

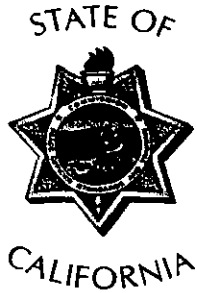
June 1, 2004

The November 2, 2000 POST Commission Meeting was cancelled for lack of quorum. The items outlined in the Commission Meeting Agenda were carried over to the January 25, 2001 Commission Meeting.

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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, November 2, 2000

Holiday Inn Northeast

5321 Date Avenue

Sacramento, CA 95841-2597

(916) 338-5800

AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

CALL TO ORDER - 10:00 A.M.

COLOR GUARD AND FLAG SALUTE (Sacramento Sheriff's Department)

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

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

- Robert "Bobby" Mata, Officer, Los Angeles Police Department
- Gerald Silvestri, Officer, San Bernardino Police Department

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

PRESENTATION OF RESOLUTION TO DERALD HUNT, FORMER ADVISORY COMMITTEE MEMBER

APPROVAL OF MINUTES

- A. Approval of the Minutes of the August 23, 2000, Commission meeting at the DoubleTree Hotel in Ontario, California.



CONSENT CALENDAR

B.1 Receiving Course Certification Reports

Since the July 2000 meeting there has been 70 certifications, 161 decertifications, and 170 modifications.

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

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

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

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

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

- The Ventura County Community College District Police Department has met the Commission's requirements and has been accepted into the POST Regular (Reimbursable) Program.
- The Siskiyou County District Attorney's Office has met the Commission's requirements and has been accepted into the POST Regular (Reimbursable) Program.
- The Glendale Community College District Police Department has met the Commission's requirements and has been accepted into the POST Regular (Reimbursable) Program.
- The San Benito County Marshal's office has met the Commission's requirements and has been accepted into the POST Regular (Reimbursable) Program.
- The Inglewood Unified School District Police Department has met the Commission's requirements and has been accepted into the POST Regular (Reimbursable) Program.

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

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

- Orange County Marshal's Department has merged with the Orange County Sheriff's Department as a result of a reorganization of county government, effective July 1, 2000.
- Solano County Coroner's Office has merged with the Solano County Sheriff's Department as a result of a reorganization of county government, effective January 4, 1999.
- Elk Grove Unified School District Police Department has disbanded and will convert to a Security and Safety Division under the California Department of Consumer's Affairs.

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

B.5 Report on Job Task Analysis for Patrol Officers

POST's Strategic Plan Objective A.11 calls for the completion of a job analysis on the entry-level patrol officer position. The project is designed to provide a basis for review and revision of the Basic Course training curriculum. It is necessary to ensure that all training in the revised course is essential to preparing the trainee to successfully perform as a peace officer (i.e., is job related). This project is now completed and the resulting database is being used to continually reassess regular basic course curriculum.

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

B.6 Report on MIDP Evaluation

At its April 2000 meeting, the POST Commission authorized an in-depth evaluation of the Master Instructor Development Program (MIDP). While the program has been successful in producing high quality master instructors since its inception in 1991, both enrollment and graduation figures for the past several classes have been comparatively low. Other factors prompting review of the program are unevenness in the quality of course final projects and

uncertainty as to the degree of ongoing involvement in training activities by graduates (and non-graduates).

A team of educational technology experts (from San Diego State University and San Jose State University) began an in-depth four-month program evaluation during May. The evaluation team focused its efforts in three areas: program design and processes, program effectiveness, and program graduates' ongoing activities. Data collection was accomplished through surveying of all program graduates (including those who did not complete the program) and through in-person and telephonic interviews. A wide variety of program materials were reviewed, and the evaluators also participated directly in program workshops conducted during the evaluation period.

While the evaluators had very high opinions of the MIDP goals and its capability of building important learner-centered skill sets, they identified several areas for improvement: multi-media technology, student assessment/feedback protocols, post-graduate training opportunities, marketing (for recruitment), candidate retention, broad POST liaison, and instructional systems design fundamentals.

It is requested that the Commission accept this report for informational purposes.

B.7 Report on Law Enforcement Officers Killed

The Law Enforcement Officers Killed and Assaulted in the Line of Duty (LEOKA) report for the period from 1995 through 1999 has been completed and will be distributed to the field in the near future. Attached to the Agenda Item is the report's Executive Summary.

This report is provided for informational purposes.

PUBLIC HEARINGS

C. Public Hearing To Consider Modifications to Certificate Cancellation Regulations

At the January 2000 meeting, the Commission conducted a public hearing related to the rescission of a portion of Regulation 1011(b), pertaining to the cancellation of the POST Basic Certificate. As a result of the public testimony and discussion, the Commission directed the creation of a broad-based committee to study the issue of the cancellation of the POST certificate. The

committee was directed to provide the Commission with its recommendation(s) concerning the issue when it completed the study. Chairman TerBorch appointed Woody Williams, Advisory Committee, to chair the committee which includes representatives from every major law enforcement management and labor organization and association. Attachment A to this report presents the committee.

The Committee met in April and June 2000 to review Commission Regulation 1011(b) and consider the broader issue of the cancellation of the POST Basic Certificate. At the conclusion of the meeting on June 1, 2000, in Sacramento, the Committee unanimously approved the following recommendation to the Commission:

- Amend Regulation 1011(b) by adopting the language proposed by the Committee. The specific language that is recommended is: "Certificates may be denied or canceled when the person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense."

The report and recommendations of the Committee were presented to the Commission at its August 23, 2000 meeting in Ontario. The Commission, by unanimous vote, set the public hearing for the November 2, 2000 meeting.

This proposed amendment has been reviewed informally by the Commission's legal counsel and the representative of the CDAA on the Committee. Both agree this amendment provides sufficient legal authority for the Commission to cancel a certificate for the conviction of specified felony crimes that are reduced pursuant to Penal Code Section 17(b). This recommended amendment eliminates the deficiency that made the current subsection of Regulation 1011 unenforceable.

It is now proposed the Commission amend Regulation 1011(b) and Procedure F-2. This proposal is based in large measure upon the recommendation of the broad-based Professional Certificate Review Committee that was created by and worked at the direction of the Commission.

Subject to the results of the public hearing, the appropriate action would be a MOTION to amend Regulation 1011(b) and Procedure F-2 to authorize cancellation of the Basic Certificate for conviction of a felony that is reduced

to a misdemeanor pursuant to Penal Code Section 17(b)(1) or (b)(3) which involves unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense.

D. Public Hearing to Consider Establishing Perishable Skills Training 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.

It is proposed that POST Regulation 1005(d)(2) and Procedure D-2 be amended to require all regular and specialized peace officers below the middle management position (i.e. officers and first level supervisors) assigned to patrol, traffic, or investigation who routinely effect the physical arrest of criminal suspects to complete a minimum of 12 hours in specified perishable skills training and 2 hours of communications (tactical and interpersonal) training every two year period as part of the 24 hour CPT requirement. (NOTE: Law enforcement agencies which do not fall within the above defined scope may, as an option, elect to voluntarily conduct 12 hours of perishable skills training and 2 hours of communications training as part of their 24 hour CPT requirements). 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 three perishable skills, and communications, are as follows:

- | | |
|---|---------|
| 1. Arrest and Control | 4 hours |
| 2. Driver Training/Awareness or Driving Simulator | 4 hours |
| 3. Tactical Firearms * or Force Options Simulator | 4 hours |
| 4. Communications (tactical and interpersonal) | 2 hours |

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

Rationale for Requirement

1. Without periodic refresher training and practice major psychomotor skills (driving, shooting, and self defense/arrest methods) diminish over time.
2. Refresher training in these skills may reduce officer/citizen injuries or deaths, internal investigations, or agency liability.
3. Many California law enforcement agencies already recognize this training need and routinely provide it to their officers

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.

At the July 20, 2000 meeting, the Commission initially considered this issue and moved to reset it for public hearing at the November 2, 2000, meeting.

It is recommended that subject to the results of a public hearing that the Commission amend Commission Regulation 1005 (d) (2) and Commission Procedure D-2 to require specified "Perishable Skills" and Communications as part of the Continuing Professional Training requirement and that these changes take effect January 1, 2002.

E. Public Hearing on Proposal to Amend Regulation 1015(e) to Authorize Backfill Reimbursement for Public Safety Dispatchers and Dispatch Supervisors

The Commission, at its October 1999 meeting, approved backfill reimbursement for public safety dispatchers and dispatch supervisors. This

action recognized the critical role of dispatchers in providing community service and ensuring the safety of officers in the field. However, Regulation 1015(e) authorizes backfill reimbursement only for peace officers. This proposed amendment will authorize backfill reimbursement for Public Safety Dispatchers and Dispatch Supervisors as previously approved by the Commission.

Subject to the results of the public hearing, the appropriate action would be a MOTION to amend Regulation 1015, as proposed, to authorize backfill reimbursement for public safety dispatchers and dispatch supervisors.

BASIC TRAINING

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

On September 1, 2000, Governor Davis signed into law Senate Bill 1955 which will become effective January 1, 2001. This bill amends Penal Code Section 832.6 by providing a provision for a reserve officer who has previously satisfied training requirements pursuant to this section, and has served as a Level I or Level II reserve officer within the three-year period prior to the date of a new appointment to remain qualified as to POST training requirements if that officer accepts a position at the same or lower level. If the break in service is three-years or longer, the individual will be responsible for meeting the current minimum training requirements as required by Regulation 1007(b).

Current law allows Level I and Level II reserve peace officers to transfer to another law enforcement agency, at the same level, without having to meet any new training requirements that may have been established since their original appointment. The transfer has to be accomplished without a break in service between agencies. If there is any break in service, the individual is required to meet current training standards. Senate Bill 1955 addresses this issue by eliminating the no break in service requirement.

The proposed amendments to Regulation 1007 and Commission Procedure H-3 are intended to establish provisions for former Level I and II reserve officers to accept new appointments, at the same or lower level, with a less than three-year break in service, thus bringing POST's regulations into consistency with state law.

If the Commission agrees with the proposed amendments, it is proposed that the Notice of Proposed Regulatory Action process be used. If no one requests

a public hearing, the amendments would become effective 30 days after approval by the Office of Administrative Law.

If the Commission concurs, the appropriate action would be a MOTION to approve, subject to results of the Notice of Proposed Regulatory Action, the modifications to Regulation 1007 and Procedure H-3 as described.

G. Contract Request for Management Fellow (Workbook Updates)

The Commission authorized the development of the Basic Course Student Workbook Instructional System to support the Regular Basic Course (RBC) and the Specialized Investigators Basic Course (SIBC). This instructional system includes student workbooks, instructor guides, and instructional videos. There are currently 41 Learning Domains that are supported by student workbooks and instructor guides and four SIBC workbooks under development. While the workbooks are foundationally correct and educationally strong, staff and the field periodically identify minor errors that need correction. Additionally, the workbooks must be updated on a timely basis to ensure that legal and other changes are made annually.

The BTB has conducted extensive research and evaluation while successfully managing pilot workbook update meetings using part-time (annuitant) personnel to develop the proposed system. The results of BTB's pilot project research revealed that the workload involved in this process is beyond the current staff's ability to manage. Additional staff resources are required for this purpose. In order to meet the immediate need and to ensure that these revisions are timely for the field, it is important that the services of a Special Consultant (Management Fellow) be obtained to assist and work with existing staff. POST has used the services of Special Consultants in the past for a variety of different projects. The use of a Special Consultant in this case is appropriate and consistent with past practice.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into an Interagency Agreement with a governmental agency for the services of a Special Consultant (Management Fellow) to assist with revising and updating Basic Course Student Workbooks for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. (ROLL CALL VOTE)

MANAGEMENT COUNSELING

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

Since 1990, all persons seeking new peace officer designation through legislation must first request a feasibility study by POST. Assembly Bill 1494 amended Penal Code sections 13540-42 to expand the study requirement to include persons who are currently peace officers and who desire a change in peace officer designation or status. Assembly Bill 1494 took effect July 7, 2000.

Commission Regulation 1019 provides for the feasibility study and recommendations to be made on requests for *new* peace officer status, but does not address studies for *changes* in peace officer designation. The proposed changes to Regulation 1019 will expand the feasibility study requirement to include requests for changes in peace officer status or designation in accordance with Penal Code Section 13540(b) and bring the regulation into compliance with Penal Code Section 13542 with regard to requirements for a favorable recommendation and time limits for completion of the study.

If the Commission concurs, the appropriate action would be a MOTION to amend Regulation 1019, as proposed, subject to results of Notice of Proposed Regulatory Action. The proposed changes will become effective 30 days after approval by the Office of Administrative Law.

STANDARDS AND EVALUATION BUREAU

I. Request for Approval of Contract to Produce Recruitment Videos and Handbook

At the November 1999 meeting, the Commission approved a contract for services of a Special Consultant (Management Fellow) to research and identify programs and strategies that may assist local law enforcement agencies in recruiting law enforcement officers. Sgt. Lori Lee of Vallejo Police Department was subsequently selected for this assignment. Under her oversight, much progress has been made on the POST Recruitment Project, including the conceptualization of two recruitment videos and a handbook that will benefit hiring agencies. This is a request for the funding of those products.

The appropriate action, if the Commission concurs, would be a MOTION to authorize the Executive Director to enter into a contract with KPBS for the development of two recruitment videotapes and the services of an instructional designer to assist in the development of a handbook, at a total cost not to exceed \$210,000. (ROLL CALL VOTE)

J. Request for Approval to Contract to Provide Two Special Courses of Training to Academy Physical Training Instructors

The current POST strategic plan calls for increasing entry-level selection standards in the area of physical ability (A.3, Component II) and it calls for expanding instructor development opportunity (B.8), this request supports both strategic plan objectives. At the present time, POST is in the process of reviewing and revising the POST physical training program and developing a pre-academy physical fitness standard.

From time to time, POST has found it beneficial to have training provided to academy physical fitness staff. By providing this training, POST will broaden academy physical training instructors' capabilities to assist POST in the review of the physical training program and the development of a pre-academy standard. In addition, these instructors can use the same tools at their own agencies to update and modify physical training programs.

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

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with the Cooper Institute for Aerobic Research to present the Police Physical Fitness Specialist Course and the Advanced Physical Fitness Specialist Course to assist in the implementation of Strategic Plan Objectives A.3, and B.8, at a cost not to exceed \$30,000. (ROLL CALL VOTE)

TRAINING PROGRAM SERVICES BUREAU

K. Specialized Training Instructor Requirements

Pursuant to the Commission-approved Plan for Instructor Training Requirements and Certification, regulations have been prepared to formalize existing prerequisites for instructors of specialized training courses. This is in furtherance of "Step 3" of the Plan. POST has maintained an expectation that persons who instruct in certain high risk/liability areas should attend a POST-certified instructor development course (or an equivalent one) on the related subject area. Such subjects include arrest and control techniques, defensive tactics, driver training, and firearms training. The regulations also encompass training requirements for certain key basic academy staff.

The pertinent instructor development courses already exist and have been presented for years. Most training presenters have required their instructors to complete these courses. The proposed regulations include provisions for equivalency determinations to exempt qualified instructors from the training requirements.

The proposed effective date of the regulations is July 1, 2002. Training costs will be shared among POST, presenters, and instructors. Both the broad-based Instructor Standards Advisory Council and the Basic Course Consortium have supported the spirit of the regulations.

The appropriate action, if the Commission concurs, would be a motion to approve, subject to results of a Notice of Proposed Regulatory Action, the proposed regulations to establish training requirements for instructors who teach specialized subjects in POST-certified courses, as well as for certain key basic academy staff.

L. Proposed Curriculum Revisions to Aviation Security Course

Penal Code section 832.1 mandates completion of POST-approved "Airport Security" training for all airport security officers, airport policemen, and airport special officers. Enacted into law in 1973, the 20 hour course was last updated in 1983. Currently, there are three presenters of this course: San Francisco Police Department, Los Angeles World Airport Police, and the San Jose Police Department.

Recognizing many airport conditions have changed in recent years and that the POST's curriculum requirements were out of date, POST launched a review process that involved the training presenters as well as practitioners.

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

If the Commission concurs, the appropriate action would be a motion to approve amendments to Regulation 1081(a)(2) concerning Airport Security subject to the results of a public review process. If no one requests a public hearing, these changes will go into effect upon approval of the Office of Administrative Law.

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

A management fellow is requested to research and implement up to four new pieces of legislation requiring POST to expand and recast our elder abuse training (AB 1819), establish and keep updated a classroom training course relating to intervention with developmentally disabled persons (AB1718), develop racial profiling curriculum (SB1102), and to implement a course of instruction and write guidelines for law enforcement response to stalking cases (SB1539). Staffing for the implementation of these bills will require one full-time consultant for one year. Existing staff resources are insufficient to address these legislative mandates in a timely fashion as required by law.

If the Commission concurs the appropriate action would be a MOTION to authorize the Executive Director to contract with a local law enforcement agency for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits. (ROLL CALL VOTE)

N. Contract Request for VAWA Grant Continuation

In August 1997, the Commission voted to accept a VAWA Law Enforcement Grant in the amount of \$2,929,112.

Over the past three years, the Commission has approved additional augmentations to the grant bringing the current total to \$7,038,179. This amount includes \$1,759,545 for in-kind match POST contributes through staff and subject matter expert hours.

On July 12, 2000, the Office of Criminal Justice Planning (OCJP) VAWA Task Force approved additional funding for 2000-01 in the amount of

\$695,000 to maintain the current level of course presentations for one year. This amount includes \$173,000 additional in-kind match.

A proposed spending plan is described in the enclosed report.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to accept the 2000 - 2001 grant funds and authorize the Executive Director to contract with San Diego Regional Training Center in an amount not to exceed \$472,580. (ROLL CALL VOTE)

O. Request for Approval to Contract for the Design and Pilot of ICI Identity Theft, ICI Class Administrator and ICI Gang Investigation Courses in an Amount not to Exceed \$83,639.

More than 500,000 people nationwide will become identity theft victims in the year 2000, an increase of more than 450,000 annual cases over the last 5 years. Funds are requested to complete curriculum design and pilot this 5-day class which is intended for sworn officers and deputies assigned to the investigation of identity theft.

Presenters and Class Administrators for ICI courses play a pivotal role in the successful delivery of these sophisticated training programs. This course will be required for all presenters to insure that the high technology and adult experiential learning is taking place in each of the 130 ICI classes given each year. The funds requested will permit the completion of the curriculum design and one pilot of this 3-day course.

Over the past 2 years interest has remained high from law enforcement agencies and the State legislature concerning the content and availability of gang follow-up investigation courses. The funds requested will permit the completion of curriculum and two pilot presentations (one in the south and one in the north) of an 5-day ICI Gang Investigations course.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with San Jose State University for the design, update and one pilot each of the ICI Identity Theft and ICI Class Administrator courses, and the design, update and two pilot presentations of the ICI Gang Investigation course, and the development of guidelines for the investigation of identity theft in an amount not to exceed \$83,639. (ROLL CALL VOTE)

EXECUTIVE OFFICE

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

In June 2000, Steve White, Inspector General, submitted a request to staff to accept the Office of the Inspector General in the POST Specialized Program. Penal Code Section 6125 creates the "independent office of the Inspector General, which shall not be a subdivision of any other governmental entity." The Inspector General is appointed by the Governor and is subject to Senate confirmation.

It is well accepted that the Commission's primary duty and responsibility is to local law enforcement. The Commission on Correctional Peace Officer Standards and Training (C-POST) was created solely to standardize and provide uniformity in the selection and training for State correctional agencies and personnel. The position of C-POST is that they have the responsibility, by law, to establish the training and certification programs for the IG.

Penal Code Section 6126.1 defines a correctional certification and training program for the IG that is separate from the law enforcement POST program. It appears the Legislature intended to recognize C-POST as the training entity for correctional personnel.

The Commission has not previously considered the inclusion of State correctional agencies or personnel in the POST program.

The Commission has two options to respond to the request from the Inspector General:

1. Decline to accept the Inspector General into the POST program;
2. Accept the Inspector General into the POST program and cooperate with C-POST and YACA develop a program that is appropriate for the work environment;

This report is provided for the Commission's consideration and decision in response to the request from the Inspector General to join the POST Specialized Program.

COMMITTEE REPORTS

Q. Long Range Planning Committee

Ted Hunt, Chairman of the Long Range Planning Committee will report on issues discussed at the Committee meeting held on October 3, 2000 in Ontario.

R. Advisory Committee

Bob Blankenship, Chairman of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on November 1, 2000, in Sacramento. The issues to be heard at that meeting include the following:

- Election of Officers
- Input on Commission Agenda Items

S. Finance Committee

Commissioner Tom Knutson, Chairman of the Finance Committee will report on the issues discussed at the Committee meeting held on November 1, 2000, in Sacramento.

T. Legislative Review Committee

Commissioner Monty Holden, Chairman of the Legislative Review Committee will report on the issues discussed at the Committee meeting held on November 2, 2000, in Sacramento.

OLD/NEW BUSINESS

U. Advisory Committee Appointments

- POST advisory Committee member Earle Robitaille, representing the public, has accepted an appointment as an Intermittent POST Law Enforcement Consultant and therefore is no longer eligible to serve on the Advisory Committee. A vacancy exists for this position.
- Reappointment of Leisha Lekawa to the POST Advisory Committee, as a representative of the Women's Peace Officer Association.

FUTURE COMMISSION MEETINGS

January 25, 2001, Piccadilly Inn Airport, Fresno
April 19, 2001, Airport Inn International, San Jose
July 19, 2001, to be determined

Adjournment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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



COMMISSION MEETING MINUTES

Wednesday, August 23, 2000

Doubletree Hotel
222 North Vineyard
Ontario, CA

Gray Davis
Governor

Bill Lockyer
Attorney General

Chairman Ted Hunt called the Commission meeting to order at 11:10 a.m., and led the flag salute.

There was a moment of silence to honor peace officers who have been killed in the line of duty.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners present:

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

Visitors present:

Steve Craig, Director of Security, California State Lottery
Gary Winuk, Deputy Director of Special Projects, OCJP
Dennis Cole, San Diego Sheriff, CADA
Nigel C. Smith, Ontario Airport
Alex Bernard, POST Advisory Committee

Staff present:

Kenneth J. O'Brien, Executive Director
Hal Snow, Assistant Executive Director, Standards & Development Division
Mike DiMiceli, Assistant Executive Director, Field Services Division
Paul Harman, Bureau Chief, Information Services
Anita Martin, Administrative Assistant, Commission Secretary

APPROVAL OF MINUTES

- A. MOTION - Hawkins, Second - Knutson, carried unanimously to approve the minutes of the April 27, 2000, and the July 20, 2000, Commission meetings at the Hilton Hotel in San Pedro, and the Holiday Inn in South San Francisco, respectively.

BASIC TRAINING BUREAU

- B. Report on Pilot Transition Basic Program

Based upon evaluation data and recommendations from the pilot presenters and the Consortium of Academy Directors and Coordinators, staff is recommending that the Transition Program - Pilot Format be eliminated as an alternative delivery format of the Regular Basic Course. It was proposed that the process of canceling the program be done in two phases to allow students who have already begun the program to complete it.

MOTION - Kolender, Second - Hawkins, carried unanimously to approve the amendments to Commission Procedure D-1, as proposed, eliminating the *Transition Program - Pilot Format* as an alternative delivery format of the Regular Basic Course, effective January 1, 2002.

- C. Proposed Revisions to Basic Course Training Specifications

This item is a proposal for changes to the manner in which standards are articulated for the Basic Course. Staff's recommendation consisted of consolidating two documents into a single, new, document called, *Training and Testing Specifications for Peace Officer Basic Courses*. This change will improve not only the regular Basic Course but the Specialized Investigators' Basic Course, as well as the Reserve Modules. There are minor technical and curriculum changes which have occurred as a result of the development and update of Basic Course Workbooks. Staff reported that this item is supported by the Academy Directors.

MOTION - Kolender, Second - Flannagan, carried unanimously to adopt, subject to results of a Public Notice of Regulatory Action, the new document, *Training and Testing Specifications for Peace Officer Basic Courses*, in place of the documents, *Training Specifications for the Regular Basic Course* and *Training Specifications for the Regular Basic Course - Modular Format*, and approve modifications to Regulations 1005, 1007, Procedure D-1, and the document *Training Specifications for the Specialized Investigators' Basic Course*. Changes to be effective following approval by the Office of Administrative Law.

D. Report and Presentation on Basic Course Workbook Project

Staff reported that this three-year project has now been successfully completed. In 1997, after a successful pilot program, the Commission contracted to have learning domain materials converted into student workbooks and original workbooks updated and reformatted for consistency with new material. 82 documents, including 41 Student Workbooks and 41 corresponding Instructor Guides, have been completed within budget and delivered to POST, making California the first state to produce workbooks in this volume. This major project has the effect of improving and standardizing instruction, as well as securing better test results. It is anticipated that this effort will have a lasting impact on Basic Training.

The workbooks were on display for review by the Commission and guests.

MOTION - Knutson, Second - Holden, carried unanimously to accept the report.

CENTER FOR LEADERSHIP DEVELOPMENT

E. Report on the Cost-Benefit Analysis of the Command College Program

In response to the Commission's request in January 2000, the staff report on the cost-benefit of the Command College program was presented for the Commission's review.

Commissioner Cobb indicated that the report had resolved his questions concerning this issue.

MOTION - Cobb, Second - Kolender, carried unanimously to accept the report.

INFORMATION SERVICES BUREAU

F. Regulatory Review and Clean Up

Staff reported that, pursuant to an Executive Order to identify unnecessary or redundant regulations, this item amends Regulations 1020-1080 and is intended to clarify and assure accuracy and consistency.

MOTION - Knutson, Second - Flannagan, carried unanimously to accept the proposed amendments. The Notice of Proposed Regulatory Action process will be used, and the changes will become effective 30 days after approval by the Office of Administrative Law.

STANDARDS & EVALUATION SERVICES BUREAU

G. Request for Approval to Contract for Management Fellow to Research and Identify Strategies to Implement a Physical Fitness Minimum Qualification

The current POST strategic plan calls for increasing selection standards in the area of physical abilities. At the present time, POST has no guidelines or standards in the area of pre-academy screening of physical abilities. Staff recommends that a management fellow review existing law enforcement physical ability selection tests, current court cases involving physical fitness testing for law enforcement selection, current physical fitness testing theory, and recommend a measurable physical fitness minimum qualification.

MOTION - Hawkins, Second - Kolender, carried unanimously, by ROLL CALL VOTE, to authorize the Executive Director to contract with a local law enforcement agency for a special consultant (Management Fellow) to study physical fitness issues for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits.

H. Contract Request for Psychological Assessment Consulting Services

It has been determined that POST's psychological screening guidelines for peace officers are not in conformity with federal requirements. Consistent with the Strategic Plan, it is proposed that these screening guidelines be examined and brought up to-date. To that end, staff proposes that POST enter into contracts with Dr. Deniz Ones and Dr. Gerald Sumprer.

There was a brief discussion concerning this Agenda item. Staff advised that Dr. Sumprer will update POST's guidelines; Dr. Ones will be given the task of recommending a proposed standard for personality assessment.

MOTION - Kolender, Second - Cobb, carried unanimously, by ROLL CALL VOTE, to authorize the Executive Director to create a sole source agreement for the services of Dr. Deniz Ones to assist in the implementation of Strategic Plan items A.8.I and A.8.II, at a cost not to exceed \$47,000, and to enter into an interagency agreement with the State Personnel Board for the services of Dr. Gerald Sumprer at a cost not to exceed \$67,000.

TRAINING DELIVERY AND COMPLIANCE

I. Report on Proposal to Amend Regulation 1015(e) to Authorize Backfill Reimbursement for Public Safety Dispatchers and Dispatch Supervisors

Public Safety Dispatchers and Dispatch Supervisors are not currently eligible for backfill reimbursement. Commission Regulation 1015 (e) authorizes reimbursement only for peace officers. Staff proposed authorization of backfill reimbursement for Public Safety Dispatchers and Dispatch Supervisors. New regulations would be required and a public hearing is recommended.

MOTION - Holden, Second - Kolender, carried unanimously, to schedule a public hearing on this matter at the November 2, 2000, meeting.

TRAINING PROGRAM SERVICES BUREAU

J. Contract Request for Analysis and Design for Driver Training CD-ROM Course

The Commission has recognized the need for refresher driver training and established regional skills training centers that include driving simulators. The simulators give students practice in judgment and decision making in situations that are too dangerous for behind-the-wheel training.

This issue addressed the question of whether POST should enter into a contract with San Diego State University and KPBS to perform an analysis of needs and training requirements and develop a high-level design for a CD-ROM driver training course for California law enforcement.

The analysis/design project should be completed within six months following the signing of the contract and would not exceed \$70,000. After the completion of the analysis and design work, it will be possible to determine the cost of course development, and staff would then prepare a report with recommendations for the Commission.

