code to require that all welfare fraud investigators or inspectors appointed as peace officers on or after January 1, 2001, attend and complete the POST Specialized Investigator Basic Course within one year of being hired.</p>					
<u>ANALYSIS</u>					
<p>Currently, the POST Specialized Investigator Basic Course (SIBC) is 587 hours in length. This course was developed to provide extensive basic training for peace officers who specialize in criminal investigations and not general law enforcement duties. According to the author, the passage of this bill would result in an increase of approximately 50 investigators attending the SIBC per year. SIBC managers have indicated that this increase will not adversely affect normal operations (i.e., no additional courses will need to be funded).</p>					
<p>In many cases, this bill will increase the training standard for county welfare fraud investigators. The primary intent of this legislation is to standardize the training statewide. Welfare fraud units currently in the POST program send their peace officers to the SIBC and thus, would meet this new training standard.</p>					
<p>It is recommended that the Commission adopt a Neutral position on this bill.</p>					
ANALYSIS BY Tom Hood		DATE 3-31-2000		FISCAL IMPACT Minimal	
LEGISLATIVE LIAISON Tom Hood		DATE 3-31-2000		EXECUTIVE DIRECTOR Kenneth J. O'Brien	
COMMISSION MEETING DATE: April 27, 2000		COMMISSION POSITION: <i>[Signature]</i> DATE 4-5-00			

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- [A] <A] contains added text, and
- [D] <D] contains deleted text.

California 1999-00 Regular Session
 1999 CA AB 2059
 Introduced
 02/22/2000
 Vincent
 ASSEMBLY BILL

No. 2059

 INTRODUCED BY Assembly Member Vincent

FEBRUARY 22, 2000

An act to add Section 832.25 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2059, as introduced, Vincent. Peace officers: welfare fraud investigators.

(1) Existing law provides that welfare fraud investigators and inspectors are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty and other specified situations. Existing law generally provides that every peace officer shall satisfactorily complete an introductory course of training approved by the Commission on Peace Officer Standards and Training prior to exercising the powers of a peace officer.

This bill would provide that all welfare fraud investigators or inspectors appointed as peace officers on or after January 1, 2001, shall attend and complete a specialized basic investigators course approved by the Commission on Peace Officer Standards and Training within one year of being hired, but that welfare fraud investigators and inspectors appointed prior to January 1, 2001, shall not be required to attend and complete this training, and shall be considered to have obtained this level of training for the purposes of meeting minimum levels of training. By imposing additional training costs on local agencies, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 832.25 is added to the Penal Code, to read:

832.25. All welfare fraud investigators or inspectors appointed as peace officers pursuant to subdivision (a) of Section 830.35 on or after January 1, 2001, shall attend and complete a specialized basic investigators course approved by the Commission on Peace Officer Standards and Training within one year of being hired. Notwithstanding any other provision of law, welfare fraud investigators and inspectors appointed prior to January 1, 2001, shall not be required to attend and complete this training, and shall be considered to have obtained this level of training for the purposes of meeting minimum levels of training.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Commission on Peace Officer Standards and Training		BILL NUMBER/AUTHOR AB 2449/Wildman		DATE INTRODUCED 2-24-2000	
		RELATED BILLS		DATE LAST AMENDED 2-22-2000	
SPONSORED BY Los Angeles Police Protective League		RECOMMENDED POSITION Oppose, unless amended			

GENERAL

This bill would amend Penal Code Section 13500 to increase the number of members from the rank of sergeant or below from four to five. It would increase the total number of Commissioners to 15 (appointed by the Governor).

This bill would also amend Penal Code Section 13506 to read:

"The commission shall not have the power to adopt any regulation that authorizes the withdrawal or cancellation of any certificate previously issued to any peace officer pursuant to this chapter."

ANALYSIS

This analysis will only cover the part of this bill that would create a conflict for the Commission.

At its last meeting, the Commission held a public hearing to consider rescinding a current regulation regarding the cancellation of a peace officer's Basic POST Certificate when convicted of specific misdemeanor criminal offenses. This action was due to the fact that the regulation was unenforceable as written. The Commission directed staff to research this issue further and determine if language could be drafted to make cancellation of Basic POST Certificates legal and enforceable under specified conditions.

This bill would limit the Commission's ability to revoke a Basic POST Certificate in situations where a peace officer is convicted of a felony (Penal Code Section 13510.1 or subdivision (a) of Section 1029 of the Government Code). Currently, the Commission can cancel a peace officer's Basic POST Certificate if it was issued due to administrative error, on the part of the Commission, or if the certificate was obtained through misrepresentation or fraud. This bill would eliminate these options.

This bill conflicts with the expressed wishes of the Commission to further study this issue. For this reason an oppose, unless amended position is recommended.

ANALYSIS BY Tom Hood DATE 3-30-2000		FISCAL IMPACT <i>Unknown</i>	
LEGISLATIVE LIAISON <i>[Signature]</i> Tom Hood DATE 3-30-2000		EXECUTIVE DIRECTOR <i>[Signature]</i> Kenneth J. O'Brien DATE 3-30-00	
COMMISSION MEETING DATE: April 27, 2000		COMMISSION POSITION:	

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- [D] <D> contains deleted text.

California 1999-00 Regular Session
 1999 CA AB 2449
 Amended
 03/27/2000
 Wildman
 ASSEMBLY BILL

No. 2449

INTRODUCED BY Assembly Member Wildman
 [A] (Principal coauthor: Assembly Member Hertzberg) <A]

AMENDED IN ASSEMBLY MARCH 27, 2000

FEBRUARY 24, 2000

An act to amend Sections 13500, 13503, and 13506 of the Penal Code, relating to crime prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 2449, as amended, Wildman. Law enforcement: peace officer training.

Existing law provides for the 14-member Commission on Peace Officer Standards and Training appointed by the Governor, after consultation with, and with the advice of, the Attorney General, who is an ex officio member, and with the advice and consent of the Senate. Included among the commission members are 4 peace officers of the rank of sergeant or below with a minimum of 5 years experience, as specified.

Existing law additionally provides the commission with specified powers for carrying out its duties and responsibilities and authorizes the commission to adopt regulations necessary to carry out the purposes of the provisions governing its operation.

This bill would [D] provide that the Attorney General is a nonvoting member, except in the case of a tie vote, as specified. The bill would <D> add an additional member to the class of peace officers described above, thereby increasing the commission to 15 members. The bill also would provide that, with specified exceptions, the commission is prohibited from withdrawing or cancelling any certificate issued to any peace officer pursuant to its provisions. The bill likewise would prohibit the commission from adopting any regulation authorizing the withdrawal or cancellation of peace officer certificates.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13500 of the Penal Code is amended to read:

13500. There is in the Department of Justice a Commission on Peace Officer Standards and Training, hereafter referred to in this chapter as the commission. The commission consists of 15 members appointed by the Governor, after consultation with, and with the advice of, the Attorney General and with the advice and consent of the Senate. Racial, gender, and ethnic

diversity shall be considered for all appointments to the commission.

The commission shall be composed of the following members:

(1) Two members shall be (i) sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police, (ii) peace officers who are deputy sheriffs or city policemen, or (iii) any combination thereof.

(2) Three members shall be sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police.

(3) Five members shall be peace officers of the rank of sergeant or below with a minimum of five years' experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer for whom the commission sets standards. These members shall have demonstrated leadership in their local or state peace officer association or union.

(4) One member shall be an elected officer or chief administrative officer of a county in this state.

(5) One member shall be an elected officer or chief administrative officer of a city in this state.

(6) Two members shall be public members who shall not be peace officers.

(7) One member shall be an educator or trainer in the field of criminal justice.

The Attorney General shall be [D] a nonvoting, <D> [A] an <A> ex officio member of the commission [D] except in case of a tie vote on any matter before the commission for determination, the Attorney General or his or her designee may cast a vote to break the tie. <D> [A] . <A>

Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

The additional member provided for by the Legislature in its 1973-74 Regular Session shall be appointed by the Governor on or before January 15, 1975, and shall serve for a term of three years.

The additional member provided for by the Legislature in its 1977-78 Regular Session shall be appointed by the Governor on or after July 1, 1978, and shall serve for a term of three years.

The additional members provided for by the Legislature in its 1999-2000 Regular Session shall be appointed by the Governor on or before July 1, 2000, and shall serve for a term of three years.

SEC. 2. Section 13503 of the Penal Code is amended to read:

13503. In carrying out its duties and responsibilities, the commission shall have all of the following powers:

(a) To meet at times and places that it may deem proper.

(b) To employ an executive secretary and, pursuant to civil service, the clerical and technical assistants that may be necessary.

(c) To contract with other agencies, public or private, or persons that it deems necessary, for the rendition and affording of the services, facilities, studies, and reports to the commission that will best assist it to carry out

its duties and responsibilities.

(d) To cooperate with and to secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of its duties and responsibilities, and in performing its other functions.

(e) To develop and implement programs to increase the effectiveness of law enforcement and when those programs involve training and education courses to cooperate with and secure the cooperation of state-level officers, agencies, and bodies having jurisdiction over systems of public higher education in continuing the development of college-level training and education programs.

(f) To cooperate with and secure the cooperation of every department, agency, or instrumentality in the state government.

(g) To do any and all things necessary or convenient to enable it fully and adequately to perform its duties and to exercise the power granted to it. However, except as provided in subdivision (f) of Section 13510.1, or subdivision (a) of Section 1029 of the Government Code, the commission shall not have the power to withdraw or cancel any certificate or certificates previously issued to any peace officer pursuant to this chapter.

SEC. 3. Section 13506 of the Penal Code is amended to read:

13506. The commission may adopt such regulations as are necessary to carry out the purposes of this chapter. However, except as specifically provided in subdivision (f) of Section 13510.1, or subdivision (a) of Section 1029 of the Government Code, the commission shall not have the power to adopt any regulation that authorizes the withdrawal or cancellation of any certificate previously issued to any peace officer pursuant to this chapter.

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Vehicle Stop Statistical Information		BILL NUMBER/AUTHOR SB1389/Kevin Murray		DATE INTRODUCED 1-24-2000	
		RELATED BILLS SB 78 (1999-Vetoed by Governor Davis) AB 1264 (1998 - Vetoed by Governor Wilson)		DATE LAST AMENDED 2-22-2000	
SPONSORED BY		RECOMMENDED POSITION Oppose, unless amended			
<u>GENERAL</u>					
This bill would:					
1. Require the California Highway Patrol, commencing on July 1, 2001, to provide an annual report to the Governor and the Legislature indicating the number of individuals stopped for routine traffic enforcement by CHP, city, and county law enforcement officers whether or not a citation or warning was issued. The bill has a sunset date of January 1, 2006.					
2. Require inclusion of the following information related to those stops:					
(1) Information regarding the number of motor vehicle drivers stopped for all traffic law enforcement purposes.					
(2) Whether or not a citation or warning was issued.					
(3) Data on the following information for each stop:					
1. Based on visual observation, the race or ethnicity of the individual stopped.					
2. Whether the stop was based on any of the following:					
a. Violation of the Vehicle Code					
b. Violation of the Penal Code					
c. Violation of a local ordinance.					
d. The appearance of the driver or the appearance of the vehicle matches the description of a crime suspect or of a vehicle involved in the commission of a crime or belonging to a crime suspect.					
(4) Whether a vehicle search was instituted as a result of the stop.					
ANALYSIS BY Tom Hood		DATE 3-8-2000		FISCAL IMPACT None at This Time	
LEGISLATIVE LIAISON Tom Hood		DATE 3-8-2000		EXECUTIVE DIRECTOR Kenneth J. O'Brien	
COMMISSION MEETING DATE: April 27, 2000		COMMISSION POSITION: DATE 3-30-00			

- (5) Whether any of the following items were discovered or seized in the course of the search:
 1. Weapons
 2. Controlled substances
 3. Cash
 4. Vehicles
 5. Other property believed to be unlawful or whose possession is unlawful.

