

Marriott Mission Valley Hotel
July 18, 1991 - 10:00 A.M.
Rio Vista Grande Ballroom
8757 Rio San Diego Drive
San Diego, CA 92108-9607
(619) 692-3800

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

RECOGNITION OF ADVISORY COMMITTEE MEMBERS PRESENT

INTRODUCTIONS

APPROVAL OF MINUTES

- A. Approval of the minutes of the April 18, 1991 regular Commission meeting at the Holiday Inn Holidome in Sacramento.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the April meeting, there have been 52 new certifications, 117 decertifications, and 23 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Fourth Quarter FY 1990/91

The fourth quarter financial report will be provided at the meeting 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 (Reimbursement) Program

The Yuba Community College District Police Department has met the Commission's requirements and has been accepted into the POST Regular (Reimbursement) Program. In approving the Consent Calendar, your Honorable Commission receives the report.

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

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

In approving the Consent Calendar, your Honorable Commission notes that since the April meeting, 11 agencies listed in the enclosed report have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program. These new entrants bring to 302 the number of agencies joining the program since it began July 1, 1989.

B.5 Approving a Resolution Commending POST Special Consultant G. Mike Davanis

In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending G. Mike Davanis, Sergeant with the San Bruno Police Department, for his outstanding service to POST in developing the Reserve Officer Standards and Programs publication. Sgt. Davanis worked on this project at POST from November 1990 to February 1991. The publication is ready for distribution to the field and should be helpful in serving the information needs of law enforcement pertaining to reserve officers.

PUBLIC HEARING

C. Receiving Testimony Pertaining to Proposed Changes in POST Regulations on Certificate Revocation

Pursuant to Penal Code Section 13510.1, the Commission maintains a certificate program for specified peace officers who are awarded Basic, Intermediate, Advanced, Supervisory, Management, and Executive Certificates for purposes of fostering professionalism in law enforcement. The Commission is required by law to revoke certificates when a holder is convicted of felony crimes, and is empowered to cancel certificates for other reasons.

The report under this tab includes a proposal to change regulations to permit the cancellation of POST certificates of individuals for certain felony convictions (unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotics offenses) which have been reduced to a misdemeanor pursuant to Penal Code 17, subsections (b) (1) or (3). The possession of these certificates by unqualified persons serves to diminish the prestige of the Commission

and the esteem for the certificates in both the public and professional views.

It is further proposed that revocations be broadened to include those instances where an individual has been disqualified under Government Code Section 1029 (a). In addition to felony convictions, Government Code Section 1029 (a) disqualifies a person for the position of peace officer when adjudged by a Superior Court to be mentally incompetent; found guilty by reason of insanity of any felony; determined to be a mentally disordered sex offender; or adjudged addicted or in danger of becoming addicted to narcotics and committed to a state institution. Currently, the only disqualifier that results in revocation is felony conviction. Expansion of revocation to include all these disqualifiers would provide for consistency between the certificate program and legal barriers to peace officer employment.

In instances where specified felonies are reduced to misdemeanors pursuant to Penal Code 17 (b) (1) or (3), department heads, as well as the affected individual, would be afforded an opportunity to provide input to the Commission regarding the appropriateness of proposed certificate cancellation. All such inputs would be evaluated and presented to the Commission for consideration prior to the initiation of normal cancellation procedures. This input provision is recommended because cancellation for misdemeanors, even though narrow in scope, is a new area and there is concern that the appropriateness of cancellation be examined in the most careful manner.

Subject to the results of the public hearing, appropriate action would appear to be a MOTION to adopt amendments to Regulation 1011 and Procedure F-2, concerning the expansion of certificate cancellation, to be effective January 1, 1992.

MANAGEMENT COUNSELING

D. Report on Peace Officer Feasibility Study for Independent Colleges and Universities and Recommendation to Release the Study

Penal Code Section 13540 provides that individuals and groups seeking legislation to confer peace officer status shall first contract with POST for a feasibility study. Feasibility studies with recommendations of the Commission are submitted to the Legislature for consideration.

The Association of Independent Colleges and Universities has contracted for a feasibility study principally on behalf of Stanford University, the University of Southern California, and the University of the Pacific. They seek passage of SB 1126 (Presley) that would provide for employment of campus peace officers with powers similar to officers serving the public state college and university systems.

The study is in progress. There has been a request for prompt completion of the study in order that recommendations may be considered during this legislative session. For this reason, the matter is on this agenda, rather than October. Analysis was being finalized as this agenda was completed. The report will be provided to Commissioners under separate cover.

If the Commission concurs, the appropriate action would be a MOTION to authorize submittal of a complete report to the Legislature upon its completion.

E. Peace Officer Feasibility Study for California State Museum of Science and Industry and Recommendation to Release the Study

Penal Code Section 13540 provides that individuals and groups seeking legislation to confer peace officer status shall first contract with POST for a feasibility study. Feasibility studies with recommendations of the Commission are submitted to the Legislature for consideration.

The California State Museum of Science and Industry has also contracted for a study. They seek passage of AB 1196 (Hughes) in order to confer peace officer powers on their Chief and Assistant Chief of Security and Safety.

This study is also in progress. There has been a request for prompt completion of the study in order that recommendations may be considered during this legislative session. For this reason, the matter is on this agenda, rather than October. Analysis was being finalized as this agenda was completed. The report will be provided to Commissioners under separate cover.

If the Commission concurs, the appropriate action would be a MOTION to authorize submittal of a complete report to the Legislature upon its completion.

STANDARDS AND EVALUATION

F. Report on the POST In-Service Physical Fitness Pilot Program and Recommendation to Authorize Release of the POST Inservice Physical Fitness Program for Use by California Law Enforcement Agencies

In January, the Commission approved a six-month pilot test of a POST-developed program designed to encourage incumbent officers to achieve and maintain exemplary levels of physical fitness. The Commission further requested the Long Range Planning Committee to consider alternatives and report back with a recommendation concerning possible POST recognition of officers who achieve certain fitness levels as delineated in the program. As reported at the April Commission meeting, the Long Range Planning Committee recommends that no such action be taken at this time.

A total of 150 law enforcement personnel from four departments participated in the field test. Overall reaction to the program was very favorable. As described in the full agenda report, a number of modifications to the program are suggested by the field test results - the most significant being changes with regard to a number of the tests used to assess fitness.

Staff is prepared to finalize the program for general distribution by making those changes suggested by the field test results.

If the Commission concurs, the appropriate action would be a MOTION to authorize release of the POST In-Service Physical Fitness Program (revised) for use by California law enforcement agencies.

G. Report on Recruitment Project

A one-year POST Fellowship position was approved by the Commission in July 1990 to work on several recruitment-related projects, including an evaluation of alternatives with respect to possible POST involvement in a statewide image building/recruitment campaign. The position was filled in October, and work initiated under the fellowship is ongoing. Specifically, a one-year pilot program involving the collaboration of POST and 16 Contra Costa County law enforcement agencies, and designed to assess the utility of regional recruitment and pre-employment testing (using the POST reading and writing test), will conclude in January 1992; and a nationwide review of high school law

enforcement magnet programs has been completed, with plans underway to host a workshop on the topic, to be attended by local law enforcement executives and their respective high school administrators, in late September.

The evaluation of alternatives with respect to possible statewide image building/recruitment has been completed. The following alternatives were considered:

Alternative #1: POST conducts market research and develops recruitment materials (print, radio, television) suitable for use by law enforcement agencies on a statewide basis.

Alternative #2: POST conducts market research, develops recruitment materials, and coordinates a statewide public relations campaign in which total reliance is placed upon the use of unpaid radio and television time ("PSA's").

Alternative #3: POST conducts market research, develops recruitment materials, and conducts a statewide advertising campaign.

The advantages and disadvantages of each alternative are delineated in the full agenda report, as are cost estimates, which range from a low of \$385,000 for Alternative #1, to a high of \$3,560,000 for Alternative #3.

In spite of the recent downturn in the economy, demographic projections indicate that the recruitment of qualified peace officer applicants will become increasingly difficult in the years to come. Local agency interest in a POST-coordinated statewide recruitment effort remains high.

This is an important matter which has not yet been reviewed by a Commission committee. In recognition of the significant policy and fiscal implications of implementing any of the three alternatives, the Commission may want to refer the matter to the Long Range Planning Committee for discussion and recommendation at the October 31, 1991 meeting.

TRAINING PROGRAMS SERVICES

- H. Report on Field Survey Results and Recommendation to Schedule a Public Hearing on October 31, 1991 Pertaining to Changing POST Regulations to Allow Reimbursement for Satellite Receiving Antennas

At the April 1991 Commission meeting, the Commission approved funding to increase satellite training programs and

directed staff to survey the field with regard to reimbursing local agencies for their satellite receiving equipment purchase costs.

The report under this tab includes the results of the field survey, which overwhelmingly favors reimbursement for the purchase of satellite receiving antennas.

The next step would be to schedule a public hearing for the October 31, 1991 meeting to receive testimony on the proposal to reimburse eligible agencies up to \$3000 for their being or becoming capable of receiving satellite transmitted training. Equipment would have to meet minimum specifications. Departments would designate a downlink training coordinator and assume responsibility for a proper distance learning training environment for their officers.

Expectations should be that satellite training programs will grow gradually over time and that satellite training will not obviate the need for live instruction. Rather, satellite training will concentrate on the type of training most suited to it, at a projected savings in time and money by the using agencies.

Clearly the survey results show that respondents are enthused and anxious for the program to get under way. The Finance Committee will review funding options in view of a \$5 million cut in POST's 1991-92 budget. The Long Range Planning Committee will also revisit the proposal. The Committees will report the impact at the Commission meeting. On receiving staff and Committee reports, the Commission will be in a position to evaluate policy and fiscal implications of the proposal that POST reimburse agencies for satellite receive capacity. Final decision and commitment would be before the Commission following the public hearing in October. The matter before the Commission at this time is whether to schedule the proposed public hearing.

If the Commission concurs, the appropriate MOTION would be to schedule a public hearing at the October 31, 1991 meeting to consider the regulation changes that will be required to approve reimbursement to eligible agencies for satellite receiving antenna purchases (including retroactive purchases), and permit POST certified telecourses to meet Continuing Professional Training requirements under conditions to be established.

I. Report and Recommendation to Approve Basic Course Curriculum Changes Relating to Dealing with the Blind/Visually Disabled and Deaf/Hearing Disabled Persons and Authorizing a Report to the Legislature

Assembly Concurrent Resolution 89 (1989) requests the Commission to adopt basic training standards on law enforcement treatment of blind and visually impaired and deaf and hearing impaired persons and on knowledge of related current laws including the "White Cane Law". A committee of subject experts, of whom the majority were blind or visually impaired, was assembled to review proposed curriculum. The resulting proposed performance objectives were unanimously endorsed by academy directors.

It is proposed the document Performance Objectives for the POST Basic Course (1989) be amended to include two new performance objectives. The new curriculum would provide training on communication with blind and visually impaired persons similar to that which is presently a part of the Regular Basic Course for deaf and hearing impaired. Training would also be required in identifying related provisions of law, including the "White Cane Law". The proposed training will ensure that all of the recommendations of ACR 89 are met. The training can be accommodated within the existing POST minimum hourly requirement because of the flexibility accorded academies to adjust hours.

The report under this tab presents a more detailed explanation of these proposed changes. They were prepared in the usual curriculum update process, i.e., using subject matter expert input and consortium review and approval.

The proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act. It is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed regulations would go into effect.

Subject to the results of the proposed Notice of Regulatory Action, the appropriate action would be a MOTION to adopt proposed curriculum additions for the Regular Basic Course on law enforcement treatment of blind and visually impaired and deaf and hearing impaired persons to be effective January 1, 1992.

J. Report and Recommendation to Authorize a Contract with CPOA to Develop a Joint POST/CPOA 1991 Legislative Update Program

In July 1990, the Commission authorized the Executive Director to enter into a contract with CPOA for the development and presentation of a satellite distributed telecourse training program on the subject of Legislative Update. In granting the authority to present the program, the Commission requested that staff evaluate its effectiveness.

Subsequently, the Standards and Evaluation Bureau, with input from the field and CPOA, conducted an evaluation on the course. The Standards and Evaluation Bureau report on the program is now complete and is under the tab of this agenda item. The Results of the survey are very positive, and based on these considerations, authorization to present the program once more in 1992 would be in order. The contract with CPOA, which is in agreement, will require no more than \$15,000. This amount would be limited to actual costs, for the production and publication of 1500 copies of a Legislative Update Workbook. Transmission and other costs have been previously approved.

If the Commission concurs, the appropriate MOTION would be to authorize the Executive Director to sign a contract with the California Peace Officer's Association in an amount limited to actual costs but not to exceed \$15,000 for the development, printing, and mailing of 1500 copies of a workbook to be used in conjunction with the 1992 Legislative Update Telecourse. (ROLL CALL VOTE)

K. Report and Recommendation to Accept Cultural Awareness Training and Guidelines and Authorize a Contract for One Pilot Course

Senate Bill 2680 (Boatwright), which POST supported, called for the development of additional racial and cultural diversity training. In response, POST assembled a committee of subject matter experts representative of minority groups in California. In addition, law enforcement executives and trainers were consulted. The result is the training guidelines now before the Commission.

The training approach proposed is different from traditional cultural awareness training efforts. Previous approaches attempted to teach information that is culturally specific to a potential audience of every peace officer in the State. With this proposed program, departments will be empowered to meet the specific needs of their unique situation by learning to develop their own training capacity. This will be done in three stages:

1. A one-day course for law enforcement executives will focus on policy development, managing cultural diversity, and understanding institutional change both in the department and in the community.

2. Cultural Awareness Facilitators will be identified and taught how to learn about their community, the importance of building training bridges to that community, and to develop a process of ongoing training involving the immigrant and racial groups in that community.
3. Officers will participate in the programs and training developed by the department, including access to resource people identified from within community groups. This cultural awareness training will reach more officers, faster, with more relevance, and should be retained for a longer period of time.

The next step is to pilot test the training for top executives and the training for departmental trainers. A number of agencies have volunteered to participate in the pilot program. Upon approval, a contract with a public agency will be developed for the purpose of conducting that pilot program.

If the Commission concurs, the appropriate action would be a MOTION to approve the Cultural Awareness Training and Guidelines; and to authorize the Executive Director to contract with a suitable vendor for the purpose of conducting a pilot course on Cultural Awareness Training in the amount not to exceed \$17,000, and to advise the Legislature that the statutory requirements have been met on time. (ROLL CALL VOTE)

L. Report and Recommendation to Approve Additional Gang Awareness Training Performance Objectives and Authorize Staff to Notify Legislature of Compliance with AB 2306

On July 18, 1990, AB 2306 was chaptered, amending 13519.5 PC, requiring the Commission to implement a course or courses of instruction to the appropriate peace officers on methods of gang and drug law enforcement.