MOTION - Kolender, Second - Hawkins, carried unanimously, by ROLL CALL VOTE, to authorize the Executive Director to enter into a contract with San Diego State University and KPBS to perform an analysis and develop a high-level design for a CD-ROM driver training course for California law enforcement. The total amount of the contract not to exceed \$70,000 for a term of six months.

K. Contract Request for Additional Regional Skills Training Centers

A budget change proposal (BCP) was submitted and approved for the 2000/2001 fiscal year, and approximately \$6.5 million was allocated for expansion of Regional Skills Training Centers, as well as to address the perishable skills refresher training for in-service officers.

A portion of the BCP provided for the purchase of new driving and force options simulators to implement an in-service training program. Four sites have been identified for establishing new Regional Skills Training Centers, with the total cost to be \$1,600,000.

Additionally, staff reported that it has become necessary to modify and/or upgrade five existing Regional Skills Training Centers in order to meet POST's training commitments. The modifications and upgrades total \$1,650,000.

The BCP also allotted funds to provide for additional equipment for each center necessary to enable law enforcement agencies to satisfy the perishable skills training needs. The total cost for such equipment is \$2,273,892.

It will be necessary to continually train instructors to deliver the simulator courses as the development of the centers progresses. The instructor training courses are being delivered at three locations, and staff recommended POST enter into contracts with the presenters for a total cost of \$128,000.

There was a brief discussion concerning this issue. In response to Commission inquiry, staff reported that contract language was being used to require skill centers to become operable within a period of six months from the time they receive contract approval.

MOTION - Knutson, Second - Flannagan, carried unanimously by ROLL CALL VOTE to accept the report and authorize the Executive Director to enter into contracts with the various proposed organizations for the specified expenditures totaling \$5,651,892.

L. Request for Production of Driving Simulator Scenarios

For the past several years, the Commission has contracted with agencies that have driving simulators to hire instructors to develop scenarios for use by the Regional Skills Centers in California that present this training. The scenarios, which require specialized expertise to create, are critical to the success of the program. To date, more than 100 scenarios have been developed.

There is a need to have "fresh" scenarios, especially for officers who may be taking simulator training a second time. Also, with the addition of updated driving simulators that have new features (for example, freeway ramps, rural areas), new scenarios will be required. It is proposed that POST contract with the San Bernardino County Sheriff's Department to provide these services.

MOTION - Hawkins, Second - Holden, carried unanimously, by ROLL CALL VOTE, to authorize the Executive Director to contract with the San Bernardino County Sheriff's Department for \$33,000, for fiscal year 2000/2001, to develop driving simulator scenarios.

M. Royalty Agreements for Driving Simulator Scenarios

Until recently, Doron Precision Systems, Inc. was the only manufacturer of driving simulators that met POST's specifications to provide scenarios to sites outside of California. POST's marketing agreement with Doron specifies that, for each sale outside California, POST receive a \$2,500 royalty payment, paid on a quarterly basis.

Recently, two other companies, FAAC, Inc., and I-SIM, have also met POST specifications and have sold driving simulators to California law enforcement agencies. These companies are also interested in having marketing agreements with POST similar to the one POST has with Doron in order to provide the scenarios to customers outside California. All three companies provide the scenarios and instructor guides free of charge to agencies in California purchasing the simulators.

MOTION - Kolender, Second - Holden, carried unanimously to authorize the Executive Director to enter into agreements with FAAC, Inc., and with I-SIM, Inc., to market, on a nonexclusive basis, 70 POST driving simulator scenarios and instructor guides through June 30, 2002, and to provide POST a \$2,500 royalty payment for each out-of-state sale.

N. Professional Certificate Committee

At the January 2000 meeting, the Commission conducted a public hearing related to the rescission of a portion of Regulation 1011 (b) pertaining to the cancellation of the POST Basic Certificate. As a result of the public testimony and discussion, the Commission suspended the public hearing and created a broad-based committee to study the issue and provide recommendations.

Staff reported that, pursuant to Commission direction, the committee was composed of various representatives, including labor, management, and the public sector. The committee reached consensus on this issue early on, completed its work and provided recommendations to the Commission at the July 20, 2000, meeting.

The committee recommendation was to amend Regulation 1011(b) to provide sufficient authority to enable the Commission to cancel a Basic Certificate in specified situations.

Staff recommended that the Commission act on the recommendations of the Committee in the following manner:

That the public hearing opened at the January 2000 Commission meeting be closed without further action; and

A public hearing be set for the November 2, 2000, meeting to amend Regulation 1011(b) concerning the cancellation of a POST Basic Certificate for specified felony convictions that are reduced pursuant to Penal Code Section 17(b)(1) or (3).

MOTION - Knutson, Second - Flannagan, carried unanimously, that the public hearing on this issue, opened at the January 2000 Commission meeting, be closed without further action.

Chairman Hunt stated that since it appears to be a certainty that AB 2449 (Wildman), which pertains to this issue, will be amended, it may be preferable to postpone the public hearing until the January meeting to enable staff to adequately study the effects of this legislation.

During the ensuing discussion, it was reported that AB 2449 will be amended with language to greatly restrict POST in its ability to revoke certificates other than in instances where an officer is convicted of a felony. The proposed new language would change current law, which now states that POST certificates are the property of the Commission, and instead designate the recipient of the

certificate as its owner. This limit upon POST's authority is based on the premise that POST is an educational and training entity and not a licensing agency.

Commissioner Baca noted that if this bill becomes law, with proposed amendments, it would weaken the authority of the Commission and prevent the Commission from doing its job. In essence, the Legislature would become a surrogate authority over the Commission which would likely discourage the most qualified individuals from desiring to serve as commissioners.

Commissioner Baca stated that because the Commission's responsibility is to set standards as well as to train, the issue of personal integrity must have true meaning. Since every peace officer takes an oath of office to protect and defend the state and federal constitutions, if he or she then willingly violates the law, it is also a violation of the oath of office. The Commission must not send the message to peace officers that this oath means nothing. Peace officers must know that if they are convicted of a crime, they will lose their certificates and, hence, ability to work in law enforcement.

MOTION - Hunt, Second - Holden, carried unanimously, to set a public hearing for the November 2, 2000, Commission meeting to amend Regulation 1011(b) concerning the cancellation of a POST Basic Certificate for specified felony convictions that are reduced pursuant to Penal Code 17(b)(1) or (3).

MOTION - Knutson, Second - Flannagan, carried unanimously, to direct staff to study the process for an appeal of the cancellation and related issues, and report to the Long Range Planning Committee for the October 3, 2000, meeting at the DoubleTree Hotel in Ontario.

FUTURE COMMISSION MEETINGS:

November 2, 2000 - Holiday Inn Northeast, Sacramento

January 25, 2001 - Piccadilly Inn Airport, Fresno

April 19, 2001 - Airport Inn International, San Jose

Adjournment: 12:24 p.m.

Respectfully submitted,

Anita L. Martin

Anita Martin
Commission Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date November 2, 2000
Bureau Training Delivery Bureau	Reviewed By Dick Reed, Chief	Researched By Rachel S. Fuentes <i>Rachel Fuentes</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 10-17-00	Date of Report October 16, 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 July 20, 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. Crisis Intervention	Fresno P.D.	Technical	IV	\$ 16,200
2. Firearms/Tactical Rifle	Monrovia P.D.	Technical	II*	9,600
3. Spanish for LE-Basic	Shasta Co. S.D.	Technical	N/A	-0-
4. Drug Abuse Recognition-Intro	Santa Barbara S.D.	Technical	IV	4,000
5. Firearms Instructor Update	San Francisco P.D.	Technical	IV	5,720
6. Firearms/Tactical Rifle	Woodland P.D.	Technical	II*	14,400
7. Requalification Basic Course	Yuba College	Technical	IV	3,684
8. Clan Lab Safety Recert	DOJ Training Center	Technical	IV	2,800
9. Internet Crime Inv.-Intro	San Jose P.D.	Technical	N/A	-0-
10. Force Option-Simulator	Santa Rosa P.D.	Technical	II*	120,000
11. Force Options Simulator, Inst.	San Jose P.D.	Technical	II*	512,000
12. Tactical Communication	CA Dept. of Motor	Technical	II*	16,000
13. Officer Update	San Diego Co. S.D.	Technical	IV	19,200

*Back-fill approved courses

CERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
14. Use of Force Inv.	Inyo Co. S.D.	Technical	I*	\$ 32,676
15. Campus L.E.	Golden West College	Technical	IV	4,200
16. School Security Officer	Golden West College	Technical	IV	2,100
17. Management Update	Santa Clara Co. S.D.	Mgmt Trng.	IV	2,250
18. Driver Training Update	South Bay RTC	Technical	I*	11,520
19. Driver Training Instructor	San Jose P.D.	Technical	II*	7,200
20. Clan Lab Safety Makeup	DOJ Training Center	Technical	IV	2,016
21. Helicopter-STABO Cert.	DOJ Training Center	Technical	IV	1,976
22. Instructor Dev.-Basic Course	Rio Hondo College	Technical	IV	3,000
23. Instructor Dev.-Basic Course	Napa Valley College	Technical	IV	5,600
24. Skills & Knowledge Modular Training	Pasadena P.D.	Technical	IV	1,000
25. Canine Handler Update	Yuba College	Technical	II*	85,480
26. Driver Training-Extended	San Francisco P.D.	Technical	N/A	-0-
27. Driver Training-Simulator	Santa Rosa TC	Technical	II*	50,400
28. Crime Scene Investigation	National Crime Inv. & Training	Technical	II*	1,000
29. Bicycle Patrol Instructor	Sacramento Co. S.D.	Technical	IV	8,424
30. Policy & Procedure Dev.-L.E.	Sacramento Co. S.D.	Technical	IV	9,683
31. Campus L.E.	Napa Valley College	Technical	IV	11,200
32. Skills & Knowledge Modular Training	Porterville P.D.	Technical	IV	640
33. Level II Modular Training	State Center RTF	BC-Modular Format	N/A	-0-

*Back-fill approved courses

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
34.	Arrest & Firearms (P.C. 832	Fresno Co. S.D.	P.C. 832	N/A	\$ -0-
35.	Management Seminar	San Francisco P.D.	Technical	N/A	-0-
36.	School/Community Violence- Rapid Intervention	Fresno Co. S.D.	Technical	III	38,880
37.	Level II Modular Training	Fresno Co. S.D.	BC-Modular Format	N/A	-0-
38.	Reporting Writing, Intermediate	Fresno P.D.	Technical	IV	24,300
39.	Force Option-Simulator	Los Angeles P.D.	Technical	II*	120,000
40.	Dispatcher, Public Safety	Los Angeles P.D.	PS Dispatcher	IV	4,000
41.	Network Communication	FBI, Los Angeles	Technical	IV	20,000
42.	Traffic Collision Inv.	Santa Ana P.D.	Technical	IV	2,000
43.	Campus L.E.	Pasadena City College	Technical	IV	3,800
44.	Officer Update	Burbank P.D.	Technical	IV	50,000
45.	Gang-Cal Gang Computer System	Los Angeles Co. S.D.	Technical	IV	88,560
46.	Instructor Dev.	Fullerton College	Technical	IV	13,200
47.	Advanced Officer	San Diego P.D.	AO	IV	36,000
48.	Level III, Modular Trng. Part 2	Fresno Co. S.D.	BC-Modular Format	N/A	-0-
49.	Firearms/Tactical Rifle	Anaheim P.D.	Technical	II*	2,000
50.	Level III Modular Trng, Part 2	Imperial Valley Col.	BC-Modular Format	N/A	-0-
51.	Child Passenger Safety Techn.	Garden Grove P.D.	Technical	N/A	-0-
52.	Leadership Effectiveness	Garden Grove P.D.	Supv. Trng.	N/A	-0-

*Back-fill approved courses

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
53.	Tactical Rifle	Santa Monica P.D.	Technical	II*	\$ 120,000
54.	Defensive Tactics Instr., Adv.	South Lake Tahoe PD	Technical	II*	30,000
55.	Defensive Tactics Update	Ventura Co. S.D.	Technical	II*	5,000
56.	Sex Offender Tracking/Reg Enf.	Los Angeles Co. S.D.	Technical	IV	5,940
57.	Level III Modular Trng, Part 2	Grossmont College	BC-Modular Format	N/A	-0-
58.	Level I Modular Training	Yuba College	BC-Modular Format	N/A	-0-
59.	Dispatcher Role/Critical Incident	Santa Rosa Center	Technical	IV	5,040
60.	Reserve Training Module D	South Bay RTC	BC-Reserve Format	N/A	-0-
61.	Firearms/Submachine Gun, Instructor	Alameda Co. S.D.	Technical	IV	4,240
62.	Firearms/Tactical Handgun Instructor	Alameda Co. S.D.	Technical	II*	4,240
63.	Firearms/Tactical Rifle	Alameda Co. S.D.	Technical	II*	7,952
64.	Level I Modular Training	Allan Hancock College	Technical	N/A	-0-
65.	Driving Training-Simulator	Los Angeles P.D.	Technical	II*(Contract)	-0-
66.	Photography, Basic LE	Riverside Co. S.D.	Technical	III	6,300
67.	Campus LE	Victor Valley College	Technical	IV	5,292
68.	Firearms/Tactical Rifle	Corona P.D.	Technical	II*	1,200
69.	School Violence, Tactical Response	Rio Hondo College	Technical	IV	16,000
70.	Radar Operator	College of the Siskiyou	Technical	N/A	-0-

*Back-fill approved courses

- There were no additional IVD/CD ROM courses certified as of 10-1-00. To date, 225 IVD/CD ROM certified presenters have been certified and 1,031 IVD/CD ROM courses certified .

There were no additional Telecourses certified as of 10-1-00. To date, 451 Telecourse presenters have been certified.

DECERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
1. Skills & Knowledge Modular Trn.	San Diego Marshal	Technical	IV
2. Skills & Knowledge Modular Trn.	San Bernardino Marshal	Technical	IV
3. Reserve Training Module A, B	Fresno Co. S.D.	BC-Reserve Format	N/A
4. Reserve Training Module A, B	Long Beach P.D.	BC-Reserve Format	N/A
5. Reserve Training Module A, B, C	San Diego RPSTI	BC-Reserve Format	N/A
6. Reserve Training Module A, B,C	Oakland P.D.	BC-Reserve Format	N/A
7. Reserve Training Module A, B,C	Long Beach P.D.	BC-Reserve Format	N/A
8. Reserve Training Module B	Martinez Adult School	BC-Reserve Format	N/A
9. Reserve Training Module B	Los Angeles S.D.	BC-Reserve Format	N/A
10. Reserve Training Module B	Ray Simon CJTC	BC-Reserve Format	N/A
11. Reserve Training Module B	San Bernardino S.D.	BC-Reserve Format	N/A
12. Reserve Training Module B	San Francisco P.D.	BC-Reserve Format	N/A
13. Reserve Training Module B	South Bay RTC	BC-Reserve Format	N/A
14. Reserve Training Module B	Cabrillo College	BC-Reserve Format	N/A
15. Reserve Training Module B	Copper Mountain College	BC-Reserve Format	N/A
16. Reserve Training Module B	College of the Desert	BC-Reserve Format	N/A
17. Reserve Training Module B	Feather River College	BC-Reserve Format	N/A

*Back-fill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
18. Reserve Training Module B	State Center RTF	BC Reserve Format	N/A
19. Reserve Training Module B	Grossmont College	BC Reserve Format	N/A
20. Reserve Training Module B	Hartnell College	BC Reserve Format	N/A
21. Reserve Training Module B	Los Medanos College	BC Reserve Format	N/A
22. Reserve Training Module B	Merced College	BC Reserve Format	N/A
23. Reserve Training Module B	Monterey Peninsula College	BC Reserve Format	N/A
24. Reserve Training Module B	Mt. San Jacinto College	BC-Reserve Format	N/A
25. Reserve Training Module B	Mendocino College	BC-Reserve Format	N/A
26. Reserve Training Module B	Ohlone College	BC Reserve Format	N/A
27. Reserve Training Module B	Palo Verde College	BC Reserve Format	N/A
28. Reserve Training Module B	Rio Hondo RTC	BC Reserve Format	N/A
29. Reserve Training Module B	Riverside Comm. College	BC Reserve Format	N/A
30. Reserve Training Module B	San Joaquin Delta College	BC Reserve Format	N/A
31. Reserve Training Module B	Santa Barbara College	BC Reserve Format	N/A
32. Reserve Training Module B	Sierra College	BC-Reserve Format	N/A
33. Reserve Training Module B	Victor Valley College	BC-Reserve Format	N/A
34. Reserve Training Module B	West Hills College	BC Reserve Format	N/A
35. Reserve Training Module B	Eastern Sierra Reserve Acad.	BC-Reserve Format	N/A
36. Reserve Training Module C	Martinez Adult School	BC-Reserve Format	N/A
37. Reserve Training Module C	Los Angeles Co. S.D.	BC-Reserve Format	N/A
38. Reserve Training Module C	Ray Simon CJTC	BC-Reserve Format	N/A

*Back-fill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
39. Reserve Training Module C	San Bernardino Co. S.D.	BC-Reserve Format	N/A
40. Reserve Training Module C	San Francisco Co. S.D.	BC-Reserve Format	N/A
41. Reserve Training Module C	Cabrillo College	BC-Reserve Format	N/A
42. Reserve Training Module C	College of the Desert	BC-Reserve Format	N/A
43. Reserve Training Module C	Feather River College	BC-Reserve Format	N/A
44. Reserve Training Module C	State Center RTF	BC-Reserve Format	N/A
45. Reserve Training Module C	Los Medanos College	BC-Reserve Format	N/A
46. Reserve Training Module C	Merced College	BC-Reserve Format	N/A
47. Reserve Training Module C	Monterey Peninsula College	BC-Reserve Format	N/A
48. Reserve Training Module C	Ohlone College	BC-Reserve Format	N/A
49. Reserve Training Module C	Riverside Community Col.	BC-Reserve Format	N/A
50. Reserve Training Module C	San Joaquin Delta College	BC-Reserve Format	N/A
51. Reserve Training Module C	Victor Valley College	BC-Reserve Format	N/A
52. Reserve Training Module C	West Hills College	BC-Reserve Format	N/A
53. Reserve Training Module C	Porterville LETC.	BC-Reserve Format	N/A
54. Sexual Assault Investigation	Los Angeles P.D.	Technical	II*
55. Defensive Tactics Instructor	CPOA	Technical	I*
56. Explosives Recog./Recon.-Trnrs	CA Dept. of Forestry	Technical	IV
57. Arrest & Firearms-Interactive	Porterville LETC	P.C. 832	IV
58. Arrest & Firearms	Barstow College	P.C. 832	IV
59. Skills & Knowledge Modular Trn	Rialto P.D.	Technical	IV
60. Canine Narcotics Detection Team	Ontario P.D.	Technical	N/A

*Back-fill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
61. Clandestine Lab-Safety Cert	Colton P.D.	Technical	IV
62. Defensive Tactics Instr. Update	San Joaquin Co. S.D.	Technical	II*
63. Weapon Retention/Takeaway Instr.	San Joaquin Co. S.D.	Technical	IV
64. Patrol-Officer Update	San Joaquin Co. S.D.	Technical	IV
65. Firearms Instructor Update	San Joaquin Co. S.D.	Technical	IV
66. Aircrew Course	Riverside Co. S.D.	Technical	IV
67. Crime Scene Inv.- C.A.D.	Riverside Co. S.D.	Technical	IV
68. Career Ethics/Integrity	Riverside Co. S.D.	Technical	N/A
69. Baton Instructors	Riverside Co. S.D.	Technical	IV
70. Commander's Update	Riverside Co. S.D.	Technical	IV
71. Advanced Officer (FTC)	Riverside Co. S.D.	AO	IV
72. Traffic Collision-Skidmark Analysis	Riverside Com. Col.	Technical	IV
73. Traffic Collision Inv.	Riverside Com. Col.	Technical	IV
74. Firearms/Sub-Machine Gun	Los Angeles S.D.	Technical	IV
75. Tactical Entry/Prsnl Weapon Instr.	Los Angeles S.D.	Technical	III
76. Special Weapons & Tactics, Adv.	Los Angeles S.D.	Technical	III
77. Supv-Drug/Alcohol Awareness	Los Angeles S.D.	Technical	IV
78. Narc. Investigation, Adv.	Los Angeles S.D.	Technical	IV
79. Microcomputer Intro/L.E. Mgrs.	Los Angeles S.D.	Technical	III
80. Conflict Resolution	Merced Co. S.D.	Technical	III
81. Training Managers Update	Merced College	Technical	IV
82. Use of Force Update	Clovis P.D.	Technical	II*
83. Supervisory Update	Tracy P.D.	Supv. Trng.	IV
84. Advanced Officer	Tracy P.D.	AO	IV

*Backfill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
85. Special Weapons & Tactics	San Joaquin Delta College	Technical	IV
86. Special Weapons & Tactics, Adv.	San Joaquin Delta College	Technical	IV
87. Arrest and Firearms (P.C. 832	San Joaquin Delta College	P.C. 832	IV
88. Community Service Officer	State Center RTF	Technical	IV
89. Canine Agitator	State Center RTF	Technical	II*
90. Management Update Seminar	Stanislaus Co. S.D.	Mgmt. Trng.	IV
91. Driver Training Update	Stanislaus Co. S.D.	Technical	II*
92. Radar Operator	Modesto P.D.	Technical	IV
93. Officer Safety/Field Tactics	Modesto P.D.	Technical	II*
94. Cultural Awareness	Modesto P.D.	Technical	IV
95. School Resource Officer	Modesto P.D.	Technical	IV
96. Line of Duty Deaths	Oakland P.D.	Technical	IV
97. Hostage Negotiations, Adv.	Oakland P.D.	Technical	IV
98. Skills & Knowledge Modular Trn	Oakland P.D.	Technical	IV
99. Gangs - G.R.E.A.T.	Oakland P.D.	Technical	IV
100. Gangs - G.R.E.A.T. Update	Oakland P.D.	Technical	IV
101. Dispatcher, Public Safety	Oakland P.d.	Technical	IV
102. Driver Training - Simulator	ABAG Plan Corp.	Technical	II*
103. Skills & Knowledge Modular Trn	Martinez Adult School	Technical	IV
104. Skills & Knowledge Modular Trn	Mountain View P.D.	Technical	IV
105. Police Services Technician	Oakland P.D.	Technical	IV
106. Firearms/Semi-Auto Pistol	San Diego Co. Marshal	Technical	IV
107. Haz. Materials-On Scene Mgt.	San Francisco P.D.	Technical	IV
108. Driving Under Influence Update	San Francisco P.D.	Technical	IV
109. Special Weapons & Tactics, Upd	UC, Berkeley	Technical	IV

*Back-fill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
110. Dispatcher, Customer Svc-Instr.	Los Medanos College	Technical	IV
111. Officer Update	San Francisco Co. S.D.	Technical	IV
112. Tactical Communication-Instr.	Santa Clara P.D.	Technical	IV
113. Tactical Communication	Santa Clara P.D.	Technical	IV
114. Arrest and Firearms (P.C. 832)	De Anza College	Technical	N/A
115. Defensive Tactics Instructor	Burlingame P.D.	Technical	II*
116. Skills & Knowledge Modular Trn	Burlingame P.D.	Technical	IV
117. ICS-Agency Personnel Only	East Bay Regional Parks PD	Technical	IV
118. Advanced Officer	East Bay Regional Parks PD	AO	IV
119. Special Weapons & Tactics, Cmdr.	Alameda Co. S.D.	Technical	IV
120. Dispatcher in Emergency Mgt.	Alameda Co. S.D.	Technical	IV
121. Canine Handler/Officer Safety	Alameda Co. S.D.	Technical	IV
122. Instructor Development	Alameda Co. S.D.	Technical	IV
123. Instructor Development	Bay Area Rapid Transit PD	Technical	IV
124. Advanced Officer	Bay Area Rapid Transit PD	AO	IV
125. Arrest & Firearms - Interactive	Ohlone College	P.C. 832	IV
126. Traffic Collision-Skidmark Analysis	Ohlone College	Technical	IV
127. Skills & Knowledge Modular Trn	Ohlone College	Technical	IV
128. Advanced Officer	Hayward P.D.	AO	IV
129. Personnel Skills - Supervisors	Hayward P.D.	Technical	IV
130. Cultural Awareness	Hayward P.D.	Technical	IV
131. Peer Support Coordinators	Hayward P.D.	Technical	IV
132. Supervisory Update	Hayward P.D.	Supv. Trng.	IV
133. SEMS/Incident Command System	Hayward P.D.	Technical	IV

*Back-fill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
134. Crime Scene Investigation	Hayward P.D.	Technical	IV
135. Supervisory Update	Richmond P.D.	Supv. Trng.	IV
136. Interview & Interrogation Techn	Richmond P.D.	Technical	II*
137. Cultural Awareness	Richmond P.D.	Technical	IV
138. Advanced Officer	Fremont P.D.	AO	IV
139. Officer Update	San Jose P.D.	Technical	IV
140. Requalification-BC-Extended	South Bay RTC	Technical	N/A
141. Defensive Tactics Instr/Personal Body Weapon	South Bay RTC	Technical	II*
142. Basic Academy Trans.-Orientation	South Bay RTC	BC-Transition	N/A
143. Basic Course-Transition Part 2	South Bay RTC	BC-Transition	N/A
144. Basic Academy Trans.-Test Prep.	South Bay RTC	BC-Transition	N/A
145. Interview & Interrogation	South Bay RTC	Technical	I*
146. Community Service Officer	South Bay RTC	Technical	IV
147. Environmental Crimes - Intro	South Bay RTC	Technical	IV
148. Haz Mat. Incident Commanders	South Bay RTC	Technical	IV
149. Crisis Intervention Update	South Bay RTC	Technical	IV
150. Crime Scene Investigation	Monterey Co. S.D.	Technical	IV
151. Supervisory Update	San Mateo College	Supv. Trng.	IV
152. Supervisory Update	San Mateo Co. S.D.	Supv. Trng.	IV
153. Court Security	San Mateo Co. S.D.	Technical	IV
154. Spanish for L.E.-Basic	Monterey Peninsula College	Technical	N/A
155. Arson Investigation, Adv.	Monterey Peninsula College	Technical	IV
156. Drug Abuse Recognition - Intro	Monterey Peninsula College	Technical	IV
157. Firearms/Semi-Auto Pistol	CA State Parks	Technical	N/A

Back-fill approved courses

DECERTIFIED (Continued)

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
158. Baton Instructors	CA State Parks	Technical	II*
159. Motorcycle, Off-Road	CA State Parks	Technical	N/A
160. Natural/Cultural Resource Prot.	CA State Parks	Technical	N/A
161. Dispatcher, Public Safety-Adv.	Marin Co. S.D.	Technical	IV

TOTAL CERTIFIED	<u>70</u>
TOTAL PROPOSITION 115 CERTIFIED	<u>0</u>
TOTAL TELECOURSES CERTIFIED	<u>0</u>
TOTAL IVD/CR-ROM COURSES CERTIFIED	<u>0</u>
TOTAL DECERTIFIED	<u>161</u>
TOTAL MODIFICATIONS	<u>170</u>

3,993 Skills & Knowledge Modules certified as of 10-1-00
1,031 IVD/CR-ROM courses as of 10-1-00
451 Telecourses as of 10-1-30-00
2,630 Other Courses certified as of 10-1-00
763 Certified Presenters

*Back-fill approved courses

Cerpt1100.wpd
10-16-00

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Financial Report - First Quarter 2000-2001		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams	Researched By Staff
Executive Director Approval <i>[Signature]</i>	Date of Approval 10-17-00	Date of Report October 13, 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.

This report provides financial information relative to the local assistance budget through September 30, 2000. Revenue which has accrued to the Peace Officers' Training Fund is shown as are expenditures made from the 2000-2001 budget to California cities, counties and districts.

COMPARISON OF REVENUE BY MONTH - This report, shown as Attachment 1, identifies monthly revenues which have been transferred to the Peace Officers' Training Fund. Through September 30, 2000 we received \$13, 277,950. The total is \$249,050 less than originally anticipated, and is \$416,542 less than received for the same period last fiscal year.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY - This report, identified as Attachment 2, compares the number of trainees reimbursed this fiscal year with the number reimbursed last year. The 9,126 trainees reimbursed through the first quarter represent a decrease of 4,404 (33%) compared to the 13,533 trainees reimbursed during the similar period last fiscal year. (See Attachment 2)

REIMBURSEMENT BY COURSE CATEGORY - These reports compare the reimbursement paid by course category this year with the amount reimbursed last fiscal year. Reimbursements for courses through the first quarter of \$4,040,265 represents a \$601,738 (13%) decrease compared to last fiscal year. (See Attachments 3 and 4).