- (6) Whether either of the following resulted from the search or stop:
 1. A written citation was issued
 2. A warning was made

3. Require that data acquired pursuant to this bill shall be transmitted to the Commissioner of the California Highway Patrol for inclusion in the report to the Governor and the Legislature. This information shall be used only for research and statistical purposes and shall not contain any information that may reveal the identity of any individual who is stopped or any law enforcement officer.

ANALYSIS

This bill is very similar to Senate Bill 78 (1999) authored by Senator Murray and ultimately vetoed by Governor Davis. In his veto message, Governor Davis noted the Senate Bill 78 did not outlaw "racial profiling" and that "it is questionable whether the information gathered - at a potential cost of tens of millions of dollars - would provide any more meaningful information than is currently available." On January 21, 1999, the Commission adopted an OPPOSE position on Senate Bill 78. A similar bill, AB 1264, authored by then Assembly Member Murray in 1998, was also vetoed by Governor Wilson.

The POST Center for Human Relations develops and coordinates the presentation of cultural diversity programs that stress the strength of diversity and the need for tolerance and non-prejudicial handling of policing situations. Thousands of California officers have been trained in these programs. The thrust of these efforts is to ensure that race, gender, ethnicity, religion, or sexual preference are not used as a basis for prejudicial or discriminatory treatment of the public by California law enforcement officers.

Law enforcement agencies, through Community Oriented Policing efforts, are striving to forge positive and productive relationships with their communities. It is critically important that policing agencies not be perceived by their communities as "keeping tabs" or "tracking" citizen's activities through compliance with the requirements of this bill. Many law enforcement agencies and groups believe this bill would specifically require officers to consider race, gender, and/or ethnicity when engaging in traffic enforcement activities. The Commission concurs that this bill

would have a significant negative impact on policing efforts and is not in the best interest of California law enforcement.

While the bill requires that the data collected only be used for "research and statistical purposes", the specific research and/or statistical uses for this information are not identified. The amount of time and money it would take to obtain, compile, and report this information does not seem justified when weighed against an unknown use for the data.

COMMISSION POSITION

Based on the information provided above, it is recommended that the Commission adopt an OPPOSE, unless amended position on this bill.

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- [A] <A] contains added text, and
- [D] <D] contains deleted text.

California 1999-00 Regular Session
 1999 CA SB 1389
 Amended
 03/02/2000
 Murray
 SENATE BILL

No. 1389

INTRODUCED BY Senators Murray, [A] Alarcon, Escutia, Figueroa, <A] Hughes, [D] and Speier <D] [A] Speier, and Vasconcellos <A] (Coauthors: Assembly Members [D] (Bock and Mazzone) <D] [A] (Aroner, Bock, Cedillo, Firebaugh, Honda, Keeley, Longville, Mazzone, Vincent, Washington, Wesson, and Wright) <A]

=====

AMENDED IN SENATE MARCH 2, 2000

JANUARY 24, 2000

An act to add and repeal Section 13024 of the Penal Code, and to add and repeal Sections 2400.4 and 2400.5 of the Vehicle Code, relating to law enforcement, and declaring the urgency thereof, to take effect immediately.
 LEGISLATIVE COUNSEL'S DIGEST

SB 1389, as amended, Murray. Commissioner of the California Highway Patrol: annual report.

(1) Existing law specifies the powers and duties of the Commissioner of the California Highway Patrol.

This bill would require each member of the California Highway Patrol to report to the commissioner, in the manner prescribed by the commissioner, as to the number of motor vehicle drivers stopped by law enforcement, whether or not a citation or warning was issued, for each stop, certain specified information, and other information. On July 1, 2001, July 1, 2002, July 1, 2003, July 1, 2004, and July 1, 2005, the bill would impose the same reporting requirements on each city and county law enforcement agency in this state, thereby imposing a state-mandated local program by increasing the level of services required of local law enforcement agencies.

The bill would require the commissioner to collect this information and to report to the Governor and Legislature, as specified.

The bill also would require that data collected pursuant to these provisions be used only for research and statistical purposes and not contain any information that would reveal the identity of any individual who is stopped for a traffic violation or the identity of any law enforcement officer.

The bill would require the commissioner to perform these duties within existing budgetary resources.

The bill also would provide that its provisions would be repealed on January 1, 2006, unless a later enacted statute that is enacted prior to January 1, 2006, deletes or extends that date.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

(3) This bill would declare that it is to take immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13024 is added to the Penal Code, to read:

13024. (a) The members of the California Highway Patrol and law enforcement agencies described in Section 2400.5 of the Vehicle Code shall report to the Commissioner of the California Highway Patrol, in the manner that he or she prescribes, as to the number of motor vehicle drivers stopped by members and law enforcement agencies, whether or not a citation or warning was issued, and, for each stop, the information listed in Section 2400.5 of the Vehicle Code.

(b) Data required pursuant to subdivision (a) shall be used only for research or statistical purposes and shall not contain any information that may reveal the identity of any individual who is stopped or any peace officer.

(c) The Department of the California Highway Patrol shall perform the duties required by this section within existing budgetary resources.

(d) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

SEC. 2. Section 2400.4 is added to the Vehicle Code, to read:

2400.4. (a) The Legislature finds and declares that it is in the public's interest that a study be conducted to identify the physical characteristics of motorists stopped with respect to traffic law enforcement. The Legislature declares that, as the largest traffic law enforcement agency in the world, it is appropriate and fitting that the Department of the California Highway Patrol conduct that study.

(b) Pursuant to subdivision (a) and in accordance with Section 2400.5, law enforcement agencies shall report to the commissioner, at those times and in the manner that he or she prescribes, the number of motor vehicle drivers stopped for all traffic law enforcement, whether or not a citation or warning was issued, and for each stop, the information listed in Section 2400.5.

(c) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

SEC. 3. Section 2400.5 is added to the Vehicle Code, to read:

2400.5. (a) On July 1, 2001, July 1, 2002, July 1, 2003, July 1, 2004, and July 1, 2005, the commissioner shall prepare an annual report that collects from members of the California Highway Patrol and peace officers of city and

county law enforcement agencies all of the following:

(1) Information regarding the number of motor vehicle drivers stopped for all traffic law enforcement purposes.

(2) Whether or not a citation or warning was issued.

(3) Data on the following information for each stop:

(A) Based on visual observation, the race or ethnicity of the individual stopped.

(B) Whether the stop was based on any of the following:

(i) Violation of the Vehicle Code.

(ii) Violation of the Penal Code.

(iii) Violation of a local ordinance.

(iv) The appearance of the driver or the appearance of the vehicle matches the description of a crime suspect or of a vehicle involved in the commission of a crime or belonging to a crime suspect.

(4) Whether a vehicle search was instituted as a result of the stop.

(5) Whether any of the following items were discovered or seized in the course of the search:

(A) Weapons.

(B) Controlled substances.

(C) Cash.

(D) Vehicles.

(E) Other property believed to be unlawful or whose possession is unlawful.

(6) Whether [D] either <D] [A] one <A] of the following resulted from the search or stop:

(A) A written citation was issued.

(B) A warning was made.

[A] (C) An arrest was made. <A]

(b) On July 1, 2001, July 1, 2002, July 1, 2003, July 1, 2004, and July 1, 2005, each city and county law enforcement agency statewide, shall report to the commissioner, in the manner that he or she prescribes, the number of motor vehicle drivers stopped by law enforcement, whether or not a citation or warning was issued, and, for each stop, the information listed in subdivision (a).

(c) Data acquired pursuant to this section shall be used only for research or statistical purposes and shall not contain any information that may reveal the identity of any individual who is stopped or any law enforcement officer.

(d) The commissioner shall present to the Governor and the Legislature, on or before July 1, 2001, a report containing the information specified in this section and, on or before July 1, 2002, July 1, 2003, July 1, 2004, and July 1, 2005, a report containing the information specified in this section for the previous year.

(e) The commissioner shall perform the duties required by this section within existing budgetary resources.

(f) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2006, deletes or extends that date.

SEC. 4. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

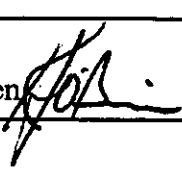
SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to help ensure, at the earliest possible time, that the Commissioner of the California Highway Patrol reports to the Governor and the Legislature regarding the race and ethnicity of persons stopped by law enforcement officers for traffic violations, it is necessary that this act take effect immediately.

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT School Safety Academy Pilot Program		BILL NUMBER/AUTHOR SB 1831/Hughes		DATE INTRODUCED 2-24-2000	
		RELATED BILLS		DATE LAST AMENDED 3-30-2000	
SPONSORED BY Attorney General's Office		RECOMMENDED POSITION Neutral			
<u>GENERAL</u>					
<p>This bill would add Article 7 (Commencing with Section 32297.1) to Chapter 2.5 of Part 19 of the Education Code. This analysis will focus on Section 32297.4 of the Education Code which would require that the Department of Justice, in cooperation with the Commission on Peace Officer Standards and Training, to establish a three-year School Safety Academy Pilot Project.</p>					
<u>ANALYSIS</u>					
<p>The School Safety Academy Pilot Project would be administered by the Department of Justice for the purpose of providing comprehensive school safety training for those responsible for school safety and school community violence prevention programs.</p>					
<p>School safety academies may include training in a number of areas including (but not limited to): role of the school police officer, role of campus security and safety personnel, school crime reporting, conflict resolution and youth mediation, diversity, role of probation and parole officers, role of law enforcement on school campuses, hate crimes, and effective school safety strategies and planning. Each school safety academy shall develop a speciality that will advance school community policing practices.</p>					
<p>As noted above, the impact of this bill on POST is limited to a consulting role in developing the pilot academies. All costs associated with this project will be borne by the Department of Justice.</p>					
<p>It is recommended that the Commission adopt a Neutral position on this bill.</p>					
ANALYSIS BY Tom Hood		DATE 3-31-2000		FISCAL IMPACT Minimal	
LEGISLATIVE LIAISON Tom Hood		DATE 3-31-2000		EXECUTIVE DIRECTOR Kenneth J. O'Brien	
COMMISSION MEETING DATE: April 27, 2000		COMMISSION POSITION: 			
				DATE 4-5-00	

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In bill text, brackets have special meaning:

- [A] <A> contains added text, and
- [D] <D> contains deleted text.

