

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

MEETING 5

California Room, Miramar Hotel
Santa Monica, California
May 18, 1960

Chairman Ficklin, convened the Commission at 10:40 A.M., following his address to the Peace Officers Association of California in Conference.

A quorum was present:

LOHN R. FICKLIN, Chairman
GENE MUEHLEISEN, Vice Chairman
ROBERT T. ANDERSEN
ALLEN B. COTTAR
JAMES V. HICKS
DAN KELSAY
SAMUEL LEASK, JR.
MARTIN C. McDONNELL

Absent:

HOWARD CAMPEN

Guests:

MELVIN L. HAWLEY, Deputy Director, Department of Justice
(Representing Attorney General Mosk)
EUGENE HUSTON, Chief Administrative Officer
RAYMOND M. MCMBOISSE, Deputy Attorney General

The April 1, 1960 Minutes were unanimously approved.

EXECUTIVE OFFICER'S REPORT

1. Personal courtesy calls on a number of State Officials and others who had been interested in the formation of the Commission.
2. A copy of the P.O.S.T. Act and two complete Attorney General's Opinions (59/320 and 60/59) have been sent all police chiefs, sheriffs, universities, junior and State colleges.
3. Summaries of the opinions have been included in the Department of Justice Law Enforcement Digest, (copies of which were attached to the Agenda for reference).
4. A study of Minimum Basic Training Standards has been undertaken in which the Bureau of Trade and Industrial Education of the Department of Education has been most co-operative.
5. Deputy Attorney General, Raymond M. Mombousse has been assigned the Commission as Counsel.
6. A revenue study had been started.

7. Stenographic assistance has been employed; Mrs. Joyce Clancy.
8. Space has been acquired. Rms. 231, 233 and 235, Forum Bldg., 9th & K, Sacto.
9. It seems apparent some additional staff assistance will be necessary.

FINANCIAL REPORT

The Financial Report, September 27, 1959, through March 31, 1960, was presented. A reference footnote thereon reflects that revenues have accelerated. (Attachment I)

REVENUE

COLLECTION OF PENALTY ASSESSMENTS

After discussion of the Court's responsibility to collect penalty assessments there was agreement that the Executive Officer should next discuss this subject with the State Controller.

It was suggested that Counsel be asked whether a Judge has any discretion to waive the penalty assessment.

The Executive Officer reported a study is under way to analyze what revenues are being derived from which courts.

Mr. Huston reported that the Executive Officer plans to discuss this subject also with the appropriate persons in the Department of Motor Vehicles and Department of Education where experience has been had with penalty assessments for driver training.

DR. MARCEL FRYM AND PROFESSOR JOHN P. KENNEY

At 11:30 A.M., as a convenience to their schedule and in accordance with correspondence originating in December 1959, there were introduced to the Commission two educators who had requested an appearance.

Marcel Frym, J.D. of the Hacker Clinic, Beverly Hills, a psychologist, referred to has fifteen years in Beverly Hills; his teaching for ten years at the Law School and Delinquency Control Institute, at U.S.C.; that over one thousand officers had attended classes there; and his recent appointment to the Commission on Criminal Insanity.

Dr. Frym suggested the possible desirability of amending the P.O.S.T. Act to include an educator. After discussion, and upon reconsideration he agreed the Act should not be so amended. Professor Kenney concurred.

Dr. Frym also suggested that appropriate psychological and psychiatric tests should be developed. To this, Commissioner Muehleisen replied that at this time the Commission is primarily concerned with minimum standards.

1. Chairman Ficklin suggested the Commission should approach such subject tests with:

- (a) An awareness of public acceptance or opposition.
- (b) An awareness of the availability of testing sources, the qualifications of General Practitioners, as compared to Specialists in such subjects.

Dr. Frym then spoke about psychologists and stated he would submit a proposal in writing.

John P. Kenney, Associate Professor, School of Public Administration, University of Southern California, suggested the Commission should be aware of the quality of the work being done at U.C., U.S.C. Los Angeles and Long Beach; that there has been an extensive junior college development in the past ten years and their programs merit review by the Commission; and, that the possibility of a uniform curriculum should be considered.

Professor Kenney referred in general terms to the possibility of an allocation of funds for research to determine the quality of candidates wanted in the peace officer field. He said he could direct graduate students into this field of study.

Chairman Ficklin stated this might be an excellent use of a judicious amount of Commission funds and asked whether Professor Kenney's students could undertake such research should the Commission decide to submit a request. The answer was affirmative. The Chairman directed that a copy of the Standards be sent Professor Kenney. This will be done when hearing notices are sent out.

Commissioner Kelsay emphasized that the Commission's present interest is in recruit training. Professor Kenney responded that the universities and junior colleges are ready and able to teach this level.