SUMMARY

Revenue received for the first three months of the fiscal year is slightly less than anticipated. The number of trainees during the first quarter is significantly less than the number reimbursed for training during the same time frame last year. This is directly related to a similar decrease in training reimbursements. Both occurrences were impacted by July reimbursements being paid from last fiscal year's funds and therefore not being reflected against current year expenditures. This was done in order to fully expend the budget allocation from the prior year.

File: REVENUE

COMPARISON OF REVENUE BY MONTH

FISCAL YEARS 1999-2000 AND 2000-2001

MONTH	1999-2000				2000-01							
	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF ***	OTHER	CUMULATIVE TOTAL	CUMULATIVE MONTHLY ESTIMATE	PENALTY ASSESSMENT FUND	TRANSFER FROM DT PAF	OTHER * REVENUE	TOTAL	% OF EST	CUMULATIVE TOTAL	% OF EST
JULY	3,531,568	1,047,896	37,846	\$4,617,310	\$4,509,000	3,546,574	1,028,023	25,351	\$4,599,948	102.02%	\$4,599,948	102.02%
AUGUST	3,089,514	1,242,972	31,832	\$8,981,628	9,018,000	3,085,088	1,241,192	31,072	\$4,357,352	96.64%	8,957,300	99.33%
SEPTEMBER	3,450,636	1,232,194	30,034	\$13,694,492	13,527,000	3,070,728	1,235,414	14,508	\$4,320,650	95.82%	13,277,950	98.16%
OCTOBER	3,095,393	1,245,629	12,620	\$18,048,134	18,036,000				\$0	0.00%	13,277,950	73.62%
NOVEMBER	3,019,827	1,209,755	44,991	\$22,322,707	22,545,000				\$0	0.00%	13,277,950	58.90%
DECEMBER	2,971,741	1,195,590	14,965	\$26,505,003	27,554,000				\$0	0.00%	13,277,950	48.19%
JANUARY	2,880,985	1,159,077	780,009	\$31,325,074	32,063,000				\$0	0.00%	13,277,950	41.41%
FEBRUARY	2,687,821	1,081,363	31,505	\$35,125,763	36,572,000				\$0	0.00%	13,277,950	36.31%
MARCH	3,134,523	1,261,080	27,465	\$39,548,831	41,081,000				\$0	0.00%	13,277,950	32.32%
APRIL	2,971,458	1,195,476	18,067	\$43,733,832	45,590,000				\$0	0.00%	13,277,950	29.12%
MAY	3,350,816	1,347,759	29,160	\$48,461,567	50,099,000				\$0	0.00%	13,277,950	26.50%
JUNE	3,718,511	781,209	776,435	\$53,737,722	55,110,000				\$0	0.00%	13,277,950	24.09%
TOTAL	\$37,902,793	\$14,000,000	\$1,834,929	\$53,737,722	\$55,110,000	\$9,702,390	\$3,504,629	\$70,931	\$13,277,950	24.09%	\$13,277,950	24.09%

* - Includes \$44,789 from coroner permit fees (per Ch 990/90)

COMMISSION ON POST

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

SEPTEMBER

COURSE	1999-2000			2000-2001		
	Actual Total For Year	Actual July-September	% of Total	Projected Total For Year	Actual July-September	% of Projection
Basic Course	1,221	354	29%	1,500	124	8%
Dispatchers - Basic	346	59	17%	350	58	17%
Advanced Officer Course	1,758	410	23%	2,200	63	3%
Supervisory Course (Mandated)	613	119	19%	650	113	17%
Management Course (Mandated)	277	70	25%	315	87	28%
Executive Development Course	240	67	28%	350	85	24%
Supervisory Seminars & Courses	3,520	891	25%	4,500	606	13%
Management Seminars & Courses	1,886	224	12%	2,500	370	15%
Executive Seminars & Courses	528	41	8%	600	127	21%
Tech Skills & Knowledge Course	46,584	11,069	24%	46,500	7,360	16%
Field Management Training	17	11	65%	50	1	2%
Team Building Workshops	661	119	18%	650	93	14%
POST Special Seminars	671	99	15%	800	39	5%
Approved Courses	15	0	0%	85	0	0%
TOTALS	58,337	13,533	23%	61,000	9,126	15%

COMMISSION ON POST

REIMBURSEMENT BY COURSE CATEGORY

1999-2000

2000-2001

COURSE	Total For Year	Actual July-September	Actual September	Actual July-September
Basic Course	\$1,605,934	\$363,553	\$146,455	\$251,253
Dispatchers - Basic	272,930	35,962	23,872	55,877
Advanced Officer Course	153,001	54,145	0	2,492
Supervisory Course (Mandated)	372,694	74,325	24,826	88,076
Management Course (Mandated)	322,373	84,635	18,094	107,473
Executive Development Course	216,769	59,619	29,615	64,248
Supervisory Seminars & Courses	1,553,551	378,845	118,943	289,989
Management Seminars & Courses	696,072	67,981	93,733	184,838
Executive Seminars & Courses	209,490	17,593	17,391	47,250
Tech Skills & Knowledge Course	14,516,498	3,037,768	1,039,961	2,781,998
Field Management Training	7,758	4,877	0	222
Team Building Workshops	354,880	71,037	29,696	52,183
POST Special Seminars	248,963	37,307	5,751	13,122
Approved Courses	2,311	0	0	0
Training Aids Technology	859,350	354,356	15,482	101,244
TOTALS	\$21,392,574	\$4,642,003	\$1,563,819	\$4,040,265

COMMISSION ON POST

SUMMARY OF REIMBURSEMENT EXPENSE CATEGORIES

EXPENSE CATEGORIES	FY 1999-2000 Total	1999-2000 July-September	2000 September	2000-2001 July-September
Resident Subsistence	\$9,544,242	\$2,025,165	\$861,912	\$2,015,853
Commuter Meal Allowance	943,994	226,386	32,112	121,832
Travel	2,908,681	607,628	212,645	520,442
Tuition	4,005,488	896,029	301,442	694,680
Backfill Salary	3,130,819	532,439	140,226	586,214
Training Technology Assistance	859,350	354,356	15,482	101,244
TOTALS	\$21,392,574	\$4,642,003	\$1,563,819	\$4,040,265

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Ventura County Community College District Police Department		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By <i>[Signature]</i> Frederick Williams, Chief	Researched By <i>[Signature]</i> Bob Spurlock
Executive Director Approval <i>[Signature]</i>	Date of Approval 9-20-00	Date of Report September 19, 2000
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Ventura County Community College District Police Department is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

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

ANALYSIS

The police department currently employs 18 peace officers.

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

RECOMMENDATION

The Commission be advised that the Ventura County Community College District Police Department be admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Siskiyou County District Attorney		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams, Chief <i>FW</i>	Researched By Bob Spurlock <i>Bob Spurlock</i>
Executive Director Approval <i>James J. O'Brien</i>	Date of Approval <i>9-20-00</i>	Date of Report September 19, 2000
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

The Siskiyou County District Attorney's Office is seeking entry into the POST Regular (Reimbursable) Program on behalf of its investigators.

BACKGROUND

The provisions of Section 830.1 of the Penal Code permit a District Attorney's Office to employ sworn investigators. The Siskiyou County Board of Supervisors has submitted the proper documentation supporting POST objectives and regulations.

ANALYSIS

The Siskiyou County District Attorney's Office has five full-time investigators. Adequate background investigations have been conducted and the agency is complying with POST Regulations. It is estimated the fiscal impact to the POTF will be approximately \$2,500.00 per year.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Glendale Community College District Police Department		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams, Chief <i>FW</i>	Researched By Bob Spurlock <i>Bob Spurlock</i>
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 8-27-00	Date of Report August 10, 2000
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

The Glendale Community College District Police Department is seeking entry into the POST Regular (Reimbursable) Program on behalf of its peace officers.

BACKGROUND

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

ANALYSIS

The police department currently employs five peace officers.

Fiscal impact for reimbursement of training will cost approximately \$2,500 per year.

RECOMMENDATION

The Commission be advised that the Glendale Community College District Police Department has been admitted into the POST Regular (Reimbursable) Program consistent with Commission Policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - San Benito County Marshal's Office		Meeting Date November 2, 2000
Bureau Training Delivery and Compliance Bureau	Reviewed By Frederick Williams, Chief <i>[Signature]</i>	Researched By Bob Spurlock <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 7-8-00	Date of Report July 7, 2000
Purpose <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input checked="" type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUES

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

BACKGROUND

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

ANALYSIS

The San Benito County Marshal's Office has two full-time peace officers. Adequate background investigations have been conducted and the agency is complying with POST Regulations. It is estimated the fiscal impact to the POTF will be approximately \$1,000.00 per year.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title NEW AGENCY - Inglewood Unified School District Police Department		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams, Chief <i>[Signature]</i>	Researched By Bob Spurlock <i>[Signature]</i>
Executive Director Approval <i>[Signature: Kenneth J. O'Brien]</i>	Date of Approval 10-4-00	Date of Report October 5, 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 type="checkbox"/> No

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

ISSUE

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

BACKGROUND

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

ANALYSIS

The police department currently employs nine peace officers.

RECOMMENDATION

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

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Orange County Marshal's Department -Withdrawal from POST Regular (Reimbursable) Program		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams Chief <i>FW</i>	Researched By <i>Robert K. Spurlock</i> Bob Spurlock
Executive Director Approval <i>Russell J. O'Brien</i>	Date of Approval <i>9-20-00</i>	Date of Report September 15, 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 Orange County Marshal's Department has been merged with the Orange County Sheriff's Department as a result of a reorganization of county government. The effective date was July 1, 2000.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from Assistant Sheriff John Fuller, Orange County Sheriff's Department, has been received advising POST of that fact.

ANALYSIS

The department had 290 sworn officers.
This change will have no impact on the POST budget.

RECOMMENDATION

The Commission be advised that the Orange 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 Solano County Coroner's Office -Withdrawal from POST Regular (Reimbursable) Program		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams, Chief	Researched By Bob Spurlock
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 9-20-00	Date of Report September 19, 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 Solano County Coroner's Office has been merged with the Solano County Sheriff's Department as a result of a reorganization of county government. The effective date was January 4, 1999.

BACKGROUND

The Department is no longer eligible for POST membership. Documentation from Richard Hulse, Solano County Sheriff's Department, has been received advising POST of that fact.

ANALYSIS

The department had five sworn officers.

This change will have no impact on the POST budget.

RECOMMENDATION

The Commission be advised that the Solano County Coroner's Office has been removed from the POST Regular (Reimbursable) Program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Elk Grove Unified School District Police Department - Withdrawal from POST Regular (Reimbursable) Program		Meeting Date November 2, 2000
Bureau Administrative Services Bureau	Reviewed By Frederick Williams, Chief <i>[Signature]</i>	Researched By Bob Spurlock <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 8-27-00	Date of Report August 10, 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

Remove the Elk Grove Unified School District Police Department from the POST Regular (Reimbursable) Program.

BACKGROUND

The Elk Grove Unified School District Police Department disbanded on July 17, 2000. Documentation from the Director of School Security and Safety has been received advising POST of the action.

ANALYSIS

The Department will convert to a Security and Safety Division under the California Department of Consumer's Affairs.

The change will have minimal impact on the POST budget.

RECOMMENDATION

The Commission be advised the Elk Grove Unified School District Police Department has been removed from the POST Regular (Reimbursable) Program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Receiving Information on Completion of Entry-Level Patrol Officer Job Analysis Project		Meeting Date November 2, 2000
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Paula Burnette
Executive Director Approval <i>Thomas J. O'Brien</i>	Date of Approval <i>10-13-00</i>	Date of Report October 11, 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 report is provided to the Commission to describe the work that has been done to complete the Entry Level Patrol Officer Statewide Job Analysis Project.

BACKGROUND

In 1979, POST completed a statewide job analysis of the entry-level patrol officer position. Undertaken largely in response to changes in fair employment law, the 1979 job analysis enabled POST to establish selection standards which, in turn, provided local law enforcement with the tools necessary to make job-valid employment decisions. Additionally, the information allowed POST to assure that the training required in the basic course addressed the training needs of the entry-level patrol officer in California.

As noted in the 1979 job analysis, "The content of most jobs changes due to technological advances, changes in administrative policies, societal changes and other factors."¹ Obviously, the last 20 years have brought significant changes--in technology, in administrative and management philosophies, in the composition of the population calling for a new look at the role and duties of the patrol officer in California. Additionally, recent studies² have questioned the adequacy and applicability of academy training to the job required of new officers on the street.

To address these concerns, POST's Strategic Plan Objective A.11 calls for the completion of a job analysis on the entry-level patrol officer position. The project is designed to provide a basis for review and revision of the Basic Course training curriculum. It is necessary to ensure that all training in the revised course is essential to preparing the trainee to successfully perform as a peace officer (i.e., is job related).

Specifically, the goals of the project are:

1. To conduct an analysis of the entry-level patrol officer position to include the description of core tasks, incidents, and tools and equipment used.
2. To document the related knowledge and skills (KSs) needed to perform the entry-level patrol officer position.

¹ Kohls, Berner and Luke: California Entry-Level Law Enforcement Officer Job Analysis: Technical Report No. 1; California Commission on Peace Officer Standards and Training, 1979, p. 7.

² Marion, Nancy: "Police Academy Training: Are We Teaching Recruits What They Need to Know?" Policing: An International Journal of Police Strategies and Management; Vol.21, No. 1; 1998, pp. 54-79.

3. To conduct a linkage analysis to link KSs to core job tasks and determine when training should be delivered.
4. To determine validity and job-relatedness of the basic course training curriculum.

ANALYSIS

Phase one, the Task Analysis, is completed. The final report for this phase contains core tasks performed, complaints and incidents handled, tools and equipment used, and information sources read by entry-level patrol officers. In addition, a comparative analysis of the tasks, complaints and incidents, tools and equipment, and information sources and legal references from 1979 to the current study is included as an appendix.

Phase two, the Knowledge and Skill Analysis is completed. Sets of knowledge and skill statements taken from the POST performance objective document, training specifications, and student workbooks; other states; and local California agencies were compiled. The Steering Committee for the Task Analysis, made up of patrol officers/deputies and supervisors, met to sort the knowledge, and skills required to successfully perform the job of entry-level patrol officer (as described by the task analysis) by job duty area. A preliminary list of knowledge and skills necessary to perform entry-level patrol officer tasks by essential job function and by job duty area was compiled.

Phase three, the Knowledge and Skill Linkage Analysis is completed. The results of the knowledge and skill analysis were linked back to patrol officer core tasks by groups of patrol officers and supervisors who had completed the job analysis survey. Workshops were held throughout the state and a final workshop, combining participants statewide, was held to confirm the linkage. In addition, the Job Task Analysis Steering Committee was convened for a final review of the product. During these workshops, a determination was made at what point the task should be learned to competency (e.g., pre-academy, academy or field training) and if refresher training is needed. Each knowledge and skill was given an importance rating describing how critical each is to competent task performance. A database has been created linking the Job Duty Areas, Essential Job Functions, Core Tasks, Knowledge and Skill Statements, each individual rating of importance, when learned, and if refresher training is needed to the learning objectives in the existing new student workbooks. A written report of the linkage analysis will be available in November 2000.

Phase four, the Discrepancy Analysis will be performed by the Basic Training Bureau as each Learning Domain in the student workbook project is updated. The complete database will provide a solid basis for defending the validity and job-relatedness of the regular basic course curriculum and will be a powerful tool to continually reassess regular basic course curriculum.

RECOMMENDATION

This report is for information purposes and no Commission action is required at this time.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on the Master Instructor Development Prog. (MIDP) Evaluation		Meeting Date November 2, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Michael Hooper
Executive Director Approval <i> Kenneth J. O'Brien</i>	Date of Approval <i>10-5-00</i>	Date of Report October 4, 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 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 accept a report on an external evaluation of the Master Instructor Development Program (MIDP)?

BACKGROUND

Operational since 1991, the MIDP is the "flagship" program for instructor development. In the context of the POST Strategic Plan objectives for enhanced instructor quality, the program is considered a linchpin. The MIDP has produced to date a total of 129 master instructors. Collectively, they comprise a cadre of elite instructors available to assist with training development, presentation, and evaluation throughout the state.

Notwithstanding the laudable goals of the MIDP and its many successes, aspects of the program have compelled evaluative inquiry. A recurring "red flag" has been the number of graduates per class. The MIDP has been designed to accommodate 18 students per class, 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 through 11 each graduated nine persons, and Class 12 graduated 10 individuals. Other factors that have concerned POST staff are unevenness in the quality of course final projects ("Total Training Packages") and uncertainty as to the degree of ongoing involvement in training activities by graduates.

At its April 2000 meeting, the POST Commission authorized an in-depth program evaluation to be conducted by recommended researchers. Funds for the evaluation were already encumbered, having been re-allocated through deferral of an MIDP class to the next fiscal year. The evaluation would concentrate on three areas: program design and process, program effectiveness, and program graduates' ongoing activities. The MIDP contracted presenter, Regional Training Center, would assist the evaluation team with data collection and analysis regarding master instructors' ongoing activities and also conduct a self-assessment of its recruitment, selection, and retention activities. The evaluation period extended from May through August 2000.

ANALYSIS

A summary of the evaluation report is outlined below. The review consists of three categories: methodology, limitations, and findings. An "Additional Information" section documents highlights of the Regional Training Center's self-assessment and survey of master instructors' ongoing activities.

It is important for the reader of this report to understand at the outset that the orientation of this report is to not to elaborate upon all that was found to be sound and "on-track" with the MIDP, but to disclose areas that seem to warrant focused examination or corrective action. Indeed, the researchers prefaced their findings with the following statement:

"MIDP is a thoughtfully designed instructor development program that builds students' knowledge base as well as their skill sets. It fosters new sensibilities toward teaching and learning. Most participants—including non-graduates—believe MIDP has forever and fundamentally changed how they approach the design, development, and facilitation of training."

Methodology:

Data for evaluation was collected in a variety of ways. A survey was sent via e-mail and regular mail to all MIDP graduates, current candidates, and students who withdrew from the program. A total of 167 surveys were sent (five of which were returned as "undeliverable"), with 43 persons returning completed questionnaires. Face-to-face interviews were conducted with POST staff, including present and past program facilitators. Telephone interviews were conducted with supervisors or others familiar with program participants' growth and training experiences since enrolled in the MIDP. The evaluators observed and participated in two of the MIDP four-day workshops. The evaluators also reviewed numerous written materials, including students' final projects, students' final course evaluations, and course materials.

Limitations:

The "window" for data collection and direct observation of the program was narrow. However, this was necessitated by budgetary timelines and consideration of the fact that the next MIDP class was scheduled to begin during October, with a potential for effecting some suggested programmatic changes in a timely manner. This narrow viewing period did not permit the researchers an opportunity to observe and participate firsthand in the MIDP's crucial 10-day Core Course (which was conducted during October 1999).

The rate of response was 27 percent. Actually, this is an expected rate for a survey of this type, but it must be kept in mind that the survey-based findings represent a limited group of persons (though, there is no basis for presuming that additional responses would vary in content from those received).

Researchers were unable to obtain written evaluative data for the courses that master instructors designed and presented at their agencies or for other presenters.

Findings:

Program Organization. There is a need for clarifying and documenting the course content. The MIDP course materials do not represent an exemplary model of instructional design as

constituted because comprehensive lesson plans and other vital core materials appear not to be readily available. Also, the instructors appear to work without facilitator guides.

Technology. The technology dimension of the program is weak in that it is elementary and insufficiently comprehensive. This dimension is in need of upgrading that will enable class members to fashion state-of-the-art multi-media training programs.

Course Final Project ("Total Training Package"). While the essence of the final project is sound, the process is flawed. Also, the project may be too large. When a student has not mastered design fundamentals, deficiencies are exacerbated due to the volume of work involved. Development of a project on a smaller scale could result in a better understanding of Instructional Systems Design fundamentals.

Assessment and Feedback Protocols. Along with the technology domain, this area was viewed as weak. Forms used to evaluate student performance lack specificity regarding points to be rated. Also, criteria for assessment are not articulated. The structure/format for feedback does not appear to be formalized. The method for rechecking deficiencies for compliance and the protocol monitoring remediation were not readily discernible. The manner of conducting assessments of candidates during their class presentations is awkward. In the course of observing student presentations, review panelists' attention is routinely diverted from students' presentations due to the necessity to score presentational competency while simultaneously reviewing a two-inch thick binder containing the student's work product (either a "dimensions" binder or the final course project binder).

POST Support. There appear to be disconnects between POST and the MIDP candidates and graduates. One such area is "Total Training Package" topic selection. Better liaison between regional consultants and MIDP students would ensure that course projects are responsive to actual training needs. Such heightened awareness on the part of regional consultants could also facilitate the course certification process and the marketing for final projects. POST staff should also assume a proactive stance in relationship building among master instructors. There is no "alumni" association nor a regularly published (print or web) newsletter.

Post-Graduate Training Opportunities. Many master instructors expressed frustration over not being able to employ sufficiently their honed skills after graduation from the MIDP.

Recruitment/Selection. The marketing approach for the MIDP is not completely effective, as interest is low in comparison to other specialized programs offered through POST. Sponsoring agencies must be more involved in the selection process and should commit to maximum support of candidates both while being trained and after graduation. It was the evaluators' opinion that many agency supervisors did not fully understand the level of personal and professional commitment required of MIDP candidates, nor did they adequately appreciate the breadth of competency gained through the training.

Additional Information:

In its analysis of surveys to determine the extent of involvement of master instructors in course design and delivery, the Regional Training Center learned the following information.

- 53 percent have presented their "Total Training Package" between 1 and 5 times. Fifteen percent have presented it between 11 and 15 times.
- 28 percent have taught over 100 classes since graduating.
- 35 percent have designed 1 to 2 courses, and 33 percent have designed between 3 and 5 classes.

Master instructors collectively believed the best way to improve recruitment was to better inform departments of the value of master instructors to the organization. Relative to selection, master instructors favored their direct involvement in the selection process, possibly to the extent of observing a class taught by the applicant. When asked how to improve retention, master instructors favored taking appropriate measures to ensure candidates understand the work load involved in the program. They also encouraged better informing of departments on the value of the MIDP and encouraged better support from parent agencies.

The Regional Training Center identified recruitment and retention of candidates as the greatest program challenges. The following are its suggestions for positively impacting recruitment.

- Increase participation at law enforcement conferences such as those sponsored by CAPTO, PORAC, and CPOA.
- Presentations by master instructors and/or MIDP staff at each POST Training Managers Workshop.
- Annual presentations of the MIDP video and distribution of brochures by POST regional consultants, or the MIDP Manager, at chiefs' and sheriffs' meetings (as well as academy directors' meetings).
- Explore the possibility of credit for MIDP completion toward a certificate or degree program at a college or university.
- Evaluate alternatives for publicizing the availability of MIDP projects to the field. If the field gains awareness of the type and availability of projects the MIDP, there may be increased interest in sending a trainer to the program.

The following are recommendations for improving retention.

- Continue to link a master instructor with an applicant to provide a thorough and realistic

picture of what the workload entails.

- Require that candidates meet throughout the program with their mentors to review progress, confirm understanding of content areas, and receive support for completing the program.
- After the program's Contract Workshop, send each candidate's agency the respective learning contract. Stress the need for department support and the benefits that will accrue from having a resident master instructor.
- Maintain and enforce the requirement for timely submission of monthly reports.
- Explore college credit for course work.

Conclusion:

The foregoing represents the most salient aspects of the evaluation efforts of external evaluators and the Regional Training Center. The reports suggest program areas for focused examination by POST staff and program stakeholders.

Pending acceptance of this report by the Commission, it is the intent of POST staff to evaluate each recommendation and to implement those deemed viable as soon as possible. It is essential the effectiveness of the MIDP be assured in order to maximize this valuable program's contribution to instructor development.

RECOMMENDATION

That the Commission accept this report for informational purposes.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Law Enforcement Officers Killed and Assaulted in the Line of Duty (LEOKA)		Meeting Date November 2, 2000
Bureau Basic Training Bureau	Reviewed By Bud Lewallen, Bureau Chief <i>[Signature]</i>	Researched By Gene Rhodes
Executive Director Approval <i>[Signature]</i>	Date of Approval 10-10-00	Date of Report October 4, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input checked="" 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

Five-year report for Law Enforcement Officers Killed and Assaulted in the Line of Duty (LEOKA).

BACKGROUND

POST staff working with a standing LEOKA committee of Subject Matter Experts has been gathering information and statistics for 20 years regarding training issues and deaths of California peace officers killed in the line of duty. The reports are published and distributed to the field every five years. The California Department of Justice collects data regarding assaults on peace officers and this information is merged into these reports. The reports are used by law enforcement trainers for the purposes of developing new training; modifying existing training; addressing equipment needs; and, by law enforcement managers and executives to effect policy changes. The LEOKA reports are also used by law enforcement in general as a means to keep them aware of the inherent dangers associated with the profession.

ANALYSIS

This LEOKA study covering the period from 1995 through 1999 is completed in draft form and will be published and distributed to the field in the next few weeks. Attached is copy of the Executive Summary. The summary provides a brief review of the report, changes in training as a result of past LEOKA reports, and a comparison of the findings of this report with past reports.

This report is provided for informational purposes.

EXECUTIVE SUMMARY

This year, nearly 6,900 California peace officers will be assaulted in the line of duty. Of these, some will fall victim to murder. Tragically, it can be expected that the assaults and deaths will continue for as long as there is a need for law enforcement. This report examines assaults and the line-of-duty deaths of California law enforcement officers during the five-year period of January 1, 1995 to December 31, 1999. Particular attention is paid to the cases involving 66 peace officers whose deaths were a result of accidents and felonious assaults. The focus of gathering and analyzing data for officers lost to felonious assaults and accidents is to identify points of practical significance for peace officer safety training and to make recommendations for improvement.

FELONIOUS DEATH INCIDENT INFORMATION

Approximately seven California peace officers per year are victims of on-duty murder. In this study, a number of variables including geographic location, time of year, day, and week, crime, and various other conditions are evaluated for the total of 33 peace officers killed in 32 felonious incidents during the five-year period from 1995 through 1999. These include:

Domestic Violence	7	Vehicle Pullovers	3
Building Entry	1	Off-duty Incidents	3
Pedestrian Contacts	2	Crimes In Progress	4
Arrest Situations	4	Invest. Susp. Person/Circ.	5
Ambush	4		
		TOTAL	33

As the overall numbers suggest, domestic dispute calls remain the most dangerous law enforcement contact.

Over two-thirds, 24 of the 33 victim peace officers, which includes three vehicle pullover murders, were attacked on approach, were set up and deliberately attacked, or were attacked when they were distracted momentarily. In 24 of the incidents, the primary reason for the attack was to facilitate escape. In eight cases the perpetrators premeditated and planned the assaults. Half, 15 attacks of the 29 on-duty officers, occurred within two minutes of the victim peace officer making contact with the murderer.

There appears to be no safety in numbers. Nearly two-thirds, 19 of the 29 on-duty victim peace officers, made contact with the suspect(s) while assistance (partners or backup peace officers) were present. However, communication may be more important than numbers. Communication issues, either internal or external, were a factor in 14 of the incidents involved in this study.

Officer Demographics

The victim officer profiles were male; generally either an officer or deputy; age range from 26 to 65 years; height, 5'6"-6'3"; weight, 145-263 lbs. Their law enforcement experience ranged from less than a year to 40 years (most had from one to 10 years), and they were primarily assigned to patrol or traffic.

The cause of death of all 33 officers was gunshot wounds. There were four incidents involving physical altercations. Physical conditioning, size, weight, and age may have been factors. There were no witnesses at the scene.

Demographics, per se, were not the critical factor in deaths. Instead overconfidence, carelessness or complacency, poor search techniques, disregarding danger signs, poor positioning, poor use of cover, relaxing too soon, "rushing-in" without a plan, and, carrying law enforcement credentials off-duty without a weapon contributed to the majority of the felonious peace officer murder cases.

Suspect Demographics

The murder suspects were all male; age range from 17 to 48 years; height, 5'3"-6'1"; weight, 115-220 lbs. Nine of the 32 suspects were killed; one killed by a victim peace officer, five were killed by other officers, and three committed suicide.

Twenty-seven of the 32 suspects had criminal histories (12 were on parole and six had arrest warrants). The arrest records ranged from one to 22 arrests. Of the 32 suspects, 17 were known to have gang affiliation. Six of the 32 suspects had prior documented violent contact with law enforcement personnel. Nine of the 32 suspects were under the influence of drugs or alcohol at the time of the incidents.

Tactical Constructs

Agencies reported that in ten of the cases, the victim peace officer deaths were preventable. In nearly two-thirds of the cases, the victim peace officers knew there was at least a potential hazard. In nine cases, the victim peace officers knew there was a high likelihood that a weapon was involved before making contact with the primary suspect. In seven of the cases the victim peace officer knew the suspect and in six of those cases, the officers knew the suspect had a potential for violence. Three of these officers had prior contact with the suspect.