California 1999-00 Regular Session
 1999 CA SB 1831
 Amended
 03/30/2000
 Hughes
 SENATE BILL

No. 1831

 INTRODUCED BY Senator Hughes

 AMENDED IN SENATE MARCH 30, 2000

FEBRUARY 24, 2000

An act to add [A] and repeal <A> Article 7 (commencing with Section [D] 32297) to <D> [A] 32297.1) of <A> Chapter 2.5 of [A] Part 19 of <A> the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 1831, as amended, Hughes. School safety.

Existing law, the School Community Policing Partnership Act of 1998, administered by the State Department of Education, provides for the award of grants on a competitive basis to school districts, county offices of education, or a consortium of school districts and county offices of education to develop and implement a plan that demonstrates a collaborative and integrated approach between the grant recipients and local law enforcement agencies for implementing a system of providing safe and secure environments.

This bill would [A] , until January 1, 2006, <A> establish the School Safety Academy Pilot Program, to be administered by the Department of Justice, whereby [D] , subject to funding being appropriated therefor, 3 academies would be established to provide group training relating to school safety for 3 years <D> [A] regional community policing institutes in the Counties of Sacramento, Los Angeles, and San Diego, defined as school safety academies, would receive funding from the Department of Justice to develop and implement integrated, comprehensive school safety training for those responsible for school safety and school community violence prevention for a period of 3 years. The bill would require the Department of Justice to contract with an independent evaluator to develop and deliver an evaluation report to the Legislature and the Governor on or before January 31, 2005. <A>

[A] The bill would appropriate \$4,836,000 to the Department of Justice for allocation to the school safety academies in the project pursuant to a prescribed schedule and for the administrative costs of the project <A> .

Vote: majority. Appropriation: [D] no <D> [A] yes <A> . Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 7 (commencing with Section [D] 32297 <D> [A] 32297.1 <A>) is added to Chapter 2.5 of [A] Part 19 of <A> the Education Code, to read:

ARTICLE 7. SCHOOL SAFETY ACADEMY PILOT PROJECT

32297.1. There is hereby established the School Safety Academy Pilot Project, to be administered by the Department of Justice from funds appropriated therefor.

[D> 32297.2. Three academies shall be established <D]

[A> 32297.2. For purposes of this article, "school safety academies" means the current regional community policing institutes in the Counties of Sacramento, Los Angeles, and San Diego. Each academy shall provide training to juvenile specialists, school district police officers, school resource officers, school security officers, school administrators, campus supervisors and monitors, parent volunteers, and others responsible for school safety and school community violence prevention. Training topics shall include, but not be limited to, those listed in Section 32297.4 and other topics as identified by representatives from the field. <A]

[A> 32297.3. The Department of Justice shall provide funding to the school safety academies to develop and implement integrated, comprehensive school safety training for those responsible for school safety and school community violence prevention. <A]

[A> 32297.4. (a) (1) The Department of Justice, in cooperation with the Commission on Peace Officer Standards and Training, shall establish a three year School Safety Academy Pilot Project utilizing the school safety academies. The School Safety Academy Pilot Project shall be administered by the Department of Justice for the purpose of providing comprehensive school safety training for those responsible for school safety and school community violence prevention that accomplishes the purposes set forth in this article. <A]

[A> (2) The school safety academies funded pursuant to the School Safety Academy Pilot Project may include, but are not limited to, training on all of the following: <A]

[A> (A) Role of school police officers. <A]

[A> (B) Role of school administrators. <A]

[A> (C) Role of campus security and safety personnel. <A]

[A> (D) School and community relations. <A]

[A> (E) School crime reporting. <A]

[A> (F) Conflict resolution and youth mediation. <A]

[A> (G) Crisis intervention and response. <A]

[A> (H) Juvenile justice system. <A]

[A> (I) Diversity training. <A]

[A> (J) Role of probation and parole officers. <A]

[A> (K) Effective school safety strategies and planning. <A]

[A> (L) Role of law enforcement on school campuses. <A]

[A> (M) Role of child protective services workers. <A]

[A> (N) Hate crimes. <A]

[A> (b) Upon request, the school safety academies shall provide technical assistance, training, and support to grant recipients under the School Community Policing Partnership Grant Program, as established pursuant to Section 32296.1. <A]

[A> (c) In addition to the basic training set forth in paragraph (2) of subdivision (a), each school safety academy shall develop a specialty that will advance school community policing practices. <A]

[A> 32297.5. The Department of Justice shall provide funding to implement the training developed pursuant to Section 32297.3 for a period of three years. Funding shall not be used for the development and the delivery of school safety training. <A]

[A> 32297.6. The Department of Justice shall evaluate the effectiveness of the School Safety Academy Pilot Project by contracting with an independent evaluator to develop and deliver a final evaluation report to the Legislature and the Governor on or before January 31, 2005. <A]

[A> 32297.7. This article shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date. <A]

[A> SEC. 2. (a) The sum of four million eight hundred thirty-six thousand dollars (\$4,836,000) is hereby appropriated from the General Fund to the Department of Justice for allocation in accordance with the following schedule to implement the School Safety Academy Pilot Project, as established by Article 7 (commencing with Section 32297.1) of Chapter 2.5 of Part 19 of the Education Code for a period of three years for state operations and local assistance: <A]

[A> (1) The sum of one million five hundred thousand dollars (\$1,500,000) to be allocated to the Sacramento Regional Community Policing Institute. <A]

[A> (2) The sum of one million five hundred thousand dollars (\$1,500,000) to be allocated to the Los Angeles Regional Community Policing Institute. <A]

[A> (3) The sum of one million five hundred thousand dollars (\$1,500,000) to be allocated to the San Diego Regional Community Policing Institute. <A]

[A> (b) The Department of Justice may reallocate funds that are not used by a regional policing institute to a different regional policing institute. The Department of Justice may use up to 7 percent of the total amount appropriated for administration of this project. <A] [D> pursuant to this article to provide group training to all of the following persons: <D]

[D> (a) School district police officers. <D]

[D> (b) School resource officers. <D]

[D> (c) School security officers. <D]

[D> (d) School administrators. <D]

[D> (e) Campus monitors. <D]

[D> (f) Parent volunteers. <D]

[D> (g) Any person responsible for school safety and school community violence prevention. <D]

[D> 32297.3. Training provided by the academies established pursuant to this article shall include, but shall not be limited to, all of the following topics: <D]

[D> (a) The role of school peace officers and other campus security personnel. <D]

[D> (b) School-community relations. <D]

[D> (c) Crime reporting. <D]

[D> (d) Conflict resolution or youth mediation. <D]

[D> (e) Crisis intervention. <D]

[D> 32297.4. (a) The Department of Justice shall develop a competitive application process, including the development of guidelines for applicants, for the award of funds to entities for the establishment of academies pursuant to this article. The Department of Justice shall select one applicant that proposes to establish an academy in southern California, in northern California, and in central California. <D]

[D> (b) Successful applicants shall receive funding, from funding appropriated therefor, to develop and implement academies pursuant to this article for three years. <D]

[D> 32297.5. Existing law enforcement or other training facilities shall be used for academies established pursuant to this article. <D]

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Law Enforcement Technology		BILL NUMBER/AUTHOR SB 1833/Schiff		DATE INTRODUCED 2-24-2000	
		RELATED BILLS		DATE LAST AMENDED 2-22-2000	
SPONSORED BY Los Angeles County Sheriff's Department		RECOMMENDED POSITION Support			
<u>GENERAL</u>					
Senate Bill 1833 would add chapter 5.8 (commencing with Section 13849) to Title 6 of Part 4 of the Penal Code. This act would create, in the Office of Criminal Justice Planning, the Institute for Criminal Justice Technology to review and evaluate available and emerging technologies with law enforcement applications.					
<u>ANALYSIS</u>					
This bill would provide that the Institute be managed by a 13-member board of directors, to be appointed by the Governor. The board would enter into contracts with private, non-profit research institutions for the provision of technology services, approve internal technology projects, and provide grant funds for projects conducted by local law enforcement agencies. The board of directors would meet quarterly and be compensated only for travel and per diem expenses. The Executive Director of the Commission (or his/her designee) would be one of the 13 board members.					
This institute would directly serve the high technology needs of the California law enforcement community and would mirror a Federal program administered by the National Institute of Justice. The POST Learning Technology Resource Center has worked for a number of years with the NIJ program to identify specific <u>training</u> technologies. While this bill does not specifically address training technologies, there is the potential for POST to benefit from this research and development effort.					
Having a POST staff member on the board of directors of this institute would afford a unique opportunity to review emerging technologies and assess the training applications needed to enhance use by local law enforcement agencies. Participation on the institute board of directors could provide POST with the technological perspective to better serve California law enforcement personnel.					
A support position on this bill is recommended.					
ANALYSIS BY		Tom Hood		DATE 3-29-2000	
LEGISLATIVE LIAISON		Tom Hood		DATE 3-29-2000	
COMMISSION MEETING DATE:		April 27, 2000		COMMISSION POSITION:	
		FISCAL IMPACT		Minimal	
		EXECUTIVE DIRECTOR		Kenneth J. O'Brien	
		DATE		3-30-00	

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In bill text, brackets have special meaning:

- [A] <A] contains added text, and
- [D] <D] contains deleted text.

California 1999-00 Regular Session
 1999 CA SB 1833
 Amended
 03/29/2000
 Schiff
 SENATE BILL

No. 1833

INTRODUCED BY Senator Schiff
 (Principal coauthor: Assembly Member Dutra)

AMENDED IN SENATE MARCH 29, 2000

FEBRUARY 24, 2000

An act to add Chapter 5.8 (commencing with Section 13849) to Title 6 of Part 4 of the Penal Code, and making an appropriation therefor, relating to law enforcement technology.

LEGISLATIVE COUNSEL'S DIGEST

SB 1833, as amended, Schiff. Law enforcement technology: Institute for Criminal Justice Technology.

Existing law provides that the Commission on Peace Officer Standards and Training shall establish a learning technology laboratory, develop an implementation plan for the acquisition of law enforcement facilities and technology, and establish related pilot programs. Existing law also authorizes the commission to enter into joint powers agreements with other governmental entities for the purpose of developing and deploying needed technology and facilities.

This bill would state findings and declarations of the Legislature concerning the need for coordination with regard to the acquisition, testing, and use of high technology law enforcement tools, and would state the intent of the Legislature to provide a centralized resource for local law enforcement agencies for the research, testing, maintenance, and upgrade of current and emerging technologies with law enforcement applications.

