

POST COMMISSION MEETING

**Hilton Irvine/Orange County Airport
18800 MacArthur Boulevard
Irvine, CA 92612
(949) 833-9999**

Thursday, February 25, 2010

AGENDA

CALL TO ORDER AND WELCOME- 10:00 A.M.

Chair Michael Sobek will call the meeting to order.

COLOR GUARD AND FLAG SALUTE

The Color Guard will be provided by the Irvine Police Department.

MOMENT OF SILENCE HONORING THE OFFICERS WHO LOST THEIR LIVES IN THE LINE OF DUTY SINCE THE LAST MEETING

- Officer Jarrod Martinez, California Highway Patrol

Special Mention: Lakewood, Washington

- Sergeant Mark Renninger, Lakewood Police Department
- Officer Tina Griswold, Lakewood Police Department
- Officer Ronald Owen, Lakewood Police Department
- Officer Greg Richards, Lakewood Police Department

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION OF POST ADVISORY COMMITTEE CHAIR, POST LEGAL COUNSEL, THE EXECUTIVE DIRECTOR, AND NEW COMMISSIONERS

Chair Sobek will introduce the POST Advisory Committee Chair, POST Legal Counsel, the Executive Director, and new Commissioners.

AUDIENCE INTRODUCTIONS

Members of the audience will introduce themselves.

WELCOMING ADDRESS

Chief Dave Maggard of the Irvine Police Department will give the welcoming address.

PUBLIC COMMENT

Chair Sobek will advise the audience of the following:

This is the time on the agenda for public comment. This is time set aside for members of the public to comment on either items on the Commission agenda or issues not on the agenda but pertaining to POST Commission business. Members of the public who wish to speak are asked to limit their remarks to no more than five minutes each. Please be advised that the Commission cannot take action on items not on the agenda.

APPROVAL OF MINUTES

- A. Approval of the minutes of the Thursday, October 22, 2009, Commission meeting held at the Courtyard Marriott Hotel in Sacramento, CA 95815.

CONSENT

- B.1 Course Certification/Decertification Report

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

- B.2 Quarterly Progress Report on the POST Strategic Plan Implementation

This is a status report on the POST Strategic Plan. The report is provided to the Committee at each quarterly meeting to summarize the progress in researching and implementing the Strategic Plan.

Of the 31 objectives, staff reports that:

- 27 -- Are in progress or being researched and/or implemented
- 4 -- Recommended for deletion (counted as *in progress*)
- 1 -- On hold
- 3 -- Not addressed at this time
- 31 – **Total**

The four objectives recommended for deletion are:

- **Strategic Plan Objective A.1** – Establish personality assessment for entry-level selection.
- **Strategic Plan Objective A.4** – Standardize skill testing for the Basic Course.
- **Strategic Plan Objective B.2** – Establish a searchable database in order to share “best practices” and successes in training that emanate from nominations for the *POST Excellence in Training Award*.
- **Strategic Plan Objective B.4** – Study the Feasibility of developing technology-based training tools that provide just-in-time information (i.e., tutorials, checklists) for use with technologies such as patrol car computers and Personal Digital Assistants (PDAs).

In approving the Consent Calendar, the Commission accepts the quarterly status report of the Strategic Plan.

B.3 Agency Requesting Entry Into the POST Reimbursable Program

- The Kern County Department of Parks and Recreation Peace Officers are seeking entry into the POST Reimbursable Program.
- The City of Los Angeles Department of General Services Public Safety are seeking entry into the POST Reimbursable Program.

B.4 Withdrawal of Agency From the POST Regular Reimbursement Program

The Sierra College Police Department is withdrawing from the POST Regular Reimbursement Program.

B.5 Agency Merger

The Oceanside Small Craft Harbor District Police Department has merged with the Oceanside Police Department.

B.6 Update on Homeland Security Grant Funds and Terrorism-Related Training

Since March 2004, POST has been part of a training partnership that consists of representatives from the California Emergency Management Agency (Cal EMA), the California Military Department (CMD), the State Fire Marshal's Office (SFM), the Emergency Medical Services Authority (EMSA), the Department of Health Services (DHS), and the California Joint Firefighter Apprenticeship Council (CJFAC) to address the needs of first responders statewide.