In the two year period during which AB 2306 was being drafted, POST staff designed training in anticipation of its passage. Following passage, POST reviewed all existing certified gang and drug training. The Basic Course was found to be providing adequate instruction in the drug area, but seven new performance objectives were adopted by the Commission in July, 1989 to expand the gang section. The in-service training in these two areas were reviewed by subject matter experts and new "Training for Trainers" guidelines were designed and implemented in July 1990. The 80-hour Narcotic Investigation course has also been

standardized and updated as part of the Institute of Criminal Investigation.

If the Commission concurs, the appropriate MOTION would be to approve notification to the Legislature that appropriate action to meet the requirements of AB 2306 concerning drug and gang training has been taken.

COMMITTEE REPORTS

M. Training Review Committee

Commissioner Wasserman, Chairman of the Training Review Committee, will report on the public forum and Committee workshop meetings held during June and July.

N. Accreditation Committee

Chairman Lowenberg, who also chairs the Accreditation Committee, will report on the Committee meeting held in Huntington Beach on June 19, 1991.

O. Long Range Planning Committee

Chairman Lowenberg, who also chairs the Long Range Planning Committee, will report on the Committee meeting held in San Diego on July 17, 1991.

P. Finance Committee

Commissioner Wasserman, Chairman of the Finance Committee, will report on the Committee meeting held July 17, 1991 in San Diego.

1. 1990/91 Year End Financial Report
2. Recommended Reimbursement Rates for 1991/92
3. Budget Change Proposals for FY 1992/93

Q. Legislative Review Committee

Chairman Block, Chairman of the Commission's Legislative Review Committee, will report on the Committee meeting held July 18, 1991 in San Diego.

R. Advisory Committee

Donald L. Forkus, member of the POST Advisory Committee, will report on the Committee meeting held July 17, 1991 in San Diego.

OLD/NEW BUSINESS

COMPLIANCE AND CERTIFICATES

S. August Vollmer University

At its April meeting, the Commission heard an appeal from August Vollmer University that POST regulations should be changed to allow recognition of degrees and units from non-accredited but state "approved" or "authorized" private colleges and universities. The Commission deferred action pending submittal of additional information clarifying the nature of state "authorization", state "approval", and "accreditation" by professional accrediting organizations. August Vollmer University's representative asserted that state approval should be considered similar to, if not on a par with, professional accreditation.

Additional information has been developed and is presented in the report under this tab. Staff has reviewed written documents and had discussions with representatives of the California Postsecondary Education Commission, the Western Association of Colleges and Schools (WASC), and August Vollmer University. A recent report to the Legislature by the Postsecondary Education Commission is informative and is provided to Commissioners under separate cover.

Professional association accreditation and the state approval processes have, in their description, many similarities. But there are also important differences. The accrediting bodies focus on quality of education. The state approving entities focus more on consumer protection concerns. The report of the Postsecondary Education Commission very critical of the State's approval/authorization processes that are being modified pursuant to reform legislation in 1989.

The Commission probably should not change its regulation that now recognizes only accredited institutions unless there is clear evidence of need and benefit. Staff's review does not disclose that need or benefit exists. To the contrary, findings to date reinforce the apparent need for reliance on accreditation.

As described in the report, the Commission could, of course, establish its own criteria for accrediting or approving education institutions such as August Vollmer University.

But such an approach would entail the development of staffing capability, expertise, and could be time consuming and costly.

Subject to input at the meeting, the appropriate action would appear to be a MOTION to deny the request for recognition of non-accredited units, courses, and degrees toward the award of POST professional certificates.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

October 31, 1991 - Pan Pacific Hotel - San Diego
January 23, 1992 - Bahia Hotel - San Diego
April 16, 1992 - Radisson Hotel - Sacramento
July 16, 1992 - San Diego

COMMISSION MEETING MINUTES
April 18, 1991 - 10:00 a.m.
Holiday Inn Holidome
Mariposa Room
5321 Date Avenue
Sacramento, CA 95841
(916) 338-5800

The meeting was called to order at 10:05 a.m. by Chairman Tidwell.

Commissioner Block led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Sherman Block
Carm J. Grande
Richard Hunt
Daniel E. Lungren
Edward Maghakian
Raquel Montenegro
Richard L. Moore
Alex Pantaleoni
Floyd Tidwell
Robert L. Vernon
Robert Wasserman

Commissioners Absent:

Ronald Lowenberg

POST Advisory Committee Members Present:

Don Brown
Jay Clark
John Clements
Dolores Kan
Joe McKeown
Carolyn Owens

Staff Present:

Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Chris Carey, Analyst, Information Services
Mike DiMiceli, Bureau Chief, Management Counseling
Bill Masters, Consultant, Training Program Services
Holly Mitchum, Bureau Chief, Information Services
Ken O'Brien, Bureau Chief, Training Program Services

Otto Saltenberger, Bureau Chief, Administrative Services
Gary Sorg, Consultant, Training Program Services
Darrell Stewart, Bureau Chief, Special Projects
Doug Thomas, Bureau Chief, Center for Leadership Development
Ken Whitman, Consultant, Training Program Services
Frederick Williams, Bureau Chief, Compliance and Certificate
Bureau
Vera Roff, Executive Secretary

Visitors' Roster:

Ray L. Brosterhous, Assistant Attorney General
Irene Carroll, San Jose Police Department
Greg Cowart, Director, Division of Law Enforcement, DOJ
Leanna Dawydiak, Office of Assemblyman John Burton
Michael Grogan, Millbrae Police Department
John P. Kenney, August Vollmer University
Roger Kenney, August Vollmer University
Greg Kyritsis, Lt., Training, San Bernardino Sheriff's Department
Lee Militello
Susan Newman, August Vollmer University
Nom Nguyen, Office of Assemblyman John Burton
Jill Tregor, Community United Against Violence
Don Warner, CSUS
Hank Wilson, Gay/Lesbian Youth Advocates
Linda Zellman, Kellogg West

Chairman Tidwell announced that Executive Director Norman Boehm was hospitalized as a result of a compound fractured leg and was, therefore, unable to attend the Commission meeting.

PRESENTATION

Chairman Tidwell presented a plaque to Commissioner Carm J. Grande in appreciation for his outstanding public service and dedication to law enforcement as a member of the Commission from March 1984 to May 1991.

A. APPROVAL OF MINUTES

MOTION - Wasserman, second - Montenegro, carried unanimously to approve the minutes of the April 18, 1991 regular Commission meeting held at the Holiday Inn in San Diego, with the correction of noting Commissioner Moore's presence.

CONSENT CALENDAR

B. MOTION - Maghakian, second - Block, carried unanimously to approve the following Consent Calendar:

- B.1 Receiving Course Certification Report
- B.2 Receiving Financial Report - Third Quarter FY 1990/91
- B.3 Receiving Information on New Entries Into the POST Regular (Reimbursement Program)
- B.4 Receiving Information on New Entry Into the POST Specialized (Non-Reimbursable) Program
- B.5 Receiving Information on New Entries Into the Public Safety Dispatcher Program

CORRESPONDENCE - CULTURAL AWARENESS STUDY

Representatives of the Community United Against Violence (CUAV), Assemblyman John Burton, and Chief Willis Casey, San Francisco Police Department addressed the Commission concerning the inclusion of law enforcement sensitivity as it relates to the gay, lesbian, and bi-sexual community in the current Cultural Awareness Study. Speakers included Nom Nguyen, Leanna Dawydiak, Jill Tregor, Lee Militello and Hank Wilson.

The group was informed that the study now underway deals with issues of race and cultural diversity brought about by immigration and should be completed in July 1991. At that time, the Commission will look at the need for additional law enforcement training as proposed by the gay, lesbian, and bi-sexual communities and possibly other groups.

COMPLIANCE AND CERTIFICATES

C. August Vollmer University Appeal for POST to Recognize Non-Accredited Education Units

Staff reported that August Vollmer University (AVU) had requested the Commission to change its regulations to allow AVU non-accredited units and courses to be accepted toward the award of POST professional certificates.

Dr. John Kenney, President of August Vollmer University, informed the Commission that AVU is devoted exclusively to criminal justice/criminology. He noted that the university's degrees are appropriate and applicable for law enforcement, and therefore, should be accepted toward the award of POST Intermediate and Advanced Certificates.

After a lengthy discussion with particular emphasis on the differences between the State's approval and accreditation processes, the following action was taken:

MOTION - Block, second - Wasserman, carried unanimously to delay decision on the appeal of the August Vollmer University pending a review of additional information concerning the accreditation process.

D. Scheduling a Public Hearing on July 18, 1991 Pertaining to Changing POST Regulations on Certificate Revocation

Pursuant to Penal Code Section 13510.1, the Commission maintains a certificate program for specified peace officers who are awarded Basic, Intermediate, Advanced, Supervisory, Management, and Executive certificates for purposes of fostering professionalization in law enforcement. The Commission revokes certificates when a holder is convicted of felony crimes. All certificates remain the property of the Commission underscoring the Commission's authority to cancel certificates for felony convictions and other reasons, consistent with POST regulations.

To effect changes pertaining to certificate revocation, it was proposed that Regulation 1011 be modified to require the cancellation of certificates issued to persons who have been convicted of certain felony crimes reduced to misdemeanors under P.C. 17, or who have been disqualified as peace officers under Government Code Section 1029 (a).

There was consensus that proposed regulations provide that in the instance of misdemeanor convictions, input prior to cancellation action be invited from both the individual and employing department head.

MOTION - Block, second - Pantaleoni, carried unanimously to schedule a public hearing at the July 18, 1991 meeting to consider changes in POST Regulation 1011.

INFORMATION SERVICES

E. Authorization to Contract for Computer Programming Services Associated with Database Replacement

Staff reported that last Spring negotiations were made with Systemhouse, Inc. for replacement of POST's database management system, INFO DB+. Completion of all tasks associated with conversion to the new database software was targeted for June 30, 1991. However, several delays by state oversight agencies stalled contract approval until mid-December 1990. Consequently, project work did not begin until January 1991.

To date, approximately 10% of the project work has been completed. In March, POST lost the services of its senior, most experienced programmer leaving two full-time programmers

in the data processing unit. Overall contractual obligations between POST, Systemhouse and the vendor of the software being replaced require that the conversion project be completed by mid-August 1991. This goal cannot be met without additional programming assistance.

Staff proposed that the Commission grant authority to the Executive Director to contract with another public or private entity that can provide qualified personnel for the project. Staff estimates that up to 688 hours of programming assistance will be required to complete the conversion project at a cost not to exceed \$35,000. At its April 17 meeting, the Finance Committee reviewed the proposal and recommended approval by the Commission.

MOTION - -Pantaleoni, second - Grande, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to contract with the Department of General Services or other public or private entity for computer programming services at a cost not to exceed \$35,000.

MANAGEMENT COUNSELING

F. Approval of the OTS Traffic Grant Software (ATAARMS) Report and Authorizing its Distribution to the Field

In 1987 the Commission received a grant from the Office of Traffic Safety to develop a microcomputer based Traffic Accident Analysis and Records Management System (ATAARMS) for small- and medium-size law enforcement agencies. System design and programming was completed in February 1991. Program testing by the police departments of Coronado, Folsom, and Roseville was completed in March 1991. Two user training sessions will be presented by POST staff in May 1991. At that time, the software and user's manual will be available for general distribution to interested agencies.

MOTION - Pantaleoni, second - Grande, carried unanimously to approve the ATAARMS System and authorize its distribution to the field.

TRAINING PROGRAM SERVICES

G. Approval of a Contract for Interactive Video First Aid/CPR Training Courseware

At its November 1990 meeting the Commission authorized the dissemination of a Request for Proposals (RFP) to develop an interactive multimedia course of instruction on Law Enforcement First Aid/CPR Training. The RFP called for the design and development of instructional materials and software to be used with the same or compatible equipment

being used by law enforcement agencies and training institutions to deliver the interactive version of P.C. 832 mandated training. Planned time for delivery from expected start-up time in June 1991 is approximately nineteen months, or by January 1, 1993.

Eleven proposals were received in response to the RFP. Industrial Training Corporation (ITC) received the highest score at the conclusion of the evaluation process.

MOTION - Wasserman, second - Maghakian, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign a contract with Industrial Training Corporation (ITC) to develop a Law Enforcement First Aid/CPR interactive multimedia course at a cost not to exceed \$497,700.

H. Approval to Survey the Field on a Proposal to Expand the POST Distance Learning Satellite Receive Network

At its January 17, 1991 meeting, The Commission instructed staff to move ahead on ACR 58 plans as quickly as resources allowed with development of a proposal for distance learning programs being given high priority. This agenda item proposed a distance learning program for Fiscal Year 1991-92, and presented options for expanding the satellite downlink network to all California law enforcement agencies.

Downlink network options include:

1. Waiting as individual agencies continue to purchase their own satellite antennas.
2. Directly reimburse agencies up to specific amount (e.g. \$3,000) for the costs they incur for the purchase of an antenna which meets minimum specifications (estimated cost \$1,587,000).
3. Going to bid on a lease agreement which would install and maintain satellite equipment.

The Long Range Planning Committee recommended surveying the field for interest and commitment to distance learning, with special focus on option #2, as the next step. A questionnaire will be distributed to law enforcement administrators which will provide information and gather input on their reaction to this proposal. Results of the questionnaire will be available to the Commission at the July meeting.

MOTION - Block, second - Montenegro, carried unanimously to authorize distribution of the field survey with a report of results scheduled for the July 1991 meeting.

I. Authorization of Contracts for Distance Learning Satellite Video Broadcasts in Fiscal Year 1991/92

During 1990/91 POST had entered into several contracts with San Diego State University for the production and satellite transmission of videotape training programs. These included four training tape broadcasts at a cost of \$24,000 and three telecourses at an approximate cost of \$96,000 for an overall expenditure of approximately \$120,000.

In FY 1991/92 additional programs are proposed to allow one training tape broadcast every month. This will amount to twelve two-hour programs and up to six telecourses throughout the year. The Finance Committee previously reviewed this matter and recommended approval by the Commission. Total proposed contract amounts are \$316,000.

MOTION - Wasserman, second - Grande, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to negotiate and sign contracts with:

- (1) The Alameda County District Attorney's Office and Golden West College for the purchase of legal update programs for FY 1991/92 in amounts not to exceed \$52,000; and
- (2) The San Diego State University, or other units of the California State University System, to produce and uplink POST training broadcasts for FY 1991/92 in amounts not to exceed \$264,000.

EXECUTIVE OFFICE

J. Report on ACR Implementation Progress and Plans

Staff reported the Assembly Concurrent Resolution 58 study has been completed and the report submitted to the Legislature with several specific recommendations. Assemblyman Robert Campbell has submitted AB 492, which incorporates these recommendations into law. When AB 492 is signed into law, the Commission will receive legislative authority and some additional money to proceed with many of the recommendations, and a full assessment of skill development facilities and funding resources.