This bill would create in the Office of Criminal Justice Planning the Institute for Criminal Justice Technology to review and evaluate available and emerging technologies with law enforcement applications, and which will operate 2 regional Centers for Criminal Justice Technology for the provision of centralized technology research, testing, training, maintenance, and upgrade services to local law enforcement agencies. The bill would provide that the institute shall be managed by a 13-member board of directors, to be appointed by the Governor, and would provide that upon approval by the board, the institute shall enter into contracts with private, nonprofit research institutions for the provision of technology services, approve internal technology projects and provide grant funds for projects conducted by local law enforcement agencies, and identify quality issues for each project and assign responsibilities as necessary both internally and externally to participating agencies and research entities. This bill would provide that the board of directors shall meet quarterly, and shall be compensated only for travel expenses and by per diem.

The bill would provide that a primary responsibility of the institute shall be the development of a 10-year plan for technology goals and resources in this state, as specified, and that the institute or a contracting entity shall provide on-call support services to state and local public safety agencies. This bill would also authorize the institute, upon approval by the board, to enter into nondisclosure agreements with technology providers, and would provide that proprietary materials and information subject to such an agreement is not a public record during the term of the agreement. This bill would also provide that technology research and innovations resulting from internal projects of the institute, or from projects conducted pursuant to contract with or under funding by the institute, shall become the intellectual property of the institute, and that the institute may license and transfer the rights to this intellectual property to local, state, and federal agencies, and to industry in this state for the purpose of commercial development. The bill would also authorize the institute to enter into a joint powers agreement with the Commission on Peace Officer Standards and Training subject to approval by the board.

The bill would appropriate \$10,000,000 from the General Fund to the Office of Criminal Justice Planning for the establishment of the institute and for its operational costs over the following 4 years, as specified.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

(a) There is currently a lack of coordination among local law enforcement agencies with regard to the acquisition, testing, and use of high technology law enforcement tools, and this lack of coordination results in an awkward mix of incompatible and inefficient communications, computer systems, and other systems and devices.

(b) This lack of coordination makes it difficult for law enforcement agencies to quickly and efficiently share information concerning criminal suspects and crime patterns.

(c) The State of California is the home of numerous high-tech research companies that are currently working on ways to improve the technology that law enforcement agencies use, but the state lacks a method of harnessing and applying these technical resources to modernize law enforcement technology.

(d) Current efforts to exploit continuing technological advances in law enforcement applications are often fragmented, overlapping, and unnecessarily ineffective.

(e) A relationship needs to be established between the users and providers of law enforcement technology, in order for true modernization of law enforcement procedures and operations to occur. This relationship should model the relationship that exists between our nation's defense industries and military, using a centralized research and development acquisition system.

(f) It is the intent of the Legislature to provide a centralized resource for local law enforcement agencies for the research, testing, maintenance, and upgrade of current and emerging technologies with law enforcement applications, especially in the areas of communications, forensics, and nonlethal weapons technology.

SEC. 2. Chapter 5.8 (commencing with Section 13849) is added to Title 6 of Part 4 of the Penal Code, to read:

CHAPTER 5.8. INSTITUTE FOR CRIMINAL JUSTICE PLANNING

13849. (a) There is hereby created in the Office of Criminal Justice Planning an Institute for Criminal Justice Technology, which will review and evaluate available and emerging technologies with law enforcement applications, and which will operate two Centers for Criminal Justice Technology, with one center to be located in the northern part of the state and one center to be located in the southern part of the state, for the provision of centralized technology research, testing, training, maintenance, and upgrade services to local law enforcement agencies within each region.

(b) The Institute for Criminal Justice Technology shall be managed by a board of 13 directors [D> , to be appointed by the Governor as follows: <D] [A> . The five members specified below in paragraphs (1) to (5), inclusive, shall be appointed by the Governor upon the advice and consent of the Senate. The eight members specified in paragraphs (6) to (10), inclusive, shall be appointed by the Governor by virtue of their designated positions. <A]

(1) A county sheriff from a county with a population of over one million persons.

(2) A county sheriff from a county with a population of under one million persons.

(3) [D> Two chiefs <D] [A> One chief <A] of police.

(4) One peace officer of the rank of sergeant or below with a minimum of five years' experience as a deputy sheriff, city police officer, marshal, or state-employed peace officer. This member shall have demonstrated leadership in his or her local or state peace officer association or union.

(5) [A> A Regent of the University of California. <A]

[A> (6) <A] The Commissioner of the California Highway Patrol.

[D> (6) <D]

[A> (7) <A] A Commissioner of the California Commission of Peace Officer Standards and Training.

[D> (7) <D]

[A> (8) <A] The presidents of the California Peace Officers Association, the California State Sheriff's Association, the California Police Chief's Association, and the California Association of Crime Lab Directors.

[D> (8) <D]

[A> (9) <A] The Director of the Office of Criminal Justice Planning.

[D> (9) <D]

[A> (10) <A] The Attorney General, or his or her designee.

(c) Upon approval by the board of directors, the Institute for Criminal Justice Technology shall enter into contracts with private, nonprofit research institutions for the provision of technology services within each region. In addition, the board may approve internal technology projects or provide grant funds for research projects conducted by local law enforcement agencies related to the development and testing of technologies with law enforcement applications. The institute shall also identify quality issues for each technology project and the functional operations of its technical components, and shall assign varying responsibilities as necessary both internally and externally to participating agencies and contracting research entities.

(d) The board of directors shall meet quarterly to review the status of approved technology projects and to recommend new projects and technologies for further study. The board shall alternate its meeting location between the northern and southern centers, so as to ensure regional issues are properly addressed. Members of the board shall receive no compensation, but shall be reimbursed for their actual and necessary travel expenses incurred in the performance of their duties, and may receive per diem reimbursement.

(e) A primary responsibility for the Institute for Criminal Justice Technology shall be the development of a 10-year plan for technology goals and resources in this state, which shall address the following:

(1) Normal operations, including trend analysis, crime mapping, intelligence gathering, cybercrime, patrol technology, and initial response enhancements.

(2) Emergency operations, including natural and man-made disasters, riot control, and terrorism. The institute shall coordinate its research goals with the Los Angeles County Terrorist Early Warning (TEW) Group on counterterrorism.

(3) Identification of modernization opportunities.

(4) Training in new technologies with law enforcement applications.

(5) Modernization of crime laboratories.

(6) Identification of additional funding sources.

(f) The Institute for Criminal Justice Technology, or a nonprofit entity working under contract with the institute, shall provide on-call support services upon request to state and local public safety agencies, in order to provide rapid forensics services and technology evaluations as needed. The on-call support provided for in this subdivision may include making a pool of technical experts available to assist in multiple public safety modernization and technology testing and acquisition projects.

(g) Notwithstanding any other provision of law, the Institute for Criminal Justice Technology, upon approval by the board, may enter into nondisclosure agreements with technology providers for research and testing purposes, and proprietary materials and information possessed by the institute shall not be considered a public record for purposes of state law during the term of an approved nondisclosure agreement.

(h) Technology research and innovations resulting from internal projects of the Institute for Criminal Justice Technology, or from projects conducted pursuant to contract with or under funding by, the institute, including scientific and engineering methods, processes, and property, shall become the intellectual property of the institute. The institute, subject to approval by the board, may license and transfer rights to this intellectual property to local, state, and federal agencies, and to California industry for the purpose of commercial development.

(i) The Institute for Criminal Justice Technology may, upon approval by the board, enter into a joint powers agreement with the Commission on Peace Officer Standards and Training for the purpose of developing and deploying needed technologies and facilities, in accordance with subdivision (b) of Section 13508.

(j) Ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the Office of Criminal Justice Planning for the purposes of this chapter, for allocation without regard to fiscal year until expended, to be used as follows:

(1) Up to four million dollars (\$4,000,000) shall be expended to establish

the institute and the two regional technology centers. These funds may be used for capital outlay, acquisition of office space, initial year payroll costs, and related expenses.

(2) The remaining funds shall be expended over the following four years to provide funds for operating costs, technology acquisition, overhead, payroll, and any expenses related to the purposes of the Institute for Criminal Justice Technology as provided in this section. These funds may also be used, upon approval by the board, to contract with private nonprofit entities for the provision of technology services pursuant to subdivision (c).

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BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Training: Anti-Abortion Crimes		BILL NUMBER/AUTHOR SB 1945/Ortiz		DATE INTRODUCED 2-24-2000	
		RELATED BILLS		DATE LAST AMENDED 3-30-2000	
SPONSORED BY Author		RECOMMENDED POSITION Neutral			
<u>GENERAL</u>					
<p>Under Penal Code Section 13519.6, the Commission is required to develop guidelines and a course of instruction and training that addresses hate crimes for specified peace officers. This bill would add Penal Code Section 13519.65 to require that POST develop guidelines and a training course for peace officers addressing crimes motivated by the victim's support for reproductive choice or abortion rights. The training course would be for both Basic Course trainees and in-service officers. The Commission may combine the guidelines and course of instruction required by this section with those required by Section 13519.6 (hate crimes).</p>					
<u>ANALYSIS</u>					
<p>The intent of the Legislature is to require POST to develop guidelines and a course of instruction addressing crimes motivated by a victim's support for reproductive choice or abortion rights. While not clearly stated in the bill, they are encouraging this new training to be presented along with hate crimes training. Since 1993, POST has been required to develop guidelines and training courses addressing the handling of hate crimes (Penal Code Section 13519.6).</p>					
<p>The guidelines and course of instruction shall include, but not be limited to, each of the following:</p>					
<ol style="list-style-type: none"> 1. Application of state law including Sections 646.9 and 1708.7 of the Civil Code, and Title 6 (commencing with Section 3427) of the Civil Code, and federal law, including the Freedom of Access to Clinic Entrances Act. 2. Identification and protection of persons and sites at risk of being targets of anti-abortion crimes, including training these persons in security precautions and in cooperation with law enforcement, such as by maintaining photographic surveillance of the sites in ways that comply with legal requirements and the rules of evidence that assist law enforcement. 3. Understanding the common methods of committing anti-abortion crimes. 					
<p>According to the author, there is no intention of making crimes based upon a person's support for reproductive choice or abortion rights a hate crime. Current law does not support that a crime based on a person's belief is a hate crime. For this reason, the author is requiring POST to develop a separate set of guidelines and training to address anti-abortion crimes.</p>					
ANALYSIS BY Tom Hood		DATE 4-6-2000		FISCAL IMPACT Unknown - could require the services of a Management Fellow	
LEGISLATIVE LIAISON Tom Hood		DATE 4-6-2000		EXECUTIVE DIRECTOR Kenneth J. O'Brien	
COMMISSION MEETING DATE: April 27, 2000		COMMISSION POSITION: <i>Kenneth J. O'Brien</i> DATE 4-6-00			

This bill is confusing in certain sections. POST staff will be working with the author to clarify and address the issues of concern.

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- [A] <A] contains added text, and
- [D] <D] contains deleted text.