APPRECIATION TO ACTING SECRETARY

Commissioner McDonnell read the following Resolution:

WHEREAS, during the formative months of the Commission, he served efficiently and faithfully; and provided the services of his most capable staff; now therefore, be it RESOLVED that the Commission does extend its' sincere thanks and appreciation to Eugene Huston AND BE IT FURTHER RESOLVED that a copy of this Resolution, inscribed by Members of the Commission, be forwarded to Mr. Huston.

On motion made and seconded, the Resolution was approved.

The Commission adjourned for luncheon at 12:10 P.M. and reconvened at 1:00 P.M. with Vice Chairman Muehleisen presiding.

MINIMUM RECRUITMENT STANDARDS

The "Proposed Minimum Recruitment Standards" which were approved as amended by the Commission on April 1, 1960, were attached to the Agenda for possible reference. (Attachment II)

The supplement entitled "The Proposed Personal History Investigation" was discussed (Attachment II-A). When this document is distributed, it was suggested the notation concerning the specific source material (footnote No. 1 on the document) should be deleted. It was also suggested by the Chairman that caption on this document contain the word "Proposed".

(A discussion on the hearing procedure ensued and the reference (in general) has been placed (for reader convenience) under a later caption of "Hearings".)

There was a discussion whether all documents should accompany the hearing notices. Mr. Momboisse advised that the notices are usually general, but could be specific.

It was moved and seconded that "The Proposed Personal History Investigation" be referred to the Executive Officer for study. Upon discussion, this motion was reconsidered. It was moved, seconded and carried that hearings be set; and the Proposed Minimum Recruitment Standards with attachment (The Proposed Personal History Investigation) and the Proposed Minimum Basic Training Standards be distributed with the hearing notices.

Chairman Ficklin resumed the chair.

PROPOSED MINIMUM BASIC TRAINING STANDARDS

Reference for this subject was the Curriculum Comparison Chart (Attachment III) and thereon:

- Column #1 Southern Basic School, Riverside, 217 hours.
- Column #2 Northern Basic School, Concord, 217 hours.
- Column #3 A program at one junior college, 201 hours.
- Column #4 Recommendation of the Training and Education Committee of the Peace Officers Association, 160 hours.
- Column #5 Recommendation by Executive Officer, as directed at the April 1 meeting, 160 hours.
- Column #6 Recommendation of Executive Officer (for comparison if desired), 200 hours.

- Column #7 Course approved by the Commission, May 18, 160 hours, (this is a refinement of Column #5).

(At the beginning of the discussion, the Commission had for reference only Columns #1, #2, #3, and #4. During the discussion Columns #5 and #6 were supplied by the Executive Officer verbally. On April 1, he had been directed to recommend a 160 hour course (Col. #5). He supplied Column #6 for comparison with the courses now being given in the Northern and Southern Basic Schools.)

In general discussion, it was suggested that there might be a list of subjects, a part of which would be required, and a part elective. It was suggested also that 200 hours are too many at this time.

It was moved and seconded that the Chart, showing Columns 1 to 6 be sent out with the hearing notices. Upon vote, the motion failed to carry.

It was moved and seconded that the Chart, showing Columns 4 and 5 be sent out with the hearing notices. Upon vote, the motion failed to carry.

It was moved and seconded with reference to Column 5 that:

Subject #2 be changed from 34 to 24 hours
Subject #3 be changed from 10 to 8 hours
Subject #15 be changed from 6 to 2 hours
Subject #16 be changed from 0 to 8 hours
Subject #17 be changed from 0 to 8 hours

The resulting list of hour allocations then became Column 7. It was moved, seconded and carried that the hour allocations in Column 7 only be sent out with the hearing notices. Commissioner Kelsay asked that he be recorded as dissenting.

It was generally agreed that the intention is to list all thirty five subjects, so those without assignment of any hours may be seen for reference.

HEARINGS

Earlier in the meeting, Mr. Mombousse referred to "hearing procedure" and the adoption of standards which are governed by the Administrative Procedure Act. He said there are requirements concerning thirty day notices, procedures, and filing, as outlined in his memorandum of April 14 to the Executive Officer.

It was moved, seconded and carried that there shall be two hearings, one in Los Angeles and one in Sacramento, both to be held by July 15.

It was decided that the Los Angeles hearing will be attended by Commissioners Andersen, Muehleisen, and Leask. The Sacramento hearing will be attended by Commissioners Ficklin, Hicks, Kelsay, and McDonnell. Mr. Mombousse may attend both.

Mr. Mombousse suggested the hearing testimony should be recorded. The Executive Officer was directed to arrange for tape recording, or other suitable recording equipment.

Check on tapes

EXECUTIVE SESSION

Holston
Paral
The remaining guests (Deputy Attorney General Mombousse and Chief Administrative Officer Huston) were excused from the meeting that the Commission might consider some personal business.