MOTION - Pantaleoni, second - Moore, carried unanimously to authorize the Executive Director to continue to develop and implement recommendations outlined in both the ACR 58 Study and AB 492.

K. Approval of a \$14,000 Contract with the San Diego Police Department for Producing the ACR 58 Video Tape

The San Diego Police Department was contracted with to produce the ACR 58 Report video tape. Normal costs are about \$1000 per finished minute. Arrangements were made to make a nine to ten-minute tape, not to exceed \$9,999. Final scripting based upon the completed ACR 58 Study report resulted in the need for a video with a running time of 20-minutes. The San Diego Police Department agreed to complete the tape on time and with the full script. However, the cost of making the 20-minute video tape was considerably more than allowed in the initial contract. Staff and the department have negotiated a more realistic video production cost.

MOTION - Block, second - Wasserman, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to sign a contract with the City of San Diego for a total amount of \$14,000 for the production of the ACR 58 video tape.

L. Approval of Royalty Agreement between POST and Los Angeles County Sheriff's Department (LASD)

POST contracted with LASD starting in 1987 to develop a firearms training course which incorporated a shoot/no shoot judgment simulator. The contract required LASD to develop video scenarios for the course. These videos will be pressed on laser disc by a private firm for use in the shoot/no shoot training program. The private firm is negotiating with LASD for marketing rights outside of California. If an agreement is reached, royalties on sales would be paid to LASD by the private firm. POST and LASD will share equally in any royalties received from sales of the videos. It was proposed that a formal agreement between POST and LASD be established to divide royalties, which would amount to about \$200 to POST for each disc sold out-of-state.

MOTION - Grande, second - Montenegro, carried to authorize the Executive Director to enter into a contractual arrangement with LASD to share the royalties described in the report. (Block Abstained)

COMMITTEE REPORTS

M. Long Range Planning Committee

Commissioner Tidwell, Chairman of the Long Range Planning Committee, reported that the Committee met on March 19, 1991 in San Bernardino. In addition to items already addressed on the agenda, the Committee acted on the following:

1. Recognition Options for Exemplary Officer Physical Fitness

The Committee considered alternatives for POST participation in an inservice physical fitness program. There was consensus that POST should simply make the training program available to the field with no POST incentives or recognition at this time.

2. Team Building Workshops Program Review

The Committee received a report on the Team Building Workshops program and found that the program was working well within the purposes of the modifications established two years ago. Previous backlogs have been eliminated and workshops are available to a broader range of agencies with the same budget allocations as before.

3. LETN

The Committee discussed the Law Enforcement Television Network (LETN) proposal to contract with the Commission for delivery of their video training services for law enforcement agencies. The Committee consensus was to decline the proposal.

MOTION - Wasserman, second - Grande, to decline the LETN proposal.

The Long Range Planning Committee met for a second time on April 17th at the hotel to discuss the potential for the Commission to address training issues that may arise as a result of the LAPD/Rodney King incident. There was consensus that the Commission's oversight responsibilities for law enforcement training programs suggests that a thorough review be conducted, including the seeking of input from law enforcement administrators, rank and file officers, and trainers around the state.

The Chairman appointed Commissioner Wasserman as Chairman of the Training Review Committee, with Commissioners Maghakian and Pantaleoni, and Advisory Committee Chairman John Clements as members. The Committee will conduct three or more meetings in various locations around the State for this purpose, and report back.

Following discussion by the Commission, it was recommended that the Accreditation Committee again explore various options for providing an accreditation program for law enforcement agencies in California.

Staff was directed to prepare a letter to be sent to the Legislators and leaders in the law enforcement field to inform them of what POST is doing.

N. Finance Committee

Commissioner Wasserman reported the Finance Committee met on April 17, 1991 in Sacramento and recommended approval of the following contracts for FY 1991/92.

MOTION - Wasserman, second - Hunt, carried unanimously by ROLL CALL VOTE to adopt the recommendations of the Finance Committee, approve the contracts for Fiscal Year 1991/92, and authorize the Executive Director to sign them on behalf of the Commission.

1. Contracts for the Management Course are proposed for the following presenters: \$330,783
California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center
2. A contract with California State Polytechnic University, Pomona for 5 presentations of the Executive Development Course. \$121,555
3. A contract with San Diego Regional Training Center for support of executive training including the Command College. \$453,618
4. An Interagency Agreement with CSU Long Beach for administrative services for the Supervisory Leadership Institute. \$391,684
5. A contract with Cooperative Personnel Services to administer the Basic Course Proficiency Examination. \$ 33,900
6. A contract with Cooperative Personnel Services to administer the POST Entry-Level Reading and Writing Test Battery. \$ 98,400
7. A contract with Cooperative Personnel Services to administer the P.C. 832 Written Examination. \$ 78,900

- | | | |
|-----|---|-----------|
| 8. | A contract with Cooperative Personnel Services to administer the Public Safety Dispatcher Basic Training Equivalency Examination. | \$ 13,375 |
| 9. | An Interagency Agreement with the State Controller's Office for Auditing Services. | \$ 85,000 |
| 10. | A contract with the State's Teale Data Center for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. | \$ 89,000 |
| 11. | A contract to provide mandatory CALSTARS accounting computer linkage for necessary data processing services by the Health and Welfare Data Center. | \$ 24,000 |
| 12. | An Interagency Agreement with the State Department of Justice Training Center. | \$953,081 |

The Department of Justice has provided training to local law enforcement through an Interagency Agreement with POST since 1974. During fiscal year 1990-91, the amount allocated to this training was \$870,933, which included a \$104,000 mid-year supplement to provide additional narcotics-related training.

As a result of recent California law enforcement training need expressions, the number of narcotics-related training courses is being increased in this budget. Staff continues to engage in the development, standardization and update of narcotics-related curricula for regional presenters. As these presenters are certified for needed narcotics training, we anticipate the need for contract courses will decrease.

Staff will monitor the need to offer the contract courses during this fiscal year.

0. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, reported the Committee met on April 18, 1991 just prior to the Commission meeting and recommended the following positions on current legislation:

SB 249 (DAVIS)	Authorizes POST to set standards and reimbursement for peace officer members of Coroners Office	SUPPORT
AB 352 (NOLAN)	Funding Local Public Dispatcher Training - authorizes a percentage of the 911 Emergency Telephone Account for POST to train dispatchers	SUPPORT
AB 420 (ELDER)	Hazardous Materials Enforcement Training - requires POST to provide voluntary training	NEUTRAL
SB 474 (PRESLEY)	Three-Year Break-In-Service for P.C. 832 Course Graduates - requires requalification or retesting	SUPPORT
AB 492 (Campbell)	ACR 58 Followup: Training Technology and Facilities Status - requires POST to evaluate pilot projects and develop plan	SUPPORT
SB 671 (MORGAN)	Appointment of peace officers - authorizes city councils to designate a representative to approve appointments of police officers	NEUTRAL
SB 811 (AYALA)	Composition and Size of POST Commission - adds two members appointed by Governor from peace officers of rank of sergeant or below	OPPOSE
AB 990 (STATHAM)	Community College Training - requires Chancellor to study impact of ADA cap on state-mandated training	SUPPORT
SB 1126 (PRESLEY)	Peace officers: Private Post-secondary educational institutions	OPPOSE

MOTION - Block, second - Maghakian, carried unanimously to adopt the Legislative Review Committee's position recommendations.

P. Advisory Committee

John Clements, Chairman of the POST Advisory Committee, reported the Committee met on April 17, 1991 in Sacramento.

The Committee wanted to go on record commending Commissioner Grande for his professionalism and outstanding interaction with the Advisory Committee while serving as a member of the Commission.

OLD/NEW BUSINESS

Q. Appointment of Advisory Committee Members

There was consensus to approve the appointment of Joe Flannagan, as representative of the Peace Officers' Research Association of California (PORAC), and to reappoint the following as members of the Advisory Committee for a three-year term of office beginning in September 1991.

Dolores Kan, representing the Women Peace Officer's Association of California, Inc. (WPOA).

Jay Clark, representing the California Association of Police Training Officers (CAPTO).

Derald Hunt, representing the California Association of Administration of Justice Educators (CAAJE).

Chief Don Forkus, representing the California Peace Officers' Association (CPOA).

R. Correspondence

1. Request by California Reserve Officer's Association for representative of the Association to the POST Advisory Committee.

Commissioner Maghakian, Chairman of the Advisory Committee Liaison, reported that the Advisory Committee had reviewed the request. Because reserve officers are currently represented by CPOA and because the Advisory Committee was recently increased to 14, it was recommended the request be denied at this time.

MOTION - Maghakian, second - Montenegro, carried unanimously to deny the request at this time.

2. Request by Community United Against Violence (CUAV) and Assemblyman John Burton to address the Commission. (This item was addressed earlier on the agenda.)

S. Report of the Nominating Committee for Election of Officers

Commissioner Wasserman, Chairman of the Nominating Committee, reported that he and Commissioners Vernon and Maghakian met by telephone, and the Committee recommended Ron Lowenberg as

Chairman and Edward Maghakian as Vice Chairman for the Commission.

MOTION - Wasserman, second - Grande, carried unanimously that the nominees be elected.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 18, 1991 - Marriott Mission Valley - San Diego
October 31, 1991 - Pan Pacific Hotel - San Diego
January 23, 1992 - Bahia Hotel - San Diego
April 16, 1992 - Radisson Hotel - Sacramento

ADJOURNMENT

CERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13.	Firearms/Semi-Auto Pistol	Modesto CJTC	Technical	IV	\$ 11,664
14.	Drug Alcohol Recognition Update	Shasta College	Technical	IV	6,912
15.	Driving under the Influence	San Diego S.D.	Technical	IV	18,000
16.	Weapon Retention & Takeaway	San Francisco P.D.	Technical	IV	-0-
17.	Skills & Knowledge Modular Training	San Jose P.D.	Technical	IV	-0-
18.	Supv. Techniques & Personnel Utilization	Rio Hondo CJTC	Mgmt. Sem.	IV	4,800
19.	Stress, Post Trauma Trauma/Supervisors	Centre for Living with Dying	Supv. Sem.	III	24,000
20.	Forensic Alcohol Supervisor	Calif. Criminalistics Inst.	Technical	IV	28,800
21.	Driver Training Instructor	Los Angeles S.D.	Technical	III	10,095
22. - 52.	30 additional Proposition 115 Hearsay Evidence Testimony Course Presenters have been certified as of 6-10-91. Presentation of this course is generally done using a copy of POST Proposition 115 Video Tape. To date 178 presenters of Proposition 115 have been certified.				

DECERTIFIED

	<u>Course Title</u>	<u>Course Presenter</u>	<u>Reimbursement Category</u>	<u>Plan</u>
1.	Child Interview Specialist	Office of Attorney General	Technical	IV
2.	Field Training Officer	Golden West College	Technical	IV
3.	Missing Persons/Runaways	Ceres P.D.	Technical	IV
4.	Narcotic Enf., Contemporary	U.S. DEA, S.F.	Technical	IV
5.	Defensive Tactics Instructor	San Joaquin Delta College	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
6.	Effective Mgmt. Communications	Cal-State Poly, Pomona	Mgmt. Trng.	III
7.	Effective Mgmt. Communications	Cal-State Poly, Pomona	Mgmt. Trng.	III
8.	Police Planning Skills	Cal-State Poly, Pomona	Technical	III
9.	Missing Persons/Runaways	Oakland P.D.	Technical	IV
10.	Complaint/Dispatcher	Oakland P.D.	Technical	II
11.	Missing Persons/Runaways	Sunnyvale Public Safety Trng	Technical	IV
12.	Traffic Accident Investigation	Chabot College	Technical	IV
13.	Firearms Instr.-Weaver Tech.	William Penn Mott Trng. Ctr.	Technical	IV
14.	Field Training Officer	Fresno City Col.	Technical	IV
15.	Motorcycle Gang - Outlaw Update	Fresno City Col.	Technical	IV
16.	Missing Persons/Runaways	Monterey Peninsula College	Technical	IV
17.	Skills & Knowledge Modular Training	Alameda Co. S.D.	Technical	IV
18.	Clandestine Store-front Sting	Golden West Col.	Technical	IV
19.	Crime Prevention, Elements of	Golden West Col.	Technical	IV
20.	Field Training Officer	Golden West Col.	Technical	IV
21.	Missing Persons/Runaways	Golden West Col.	Technical	IV
22.	Motorcycle Training	Golden West Col.	Technical	IV
23.	Public Safety Aide Academy	Golden West Col.	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
24.	R.R. Grade Crossing Acc. Inv.	Golden West Col.	Technical	IV
25.	Requalification - Basic Course	Golden West Col.	Technical	IV
26.	Organizational Analysis	Law Enforcement Management Ctr.	Mgmt. Trng.	III
27.	Planning Mgmt., Advanced	Law Enforcement Management Ctr.	Mgmt. Trng.	III
28.	Budgeting, Zero-Based	Law Enforcement Management Ctr.	Mgmt. Trng.	III
29.	Missing Persons/Runaways	Grossmont Col.	Technical	IV
30.	Driver Awareness Update	San Diego S.D.	Technical	IV
31.	Missing Persons/Runaways	San Diego S.D.	Technical	IV
32.	Defensive Tactics Instr. Update	FBI, San Diego	Technical	IV
33.	Ofcr. Safety/Field Tactics Update	San Diego P.D.	Technical	IV
34.	Missing Persons/Runaways	Imperial Valley College	Technical	IV
35.	Missing Persons/Runaways	Anaheim P.D.	Technical	IV
36.	Contemporary Mgmt. Issues	PROLAW '90, Inc.	Mgmt. Trng.	III
37.	Effective Mgmt. Communications	PROLAW '90, Inc.	Mgmt. Trng.	III
38.	Missing Persons/Runaways	Santa Ana P.D.	Technical	IV
39.	Communicable Dis: Trnr. Update	Rancho Santiago College	Technical	IV
40.	Skills & Knowledge Modular Training	Mira Costa Col.	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
41.	Skills & Knowledge Modular Training	Shasta College	Technical	IV
42.	Missing Persons/Runaways	Gavilan College	Technical	IV
43.	Motorcycle Trng. Update	Gavilan College	Technical	III
44.	Drug Alcohol Recognition Upd.	Gavilan College	Technical	IV
45.	Chemical Agent Instructor	Gavilan College	Technical	IV
46.	Baton Instructors-Side Handle	Martinez Adult School	Technical	IV
47.	Chemical Agent Trng (PC 12403)	Martinez Adult School	Technical	IV
48.	Sex Crime Inv.	Rio Hondo RTC	Technical	IV
49.	Domestic Violence Update	Rio Hondo RTC	Technical	IV
50.	Report Writing	Rio Hondo RTC	Technical	IV
51.	Crisis Intervent. Update	Rio Hondo RTC	Technical	IV
52.	Special Weapons & Tactics Update	Rio Hondo RTC	Technical	IV
53.	Vehicle-Train Accident Inv.	Los Medanos Col.	Technical	IV
54.	Management Update Seminar	Los Medanos Col.	Mgmt. Trng.	IV
55.	Firearms Inst.-Semi-Automatic	Los Medanos Col.	Technical	IV
56.	Report Writing	Los Medanos Col.	Technical	IV
57.	Strategic Plng & Directed Ptl.	CPOA	Mgmt. Trng.	III
58.	Missing Person/Runaways	San Francisco P.D.	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
59.	Missing Persons/ Runaways	Burbank P.D.	Technical	IV
60.	Management by Resource	Wolf-Corey, Inc.	Technical	III
61.	Missing Persons/ Runaways	Glendale P.D.	Technical	IV
62.	Ofcr. Safety/Field Tactics Update	Santa Rosa Ctr.	Technical	IV
63.	Reserve Training Module B	Santa Rosa Ctr.	Reserve Training	N/A
64.	Driver Awareness Update	Whittier P.D.	Technical	IV
65.	Narcotics Inv. - Conspiracy-RICO	Long Beach P.D.	Technical	IV
66.	Supervision-Drug Inv.	Long Beach P.D.	Supv. Trng.	IV
67.	Supervisory Course, Civilian	Los Angeles P.D.	Supv. Trng.	IV
68.	Crime Prevention Community	Los Angeles P.D.	Technical	IV
69.	Occupant Prot. Usage-Enf. Upd.	Los Angeles P.D.	Technical	IV
70.	Survival Shooting Instructor	Allan Hancock College	Technical	IV
71.	Radar Operator	Modesto CJTC	Technical	IV
72.	Special Weapons & Tactics Update	Modesto CJTC	Technical	IV
73.	Special Weapons & Tactics	Modesto CJTC	Technical	IV
74.	Defensive Tactics Instr. Update	Modesto CJTC	Technical	IV
75.	Defensive Tactics Instructor	Modesto CJTC	Technical	IV
76.	Field Training Officer Update	Modesto CJTC	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
77.	Missing persons/ Runaways	Evergreen Valley College CJTC	Technical	IV
78.	Missing Persons/ Dispatchers	Evergreen Valley	Technical	IV
79.	Airborne Mgmt. Operation	San Bernardino S.D.	Mgmt. Trng.	III
80.	Arrest & Firearms (P.C. 832)	Feather River College	P.C. 832	IV
81.	Armorer School- Colt & Ruger	Lassen College	Technical	IV
82.	Driver Awareness Update	Lassen College	Technical	IV
83.	Special Agent In- Service Trng.	DOJ Advanced Training Center	Technical	N/A
84.	Camp Marijuana Training	DOJ Advanced Training Center	Technical	IV
85.	Intelligence Data Analyst	DOJ Advanced Training Center	Technical	IV
86.	Applied Statistics for L.E.	DOJ Advaned Training Center	Technical	IV
87.	Computer Crime Invest. Update	DOJ Advanced Training Center	Technical	IV
88.	Missing Persons/ Runaways	College of the Siskiyou	Technical	IV
89.	Driver Awareness Update	Baldwin Park P.D.	Technical	IV
90.	Skills & Knowledge Modular Training	Lake Tahoe Col.	Technical	IV
91.	Baton Instructors- Straight	Butte Center	Technical	IV
92.	Driver Awareness Update	Butte Center	Technical	IV
93.	Firearms/Semi-Auto Pistol	Butte Center	Technical	IV
94.	Fitness Advisor	Butte Center	Technical	IV