Poor positioning was a primary factor in 18 victim peace officer deaths. In eight of the cases, cover was either available but not utilized or initially used and then abandoned. Two officers died after deviating from a pre-determined approach plan.

The distance between the suspect and victim peace officer at the time they were attacked varies. Eighteen officers (59%) were killed at a distance of ten or less feet, three officers

were killed between 11 and 20 feet, and 12 officers were killed at greater distances of 21 to over 100 feet. Eight of the incidents were planned attacks.

Equipment and Weapon Information

All 33 victim peace officers were murdered with firearms. Of the 32 murder suspects all but two were in possession of firearms when they came in contact with the victim peace officers. In two incidents the suspects acquired the victim peace officers' handguns and killed them. Twenty officers were killed with handguns; 11 officers were killed with rifles or assault rifles; and two officers were killed with shotguns. The use of rifles, assault rifles, and shotguns in this study represents a 10.5% increase over the last five-year study.

Four of the on-duty victim peace officers were not wearing body armor; two were shot in the back, one in the chest, and the other in the abdomen. The four officers received handgun wounds in locations where body armor may have prevented fatal wounds. Four other peace officers were wearing body armor that was penetrated by ammunition fired from high-powered rifles and/or assault weapons. There were no reported incidents of victim peace officer body armor being defeated by ammunition it was designed to stop.

The study confirms that body armor is the single most effective piece of passive safety equipment a peace officer can utilize.

Of the 33 victim peace officers, 31 were armed. One officer was armed with an M-16 rifle, and another was armed with an MP-5 sub-machine gun. The other officers were armed with handguns. Two off-duty victim peace officers were not armed at the time of the incident.

A third (10) of the officers were able to draw and fire their weapons in response to the assaults. Of those, one victim peace officer killed the suspect in the shoot-out.

Other peace officer personal protection gear did not appear to constitute a significant factor to peace officer deaths.

Comparative Data – Previous Reports

Data on comparable California incidents has been collected for the periods from 1980 to the present. Data from the current study indicates changing trends from the previous study. In the previous study, no peace officers lost their lives because primary duty weapons were taken away. In this study two officers were killed with their own handguns. Another trend is an increase in the use of rifles, assault rifles, and shotguns. This study represents a 10.5% increase in the use of these weapons by suspects since the last five-year study. It is also interesting to note that in 55% of the cases in the latest study, the distance at which the victim peace officer was attacked was ten feet or less. In the prior study 68% of the officers were attacked at that distance.

The most recent study shows that four on-duty officers were killed while not wearing body armor compared to the last study where five victim peace officers were not wearing vests. The percentage of officers not wearing body armor has continued to decrease since 1980.

The number of preventable officer deaths dropped from 25 to 10.

Training Implications

In the latest study two officers were killed with their own weapons while the prior study indicates that no officers were killed with their own weapons. This suggests that more attention to training in arrest control and weapon retention is needed.

The primary implications for training involve increased focus on situation assessment and approach. Poor tactics, overconfidence, complacency, and "rushing in" without a plan contributed to the majority of the felonious peace officer murder cases. Additional training, with emphasis on overcoming the contributory elements of these issues, should lower the number of peace officer murders.

Policy Implications

Of the 32 incidents where 33 officers were murdered, nine agencies made changes in policy, procedures, training, or equipment. The other agencies reported that the facts gathered in the incidents tended to validate current policies and procedures.

ASSAULTS

This study examines reported assaults on California peace officers. The number of assaults, 6,857 in 1999, precludes incident analysis at a level of detail provided in the on-duty death data; however, meaningful conclusions can be drawn. Most striking is a trend in the reduction of the overall assault rate. The number of reported peace officer assaults decreased 3.3% from 1995 through 1999. When considered as "per capita" numbers (incidents as they relate to growth in population), these reductions become even more significant.

The study highlights critical limitations in collection and analysis of California assault data. Some limitations involve the survey instrument and the wide variation in techniques and interpretations used when completing it. Other limitations result from the necessary mechanical tabulations of data that cause groupings that may or may not be significant. The most serious limitations relate to the participation population. Because the process is voluntary, it is estimated that only 70-80 percent of California law enforcement agencies participate. The data is complete to the extent agencies fulfill their individual reporting obligations. Regardless of the limitations, the large numbers do provide a solid basis for identifying trends in perpetrator assault activities and prescribing potential peace officer response.

COMPARATIVE DATA-ASSAULTS AND MURDERS

Contrasting this assault data with data for assaults resulting in victim officer death highlights several significant variables between lethal and non-lethal suspect encounters.

Incident Type

As with deadly encounters, responses to disturbances (domestic violence is included in this category) remain the most dangerous of contacts. In all assault weapon categories – firearms, knives, other deadly weapons, and the use of the hands, fists, and feet – the numbers of assault incidents involving disturbances far outpaced other crime categories. Other high frequency assault categories include victim officer investigation of suspicious persons and circumstances, and traffic stops and pursuits.

Equipment and Weapons

Seventy-nine percent of non-lethal assaults involved the suspect's use of hands, fists, and feet. In contrast, all of the California lethal encounters resulted from use of firearms. Less than 5 percent of non-lethal assaults involved firearms. This figure has dropped by over 2% since the last study.

Outside of the primary high frequency categories (disturbance calls, traffic stops, and investigation of suspicious persons) in which all types of weapons were utilized, suspect weapon selection appears to relate to crime category. Suspects selected firearms for use in ambush situations significantly more frequently than any other weapon. In contrast, suspects utilized hands, fists, and feet significantly more often than any other weapon in custody situations involving either arrest or transportation of prisoners. Neither finding appears surprising. Firearms do not require personal contact, and ambushes rely on suspects being undetected. In custody situations officers may have already removed weapons or at least searched for them. Hands, fists, and feet may be the only suspect weapon available.

Training Implications

In examining lethal encounters, the study found a need for an increased focus on situation assessment and approach. Poor tactics, overconfidence, complacency, and "rushing in" without a plan contributed to the majority of the felonious peace officer murder cases. The data from the non-lethal encounters does not contradict this. Incident prevention training that addresses potential officer deaths may also assist in prevention of non-lethal incidents.

A secondary training issue may involve officer training specifically in arrest and custody situations. The frequency and nature of potential assault in these situations may be underestimated.

Policy Implications

Policy implications relate primarily to the data collection process. For assault data to be meaningful, each law enforcement agency needs to participate. In addition, each agency needs to assure the accuracy of material submitted. In terms of the data validity, it was found that lack of participation was preferable to submission of incorrect or incomplete information.

ACCIDENTS

Accidents comprise half of the on-duty California peace officer deaths. Unexpected and unintentional events, including vehicle and aircraft accidents, natural disasters, health-related conditions, or similar events caused by human error, mechanical failure, mistake, or misfortune resulted in the accidental deaths of 126 on-duty California peace officers during the years 1980 through 1999. During the 1995-99 report period, 33 peace officers were accidentally killed in the line of duty.

During this report period, 24 officers (73%) died as a result of traffic-related accidents. A helicopter accident claimed two officers; one officer was killed during a water rescue; two died after suffering heart attacks; one officer was sucked under a moving train; two officers were accidentally shot during separate incidents; and one officer died after his vehicle was struck by a loose truck tire.

Traffic Collisions

Of deaths resulting from traffic collisions, seven can be attributed to officer unsafe speed. Other vehicles struck another seven victim peace officers while on foot. Drunk drivers were a factor in five of the traffic-related officer deaths. Other factors include erratic driving by citizens, officers not wearing seatbelt restraints, officer fatigue, and a road washout from beneath a patrol car.

Of the 24 traffic-related deaths, four (17%) were killed in traffic collisions while riding a patrol motorcycle. This number represents a 30% reduction over the previous five-year study.

Impact Speeds

Research from the National Transportation and Safety Board indicates that the human body cannot withstand a speed change (relative to sudden impact/collision) in excess of 35 mph. Internal organs begin to tear apart when the human body is traveling at this speed. The human body has even less tolerance to side impacts as the internal organs are forced laterally. Survivable side-impact speeds are normally less than 28 mph.

Comparative Data – Accidents

Overall, peace officer death rates due to accidents are higher than in the period 1990-94. Three factors appear to have played a part in the increase; unsafe officer vehicle speed, the lack of seatbelt restraint systems use, and drunk drivers.

Seatbelt and restraint system use was a factor in six of the 13 car traffic fatalities. This is a significant increase in officers not wearing seatbelts compared to the previous five-year study. In several of these cases it was indicated that had the victim peace officer been wearing a seatbelt, the death may have been preventable. The use of safety belts and vehicle restraint systems continues to be the single most important safety factor while traveling in patrol cars.

Training Implications

Two peace officer deaths resulted from accidental shootings. One was the result of a SWAT team operation where a member's location and identity were issues. The second incident involved a non-uniformed peace officer where identification was a primary issue.

Policy Implications

Changes in training, operational procedures, transport maintenance, and equipment are credited with reducing loss of peace officer life due to accidents. Even so, the relatively high number of accidents due to officer behavior, poor driving response, and unsafe speed indicate a need to continue evaluation of training and procedures. In addition, the mandatory wearing of seatbelt restraint systems while operating agency vehicles should be considered.

OFFICER SAFETY GUIDELINES

In addition to the general recommendations noted above, this report provides a number of specific suggestions and recommendations. Chapter 2, Officer Safety Guidelines, serves as a "stand alone" document and as a published resource for several POST Telecourses including: (1) "Violence Against California Peace Officers," November 1994; and (2), the "Controlling Violent Subjects, Part I-III" series first airing in May 1996. The goal of the guidelines is to present general training and policy recommendations for California peace officers. Review of this chapter is recommended for law enforcement managers responsible for development of policy standards and training.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing to Consider Modifications to Certificate Cancellation Regulations		Meeting Date November 2, 2000
Bureau Executive Office	Reviewed By Ken O'Brien	Researched By Mike DiMiceli
Executive Director Approval <i>[Signature]</i>	Date of Approval 10-17-00	Date of Report Sept. 19, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for details) <input type="checkbox"/> No

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

ISSUE

This is a public hearing to amend Commission Regulation 1011(b) and Procedure F-2 to authorize the cancellation of a Basic Certificate for conviction of specified felony crimes that are reduced to a misdemeanor pursuant to Penal Code Section 17(b)?

BACKGROUND

At the January 2000 meeting, the Commission conducted a public hearing related to the rescission of a portion of Regulation 1011(b), pertaining to the cancellation of the POST Basic Certificate. As a result of the public testimony and discussion, the Commission directed the creation of a broad-based committee to study the issue of the cancellation of the POST certificate. The committee was directed to provide the Commission with its recommendation(s) concerning the issue when it completed the study. Chairman TerBorch appointed Woody Williams, Advisory Committee, to chair the committee.

The Professional Certificate Review Committee consisted of fifteen members who represented law enforcement organizations and associations, the POST Advisory Committee, and the law enforcement community at-large. A roster of the Committee is Attachment A. Chairman Woody Williams will describe for the Committee's work and unanimous recommendation to the Commission.

The Committee met in April and June 2000 to review Commission Regulation 1011(b) and consider the broader issue of the cancellation of the POST Basic Certificate. At the conclusion of the meeting on June 1, 2000, in Sacramento, the Committee unanimously agreed to present two recommendations to the Commission:

1. Amend Regulation 1011(b) by adopting the language proposed by the Committee. The specific language that is recommended is: "Certificates may be denied or canceled when the person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or

(b)(3), and which involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense."

The proposed amendment of Regulation 1011(b) is Attachment B; and

2. Adopt a Support position on AB 2449 (Wildman) as amended on May 15, 2000.

The report and recommendations of the Committee were presented to the Commission at its August 23, 2000 meeting in Ontario. AB 2449 did not survive the legislative process and no action was taken on that recommendation. The Commission adopted Recommendation #1 by unanimous vote and set the public hearing for the November 2, 2000 meeting.

ANALYSIS

The Committee, including representatives from every major law enforcement management and labor organization and association, has unanimously recommended language to amend Regulation 1011(b). This amendment, Attachment B, has been reviewed informally by the Commission's legal counsel and the representative of the CDAA on the Committee. Both agree this amendment provides sufficient legal authority for the Commission to cancel a certificate for the conviction of specified felony crimes that are reduced pursuant to Penal Code Section 17(b). This recommended amendment eliminates the deficiency that made the current subsection of Regulation 1011 unenforceable.

Commissioner Baca, at the August 23, 2000 meeting, expressed an interest in a process by which the Commission could be assured that a process by which the Commission could be assured that a certificate would be properly canceled. Staff notes that Procedure F-2, initially adopted in 1988, has always included a hearing process to enable the Commission to determine, if requested, whether a felony conviction does in fact exist.

Regulation 1011 and Commission Procedure F-2, taken together, describe the "rules" and process for the cancellation of a POST Basic Certificate. In a general sense, the regulation provides the authority for the cancellation and the procedure describes the process that is to be followed when the Commission acts to cancel a certificate. In 1992, when Regulation 1011 was amended to authorize the Section 17(b) cancellation, Procedure F-2 was incorporated by reference into the regulation.

In the simplest terms, the notice and hearing process that precedes the cancellation of any certificate for any reason, including a Section 17(b) conviction includes:

- A. Notice to the certificate holder and the employing agency that cancellation is being considered (F-2-9) and an invitation to submit information concerning whether the certificate should be canceled. In addition, the certificate holder must request a hearing on the matter (F-2-8).

- B. A hearing, if requested, shall be held by the Commission or a qualified hearing officer who will prepare a proposed decision. The Commission will decide the case (F-2-10).

This process provides the opportunity for the Commission to consider mitigating information that may be presented by the certificate holder in every case, including the Section 17(b) cases, and decide each on its own merits. Staff interprets the regulation and procedure, taken together, to legally permit the Commission to decide each case on the basis of specific information

Procedure F-2 is Attachment C.

For the reasons described above in this report, it is now proposed the Commission amend Regulation 1011(b) and Procedure F-2. This proposal is based in large measure upon the recommendation of the broad-based Professional Certificate Review Committee that was created by and worked at the direction of the Commission.

RECOMMENDATION

Subject to the results of the public hearing, the Commission amend Regulation 1011(b) and Procedure F-2 to authorize cancellation of the Basic Certificate for conviction of a felony that is reduced to a misdemeanor pursuant to Penal Code Section 17(b)(1) or (b)(3) which involves unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty, theft, or narcotic offense.

PROFESSIONAL CERTIFICATE PROGRAM REVIEW
ROSTER

Organizations

1. CPOA Steve Campbell, Chief - Port Hueneme Police Department
2. CPCA William F. Brown, Chief - Lompoc Police Department
3. CSSA Charles Byrd, Sheriff - Siskiyou County Sheriff's Department
4. LAPPL Cliff Ruff, Director
5. ALADS Roy Burns, President
6. COPS John Holcomb, Captain - Cathedral City Police Department
7. PORAC Clancy Faria, President
8. CDAAThomas J. Orloff, First Vice President - Alameda County District Attorney's Office

Individuals

1. Advisory Committee

- a. Alex Bernard, Sergeant - Ontario International Airport Police Department
- b. Phil Del Campo, Ph.D.
- c. Woody Williams
- d. Al Waters, Captain - San Francisco Police Department

1. At Large

- a. Bill Lansdowne, Chief - San Jose Police Department
- b. Lou Blanas, Sheriff-Marshal - Sacramento County Sheriff's Department
- c. Steve Craig, Director of Security - California State Lottery

1. Resource

- a. Vince Scally, Deputy Attorney General - Attorney General's Office

Commission on Peace Officer Standards and Training

**AMEND COMMISSION REGULATION 1011(b) AND
COMMISSION PROCEDURE F-2(b)
ISSUANCE, DENIAL, OR CANCELLATION
OF POST PROFESSIONAL CERTIFICATES**

1011. Certificates and Awards

- (a) Certificates and awards are presented by the Commission in recognition of achievement of education, training, and experience for the purpose of raising the level of competence of law enforcement officers and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions and individuals.
- (b) Professional certificates shall remain the property of the Commission. ~~Certificates shall be denied or canceled when:~~
 - (1) Certificates shall be denied or canceled when a A peace officer has been adjudged guilty of a felony or has been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
 - (2) Certificates may be denied or canceled when the The person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which ~~constitutes~~ involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty ~~associated with official duties~~, theft, or narcotic offense; or

[1011.(b)(3) thru PAM Section F-1 *** continued]

PAM Section F-2 adopted effective October 23, 1988, and amended July 29, 1992 and _____* is hereby incorporated by reference.

PAM Section F-6 adopted effective February 8, 1998 is hereby incorporated by reference.

NOTE: Authority cited: Sections 13506 and 13510.3, Penal Code.
Reference: Sections 13506, 13510.1 and 13510.3, Penal Code.

* Date to be filled in by OAL.

**POST ADMINISTRATIVE MANUAL
COMMISSION PROCEDURE F-2**

**ISSUANCE, DENIAL OR CANCELLATION
OF PROFESSIONAL CERTIFICATES**

[2-1. thru 2-3. *** continued]

Denial or Cancellation

2-4 Right to Deny or Cancel: Professional Certificates remain the property of the Commission, and the Commission has the right to deny issuance of a certificate when the person does not satisfy a prerequisite for issuance of a certificate, or cancel any certificate when:

- (a) The person has been adjudged guilty of a felony or has been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
- (b) The person is adjudged guilty of a felony which constitutes moral turpitude which has been reduced to a misdemeanor pursuant to Penal Code Section 17, subsection (b)(1) or (b)(3), and which ~~constitutes~~ involves either unlawful sexual behavior with a juvenile or a non-consenting adult, assault under color of authority, dishonesty ~~associated with official duties~~, theft, or narcotic offense; or
- (c) The certificate was issued by administrative error on the part of the Commission and/or the employing agency; or
- (d) The certificate was obtained or the application was submitted involving misrepresentation or fraud.

[2.5 thru 2-10. *** continued]

Historical Note:

Procedure F-2 was adopted and incorporated by reference into Commission Regulation 1011 on October 23, 1998 and amended June 29, 1992 and _____*.

* Date to be filled in by OAL.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE F-2

**ISSUANCE, DENIAL OR CANCELLATION
OF PROFESSIONAL CERTIFICATES**

Purpose

2-1. Issuance, Denial or Cancellation of Professional Certificates: This Commission procedure provides for the issuance, denial or cancellation of POST Professional Certificates as described in Section 1011(b) of the Regulations.

2-2. Issuance of Certificates: A Professional Certificate shall be issued following receipt of a Certificate Application, Form 2-116, (Rev. 8/88) that provides all of the required information listed on the form (i.e., information that: will be used to identify the applicant, lists present and previous law enforcement experience, and training and educational achievements). Verifying documents shall be attached to the application to substantiate satisfaction of the prerequisites for the award of the certificate. The time period for the processing and issuance of the Basic Certificate shall be: a median of 24 days, a minimum of 15 days, and a maximum of 35 days from the date of receipt of a complete and accepted application; or the applicant shall be notified within the same time period that the application is not acceptable and what specific prerequisite is required. The processing of Basic Certificate applications shall be given precedence over the processing of applications for all other certificates. The determination of time periods established in this section are calendar days based on the date of initial receipt of an application or the last resubmission date thereafter.

2-3. Appeal When Maximum Time Period is Exceeded: When an application for a basic certificate has not been acted upon by issuance, return for additional information or denial within the time periods established above, the applicant can appeal directly to the Executive Director. The Executive Director shall determine whether the maximum time period was exceeded, and when confirmed, order the prompt issuance of the certificate if the established maximum time period was exceeded without good cause providing the applicant is qualified for the issuance of a basic certificate.

Denial or Cancellation

2-4. Right to Deny or Cancel: Professional Certificates remain the property of the Commission, and the Commission has the right to deny issuance of a certificate when the person does not satisfy a prerequisite for issuance of a certificate, or cancel any certificate when:

- (a) The person has been adjudged guilty of a felony or been disqualified for any other reason described in Government Code Section 1029(a)(1) through (a)(6); or
- (b) The person is 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 constitutes either unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offense; or
- (c) The certificate was issued by administrative error on the part of the Commission and/or the employing agency; or
- (d) The certificate was obtained or the application was submitted involving misrepresentation or fraud.

2-5. Notification by Department Head: When a department head obtains information that a certificate should be denied or cancelled because of any of the conditions listed in paragraph 2-4 above, the department head shall immediately notify the Commission.

Investigation

2-6. Initiation of Investigation: When the Commission is notified that a professional certificate has been issued involving conditions listed under paragraph 2-4, subsections a, b, c, or d, the Executive Director shall investigate the allegation. The department head and the concerned individual shall be notified in writing of the initiation of the investigation.

Notice of Denial or Cancellation

2-7. Notification of Denial: If a professional certificate has been applied for and it is determined that one or more of the prerequisites for the issuance of the certificate has not been satisfied, the concerned individual, via the person's department head, shall be notified in writing of the denial of the issuance of the certificate and given an explanation of the reason for denial.

2-8. Notification of Cancellation: If the facts developed by an investigation substantiate cause for cancellation of a certificate, the individual concerned shall be notified in writing, by certified mail, of the commission's intent to cancel the certificate and the grounds for the proposed cancellation. The notice shall state that the certificate shall be deemed cancelled on the 45th day following the mailing of the notice and shall demand that the individual return the certificate to POST.

If an individual possessing a certificate which is proposed for cancellation in accordance with paragraph 2-4, desires a hearing regarding such action, the individual must notify the Commission in writing of the desire for a hearing within 45 days of the mailing of the notice of cancellation. The individual shall provide, with the request for hearing, all evidence that the certificate cancellation should not occur.

If the certificate cancellation is proposed in accordance with paragraph 2-4, subsection a or b, a certified copy of the abstract of judgment shall be obtained. The Commission will issue the notification of its intent to cancel the certificate only after ensuring that the time has ended for the criminal appellate process.

2-9. Notwithstanding the provisions of Section 2-8, when cancellation is being considered for grounds described in Section 2-4, subsection b, the concerned individual and the employing department head will be notified that cancellation is being considered. Each will be invited to submit information to the Commission concerning the appropriateness of the proposed cancellation. Any information received will be considered by the Commission prior to initiating procedures described in Section 2-8.

Hearing

2-10. Procedures for Hearing:

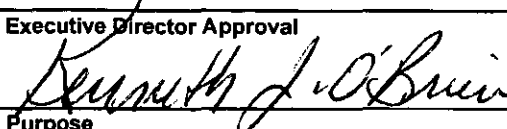
- (a) All hearings shall be conducted in conformance with the Administrative Procedures Act (Government Code Section 11340 et seq.). At the Commission's discretion, the hearing shall be held before the Commission or shall be conducted by a qualified hearing officer who shall prepare a proposed decision in such form that it may be adopted as the decision in the case. The Commission shall decide the case.

- (b) The Commission may decide the case on the basis of the transcript of the hearing conducted by the hearing officer.
- (c) That portion of a meeting of the Commission to consider and decide upon evidence introduced in a hearing conducted as provided for in paragraph 2-10, subsection a, regarding cancellation of a professional certificate may be closed to the public.

Historical Note:

Procedure F-2 was adopted and incorporated by reference into Commission Regulation 1011 on October 23, 1988, and amended June 29, 1992.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Public Hearing: Perishable Skills Training Requirement	Meeting Date November 2, 2000	
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Bob Stresak
Executive Director Approval 	Date of Approval 10-4-00	Date of Report August 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.		
<p><u>ISSUE</u></p> <p>Subject to the results of the public hearing, should the Commission 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?</p> <p><u>BACKGROUND</u></p> <p>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.</p> <p>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.</p> <p>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.</p>		

BACKGROUND (CONTD.)

At the July 20, 2000 meeting, the Commission initially considered this issue and moved to reset it for public hearing at the November 2, 2000 meeting.

ANALYSIS

It is proposed that POST Regulation 1005(d)(2) and Procedure D-2 be amended to require all regular and specialized peace officers below the middle management position (i.e. officers and first level supervisors) assigned to patrol, traffic, and investigation who routinely effect the physical arrest of criminal suspects to complete a minimum of 12 hours in specified perishable skills training and 2 hours of communications (tactical and interpersonal) training every two year period as part of the 24 hour CPT requirement. (NOTE: Law enforcement agencies which do not fall within the above defined scope may, as an option, elect to voluntarily conduct 12 hours of perishable skills training and 2 hours of communications training as part of their 24 hour CPT requirements). 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 three perishable skills, and communications, are as follows:

- | | |
|---|---------|
| 1. Arrest and Control | 4 hours |
| 2. Driver Training/Awareness or Driving Simulator | 4 hours |
| 3. Tactical Firearms * or Force Options Simulator | 4 hours |
| 4. Communications (tactical and interpersonal) | 2 hours |

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

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 and 3, it is recommended that law enforcement agencies consider the periodic utilization of driving or force options simulators to maximize exposure to driver and firearms training via hands on/manipulative as well as 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.

To ensure flexibility in the administration of this regulation change, local agencies may chose to exercise one or more of the following options to satisfy this training requirement: (1) complete a 14 hour training course within a two year period that includes all 4 topics, (2) complete this training as part of a larger course during a two year period, (3) complete this training as four separate certified courses over a two year period, (4) complete this training for a particular course by passing POST-approved testing * and (5) complete a POST-developed multi-media training course currently being designed to satisfy some of these requirements.

* The perishable skills training requirement may be met in lieu of training by successfully passing a POST approved course-presenter-developed test which measures the approved course objectives.

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 subject to the results of a public hearing that the Commission amend Commission Regulation 1005 (d) (2) and Commission Procedure D-2 to require specified "Perishable Skills" and Communications as part of the Continuing Professional Training requirement and that these changes take effect January 1, 2002.

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 Kermode, 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 proficiency

Range

Proficiency/judgement
Safety drills
Simunitions
Live fire tactics
Weapons clearing
Target Recognition

NOTE: Routine range requalification is not considered a part of this requirement

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
"Skid Pan" 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. The 24 hours shall contain training topics as specified 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. All regular and specialized peace officers below the middle management position (i.e. officers and first level supervisors) assigned to patrol, traffic, and investigation who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 14 hours of POST-certified training (Perishable Skills and Communications) as part of the CPT requirement or, successfully complete a testing procedure as delineated in Procedure 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.

**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: All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 14 hours of POST-certified training (Perishable Skills and Communications) as part of the CPT requirement. A minimum of 12 hours of this requirement in each two year period shall contain perishable skills training including a minimum of 4 hours of each of the three following courses which have been specifically designated by POST as satisfying this requirement:

1. Arrest and Control
2. Driver Training/Awareness or Driving Simulator
3. Tactical Firearms * or Force Options Simulator

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

2 -3. 1 Communications: All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, and who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 2 hours of this requirement in each two year period in tactical or interpersonal communications training.

2-3. 2 Exemptions: An agency may be exempt from all or portions of this requirement if it attests in writing, and POST approves, that its peace officers do not carry firearms, or infrequently interact with or effect physical arrests of criminal suspects, or do not utilize marked emergency vehicles during the normal course of business.

Recommended Content

2-3.3 Testing in Lieu of Training: The perishable skills training requirement may be met in lieu of training by successfully passing a POST approved course-presenter-developed test which measures the approved course objectives.

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.

For managers and executives, it is recommended that 2 hours of CPT within every 2 calendar years be devoted to instruction in updates on perishable skills training required in this procedure.

Historical Note:

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

August 20, 2000

BULLETIN: 00-

**SUBJECT: PUBLIC HEARING: PROPOSAL TO AMEND COMMISSION
REGULATION 1005 (D)(2) AND COMMISSION PROCEDURE D -2**

A public hearing is being held to consider a proposal to amend Commission Regulation 1005 (d)(2) and Procedure D-2 to require that 14 hours of the 24 hours of Continuing Professional Training (CPT) consist of perishable skills training. Perishable skills are defined as: arrest and control procedures, driving, firearms, and communications (tactical and interpersonal).

Effective January 1, 2002, the Commission seeks to require perishable skills training, every 24 months, for all regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, who routinely effect the physical arrest of criminal suspects.

The public hearing will be held:

Date: November 2, 2000
Time: 10:00 A.M.
Place: Holiday Inn
5321 Date Avenue
Sacramento, CA 95841

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 October 23, 2000.

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

KENNETH J. O'BRIEN
Executive Director

Attachment

Commission on Peace Officer Standards and Training

**REGULATORY ACTION: TO AMEND COMMISSION
REGULATION SECTION 1005(d) (2) and
COMMISSION PROCEDURE D-2
CONTINUING PROFESSIONAL TRAINING**

INITIAL STATEMENT OF REASONS

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.

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 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.

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.

Justification for Amendments to Regulation 1005 (d)(2) and Procedure D-2

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

It is no coincidence that the four identified perishable 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 and an important focus of on-going responsible law enforcement management.