California 1999-00 Regular Session
 1999 CA SB 1945
 Amended
 04/05/2000
 Ortiz
 SENATE BILL

No. 1945

INTRODUCED BY Senator Ortiz

[A] (Coauthors: Senators Perata, Rainey, and Solis) <A]
 [A] (Coauthors: Assembly Members Firebaugh, Honda, and Torlakson) <A]

AMENDED IN SENATE APRIL 5, 2000
 AMENDED IN SENATE MARCH 30, 2000

FEBRUARY 24, 2000

An act to amend Section 3427.3 of the Civil Code, [D] and to amend Section 13023 of, <D] and to add [D] Section <D] [A] Sections 13023.1 and <A] 13519.65 to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 1945, as amended, Ortiz. Crimes: support for abortion rights.

Existing law provides that it is unlawful for a person acting alone or in concert with others to interfere with a person's access to health care, and requires a court having jurisdiction over a civil proceeding in this regard to take all steps reasonably necessary to safeguard the individual privacy of a health care patient, licensed health practitioner, or employee, client, or customer of a healthcare facility who is a party or witness in the proceeding, including granting protective orders.

This bill would include "volunteers" as among those entitled to the court's protection.

Existing law requires the Attorney General to direct local law enforcement agencies to report to the Department of Justice, information regarding certain criminal acts where there is reasonable cause to believe that the crime was motivated by the victim's membership in an enumerated class.

This bill would express the Legislature's intent that anti-abortion crime and hate crime be addressed in concert by law enforcement. This bill would add support for reproductive choice or abortion rights [A] and antiabortion crimes, as defined, <A] to the list of victim characteristics required to be reported.

Existing law requires the Commission on Peace Officers to develop guidelines and a course of instruction and training for specified peace officers that addresses hate crimes, as defined.

This bill would require [A] the commission to develop guidelines and <A] peace officer training courses that address [A] antiabortion <A] crimes [D] motivated by the victim's support for reproductive choice or abortion rights <D] [A] , as defined, including specified subjects <A] .

By increasing the reporting duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) This act shall be known and may be cited as the Anti-Abortion Crime Law Enforcement Act.

(b) The Legislature finds and declares that anti-abortion crime and hate crime differ in concept but often converge in practice, and that law enforcement should address them in concert.

SEC. 2. Section 3427.3 of the Civil Code is amended to read:

3427.3. The court having jurisdiction over a civil proceeding under this title shall take all steps reasonably necessary to safeguard the individual privacy and prevent harassment of a health care patient, licensed health practitioner, or employee, volunteer, client, or customer of a health care facility who is a party or witness in the proceeding, including granting protective orders. Health care patients, licensed health practitioners, and employees, volunteers, clients, and customers of the health care facility may use pseudonyms to protect their privacy.

[D> SEC. 3. Section 13023 of the Penal Code is amended to read: <D]

[D> 13023. Subject to the availability of adequate funding, the Attorney General shall direct local law enforcement agencies to report to the Department of Justice, in a manner to be prescribed by the Attorney General, any information that may be required relative to any criminal acts or attempted criminal acts to cause physical injury, emotional suffering, or property damage where there is a reasonable cause to believe that the crime was motivated, in whole or in part, by the victim's race, ethnicity, religion, gender, sexual orientation, or physical or mental disability, or support for reproductive choice or abortion rights. On or before July 1 of every year, the Department of Justice shall submit a report to the Legislature analyzing the results of the information obtained from local law enforcement agencies pursuant to this section. <D]

[D> SEC. 4. Section 13519.65 is added to the Penal Code, to read: <D]

[D> 13519.65. The guidelines and course of instruction and training required by Section 13519.6 shall also address crimes motivated, in whole or in part, by the victim's support for reproductive choice or abortion rights. <D]

[A> SEC. 3. Section 13023.1 is added to the Penal Code, to read: <A]

[A> 13023.1. Subject to the availability of adequate funding, the Attorney General shall direct local law enforcement agencies to report to the Department of Justice, in a manner to be prescribed by the Attorney General, any information that may be required relative to antiabortion crimes, as

defined in subdivision (b) of Section 13519.65. Each year, the Department of Justice shall submit a report to the Legislature analyzing the results of the information obtained from local law enforcement agencies pursuant to this section. The department may submit the report required by this section as part of the report required by Section 13023. <A]

[A> SEC. 4. Section 13519.65 is added to the Penal Code, to read: <A]

[A> 13519.65. (a) The commission shall, on or before December 31, 2001, develop guidelines and a course of instruction and training for law enforcement officers who are employed as peace officers, or who are not yet employed as peace officers but are enrolled in training academies for law enforcement officers, addressing antiabortion crimes. <A]

[A> (b) "Antiabortion crimes," for purposes of this section, means any act prohibited in Sections 646.9 and 1708.7, Section 3427.1 of the Civil Code, and federal law, including the freedom of access to clinic entrances act. <A]

[A> (c) The guidelines and course of instruction shall include, but not be limited to, each of the following: <A]

[A> (1) Application of state law including Sections 646.9 and 1708.7 of the Civil Code, and Title 6 (commencing with Section 3427) of the Civil Code, and federal law, including the Freedom of Access to Clinic Entrances Act. <A]

[A> (2) Identification and protection of persons and sites at risk of being targets of antiabortion crimes, including training these persons in security precautions and in cooperation with law enforcement, such as by maintaining photographic surveillance of the sites in ways that comply with legal requirements and the rules of evidence and that assist law enforcement. <A]

[A> (3) Understanding of common methods of committing antiabortion crimes. <A]

[A> (d) The commission may combine the guidelines and course of instruction required by this section with those required by Section 13519.6. <A]

SEC. 5. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

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STATE and FEDERAL LEGISLATION	STATE and FEDERAL REGULATIONS	NEWS / REFERENCE	CON
MESSAGE OF THE DAY	SITE INDEX	HOME	BAC

BILL ANALYSIS		State of California COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 1601 Alhambra Boulevard Sacramento, CA 95816-7083		Department of Justice	
TITLE OR SUBJECT Pursuit Intervention Termination Management System (PITMS)		BILL NUMBER/AUTHOR SB 2004/Speier		DATE INTRODUCED 2-25-2000	
		RELATED BILLS		DATE LAST AMENDED	
SPONSORED BY Aaron Reed & Associates		RECOMMENDED POSITION Neutral			
<u>GENERAL</u>					
<p>This bill is very extensive and addresses a number of areas related to the installation on all motor vehicles, mandatory use by certain felons, and peace officer training. This analysis will only address the peace officer training component of the bill.</p> <p>This bill would add Penal Code Section 13519.10 to require:</p> <ol style="list-style-type: none"> 1. Members of the California Highway Patrol and peace officers of city police departments and county sheriff departments using equipment designed to activate the Pursuit Intervention Termination Management System installed on a motor vehicle shall complete a training course of at least 4 hours in the use of this system certified by the Commission on POST. 2. POST, in consultation with the manufacturer and the California Highway Patrol, to develop the course of training. 3. That the course shall include specific topical information and instruction in accordance with the system manufacturer's specifications. 4. The training for those officers listed in #1 (above) shall be completed by January 1, 2003. 					
<u>ANALYSIS</u>					
<p>The Pursuit Intervention Termination Management System (PITMS) is a system, when installed on motor vehicles, that would allow officers to disable vehicles under specific conditions (e.g., a pursuit). The system consists of two primary components: 1) a computer chip that is installed on the motor vehicle, and 2) a hand-held device (similar to radar) that allows officers to activate the system thus, disabling the vehicle. The system shows promise by allowing officers to safely disable vehicles fleeing from or about to flee from them.</p>					
ANALYSIS BY Tom Hood		DATE 3-8-2000		FISCAL IMPACT Unknown at this time	
LEGISLATIVE LIAISON <i>[Signature]</i> Tom Hood		DATE 3-8-2000		EXECUTIVE DIRECTOR Kenneth J. O'Brien	
COMMISSION MEETING DATE: April 27, 2000		DATE <i>4/10/00</i> <i>[Signature]</i> Kenneth J. O'Brien			
		COMMISSION POSITION:			

This is a very aggressive legislative effort on the part of the PITMS manufacturer to mandate its extensive use in California. The training components of this bill are designed to ensure that officers using equipment that activates the PITMS equipment receive adequate training. As the equipment becomes more readily available, more agencies will most likely take advantage of this technology.

At the time of this writing, no other law enforcement organization has completed an analysis on this bill. Although some have expressed interest in this technology, official positions have not been taken yet.

POST staff will work with the author and sponsor to clarify some of the bill language.

STATE and FEDERAL LEGISLATION	STATE and FEDERAL REGULATIONS	NEWS / REFERENCE	CON
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In bill text, brackets have special meaning:

- [A] <A> contains added text, and
[D] <D> contains deleted text.

California 1999-00 Regular Session
1999 CA SB 2004
Amended
04/12/2000
Speier
SENATE BILL

No. 2004

=====

INTRODUCED BY Senator Speier

=====

AMENDED IN SENATE APRIL 12, 2000

FEBRUARY 25, 2000

An act to amend Section 3053 of, and to add Sections 417.10, 1203.1p, and 13519.10 to, the Penal Code, and to amend Section 40000.15 of, and to add Sections 493, 2419.5, 4000.5, [A] 4000.6, <A> and 27010 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 2004, as amended, Speier. [D] Pursuit intervention termination management <D> [A] Safety track <A> system.

(1) Existing law provides for the duties and responsibilities of the Department of the California Highway Patrol.

This bill would require the department to [D] enter into a contract with a manufacturer of pursuit intervention termination management systems (PITMS), as defined, for purposes of complying with the requirements of the Vehicle Code and the Penal Code, as detailed below. The bill would require the manufacturer of PITMS, under contract, to provide a system that provides and meets specified features and conditions <D> [A] certify that a manufacturer or the manufacturer's designee of any safety track system, as defined, offered for sale in the state complies with performance standards, as prescribed <A> .

(2) Existing law does not require [D] , upon the registration of a motor vehicle, a certification by the manufacturer of a PITMS or its designee, that the motor vehicle is properly installed with that system <D> [A] that vehicles offered for sale in this state have a safety track system installed <A> .

This bill would impose that requirement on [A] new <A> motor vehicles [D] initially seeking registration commencing on July 1, 2002, and on registration and triennial renewal of registration on other motor vehicles commencing on January 1, 2004 <D> [A] on and after January 1, 2005, and on all vehicles required to be registered in the state on and after January 1, 2008 <A> . The bill would [D] exempt authorized emergency vehicles and motor vehicles that the Department of the California Highway Patrol has determined that because of mechanical limitations or health and safety concerns, the installation of a PITMS in that vehicle is not possible or warranted <D> [A] authorize the department to grant waivers from the installation requirement, as specified <A> .

(3) Existing law provides for certain equipment requirements for motor vehicles and provides penalties for violations of those requirements.

This bill would make it a misdemeanor, thereby imposing a state-mandated local program, for any owner of a motor vehicle that is required to install a functioning [D> PITMS <D] [A> safety track system <A] to fail to maintain that system in accordance with the manufacturer's specification.