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
95.	Women in Law Enforcement	CPOA	Mgmt. Trng.	III
96.	Gang Awareness - Mngrs. & Exec.	CPOA	Mgmt. Trng.	III
97.	Drug Influence- 11550 H&S Upd.	Redwoods Center	Technical	IV
98.	Livestock Theft Inv.	Redwoods Center	Technical	IV
99.	Adv. Officer (Dis)	Los Angeles P.D.	AO	II
100.	Reserve Training Module B	Los Angeles Harbor College	Reserve Training	N/A
101.	Arrest & Firearms (P.C. 832)	Los Angeles Harbor College	P.C. 832	IV
102.	Aviation Security (P.C. 832.1)	Los Angeles International Airport	P.C. 832	IV
103.	Driver Awareness Update	Monterey Park P.D.	Technical	IV
104.	Special Weapons & Tactics	Ventura Co. CJTC	Technical	IV
105.	Driver Awareness Update	Lodi P.D.	Technical	IV
106.	Complaint/ Dispatcher Update	Tulare-Kings Co. Peace Ofc. Trng Academy	Technical	IV
107.	Traffic Accident, Inv., Adv.	Los Angeles P.D.	Technical	IV
108.	Arson Inv.	Moorpark College	Technical	IV
109.	Bloodstain Interpretation Upd.	Sacramento PSC	Technical	IV
110.	Vessel Theft Inv.	Sacramento PSC	Technical	IV
111.	Fingerprint, Latent Techniques	Sacramento PSC	Technical	IV
112.	Vehicle, Special Ops - 4 Wheel	Sacramento PSC	Technical	III

DECERTIFIED (Continued)

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>
113.	Supervisory Seminar	Sacramento PSC	Supv. Sem.	IV
114.	Reserve Training Module B	Sutter County S.D.	Reserve Training	N/A
115.	Reserve Training Module A	Sutter County S.D.	Reserve Training	N/A
116.	AIDS-Commun. Disease Update	American Red Cross	Technical	IV
117.	AIDS/Infectious Diseases	American Red Cross	Mgmt. Trng.	IV

TOTAL CERTIFIED	<u>52</u>
TOTAL DECERTIFIED	<u>117</u>
TOTAL MODIFICATIONS	<u>23</u>

1218 Courses certified as of 6-10-91
 308 Presenters certified as of 6-10-91

520 Skills & Knowledge Modules certified as of 6-10-91
 52 Skills & Knowledge Presenters certified as of 6-10-91

1,738 TOTAL CERTIFIED COURSES

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Yuba Community College District Police Department		Meeting Date July 18, 1991
Bureau Compliance and Certificate Services	Reviewed By Frederick Williams	Researched By Bud Perry
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 4/15/91	Date of Report April 8, 1991
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 Yuba Community College District Police Department has requested participation in the POST Regular Reimbursable program.

BACKGROUND

The provisions of Section 830.32(a) Penal Code permit community colleges to employ peace officers. The Yuba Community College District Board of Trustees passed a resolution requesting participation in the POST program.

ANALYSIS

The department employs five full-time sworn officers. The officers have received adequate training and were suitably selected. The fiscal impact should be less than \$3,000 annually.

RECOMMENDATION

The Commission be advised that the Yuba Community College District Police Department has been admitted into the POST Reimbursable Program, consistent with Commission policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Safety Dispatcher Program		Meeting Date July 18, 1991
Bureau Compliance and Certificate Services	Reviewed By <i>FW</i> Frederick Williams	Researched By
Executive Director Approval	Date of Approval	Date of Report June 7, 1991
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

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

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

ANALYSIS

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

RECOMMENDATION

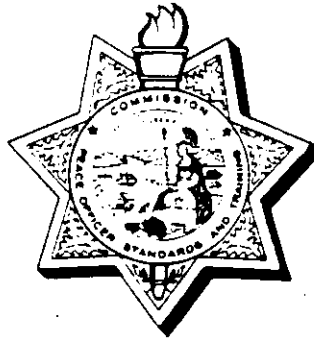
That the Commission be advised that the subject agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

NEW AGENCIES IN THE PUBLIC SAFETY DISPATCHER PROGRAM

MARCH - JUNE 1991

<u>AGENCY</u>	<u>ORD/RES/LETTER</u>	<u>ENTRY DATE</u>
Blythe P.D.	Ord. 642-88	5-2-91
Clearlake P.D.	Ord. 28-91	4-18-91
City of Costa Mesa Communication Dept.	Ord. 91-11	5-23-91
Los Altos P.D.	Ord. 91-247	3-26-91
Los Angeles City Housing Authority	Resolution	4-19-91
Morgan Hill P.D.	Ord. 1026NS	6-7-91
San Leandro P.D.	Ord. 91-03	4-12-91
Shafter P.D.	Ord. 433 -	4-15-91
South Bay Regional Public Community Athy.	Res. 196	3-28-91
Westminster P.D.	Ord. 2102	3-26-91
Santa Barbara S.O.	Ord. 3893	6-7-91

TOTAL AGENCIES IN PROGRAM: 302



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

WHEREAS, G. Mike Davanis is a Sergeant with the San Bruno Police Department with impressive service in law enforcement; and

WHEREAS, He served the Commission on Peace Officer Standards and Training in the capacity of a POST Special Consultant from November 15, 1990 through February 1, 1991; and

WHEREAS, He provided leadership in developing the Guide for Coordinators of Reserve Officer Programs, a publication to serve the informational needs of law enforcement regarding reserve officer standards and programs; and

WHEREAS, His work on this project was exemplary in every respect; and

WHEREAS, The results of his work will be of benefit to California law enforcement for many years to come; now therefore be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training commend G. Mike Davanis for a job well done; and be it

FURTHER RESOLVED, That the Commission extends its best wishes for continued service to California law enforcement.

Chairman

Executive Director

July 18, 1991

Government Code Section 1029 (a) outlines a series of circumstances, other than felony conviction, that disqualify a person for the position of peace officer including: (1) when adjudged by a Superior Court to be mentally incompetent; (2) found not guilty by reason of insanity of any felony; (3) determined to be a mentally disordered sex offender; (4) adjudged addicted or in danger of becoming addicted to narcotics and committed to a state institution; or (5) any person who has been convicted of any offense in any other state which would have been a felony if committed in this state. Because of current regulation language, peace officers with a finding under these conditions are currently shielded from certificate cancellation even though they are disqualified by law from holding peace officer positions.

ANALYSIS

It is proposed that regulations be changed to require the cancellation of POST certificates of individuals for any felony conviction which has been reduced to a misdemeanor pursuant to Penal Code Section 17 (b) (1) or (3) and the crime involved unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or illegal narcotic offenses. Offenses in these categories substantially relate to the qualifications, functions, and duties of a peace officer.

Revocation following such convictions seems important to prevent the continued employment or reemployment of such persons and to serve to safeguard the integrity of the certificate program. Preservation of integrity of the certificates is important because the certificates are widely recognized throughout the United States as evidence of competency and character, and are relied upon in employment decisions. Certificates are based in part on satisfactory performance on the peace officer job, and based upon an attestation by the agency head that the recipient is of good moral character. The possession of these certificates by unqualified persons serves to diminish the prestige of the Commission and the esteem for the certificates in both the public and professional views.

It is also proposed that regulations be modified to require cancellation of certificates of persons who have been disqualified as peace officers for any reason specified in Government Code Section 1029 (a). Currently, the only disqualifier that results in revocation is felony conviction. Expansion of revocation to include all these disqualifiers (described above and in Attachment B) would provide for reasonable consistency between the certificate program and legal barriers to peace officer employment.

As indicated in the proposed changes in Commission Procedure F-2

(9), in instances where specified felonies are reduced to misdemeanors pursuant to Penal Code 17 (b) (1) or (3), department heads, as well as the affected individual, will be afforded an opportunity to provide input to the Commission regarding the appropriateness of proposed certificate cancellation. All such inputs would be evaluated and presented to the Commission for consideration prior to the initiation of normal cancellation procedures. This input provision is recommended because cancellation for misdemeanors, even though narrow in scope, is a new area and there is concern that the appropriateness of cancellation be examined in the most careful manner.

It is important to consider, however, that this provision for case by case review by the Commission can give rise to questions as to the criteria to be used by the Commission in judging the cases. It is recommended that the Commission adopt the policy that all such cases will be pursued for cancellation when, in the judgment of the Commission, the circumstances support the conclusion that the conviction substantially relates to the qualifications, functions and duties of a peace officer.

Currently, Procedure F-2 provides that all hearings of individual appeals shall be conducted by a hearing officer. It is proposed that this provision be modified to retain latitude for the Commission to conduct the hearing should it so desire. Other related technical changes are also proposed.

Because staff does not now collect information on cases other than those involving felony convictions, there is uncertainty as to the increased volume of revocations that would occur under proposed regulations. The likelihood is that a modest increase will result.

Attachment C shows the proposed changes to Commission Regulation 1011 and Procedure F-2.

It has come to staff's attention that some law enforcement labor groups oppose these proposed changes. These groups have been specifically invited to voice the bases of their concerns at the hearing. They have been assured that the Commission has interest in hearing and considering all issues associated with the proposal prior to any action being taken.

RECOMMENDATION

Subject to results of the public hearing, it is recommended that the Commission adopt amendments to Regulation 1011 and Procedure F-2, concerning the expansion of certificate cancellation, to be effective January 1, 1992.

ATTACHMENT A

13510.1 Certification program; purpose; requirements; application; cancellation of certificates

- (a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.
- (b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.
- (c) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.
- (d) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.
- (e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.
- (f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony.

13510.2 Misuse of certificates; misdemeanor; punishment

Any person who knowingly commits any of the following acts is guilty of a misdemeanor, and for each offense is punishable by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail not to exceed one year, or by both a fine and imprisonment:

- (a) Presents or attempts to present as the person's own the certificate of another.
- (b) Knowingly permits another to use his or her certificate.
- (c) Knowingly gives false evidence of any material kind to the commission, or to any member thereof, including the staff, in obtaining a certificate.
- (d) Uses, or attempts to use, a canceled certificate.

LAW RELATING TO SELECTION AND STANDARDS

CALIFORNIA GOVERNMENT CODE

Title 1

GENERAL PROVISIONS

DIVISION 4

PUBLIC OFFICERS AND EMPLOYEES

CHAPTER 1

GENERAL

ARTICLE 2

DISQUALIFICATIONS FOR OFFICE OR EMPLOYMENT

1029. Conviction of felony as disqualification for peace officer

(a) Except as provided in subdivision (b), (c), or (d), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county or other political subdivision, whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer:

- (1) Any person who has been convicted of a felony in this state or any other state.
- (2) Any person who has been convicted of any offense in any other state which would have been a felony if committed in this state.
- (3) Any person who has been charged with a felony and adjudged by a superior court to be mentally incompetent under Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 of the Penal Code.
- (4) Any person who has been found not guilty by reason of insanity of any felony.
- (5) Any person who has been determined to be a mentally disordered sex offender pursuant to Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of

Division 6 of the Welfare and Institutions Code.