It is further recognized that the majority of law enforcement contacts with the public are conducted by officers assigned to routine, daily patrol responsibilities, traffic enforcement or by officers assigned to investigative functions which through follow-up investigation following

reported criminal acts, frequently and routinely involved effecting physical arrests of suspects who are believed to have committed these crimes. Consequently, it is at these points of law enforcement contact (patrol, traffic enforcement, follow-up investigation) with the public that the greatest potential for use of perishable skills exist.

Requiring that the above target group of peace officers attend frequent perishable skills retraining should have the following anticipated effect on law enforcement agencies:

- 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.

For these reasons, it is now proposed that Commission Regulation 1005 (d)(2) be amended to read:

- (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. All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 14 hours of POST-certified training (Perishable Skills and Communications) as part of the CPT requirement. A minimum of 12 hours of perishable skills training of the 24 hour CPT requirement is required as specified in PAM Section D-2.

It is also proposed that Commission Procedure D-2 be amended to include the following wording:

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: All regular and specialized peace officers below the middle management position (i.e. officers and first level supervisors) assigned to patrol, traffic, and investigation who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 14 hours of POST-certified training (Perishable Skills and Communications) as part of the CPT requirement. A minimum of 12 hours of this requirement in each two year period shall contain perishable skills training including any three of the following courses designated by POST as satisfying this requirement:

1. Arrest and Control
2. Driver Training/Awareness or Driving Simulator
3. Tactical Firearms * or Force Options Simulator

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

2-3.1 Communications: All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, and who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 2 hours of this requirement in each two year period in tactical or interpersonal communications training.

2-3.2 Exemptions: An agency may be exempt from all or portions of this requirement if it attests in writing, and POST approves, that its peace officers do not carry firearms, or infrequently interact with or effect physical arrests of criminal suspects, or do not utilize marked emergency vehicles during the normal course of business.

2-3.3 Testing in Lieu of Training: The perishable skills training requirement may be met in lieu of training by successfully passing a POST approved course-presenter-developed test which

measures the approved course objectives.

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.

For managers and executives, it is recommended that 2 hours of CPT within every 2 calendar years be devoted to instruction in updates on perishable skills training required in this procedure.

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

**NOTICE OF PROPOSED REGULATORY ACTION: Amendment of Commission
Regulation 1005 (d) (2) and Procedure D-2
Continuing Professional Training (CPT)**

INFORMATIVE DIGEST

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 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.

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.

During the July 20, 2000 meeting, the Commission initially considered this matter and decided to reset it for public hearing at the November 2, 2000 Commission meeting.

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 and an important focus of responsible law enforcement management.

It is further recognized that the majority of law enforcement contacts with the public are conducted by officers assigned to daily patrol responsibilities, traffic enforcement or by officers assigned to investigative functions which through follow-up investigation following reported criminal acts, frequently and routinely involved effecting physical arrests of suspects who are believed to have committed these crimes. Consequently, it is at these points of law enforcement contact (patrol, traffic enforcement, follow-up investigation) with the public that the greatest potential for use of perishable skills exist

ADOPTION OF PROPOSED REGULATIONS

Following the close of the November 2, 2000 public comment period, the Commission adopted the proposal substantially as described in this notice.

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 1005 will have no effect. This finding was based on the determination that the proposed amendment of Regulation 1005 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 created 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 that the proposed action.

CONTACT PERSON

Inquiries 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, by telephone at (916) 227-3891, or email: lcherry@post.ca.gov.

AMENDMENT OF COMMISSION REGULATION 1005 (d) (2)

CONTINUING PROFESSIONAL TRAINING

- (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. All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 14 hours of POST-certified training (Perishable Skills and Communications) as part of the CPT requirement. A minimum of 12 hours of perishable skills training of the 24 hour CPT requirement is required as specified in PAM Section D-2.

AMENDMENT OF 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: All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 14 hours of POST-certified training (Perishable Skills and Communications) as part of the CPT requirement. A minimum of 12 hours of this requirement in each two year period shall contain perishable skills training including a minimum of 4 hours of each of the three following courses which have been specifically designated by POST as satisfying this requirement:

1. Arrest and Control
2. Driver Training/Awareness or Driving Simulator
3. Tactical Firearms * or Force Options Simulator

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

2-3.1 Communications: All regular and specialized peace officers below middle management position (i.e., officers and first level supervisors) assigned to patrol, traffic, and investigation, and who routinely effect the physical arrest of criminal suspects are required to complete a minimum of 2 hours of this requirement in each two year period in tactical or interpersonal communications training.

2-3.2 Exemptions: An agency may be exempt from all or portions of this requirement if it attests in writing, and POST approves, that its peace officers do not carry firearms, or infrequently interact with or effect physical arrests of criminal suspects, or do not utilize marked emergency vehicles during the normal course of business.

2-3.3 Testing in Lieu of Training: The perishable skills training requirement may be met in lieu of training by successfully passing a POST approved course-presenter-developed test which measures the approved course objectives.

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.

For managers and executives, it is recommended that 2 hours of CPT within every 2 calendar years be devoted to instruction in updates on perishable skills training required in this procedure.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Back-fill Reimbursement for Public Safety Dispatchers and Dispatch Supervisors		Meeting Date November 2, 2000
Bureau Training Delivery Bureau	Reviewed By Dick Reed	Researched By Lupe de la Garza
Executive Director Approval <i>Joseph J. O'Brien</i>	Date of Approval 10-17-00	Date of Report October 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, subject to the public hearing process, approve an amendment to Regulation 1015 to authorize backfill reimbursement for Public Safety Dispatcher and Dispatch Supervisor training?

BACKGROUND

Backfill or replacement reimbursement provides 100% of the overtime cost of training and the travel time associated with training that is incurred by agencies whenever peace officers attend selected, approved training programs. The reimbursement is intended to: (a) increase participation in selected training that is focused on critical skills, officer safety, and high liability topics; and (2) permit an agency to maintain the staffing necessary for officer and community safety and services while officers are in training.

The Backfill Reimbursement program began in May 1998. During FY 1998/99, approximately \$764,500 was reimbursed. Approximately \$3 Million was reimbursed in FY 1999/00.

Commission Regulation 1015(e) authorizes backfill reimbursement but limits eligibility for reimbursement to peace officers.

ANALYSIS

Dispatchers are integral to law enforcement field operations. Dispatchers and dispatch supervisors are responsible to assess calls for service, assign field officers, and provide information that is critical to officer and public safety. Training for dispatchers in operational subject areas is recognized by law enforcement administrators as an increasingly critical need. However, staffing considerations limit the ability of an agency to release dispatchers to attend training. In addition, the number and variety of in-service training programs for dispatchers is limited.

Records for FY 1997/98 indicate that approximately 2,344 dispatchers attended approximately 2,497 hours of reimbursable training (1.6 hours/dispatcher). In addition, effective July 1, 2000, Public Safety

Dispatchers and Dispatch Supervisors are required to satisfy the 24-hour Continuing Professional Training (CPT) requirement. Approximately 6,900 dispatchers and dispatch supervisors are affected by this new requirement.

The Commission, at the October 1999 meeting, expressed preliminary support for the addition of public safety dispatchers and dispatch supervisors and appropriate training courses to the backfill reimbursement program. This action recognized the critical role of dispatchers in providing community service and ensuring the safety of officers in the field. Dispatchers are included in the annual, statewide training needs assessment and staff have developed plans to expand the scope of training courses that are specifically directed at the dispatch function and role.

Commission Regulation 1015(e), enacted in 1999, does not authorize backfill reimbursement for the dispatcher and dispatch supervisor positions. The regulation must now be amended to provide the authority for this reimbursement. Staff proposes to amend Regulation 1015(e), as shown in Attachment A to this report. It is proposed the change be effective 7-1-2001 subject to approval by the Office of Administrative Law.

RECOMMENDATION

It is recommended that, subject to the results of the public hearing, the Commission amend Regulation 1015 to authorize backfill reimbursement for public safety dispatchers and dispatch supervisors.

Regulation 1015

(e) Backfill (replacement)/Days off Reimbursement

- (1) The Commission will reimburse any eligible agency, Section 13523 Penal Code, for the agency's expense of paying salary at the overtime rate: (1) to a peace officer ~~employee~~, who replaces another peace officer ~~employee~~ for his/her attendance of at selected POST-certified training, or (2) to a peace officer who is assigned to training on his/her days off, or (3) to a public safety dispatcher, or dispatch supervisor who replaces another public safety dispatcher, or dispatch supervisor for his/her attendance at selected POST-certified training, or (4) to a public safety dispatcher, or dispatch supervisor who is assigned to training on his/her days off.

- (2) Reimbursement claims may be made only for attendance at POST-certified training courses identified by the Commission. Training courses that qualify for reimbursement are restricted to: (a) courses developed and presented with Federal funds allocated by Federal law, STOP violence against women, ~~and~~ (b) courses designed to address high-priority, in-service training needs of entry-level peace officers, and (c) courses designed to address high-priority, in-service training needs of public safety dispatchers, and dispatch supervisors. As such courses are certified, there will be a notation of eligibility for reimbursement.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Proposal to Amend Regulation 1007 Reserve Officer Minimum Standards and Procedure H-3 Reserve Officer Training Requirements		Meeting Date November 2, 2000
Bureau Basic Training Bureau	Reviewed By <i>Bud Laxalle</i>	Researched By Frank Decker/Kelly York
Executive Director Approval <i>Lemuel J. O'Brien</i>	Date of Approval 10-10-00	Date of Report September 15, 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, subject to the Notice of Proposed Regulatory Action process, a proposal to amend Regulation 1007 and Commission Procedure H-3 to allow former Level I and Level II reserve peace officers, who have previously satisfied training requirements pursuant to Penal Code Section 832.6, to remain qualified as to POST requirements if the reserve peace officer accepts a new appointment at the same or lower level within three years of the last date of service?

BACKGROUND

On September 1, 2000, Governor Davis signed Senate Bill 1955 which will become effective January 1, 2001. This bill amends Penal Code Section 832.6 by providing a provision for a reserve officer who has previously satisfied training requirements pursuant to this section, and has served as a Level I or Level II reserve officer within the three-year period prior to the date of a new appointment to remain qualified as to POST training requirements if that officer accepts a new appointment at the same or lower level.

ANALYSIS

Senate Bill 1955 is a follow-up to Senate Bill 359 which became effective July 13, 1999. Senate Bill 359 amended Penal Code Section 832.6 by providing a lateral transfer provision for current Level I and Level II reserve peace officers. This bill allowed Level I and Level II reserve peace officers to transfer to another law enforcement agency, at the same level, without having to meet any new training requirements that may have been established since their original appointment. The transfer had to be accomplished without a break in service between agencies. If there was any break in service, the individual was required to meet current training standards.

Senate Bill 1955 is intended to address the break in service issue by allowing former Level I and Level II reserves to accept a new appointment at the same or lower level if the break in service is less than three-years. If the break in service is three-years or longer, the individual will be responsible for meeting the current minimum training requirements as required by Regulation 1007(b).

This bill exempts former Level I and Level II reserve peace officers from the current minimum training requirements only. Selection requirements (e.g., background, medical, psychological) must still be met prior to the new appointment with an agency.

This bill does not apply to individuals who met a previously approved Level I or Level II training standard but never served as a Level I or Level II reserve peace officer.

A copy of Senate Bill 1955 and the proposed amendments to Regulation 1007 and Procedure H-3 are included as Attachments A, B, and C respectively.

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

RECOMMENDATION

It is recommended that the Commission, subject to the Notice of Proposed Regulatory Action, approve the amendments to Regulation 1007 and Commission Procedure H-3 as described.

BILL NUMBER: SB 1955 CHAPTERED
BILL TEXT

CHAPTER 287
FILED WITH SECRETARY OF STATE SEPTEMBER 1, 2000
APPROVED BY GOVERNOR AUGUST 31, 2000
PASSED THE SENATE AUGUST 18, 2000
PASSED THE ASSEMBLY AUGUST 10, 2000
AMENDED IN ASSEMBLY JUNE 19, 2000
AMENDED IN ASSEMBLY JUNE 2, 2000
AMENDED IN SENATE APRIL 24, 2000
AMENDED IN SENATE MARCH 27, 2000

INTRODUCED BY Committee on Public Safety (Senators Vasconcellos
(Chair), Burton, Johnston, McPherson, Polanco, and Rainey)

FEBRUARY 24, 2000

An act to amend Section 1560 of the Evidence Code, to amend Sections 190.9, 209, 266c, 273.5, 289.6, 290, 347, 600, 667.71, 832.6, 976.5, 999l, 1170.11, 1170.17, 1174.4, 1240.1, 2933.5, 3046, 11160, 11165.1, 12020, 12022.53, and 12280 of the Penal Code, and to amend Sections 21221.5 and 23612 of the Vehicle Code, and to amend Sections 727.4 and 15610.63 of, and to amend and renumber Section 727.2 of, the Welfare and Institutions Code, relating to public safety.

SEC. 11. Section 832.6 of the Penal Code is amended to read:

832.6. (a) Every person deputized or appointed, as described in subdivision (a) of Section 830.6, shall have the powers of a peace officer only when the person is any of the following:

(1) A level I reserve officer deputized or appointed pursuant to paragraph (1) or (2) of subdivision (a) or subdivision (b) of Section 830.6 and assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. For level I reserve officers appointed prior to January 1, 1997, the basic training requirement shall be the course that was prescribed at the time of their appointment. Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(2) A level II reserve officer assigned to the prevention and detection of crime and the general enforcement of the laws of this state while under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training, and the level II reserve officer has completed the course required by Section 832 and any other training prescribed by the commission.

Level II reserve officers appointed pursuant to this paragraph may be assigned, without immediate supervision, to those limited duties that are authorized for level III reserve officers pursuant to paragraph (3). Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission.

(3) Level III reserve officers may be deployed and are authorized only to carry out limited support duties not requiring general law enforcement powers in their routine performance. Those limited duties shall include traffic control, security at parades and sporting events, report taking, evidence transportation, parking enforcement, and other duties that are not likely to result in physical arrests. Level III reserve officers while assigned these duties shall be supervised in the accessible vicinity by a level I reserve officer or a full-time, regular peace officer employed by a law enforcement agency authorized to have reserve officers. Level III reserve officers may transport prisoners without immediate supervision. Those persons shall have completed the training required under Section 832 and any other training prescribed by the commission for those persons.

(4) A person assigned to the prevention and detection of a particular crime or crimes or to the detection or apprehension of a particular individual or individuals while working under the supervision of a California peace officer in a county adjacent to the state border who possesses a basic certificate issued by the Commission on Peace Officer Standards and Training, and the person is a law enforcement officer who is regularly employed by a local or state law enforcement agency in an adjoining state and has completed the basic training required for peace officers in his or her state.

(5) For purposes of this section, a reserve officer who has previously satisfied the training requirements pursuant to this section, and has served as a level I or II reserve officer within the three-year period prior to the date of a new appointment shall be deemed to remain qualified as to the Commission on Peace Officer Standards and Training requirements if that reserve officer accepts a new appointment at the same or lower level with another law enforcement agency. If the reserve officer has more than a

three-year break in service, he or she shall satisfy current training requirements.

This training shall fully satisfy any other training requirements required by law, including those specified in Section 832.

In no case shall a peace officer of an adjoining state provide services within a California jurisdiction during any period in which the regular law enforcement agency of the jurisdiction is involved in a labor dispute.

(b) Notwithstanding subdivision (a), a person who is issued a level I reserve officer certificate before January 1, 1981, shall have the full powers and duties of a peace officer as provided by Section 830.1 if so designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience. Persons who were qualified to be issued the level I reserve officer certificate before January 1, 1981, and who state in writing under penalty of perjury that they applied for but were not issued the certificate before January 1, 1981, may be issued the certificate before July 1, 1984. For purposes of this section, certificates so issued shall be deemed to have the full force and effect of any level I reserve officer certificate issued prior to January 1, 1981.

(c) In carrying out this section, the commission:

- (1) May use proficiency testing to satisfy reserve training standards.
- (2) Shall provide for convenient training to remote areas in the state.
- (3) Shall establish a professional certificate for reserve officers as defined in paragraph (1) of subdivision (a) and may establish a professional certificate for reserve officers as defined in paragraphs (2) and (3) of subdivision (a).
- (4) Shall facilitate the voluntary transition of reserve officers to regular officers with no unnecessary redundancy between the training required for level I and level II reserve officers.
- (5) Shall develop a supplemental course for existing level I reserve officers desiring to satisfy the basic training course for deputy sheriffs and police officers.

(d) In carrying out paragraphs (1) and (3) of subdivision (c), the commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services. These fees shall be deposited in the Peace Officers' Training Fund established by Section 13520.

(e) The commission shall include an amount in its annual budget request to carry out this section.

Commission on Peace Officer Standards and Training

POST ADMINISTRATIVE MANUAL

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

(a) continued

(b) Every reserve peace officer shall be trained in conformance with the following requirements:

(1) Level I Reserve Peace Officers:

(A) Minimum Training Requirement. Every Level I reserve peace officer [defined in PAM, section H-1-2(a)], before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the training requirements of the Regular Basic Course or its equivalents (PAM, section D-1-3).

(B) Exemption to Minimum Training Requirement. The Regular Basic Course, or its equivalents, will not be required for a Level I reserve peace officer if:

1. The Level I reserve peace officer has previously satisfied the training requirements specified for Level I reserve peace officers in Commission Procedure H-3-2 or H-3-3(a) - (c); and
2. is appointed to a non-designated Level I reserve peace officer position; and
3. the new appointment is within three years of the date of last service as a Level I reserve peace officer.

(C) Field Training Requirement. All Level I reserve officers, appointed on or after 7-1-99; upon completing the Regular Basic Course or its equivalents, training requirement shall complete a POST-approved Field Training Program (PAM, section D-13) prior to working alone in a general law enforcement assignment. The Field Training Program, which shall be delivered over a minimum of 10 weeks (400 hours), shall be based upon structured learning content as recommended in the *POST Field Training Program Guide* or upon a locally developed field training guide which includes the minimum POST-specified topics which are listed in the *POST Field Training Program Guide*.

(D) Exemption to Field Training Requirement. A Level I reserve peace officer is exempt from the Field Training Program requirement if the Level I reserve peace officer is reappointed to a Level I position with less than a three year break in service [see (B) above] and has successfully completed:

1. Modules A, B and C and 200 hours of structured field training; or

2. The Regular Basic Course or its equivalent and 400 hours of a POST-approved Field Training Program.

(E) Continuing Professional Training. Every Level I reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).

(2) Level II Reserve Peace Officers:

(A) Every Level II reserve peace officer [defined in PAM, section H-1-2(b)]; appointed between 7-1-99 and 12-31-99, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module and the Level II Module (PAM, section D-1-3).

~~Every Level II reserve peace officer [defined in PAM, section H-1-2(b)]; appointed between 1-1-00 and 6-30-00, before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete either Modules A and B (PAM, section H-5) or the POST-certified two-part Reserve Level III Module and the Level II Module (PAM, section D-1-3).~~

Minimum Training Requirement. Every Level II reserve peace officer [defined in PAM, section H-1-2(b)], ~~appointed on or after 7-1-00;~~ before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module and the Level II Module (PAM, section D-1-3).

(B) Exemption to Minimum Training Requirement. The two-part Level III Module and the Level II Module will not be required for a Level II reserve peace officer if:

1. The Level II reserve peace officer has previously satisfied the training requirements specified for Level I or II reserve peace officers in Commission Procedure H-3-2 or H-3-3(a) - (c); and
2. the new appointment is within three years of the date of last service as a Level I or II reserve peace officer.

(C) Continuing Professional Training. Every Level II reserve peace officer shall also satisfy the Continuing Professional Training requirement set forth in Regulation 1005(d).

(3) Level III Reserve Peace Officers

(A) Minimum Training Requirement. Every Level III reserve peace officer [defined in PAM, section H-1-2(c)], ~~appointed on or after 7-1-99;~~ before being assigned to duties which include the exercise of peace officer powers, shall satisfactorily complete the POST-certified two-part Reserve Level III Module (PAM, section D-1-3).

(B) Exemption to Minimum Training Requirement. The two-part Level III Module will not be required for a Level III reserve peace officer if:

1. The Level III reserve peace officer has previously satisfied the training requirements specified for Level I or II reserve peace officers in Commission Procedure H-3-2 or H-3-3(a) - (c); and
 2. the new appointment is within three years of the date of last service as a Level I or II reserve peace officer.
- (c) 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), PAM, sections H-3-2 or H-3-3(a) or (c) and in PAM, section H-4.
- (d) 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~~ Modules B and/or C for an individual who has completed equivalent training. 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.

Historical Note:

PAM Section H-3 adopted effective July 15, 1982, and amended January 16, 1987, June 15, 1990, July 1, 1992, February 22, 1996, September 12, 1998, July 1, 1999, January 1, 2000, March 10, 2000, and March 24, 2000, and
* _____ is herein incorporated by reference.

POST ADMINISTRATIVE PROCEDURES MANUAL

COMMISSION PROCEDURE H-3

RESERVE OFFICER TRAINING

Purpose

3-1. This Commission procedure sets forth the minimum training standards for reserve officers, explains exemptions and the application of previous training as a method of meeting standards.

Training Standard

3-2. ~~Previous Minimum Training Standard:~~ Minimum training relates to the training requirements for the level of assignment and duties being performed by reserve peace officers. The level of assignments are defined in Penal Code section 832.6. The minimum training standards for Reserve Levels I, II and III are outlined in Regulation 1007.

(c) ~~Equivalent training may be established through the Basic Course Waiver Evaluation and Examination Process described in PAM section D-11.~~

3-32. Reserve Officer Minimum Hour Requirements Training Standards: Reserve Officers training, as are required by Regulation 1007(b), shall be to completed minimum training prior to assignment of peace officer duties. Past and current minimum training standards are as follows:

MINIMUM HOUR REQUIREMENTS

<u>7-15-82 thru 6-30-86</u>	<u>Module A - 40 hours</u> <u>Module B - 40 hours</u> <u>Module C - 120 hours</u> <u>Field Training - 200 hours</u>
<u>7-1-86 thru 6-30-88</u>	<u>Module A - 56 hours</u> <u>Module B - 40 hours</u> <u>Module C - 120 hours</u> <u>Field Training - 200 hours</u>
<u>7-1-88 thru 6-30-92</u>	<u>Module A - 56 hours</u> <u>Module B - 90 hours</u> <u>Module C - 68 hours</u> <u>Field Training - 200 hours</u>
<u>7-1-92 thru 12-30-95</u>	<u>Module A - 64 hours</u> <u>Module B - 90 hours</u> <u>Module C - 68 hours</u> <u>Field Training - 200 hours</u>

<u>1-1-96 thru 1-2-97</u>	<u>Module A - 64 hours</u> <u>Module B - 90 hours</u> <u>Module C - 68 hours</u> <u>Module D - 442 hours</u> <u>Field Training - 200 hours</u>
<u>1-1-96 thru 6-30-99</u>	Module A - 64 hours Module B - 90 hours Module C - 68 hours Module D - 442 hours
<u>7-1-99 thru present</u>	Level III Module - 162 hours PC 832 - 64 hours** Level III - 98 hours Level II Module - 224 hours Level I Module - 344 hours Field Training - 400 hours
Regular Basic Course - 664 hours	

MINIMUM TRAINING REQUIREMENTS

Level	Course(s)
Level III Reserve appointed prior to 7-1-99	Module A
Level III Reserve appointed on or after 7-1-99	Level III Module
Level II Reserve appointed prior to 7-1-99	Modules A and B
Level II Reserve appointed between 7-1-99 and 12-31-99	The Level III and Level II Modules
Level II Reserve appointed between 1-1-00 and 6-30-00	Modules A and B or the Level III and Level II Modules
Level II Reserve appointed on or after 7-1-00	The Level III and Level II Modules
Non-designated Level I Reserve appointed on or before 1-1-97	Modules A, B, and C plus field training
Designated and non-designated Level I Reserve appointed between 1-2-97 and 6-30-99	Regular Basic Course** ₋
Designated and non-designated Level I Reserve appointed on or after 7-1-99	Regular Basic Course** ₋ plus field training
Designated Level I Reserve	Regular Basic Course** ₋

** Module A and PC 832 are the same course.
**₋ or equivalent (Reg. 1008 & Procedure D-1)

3-43. Exemption to Minimum Training: The Commission has established the following exemptions to the reserve peace officer training requirements:

(a-) Any reserve peace officers appointed prior to January 1, 1979, may be exempted by the appointing authority from Level I or Level II training requirements. (See Penal Code section 832.6, Stats. 1977 C. 987)

3-5:(1) Transfer of Exemption: Any reserve peace officer appointed prior to January 1, 1979, and exempted by the appointing authority from the minimum training standards for Level I or Level II reserve peace officers, cannot after that date be appointed to either of these levels by another law enforcement department, unless the reserve peace officer has been awarded the POST Reserve Officer Certificate or has met the training requirements for the appropriate level of reserve peace officer assignment on or before the date of the person's appointment as a reserve peace officer by the subsequent appointing law enforcement agency.

3-6:(2) Changing Exemption Designation: Each reserve officer appointed prior to January 1, 1979, and exempted from training requirements should be designated to a specific reserve officer level by the appointing authority. This level designation may be changed by the appointing authority irrespective of the January 1, 1979 operative date of Penal Code Section 832.6. Level I reserve officers exempted from training requirements (whom the appointing authority may wish to be designated to have full powers of a peace officer as provided by Penal Code section 830.1, effective January 1, 1981) must have been issued the POST Reserve Officer Certificate prior to that date.

(b-) To be eligible to exercise full powers and duties of a peace officer as provided by Penal Code section 830.1 [Reference Penal Code section 832.6(b)], any reserve peace officer appointed prior to January 1, 1981, who has not satisfactorily met the Commission's training requirements of the Regular Basic Course (PAM, section D-1-3) and has been determined by the appointing authority to be qualified to perform general law enforcement duties by reason of the person's training and experience, must have been issued the Reserve Officer Certificate prior to January 1, 1981.

(ac) Between January 1, 1981 and January 1, 1984, the minimum 200 hours of non-designated Level I Reserve Peace Officer Training may also be fulfilled by satisfactory completion of any POST-certified reserve training course(s) of 200 or more hours and 200 hours of structured field training, provided the reserve peace officer's department head attests that all requirements of Modules A, B and C have been met. (During this period, completion of less than 200 hours of POST-certified Reserve Peace Officer Training, that includes Modules A and B, shall in addition require completion of a POST-certified Module C Course to meet the minimum training standards for non-designated Level I reserves.)

(b-d) ~~Any reserve peace officer who has previously satisfied specified training requirements and has been serving as a Level I or Level II reserve officer in one law enforcement agency, shall be deemed to remain qualified as to POST minimum reserve training requirements if the reserve officer accepts a new appointment at the same level in another law enforcement agency, without a break in service, on or after July 13, 1999~~ A reserve peace officer who has previously satisfied the training requirements specified in H-3-2 above, and has served as a Level I or II reserve peace officer shall be deemed to remain qualified as to POST minimum reserve training requirements if the reserve peace officer accepts a new appointment at the same or lower level within three years of the date of last service as a Level I or II reserve peace officer [see Regulation 1007(b)]. A Level I or II reserve peace officer who has more than a three-year break in service shall satisfy current training requirements. [Penal Code section 832.6(a)(5)]

Training Documentation

3-74. Training Files and Records: Departments shall document reserve officer training and experience by establishing and maintaining files and procedures which are similar to those used for regular officer training.

Historical Note:

Procedure H-3 was adopted and incorporated by reference into Commission Regulation 1007 on July 15, 1982, and subsequently amended February 14, 1987, June 15, 1990, July 1, 1992, February 22, 1996, September 12, 1998, July 1, 1999, January 1, 2000, March 10, 2000, and March 24, 2000, and _____*.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Contract Request for Management Fellow (Workbook Updates)		November 2, 2000
Bureau	Reviewed By Bud Lawallen, Bureau Chief	Researched By Mickey Bennett
Basic Training Bureau		
Executive Director Approval	Date of Approval	Date of Report
<i>Kenneth J. O'Brien</i>	10-5-00	October 3, 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

Should the Executive Director be authorized to contract for the services of a Special Consultant (Management Fellow) to assist with revising and updating Basic Course Student Workbooks?

BACKGROUND

In 1997 the Commission authorized the development of an instructional system to support the Regular Basic Course (RBC). The Basic Course Student Workbook Instructional System includes student workbooks, instructor guides, and instructional videos and is now being utilized by all 39 Academies, and many of the presenters of alternative delivery formats of the RBC (modular, extended, etc.). In addition, four workbooks for the Specialized Investigator Basic Course (SIBC) are currently being developed and will be completed by June, 2001. POST has invested over \$2 million to create the original workbooks, thus far. The costs included a fellowship position, travel and per diem expenses for academy subject matter experts, meeting facilities rental, and two instructional design contractors. The contractors utilized instructional designers, editors, graphic artists, and clerical staff to create the finished drafts. POST staff coordinated the SME meetings, reviewed draft documents, and approved the publishing of the workbooks.