This bill would prohibit any person from removing, bypassing, or tampering with a [D> PITMS <D] [A> safety track system <A] . The bill would make a violation of this prohibitions a crime, thereby imposing a state-mandated local program.

(4) Existing law provides for various crimes in the Penal Code.

This bill would make it a crime for a person who is not certified as described in (7) or is not an employee of a certified manufacturer or manufacturer's designee to render a motor vehicle inoperable by activating a [D> PITMS <D] [A> safety track system <A] or a component of that system. The bill would also make it a crime for every person to render a motor vehicle inoperable by activating a [D> PITMS <D] [A> safety track system <A] or a component of that system in the course of the commission of a separate public offense. The bill would make it a crime for every person who is not certified to activate a [D> PITMS <D] [A> safety track system <A] or a component of that system.

(5) Existing law allows courts to grant probation to persons convicted of public offenses, except as specified.

This bill would specifically allow a court in granting probation to a defendant to require that defendant to have any motor vehicle operated by that defendant to have a functioning [D> PITMS <D] [A> safety track system and would authorize inspection of the system <A] .

(6) Under existing law, the Board of Prison Terms, upon granting any parole to any prisoner, is allowed to impose on the parole any conditions that the court deems proper.

This bill would specifically allow the board to impose as a condition of parole that a prisoner granted parole operate only motor vehicles that have a functioning [D> PITMS <D] [A> safety track system and would authorize inspection of the system and activation in specified situations <A] .

(7) Existing law requires the Commission on Peace Officer Standards and Training to develop certain courses and training programs and, in connection with those programs, to issue certificates upon completion of a program.

This would require each member of the Department of the California Highway Patrol and each peace officer of a city police department or sheriff's department to complete a described course and receive certification from the commission regarding PITMS. The bill would require the training to include relevant laws, potential liability, and techniques. The bill would require the training course to consist of a minimum of 4 hours and to include instruction in accordance with the system's manufacturer's specifications. The bill would require the commission to consult with the [D> Department of the California Highway Patrol <D] [A> department <A] and a manufacturer in the development of the instruction, and to include specific areas of concentration.

Because this bill would impose additional duties on local law enforcement agencies, the bill would impose a state-mandated local program.

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement,

including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 417.10 is added to the Penal Code, to read:

417.10. (a) (1) Every person who renders a motor vehicle inoperable by activating a [D] pursuit intervention termination management <D> [A] safety track <A> system or a component of that system is guilty of a misdemeanor punishable by confinement in the county jail for up to 60 days.

(2) This subdivision does not apply to a peace officer who is certified under Section 13519.10 or is not an employee of a manufacturer or manufacturer's designee certified under subdivision (b) of Section 2419.5 of the Vehicle Code and is acting within the course of his or her employment.

(b) (1) [D] Every <D> [A] (A) Except as provided in subparagraph (B), every <A> person who renders a motor vehicle inoperable by activating a [D] pursuit intervention termination management <D> [A] safety track <A> system or a component of that system in the course of the commission of a separate public offense is guilty of a [D] felony. <D> [A] misdemeanor. <A>

[A] (B) Every person committing an offense as set forth in subparagraph (A), which results in great bodily injury or death of any person is guilty of a felony. <A>

(2) The [D] felony <D> [A] offense <A> described in paragraph (1) shall be in addition to the underlying public offense described in paragraph (1).

(c) Every person who is not certified pursuant to Section 13519.10 or is not an employee of a manufacturer or manufacturer's designee certified under subdivision (b) of Section 2419.5 of the Vehicle Code and who activates a [D] pursuit intervention termination management <D> [A] safety track <A> system or a component of that system is guilty of a misdemeanor punishable by confinement in the county jail for up to 30 days.

(d) As used in this section, " [D] pursuit intervention termination management <D> [A] safety track <A> system" has the same meaning as that term is defined in Section 493 of the Vehicle Code.

SEC. 2. Section 1203.1p is added to the Penal Code, to read:

1203.1p. [D] If <D> [A] (a) If <A> a defendant is convicted of an offense and the defendant is granted probation, the court may order that any motor vehicle operated by that person have a functioning [D] pursuit intervention termination management <D> [A] safety track <A> system as defined in Section 493 of the Vehicle Code.

[A] (b) A court may order that a safety track system required to be installed under subdivision (a) be regularly inspected and maintained. <A>

SEC. 3. Section 3053 of the Penal Code is amended to read:

3053. (a) The Board of Prison Terms upon granting any parole to any prisoner may also impose on the parole any conditions that it may deem proper.

(b) (1) The Board of Prison Terms may impose as a condition of parole that any prisoner granted parole undergo an examination or test for tuberculosis when the board reasonably suspects that the parolee has, has had, or has been exposed to, tuberculosis in an infectious stage.

(2) For purposes of this subdivision, an "examination or test for tuberculosis" means testing and followup examinations or treatment according to the Centers for Disease Control and American Thoracic Society recommendations in effect at the time of the initial examination.

(c) The Board of Prison Terms may impose as a condition of parole that a prisoner granted parole operate only motor vehicles that have functioning [D] pursuit intervention termination management <D] [A] safety track <A] system, as defined in Section 493 of the Vehicle Code.

[A] (d) The Board of Prison Terms may order that a safety track system required to be install under subdivision (c) be regularly inspected and maintained. <A]

[A] (e) A device installed under subdivision (c) may be activated to prevent or terminate the pursuit of a parolee in violation of any condition of his or her parole. <A]

SEC. 4. Section 13519.10 is added to the Penal Code, to read:

[D] 13519.10. (a) Each member of the Department of the California Highway Patrol and peace officer of a city police department or sheriff's department shall complete the course described in this section and receive certification from the commission. The training shall include, but is not limited to, relevant laws, potential liability, and techniques regarding the use of the pursuit intervention termination management system, as defined in Section 493 of the Vehicle Code. The training course shall consist of a minimum of four hours and shall include instruction in accordance with the system's manufacturer's specifications. The commission shall consult with the Department of the California Highway Patrol and a manufacturer certified pursuant to Section 2419.5 of the Vehicle Code, in the development of the instruction, and shall include the following practical areas of concentration: <D]

[D] (1) High speed avoidance laser technology capabilities and limitations. <D]

[D] (2) Terminating the pursuit with lasers. <D]

[D] (3) Practical pursuit intervention termination management system demonstration and use, including, but not limited to, the user's demonstration of proficiency with the hand held activation device and experience operating a target vehicle during a pursuit intervention episode. <D]

[D] (4) Laser technology utilization and agency policy. <D]

[D] (5) Laser technology utilization and air support. <D]

[D] (b) The training and certification process described in this section shall be completed by January 1, 2002, for those peace officers described in subdivision (a) who are initially certified under this section. <D]

[A] 13519.10. (a) (1) Each member of the Department of the California Highway Patrol and peace officer of a city police department or sheriff's department using equipment designed to activate a safety track system shall

complete a course, as described in this subdivision, which is certified by the commission. <A]

[A] (2) The training shall include, but is not limited to, relevant laws, potential liability, and techniques regarding the use of the safety track system, as defined in Section 493 of the Vehicle Code. The training course shall consist of a minimum of four hours of instruction, and shall include instruction in accordance with the specifications of all manufacturers certified pursuant to Section 2419.5 of the Vehicle Code. The commission shall consult with the Department of the California Highway Patrol and a manufacturer certified pursuant to Section 2419.5 of the Vehicle Code in the development of the instruction, and shall include all of the following practical areas of concentration: <A]

[A] (A) High-speed avoidance laser technology capabilities and limitations. <A]

[A] (B) Terminating the pursuit with lasers. <A]

[A] (C) Practical safety track system demonstration and use, including, but not limited to, the user's demonstration of proficiency with the hand held activation device and experience operating a vehicle in which a safety track system has been activated. <A]

[A] (D) Laser or electronic technology utilization and agency policy. <A]

[A] (E) Laser or electronic technology and air support. <A]

[A] (b) For the initial group of peace officers certified under this section, the training and certification described in subdivision (a) shall be completed on or before July 1, 2004. <A]

SEC. 5. Section 493 is added to the Vehicle Code, to read:

[D] 493. "Pursuit intervention termination management system" is an electronic or electromechanical device that is controlled by a coded electronic or laser signaling system and is installed in an automobile's computer or fuel system. The device controls the flow of fuel or controls the ignition of an engine. <D]

[D] A pursuit intervention termination management system also has the capability of providing an electronic signal that is capable of being used to determine the location of the vehicle in which it is installed. <D]

[D] SEC. 6. Section 2419.5 is added to the Vehicle Code, to read: <D]

[D] 2419.5. (a) The department shall enter into a contract or contracts with a manufacturer or manufacturers of pursuit intervention termination management systems for purposes of complying with the requirements of this code and the Penal Code. Any manufacturer of a pursuit intervention termination management system under contract pursuant to this section shall provide a system that provides and meets all of the following features and conditions: <D]

[D] (1) Each remote activation device shall be equipped with at least one fail safe and antitheft technology that renders the device inoperable in the hands of a person who is not certified under Section 13519.10 of the Penal Code. <D]

[D] (2) Any vehicle rendered inoperable by the activation of the system shall be equipped to automatically become operable within 20 minutes from the activation. <D]

[D] (3) Each termination device shall be sufficiently accurate to target one vehicle at a time at any distance up to one-half mile. <D]

[D> (4) Any approved system shall be tamper-resistant. <D]

[D> (5) Any technology used by a manufacturer to inactivate any motor vehicle shall not be disruptive to medical devices, aircraft systems, radio communications, or television. <D]

[D> (b) The department shall certify each manufacturer or manufacturer's designee who is under contract with the department pursuant to subdivision (a) for the following purposes: <D]

[D> (1) For installation, maintenance, adjustments, and inspection, in accordance with standards set by the department, of pursuit intervention termination management systems in motor vehicles. <D]

[D> (2) For maintenance, adjustments, and inspection in accordance with specifications developed by the department of remote activation devices. <D]

[D> (c) Any motor vehicle that is required to have installed and properly maintained a functioning pursuit intervention termination system shall be inspected and if necessary adjusted, by a manufacturer or a manufacturer's designee that is certified pursuant to subdivision (b) in order to comply with the requirements of this code. <D]

[D> (d) (1) Any remote activation device used by peace officers certified pursuant to Section 13519.10 of the Penal Code shall be inspected and, if necessary adjusted, by a manufacturer or manufacturer's designee that is certified pursuant to subdivision (b). <D]

[D> (2) A remote activation device described in paragraph (1) shall be inspected and certified every three years. <D]

[D> SEC. 7. Section 4000.5 is added to the Vehicle Code, to read: <D]

[D> 4000.5. (a) Except as provided in subdivision (c), the department shall require, commencing on July 1, 2002, upon the initial registration of a motor vehicle that has previously not been registered in or outside of this state, certification, on a form approved by the Department of the California Highway Patrol and issued by a manufacturer of a pursuit intervention termination management system that is certified pursuant to subdivision (b) of Section 2419.5 or that manufacturer's designee, that the system is properly installed, maintained, and functioning in that motor vehicle. <D]