- (6) Any person adjudged addicted or in danger of becoming addicted to narcotics, convicted, and committed to a state institution as provided in Section 3051 of the Welfare and Institutions Code.
- (b) Any person who has been convicted of a felony, other than a felony punishable by death, in this state or any other state, or who has been convicted of any offense in any other state which would have been a felony, other than a felony punishable by death, if committed in this state, and who demonstrates the ability to assist persons in programs of rehabilitation may hold office and be employed as a parole officer of the Department of Corrections or the Department of the Youth Authority, or as a probation officer in a county probation department if he or she has been granted a full and unconditional pardon for the felony or offense of which he or she was convicted. Notwithstanding any other provision of law, the Department of Corrections or the Department of the Youth Authority may refuse to employ any such person as a parole officer regardless of his qualifications.
- (c) Nothing in this section shall be construed to limit or curtail the power or authority of any board of police commissioners, chief of police, sheriff, mayor, or other appointing authority to appoint, employ, or deputize any person as a peace officer in the time of disaster caused by

ATTACHMENT C

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

CERTIFICATE REVOCATION REQUIREMENTS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13506 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: July 18, 1991
Time: 10:00 a.m.
Place: Marriott Mission Valley
San Diego, California

Notice is also hereby given that any interested person may present oral or written statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Penal Code Section 13510.1(a) requires the Commission to maintain a certification program for specified peace officers. For purposes of fostering professionalization in law enforcement, the Commission has established the Basic, Intermediate, Advanced, Supervisory, Management and Executive certificates. Penal Code Section 13510.1, subsections (e) and (f), cite that the certificates remain the property of the Commission and that the Commission shall cancel certificates of persons convicted of a felony offense.

It is proposed that Commission Regulation 1011 and Commission Procedure F-2 (which is incorporated by reference into Regulation 1011) be modified relating to the cancellation of POST certificates.

Proposed modifications would require the cancellation of POST certificates issued to individuals who have been convicted of any felony which has been reduced to a misdemeanor pursuant to Penal Code Section 17(b), subsection (1) or (3), in which the crime involved unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or illegal narcotic offenses. Modifications would also provide an opportunity for the department head of the subject individual to provide input to the Commission in these instances.

It is also proposed that Regulation 1011 and Commission Procedure F-2 be modified to require cancellation of POST certificates issued to persons who have been disqualified as peace officers for any reason specified in Government Code Section 1029(a)(1) through (a)(6).

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on July 8, 1991. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, 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 at the hearing, or prior to the hearing upon 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.).

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

Small Business Impact: None

Cost Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

COMMISSION REGULATIONS

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 may be denied or cancelled when:
 - (1) A peace officer ~~is~~ 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
 - (2) 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
 - ~~(2) (1)~~ if the certificate was obtained through misrepresentation, or fraud; or
 - ~~(3)~~ (4) The certificate was issued due to administrative error on the part of the Commission and/or the employing agency.
- (c) Whenever a peace officer, or a former peace officer, is adjudged guilty of ~~a felony an offense described above,~~ the employing department in the case of a peace officer, or the department participating in the POST Program that is responsible for the investigation of the felony charge against a former peace officer, shall notify the Commission within 30 days following the final adjudicative disposition. The notification shall include the person's name, charge, date of adjudication, case number and court, and the law enforcement jurisdiction responsible for the investigation of the charge.
- (d) Requirements for the denial or cancellation of professional certificates are as prescribed in PAM Section F-2.
- (e) Regular Certificates, and Specialized Law Enforcement

Certificates, i.e., Basic, Intermediate, Advanced, Supervisory, Management and Executive Certificates, are provided for the purpose of fostering professionalization, education and experience necessary to adequately accomplish the general or specialized police service duties performed by regular or specialized peace officers. Requirements for the Certificate are as prescribed in PAM Section F-1.

PAM Section F-1 adopted effective October 23, 1988, and amended January 17, 1990, is hereby incorporated by reference.

PAM Section F-2 adopted effective October 23, 1988, and amended is hereby incorporated by reference.

*Date to be provided by OAL.

Authority: Section 13506, Penal Code.

Reference: Sections 13506 and 13510.1, Penal Code.

COMMISSION PROCEDURE F-2

ISSUANCE, DENIAL OR CANCELLATION
OF PROFESSIONAL CERTIFICATES

2-1. - 2-3. ****

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 ~~is~~ 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
- ~~b~~ 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, or 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 or Cancellation: If the facts developed by the investigation substantiate cause for denial or cancellation of the certificate, the individual concerned shall be notified.~~

a. 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.

b. ~~If the certificate cancellation is proposed in accordance with paragraph 2-4, subsection a or b, reason for cancellation of a certificate is that the person has been adjudged guilty of a felony, 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, the individual concerned shall be notified by certified mail that it is POST's understanding that the individual has been convicted of a felony. The notice shall include a copy of the abstract of judgment, the demand that the individual return the certificate to POST, the statement that POST has no discretion under Penal Code Section 13510.1(f), and that cancellation upon conviction of a felony is mandatory. The notice shall also state that the certificate shall be deemed cancelled on the 45th day following the mailing of the notice, during which time the individual can respond in writing with documentation showing that he or she has not been convicted of a felony.~~

~~e. If the facts determined in the investigation substantiate cause for cancellation involving a condition listed under paragraph 2-4, subsections b or c, the individual concerned shall be so notified by certified mail of the grounds for the proposed cancellation. The notice shall direct the individual to return the certificate. The individual's department head shall also be notified. The notice shall also state that the certificate shall be deemed cancelled on the 45th day following the mailing of the notice. Before the expiration of the 45th day, if the individual desires a hearing, he or she must respond in writing with documentation showing that the reason for cancellation of the certificate is unfounded.~~

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 2-10 8.

Hearing

~~2-10. Procedures for Hearing: If the individual who has been issued a certificate which is proposed for cancellation based on paragraph 2-4, subsections b or c, 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 documentation he or she believes proves that the reason for cancellation of the certificate is unfounded.~~

- 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 All hearings 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 ~~2-8~~ 2-9, subsection a, regarding cancellation of a professional certificate may be closed to the public.

Commission of Peace Officer Standards and Training

PUBLIC HEARING: CERTIFICATE REVOCATION REQUIREMENTS

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on July 18, 1991, for the purpose of receiving comments on proposed changes to Commission Regulation 1011 and Commission Procedure F-2.

Several nonsubstantive technical or clarity changes to Commission Regulation 1011 and Procedure F-2 are proposed. A description of each proposed substantive change and the accompanying reasons follows:

Commission Regulation 1011

(b) (1) - Government Code Section 1029(a) outlines a series of circumstances, other than felony conviction, that disqualify a person from holding the position of peace officer, including when the individual is: (1) adjudged by a Superior Court to be mentally incompetent; (2) found not guilty by reason of insanity of any felony; (3) determined to be a mentally disordered sex offender; (4) adjudged addicted or in danger of becoming addicted to narcotics and committed to a state institution; or (5) has been convicted of any offense in any other state which would have been a felony if committed in this state.

Current regulations do not provide for certificate cancellation even though these individuals are disqualified from holding peace officer positions. Expansion of revocation provisions to include these disqualifiers would provide for reasonable consistency between the certificate program and legal barriers to peace officer employment.

(b) (2) - Sentencing practices of local Superior Courts have the effect of reducing many felony convictions to misdemeanors. It is proposed that POST Regulation 1011 and Commission Procedure F-2 be revised to require the cancellation of POST certificates of individuals for any felony conviction which has been reduced to a misdemeanor pursuant to Penal Code Section 17(b), subsections (1) or (3), in which the crime involved unlawful sexual behavior, assault under color of authority, dishonesty associated with official duties, theft, or narcotic offenses.

Offenses in these categories substantially relate to the qualifications, functions, and duties of a peace officer. Revocation following such convictions will serve to safeguard the integrity of the certificate program.

Commission Procedure F-2

It is proposed to revise Commission Procedure F-2 to reflect the changes proposed in Regulation 1011. This redundancy is necessary for clarity purposes.

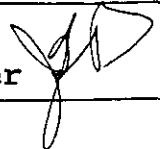
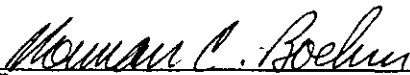
2-9 - Because jurisdictions employ different "charging" practices for offenses, what is charged as a felony in one county may only be charged as a misdemeanor in an adjacent county. This amendment will provide the opportunity for input by the department heads as described.

Remaining changes to Commission Regulation 1011 and Procedure F-2 are nonsubstantive in nature and reflect only technical corrections or restructuring of text for clarity purposes.

ALTERNATIVES CONSIDERED

No alternatives 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 regulation.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
POST In-Service Physical Fitness Program		July 18, 1991
Bureau	Reviewed By	Researched By
Standards & Evaluation		John Berner 
Executive Director Approval	Date of Approval	Date of Report
	6-20-91	June 20, 1991
Purpose:		Financial Impact:
<input checked="" type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input type="checkbox"/> Yes (See Analysis for details)
<input checked="" type="checkbox"/> Status Report		<input checked="" type="checkbox"/> No

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

ISSUE

Report on results of field test of POST In-Service Physical Fitness Program, and request to release program for general use by California law enforcement agencies.

BACKGROUND

At the January 1991 Commission meeting, staff reported that the elements of a program to recognize physically fit officers had been drafted, and received approval to field test the program in a limited number of agencies, with the results of the field test to be reported back to the Commission in July. At the same January meeting, the Commission directed the Long Range Planning Committee to consider alternatives with respect to POST recognition of officers who achieve certain fitness levels enumerated in the program, and report back to the Commission with a recommendation.

ANALYSIS

As reported at the April 1991 Commission meeting, the Long Range Planning Committee has reviewed the matter of POST recognition of officers who achieve program fitness goals, and recommends that no such action be taken at this time.

With respect to the field test of the program, a total of 150 personnel from four different departments (Alameda County Sheriff's Department, Napa County Sheriff's Department, Oceanside Police Department, and U.C. San Diego Police Department) participated. Within departments, the percentage of "eligible" personnel who elected to participate ranged from 50% to 81%. In three of the four departments, peace officers at all levels were eligible to participate; in the fourth, eligibility was limited to members of the SWAT team. Specific findings based on interviews with selected participants and all local program coordinators are as follows:

The three days of training that were provided to local agency program coordinators were not adequate to allow for sufficient "hands on" practice with test protocols, reviewing/prescribing exercise plans, etc., and should be expanded to five days.

Aside from minor "aches and pains," no injuries were incurred by any of the 150 pilot-test participants.

In general, the program was commented upon favorably by both participants and nonparticipants at each pilot test department. Negative comments were generally confined to the difficulty of meeting all the criteria for the top fitness category, and the need to reconsider the qualification standards for this category. This issue will be discussed at a meeting of all local agency program coordinators to be held at POST headquarters on July 2.

According to the local agency program coordinators, all four departments plan to continue the program now that the pilot test is completed.

Based on the interviews of both participants and nonparticipants, in the absence of some sort of economic incentive, program participation is likely to decline significantly over the long term, irrespective of any other form of direct recognition of "qualifying" individuals, by either the department or POST.

Both program manuals are easy to read and well liked, although the illustrations for certain exercises need to be improved.

With regard to the specific fitness tests used in the program: (1) treadmill and bicycle ergometer tests need to be added as alternatives to the currently specified 1.5 mile run or the 3 mile walk tests for assessing cardiovascular fitness, (2) the current test for assessing abdominal strength/endurance ("abdominal crunches") is difficult to administer and unreliable, and needs to be replaced with bent-knee sit-ups, and (3) the measurement of waist-to-hip ratio needs to be dropped as an alternative to skinfolds measurements for assessing body composition.

Overall, the pilot test results were both very positive and instructive. Local agency interest in the program remains high, and pending Commission approval, staff will begin immediately modifying

the two program manuals to incorporate all changes suggested by the pilot test findings.^{1 2}

RECOMMENDATION

Authorize release of the POST In-Service Physical Fitness Program (revised) for use by California law enforcement agencies.

¹Requests for copies of the final program manuals, if and when available, have already been received from over 30 California law enforcement agencies, as well as a small number of agencies from other states.

²Changes will include deletion of all references to any recognition by POST of persons who achieve certain fitness levels.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Report on Recruitment Project		Meeting Date July 18, 1991
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>[Signature]</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 6-25-91	Date of Report June 25, 1991
Purpose: <input checked="" 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

Report on law enforcement recruitment project and options for conducting a statewide image building/recruitment campaign.

BACKGROUND

In July 1990 the Commission approved a one-year POST Fellowship position to work on several recruitment-related projects, including an evaluation of potential POST involvement in a statewide image building/recruitment campaign. The position was filled in October. Progress to date on all projects is described in the attachment. Presented below is a summary of activities and findings with respect to the topic of statewide image building/recruitment.

ANALYSIS

Marketing and advertising professionals were interviewed, as were persons responsible for managing publicly-funded statewide marketing campaigns. Law enforcement personnel with recruitment experience were also consulted, and numerous articles and publications on the subjects of marketing and law enforcement recruitment were reviewed. Based on the information obtained, there is little doubt that the law enforcement career could be marketed on a statewide basis. There is also little doubt that the costs to do so could be substantial, and that the success of such a venture would be dependent upon several key factors.

Use of Market Research: The experience of others indicates that successful campaigns begin by defining the target population(s). After this is done, market research is conducted. In brief, within the context of law enforcement recruiting, market research would involve finding out such things as what each target population generally thinks about law enforcement; what they know about the law enforcement profession as a career field; what factors they consider important in choosing a career; and what, from their perspective, could be done to make the law enforcement career field more attractive. A variety of methods are used to conduct market research, ranging from surveys and interviews, to "focus group" research in

which small groups of targeted populations are assembled and participate in directed discussions.

The information obtained would be used to develop creative ideas designed to attract potential job candidates. Another important application of market research is to field test such creative ideas before they are finalized and used. The Department of Corrections (CDC), for example, developed a logo they intended to use as part of a large scale recruitment campaign. Upon testing the logo in a number of focus groups, they learned that two target groups had a negative reaction to the logo. They consequently changed the logo prior to initiating the campaign.

Some argue that if funds are limited one should not bother with market research. Others counter that in just such circumstances market research becomes all the more important, to insure that limited marketing/advertising resources are used wisely. With respect to POST involvement in a statewide recruitment campaign, it is assumed that market research would constitute the critical first step in developing such a campaign. Accordingly, contract monies to conduct market research are included in each of the three recruitment campaign options which are described later.

Selection of Media: Once the creative ideas are finalized, one develops creative copy. Prior to developing the creative copy, decisions must be made about the media that will be used (i.e., print, radio, television). In addition to considerations of cost, these decisions are guided by information that is available concerning which media will best reach different populations. Young adults, for example, actively listen to the radio. Furthermore, available information on listener demographics makes it possible to select those radio stations and broadcast times that will most effectively reach targeted populations. Many have found that use of a multi-media approach generally maximizes effectiveness, and thus such an approach is incorporated into all campaign options which follow.