At its January 2008 meeting, the Commission requested regular updates on how the federal and state grant funds were being encumbered and spent. The report under this tab provides an overview of funds that were received and spent from July 1, 2008, until December 30, 2009. The report also provides an update on the AB 587 funds that have been encumbered and spent over the period January 2007 to December 2009.

The report also provides general information on the federal homeland security grants allocated for California for federal Fiscal Year 2009 (October 1, 2008 to September 30, 2009) and proposed funding for federal Fiscal Year 2010 (October 1, 2009 to September 30, 2010).

This report is submitted for information only.

B.7 Report on Strategic Plan Objective A.1, Resource Guide on Pre-Offer Personality Testing of Entry-Level Law Enforcement Officers

In 2004, the Commission approved Strategic Plan Objective A.1, which called for staff to evaluate the inclusion of pre-offer personality testing in the selection process for entry-level peace officers. The research for this project was completed in 2007 at which time the Commission approved the report and directed staff to develop a resource guide for agencies wishing to pursue pre-offer personality testing.

Concurrent with development of the guide, a web-based application has been constructed for test publishers to provide requested information about their specific tests; to this end, an initial list of test publishers was assembled for possible future contact. These publishers will be contacted and the information they provide will be made available to POST agencies as part of a centralized database.

The intent of the resource guide and web application is to assist agencies in making decisions about the use of pre-offer personality tests; agencies are free to make these decisions based on local needs and resources.

In approving the consent calendar, the Commission approves the publication of the Resource Guide and the deletion of Objective A.1 from the Strategic Plan.

B.8 Report on Strategic Plan Objective A.4, Standardized Skills Testing for the Basic Course

This report describes the recently-completed project for establishing standardized Basic Course skills tests in three areas: firearms, vehicle operations, and defensive tactics. This objective is complete.

Skills competency test forms have been developed and validated for each area. Each test and the associated Training and Testing Specifications for Learning Domains #19 (Vehicle Operations), #33 (Arrest Methods), #35 (Firearms) and the PC 832 Course have been approved by the Commission and are available on the POST website; all forms became a requirement as of January 1, 2010.

All train-the-trainer sessions have been completed, and work is underway to provide on-line, on-demand proctor training for each test. The skills evaluation test forms have been well received by the academies, and many police and sheriff departments intend to use the forms for documentation of perishable skills training requirements as well as Continuing Professional Training requirements.

This item is completed and is recommended for deletion from the Strategic Plan.

In approving the Consent Calendar, the Commission approves the staff recommendation to delete Strategic Plan Objective A.4 as completed.

B.9 Report on Strategic Plan Objective A.8, Expand Entry-Level Cognitive Testing for Peace Officers

This is a report on efforts to update and expand the POST Entry-Level Law Enforcement Test Battery (PELLETB). In January 2007, the Commission directed staff to examine the feasibility of adding cognitive assessments to the PELLETB. In September 2007, the Commission approved a contract with California State University, Sacramento (CSUS) to enhance PELLETB research efforts. Through the POST/CSUS collaboration, extensive analyses of PELLETB data have been completed; new test items and an item writing guide have been drafted; and research into automating the PELLETB has begun.

Preliminary research findings indicate that the PELLETB could be improved by adding components that assess problem awareness, reasoning ability, and judgment/decision-making. Deletion or modification of the CLOZE portion of the PELLETB might also be advisable. To facilitate research and improve PELLETB administration options, efforts to automate the test are also being explored. A report on test automation options will be completed by June 2010.

This report is submitted for information only.

B.10 Informational Report on Law Enforcement Driving Simulator (LEDS) Acquisition

This is an update describing the progress that has been made to replace the Law Enforcement Driving Simulators (LEDS). At its January 2009 meeting, the Commission approved the purchase of 108 driving simulators. Staff, subject matter experts, and members of the Department of General Services have made significant progress in reaching this goal.