[D> (b) Except as provided in subdivision (c), commencing on January 1, 2004, the department shall require upon the triennial renewal of registration, the transfer of ownership and registration of any motor vehicle, and upon the registration of a motor vehicle previously registered outside of this state, certification, on a form approved by the Department of the California Highway Patrol, and issued by a certified manufacturer of a pursuit intervention termination management system or that manufacturer's designee, that the system is properly installed, maintained, and functioning in that motor vehicle. <D]

[D> (c) The requirements of this section do not apply to authorized emergency vehicles or to motor vehicles that the Department of the California Highway Patrol has determined that because of mechanical limitations or health and safety concerns, the installation of a pursuit intervention termination management system in that vehicle is not possible or warranted. <D]

[D> SEC. 8. Section 27010 is added to the Vehicle Code, to read: <D]

[D> 27010. (a) Any owner of a motor vehicle whose registration requires the certification of a functioning pursuit intervention termination management system pursuant to Section 4000.5 and any motor vehicle owned by a

person who is required pursuant to Section 1203.1 or 3053 of the Penal Code to operate only those vehicles that are installed with the system shall maintain that system in accordance with the manufacturer's standards. <D]

[D> (b) No owner described in subdivision (a) or any other person shall remove, bypass, or tamper with a pursuit intervention termination management system that was installed in a motor vehicle by a manufacturer or manufacturer's designee. <D]

[D> (c) <D]

[A> 493. (a) A safety track system is a system that meets the performance standards set forth in subdivision (b), and consists of both of the following components: <A]

[A> (1) An electronic or electromechanical device, including, but not limited to, one or more computer chips that are installed either in, or functions in conjunction with, an automobile's onboard electronics system or fuel system, or both the electronics system and fuel systems. <A]

[A> (2) One or more devices that may remotely activate the device installed in the vehicle, and that uses an encrypted electronic or laser signal to activate the device installed in the vehicle. <A]

[A> (b) Any device described in paragraphs (1) and (2) of subdivision (a) shall meet or exceed all of the following performance standards: <A]

[A> (1) The device installed in the vehicle shall, at a minimum, respond to both an encrypted electronic or laser signal from a remote activation device made by any company. <A]

[A> (2) The device installed in the vehicle shall be capable of providing the location of the vehicle in which it is installed, but only with the permission of the owner, and only through the use of a personal identification number or similar secure identifying technology. <A]

[A> (3) A remote activation device shall be equipped with at least one fail-safe and anti-theft technology that renders the device inoperable in the hands of a person who is not qualified to use the safety track system pursuant to Section 13519.10 of the Penal Code, or who is not qualified, through a contract with the vehicle owner, to activate the safety track system with the permission of the owner under the terms of the contract. <A]

[A> (4) The two devices described in paragraphs (1) and (2) of subdivision (a), when operated together, shall be able to reduce the speed of a vehicle by controlling the flow of fuel or the ignition of an engine, or both the flow of fuel and the ignition of the engine. <A]

[A> (5) Any vehicle rendered inoperable by the activation of the system shall be equipped to automatically become operable within 20 minutes from the activation. <A]

[A> (6) A remote activation device may be portable or stationary. <A]

[A> (7) A remote activation device shall be sufficiently accurate so as to activate the device installed in the targeted vehicle, and leave unaffected any vehicle within a one half mile radius of the target vehicle. <A]

[A> (8) A safety track system shall be tamper resistant. <A]

[A> (9) Any safety track system shall not be disruptive to medical devices, aircraft systems, radio communications, or television signals and shall comply with any applicable standards as prescribed by the United States government. <A]

[A] SEC. 6. Section 2419.5 is added to the Vehicle Code, to read: <A]

[A] 2419.5. A manufacturer or manufacturer's designee shall obtain certification from the department prior to offering a safety track system for sale in the state. The department shall certify each manufacturer or manufacturer's designee that produces a safety track system that is in compliance with the standards set forth in Section 493. <A]

[A] SEC. 7. Section 4000.5 is added to the Vehicle Code, to read: <A]

[A] 4000.5. (a) (1) Except as provided in subdivision (b), on and after January 1, 2005, every manufacturer or importer of new motor vehicles for sale or lease in this state shall equip the vehicle with a safety track system or offer a safety track system as an option for purchase. <A]

[A] (2) On and after January 1, 2008, all vehicles that are required to be registered for operation in this state shall have a functioning, certified safety track system installed in the vehicle. <A]

[A] (b) (1) The Department of the California Highway Patrol may waive the requirements set forth in subdivision (a) for any vehicle or class of vehicle identified by the Department of the California Highway Patrol for any of the following reasons: <A]

[A] (A) The vehicle or class of vehicles consists of authorized emergency vehicles. <A]

[A] (B) Mechanical limitations of the vehicle or class of vehicles. <A]

[A] (C) Health or safety concerns related to the use of the safety track equipment. <A]

[A] (D) Lack of multiple manufacturers of safety track systems for the vehicle or class of vehicles. <A]

[A] (E) To comply with any federal law or regulation that is inconsistent with the installation of a safety track system. <A]

[A] (2) Any waiver granted pursuant to paragraph (1) shall be consistent with the objectives of reducing vehicle theft and the need for high-speed vehicle pursuits by law enforcement. <A]

[A] (3) For any waiver granted pursuant to paragraph (1), the vehicle or class of vehicle shall be defined by regulation by the Department of the California Highway Patrol and shall be consistent with the objectives of reducing vehicle theft and the need for high-speed vehicle pursuits by law enforcement. <A]

[A] SEC. 8. Section 4000.6 is added to the Vehicle Code, to read: <A]

[A] 4000.6. Upon demand of a peace officer, every person who drives a motor vehicle that is subject to a safety track system requirement under any provision of law shall allow an inspection of the safety track system to determine that it is installed and functioning properly. <A]

[A] SEC. 9. Section 27010 is added to the Vehicle Code, to read: <A]

[A] 27010. (a) No owner or other person shall remove, bypass, or tamper with a safety track system installed in a vehicle with the intent to interfere with the proper functioning of the system. <A]

[A] (b) <A] Any person who violates this section is guilty of a misdemeanor punishable by confinement in the county jail for six months or a fine of one thousand dollars (\$1,000) or both that fine and confinement.

[D> SEC. 9. <D]

[A> SEC. 10. <A] Section 40000.15 of the Vehicle Code is amended to read:

40000.15. A violation of any of the following provisions shall constitute a misdemeanor, and not an infraction:

Sections 23103 and 23104, relating to reckless driving.

Section 23109, relating to speed contests or exhibitions.

Subdivision (a) of Section 23110, relating to throwing at vehicles.

Section 23152, relating to driving under the influence.

Subdivision (b) of Section 23222, relating to possession of marijuana.

Subdivision (a) or (b) of Section 23224, relating to persons under 21 years of age knowingly driving, or being a passenger in, a motor vehicle carrying any alcoholic beverage.

Section 23253, relating to officers on vehicular crossings.

Section 23332, relating to trespassing.

Section 24011.3, relating to vehicle bumper strength notices.

Section 27010, relating to [D> pursuit intervention termination management <D] [A> safety track <A] systems.

Section 27150.1, relating to sale of exhaust systems.

Section 27362, relating to child passenger seat restraints.

Section 28050, relating to true mileage driven.

Section 28050.5, relating to nonfunctional odometers.

Section 28051, relating to resetting odometers.

Section 28051.5, relating to devices to reset odometers.

Subdivision (d) of Section 28150, relating to possessing four or more jamming devices.

[D> SEC. 10. <D]

[A> SEC. 11. <A] No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because in that regard this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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



POST Advisory Committee Meeting

Wednesday, April 26, 2000
San Pedro Hilton
2800 Via Cabrillo Marina
San Pedro, CA 90731
(310) 514-3344

Gray Davis
Governor

Bill Lockyer
Attorney General

AGENDA

9:00 A.M.

- | | |
|--|---------------|
| A. Call to Order and Welcome | Chair |
| B. Moment of Silence Honoring Peace Officers Killed in the Line of Duty (Refer to the Commission's Meeting Agenda) | Chair |
| C. Roll Call and Special Introductions | |
| D. Audience Introductions | |
| E. Announcements | Chair |
| F. Approval of Minutes of January 26, 2000 of the POST Advisory Committee | Chair |
| G. Report on the Governor's Awards Ceremonies Held on March 1 in Sacramento (Video Presentation) | Staff |
| H. Report on the California Law Enforcement Image Coalition | Leisha Lekawa |
| I. Presentation and Discussion of Proposed Plan for Instructor Standards | Staff |

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- J. Review of Commission Meeting Agenda and Advisory Committee Comments Staff
- K. Advisory Committee Member Reports Members
- L. Commission Liaison Committee Remarks Members
- M. Old and New Business
- N. Next Meeting

Wednesday, July 19, 2000, 9:00 a.m.
Holiday Inn, San Francisco International Airport

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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



POST Advisory Committee Meeting Minutes

January 26, 2000

Hanalei Hotel

San Diego, CA

CALL TO ORDER

Gray Davis
Governor

Bill Lockyer
Attorney General

The meeting was called to order at 10:00 a.m. by Chairman Bob Blankenship.

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

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

- Allen Sharra, Deputy Sheriff - King's County
- Kirk Brookbush, Inspector - San Francisco Police Department
- James F. Dougherty, Officer - San Francisco Police Department

ROLL CALL AND SPECIAL INTRODUCTIONS

Members Present:

Alex Bernard, Peace Officers' Research Association of California (PORAC)
Robert Blankenship, California Police Chiefs' Association (CPCA)
Charles Byrd, California State Sheriffs' Association (CSSA)
Phil Del Campo, Ph.D., Public Member
Raymond H. Griffith, California Organization of Police and Sheriffs (COPS)
Marty T. Harris, California Specialized Law Enforcement
Derald Hunt, California Association of Administration of Justice Educators (CAAJE)
Mike Reid, California Association of Police Training Officers (CAPTO)
Earl Robitaille, Public Member
Leo Ruelas, California Community Colleges

Al Waters, California Coalition of Law Enforcement Associations (CCLEA)
Woody Williams, California Peace Officers' Association (CPOA)

Members Absent:

Norm Cleaver, California Academy Directors' Association (CADA)
Leisha Lekawa, Women Peace Officers' Association of California (WPOA)
Kevin Mince, California Highway Patrol

Commission Members Present:

Marc Cobb
Joe Flannagan
Monty Holden
Thomas Knutson, Ph.D.

INTRODUCTIONS

Chairman Bob Blankenship introduced and welcomed new Advisory Committee members Sergeant Alex Bernard, Lieutenant Marty Harris, Dr. Phil Del Campo, and Lieutenant Ray Griffith.