Cooperative Effort: In order to maximize the return on any POST statewide recruitment effort, local agencies must be willing and committed to working cooperatively with both POST and each other. For example, while a statewide general image building campaign would no doubt have a positive impact on recruitment, it is unlikely to be as effective as a campaign that includes some call to action. A call to action provides an avenue for contact and prompts the potential candidate to do something now, such as call an 800 number. When those responses are forthcoming, there must be a structure to handle them - a structure which POST could not easily provide. Cooperative efforts among local agencies in a given geographic area could provide that structure. The Contra Costa County regional testing program pilot project (see attachment) is a good example of such a cooperative effort. In addition to working cooperatively for purposes of scheduling and conducting pre-employment testing, the 16 agencies involved in this project have pooled resources to establish a joint

advertising account - another example of the kind of regional effort that would enhance the effectiveness of a statewide recruitment program.^{1 2}

Marketing Alternatives

POST involvement in a statewide image building/recruitment campaign could take many forms. Three alternatives have been researched in some detail. Each is described below, followed by a summary of advantages and disadvantages, and an estimate of total costs to POST.

Alternative #1: POST conducts market research and develops recruitment materials (print, radio, and television) suitable for use by law enforcement agencies on a statewide basis. Estimated time to complete: 12 months. Staffing Needs: One-year POST Fellowship position.

Advantages:

All local agencies would have access to professionally-developed materials

All local agencies would have access to a broader range of recruitment materials than is currently typical

Common recruitment theme(s) would be used throughout the state

Market research results would be available to any local agency wishing to develop its own recruitment materials

Disadvantages:

No guarantee that materials would be used

Estimated Cost (Approximate): \$385,000

¹For example, agencies desiring advertising over-and-above that made available from POST (assuming POST were to pay for advertising) could contribute to a joint advertising account, with the understanding that the participating agencies would share the list of potential job candidates who responded to the call to action.

²With respect to local agency underwriting of advertising costs for a statewide recruitment campaign, there is some support for this concept, based on a recent survey of those chief executives who attended the 1989 POST Recruitment Symposium. However, this is admittedly a select group, and further exploration of the feasibility of this approach is needed.

Market Research (Contract)	\$ 70,000
Develop and Produce Media (Contract)	215,000 ³
One-year POST Fellowship position	<u>100,000</u>
	\$ 385,000

Alternative #2: In addition to the activities constituting Alternative #1, POST would coordinate a statewide public relations campaign. Staff would work with local agencies in planning events, setting up regional recruitment efforts and generally coordinate the campaign. In order to assess program effectiveness, an ongoing evaluation would be conducted as part of the campaign. Results of the evaluation would be reported to the Commission, and serve to provide direction for future activities. Estimated time to complete: 24 months. Staffing needs: One 24-month POST Fellowship position; one 12-month POST Fellowship position.

Advantages:

Increased likelihood that recruitment materials would be used

Would provide for centralized coordination, by POST, of campaign efforts

Impact of program would be known (due to evaluation component) allowing for informed decision making regarding future recruitment activities

Disadvantages:

Exclusive reliance would be placed on public service announcements ("PSA's") for radio and television coverage (no monies would be spent for radio and television advertising); hence, much would depend on the good will of the media⁴

Success dependent upon extensive involvement by local agencies

³Assumes \$125,000 for development and printing of large numbers of brochures, flyers, posters, etc.; \$20,000 for production of five radio commercials; and \$70,000 for production of five television commercials.

⁴The possibility exists, and local agencies would be encouraged, to pool financial resources for purposes of purchasing advertising time.

OVERVIEW OF CURRENT RECRUITMENT PROJECTS

In June, 1989, POST hosted a three day Symposium on Recruitment for law enforcement executives. Due, in large part, to the recommendations resulting from the symposium, the Commission approved a one-year Recruitment Management Fellowship. Work being performed under the fellowship has focused on the following three areas:

1. Marketing the Law Enforcement Career
2. Regional Testing
3. High School Law Enforcement Magnet Programs

Progress in each of these areas is discussed below.

Marketing the Law Enforcement Career

In general, current law enforcement recruitment efforts involving use of the media are: (1) focused on a specific law enforcement agency, (2) generic in appeal to potential candidates and, (3) not based on market research. The marketing approach recommended by the symposium participants - that of POST involvement in a statewide image building/recruitment campaign - has been the subject of considerable study and evaluation. Efforts have centered on addressing the following questions:

1. Can a successful statewide effort be developed that is not specific to an individual agency, but rather is centered on the law enforcement career?
2. If so, what options exist for marketing the law enforcement profession on a statewide basis, and at what cost?

Work to date has involved reviewing the literature and interviewing professionals in the marketing and advertising fields. Additionally, others with experience in marketing and managing state-wide campaigns have been interviewed.

Through this process we have learned that in order to enhance success one must develop a strategic marketing plan. Such a plan includes defining the campaign goal, identifying the target population, conducting market research, developing and testing creative ideas, and more.

With respect to marketing the law enforcement career, one of the key considerations is whom to target for recruitment. A number of law enforcement executives are currently being surveyed to obtain their perspectives on this issue.

Considerable attention has also been devoted to analyzing alternatives vis a vis POST involvement in a statewide marketing effort. Specifically, staffing and cost estimates have been developed for alternatives ranging from the development of recruitment materials only (based on market research), to total responsibility for a statewide advertising campaign. This information, along with all other findings pertaining to possible POST involvement in statewide image building/recruitment, have been incorporated into a draft report entitled, Marketing The Law Enforcement Career in California: A Report On Possible Alternatives.¹

Regional Testing

The selection process for law enforcement is complex and time consuming. One concern, voiced at the Recruitment Symposium and elsewhere, is that we are losing good candidates to other occupations due to the sheer length of the selection process.² We are also less than efficient, from the employer's and the applicant's standpoint, in that candidates often go through the same, or similar testing processes at multiple agencies. A possible solution to both of these problems is regional testing, wherein the candidate is tested once, and the results are provided to multiple agencies.

Such a regional testing program was initiated in Contra Costa County, on a year-long pilot basis, in January 1991. There are 16 participating agencies.

Each of the participating agencies has contributed to a joint advertising account. A Media Sub-Committee, comprised of representatives from the various agencies, meets regularly to work on developing recruitment materials and decide when and where to advertise. A joint brochure and recruitment business cards are two examples of what the group has produced.

Regional test sites have been established at three community colleges, and each site hosts one POST Reading/Writing test a month. Candidates are encouraged to make a test reservation, but need not have applied with any of the participating agencies to test. After each test, POST scores the tests and notifies each candidate in writing as to his/her results. On the reverse side of the notification letter is the name, address and phone number of each participating agency. The candidate is encouraged to contact those agencies he/she is considering for employment.

¹All draft reports referenced will be ready for general distribution no later than January 1992.

²According to a 1988 POST survey of academy recruits, the average length of time from application to hire was 8.6 months.

Additionally, the test results, including the candidate's name, address and phone number are sent to each of the participating agencies. Some agencies send applications to all candidates who have scores at or above the agency's minimum pass-point.

During the first four months of the pilot program, nearly 1500 people participated in regional testing, and more than twenty individuals were hired. The participating departments have a larger candidate pool from which to hire. Further, it is projected that advertising costs will be lower for nearly all departments.

The one-year project will be evaluated from a variety of aspects, including recruitment costs, number of candidates, number of hires, executives' perceptions, and candidates' perceptions. The participating agencies are pleased with the project thus far, and a number of other agencies around the state have expressed interest in participating in regional testing.

In addition, a report entitled, Regional Testing: Lessons Learned from the Contra Costa Project - 1991, has been drafted. The purpose of the report is to provide insight into establishing a regional testing program based on the experience in Contra Costa County. When finalized, the report will be made available to agencies in the POST program upon request. A full report of the results of the one-year pilot program will be presented to the Commission in January 1992.

High School Law Enforcement Magnet Programs

With ever increasing competition from both the private and government sectors for qualified candidates, law enforcement must develop long range recruitment strategies. One alternative that appears viable is the high school law enforcement magnet program. This type of program seems to offer a way to "seed" future candidates.

A high school law enforcement magnet program is a study option high school students can take as part of their high school curriculum. In two California programs, for example, students take two law enforcement classes, one academic and one physical education, each semester throughout their four years in high school.

In addition to creating an awareness of and interest toward a career in law enforcement, the law enforcement magnet program offers a way to impact high school curriculum to reinforce reading and writing skills, among other things. Further, such things as avoiding drug use and criminal involvement could be stressed, since such behavior can limit future career opportunities. On the other hand, one cannot overlook the potential for immediate dividends in the form of improved community relations both with the schools and students.

A thorough survey of the literature has been conducted, as well as interviews with representatives involved in magnet programs in California and out of state. An extensive report is being drafted which discusses magnet programs, presents case studies of four existing programs, and provides guidelines for starting such a program.

POST is tentatively planning a workshop which will feature background information about magnet programs, presentations by law enforcement and school district representatives involved in existing programs, student and parent perspectives and an action planning session. The workshop will be open to teams comprised of two representatives - one from the law enforcement agency and another from the local school district administration office - and is currently scheduled for late September.

Estimated Cost (Approximate): \$620,000

Market Research (Contract)	\$ 70,000
Develop and Produce Media (Contract)	215,000
Evaluation	35,000
24-month POST Fellowship position	200,000
12-month POST Fellowship position	<u>100,000</u>
	\$620,000

Alternative #3: This alternative would add a statewide advertising component to Alternative #2. As costed out, the ratio of radio advertising to television advertising would be 3 to 1, with two weeks of intensive advertising followed by a lower level of advertising for either 3 months, 6 months, or 1 year. Newspaper advertising would also be purchased during the first two weeks. Estimated time to complete: Fifteen to 24 months, depending on length of paid advertising. Staffing Needs: One 15 to 24-month POST Fellowship position, and one 9 to 18-month POST Fellowship position, depending on length of paid advertising.

Advantages:

More effective advertising by virtue of being assured of getting message to targeted audiences

Disadvantages:

Advertising is expensive

Estimated Cost (Approximate): \$1,280,000 to \$3,560,000, depending on length of paid advertising, as reflected below

	Three Months Advertising	Six Months Advertising	Twelve Months Advertising
Mkt. Resrch. \$	70,000	\$ 70,000	\$ 70,000
Dev. Media	215,000	215,000	215,000
Evaluation	35,000	35,000	35,000
POST Fellowship Positions	200,000	250,000	350,000
Paid Adv.	<u>760,000</u>	<u>1,340,000</u>	<u>2,890,000</u>
	\$1,280,000	\$1,910,000	\$3,560,000

Conclusion

Despite the current fiscal constraints being experienced by many California law enforcement agencies, all indications are that it will become increasingly difficult to recruit sufficient numbers of qualified entrants into the profession in the years to come. Thus, the need for coordinated efforts that maximize return on the recruitment dollar will grow.

Local agency interest in receiving recruitment-related assistance from POST remains strong, and as an agency that is responsible for serving the needs of all California law enforcement, POST is uniquely positioned to assume a leadership role in a coordinated statewide recruitment effort. As described above, this role can take a variety of forms.

The fundamental question thus becomes what level of commitment, if any, does the Commission wish to make to such an effort?

Given the magnitude of the resources that would be necessary to implement even the least ambitious of the three alternatives described (\$385,000), and the significant commitment to a fundamentally new role for POST that would be represented by implementation of any of the alternatives (not to mention the ever increasing demands on limited POST revenues), the Commission may wish to refer the matter to the Long Range Planning Committee for a thorough review and discussion of all the options. The committee's findings and recommendations could then be reported to the Commission in October.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Results of Satellite Training Survey and Recommendation for Local Agency Reimbursement for the Purchase of Satellite Antennas		Meeting Date July 18, 1991
Training Program Svs.	Reviewed By Ken O'Brien	Researched By John Davidson
Executive Director Approval <i>Morgan C. Behm</i>	Date of Approval 7.3.91	Date of Report June 18, 1991
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

Based on The Commission's stated intention to implement the distance learning provisions of ACR 58, and the desires of the field as reflected in the results of the Satellite Training Survey, should the Commission, (1) implement a program to reimburse agencies in the reimbursement program for their costs incurred in the purchase of specified TVRO (Television Receive-only) satellite antennas, and (2) establish rules relating to qualifying the viewing of taped broadcasts for continuing professional training credit?

BACKGROUND

At the April 1991 Commission meeting, following up on recommendations of the Long Range Planning Committee to move ahead on ACR 58 issues as quickly as resources allowed, the Commission increased the funding allocated to satellite training programs and directed staff to survey the field with regard to reimbursing local agencies for their satellite receiving equipment purchase costs. The purpose of this agenda item is to present the commission with the results of the field survey and to recommend the scheduling of a public hearing on October 31, 1991 relative to the POST Regulation changes pertinent to the antenna reimbursement project.

ANALYSIS

At the April meeting, the Commission was presented with three options with regard to the establishment of a law enforcement agency satellite downlink network. The Commission's Long Range Planning Committee, after reviewing these options, concluded that the greatest advantages were offered by the option which recommended reimbursement of up to \$3,000 to eligible agencies which purchased an antenna which met POST minimum specifications. They recommended to the Commission, however, that the field be surveyed prior to making a final decision in order to determine the level of commitment that existed for this program. That survey was subsequently carried out and the results are attached.

The main purpose of the survey was to determine if the field was sufficiently committed to this method of training delivery that they believed it was worth the \$1.6 million cost, that they were willing to use the system once it was up and running and that they were willing to assume the coordination and records keeping costs that would go along with the program. After an introduction which outlined these concerns, the survey was directed at determining field response to two primary issues: (1) POST reimbursement for local agency purchase of satellite receive equipment, and (2) recognition of POST satellite training as a means to satisfy the continuing professional training requirement. The results of the survey are summarized as follows:

With regard to the proposal in front of the commission to reimburse each agency up to \$3,000 for the purchase of a satellite receive system, 91.1% of the agencies responding were either in favor, or strongly in favor of the proposal. 3.6% opposed the proposal and 5.4% were not sure.

On the question of permitting POST satellite training to be credited towards the continuing professional training requirements, 85.3% approved of the proposal. 2.5% disapproved, and 6.1% were not sure.

A copy of the questionnaire, the explanatory material and the complete results of the survey are attached to this agenda item.

Favorable consideration of this item by the Commission will engender specific requirements on the part of POST. With regard to POST regulations, for instance, a section will have to be added which establishes an account from which to reimburse eligible agencies for the costs they incur in the purchase of their satellite receivers.

Approval of this item will also create a need within law enforcement agencies to use videotaped recordings of POST certified programs to train those members of the agency who were not able to attend the live broadcast. The logistics of providing a 24 hour service, for instance, are such that, even if the live broadcast is well attended, the vast majority of the officers, especially in larger agencies, would not be able to attend. Of the agencies which responded to the survey, 85% indicated that they would like to be able to use videotaped recordings of the broadcast, under certain prescribed circumstances, to train the remainder of their personnel and still have that videotaped training be credited towards the continuing professional training (CPT) requirement. Indeed, to avoid the time and travel expenses implicit in going out of the agency to receive the training (one of the main objectives of the program), some means must be available to train those officers who did not see the live broadcast and still provide POST certified course credit (as in the Proposition 115 training requirement imposed by the legislature, for example). The use of videotape recordings if supervised and recorded in the same manner as the live broadcast, would provide a solution to this problem.