Based on the projected timeline, it is anticipated that all sites will be operational with new equipment by October 2010. Since this will be a phased implementation, some sites could be operational as soon as March of 2010.

This report is submitted for information and discussion.

B.11 Report on Strategic Plan Objective B.4, Study the Feasibility of Developing Technology-Based Training Tools

In response to Strategic Plan Objective B.4, POST staff took the existing prototype of a decision support tool designed for investigators and configured it to be accessible through a PDA. In this form investigators can have an on-scene resource that provides them with decision guidelines in performing a variety of investigative tasks.

Staff also researched a PDA-accessible version of the *Emergency Response Guidebook*. This would allow officers to access hazardous materials information to assist them in the identification of toxic materials and in assessing the danger level at an incident.

POST will continue to explore appropriate applications for posting future publications and support materials on the Learning Portal (LP) and establish a notification system for users, alerting them to new postings. With these examples, the feasibility of such training tools has been studied, and staff recommends that this objective be deleted because it has been completed.

In approving the Consent Calendar, the Commission is approving the staff recommendation to delete Strategic Plan Objective B.4 as completed.

B.12 Report on Strategic Plan Objective B.7, Development of a Major Case Management Training Course for Managers/Executives

At its September 2007 meeting, the Robert Presley Institute of Criminal Investigation (ICI) Advisory Council supported a POST-proposed plan to develop a major-case management training course for managers/executives. A training needs assessment via comprehensive field survey was conducted with results that revealed strong support for major-case management training. The survey results also indicated it would be prudent to create two courses: one course for those who manage investigative units and personnel, and another course for those who have overall responsibility for major case investigations.

In June 2009, a subject matter expert committee convened and began development of the training course for supervisors/managers of investigative units and personnel. A curriculum for this course was finalized by a POST Master Instructor student as his class project and is currently pending POST certification/approval for presentation in 2010. POST staff in the Training Program Services and the Center for Leadership Development Bureaus is collaborating on the development of the course for executives. It is anticipated this course will have completed its curricula design and be available for presentation by October 2010.

This report is submitted for information and discussion.

B.13 Report on Strategic Plan Objective B.10, Enhance and Continue the Study of Driver Training Methods and Vehicle-Related, High-Risk Activities to Improve Training, Enhance Safety, and Reduce Preventable Collisions and Injuries

The Vehicle Operations Training Advisory Council (VOTAC – formerly the Driver Training Advisory Committee) was first convened in March 2008 to inform efforts responsive to Strategic Plan Objective B.10. The VOTAC has now met five times, and its sixth meeting is scheduled for March 25-26, 2010.

It has become clear that the issue of injury and fatal law enforcement traffic collisions is of paramount importance to agencies throughout California and across the nation and that a national-level effort is needed to appropriately address the issue. POST is well-positioned to lead this effort and has taken key steps to ensure success. Five notable components include:

1. Initiation of a comprehensive **SAFE** (Situation-Appropriate, Focused, and Educated) **Driving Campaign** to include the VOTAC and Research Team, as well as a national awareness and advocacy component.

2. ***Outreach*** to national stakeholders to establish a collaborative network, share POST's vision in order to create a national vision for law enforcement traffic safety, and secure a place for POST in the national arena.
3. Pursuit of a Congressional ***Earmark*** to fund research activities.
4. Publication of a succinct and well-researched ***Statement of Justification*** detailing the human and economic costs of fatal law enforcement collisions in California and nationally and anticipated benefits of research-based interventions.
5. Publication of a ***Research Overview*** detailing POST's completed, in-progress, and proposed research activities.

Taken together, these five components will facilitate the advancement of the ***SAFE Driving Campaign*** and thereby save officer lives nationwide.

This report is presented for information and discussion.

B.14 Report on Strategic Plan Objective B.12, Regarding Establishing Instructor Training Requirements for Dispatchers

Strategic Plan Objective B.12.08—*Study the feasibility of establishing instructor training requirements for public safety dispatcher instructors for the public safety dispatcher course*—was developed in conjunction with POST stakeholders during the February 2008 strategic plan biennial update. The aim of this objective is to raise standards for dispatcher instructors in the same manner as has been done for peace officer instructors.