The workbooks are published and distributed by the Office of State Publishing (OSP) with a very high quality but low cost. The student workbooks currently cost \$3.80 each, and the instructor workbooks cost \$7.50 each. All workbooks are shipped within five days of ordering.

There are 41 LD's in the RBC, which are supported by student workbooks and instructor guides. Once the four SIBC workbooks are completed there will be 45 workbooks in the instructional system. All workbooks must be periodically revised and updated to insure accuracy and continued service to our clients.

ANALYSIS

Each workbook has been evaluated by staff to determine the frequency of updating. Many of the workbooks are impacted by legislative changes, while others require revision due to changes in policing practices. Some workbooks require annual updating, while others need updating only every two or three years. In order to maintain the quality and accuracy of the instructional system, staff has determined that a minimum of 28 workbooks need to be updated annually.

While the workbooks are foundationally correct and educationally strong, staff and the field have identified errors, which need to be corrected. These errors have caused some students to question all the information contained in the workbooks. Additionally, the workbooks have been in use for one to three years, depending on the learning domain, and during this period experienced instructors have identified potential improvements to the educational presentation system. One of the improvements which has been identified by the field and staff is the inclusion of leadership, ethics, and community oriented policing throughout the entire basic course curriculum.

The Basic Training Bureau (BTB) has conducted extensive research and evaluation while successfully managing pilot workbook update meetings using part-time (annuitant) personnel to develop the proposed system. The result of this research identified requirements, suggestions and recommendations to implement a successful system. There are multiple phases or steps to effectively and adequately update the student workbook system, which includes: acquiring data and comments from the field; research; preparing draft updated workbooks; facilitating workbook update meetings with subject matter experts; editing recommended changes; publicizing process; developing educational support materials; instructor updating, development and training; and, the timely release of workbooks to the field.

The results of BTB's pilot project research revealed that the workload involved in this process is beyond the current staff's ability to manage. Additional staff resources are required for this purpose. Personnel Budget Change Proposals (BCP) have been submitted for inclusion in the Governor's fiscal year 2001/2002 budget to assist with this additional workload.

In order to meet the immediate need and to ensure that these revisions are timely for the field, it is important that the services of a Special Consultant (Management Fellow) be obtained to assist and work with existing staff. POST has used the services of Special Consultants in the past for a variety of different projects. The use of a Special Consultant in this case is appropriate and consistent with past practice.

RECOMMENDATION

It is recommended that the Commission authorize the Executive Director to enter into an Interagency Agreement with a governmental agency for the services of a Special Consultant (Management Fellow) to assist with revising and updating Basic Course Student Workbooks for a period not to exceed one year and at a cost not to exceed \$130,000 for salary and benefits.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Amend Commission Regulation 1019 (feasibility studies for peace officer positions)		Meeting Date November 2, 2000
Bureau Management Counseling Services Bureau	Reviewed By	Researched By Jack E. Garner, Chief Management Counseling Services
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 10-4-00	Date of Report September 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 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, subject to the results of the Notice of Proposed Regulatory Action, amend Commission Regulation 1019 relating to feasibility studies for peace officer positions.

BACKGROUND

Penal Code Sections 13540-42 became effective January 1, 1990 and required that all persons seeking peace officer designation through legislation shall first request a feasibility study by POST. Commission Regulation 1019 set forth the requirements for the studies and became effective in August 1990.

Assembly Bill 1494 was passed as an urgency measure and amends Penal Code sections 13540-42 to expand the study requirement to include persons who are currently designated as peace officers under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, and desire a change in peace officer designation or status. Assembly Bill 1494 took effect July 7, 2000.

Assembly Bill 1494 also added Section 13543 to the Penal Code which requires POST to conduct a peace officer feasibility study for a change in peace officer designation of the Los Angeles Unified School District Police Department's school police from Section 830.32 to Section 830.1.

ANALYSIS

An emergency file was submitted to and approved by the State Office of Administrative Law to implement the provisions of AB 1494 effective September 11, 2000. Emergency regulations are valid for a period of 120 days unless action is taken to initiate the complete regulatory rulemaking process. The effective period of the emergency regulation ends on January 10, 2001.

Commission Regulation 1019 provides for the feasibility study and recommendations to be made on requests for *new* peace officer status, but does not address studies for *changes* in peace officer designation. The proposed changes to Regulation 1019 will expand the feasibility study requirement to include requests for changes in peace officer status or designation in accordance with Penal Code Section 13540(b) and bring the regulation into compliance with Penal Code Section 13542 with regard to requirements for a favorable recommendation and time limits for completion of the study.

The proposed changes to Regulation 1019 are included as Attachment 1.

RECOMMENDATION

If the Commission concurs, the appropriate action would be a MOTION to amend Regulation 1019, as proposed, using the Notice of Proposed Regulatory Action. The proposed changes will become effective 30 days after approval by the Office of Administrative Law.

**Commission on Peace Officer Standards and Training
Proposed Regulation - 1019**

1019. Feasibility Studies for Peace Officer Status Requests

(a) Request for Feasibility Study

- (1) Any person or persons desiring peace officer status under chapter 4.5 (commencing with Section 830) of Title 3 of Part 4 of the Penal Code who, on January 1, 1990, were not entitled to be designated as peace officers under chapter 4.5, shall request in writing that the Commission undertake a feasibility study regarding designating that person or persons as peace officers.
- (2) Any person or persons who are designated as peace officers under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who desire a change in their peace officer designation or status shall request in writing that the Commission undertake a feasibility study to assess the need for the change.
- (3) The written request shall include a statement that the person, persons or entity requesting the study agrees to pay the actual cost for conducting the study and to provide POST with necessary information to conduct the study.
- ~~(3)~~(4) The department head of the jurisdiction employing the person or persons requesting the feasibility study shall acknowledge the request in writing.

(b) Determining actual study costs

- (1) A fee will be charged to conduct all studies. The fee will be based upon actual direct costs for completing the study, and indirect costs determined in accordance with sections 8752 and 8752.1 of the State Administrative Manual.

(c) Payment of fees

- (1) Fees shall be paid upon completion of the feasibility study and before the report and recommendations are released to the person, persons or entity who requested the study.

- (d) Studies shall be conducted in accordance with P. C. section 13541.
 - (1) During the conduct of studies, written comments will be solicited from the employing jurisdiction's chief administrator and from the concerned department head.
 - (2) Conduct of studies shall include on-site visitations to verify duties and responsibilities.
- (e) Favorable recommendations for peace officer status or a change in designation or status shall be made in accordance with Penal Code section 13542.
- (f) The time limits for completion and issuance of the study report and recommendations shall be in accordance with Penal Code section 13542.
- (g) Procedures for appeal of findings.
 - (1) If there is disagreement with the study recommendations, the person, persons or entity requesting the feasibility study, or the employing jurisdiction, may appeal in writing to the collective members of the Commission.
 - (2) Requests for appeals will be acknowledged in writing.
 - (3) Initial appeals will be heard within four months, after the date the request for appeal is received by the Commission, and a decision shall be rendered within six months of receipt of the appeal.

BULLETIN: 00-

SUBJECT: PROPOSED REGULATORY ACTION: Amendment of Regulation 1019 -
Feasibility Studies for Peace Officer Positions

Amendment of Commission Regulation 1019

Prior to the passage of Assembly Bill 1494, Penal Code sections 13540, 13541, and 13542 required POST to conduct a feasibility study and make recommendations to the Legislature when a request was received from an individual or agency for new peace officer status or designation. Assembly Bill 1494 was passed as an urgency measure and amended Penal Code sections 13540-42 to expand the study requirement to include persons who are currently 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.

The proposed changes to Regulation 1019 will expand the feasibility study requirement to requests for changes in peace officer status or designation in accordance with Penal Code Section 13540(b), and bring the regulation into compliance with Penal Code Section 13542 with regard to requirements for a favorable recommendation and time limits for completion of the study.

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

No public hearing is scheduled. Pursuant to Government Code Section 11346.8, any interested person or duly authorized representative may request in writing, no later than _____, that a public hearing be held.

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

KENNETH J. O'BRIEN
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PROPOSED REGULATORY ACTION: Amendment of Commission Regulation 1019 - Feasibility Studies for Peace Officer Positions

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 in order to interpret, implement, and make specific Sections 13540-13543 of the Penal Code (feasibility studies for peace officer positions), proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Prior to the passage of Assembly Bill 1494, Penal Code sections 13540, 13541, and 13542 required the Commission on Peace Officer Standards and Training (POST) to conduct a feasibility study and make recommendations to the Legislature when a request was received from an individual or agency to receive peace officer status or designation. Assembly Bill 1494 was passed as an urgency measure and amends Penal Code sections 13540-42 to expand the study requirement to include persons who are currently designated as peace officers under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, and desire a change in peace officer designation or status.

Commission Regulation 1019 provides for the feasibility study and recommendations to be made on requests for *new* peace officer status under chapter 4.5, commencing with Section 830 of Title 3, Part 2, and does not address studies for *changes* in peace officer designation. The proposed changes to Regulation 1019 will expand the feasibility study requirement to requests for changes in peace officer status or designation in accordance with Penal Code Section 13540(b), and bring the regulation into compliance with Penal Code Section 13542 with regard to requirements for a favorable recommendation and time limits for completion of the study.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed action. All written comments must be received by POST no later than 4:30 p.m. on _____.
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 this proposal. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m., Monday through Friday).

LOCAL MANDATE DETERMINATION

This regulatory action does not impose a mandate on local agencies or school districts.

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 amendments to Regulation 1019 will have no effect. This finding was based on the determination that the proposed amendments to Regulation 1019 in no way apply to businesses.

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

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

Cost impact on Private Persons or Entities: None

Housing Costs: None

ALTERNATIVES CONSIDERED

No alternative considered by this agency would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed amendments.

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.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material (regulation text and statement of reasons) pertaining to the proposed action should be directed to Leah Cherry, Staff Associate Governmental Program Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 227-3891.

**Amendment of Commission Regulation 1019(a) and (e)
Feasibility Studies for Peace Officer Status/Designation Requests**

Initial Statement of Reasons

On July 7, 2000, Assembly Bill 1494 became effective which amended Penal Code sections 13540-42 requiring the Commission to adopt regulations for undertaking feasibility studies regarding changes in peace officer designation or status.

Previously, peace officer feasibility studies were only required for persons desiring new peace officer status.

To implement the provisions of Penal Code sections 13540, 13541, and 13542, it is proposed that Commission Regulation 1019 be amended to specify that a peace officer feasibility study shall be requested by any person(s) who are designated as peace officers under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

Existing provisions of Regulations 1019 which apply to requests for feasibility studies for new peace officer designation are also proposed to apply to requests for feasibility studies for changes in peace officer designation or status.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Contracts for Recruitment Videos and Handbook		Meeting Date November 2, 2000
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Lori Lee
Executive Director Approval <i>Joseph J. Brennan</i>	Date of Approval 10-13-00	Date of Report Oct. 11, 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 authorize the Executive Director to contract for the development of two videos and a handbook in support of the Recruitment Project?

BACKGROUND

As a state agency that strives to be responsive to the interests of local law enforcement agencies, POST has been called upon, now and in the past, to examine issues of current concern to those agencies. One of the most pressing problems California departments are currently facing is the recruitment of new peace officers. Difficulties of a severe nature are being experienced throughout the state as law enforcement agencies seek to find qualified law enforcement applicants.

In response to this situation, the Commission authorized expenditure of funds for a special consultant (management fellow) to study recruitment issues, and specifically to: (1) assess what further ways law enforcement's image can be improved through working with the California Law Enforcement Image Coalition, (2) identify successful recruitment programs/strategies being used by law enforcement or other professions, (3) identify recommended future role(s) for POST in assisting law enforcement with recruitment, (4) identify strategies for speeding up and streamlining the applicant selection/testing process, and (5) identify any training/orientation of existing officers ie., recruiters' course, that might be useful in recruitment efforts.

On June 26, 2000, Sergeant Lori Lee from Vallejo Police Department was appointed as a POST management fellow for this one-year assignment. Since July, under her enthusiastic oversight, much progress has been made on the POST Recruitment Project. Literature has been reviewed (to obtain a baseline of knowledge); agencies have been visited (to identify some current practices); liaison has been established with the Image Coalition; and a POST Recruitment Committee has been formed to establish objectives and priorities.

With this amount of groundwork in place, some of the tangible products envisioned from the project are taking form. Specifically conceptualized are: (1) a videotape designed for the potential law enforcement candidate, (2) a videotape targeted to agency recruiters and law enforcement executives, and (3) a handbook for recruiters and executives that outlines "best practices."

ANALYSIS

Development of the two proposed videotapes and the workbook is consistent with the goals originally approved by the Commission when the management fellow was first authorized. Content of these products is conceptualized as follows:

Videotape #1 -

Target audience: Potential law enforcement candidates

- Video clips, public service announcements, etc.
- Positive and professional image/marketing strategies
- 10 - 12 PSA Spots" which could be used on a revolving basis

Videotape #2

Target Audience: Agency Recruiters/Unit Supervisors

- Present the "Best Practices"
- Nuts and bolts - How to's
- How, Who, What, Where, When
- Handbook to be used as an adjunct

Target Audience: Law Enforcement Executives

- Shared with all agency command/executives/decision makers
- Address budgetary issues, long-term planning
- Retention, relationship issues
- Partnerships needed between all City/County Government
- Executive Summary to be used as an adjunct

Video "Marketing" Elements

- Presented to community, service organizations, youth, business
- Potential candidates initially attracted to seek additional information
- "Seed planters"
- Advertising materials such as pens, cards, posters, cups, etc.
- Possible grant opportunities with the approach to attract youths
- Cadet, explorer, magnet programs

Handbook - "Best Practices Manual"

Potential Chapters: Marketing Strategies
Specific Needs (minorities, women, Generation X & Y, etc.)
Consolidated Testing
Application and Candidate Selection
Preparing the Candidate
Retention Issues
Successful Programs

At the time the management fellow position was approved, allocation was for salary and benefits only. However, development of these products will require the approval of additional funding. (Delivery of both videotapes is anticipated via satellite to keep costs down.) Cost estimates for the development of the two videos is \$151,000 and \$59,000 for the handbook, totalling \$210,000.

A decade ago, when law enforcement agencies were faced with a similar recruiting challenge, the Commission also authorized a management fellow to initiate a pilot regional testing program, research high school magnet programs, and explore statewide image building/recruitment. At the time, several alternatives were presented to the Commission in support of statewide law enforcement recruitment efforts, ranging in price from \$385,000 to \$3.5 million. Based upon these estimated costs and because further action would represent a significant commitment to a fundamentally new role for POST, the Commission declined to further fund POST efforts in this area.

Unfortunately, the problems with law enforcement recruitment have resurfaced today, and local agencies are once again looking to POST for assistance.

RECOMMENDATION

Authorize the Executive Director to augment the existing Telecourse contract with KPBS for the development of two recruitment videotapes, the services of an instructional designer to assist in the development of a recruitment handbook at a cost, not to exceed \$210,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Approval to Contract to Provide Two Special Courses of Training to Academy Physical Training Instructors.		Meeting Date November 2, 2000
Bureau Standards and Evaluation	Reviewed By Alan Deal <i>Alan Deal</i>	Researched By Paula Burnette
Executive Director Approval <i>Jessie J. Brown</i>	Date of Approval 10-13-00	Date of Report Oct. 11, 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 on Peace Officer Standards and Training Provide Police Physical Fitness Specialist Training and Advanced Police Physical Fitness Training to Academy Physical Training Instructors?

BACKGROUND

POST is required to establish job-related entry-level physical ability standards for California peace officers by Section 13510(b) of the Penal Code. These standards were established in 1985 and have been revised twice, once in 1990 and once in 1996. POST's strategic plan requires increased standardization in the assessment of skills required for graduation from the regular basic academy and development of a physical fitness standard prior to entry into the Basic Academy. Physical fitness is fundamentally required for peace officers to perform critical job tasks and essential job functions required of their position. POST is currently developing skill and exercise tests for the Basic Academy and is in the process of determining a minimum physical fitness standard for entrance into the Basic Academy.

Also, a review of the current POST physical fitness instructor program is in process to ensure that it is up to date and reflects current thinking in the field. As a trial, POST assisted in providing the Police Physical Fitness Specialist Course in cooperation with the California Highway Patrol in July 1999. That course was very well received and resulted in agency changes of existing physical training programs, the development of some in-service physical fitness programs, and considerable input into the revision of POST's Physical Training Instructor Course.

ANALYSIS

The Cooper Institute for Aerobic Research (CIAR) has assumed the national leadership role in the areas of fitness and physical performance for public safety officers. Their blend of research, training and consultation experiences has enabled the Cooper Institute to analyze the demands of public safety officers and offer relevant training which is directly applicable to the development of a POST pre-academy physical fitness standard, review of the existing POST program, and individual agency programs.

The CIAR is the only known physical fitness-training provider that specifically trains law enforcement physical fitness instructors in preventive medicine research, safety programming, legal issues, and developing norms and standards. This request for two courses is based on the physical fitness curriculum targeted to law enforcement and experience in standards development. No other fitness-training provider offers this type of course with an adjudicatory perspective (i.e., they present this course with a legal point of view in mind, which is, can we defend the use of this test in court, can we defend the use of these normed charts in court).

POST has two strategic plan objectives that would benefit from providing instructors with this training, "A.3 Research and develop needed minimum qualifications for all entrants into the basic academy," and "B.8 Expand instructor development opportunities." In addition, a number of agencies have been experiencing an increased number of student and instructor injuries during physical workouts and training. The review and revision of the POST program provides an opportunity to assist agencies in updating and modifying their physical training programs while assisting POST in the review of the physical training program and the development of a pre-academy standard. Offering this training to the field at this time has both a benefit for POST and for the field.

RECOMMENDATION

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with the Cooper Institute for Aerobic Research to present the Police Physical Fitness Specialist Course and the Advance Physical Fitness Specialist Course to assist in the implementation of Strategic Plan Objectives A.3, and B.8, at a cost not to exceed \$30,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Specialized Instructor/Basic Academy Training Requirements		Meeting Date November 2, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Mike Hooper
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>10-10-00</i>	Date of Report October 6, 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, subject to the Notice of Proposed Regulatory Action, proposed POST Administrative Manual Regulations 1070, 1071, and 1082, and accompanying minor revisions to Regulations 1001, 1052, 1053, and 1055, delineating prerequisite training for instructors of specified specialized training courses, and basic academy staff?

BACKGROUND

POST has maintained an expectation that persons who instruct in certain specialized training courses should attend a POST-certified instructor development course (or an equivalent one) on the related subject area. By and large, this expectation has been realized, but to date there have been no means for ensuring consistency. When the POST Plan for Instructor Training Requirements and Certification was devised, one of the plan's initial action steps ("Step 3") addressed "making mandatory the existing prerequisites for instructor training" in order to ensure consistency and a written standard. The certification plan was approved by the POST Commission at its April 2000 meeting.

ANALYSIS

The proposed regulations would require, as of July 1, 2002, lead instructors of enumerated specialized training courses to have completed a designated POST-certified instructor development course prior to instructing specialized training. Instructors other than lead instructors would be required to complete the training if they were appointed as an instructor on or after July 1, 2002. The pertinent instructor development courses already exist and have been presented for many years. Most training presenters have required their instructors to complete these courses. Provisions are incorporated into the regulations for training presenters to conduct equivalency evaluations for instructors who have completed equivalent instructor training.

Proposed content requirements for the instructor training courses specify various minimum topics without the usual minimum hourly requirements. This is proposed because these topics also represent minimum required competencies expected of course graduates. Competency-based training courses generally do not specify hours of training. In addition, flexibility is provided to training presenters in conducting equivalency evaluations by not being constrained by minimum hours.

In addition, the proposed regulations would require certain key basic academy staff (Academy Director, Academy Coordinator, and Recruit Training Officer) appointed on or after July 1, 2002, to complete a specified training course within one year of assignment. It is believed that the one-year grace period is necessary to accommodate operational necessities at most academies.

The proposed regulation changes are Attachment A.

This codification of existing "unofficial" instructional requirements is a preliminary step in furtherance of ensuring the highest quality of instruction in POST-certified training. The regulations have been drafted with the certification plan's expressed values in mind (e.g., adaptable, affordable, and collaborative). The proposed effective date of the regulations is July 1, 2002. Training costs will be shared among POST, presenters, and instructors. Both the broad-based Instructor Standards Advisory Council and the Basic Course Consortium have supported the spirit of the regulations.

In support of these proposed instructor training requirements, data from other states' requirements suggest that California lags behind in setting instructor standards. For example, according to the 2000 edition of the *IADLEST Sourcebook* (published by the International Association of Directors of Law Enforcement Standards and Training), 88 percent of the states certify their law enforcement trainers. In fact, Florida, Texas, and New York report 13,000, 12,201, and 12,000 certified instructors, respectively.

It is recommended that a public notice of intent to enact these requirements be released. If no one requests a public hearing, the regulations would go into effect following approval by the Office of Administrative Law.

RECOMMENDATION

Subject to results of a Notice of Proposed Regulatory Action, approve the proposed regulations establishing training requirements for instructors who teach specialized subjects in POST-certified courses, as well as for certain key basic academy staff.

POST ADMINISTRATIVE MANUAL

REGULATIONS

1070. Minimum Training Standards for Instructors of POST-Certified Specialized Training Courses.

- (a) Minimum training standards. Effective July 1, 2002, lead instructors of any POST-certified specialized training course listed below shall complete the specified training standard, or its equivalent, prior to leading instruction in the POST-certified course. Instructors other than lead instructors must complete the appropriate training standard, or its equivalent, if they are appointed on or after July 1, 2002, or if they instruct at a new training institution on or after July 1, 2002. "Lead instructor" is defined in Regulation 1001, and the equivalency process is defined in Regulation 1070(b).

The courses listed below under "Training Standard" may also require completion of prerequisites which are stated in the *POST Catalog of Certified Courses*.

CERTIFIED COURSETRAINING STANDARD (Content for the following courses is in Regulation 1082).Arrest and Control TechniquesArrest and Control Instructor or Defensive Tactics InstructorBaton/Impact WeaponsBaton/Impact Weapons Instructor or Defensive Tactics InstructorChemical AgentsChemical Agents InstructorDefensive Tactics UpdateDefensive Tactics Instructor or Arrest and Control Instructor and Baton/Impact Weapons InstructorDiversionary DevicesDiversionary Devices InstructorDriver Training UpdateDriver Training InstructorDriver Training SimulatorDriver Training Simulation InstructorFirearms (As a stand-alone course or as part of a larger course)Firearms InstructorFirst Aid/CPRFirst Aid/CPR InstructorForce Options SimulatorForce Options Simulator InstructorHazardous Materials-FirstHazardous Materials Train-the-TrainerResponderInstitute for Criminal InvestigationInstitute for Criminal Investigation InstructorLess Lethal WeaponsLess Lethal Force InstructorMotorcycle TrainingMotorcycle Training InstructorPhysical Training (Basic Course)Physical Training InstructorSupervisory LeadershipSupervisory Leadership Institute InstructorInstitute

(b) Equivalency Process. The training standard specified in (a) above may be satisfied through an equivalency evaluation performed by the presenter. An individual requesting an evaluation of non-POST-certified training to meet the minimum training standard shall submit to the presenter an expanded course outline for each course to be considered in the evaluation. Additionally, each course outline must indicate the name of the course, dates of training, and the name of the training presenter. Presenters will base their evaluations on a comparison of the submitted expanded course outline(s) against the content specified in Regulation 1082 for the required course. Documentation for approved equivalencies shall be retained by the presenter.

(c) Proof of Completed Training Standard. Presenters of the POST-certified courses specified in (a) above are required to maintain documentation which demonstrates satisfaction of the minimum training standard by their instructors who teach any of the certified courses listed in subsection (a). Documentation shall be a copy of the certificate of course completion issued by the training presenter of the required training standard in (a) above, or a POST training record (as maintained in the POST data base) for the instructor, or the expanded course outline(s) used in conducting an equivalency per (b) above. Documentation must be made available for POST inspection upon request.

DRAFT

1071. Minimum Training Standards for Basic Academy Directors, Coordinators, and Recruit Training Officers.

- (a) The minimum training standards for Academy Directors, Academy Coordinators, and Academy Recruit Training Officers apply only to those individuals appointed to those positions on or after July 1, 2002. The specified minimum standard shall be completed within one year from the date of appointment to any of the staff positions mentioned above.

STAFF POSITION

TRAINING STANDARD (Content for the following courses is in Regulation 1082)

Academy Director

Academy Director/Coordinator Workshop*

Academy Coordinator

Academy Director/Coordinator Workshop

Academy Recruit Training Officer

Recruit Training Officer Workshop

*Attendance at the Academy Director/Coordinator Workshop is not required if the director has attended as a coordinator within three years prior to appointment as director.

- (b) Proof of Completed Training Standard: Academy directors shall maintain documentation which demonstrates satisfaction of the minimum training standard as required for the staff positions indicated in (a) above. Documentation shall be a certificate of course completion issued by the training presenter of the required training standard in (a) above or a POST training record (as maintained in the POST data base) for the instructor. Documentation must be made available for POST inspection upon request.

1082. Minimum Content Requirements for POST-Certified Instructor and Academy Staff Courses.

(a) Minimum course content. The POST-certified courses listed in this regulation, which is responsive to Regulations 1070 and 1071, shall meet the minimum content requirements as stated below. Presenters are expected to assess student proficiency in each topic area. The assessment (written/oral examination) must be consistent with learning objectives. Requirements for certification and presentation of these courses are specified in Regulations 1052 - 1056.

* All instructor and academy staff courses shall include content on legal issues, performance evaluation techniques, and safety protocols.

(1) Academy Director/Coordinator Workshop:

- (A). Academy Management Guidelines
- (B). Basic Training Support System
- (C). Budgeting
- (D). Ethics and Professionalism
- (E). Instructional Planning
- (F). Instructional Quality
- (G). Instructional Resources
- (H). Learning Domain Instructional System
- (I). Testing Regulations and Management

* (See above)

(2) Arrest and Control Instructor:

- (A). Body Physics and Dynamics
- (B). Control Techniques
- (C). Gun Retention
- (D). Handcuffing
- (E). Injury Prevention
- (F). Prisoner Restraint
- (G). Searches
- (H). Use of Force
- (I). Weaponless Defense
- (J). Weapon Retention

* (See above)

(3) Baton/Impact Weapons Instructor:

- (A). Blocking Techniques
- (B). Drawing Techniques
- (C). Patterns of Movement
- (D). Stances
- (E). Strike Zones
- (F). Striking Techniques
- (G). Use of Force

(See above)

(4) Chemical Agents Instructor:

- (A). Maintenance of Aerosol Devices
- (B). Decontamination
- (C). Delivery Methods
- (D). Disposal of Aerosol Devices
- (E). First Aid Protocols
- (F). Gas Mask Application

* (See above)

(5) Defensive Tactics Instructor:

The content for this course is a composite of the "Arrest and Control Instructor" and "Baton/Impact Weapons Instructor" courses.