Bob Blankenship also invited audience members to introduce themselves. After introductions, Executive Director Ken O'Brien introduced Jan Bullard, Bob Stresak, and Mike Hooper who have recently been hired as POST consultants; each has extensive experience in training law enforcement.

APPROVAL OF MINUTES OF OCTOBER 27, 1999, POST ADVISORY COMMITTEE MEETING

MOTION - Williams, second - Del Campo, carried unanimously to approve the minutes of the October 27, 1999, meeting.

REPORT ON THE CALIFORNIA LAW ENFORCEMENT IMAGE COALITION

Joe Flannagan, past Chairman of the Image Coalition, reported that he enjoyed serving on the Committee in that capacity. Additionally, Joe informed the group that Captain Katie Roberts of the Ontario Police Department has been selected as Chairman of the Image Coalition and that Sergeant Joe Vargas of the Anaheim Police Department has been selected as Vice Chairman.

Joe further reported that the last meeting held in Ontario on January 20 was productive. At that meeting, issues discussed included school violence, teenagers in conflict, and the development of Public Service Announcements (PSAs) and flyers.

Joe also mentioned that POST authorized funding in April 1999 for an educational telecourse, now in video format, entitled *Law Enforcement Image*. The video was submitted for competition to the Law Enforcement Emergency Services Video Association (LEVA), an organization out of Alexandria Virginia, and won second place out of 300 entries.

Tom Hood, of POST staff, added that one of the most important topics discussed, at the January meeting, was the development of an Image Coalition Web site and stated that a prototype has been created. To that end, the Coalition will research purchasing a domain name. Eventually the Web site will provide hyperlinks to other Web sites to disseminate information and messages, including PSAs, to law enforcement organizations.

REPORT ON RECOMMENDED GOVERNOR'S AWARD RECIPIENTS FROM SUBCOMMITTEES

Hal Snow gave the Governor's Award subcommittees report concerning the Governor's Awards. Hal noted that there were 35 nominations that were equally distributed in the three categories. Overall, the nominations were of high quality, and though there were many deserving people and organizations, the subcommittees selected the following:

Individual Achievement Category

1. Angela Witt, Training Officer, DOJ Advanced Training Center -
(For her training on Cold Case Investigation)
2. Ken Whitley, Sergeant, Garden Grove Police Department (Runner-up)
(For his training officer contacts with parolees)

Lifetime Achievement Category

1. Dr. Susan Oliviera, Director of South Bay Regional Training Consortium
(For her co-founding of the Consortium, her work in developing POST's basic training on Sex Crime Investigation, Child Abuse, Victimology, Report Writing - service for 25 + years)
2. Devallis Rutledge, Chief Assistant District Attorney, Orange County
(Runner-up)
(For his law enforcement training on Criminal Law and Evidence)

Organizational Achievement Category

1. Delinquency Control Institute of USC
(For being a model training institute in Juvenile Investigation since 1946)
2. Orange County Sheriff's Department (Runner-up)
(For its Basic Academy and Tactical Training Center - Laser Village)

MOTION - Williams, second - Del Campo, carried unanimously to approve recommendations of the Governor's Award subcommittees.

DEMONSTRATION OF POST FIELD TRAINING OFFICER EVALUATION VIDEO SCENARIOS

Hal Snow introduced Ken Whitman, Center for Leadership Development Bureau Chief, of the POST Commission. Ken presented a portion of a series of videos developed under contract with the San Francisco Police Department. Further, Ken commended the subject matter experts, the San Francisco Police Department, and POST staff for the roles each played in the development of the videos. The videos are designed to prepare Field Training Officers for trainee evaluations – an area that is often sensitive and difficult.

In addition, Ken mentioned that Kate Singer, previously a POST Management Fellow in charge of the FTO project, has accepted a permanent LEC position with POST and will manage some aspects of the FTO Program.

DEMONSTRATION OF NEWLY DEVELOPED DOMESTIC VIOLENCE CD-ROM COURSE

Hal Snow introduced Jan Myyra, Instructional Designer of the Learning Technology Resource Center, who designed and presented the newly developed CD-ROM -- *Domestic Violence First Responder*. The Committee was impressed with Jan's demonstration and product. After the demonstration, some Committee members expressed concern that agencies might fail to utilize this invaluable technology.

To that end, Dick Reed, Bureau Chief of the Training Delivery and Compliance Services Bureau (TD & C), assured members that issues relating to the successful use of software and hardware are addressed at annual Training Needs Assessments (TNAs). He further noted that if there is a need for instruction or assistance TD & C informs members of LTRC who then travel to agencies to assist.

UPDATE ON POST BASIC ACADEMY TESTING

Hal Snow provided handouts for Committee members that summarized and described substantial staff efforts in the update of Regular Basic Course testing. The following areas were included: 1) Alignment of Tests to Regular Basic Course Curriculum, 2) Mid-term and Final Examination Development Study, 3) Revision of Passing Scores in the Regular Basic Course, and 4) Patrol Officer Job Analysis - Knowledge and Skills Analysis.

Additionally, Hal mentioned that Bureau Chief Alan Deal was unable to attend the Advisory Committee Meeting because he recently underwent surgery. He assured the group that Alan was doing well and recovering as expected.

REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS

Hal Snow reviewed and briefed members on the Commission Meeting agenda. Committee members asked for clarification of Item C on the Commission Agenda relating to the Public Hearing to Consider Modifications to Certificate Cancellation Regulations of Penal Code Section 17 (b) (1) or (3). This provision expanded grounds for certificate cancellation to include certain felonies reduced to misdemeanors but has never been enforced. Further, the Attorney General has concluded a legal deficiency exists with this provision. Members of the Advisory Committee, however, agreed to suggest that the Commission re-evaluate rescinding the provision.

MOTION - Byrd, second Del Campo carried unanimously to suggest that the Commission re-evaluate rescinding the Provisions of Penal Code Section 17 (b) (1) or (3).

Additionally, Captain Al Waters of the San Francisco Police Department, representing CCLEA, requested that POST staff research and consider the possibility of compensating agencies prior to training rather than reimbursing after training occurs. Members of CCLEA believe current policy imposes a hardship on smaller agencies. Executive Director Ken O'Brien assured Captain Waters that staff would review current policy. To that end, staff will report back to Al Waters before the next committee meeting.

ADVISORY COMMITTEE MEMBER REPORTS

California Justice Educators' Association CAAJE

Derald Hunt reported that CAAJE is currently planning its annual conference which will be held in Sacramento in April 2000.

California Peace Officers' Association (CPOA)

Woody Williams noted that CPOA, and other members of the Alliance of California Law Enforcement, will be holding its 8th Legislative Day on March 1, 2000, at the Sacramento Convention Center. Woody also stated that the Governor's Awards will be presented at the scheduled luncheon.

Additionally, Woody mentioned that the past COPS West Annual Trade Show was very successful, and a date will be determined for the COPS West II Trade Show.

Phil Del Campo, Ph.D., (Public Member)

Dr. Phil Del Campo reported that he was pleased to be appointed to the Advisory Committee.

California Specialized Law Enforcement

Marty Harris told the group that he was pleased that Sandy Sandoval recommended him to represent Specialized Law Enforcement on the Advisory Committee. Also, Marty noted that Sandy had been a mentor to him throughout his career. Marty added that he looks forward to participating in future meetings.

California Organization of Police and Sheriffs (COPS)

Ray Griffith recognized the California Organization of Police and Sheriffs for giving him the opportunity to become a member of the Advisory Committee. After 31 years in the law enforcement business, he noted that this has been the pinnacle of his career, and he welcomes the opportunity to serve his term.

Additionally, Ray congratulated Commissioner Monty Holden for his recent appointment as Executive Director of COPS. Ray stated that he is looking forward to Monty serving in this capacity and wanted to publicly acknowledge his appreciation for Monty's past accomplishments and looks forward to his progressive leadership.

California State Sheriffs' Association (CSSA)

Charlie Byrd reported that CSSA has established a committee to look at law enforcement communications in emergency situations. Charlie cited, as an example, the Oakland Hills fire where fire and law enforcement personnel had a great deal of difficulty communicating with one another. Further, Charlie noted that CSSA believes improved statewide communication in emergency situations is critical to ensure public safety.

Peace Officers' Research Association of California (PORAC)

Alex Bernard mentioned that he was pleased that PORAC President, Clancy Faria, and past president Steve Craig recommended him for appointment to the Advisory Committee. Further, Alex reported that PORAC had a successfully attended conference in Monterey in November. Alex noted that he serves on the training committee for PORAC, and several classes will be offered including Internal Affairs, Leadership and Ethics, Basic Collective Bargaining, Advanced Collective Bargaining, Political Action, and Advanced Political Action. In April, there will be an Issues in Labor Symposium in Reno that deals with Line of Duty Deaths, Dealing With the News Media, and Legislative Update.

California Community Colleges

Leo Ruelas stated that California Community Colleges are developing a new state plan in order to become eligible for \$13 million dollars from the federal government. Ten million dollars is the portion that Community Colleges can tap into to establish joint ventures for education. Leo stated that the federal government is allowing more flexibility in the use of funds; however, mandates for accountability are paramount. To that end, future funding is based upon meeting specific goals and targets. In short, the use of the \$13 million will revolve around program accountability, curriculum development, professional development, student support, and partnership development. To meet the need of partnership development, Leo stated that communication between the colleges and POST is vital.

California Police Chiefs' Association (CPCA)

Bob Blankenship reported that CPCA is holding a conference in Monterey in February. Also, Bob mentioned that CPCA has successfully utilized grant moneys to fill positions, but members recognize a need to consider other means of obtaining funding, including the Federal and State governments, when grants terminate.

OLD AND NEW BUSINESS

Hal Snow reported that we have the reappointment of two advisory committee members, Leo Ruelas who represents California Community Colleges and Chief Kevin Mince of the California Highway Patrol.

Hal Snow gave an update on the status of the Basic Course Transition Pilot Program. Hal gave the following background for those unfamiliar with the program: Three years ago, the Commission authorized a pilot program with selected community colleges to present Part I of the cognitive areas of the Regular Basic Course and, after completion, successful individuals would pass the test and advance to part II of the Regular Basic Course. However, there are few graduates and even fewer individuals who have passed the test. To address the issue, Hal stated that POST will hold a meeting, in Sacramento, on March 16 beginning at 10:00 a.m. and ending at Noon on March 17. At that meeting, POST staff will collaborate with college staff from participating colleges to determine whether to continue, modify, or terminate the pilot. A report with recommendations will be prepared for Commission review at the July meeting.

Additionally, Bob Blankenship suggested that the Advisory Committee meetings begin at 9 a.m. rather than 10:00 a.m.

MOTION - Waters, second Del Campo carried unanimously to move the Advisory Committee meetings from 10:00 a.m. to 9:00 a.m.

FUTURE COMMITTEE MEETINGS

Next Advisory Committee Meeting
April 19, 2000 - 9:00 a.m.
San Pedro Hilton

Adjournment: 12:10 p.m.

Respectfully Submitted,

Karen Hightower

Karen Hightower
Secretary