To determine support for this objective, stakeholder meetings were held in three locations across the state during the fall of 2008. Surveys were distributed to all presenters of the public safety dispatcher course. Feedback from the stakeholder meetings and the survey indicated broad support for an Academy Instructor Certification Program (AICP)-type requirement. These results were shared with the Instructor Standards Advisory Council (ISAC) at its February meeting. The ISAC was also supportive of the concept, given an adequate implementation timeline and support from POST. The California Academy Directors Association (CADA) considered the concept during its March meeting, but was not supportive at this time due to economic considerations.

Staff will continue to work with stakeholders to address areas of concern and will report back to the Commission with a recommendation in October 2010.

This item is submitted for information only.

B.15 Report on Strategic Plan Objective D.2.08 Regarding Establishing a Futures Planning Capability within POST

At the April 2008 meeting, the Commission approved Objective D.2.08, *Establish a futures planning capability within POST*. Subsequently, a Future Vision Team was formed within POST. During November and December 2009, significant outcomes were attained in the course of two meetings of the Future Vision Team.

During November, the Future Vision Team convened for its initial meeting. Principal outcomes were 1) familiarization with the six step futuring methodology, “strategic foresight;” 2) identification of the specific focus for the strategic foresight process, which was tentatively expressed as “What emerging trends may impact peace officer standards and/or training in 2020?;” and 3) creation of a survey instrument to elicit POST employees’ comments about strengths, challenges, threats, and opportunities that may exist in the next ten years.

During December the Future Vision Team and the Leadership Team met in a workshop. Outcomes of the joint meeting included 1) an understanding of the strategic foresight process; 2) consensus about the focus for the strategic foresight process; 3) identification of assumptions gleaned from the survey of POST staff; 4) identification of the manner and degree of integration of the Future Vision Team and the Leadership Team; and 5) identification of the role of the Command College in informing the POST futuring process.

This item is submitted for information only.

B.16 Presentations

- Executive Director Paul Cappitelli will present an Executive Certificate to Commissioner George Anderson

ADMINISTRATIVE SERVICES BUREAU

C. Proposed Change to Commission Policy A-3 - Contracts

Commission Policy A-3 requires that all contracts in excess of \$10,000 require Commission approval. In 1985, when the policy was adopted, this dollar amount was consistent with the Department of General Services (DGS) contract approval requirements. DGS has since raised the amount for contracts requiring DGS approval to \$50,000 for both contracts and Interagency Agreements.

Additionally, Commission Policy A-3 requires Commission approval for contract amendments over \$12,500, 25% of the original contract authorization. It is

recommended that this same percentage be applied should the contract amount be revised.

If the Commission concurs, the appropriate action would be a **MOTION** to approve amending Commission Policy A-3 to authorize the Executive Director to approve contracts up to \$50,000 and amendments up to \$12,500.

BASIC TRAINING BUREAU

D. Report on Proposed Changes to the Training and Testing Specifications for Peace Officer Basic Courses

As part of an ongoing review of Peace Officer Basic Course content, POST staff and curriculum consultants (academy instructors and other subject matter resources) review learning domain (LD) content to determine if revisions are necessary. The Training and Testing Specifications and supporting materials for the learning domains have been updated to reflect emerging training needs, compliance with legislatively- mandated subject matter, changes in the law, and/or to improve student learning and evaluation.