(6) Diversionsary Devices Instructor:

- (A). Device Deployment and Ignition
- (B). Types of Devices
- (C). Types of Diversions

* (See above)

(7) Driver Training Instructor:

- (A). Defensive Driving
- (B). Pursuit Guidelines
- (C). Risk Assessment
- (D). Vehicle Control

* (See above)

(8) Driver Training Simulation Instructor:

- (A). Scenario Design
- (B). Simulator Calibration/Troubleshooting
- (C). Simulator Orientation
- (D). Vehicle Control Techniques
- (E). Vehicle Dynamics
- (F). Work Station Operation

* (See above)

(9) Firearms Instructor:

- (A). Coaching
- (B). Firearms Maintenance
- (C). Fundamentals of Shooting
- (D). Range Preparation
- (E). Tactical Considerations
- (F). Target Analysis
- (G). Use of Force Guidelines

* (See above)

(10) First Aid/CPR Instructor:

- (A). Abdominal/Chest Injuries
- (B). Bleeding
- (C). Burns
- (D). Cardiovascular System
- (E). Communicable Diseases
- (F). CPR Techniques
- (G). Dressings/Bandages
- (H). Environmental Emergencies
- (I). Fractures
- (J). Obstetric/Pediatric Emergencies
- (K). Patient Assessments
- (L). Respiratory System
- (M). Shock
- (N). Wounds

* (See above)

(11) Force Options Simulator Instructor:

- (A). Force Options
- (B). Scenarios Application
- (C). Simulator Weapons Familiarization
- (D). Tactics

* (See above)

(12) Hazardous Materials Instructor (Train-the-Trainer):

- (A). Haz Mat Containment
- (B). Haz Mat Identification and Assessment
- (C). Incident Management
- (D). Notification Protocols
- (E). Placarding/Labeling
- (F). Responder Awareness Actions
- (G). Simulated Incidents

* (See above)

(13) Institute for Criminal Investigation (ICI) Instructor:

- (A). Workshop on adult experience-based learning
- (B). Workshop for instructional competency verification
- (C). Student teaching in a classroom environment, under the observation of a Master Instructor

* (See above)

(14) Less Lethal Force Instructor:

- (A). Apprehension Techniques
- (B). Level of Effectiveness
- (C). Medical Treatment Protocol
- (D). Precautions
- (E). Psychological Effects
- (F). Reporting Procedures
- (G). Stun-Bag Specifications

* (See above)

(15) Motorcycle Training Instructor:

- (A). Braking Demonstrations
- (B). Broad Sliding
- (C). Cone Patterns
- (D). Defensive Riding Practices
- (E). Enforcement Stops
- (F). Incline Work
- (G). Motorcycle Maintenance
- (H). Proficiency Course
- (I). Pullouts
- (J). Street Riding Techniques

* (See above)

(16) Physical Training Instructor:

- (A). Calisthenics
- (B). Circuit Training
- (C). Conditioning Principles
- (D). Injury Prevention and Assessment

(E). Motivation

(F). Nutrition

* (See above)

(17) Recruit Training Officer Workshop:

- (A). Basic Training Delivery System
- (B). Counseling Techniques
- (C). Ethics and Professionalism
- (D). Functions of the Recruit Training Officer
- (E). POST Administration/Organization
- (F). Special Training Issues

* (See above)

(18) Supervisory Leadership Institute (SLI) Instructor:

- (A). Workshop on experience-based learning and facilitation skills
- (B). Competency verification/evaluation session

* (See above)

1001. Definitions.

(a) through (s)*****.

(t) "Lead instructor" is an individual primarily responsible for coordination of instruction for a particular topic. The responsibility includes oversight of course content, logistics, and other instructors.

(u) through (mm) continued*****.

ORIGINAL

1052. Requirements for Course Certification

(a) Each request for course certification shall be evaluated in accordance with the following factors:

- (1) Course content and hours
- (2) Qualification of instructors, and coordinators, and/or academy staff (Reference Regulations 1070 and 1071 for minimum training standards)
- (3) Physical facilities appropriate for the training
- (4) Cost of course
- (5) Potential clientele and volume of trainees
- (6) Need and justification for course
- (7) Methods of course presentation
- (8) Availability of staff to administer the course
- (9) Course evaluation processes
- (10) Instructor/trainee ratios
- (11) Provisions for student safety

(b) through (b)(2)(A)(4) continued *****

- (5) Each academy shall comply with the minimum training standards for directors, coordinators and recruit training officers as prescribed in Regulation 1071.

(c) Only those courses for which there is an identifiable and unmet need shall be certified.

(d) Courses for which POST has established curriculum requirements must comply with those requirements. (See Regulation(s) 1081, 1082 and any training specifications referenced in Commission Procedure D-1 which have been incorporated into regulation by reference.)

(e) through (h)(4) continued*****

1053. Course Certification Request and Review Process.

(a) Course Certification Request. Any person or organization desiring to have a course certified shall contact a POST training consultant to ensure that the proposed course meets the required criteria and shall prepare and submit a complete course certification request package to POST. Submission of the following forms and related materials shall constitute a complete package:

- (1) Course Certification Request (POST 2-103 rev. 7/92)
- (2) Instructor Resume(s) which shall include the following elements: 1) Course title, 2) Course Subjects Assigned to Instruct, 3) Relevant Experience/Training, 4) Prior Instructor Training/Experience, 5) Education/Teaching Credential, and 6) Presenter/Coordinator Approval Signature. Copies of certificates of course completion shall be submitted for those instructors or academy staff required to meet a minimum training standard as specified in Regulations 1070 or 1071 respectively.
- (3) through (b)(3) continued *****.

ORIGINAL

1055. Requirements for Course Presentation.

(a) through (k) continued ****.

(l) Certificate of Completion: Any presenter of a POST-certified instructor development course listed in Regulation 1070 or presenters of the Academy Director/Coordinator Workshop or Recruit Training Officer Workshop shall issue certificates to students who successfully complete the training. The certificate of completion must include title of course, dates of course, hours completed, and the POST course control number.

ORIGINAL

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title 832.1 P.C Airport Security Personnel Curriculum Update		Meeting Date November 2, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Robert Stresak
Executive Director Approval <i>Samuel J. O'Brien</i>	Date of Approval <i>10-4-00</i>	Date of Report September 26, 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 updated curriculum to the 832.1 P.C *Aviation Security Personnel; Training Course* curriculum?

BACKGROUND

Effective July 6, 1973 the California legislature enacted Penal Code section 832.1 which mandates POST approved "Airport Security" training. The statute reads as follows:

"Any airport security officer, airport policeman, or airport special officer, regularly employed..... shall have completed a course of training relative to airport security approved by the Commission on Peace Officers Standards and Training..... Any airport officershall have completed the course of instruction within 90 days after such employment. Any officer who has not satisfactorily completed such course within such prescribed time shall not continue to have the powers of a peace officer until they have satisfactorily completed such course."

On September 13, 1973 the Commission approved Commission Regulation 1081 (a) (2), creating a 20 hour POST certified course entitled "Aviation Security". (Attachment A)

Currently there are three presenters for this course: San Francisco Police Department, Airport Bureau, Los Angeles World Airport Police, and San Jose Police Department.

This curriculum has not been updated since 1983.

ANALYSIS

The original legislation was enacted as a response to a period when numerous hijackings of *domestic* flights were occurring. Since that time, domestic hijackings have declined, aircraft technology significantly changed, and airport security issues have grown exponentially in complexity. Attendance of this course for the past three fiscal years has been extremely light, approximately 300 officers per year.

The curriculum update was initiated by conducting on-site interviews at San Francisco International Airport, and Los Angeles World Airport. Airport security personnel, as well as members of various law enforcement agencies were interviewed regarding their role in aviation security. Those interviews revealed that local, federal, private and corporate entities all play a role in ensuring secure airport operations.

It was further noted these entities routinely operate independent of each other. Airport security operations can best be summed up by stating "security is everyone's responsibility and no one's overall responsibility". The exception of course is a major unusual occurrence. Bombings, hostage situations/air carrier takeovers, skyjackings, earthquake, fire or prominent national events hosted at a local site (Olympics, conventions, etc) naturally galvanize routinely fragmented law enforcement efforts. It is during these events that a defined chain of command and a lead investigative agency quickly surface.

Research also revealed airport security to be a hybrid of state criminal law, federal civil law, airport operational guidelines, local jurisdiction policy, corporate policy, as well as security needs unique to the physical plant setting. (For example, San Francisco International Airport poses unique security concerns as a major portion of it's perimeter is bordered by open seas).

This tapestry of security entities and legal guidelines poses unique challenges to peace officers either assigned to airport security on a full-time basis, temporarily assigned or loaned to airport operations, responding to calls for service at an airport facility, or responding to calls initiated beyond the perimeters of an airport but related to airport security operations (stolen aircraft, stolen aircraft parts, stolen cargo recovery, air crashes).

Research of these multi-faceted issues produced a broad cross section of law enforcement entities from which to draw subject matter experts (Attachment B). These subject matter experts were convened to review the current airport security curriculum, determine its relevancy to today's security issues, and add or delete curriculum components.

The committee recommended that *Airfield Operations* and its expanded topics, and *Multi-Agency Task Forces* and its expanded topics be added to the curriculum. It was the consensus of this committee that these additions would add improved currency and relevancy to the existing curriculum. Expanded topics under *Airfield Operations* include: security systems, corporate policies and procedures, physical security, new technologies, security compliance program, risk management (report writing, interagency requirements), aviation security contingency planning (SEMS, disaster planning, incident management, passenger incidents, air rage, hijacking management, ALERT response). Expanded topics under *Multi-Agency Task Forces* include: career criminal investigations, dignitary protection, and fraudulent ticket and credit card investigations. Other expanded topics deemed relevant and necessary were: Updated flying-armed regulations, weapon transportation, prisoner transportation, cultural awareness, and interpersonal communication.

A significant recommendation is the addition of Airport Risk Management which is an extremely relevant issue impacting today's airport security operations. This topic was added under *Airfield Operations*.

832.1 PC currently mandates a 20 hour curriculum. Both presenting agencies currently offer a 30+ hour curriculum on airport security, then complement this training with an additional 12-24 hours of internal policy and local jurisdictional issues. Presently, the current training curriculum provides over 40 hours of airport security indoctrination to newly assigned officers. (At the time of this report the FAA course, addressing federal regulations only, is 40 hours. Not all officers are required to attend this course)

After reviewing the proposed revised curriculum with instructors and other subject matter experts it is recommended that the mandated curriculum be increased from 20 to 40 hours.

RECOMMENDATION

It is proposed that POST Regulation 1081(a) (2) be amended as shown on Attachment A, subject to the results of a public review process. If no one requests a public hearing, these changes will go into effect upon approval of the Office of Administrative Law.

Proposed Changes to Regulation 1081 (a)(2)

**Aviation Security ~~20~~ 40 Hours
(Penal Code Section 832.1)
(Certified Course)**

- (A). Introduction and Background
- (B). Criminal Threat to the Aviation Industry
- (C). Federal Organization, Regulations, and Jurisdiction
- (D). Legal Aspects
- (E). Psychological Aspects
- ~~(F). Passenger Screening~~
- (F). Aviation Explosives
- ~~(H). Aviation Security Questions and Issues Examination and Critique~~
- (G). Multi-Agency Task Forces
- (H). Airfield Operations
- (I). Aviation Security Questions and Issues Examination and Critique

**Aviation Security Workshop
Subject Matter Experts**

American Airlines
Margaret Jeter
Senior Security Representative

American West Airlines
William P. Brumme

Burbank Airport Police
Officer Chris Matthews

Drug Enforcement Administration
United States Department of Justice
Special Agent Jim Delaney

Federal Aviation Administration
Don Cotton
FAA Federal Security Manager

Federal Bureau of Investigation
Special Agent David Beall

Los Angeles Police Department
Airport Detail
Sergeant F. Long
Sergeant N. Sinibaldi

Los Angeles World Airports
Risk Management Liability
Madeline Ramirez

LAX Airport Police
Captain John Bangs
Lt. LaPonda Fitchpatrick

Orange County Sheriff's Department
Deputy Ron Harvey

Sacramento Sheriff's Airport Detail
Captain Christine Hess
Sergeant Sharon Cadigon

San Francisco Police Airport Bureau
Lt. Gary O'Donnell
c/o Captain Frank O'Malley

Southwest Airlines
John Chaussee
Director of Ground Operations Security

Don Armstrong
Director of Corporate Security

US INS
Sam Mooney

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposed Contract for Management Fellow (Legislative Training Mandates)		Meeting Date November 2, 2000
Bureau Training Program Services	Reviewed By Ray A. Bray	Researched By Ray A. Bray
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval <i>10-10-00</i>	Date of Report August 21, 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 a one-year contract with a law enforcement agency for the services of a Management Fellow in an amount not to exceed \$130,000 to conduct research and develop on recommended curriculum requirements for recently passed legislative training mandates?

BACKGROUND

Four bills passed this year that will substantially impact the POST workload for developing of law enforcement training in the coming year include:

- Assembly Bill 1819 requires the Commission to “expand and recast specified subjects in elder/dependent adult abuse training.”
- Assembly Bill 1718 requires POST to “establish and keep updated a continuing education classroom training course relating to law enforcement intervention with the developmentally disabled and mentally ill persons” by June 30, 2001.
- Senate Bill 1102 requires the Commission to develop curriculum related to racial profiling not later than January 1, 2002. Work on this project will be extensive and will include collaborative work with a committee appointed by the Governor and the legislature.
- Senate Bill 1539 requires POST to implement by January 1, 2002 a course of instruction for peace officers related to stalking.

ANALYSIS

Although POST has been involved in developing and updating curriculum dealing with the subject matter covered by these bills, these new laws require the establishment of new training standards. Each new law will require:

- Analysis to determine the specific training requirement of each bill
- Identification and assembly of subject matter experts
- Development of mandated curriculum
- Creation of curriculum documents
- Reports and review by the Commission
- Modification of Commission regulations

Staffing for the implementation of these bills will require one full-time consultant for one year. Existing staff resources are insufficient to address these legislative mandates in a timely fashion as required by law.

RECOMMENDATION

Authorize the Executive Director to contract with a local law enforcement agency for a special consultant (Management Fellow) to conduct research and develop on recommended curriculum related to recently passed legislative training mandates for a period of one year and at a cost not to exceed \$130,000 for salary and benefits.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Acceptance of 2000-01 VAWA Law Enforcement Grant Funds and Renewal of Existing Interagency Contract to Facilitate Courses and to Extend the Grant Coordinator Position		Meeting Date November 2, 2000
Bureau Training Program Services	Reviewed By <i>Ray A. Bray</i>	Researched By Jan Bullard
Executive Director Approval <i>Kenneth J. O'Brien</i>	Date of Approval 10-13-00	Date of Report August 25, 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 Executive Director accept fifth year funding for the existing Violence Against Women Act (VAWA) grant to provide continued training which is consistent with the Violence Against Women Act as described in this report. Additionally, should the Executive Director renew be authorized to contract with San Diego Regional Training Center (SDRTC) to facilitate the presentation of the courses and to extend the grant coordinator position to coordinate the grant.

BACKGROUND

On August 1, 1997, the Commission was the recipient of a VAWA Law Enforcement Training Grant in the amount of \$2,929,112. Over the past three years, the Commission has approved additional augmentations to the grant bringing the current total to \$7,038,179. This amount includes \$1,759,545 for the in-kind match POST contributes through staff and subject matter expert hours. The funds were dedicated to several projects, including the design and presentation of different courses in VAWA-related topics. The grant also designates funds for a full-time special consultant to serve as grant coordinator.

On July 12, 2000, the Office of Criminal Justice Planning (OCJP) VAWA Task Force approved additional funding for 2000-01 in the amount of \$522,000 to maintain the current level of course presentations for one year. The proposed fifth year funding requires \$173,000 for the in-kind match POST will contribute, through staff and subject matter expert hours, bringing the total 2000-01 project cost to \$695,000.

In the past, contracts with San Diego Regional Training Center were approved to facilitate the course presentations and to provide a special consultant to serve as Assistant Grant Coordinator.

ANALYSIS

The following projects are proposed for Grant Fiscal Year 2000-01 Funds:

- 1) One-year extension of the Assistant Grant Coordinator to serve as the Grant Coordinator - total cost \$121,850.

- 2) Conduct five (5) additional presentations of the 8-hour Domestic Violence for First Responder course - \$3,528.00 @ course - total cost \$17,640.
- 3) Conduct one (1) additional presentation of the 24-hour Domestic Violence for Field Training Officers course - \$10,728 @ course - total cost \$10,728.
- 4) Conduct five (5) additional presentations of the 8-hour Domestic Violence for Public Safety Dispatcher course - \$3,528 @ course - total cost \$17,640.
- 5) Conduct eight (8) additional presentations of the 40-hour Domestic Violence for the Criminal Investigator course - \$19,498 @ course - total cost \$155,984.
- 6) Conduct two (2) additional presentations of the 8-hour Domestic Violence Response Team Training - \$4,128 @ course - total cost \$8,256.
- 7) Conduct two (2) additional presentations of the 16-hour Developing the Expert Witness in Domestic Violence course - \$8,009 @ course - total cost \$16,018.
- 8) Conduct three (3) additional presentations of the 16-hour Domestic Violence for Hostage Negotiators course - \$5,208 @ course - total cost \$15,624.
- 9) Conduct three (3) additional presentations of the 8-hour Officer Involved Domestic Violence course - \$4,128 @ course - total cost \$12,384.
- 10) Conduct ten (10) additional presentations of the 8-hour Sexual Assault for Campus Police - \$3,528 @ course - total cost \$35,280.
- 11) Conduct ten (10) additional presentations of the 8-hour Sexual Assault for First Responders course - \$3,528 @ course - total cost \$35,280.
- 12) Conduct five (5) additional presentations of the 8-hour Sexual Assault for Public Safety Dispatchers - \$3,528 @ course - total cost \$17,640.
- 13) Conduct two (2) additional presentations of the 8-hour Sexual Assault Response Team Training - \$4,128 @ course - total \$8,256.
- 14) Instructor per diem and travel will be paid by POST in order to maintain required audit information - total cost \$49,420.

RECOMMENDATION

Authorize the Executive Director to accept the additional VAWA SB-350 funding for 2000-01 as described, and authorize the Executive Director to contract with San Diego Regional Training Center for the facilitation of the course presentations and extend the special consultant position to serve as VAWA Grant Project Coordinator. The amount of the contract for facilitation of the courses and the consultant position not to exceed \$472,580.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract to Design and Pilot ICI Identity Theft, ICI Class Administrator Course, and ICI Gang Investigation Courses		Meeting Date November 2, 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 10-13-00	Date of Report October 4, 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 design update and one pilot each of the ICI Identity Theft and ICI Class Administrator courses, and the design update and two pilots of the ICI Gang Investigation course, and the development of guidelines for the investigation of identity theft in an amount not to exceed \$83,639 for the last eight months of fiscal year 2000-2001?

BACKGROUND

During the past year the ICI Fraud/Forgery Foundation Specialty course was reviewed and updated. Subject matter experts who assisted that effort included an officer enrolled in the POST Master Instructor Development Program. He selected for his research the topic of identity theft, a sub-set of the fraud/forgery area. His research coupled with the input of the subject matter experts made clear that this emerging criminal activity would require a specialized course for that topic alone. Identity theft crimes have increased in the past three years by a factor of 10. Because it is a new area of specialization few law enforcement agencies have experience and policy developed.

ICI presents an estimated 130 classes each year. The role of the Class Administrator (CA) is crucial for presentation success. Again, a Master Instructor Development Program student selected this topic for her project. The responsibility of the CA encompasses all of the duties of a POST class coordinator plus responsibilities for classroom technology and quality control of ICI instructors. A specialized course is required to develop and maintain the instructional leadership in each class presentation.

Interest in appropriate gang investigation training remains high. Major departments and small departments alike continue to inquire about the availability of such a course. A Master Instructor Development Program student accomplished preliminary curriculum work last year.

ANALYSIS

ICI Identity Theft Course

Identity theft as a criminal activity has been a problem for many years. Its history includes fraudulent activities involving checking accounts and later credit cards. These crimes have exploded in the past 3-years, enhanced

by the technology of computers, high-resolution copy machines and especially the Internet. Estimates are that the numbers of victims of identity theft have increased by a factor of 10 between 1997 and 1999. As an example of the concern being expressed nationally, the federal government has opened a toll-free hotline dedicated to reporting this crime.

This course requires extensive use of computers and the Internet. Many instructors, while solidly grounded in identity theft investigative techniques and skills, lack experience using the Internet and computers as instructional tools. This contract will provide for such instructor development as a one-time course development and presentation. This curriculum will then be integrated into the ICI Instructor Development program for the purpose of training future instructors.

Finally, since so few agencies have experience with identity theft investigations, the development and publication of guidelines and training, with sample policies from various size law enforcement agencies, will prove valuable to our clients.

ICI Class Administrator Course

Class Administrators of training offered under the auspices of the Robert Presley Institute of Criminal Investigation play pivotal roles in the successful delivery of these classes. ICI formatted programs are among the most sophisticated training programs in the country and are built around experiential learning methods and strategies that enhance the acquisition of skills and knowledge for the adult learner. While all instructors of ICI courses are mandated to attend 40-hours of training prior to facilitating a block of instruction, Class Administrators have not been afforded an opportunity to prepare for the demands of the multitude of tasks they must perform.

Historically, Class Administrators are assigned or recruited by the ICI course provider agencies and are not given standardized tools or formats to accomplish the responsibilities, duties, and specific tasks associated with an ICI program. Class Administrators may lack experience, skills and knowledge in budgeting for training programs, classroom management, evaluating course content, adult learning, or mentoring and coaching instructional staff. Consequently, most Class Administrators have learned through "on the job training." While this approach may ultimately be effective, training Class Administrators in this fashion comes at the expense of our students.

A Master Instructor Development Program (MIDP) student has developed a 24-hour Class Administrator course. Her presentation was an excellent first step to fill this training gap. This contract element would provide funds to evaluate this MIDP project, make necessary curriculum revisions, and present a pilot of the final class. Following a critique of the pilot the course will be presented to POST for routine certification to be offered on an 'as needed' basis. If successful, the course will be mandated for ICI Class Administrators.

ICI Gang Investigation Course

Over the past 2 years there has been considerable interest from individual gang investigators and supervisors, professional associations, large and small law enforcement agencies and the State legislature

concerning the content and availability of gang follow-up investigator courses. An examination of existing certified courses shows two types of courses currently certified. The first are AOT or technical courses that focus on generic gang problems in specific communities. The second type of class offered is "gang update" courses. This type of course tends to be very general.

Comments from the field say the former courses are too agency specific and the latter are too general and contain "the same old stuff." What is missing is a course specifically designed on the issues and techniques appropriate to gang enforcement and prosecution. Additionally, in meetings with Senator Hayden we were encouraged to expand the gang investigator training to include the sociology of gangs, a reinforcement of previous training on Constitutional issues and a brief history of the civil rights movement.

Two pilot presentations are requested to fine-tune this range of curriculum material.

RECOMMENDATION

That the Commission authorize the Executive Director to enter into a contract with San Jose State University for design update and one pilot each of the ICI Identity Theft and ICI Class Administrator courses, and the design update and two pilots of the ICI Gang Investigation course, and the development of guidelines for the investigation of identity theft in an amount not to exceed \$83,639 for the last eight months of fiscal year 2000-2001.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request from the Inspector General to Join the POST Program		Meeting Date November 2, 2000
Bureau Executive Office	Reviewed By Ken O'Brien	Researched By Mike DiMiceli
Executive Director Approval <i>Ken O'Brien</i>	Date of Approval 10-16-00	Date of Report Sept. 19, 2000
Purpose <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact: <input type="checkbox"/> Yes (See Analysis for 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 accept the "Office of the Inspector General" in the POST Specialized Investigator program?

BACKGROUND

In June 2000, Steve White, Inspector General, submitted a request to staff to accept the Office of the Inspector General in the POST Specialized Program. The letter from the Inspector General is Attachment A.

Penal Code Section 6125 creates the "independent office of the Inspector General, which shall not be a subdivision of any other governmental entity." The Inspector General is appointed by the Governor and is subject to Senate confirmation.

Penal Code Section 830.2 designates officers employed by various state agencies as peace officers. With the exception of the Inspector General (and some CDC personnel), all of the agencies in this section participate in the POST program and receive Regular or Specialized certificates. Penal Code Section 830.2 (j) defines the Inspector General, Chief Deputy Inspector General, Senior Deputy Inspector General, and other employees designated by the Inspector General as peace officers. The Inspector General is responsible to conduct investigations of the Department of Corrections, Youth Authority, Board of Prison Terms, Youthful Offender Parole Board, and the Board of Corrections, and to conduct audits of investigatory practices and other audits.

Many of the personnel employed by the Inspector General apparently come from local law enforcement agencies. Every officer that was employed by a local agency that is defined in Section 830.1, PC, (deputy sheriff, city police) is required to possess a POST Basic Certificate. The basic training and Basic Certificate requirements do not apply to positions employed by the Inspector General, however. As a result, it appears that former PC 830.1 officers who are now employed by the Inspector General may be "concerned" about the status of their Basic Certificates. In addition, it appears the Inspector General desires to enhance the professional

standing of the staff by joining the POST program, satisfying the associated selection and training requirements, and obtaining certificates.

The POST Basic Certificate is required by law to enable specified peace officers, primarily a deputy sheriff or police officer designated in Penal Code Section 830.1, to exercise peace officer powers and authority. In simplest terms, the Basic Certificate is issued to an officer in a position for which the Basic Course is the required. If the officer leaves a law enforcement position for which the Basic Course is required for more than 3 years, a re-training requirement arises if the individual desires to return to a position for which the Basic Course is required.

The investigators employed by the Inspector General apparently are concerned that the re-training requirement will apply because the POST Basic Course is not the required training for that position. They apparently believe that participation in the POST program will allow their law enforcement training to remain current.

In mid-September, staff was informed by the Department of Personnel Administration (DPA) that POST will be asked by Director Morganstern to conduct an "informal" peace officer feasibility study for positions in the Office of the Inspector General that are classified as auditors. The Inspector General apparently intends to designate these positions also as peace officers and DPA will ask POST for assistance in determining whether the position and job tasks require peace officer powers and authority. As of mid-October, staff has not received the request for the review that is described above.

In August 2000, staff met with YACA Secretary Presley, Deputy Secretary Jensen, CDC Director Terhune, and C-POST Executive Director Brooks to discuss this issue. The position of C-POST is that they have the responsibility, by law, to establish the training and certification programs for the IG. None of the other corrections administrators at the meeting expressed a specific position concerning the IG joining the POST program.

The Commission has not previously considered the inclusion of State correctional agencies or personnel in the POST program.

ANALYSIS

It is well accepted that the Commission's primary duty and responsibility is to local law enforcement. The composition of the Commission (Section 13500, PC) does not include representatives of State law agencies. Further, state agencies are precluded from reimbursement for training costs. In addition, the State correctional agencies, with regard to selection and training, operate independently of both state and local law enforcement agencies as a result of the specific mission they perform. The Commission on Correctional Peace Officer Standards and

Training (C-POST) was created solely to standardize and provide uniformity in the selection and training for State correctional agencies and personnel.

Penal Code Section 6126.1 defines the training standard for the personnel employed by the Inspector General.

- (a) "In consultation with the Commission on Correctional Peace Officer Standards and Training and the Inspector General, the Youth and Adult Correctional Agency shall establish a certification program for investigators under the jurisdiction of the Inspector General, the Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the Board of Corrections, the Youthful Offender Parole Board, and the Board of Prison Terms. The investigators' training course shall be consistent with the standard courses utilized by other major investigative officers, such as county sheriff and city police departments and the California Highway Patrol." (emphasis added)
- (b) "Beginning January 1, 1999, all internal affairs investigators conducting investigations for the office of the Inspector General, the Youth and Adult Correctional Agency, the Department of the Youth Authority, the Department of Corrections, the board of Corrections, the Youthful Offender Parole Board, and the Board of Prison Terms shall complete the investigation training and be certified within six months of employment."

Because Section 6126.1 was enacted in 1998, it appears the legislature clearly intended to create a correctional certification and training program for the IG that is separate from the law enforcement POST program. It also appears the Legislature intended to recognize C-POST as the training entity for correctional personnel.

Participation in the POST program will require the IG to satisfy a number of selection and training standards that are not required in the correctional setting. This may create a situation wherein the IG must comply with two sets of standards, promulgated for different purposes and monitored by different agencies. In addition, POST standards and the enforcement of those standards may be viewed as conflicting with the authority and influence of both C-POST and YACA in a critical management area.

Staff assumes the request from the IG is based on the perception that existing POST standards and programs are appropriate because their investigative workload is not unique to the correctional environment. C-POST, however, indicates the correctional environment is significantly different from the local law enforcement environment. For that reason, C-POST states, training courses for correctional investigators must contain significant information concerning laws and procedures that is unique to that environment.

This issue was presented to the Long Range Planning Committee in October 2000. The Committee directed staff to explore the feasibility of a "reciprocal arrangement" with C-POST that would maintain the training of the IG investigators. Staff has reviewed pertinent regulations and procedures, and discussed the issue with the C-POST Executive Director.

C-POST does not have training standards or courses in place that are specific to the position of investigator at the IG or CDC-IA. The implementation of such standards is not expected for at least 2 years. Because the status of the training is predicated on employment in a position for which the Basic Course is required, Commission regulations and procedures make no provision, at this time, for reciprocal agreements that will substitute for the required employment.

As a result of this research, it appears that a "reciprocal" agreement with C-POST is not feasible as an approach to keep current the law enforcement training of some of the IG investigators.

CONCLUSIONS

Following a review of applicable law, POST regulations, the request from the Inspector General, and related issues, staff concludes:

- A. The participation of the Office of the Inspector General in the POST program will not materially affect the performance of the investigators or defer the impact of the re-training requirement because the investigators are not required by law or regulation to complete the Basic Course as a condition of performing their duties. A reciprocal agreement with C-POST will not alter this situation as it affects the IG or CDC-IA investigators;
- B. C-POST and YACA are responsible, by law, to provide standards and training for the Inspector General and CDC;
- C. Assuming responsibility for standards and training for the Inspector General may create conflicts with C-POST requirements and;
- D. Participation in the POST program would impose upon the Inspector General requirements and standards that are appropriate for local law enforcement agencies and personnel but may not be appropriate for the duties and job tasks of correctional personnel.