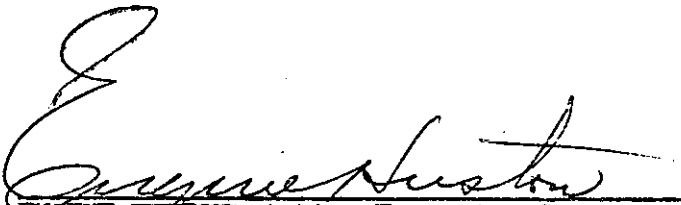
NEXT MEETING

The Commission set the next meeting for 10:00 A.M., June 21 at the Attorney General Conference Room, State Building, San Francisco.

ADJOURNMENT

The Commission adjourned at 5:15 P.M., May 18, 1960.

ATTEST:

A handwritten signature in cursive script, appearing to read "Eugene Huston", is written over a horizontal line.

EUGENE HUSTON, Acting Executive Secretary
for
JOHN D. HOLSTROM, Executive Officer

ATTACHMENT I

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

FINANCIAL REPORT

SEPTEMBER 27, 1959 TO MARCH 31, 1960

REVENUE					\$83,522.83
EXPENDITURES	SALARIES AND WAGES	OPERATING EXPENSES	EQUIPMENT	TOTAL	
Expended		\$641.09	\$ 6.48	\$ 647.57	
*Encumbered to June 30	\$4,000.00	93.62	851.67	4,945.29	<u>5,592.86</u>
Unencumbered Revenue					77,929.97

*Subject to revision to actual need.

(For reference: As of May 5, 1960, revenues
less actual expenditures \$117,001.49)

Department of Justice



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 104 LIBRARY AND COURTS BUILDING SACRAMENTO 14, CALIFORNIA

ATTACHMENT II

CHAIRMAN

JOHN R. FICKLIN
CITY MANAGER
VALLEJO

VICE CHAIRMAN

GENE S. MUEHLEISEN
CAPTAIN, POLICE DEPARTMENT
SAN PEBRO

COMMISSIONERS

ROBERT T. ANDERSEN
ADMINISTRATIVE OFFICER
RIVERSIDE COUNTY

HOWARD W. CAMPEN
COUNTY EXECUTIVE
SANTA CLARA COUNTY

ALLEN B. COTTAR
SHERIFF
SISKIYOU COUNTY

JAMES V. HICKS
CHIEF OF POLICE
SACRAMENTO

DAN KELSAY
SHERIFF
STANISLAUS COUNTY

SAMUEL LEASK, JR.
CITY ADMINISTRATIVE OFFICER
LOS ANGELES

Temp.
V.C.

MARTIN C. McDONNELL
CHIEF OF POLICE
SAN MATEO

Gene S. Muehleisen
JOHN S. MUEHLEISEN
EXECUTIVE OFFICER

PROPOSED MINIMUM RECRUITMENT STANDARDS

1. Citizen of the United States.
2. Minimum age of 21 years.
3. Fingerprinting of applicants with a search of local, state and national fingerprint files to disclose any criminal record.
4. Shall not have been convicted in any state of a crime, the punishment for which could have been imprisonment in a state prison in this state.
5. Good moral character as determined by a thorough background investigation according to specifications entitled "Personal History Investigation".
6. Graduation from high school or a passing of the State of California General Education Development test indicating high school graduation level.
7. Examination by a licensed physician and surgeon. Only those applicants shall be eligible for appointment who are found to be free from any physical, emotional or mental condition which might adversely affect performance of duty as a peace officer.

PROPOSED PERSONAL HISTORY INVESTIGATION

The purpose of the personal history investigation is to find examples of any character traits in the applicant's life which might prevent his becoming a successful peace officer. The investigation should be conducted by an experienced investigator and the results should be evaluated by the department head to determine whether the applicant should be employed or not.

The first step in the investigation is the completion by the applicant of a detailed application form upon which the investigation will be based. The investigation should be strictly confidential and the last step should be an interview with the present employer, if any, following permission by the applicant. If the applicant lives, or has lived, in a distant community, a letter should be sent to the local law enforcement agency requesting that an investigation be conducted.

Some of the things to look for in the investigation are: does he have an uncontrollable temper?; is he unable to stay away from alcoholic drink when things go wrong?; does he "go to pieces" when confronted by danger? These and other similar characteristics may be revealed only through the personal history investigation. When reviewing the results of the investigation, it should be remembered that what will happen in the future generally is what has happened in the past.

The investigation should include a check of as many of the following sources as possible:

1. Military records from the armed forces.
2. Documents, including driver's license, high school diplomas or other suitable record of graduation, and birth certificate.
3. All local police files.
4. Police files in all cities where the person has lived or worked.
5. State criminal records.
6. F.B.I. records.
7. State department granting drivers licenses.
8. Previous employers.
9. All schools attended.
10. References and relatives.
11. Present and past neighbors and landlords.
12. Church, fraternal, and social organizations.
13. Any other source which previous contacts show to be important.