The proposed changes affect the following learning domains:

- LD 2, *Criminal Justice System*
- LD 3, *Policing in the Community*
- LD 4, *Victimology/Crisis Intervention*
- LD 5, *Introduction to Criminal Law*
- LD 7, *Crimes Against Persons*
- LD 9, *Crimes Against Children*
- LD 11, *Juvenile Law and Procedures*
- LD 12, *Controlled Substances*
- LD 22, *Vehicle Pullovers*
- LD 23, *Crimes in Progress*
- LD 25, *Domestic Violence*
- LD 26, *Unusual Occurrences*
- LD 28, *Traffic Enforcement*
- LD 29, *Traffic Accident Investigation*
- LD 30, *Crime Scenes, Evidence and Forensics*
- LD 31, *Custody*
- LD 33, *Arrest Methods/Defensive Tactics*
- LD 34, *First Aid and CPR*
- LD 35, *Firearms/Chemical Agents*

LD 36, *Information Systems*
LD 41, *Hazardous Materials Awareness*
LD 42, *Cultural Diversity/Discrimination*
LD 43, *Emergency Management*
LD 61, *Administration Procedures*
LD 62, *Case Management and Sources of Information*

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes made to the *Basic Courses Training and Testing Specifications* as described in the staff report. If no one requests a public hearing, the changes will become effective July 1, 2010.

E. Report on Proposed Changes to the Training Specifications for the Public Safety Dispatchers Basic Course

In 2009, POST convened a subject matter expert panel to review the Public Safety Dispatcher Course. POST staff and curriculum consultants reviewed learning domain content to determine if revisions were necessary. There were no major content changes; however, the 14 learning domains of the course were updated to reflect emerging training needs, compliance with legislatively-mandated subject matter, changes in the law, and/or to improve student learning and evaluation. Course hours remain at 120 but were redistributed to allow presenters more time to focus on topics identified as more critical in nature.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the changes to the *Public Safety Dispatcher Course Training and Testing Specification* and hours. If no one requests a public hearing, the changes will become effective July 1, 2010.

CENTER FOR LEADERSHIP DEVELOPMENT

F. Report on Strategic Plan Objective B.8.08 Regarding Studying the Feasibility of a Model High School Program that can be Replicated Statewide

In 2008, the Commission approved a study of the effectiveness of school-based public safety curricula in enabling early preparedness for public safety careers. A substantial number of persons interested in law enforcement positions have engaged in behaviors during adolescence that render them ineligible for peace officer positions. Applicants' rejections are often the result of poor choices early in their lives (e.g., drug use, lack of

financial integrity, poor work history, and character flaws) or deficiencies in academics (in particular, weak reading and writing skills).

POST staff examined the spectrum of law enforcement school-based programs (e.g., partnership academies, magnet schools, charter schools, and Regional Occupational Programs) and conducted workshops with subject matter resources associated with all such programs. Findings from the workshops were that overall the public safety high school program students performed better academically than the average high school student and the drop-out rate was almost non-existent (compared to a statewide average of 30 percent). It was noted also that the California Career Technical Education (CTE) program remains relatively stable and law enforcement career education resides in this program.

The findings of research, site visits, and subject matter meetings support development of a model program. The model program could be implemented during middle school grades because a program at only the high school level could be too late in that disqualifying incidents often occur prior to high school. This model's features will be detailed in a Program Guide to be created by POST staff in concert with stakeholders. The Program Guide will address all levels of education and will include grade-specific exercises and defined learning outcomes within all instructional blocks. Additionally, the guide will facilitate local agencies or county associations in affiliating with local school districts. Funding sources for this development effort are being explored by staff.

POST-produced DVDs could enhance curriculum segments by providing information on the benefits of the program and how its presence can increase the recruitment pool.

This item is submitted for information, and no action is required.

EXECUTIVE OFFICE

G. Request Approval to Apply for and Accept Federal Homeland Security Grant Funds for Fiscal Year 2009-2010

Since 2004, POST has been part of a training partnership that consisted of representatives from the Governor's Office of Homeland Security (OHS), the Governor's Office of Emergency Services (OES), the California Military Department (CMD), the State Fire Marshal's Office (SFM), the Emergency Medical Services Authority (EMSA), the Department of Health Services (DHS), and the California State Joint Firefighters' Apprenticeship Council (SFJAC) to address training needs of first responders statewide.

Each year since 2004, POST has received a contract for a minimum of \$250,000 to support our participation in the training partnership. These funds come from the state's share of federal homeland security grant funds. On December 30, 2009, Cal EMA notified POST that it will be awarded a grant of \$259,000 for Fiscal Year 2009-2010. Attachment A, Tables 1 and 2 identify the grant projects and funding levels.