Conditions for certifying subsequent viewing of tapes for meeting CPT requirements should likely include the following:

- o POST certified televised training programs must be presented, without change, in the format provided.
- o The presenting agency has identified a Distance Learning Coordinator who has been trained in the management of televised law enforcement training. (Agencies may designate more than one distance learning coordinator as the size and needs dictate).
- o Videotaped televised training must be monitored by an on-site coordinator designated by the agency.
- o Handouts, workbooks, tests or other support materials developed for use during the original live broadcast must also be utilized during subsequent videotaped presentations.
- o The quality of the training site used to view videotaped training programs shall be adequate to accommodate the number of trainees viewing the program (providing, at a minimum, an uncrowded, distraction free environment with good picture and sound quality).
- o The agency agrees to maintain records and follow such administrative procedure as may be required to carry out the intent of the program.

RECOMMENDATIONS

Since the State budget process is not yet complete, and the \$1.6 million cost for the antennas represents a significant part of the budget, the Commission may wish to consider the recommendations of the Finance Committee before deciding whether to proceed with the project in the coming Fiscal Year. Assuming favorable projections by the Finance Committee, however, it would be appropriate to schedule a public hearing to receive input on the proposal that the Commission should:

- (1) authorize reimbursement for eligible agencies for equipment costs, up to a maximum of \$3,000, for the purchase of a satellite antenna which meets POST specifications;
- (2) upon the presentation of appropriate invoices, extend reimbursement to include costs incurred by those eligible agencies which have purchased antennas which meet POST specifications prior to the approval of this proposal; and
- (3) permit video recordings of POST-certified telecourses to be used to meet part of the Continuing Professional Training requirement, given agreement by local agencies to meet presentation commitments established by the Commission.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

May 7, 1991

TO: LAW ENFORCEMENT ADMINISTRATORS

SUBJECT : SURVEY ON SATELLITE TRAINING

As you know, POST has in the past several years completed substantial work on planning for use of technology in training, and has been broadcasting telecourses and roll call training tapes via satellite since 1988. Following completion of the ACR 58 study, the POST Commission has authorized followup implementation efforts to bring the most promising technology applications to fruition.

Satellite broadcast training programs is a priority concern of the Commission. It is anticipated that frequency of broadcasts will be increased in 1991/92 FY. A statewide satellite broadcast distance learning program is dependent upon local agency access to satellite receivers. Most agencies now rely upon the receive capability of nearby colleges that agree to serve as downlink sites for POST broadcasts. The Commission has considered the need and desirability of financially assisting agencies desiring their own receive capability.

The Commission is interested in your views on the value of satellite broadcast training, your sense of commitment to embracing this means of training delivery, and your opinion about potential reimbursement for the purchase of satellite receive systems. Your response to the enclosed questionnaire would be of great assistance to the Commission. Please take the time to review the enclosed information and respond by June 1, 1991.

Thank you for your help. If there are questions, our Project Coordinator, Senior Consultant John Davidson, can be reached at (916) 739-5383.

Handwritten signature of Norman C. Boehm in cursive.

NORMAN C. BOEHM
Executive Director

BACKGROUND INFORMATION

The following is a summary of POST's involvement in satellite training and current Commission interest in funding the purchase of satellite receiver "dishes" and making satellite training eligible for continuing professional training credits. **Please read this summary carefully before responding to the enclosed Satellite Training Survey.**

During fiscal year 1990/91, POST broadcast a total of seven satellite training programs. Four of the broadcasts were of training videotapes produced by local California law enforcement agencies. The remaining three broadcasts were live telecourses during which viewers could phone in questions. The topics of the live telecourses were Sudden Infant Death Syndrome, Legal Update, and Proposition 115 (Hearsay Testimony). Each of the seven training programs was broadcast once. Videotapes of all the broadcasts are available from POST upon request.

The Commission recently acted to increase satellite training during fiscal year 1991/92. Specifically, plans call for POST to broadcast approximately two hours of case law legal update and other training video tapes on a monthly basis. In addition, the number of live satellite telecourses will be increased from three to six.

Longer term, satellite training could be expanded to include supervisory, management, and executive level training, as well as training for specialized groups such as crime scene investigators and dispatchers.

Why Satellite Training?

Satellite training is one of several methods of achieving "distance learning". A fundamental objective of distance learning is to bring the training to the trainee, rather than send the trainee to a designated training location. One of the potential advantages of this approach is that it will be more cost effective, especially in those instances where large numbers of trainees are involved (who otherwise would be required to travel to-and-from an "off-site" training location).

Another feature of satellite training is greater standardization in the training received. The value of this feature of satellite training is, of course, dependent on the care taken in developing and broadcasting the training, and the number of trainees reached by the broadcast.

Yet another potential advantage of satellite training is directly related to the ability to use the visual medium to present and reinforce training; for example, to view, rather than receive a verbal description of a crime or accident scene. Video footage integrated into a live satellite broadcast can be particularly effective in this regard.

The POST Satellite Training "Network"

POST satellite training may be received at any C-band satellite reception site. There are currently over 300 such publicly-owned sites in California, the majority of which are located at community colleges, school districts, and fire stations. With respect to live satellite telecourses only, POST actively seeks the assistance of some of these sites to serve as training downlink locations. As a result, there are usually between 40 and 50 locations throughout the state where a given live broadcast can be viewed - most often at community colleges. At no cost to POST, personnel at these locations not only furnish necessary "classroom" space, but also perform general training coordination activities, and provide on-site training facilitation.

We Need To Know What You Think

Two key issues are currently being examined with respect to satellite training. The first has to do with possible POST reimbursement for local agency purchase of a satellite reception "dish"; the second concerns the possibility of applying satellite training toward the POST continuing professional training requirement [Commission Regulation 1005(d)]. The specifics with respect to each of these issues are described below. Please review this material carefully and then let us know your thoughts by responding to the brief survey which is enclosed. **If for any reason you feel you need further information before responding to any question, please contact John Davidson, Training Program Services Bureau, at (916) 739-5383.**

(Over)

Issue #1: POST Reimbursement For Purchase of Satellite Dish

The current purchase price for a good quality combination C/Ku-band steerable satellite receive system is approximately \$3,000. It would be possible for POST to reimburse each agency in the POST program for the purchase of such a system. In order to qualify for POST reimbursement, the requesting agency would have to purchase a system that meets POST-prescribed specifications, and would have to attest that the system is operable and being used to provide law enforcement training. The system would remain the property of the agency. POST would not provide reimbursement for installation and maintenance costs.¹ Those agencies that already have a system which meets POST-prescribed specifications would likely also be eligible for POST reimbursement.

If every eligible agency in the POST program were reimbursed the maximum of \$3,000 for the purchase of a satellite receive system, the total cost would be approximately \$1.6 million. The most likely means of providing the necessary funding would be to reduce salary reimbursement by a like amount.

The most obvious benefit to every agency having its own downlink capability would be on-site access to POST satellite training. Further, with a combination C/Ku-band steerable receive system it is possible to receive, at no cost, virtually any unscrambled satellite signal (e.g., FBI satellite network). However, as illustrated above, the costs to POST to implement such a system statewide would be considerable, and would necessitate a one-time reduction in salary reimbursement.

With the above information in mind, please let us know what you think about this issue by now responding to Questions 1, 2 and 3 on the enclosed survey.

Issue #2: Applying Attendance at POST Satellite Training Toward the Continuing Professional Training Requirement

Pursuant to POST Regulation 1005(d), every peace officer below the rank of middle manager must satisfactorily complete the Advance Officer Course or 24 or more hours of POST-certified technical training every two years after completion of the Basic Course. An issue being considered is whether to permit attendance at POST satellite training to "count" toward the continuing professional training requirement.

It is contemplated that downlink sites would be approved to present POST satellite training broadcasts provided that they: (1) provide an on-site training coordinator, and (2) verify and maintain records of officer attendance at the training. If the downlink site were located at a law enforcement agency, the agency would be the approved presenter, and be subject to the above requirements. Agencies seeking such approval might be required to send designated on-site training coordinators to a brief training program developed and presented by POST. In most if not all instances, satellite training would necessitate the use of a workbook while observing the broadcast. The approved presenter would be responsible for copying and distributing all necessary workbooks. The viewing of a video tape of the broadcast, if supervised in the same manner as the viewing of the initial broadcast, would also qualify toward the professional training requirement.

Please indicate your views on this issue by responding to Questions 4 and 5 on the enclosed survey. Note that space is also provided at the bottom of the form for any other comments you wish to make.

¹"Normal" installation costs for such systems typically range from \$500 to \$1,000, but can be higher for more difficult installations. Properly installed systems rarely require maintenance.

Commission on Peace Officer Standards and Training
SATELLITE TRAINING SURVEY
(To Be Completed By Chief Law Enforcement Administrators)

Directions: Please review all documentation included with this survey prior to responding to the survey questions. Return your completed survey in the enclosed self-addressed envelope no later than *Monday, June 3, 1991*. If you have any questions about the survey, please contact John Davidson, Training Program Services Bureau, at (916) 739-5383.

Name: _____ Department _____

1. To what extent do you favor or oppose the proposal being considered by the Commission to reimburse each local agency, up to a maximum of \$3,000, for purchase of a satellite receive system that meets POST specifications? (Note: any agency that already has such a system would likely also be eligible for POST reimbursement.)

- Strongly Favor
- Favor
- Not Sure/Need More Information
- Oppose
- Strongly Oppose

Comments (Please use this space to elaborate upon your answer. Are there any features of this proposal that cause you concern? Is there a different course of action that you think POST should pursue? What are your views concerning the value of satellite training per se? *Please tell us what you think.*) _____

2. If POST were to reimburse local agencies for purchase of satellite receive equipment subject to the conditions described in the enclosed materials, would your agency purchase such equipment (and request reimbursement)?

- Yes
- No
- Don't Know/Not sure

Comment: _____

3. Does your agency already have a combination C/Ku-band satellite receive system?

- Yes
- No
- Don't Know/Not sure

(Over)

4. Do you favor permitting POST satellite training to be credited toward the continuing professional training requirements?
(Check one)

Yes

Yes, but subject to somewhat different conditions than described in the enclosed materials (Explain) _____

No

Not Sure/Need More Information

Comment: _____

5. If a program were established whereby your personnel could receive credit toward the continuing professional training requirement by viewing certain POST satellite broadcasts (or tapes of such broadcasts) at your location, would your agency participate in the program if it meant that you would be required to provide an on-site training coordinator, copy and distribute training handouts/workbooks, and maintain and forward training records to POST?

Yes

No

Not Sure/Need More Information

Comment: _____

6. Please use this space to record any additional comments, concerns, or suggestions you have with regard to satellite training. _____

Report on Results of Distance Learning (satellite training)
Survey

Background

Pursuant to direction received at the April 1991 Commission meeting, a survey was conducted of all agencies in the POST reimbursable program to assess local agency views concerning two primary issues: (1) possible POST reimbursement for local agency purchase of satellite receive equipment, and (2) possible recognition of POST satellite training vis-a-vis the continuing professional training requirement. General comments and concerns regarding satellite training were also encouraged. Copies of the survey materials are presented in Attachment A. Results of the survey are summarized below.

Response Rate: A total of 525 agencies were surveyed. The overall return rate for the survey was 53.3%. Return rates by agency type were as follows: Police Departments, 56.5%; Sheriffs' Departments, 62.1%; "Other" Departments (includes Marshals' Offices, D.A. Investigators' Offices, College/University/Community College Departments), 38.9%.

Satellite Receive Equipment: Three questions were asked with reference to possible POST reimbursement for local agency purchase of satellite receive equipment. The questions and resultant responses are as follows:

- "1. To what extent do you favor or oppose the proposal being considered by the Commission to reimburse each local agency, up to a maximum of \$3,000 for purchase of a satellite receive system that meets POST specifications? (Note: any agency that already has such a system would likely also be eligible for POST reimbursement.)"

Response to this question was overwhelmingly favorable, as reflected in the results below:

- Strongly Favor: 71.1%**
- Favor: 20.0%**
- Not Sure/Need More Information: 5.4%**
- Oppose: 2.9%**
- Strongly Oppose: 0.7%**

A somewhat smaller percentage of the responses from Sheriffs' Departments were "Strongly Favor" or "Favor" (75%), as compared

to the responses from Police Departments (94.5%) and "Other" Departments (90.7%).

Following this question, space was provided for any comments regarding the proposal. Slightly over 83% of the respondents provided some comment. The comments from those who expressed support for the proposal most typically centered on the overall merits of satellite/video training, the savings that would result in both training time and travel expenses, and the fact that POST reimbursement for purchase of satellite receive equipment would serve to make such a purchase possible. Those who indicated "Not Sure/Need More Information" indicated the need for further clarification with respect to the possibility of obtaining more than one satellite "dish", the amount and kind of training that would be produced and broadcast by POST, the specific amount by which salary reimbursement would be reduced in order to fund the program, and the possibility of receiving LETN broadcasts with the satellite receive equipment. Those in opposition most often expressed concerns over the one-time reduction in salary reimbursement, or expressed the opinion that agencies should be willing to purchase satellite receive equipment absent any reimbursement from POST.

"2. If POST were to reimburse local agencies for purchase of satellite receive equipment subject to the conditions described in the enclosed materials, would your agency purchase such equipment (and request reimbursement)?"

Slightly over seventy-seven percent (77.2%) of the respondents answered "Yes" to this question, 5.4% answered "No", and 17.4% answered "Don't Know/Not Sure". Half of those agencies that responded "No" indicated elsewhere (see question #3) that they already have such a system.

Thirty-nine percent of the respondents provided some comment with respect to this question. Comments from those who answered "Yes" most often mentioned either that purchase of a satellite receive system would be subject to approval of city/county officials, or that they already have plans to or have purchased a satellite receive system (for which they would now seek POST reimbursement). "No" answers were most often accompanied by comments to the effect that they already have the equipment and would not seek POST reimbursement, that they have ready access to a downlink site, or that due to the extremely small size of the agency and/or extreme budgetary constraints, they would not likely purchase the equipment even with POST reimbursement. Those who responded "Don't Know/Not Sure" generally indicated the need for more information concerning installation and maintenance costs (which would not be reimbursed by POST), or observed that the ultimate decision would have to be made by city/county officials.

"3. Does your agency already have a combination C/Ku-band satellite receive system?"

Slightly over one in ten agencies (11.8%) responded to this question in the affirmative, with 85.7% responding "No" and 2.5% responding "Don't Know/Not Sure". Not surprisingly, large agencies (those employing 500 or more) most often reported having a receive system (28.6%), whereas the smallest agencies (those with up to 25 employees) least often reported having a system (7.2%). The percentage of Sheriffs' Departments having systems (27.8%) was greater than that for Police Departments (8.5%).

Crediting POST Satellite Training Toward The Continuing Professional Training Requirement: Two questions were asked regarding this topic. As indicated in the results below, considerable support was expressed for this approach.