OPTIONS

The Commission has two options to respond to the request from the Inspector General:

1. Decline to accept the Inspector General into the POST program;
2. Accept the Inspector General into the POST program and cooperate with C-POST and YACA develop a program that is appropriate for the work environment;

RECOMMENDATION

This report is provided for the Commission's *consideration and decision* in response to the request from the Inspector General to join the POST Specialized Program.

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

Wednesday, November 1, 2000
Holiday Inn Northeast - Sacramento
5321 Date Avenue
Sacramento, CA
(916) 338-5800



AGENDA

Gray Davis
Governor

Bill Lockyer
Attorney General

9:00 A.M.

- | | |
|---|-------|
| A. Call to Order and Welcome | Chair |
| B. Moment of Silence Honoring Peace Officers Killed in the Line of Duty | Chair |
| C. Roll Call and Special Introductions | |
| D. Audience Introductions | |
| E. Announcements | |
| <ul style="list-style-type: none">• Tour of Mobile Force Options Simulator Following Meeting• Others | |
| F. Approval of Minutes of July 19, 2000, Meeting of POST Advisory Committee | Chair |
| G. Planning for Governor's Awards Review | Staff |
| H. Demonstration of Latest POST-Produced Video | Staff |
| I. Review of Commission Meeting Agenda and Advisory Committee Comments | Staff |

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|--|---------|
| J. Review of Revised POST Strategic Plan | Staff |
| K. Advisory Committee Member Reports | Members |
| L. Commission Liaison Committee Remarks | Members |
| M. Election of Advisory Committee Chairman and Vice Chairman | Members |
| N. Need for Advisory Committee Members to Keep Their Associations Informed | Staff |
| O. Governor's Award Screening Committee Meeting - Tuesday, January 23, 2001, at 2 p.m. | |
| P. Old and New Business | |
| Q. Next Meeting | |
| Wednesday, January 24, 2001
Piccadilly Inn, Fresno | |
| R. Adjournment (Tour of Mobile Force Options Simulator) | |

The Report of the October 3, 2000, Long Range
Planning Committee meeting will be presented at
the Commission meeting on November 2, 2000.

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, July 19, 2000
Holiday Inn - San Francisco Airport
275 South Airport Boulevard
South San Francisco, CA 94080
(650) 873-3550



STATE OF
CALIFORNIA

CALL TO ORDER

Gray Davis
Governor

Bill Lockyer
Attorney General

The meeting was called to order at 9:00 a.m. by Vice-Chairman Leisha Lekawa. Leisha welcomed members and thanked Captain Al Waters for planning the social event for Advisory Committee Members and Commissioners for the upcoming evening.

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:

- Daryle Black, Officer - Long Beach Police Department
- Steve Parsons, Deputy - Orange County Sheriff's Department

ROLL CALL AND SPECIAL INTRODUCTIONS

Members Present:

Bernard, Alex - Peace Officers' Research Association of California (PORAC)
Byrd, Charles - California State Sheriffs' Association (CSSA)
Del Campo, Ph.D., Phil - Public Member
Griffith, Raymond H. - California Organization of Police and Sheriffs (COPS)
Lekawa, Leisha - Women Peace Officers' Association of California (WPOA)
Mince, Kevin - California Highway Patrol
Robitaille, Earl - Public Member
Ruelas, Leo - California Community Colleges
Waters, Al - California Coalition of Law Enforcement Associations (CCLEA)
Williams, Woody - California Peace Officers' Association (CPOA)



Members Absent:

Blankenship, Bob - California Police Chiefs' Association (CPCA)
Cleaver, Norman - California Academy Directors' Association (CADA)
Harris, Marty - California Specialized Law Enforcement
Hunt, Derald - California Justice Educators' Association (CAAJE)
Reid, Michael - California Association of Police Training Officers

Commission Members Present:

Hunt, Ted, Chairman
TerBorch, Rick

INTRODUCTIONS

Leisha Lekawa welcomed and introduced Commissioners Ted Hunt and Rick TerBorch.

ANNOUNCEMENTS

Al Waters provided the group with the details for the evening social function.

Hal Snow told members that POST is developing a video describing the organization, including information about the Advisory Committee and the Commission. To that end, he noted that Ron Crook of the Training Program Services Bureau would be videotaping portions of the Advisory Committee meeting.

APPROVAL OF THE MINUTES OF THE APRIL 26, 2000, POST ADVISORY COMMITTEE MEETING

MOTION - Del Campo, second - Bernard, carried unanimously to approve the minutes of the April 26, 2000, meeting.

REPORT ON THE GOVERNOR'S AWARD

Hal Snow referred committee members to the revised and updated *Governor's Award for Excellence in Peace Officer Training* brochure and noted that minor modifications have been made based upon Advisory Committee input. A sample of a well written nomination is available on the POST Web site for interested individuals.

REPORT ON THE CALIFORNIA LAW ENFORCEMENT IMAGE COALITION

Leisha Lekawa, the Advisory Committee representative to the California Law Enforcement Image Coalition, asked Tom Hood to report.

Tom Hood, Bureau Chief/Legislative Liaison of POST staff, gave the following update of activities relating to the California Law Enforcement Image Coalition.

- On Wednesday, July 26, Tom will meet with two other members at the Anaheim Police Department to develop the Image Coalition Web site -- the domain name has already been secured -- calpoliceimage.org.
- On Thursday, July 27, the Image Coalition will hold its next meeting in Ontario, and members will review their written draft articles that focus on various image concerns and issues. After edit and review, articles will be submitted to local and international trade journals for publication.
- The Image Coalition is looking at various funding mechanisms, including obtaining membership fees from the Coalition founding organizations and, possibly, police agencies and labor groups.

REPORT ON THE INSTRUCTOR SYMPOSIUM 2000

Hal Snow reported on the successful Symposium 2000 co-hosted by POST, the Chancellor's Office, and the Santa Rosa Regional Training Center. The Symposium was held on May 8-10 in San Diego. The event showcased the latest in instructional technology and methodology; many instructors were Master Instructor Development Program graduates. Over 177 individuals participated, and overall ratings of the Symposium were described as "excellent."

Hal further reported that Norm Cleaver, of the Santa Rosa Regional Training Center, is being recognized for his leadership, in this event, and will be presented with a Resolution from POST.

REPORT ON BASIC COURSE TESTING

Hal Snow introduced Alan Deal, Bureau Chief of the Standards and Evaluation Bureau, who provided handouts and gave a report on the Basic Course Testing process. Alan noted the following:

- The Standards and Evaluations Bureau is developing a study, based on a model that meets the rigorous standards of the American Psychological Association, to the establishment of new learning domain pass points on the paper-and-pencil POSTRAC tests that are used in the Regular Basic Course.
- Subject matter experts, and a Consortium-selected Review Panel, assist POST in all issues relating to testing by reviewing the exams to ensure that they meet the requirements of the Basic Course.
- The elements of the recently completed patrol officer job analysis have been incorporated into the process in order to tie curriculum and testing to the tasks of the

job. This information provides a basis for POST staff to ensure that appropriate training and testing are incorporated into the Regular Basic Course.

DEMONSTRATION OF LATEST POST-DEVELOPED TECHNOLOGY APPLICATIONS

Hal Snow introduced Graham Breck, Senior Instructional Systems Engineer, of the Learning Technology Resources Unit - the Training Program Services Bureau. Graham demonstrated the first two Interactive Video Disk courses to be converted to CD-ROM -- *Drug Identification and the Law* and *Drug Influence and User Identification*. Both courses are part of a four-course drug and alcohol recognition series. Graham reported that the courses, when taken together, meet the requirements of an 11550 H&S course.

REVIEW OF COMMISSION MEETING AGENDA AND ADVISORY COMMITTEE COMMENTS

Hal Snow reviewed the Commission agenda with the Advisory Committee. Hal referred to the Consent Calendar - Item B.6 pertaining to "Approval of Resolutions" and noted that outgoing Advisory Committee member, Derald Hunt, would be recognized for his service as the longest serving Advisory Committee member.

Next, Hal referred to the Public Hearing - Tab C - "Incorporating Perishable Skills Requirement Into the Continuing Professional Training Requirement" which proposes the following:

"... that POST Regulation 1005 (d) (2) and Procedure D-2 be amended to require all peace officers and first line supervisors assigned to uniformed patrol and/or traffic assignments, and all detectives employed in a full time capacity by a sheriff or municipal law enforcement agency, who routinely effect the physical arrest of criminal suspects, 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."

MOTION - Bernard, second Griffith, carried unanimously to recommend that the mandated CPT training include uniformed officers and investigators participating in the POST Program.

MOTION - Williams, second Bernard, carried unanimously to report to the Commission that the Advisory Committee supports the original and modified proposals as noted.

ADVISORY COMMITTEE MEMBER REPORTS

Women Peace Officers' Association (WPOA)

Leisha Lekawa informed the group that WPOA had just held training in Vacaville. Most members from WPOA and CPOA attended the successful conference in Redondo Beach.

California Community Colleges

Leo Ruelas reported that the federal government basic grant, to California under the Carl D. Perkins Vocational and Technical Act, is for \$112,551,456. Approximately \$10,000,000 is appropriated for State leadership which supports special projects with a specific focus on professional and curriculum development and the formation of linkages and partnerships. The recent Instructor Development Symposium 2000 was the result of a partnership between POST, the Santa Rosa Training Center, and the State Chancellor's Office. This project was an outstanding example of the benefits of joint ventures. Leo recommended that POST and the community colleges take advantage of the available funding and consider developing additional activities such as the Symposium.

Peace Officers' Research Association of California (PORAC)

Alex Bernard noted the following:

- The PORAC Board of Directors will be meeting July 28-29 in San Diego. In conjunction with that meeting, the PORAC Training Committee will be meeting and planning training for 2001 for members and other interested individuals.
- The PORAC Annual Conference will be held November 16-19 at the Disneyland Hotel in Anaheim with a number of workshops planned, including:
 - How to Obtain the PERS 3% at 50 Retirement Formula for Your Members;
 - Hate Crimes, specifically, The Making of a Skinhead;
 - Financial Management;
 - Grievance Resolution; and
 - Legal Defense Fund Management.

California Coalition of Law Enforcement Associations (CCLEA)

Al Waters welcomed everyone to the San Francisco Bay Area and provided details for the evening social event.

Al also noted that CCLEA would be holding its quarterly meeting on Friday, July 21 at the same hotel as the Advisory Committee meeting.

California Organization of Police and Sheriffs (COPS)

Ray Griffith personally thanked POST staff, Advisory Committee members, and Commissioners for their help and for the opportunity to help shape California law enforcement. Ray noted that serving as an Advisory Committee member has been the high point of his law enforcement career.

California Peace Officers' Association (CPOA)

Woody Williams reported the following:

- CPOA will host the second annual COPS West Trade Show on September 20-21, 2000, in Ontario. Over 250 participants will exhibit law enforcement equipment, and numerous training seminars will be offered.
- The 2001 COPS West Trade Show will be held September 12-13 at the Ontario Convention Center.
- The Annual CPOA Conference will be held the fourth week in May in Coronado at the Marriott; the theme will be "Kids and Cops."
- The CPOA scheduled Legislative Update training for the upcoming year – November 22 through December 14 – will be held in the following locations: Redding, Sacramento, San Jose, Petaluma, Walnut Creek, Modesto, Visalia, San Luis Obispo, Simi Valley, Ventura, Escondido, Anaheim, Beaumont, and Pasadena.
- The CPOA Annual Training Calendar includes an extensive program to be given by varying presenters, at different times and locations. Included are: Canine Liability, Use of Force, Officer-Involved Shootings, Employee Discipline, How to Avoid Liability, Legal Update Review Regarding Discovery, Police Discipline, Police Pursuits, Public Records Act, Role of the Police Chief, Managing Civil Disobedience, Women in Policing, Canine Program Management, Pitchess Review, Workers' Comp Fraud, and Volunteer Coordinators. Some courses are reimbursed by POST under various plans, while others are not reimbursed by POST.

Commissioners' Remarks (Ted Hunt and Rick TerBorch)

Commissioners Hunt and TerBorch expressed their appreciation to members of the Advisory Committee.

OLD AND NEW BUSINESS

Hal Snow informed the group that there will be an election of Advisory Committee officers for calendar year 2001 at the November meeting.

Leisha Lekawa announced that there would be an annual joint luncheon for Advisory Committee members and commissioners after the Commission meeting on Thursday.

Ken O'Brien announced the new Advisory Liaison Committee as follows: Joe Flannagan, Chair; Commissioner Fox, Commissioner Knutson, and Commissioner Kolender.

FUTURE COMMITTEE MEETINGS

Next Advisory Committee Meeting
November 2, 2000 - 9 a.m.
Holiday Inn Northeast - Sacramento

Adjournment: 11:27 a.m.

Respectfully Submitted,

Karen Hightower

Karen Hightower
Secretary

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.

FINANCE COMMITTEE MEETING

November 1, 2000 - 2:00 P.M.

Holiday Inn - Northeast

5321 Date Avenue

Sacramento, CA 95841 - 2597

(916) 338-5800

AGENDA



Gray Davis
Governor

Bill Lockyer
Attorney General

COMMITTEE MEMBERS

Tom Knutson, Chairman

Lee Baca

Marc Cobb

Joe Flannagan

Rick TerBorch

A. CALL TO ORDER

B. POST'S Current Year Budget, Revenue and Expenditure Status

The Committee will review budgeted and actual revenues as well as training volumes for the First Quarter 2000/2001. The First Quarter financial report is item B.2 on the Consent Calendar.

A report showing expenditure projections will be provided at the meeting.

C. Status Report on Budget Change Proposals (BCP's) Submitted to the Department of Finance

Staff is now involved with the justification process with representatives of the Department of Finance. It is noted that the Governor's Office directed the Department of Finance to only consider BCP's with Personnel Years (PYs) to the extent the requested PYs would not increase the requesting agency's total PYs by more than 1%. In cases where the 1% results in an added fraction, the PY can be rounded up to the next number. This will provide that POST can apply for 2 positions in conjunction with BCP's. We should be aware of the decision of the Department of Finance representatives by the time of the meeting of this Committee.



D. **Fiscal Impact - Backfill Reimbursement for Public Safety Dispatchers**

The Commission agenda includes a public hearing to consider backfill reimbursement for Public Safety Dispatchers and Supervisors. Assuming approval by the Commission, decisions will have to be made as to categories of dispatcher training courses which will be eligible for such reimbursement.

It is proposed that a process be employed similar to the process used for determining backfill eligible courses for peace officers. This would entail a staff review of all current courses and a meeting with Public Safety Dispatcher representatives; and recommendations to the Commission through the Finance Committee.

Recommendations could be brought to the Finance Committee at its January 2001 meeting. Tentatively, it is believed those recommendations should be based upon course categories addressing subject matter directly impacting officer and public safety.

A refined fiscal impact can be made following approval of eligible courses.

This matter is brought to the Committee for discussion and concurrence.

E. **Review of New Expenditure Items on the Regular Commission Agenda**

Routinely, the Committee reviews matters on the regular agenda that have fiscal impact and make recommendations to the full Commission.

- Request for Management Fellow (Workbook Updates) **Comm. Ag. Item G**
- Request for Approval of Contract to Produce Recruitment Videos and Manual **Comm. Ag. Item I**
- Request for Approval to Contract to Provide Two Special Courses of Training to Academy Physical Training Instructors **Comm. Ag. Item J**
- Contract Request for POST Management Fellow (Legislative Training Mandates) **Comm. Ag. Item M**
- Contract Request for VAWA Grant Continuation **Comm. Ag. Item N**
- Request for Approval to Contract for the Design and Pilot of ICI Identity, Theft, ICI Class Administrator and ICI Gang Investigation Courses **Comm. Ag. Item O**

ADJOURNMENT

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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

LEGISLATIVE REVIEW COMMITTEE

Thursday, November 2, 2000

Holiday Inn - Northeast

5321 Date Avenue

Sacramento, CA 95841-2597

(916) 338-5800



STATE OF
CALIFORNIA

MEMBERS

Monty Holden, Chairman

Gray Davis
Governor

Lee Baca

Marc Cobb

Bill Lockyer
Attorney General

Joe Flannagan

James Fox

Ted Hunt

Bill Lockyer

AGENDA

9:00 A.M.

Attachment

A. Status of Active Legislation of Interest to POST

A

Please see attached.

B. Status of Informational Legislation of Interest to POST

B

Please see attached.

C. Proposed Legislation

C

Staff is proposing to amend Penal Code Section 832.6 (c) (5) to eliminate Reserve Officer training module D. Reserve Officer training module D was originally designed as a bridge course to allow Reserve Officer's who had completed modules A, B, & C to meet the training requirements of the Regular Basic Course. Pursuant to Senate Bill 1874 (1994), the Regular Basic Course - Modular Format was developed to provide Reserve Officers with training modules that are aligned with the Regular Basic Course. Thus, there is no further need for module D training. The attached analysis addresses this proposal in more detail.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

2000 Status of Active Legislation of Interest to POST

(Revised October 11, 2000)

(Note: Text in bold indicates new bills added to list or different bill status since last revision)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 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. <i>Commission Position: Support</i>	Chapter No. 96
AB 1718 (Hertzberg)	Peace Officers: Advanced Training: Mental Illness: This bill would require POST to develop a classroom training program addressing the handling of developmentally disabled and mentally ill persons. Additionally, this bill requires POST to report to the Legislature, by October 1, 2003, the number of agencies participating in this course. <i>Commission Position: Support</i>	Chapter No. 200
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. <i>Commission Position: Watch</i>	Dead
AB 1819 (Shelley)	Elder Abuse: This bill would add specified subjects to existing law which addresses elder abuse training. Subjects include physical and psychological abuse of elders and the role of local adult protective services and public guardian offices. <i>Commission Position: Support</i>	Chapter No. 559
AB 1928 (Vincent)	Peace Officers: Court Services Investigators: This bill would require the Commission on Peace Officer Standards and Training to conduct a feasibility study for Los Angeles County Court Service Investigators. It also addresses instances where individuals have acquired prior comparable peace officer training that POST would adopt regulations providing for alternative means for satisfying the training required by law. <i>Commission Position: Support</i>	Chapter No. 354

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
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. <i>Commission Position: Neutral</i>	Chapter No. 633
AB 2449 (Wildman)	Law Enforcement: Peace Officer Training: This bill would clarify POST Basic Certificate revocation policies. <i>Commission Position: Neutral</i>	Dead
SB 66 (Murray)	Crime Prevention: Peace Officer Training: This bill calls for POST to develop training on racial profiling topics and would require California peace officers to receive racial profile awareness training. <i>Commission Position: Support</i> Note: This bill has been rewritten and is now SB 1102.	Dead
SB 1102	Crime Prevention: Peace Officer Training: This bill calls for POST to develop training on racial profiling topics and would require California peace officers to receive update training on racial profile awareness-training every five years. <i>Commission Position: No position taken</i>	Chapter No. 684
SB 1389 (Murray)	Commissioner of the California Highway Patrol: This bill would require that each member of the California Highway Patrol 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, the bill would impose the same reporting requirements on each city and county law enforcement agency at specified dates. <i>Commission Position: Oppose, unless amended</i>	Dead
SB 1539 (Lewis)	Peace Officer Training: Stalking: This bill would require the Commission on Peace Officer Standards and Training to implement, by January 1, 2003, a course or courses of instruction for the training of peace officers in the handling of, and responding to, stalking complaints. <i>Commission Position: Neutral</i>	Chapter No. 564

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
SB 1831 (Hughes)	<p>School Safety: This bill would establish the School Safety Academy Pilot Project, to be administered by the Department of Justice, whereby school safety academies, as defined, would receive funding from the Department of Justice to develop and implement integrated, comprehensive school safety training for those responsible for school safety.</p> <p><i>Commission Position: Neutral</i></p> <p>Note: This bill has been rewritten and no longer involves law enforcement.</p>	Vetoed
SB 1833 (Schiff)	<p>Law Enforcement Technology: This bill states 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. It also 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.</p> <p><i>Commission Position: Support</i></p>	Dead
SB 1945 (Ortiz)	<p>Crimes: This bill would require POST to develop and make available a short video for first responders to calls at medical facilities. This bill would add support for reproductive choice or abortion rights and anti-abortion crimes, as defined, to the list of victim characteristics required to be reported.</p> <p><i>Commission Position: Oppose</i></p>	Dead
SB 1955 (Committee on Public Safety)	<p>Public Safety: This bill would require a reserve officer to satisfy current training requirements if there has been more than a three-year break in service.</p> <p><i>Commission Position: Neutral</i></p>	Chapter No. 287
SB 2004 (Speier)	<p>Safety Track System: This bill would require POST to develop training in the use of safety track systems.</p> <p><i>Commission Position: Neutral</i></p>	Dead

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

2000 Status of Informational Legislation of Interest to POST

(Note: Text in bold indicates new bills added to list or different bill status since last revision)

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 557 (Nakano)	Forensic Identification: Felony Conviction: This bill would require that any person convicted of first-degree burglary be required to submit blood and saliva samples, a right thumb print, and full palm print impressions for law enforcement identification and analysis and inclusion in the DNA and Forensic Identification database program administered by the Department of Justice.	Dead
AB 767 (Pacheco)	Crime Prevention: Protection of Public Officials: This bill would provide that any person convicted of the commission or attempted commission of crimes against public officials performing official duties shall receive a five-year enhancement in addition and consecutive to the penalty prescribed.	Dead
AB 1053 (Thomson)	Traumatic Brain Injury Services Funding: This bill limits the application of the specified sums limitation to the 1996-97 fiscal year and would appropriate the moneys no longer subject to the limitation for purposes of the traumatic brain injury program.	Chapter No. 248
AB 1809 (Runner)	Hate Crimes: This bill would create a statewide hate crimes registry within the Department of Justice functionally similar to that required of sex offenders and would impose a registration requirement on every person who is convicted of a serious or violent felony where the victim suffers mental or physical injury, or a property crime committed against a religious organization where more than \$5,000 in damage was committed.	Dead
AB 1993 (Romero)	Peace Officers: False Evidence: This bill would make it a misdemeanor or a felony for a peace officer to willfully place physical evidence on a person or in a place under the possession and control of a person, with the specific intent to cause that person to be charged with a crime. Imposes a state-mandated local program.	Chapter No. 620
AB 2003 (Shelley)	Arrests: This bill would authorize a peace officer to arrest a suspect without a warrant when the officer has probable cause to believe that the suspect committed an assault or battery against another person with whom the suspect has a specified personal or domestic relationship under specified circumstances. Adds a dating relationship to the list of specified personal relationships justifying an arrest without a warrant.	Chapter No. 47

<u>Bill #</u>	<u>Subject</u>	<u>Status</u>
AB 2005 (Runner)	Crime Prevention: Community Policing: This bill would appropriate funds from the General Fund to the Office of Criminal Justice Planning for the Los Angeles, Sacramento, San Diego Regional Community Policing Institutes for purposes of sustaining community policing programs during the 2000-2001 fiscal year.	Dead
SB 1569 (Hayden)	Hate Crimes: This bill would expand the definition of a hate crime to include those persons who are victimized based upon their association with other people because of that person's race, color, religion, ancestry, national origin, disability, gender, or sexual orientation, or because he or she perceives that the other person has one or more of those characteristics.	Dead
SB 1605 (Poochigian)	Supplemental Local Law Enforcement Funding: This bill would appropriate an annual sum from the General Fund to the Controller to fund the supplemental local law enforcement funding provisions, as specified, and would extend the operation of those provisions indefinitely.	Dead
SB 1742 (Hughes)	Adult Abuse: This bill would authorize any police officer, members of a county financial abuse team, or public guardian of any county with certain adult protection agencies to report incidences of financial abuse perpetrated against mentally impaired elder persons.	Chapter No. 813
SB 1762 (Alpert)	Deputy Sheriffs: San Diego County: This bill would provide that a deputy sheriff of San Diego County who is assigned to perform duties relating to specified custodial assignments is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when directed to perform other law enforcement duties.	Chapter No. 61
SCA 10 (Perata)	Public Safety Services: This measure would seek to amend the California Constitution to provide for the Citizens Public Safety and Security Act of 2000. Specifically, this measure would prohibit a local government from entering into any agreement with any person to perform an essential public safety service.	Dead

State of California

Department of Justice

MEMORANDUM

To : Legislative Review Committee

Date: October 11, 2000

Tom Hood
Bureau Chief

From : Commission on Peace Officer Standards & Training

Subject: **PROPOSAL TO ELIMINATE THE STATUTORY REQUIREMENT FOR
MODULE D**

Senate Bill 1874, which was signed by Governor Wilson in 1994, amended section 832.6 of the Penal Code and made several changes in the reserve program. One of these changes specified that all Level I reserve peace officers appointed on or after January 2, 1997 must complete the same entry level training as full-time regular officers. The legislation also required the Commission to develop a supplemental course for existing Level I reserve officers desiring to satisfy the basic training course for deputy sheriff's and police officers (Regular Basic Course).

Level I reserves appointed on or before January 1, 1997 were required to complete Reserve Training Modules A, B, and C and 200 hours of structured field training. The minimum hourly requirement for these modules was 222 hours. The Regular Basic Course has a minimum hourly requirement of 664 hours. The supplemental course required by Senate Bill 1874 had to be a minimum 442 hours to make up the difference between these two training formats. Commission staff, working with a committee of subject matter experts, developed Module D in January 1995 to meet the requirement for a supplemental course. Module D was approved by the Commission and certified for presentation in January 1996. Modules A, B, and C are prerequisites for Module D. Completion of Modules A, B, C, and D meets the requirements of the Regular Basic Course.

Subsequent legislative action further impacted the areas of assignment, supervision, and training for Level II and III reserves. Because of these changes, the Module A, B, and C format no longer met the entry level training needs of newly appointed Level II and III reserve officers. In January 1998, a project was initiated to develop a new entry level training system for all three levels of reserve officers. Staff, working in conjunction with two committees of subject matter experts, designed the Regular Basic Course - Modular Format as the new entry level training system for reserves. This format consists of three modules, one for each level of reserve officer. Completion of

all three modules meets the requirements of the Regular Basic Course. The new format was approved by the Commission in January 1999 and replaced the Module A, B, C, and D Format on July 1, 1999.

In the Module A, B, C, and D format, the first three modules were reserve training and Module D was part of the Regular Basic Course. This is the reason that a supplemental course was needed to meet basic course requirements. The Regular Basic Course - Modular Format was designed as an alternate method of delivering the Regular Basic Course. For this reason, all three modules in this format are components of the basic course. As an individual completes each module he or she receives incremental credit toward the Regular Basic Course.

Staff is proposing that the statutory mandate that required the development of Module D be eliminated because there is no longer a need for a supplemental course due to the development of the Regular Basic Course - Modular Format. This could be accomplished by the introduction of legislation to amend the Penal Code by removing section 832.6(c)(5) (See attached)

Because the Module A, B, C, and D format has been replaced as the entry level training standard for reserves, the following steps have already been taken.

- Beginning July 1, 1999 there was a one-year overlap period during which Modules A, B, and C were certified for presentation to meet the needs of students who started in that format and wanted to complete these modules in order to meet the prerequisites for Module D.
- The term "Module A" is another name for the PC 832 Course. The use of this title to refer to the PC 832 Course has been eliminated.
- Effective July 1, 2000 all Module B and C courses were decertified.

Module D must be presented by an academy (one of the institutions authorized to present the Regular Basic Course). Eleven academies have been certified to present Module D. Currently only two academies are presenting the course. The other nine academies have completed their Module D presentations and have no plans for future presentations. In fact, four of the nine have voluntarily decertified the course. The two academies who are currently presenting the course have announced plans to discontinue the course in 2001. The last scheduled starting date for a Module D presentation is January 30, 2001 at Rio Hondo Regional Training Center in Los Angeles County.

The current plan is to leave Module D as a certified course until December 31, 2001 to allow individuals who have already completed Modules A, B, and C to meet basic

course requirements in that format. However, from a practical point of view, none of the academies will be presenting the course in the future because of a shrinking student base.

If the Committee concurs with this proposal, it is recommended that Commission support be sought to sponsor a bill that addresses this issue.

Prepared by Senior Consultant Frank Decker



W.P.O.A.

7355 Dayton Ave.

Hesperia, CA

92345

September 3, 2000

Commission on Peace

SEP 13 2000

Kenneth J. O'Brien
1601 Alhambra Blvd.
Sacramento, CA 95816-7083

Dear Exec. Director O'Brien,

We at the Women Peace Officer's Association of Ca. wish to
once again make our nomination for our Post Advisory Comm.
to be Ms. Leisha Lekawa.

Thank you for your continued support in our on-going seminars
and law enforcement training.

Sincerely,

Leslie A. Brewer

Leslie A. Brewer
Exec. Dir. WPOA