In discussions with Cal EMA staff on January 13, 2010, it was learned that the final application and acceptance of the federal grant funds may require an additional level of review by the Department of Finance in order to accept the funds.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to: 1) submit the required applications for the federal homeland security grant award, and 2) to accept the federal grant funds and enter into contracts and/or agreements necessary to complete the projects in an amount not to exceed \$259,000. (**ROLL CALL VOTE**)

H. Request to Amend Commission Regulations 1005, 1060, and Procedure D-2-3 Related to Continuing Professional Training (CPT) Requirement

The Commission amended Regulations 1005, 1060, and Procedure D-2-3 in February 2004 to add specified training courses that had been and were being developed by governmental entities at the federal, state, and local level that dealt with terrorism-related activities. The courses ranged from basic awareness levels through the more complex and complicated regulatory and statutory required training and certification levels.

Since 2004, additional training has been developed by governmental entities and by federal contractors nationwide. Much of the new training developed is not POST-certified and agencies that are sending trainees to the courses both in and out of state are not receiving Continuing Professional Training (CPT) credit for attendance.

The proposed amendments to the Regulations and Procedures recommend the addition of five new courses to satisfy the CPT requirement. Courses that have been developed by any federal or state agency, approved federal contractors, and specified universities and training institutes would continue to be eligible for inclusion in Procedure D-2-3. The proposed amendments also include revisions to POST Form 2-213.

There are also non-substantive changes to reflect correct presenter and course information as well as for clarity, consistency, and correct grammar.

It is proposed that the Notice of Regulatory Action Process be utilized. If no one requests a public hearing, the amendments would become effective 30 days after approval by the Office of Administrative Law (OAL).

If the Commission concurs, the appropriate action would be a **MOTION** to, subject to the results of the Notice of Proposed Regulatory Action, approve the recommendations to amend and modify Regulations 1005 (d)(2), 1060, and Procedure D-2-3 to include specified, non-POST-certified courses, for the purposes of satisfying the Continuing Professional Training (CPT) requirement.

I. Commission Policy Concerning Comment on Critical Incidents

Law enforcement activities and operations frequently become matters of interest to the print and electronic media. For example, following an officer-involved shooting (i.e., BART in 2008, Oakland PD in 2009), reporters from the media will contact POST to ask questions about policy, training, and tactics. Also, investigative reporters call POST seeking statements of “POST policy” or rules. Further, following a critical or high profile incident, POST staff is often invited to participate in review panels or public meetings and discussions. In some instances in the past, Commissioners have been contacted by the media seeking comments or information from the perspective of the Commission.

In most cases, media inquiries are referred to the Commission’s Public Information Liaison, Senior Consultant Karen Lozito, in the Executive Office. In her absence, an Assistant Executive Director will respond to the inquiry.

In the absence of specific Commission policy concerning a response to critical incidents, POST staff is guided by internal Administration Policy A-28-1, News Media Relations, issued by the Executive Director and last revised in July 1998.

The staff’s response to a media or public inquiry generally follows the direction of the internal policy. Staff believes a Commission policy concerning staff comments, on behalf of the Commission, on critical or high profile law enforcement actions or incidents will be beneficial. The policy can be cited by staff as a specific justification to provide information or to decline to comment in those situations where an incident is fresh, is not fully resolved, and where POST staff has no direct information or knowledge about the situation.

At the January meeting, the Long Range Planning Committee considered the proposed policy. The Committee approved the concept and the proposed policy, and directed staff to have the policy reviewed by Legal Counsel. The review is completed and the policy presented in the report under this tab incorporates the changes recommended by Counsel.

If the Commission approves the policy, it will be added to the Commission Policy Manual and distributed to POST staff.

If the Commission concurs, the appropriate action is a **MOTION** to adopt the policy as presented and direct staff to place the policy in the Commission Policy Manual and distribute the policy to staff.

INFORMATION SERVICES BUREAU

J. Library Contract Services

For over 30 years, POST has contracted for subscription purchases and renewals. Journals and periodic publications constitute one of the core elements of the Library's collection which supports research conducted by POST staff and representatives from client agencies. Instead of dealing with each publisher individually, POST contracts with a subscription service. With one, single point of contact POST staff can purchase over 170 journal titles. When available, the vendor also provides electronic access for the full text of the journals.

Though journal prices increase at an average rate of 8% per year, staff is requesting contract renewal in an amount not to exceed the amount of the existing two-year contract. Staff will analyze journal usage and eliminate underutilized titles to keep costs stable.

If the Commission concurs, the appropriate action would be a **MOTION** to authorize the Executive Director to contract for journal subscription services with a vendor in an amount not to exceed \$66,000 for Fiscal Years 2010-11 and 2011-12. (**ROLL CALL VOTE**)

K. Revision and Formatting of Regulation 1003 – Notice of Appointment/Termination

At its October 2008 meeting, the Commission approved the revision and reformatting of *POST Administrative Manual (PAM)* Section 1003 – Notice of Appointment/Termination. By this Commission action, Regulation 1003 was replaced by Regulations 9040 and 9041. This is a proposal to amend Regulations 9040 and 9041 to provide clarity to existing text.

Formerly, Regulation 1003 distinguished regular, full-time peace officers from reserve peace officers. The October 2008 revision omitted this distinction. The proposed revision will remedy that oversight and standardize other language within the regulation.

Section 9041 requires that POST be notified within 30 days, whenever a peace officer is adjudged guilty of a felony offense. The proposed revision will clarify who must make such notification, depending on the employment status of the convicted officer.

If the Commission concurs, the appropriate action would be a **MOTION** would be for the Commission to approve the revisions proposed by staff.

LEARNING TECHNOLOGY RESOURCES BUREAU

L. Request to Contract to Develop a Vehicular Pursuit Policy Online Course and Video Assets

POST staff recommends development of an online vehicle pursuit policy online course and video assets for two courses currently in development.

In July, 2007, Senate Bill 719 was enacted requiring any law enforcement agency authorized by law to conduct vehicular pursuits, to have in place a pursuit policy, and conduct a minimum of one hour of training on this policy annually in order to qualify for immunity under Vehicle Code 17004.7. The online course will be designed to allow each agency to customize the course by incorporating its own policy into the training. The course will provide the means for agencies to meet the annual training mandate in a convenient and effective manner.

In October, 2009, the Commission authorized the Executive Director to enter into contracts to develop two online courses that meet legislative or regulatory mandates. The courses identified for development are Tactical Communications and Domestic Violence Update. Both subjects call for scenario-based training in which learners can interact with the course content in meaningful ways. Developing additional video scenario and rich media assets will enhance the learning and evaluation activities in these self-paced, online courses.

Funding for these projects will come from contract savings in the amount of \$393,000.

If the Commission concurs, the recommended action would be a **MOTION** to authorize the Executive Director to enter into contracts to develop a Web-based course on the topic of vehicular pursuit policy, and to produce video assets for online Tactical Communications and Domestic Violence Update courses for an amount not to exceed \$393,000. (**ROLL CALL VOTE**)

TRAINING PROGRAM SERVICES BUREAU

M. Request to Contract in Support of LEDS and FOS Related Projects

This report describes a recommendation to redirected unused funds from the Robert Presley Institute of Criminal Investigation (ICI) contract to support ancillary funding needs for projects related to the Law Enforcement Driving Simulators (LEDS) purchase and for updating curricula for perishable skills courses.

Due to unanticipated cancellation of some ICI courses presented by San Jose State University, certain funds in that contact will be unused this fiscal year. Instead, staff proposes using these funds for perishable skills related training and LEDS site inspections. This includes:

- Inspecting and approving the new LEDS equipment installation; including oversight of training/orientation on the new equipment. This would be completed by a Subject Matter Expert (SME) and is not expected to exceed \$18,000.
- Updating both the LEDS student and instructor course curriculum. This would include using a special consultant on simulation training from the University of Central Florida in an amount not to exceed \$7,000. It would include a POST Master Instructor who would facilitate the meetings of LEDS trainers and develop the new curriculum for both courses in amount not to exceed \$12,000
- Updating both the FOS student and instructor course curriculum. This would include a POST Master Instructor to facilitate the meetings of FOS trainers to develop the new curriculum for both courses. The Master Instructor will complete the curriculum on both courses in an amount not to exceed \$12,000.
- Creating video vignettes in the classroom for each of the above courses. Four short video vignettes for use in the classroom portion of these four updated courses will be developed for an amount not to exceed \$8,000.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the redirection of unused funds in the amount of \$57,000 from the Fiscal Year 2009-10 ICI Contract with California State University San Jose and authorize the Executive Director to contract with San Jose State University or another entity for these services.

(ROLL CALL VOTE)

N. Report on Regulatory Procedure to Address Correspondence Related to SWAT Training Regulations

The Commission approved SWAT training regulations in January 2009 as a result of the requirements of Penal Code Section 13514.1 (AB 991 Negrete McLeod). As part of the regulatory process the Office of Administrative Law (OAL) reviews the file prepared by POST and identifies issues that need to be resolved prior to that office approving the regulations.

During the public notice period POST received comments regarding the proposed regulation and responded to each of them. The Office of Administrative Law wanted confirmation that the Commission had reviewed and addressed comments from Chief of Police Thomas W. Dewey, California State University Humboldt Police Department. Staff had responded to each of Chief Dewey's concerns.

The Office of Administrative Law also suggested that the *SWAT Guidelines* not be incorporated into the regulation by reference since this would require regulatory action each time the *SWAT Guidelines* were revised.

If the Commission concurs, the appropriate action would be a **MOTION** to approve the response by staff to Chief Dewey regarding the *SWAT Guidelines* and training requirements and to revise Regulation 1081 to remove the reference to the *SWAT Guidelines*.

COMMITTEE REPORTS

O. Long Range Planning Committee

Commission Chair Mike Sobek will report on action taken at the Thursday, January 21, 2010, Long Range Planning Committee Meeting held at POST, 1601 Alhambra Boulevard, Sacramento, CA.

P. Finance Committee

John McGinness, Chair of the Finance Committee, will report on the results of the Committee meeting held on Wednesday, February 24, 2010, in Irvine.

Q. Advisory Committee

Brent Newman, Chair of the POST Advisory Committee, will report on the results of the Advisory Committee meeting held on Wednesday, February 24, 2010, in Irvine.

R. Legislative Review Committee

Jeff Lundgren, Chair of the Legislative Review Committee, will report on the results of the Legislative Review Committee meeting held on Thursday, February 25, 2010, in Irvine.

S. Correspondence

To POST from:

- Alex Bernard, Public Member, POST Advisory Committee to Commission Chairman Michael Sobek requesting reappointment as a public member to the Advisory Committee.

From POST to:

- Joseph Farrow, Commissioner of the California Highway Patrol, expressing sympathy over the tragic, on duty death of Officer Jarrod Martinez
- Bret Farrer, Chief, Lakewood Police Department, Lakewood Washington, expressing sympathy over the tragic, on duty deaths of Sergeant Mark Renninger, Officers Tina Griswold, Ronald Owen and Greg Richards.

T. Old Business

U. New Business

- Brent Newman, Chair of the POST Advisory Committee will report on the results of the review and recommendations for 2009 awards as a result of the meeting held on Tuesday, February 23, 2010, in Irvine.
- Appointment of Public Member to POST Advisory Committee
- Awards Ceremony at the June 2010 Commission Meeting

NEXT LONG RANGE PLANNING COMMITTEE MEETING

The next Long Range Planning Committee meeting will be held on Thursday, May 20, 2010.

FUTURE COMMISSION DATES

June 23 - 24, 2010 – Courtyard Marriott, Sacramento

October 27 - 28, 2010 – Courtyard Marriott, Sacramento

February 23 – 24, 2011 – Location to be determined

CLOSED SESSION

A Closed Session will convene to discuss pending litigation.

ADJOURNMENT -