"4. Do you favor permitting POST satellite training to be credited toward the continuing professional training requirements?"

Yes: 85.3%

Yes, but subject to somewhat different conditions than described in the enclosed materials: 6.1%

(Note: As described in the enclosed materials, the agency would be responsible for providing an on-site training coordinator, copying and distributing various printed materials, and forwarding training records to POST.)

No: 2.5%

Not Sure/Need More Information: 6.1%

Slightly less than twenty-five percent (24.4%) of the respondents provided some comment in regard to this question. "Yes" responses were most often accompanied by comments regarding anticipated savings in staff time (and money), increased standardization in training, and greater ease in meeting POST's continuing professional training requirements. A number of "Yes" respondents also emphasized the need for careful on-site coordination and documentation of the training. Those who responded with a conditional "Yes" most often indicated that not all training which qualifies toward the continuing professional training requirement is amenable to satellite delivery, or expressed concerns that the amount of satellite training credited toward the continuing professional training requirement be limited. Comments received from "No" respondents concerned potential loss of local autonomy in presenting training that would qualify for continuing professional training, and the importance of off-site training where officers from different

departments can meet and exchange ideas, information, etc. Those who checked "Not Sure/Need More Information" indicated either that they are satisfied with the current means by which they satisfy the continuing professional training requirement, and therefore question the need to make any changes; that they have some lingering doubts about the efficacy of "T.V. Training"; or that they would be interested in the proposed program only if agency participation was voluntary.

"5. If a program were established whereby your personnel could receive credit toward the continuing professional training requirement by viewing certain POST satellite broadcasts (or tapes of such broadcasts) at your location, would you agency participate ...?"

Over eighty four percent (84.5%) of the agencies responded "Yes" to this question; 1.1% responded "No"; and 14.4% responded "Not Sure/Need More Information". Comments received in conjunction with this question focused almost exclusively on the duties and time commitments of the on-site coordinator, and the time and costs associated with copying required written training materials. Those who responded "Yes" were more inclined to simply note that these added responsibilities could be significant in terms of money and staff time, whereas those who responded "Not Sure/Need More Information" tended to question the capability of meeting these requirements.

General Comments Regarding Satellite Training: Space was provided at the end of the questionnaire for recording any comments, concerns, or suggestions regarding satellite training. Over forty percent (41.2%) of the agencies responded. The majority of the comments were expressions of support for the two proposals addressed in the survey (i.e., POST reimbursement for local agency purchase of satellite receive equipment and permitting satellite/video training to "count" toward the continuing professional training requirement). Many complimentary comments were also received with regard to the quality of POST satellite telecourses and videotape broadcasts. Finally, a number of cautionary comments were received concerning the need for POST to monitor satellite training, especially any such training "credited" toward the continuing professional training requirement.

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Regular Basic Course Curriculum Changes - Blind and Deaf Persons		Meeting Date July 18, 1991
Bureau Training Program Svcs.	Reviewed By Ken O'Brien	Researched By Shirley Paulson
Executive Director Approval <i>Maurice C. Boehm</i>	Date of Approval 6-21-91	Date of Report June 20, 1991
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

Commission approval of Regular Basic Course curriculum on law enforcement treatment of blind and visually impaired and deaf and hearing impaired persons.

BACKGROUND

Assembly Concurrent Resolution 89 (Attachment A) requests the Commission to adopt a course of training relating to law enforcement treatment of visually impaired or blind and hearing impaired or deaf persons. This training is to include teaching officers to readily distinguish various aids and instruments used by visually impaired or blind and hearing impaired or deaf persons from prohibited weapons. The training should also include education which will help peace officers develop skills to distinguish those who have visual or hearing impairments from those who do not. ACR 89 also recommends that officers receive a course on current law including the "White Cane Law".

The POST Regular Basic Course currently does not contain curriculum on law enforcement interactions with blind and visually impaired persons. Therefore, POST staff convened a committee of subject experts (Attachment B) of whom the majority were blind or visually handicapped. Performance objectives were provided (in Braille) for their review and then revised based on the input of these committee members. Academy directors unanimously endorsed the objectives and concurred that they appropriately meet the recommendations in ACR 89.

A performance objective which addresses law enforcement officers' interaction with deaf and hearing impaired persons was developed in 1989 using the input of deaf and hearing impaired persons. It is presently a part of the Regular Basic Course. In addition, laws which apply to deaf and hearing impaired persons are included in proposed performance objective 5.7.3 which requires the student to identify provisions of law which apply to deaf and hearing impaired as well as blind and visually impaired persons.

ANALYSIS

A familiarity with provisions of law which apply to deaf and hearing impaired and blind and visually impaired persons, ways to effectively communicate with those persons, and how to distinguish various aids and instruments would enable the law enforcement officer to handle situations in an appropriate manner consistent with legal requirements. Some mannerisms appear to indicate intoxication or drugs and some visual aides resemble weapons.

Staff, with the input of an advisory committee, developed two new performance objectives which are proposed to be added to the POST Regular Basic Course. This would complete the course of training encouraged in ACR 89. Attachment C sets forth the proposed revised learning goal and proposed new performance objectives.

Performance objective 5.7.2 would require the student to learn cues that signal that a person may be blind or visually impaired and appropriate responses by law enforcement officers. (A similar performance objective regarding deaf persons has previously been approved by the Commission and is presently a part of the Regular Basic Course.)

Performance objective 5.7.3 would require the student to identify the provisions of law (including the "White Cane Law") which apply to blind or visually impaired and deaf or hearing impaired.

It is anticipated that these additions will require approximately one hour of instruction. The impact on total instruction hours will be negligible because academy presenters have sufficient flexibility to conduct this instruction within the existing 560-hour requirement.

Because modifications are proposed to the POST document Performance Objectives for the POST Basic Course (1989), proposed curriculum changes must be adopted pursuant to the Administrative Procedures Act. It is proposed that the abbreviated public notice process be used. If no one requests a public hearing, these proposed changes would go into effect.

It is proposed that pursuant to Commission Regulation 1005(a), Performance Objectives for the POST Basic Course (1989) be amended to add two new performance objectives, 5.7.2 and 5.7.3. The Notice of Proposed Regulatory Action and Statement of Reasons are attached. (Attachment D)

RECOMMENDATION

Subject to the results of the proposed Notice of Regulatory Action, approve the proposed curriculum additions to the Regular Basic Course regarding law enforcement handling of blind and visually impaired and deaf and hearing impaired persons.

Assembly Concurrent Resolution No. 89

RESOLUTION CHAPTER 153

Assembly Concurrent Resolution No. 89—Relative to the Commission on Peace Officer Standards and Training.

[Filed with Secretary of State September 21, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 89, Klehs. Commission on Peace Officer Standards and Training.

This measure would encourage the Commission on Peace Officer Standards and Training to develop a course of training relating to the treatment of the visually impaired or blind and the hearing impaired or deaf, as specified.

WHEREAS, The Commission on Peace Officer Standards and Training (POST), which is within the Department of Justice, is responsible for administering numerous law enforcement training and certification programs; and

WHEREAS, Under existing law, adequate instruction and training in the handling of persons with developmental disabilities or mental illness, or both, is included in the basic POST training course for law enforcement officers; and

WHEREAS, Under existing law, the visually impaired or blind and the hearing impaired or deaf are not included in the definition of "developmental disabilities" for these training purposes; and

WHEREAS, POST currently does not offer basic training to sensitize or educate law enforcement officers about the visually impaired or blind and the hearing impaired or deaf; and

WHEREAS, There is a need to include in the POST training curricula, education which will help peace officers develop skills to distinguish those who are visually impaired or blind and the hearing impaired or deaf from those who are not; and

WHEREAS, There is currently no POST training which teaches law enforcement officers to readily distinguish various aids and instruments used by the visually impaired or blind and the hearing impaired or deaf from prohibited weapons; and

WHEREAS, Law enforcement officers would benefit from refresher courses on current law, such as Part 2.5 (commencing with Section 54) of Division 1 of the Civil Code, otherwise known as "The White Cane Law;" now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof, concurring, That the Legislature encourages POST to develop, in consultation with appropriate groups and individuals having an interest and expertise in this area, a course of training relating to the treatment of the visually impaired or blind and the hearing impaired or deaf; and be it further

Resolved, That the Chief Clerk of the Assembly immediately transmit a copy of this resolution to the Commission on Peace Officer Standards and Training.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Roster - Blind Advisory Committee

Donna Brown, Associate
Governmental Program Analyst
Department of Social Services
Office of Services to the
Blind

John Lopez, President
E.L.A. Chapter
California Council of the
Blind

Tom Karnes
California Council
of the Blind

Leigh Morton
California Council
of the Blind

Cid Urena, President
San Joaquin County Club of the
Adult Blind, CCB

Don Queen
Department of
Rehabilitation

Janis Urena
San Joaquin County Club of the
Adult Blind, CCB

Tim Ford, Attorney
CA Department of Health
Services
Office of Legal Services

Jeff Thom, Attorney

Robert Brown
Tri-Visual Services

Learning Goal: The student will understand how to recognize, approach, and gain the ability to communicate effectively with the deaf and hearing impaired and blind and visually handicapped persons.

Knowledge Domain 37

Suggested performance objective (new):

5.7.2 Give a word picture depicting a person who may be blind or visually handicapped (see list of cues), the student will identify an appropriate response (see list of appropriate responses to blind or visually handicapped persons):

- A. The following cues signal that a person may be blind or visually handicapped:
- 1) using seeing eye dog and/or cane (all white or metallic color - with or without red tip, collapsible or non-collapsible)
 - 2) jerky motion of the eyes
 - 3) milky coloration of the eyes
 - 4) person appears to be tracking the sound of someone's voice or is unable to maintain eye contact
 - 5) rocking motion of body
 - 6) unusual head motion or position of head
 - 7) getting unusually close to printed material or objects
 - 8) using bioptic lens and/or thick clear lenses or sunglasses
 - 9) holding onto arm of sighted guide
 - 10) 80% of the "blind" population has partial vision and may not exhibit the above cues
- B. The following responses are appropriate for communicating with blind or visually handicapped persons:
- 1) help a blind person cross an intersection by introducing yourself and asking if he/she needs assistance

- 2) when guiding a blind person, let that person hold your elbow or shoulder so that he/she can more easily follow your body movements
- 3) walk normally when guiding a blind person; don't pull or push the person along
- 4) talk directly to the blind person in a normal manner (they are blind, not deaf)
- 5) identify yourself by saying "I'm Police Officer . My badge number is . Are you blind?"
- 6) allow the blind person to feel your badge or handcuffs if he/she seeks confirmation of identify

Proposed new performance objective - "White Cane Law"

5.7.3

Given a direct question, the student will identify the provisions of law which apply to deaf and hearing impaired and blind and visually handicapped persons:

- A. Vehicle Code 21963 entitles total or partially blind pedestrians carrying white canes or using a guide dog to the right-of-way
- B. Civil Code 54.1 ("White Cane Law") entitles total or partially blind persons and deaf persons to full and equal access to public streets and byways, buildings, facilities, modes of transportation, lodging, amusement and other places to which the public is invited
- C. Civil Code 54.2 ("White Cane Law") entitles total or partially blind persons and deaf or hearing impaired persons to be accompanied by a guide dog, signal dog, or service dog in any of the places specified in Section 54.1
- D. Civil Code 54.4 ("White Cane Law") entitles total or partially blind persons to the same rights and privileges conferred by law upon other persons in any of the places, accommodations, or conveyances specified in Sections 54 and 54.1 with or without white cane or guide dog
- E. Penal Code 365.5 entitles that blind or deaf persons who are passengers on public conveyances have a right to have specially trained guide, signal, or service dogs, and to be admitted to places of public accommodation. Anyone who prevents a blind or deaf person from exercising these rights is guilty of an infraction.

Commission on Peace Officer Standards and Training

NOTICE OF PROPOSED REGULATORY ACTION
TO ADOPT BASIC COURSE CURRICULUM CHANGES ON
LAW ENFORCEMENT TREATMENT OF BLIND AND VISUALLY IMPAIRED
AND DEAF AND HEARING IMPAIRED PERSONS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code, and in order to interpret, implement, and make specific Assembly Concurrent Resolution 89 (1989), proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

It is proposed that the document Performance Objectives for the POST Basic Course (1989) be amended to add minimum performance objectives on the treatment by law enforcement officers of visually impaired or blind and hearing impaired or deaf persons. This document is incorporated by reference into Commission Regulation 1005 (a).

Assembly Concurrent Resolution 89 (1989) requests the Commission to adopt basic training standards relating to the treatment of visually impaired or blind and hearing impaired or deaf persons. The appropriate performance objective relating to treatment of hearing impaired or deaf persons is already included in the Regular Basic Course. A new performance objective is proposed to address the treatment of visually impaired or blind persons. An additional new performance objective is proposed to identify related provisions of law, including the "White Cane Law", as requested in ACR 89.

Performance Objectives to be added to the Regular Basic Course include:

- A. Cues that signal a person may be blind or visually impaired and the appropriate law enforcement responses
- B. Provisions of laws which apply to deaf and hearing impaired and blind and visually impaired persons (including the "White Cane Law")

The addition of the proposed curriculum will require approximately one additional hour for instruction and testing. Basic Academy presenters have sufficient flexibility to conduct this instruction within the existing minimum of 560 hours. Accordingly, it is anticipated that the proposed additions will have a negligible impact on instructional hours.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on September 30, 1991. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or duly authorized representative, may request in writing, no later than September 16, 1991, that a public hearing be held.

ADOPTION OF PROPOSED REGULATIONS

After the hearing and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, 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 at the hearing, or prior to the hearing upon 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.).

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

Small Business Impact: None

Cost Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

REGULATORY ACTION: BASIC COURSE CURRICULUM CHANGES
ON LAW ENFORCEMENT TREATMENT OF BLIND AND VISUALLY IMPAIRED
AND DEAF AND HEARING IMPAIRED PERSONS

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) proposes to amend the document Performance Objectives for the POST Basic Course (1989) which is incorporated by reference into Commission Regulation 1005(a). These amendments would establish training standards on the subject of law enforcement treatment of blind and visually impaired and deaf and hearing impaired persons.

It is proposed that Performance Objectives for the POST Basic Course (1989) be amended to add two new performance objectives to the Regular Basic Course. This curriculum was developed taking into consideration input from a committee of subject experts.

The following performance objectives were selected for inclusion in the curriculum because they address specific training needs of law enforcement and comply with the request for curriculum on treatment of blind and visually impaired and deaf and hearing impaired persons in Assembly Concurrent Resolution 89 (1989).

Proposed Performance Objectives

- A. Cues that signal a person may be blind or visually impaired and the appropriate responses by a law enforcement officer for communication (5.7.2)
- B. Provisions of laws which apply to deaf and hearing impaired and blind and visually impaired persons, including the "White Cane Law" (5.7.3)

Justification

- A. In order to perform their duties effectively, officers must know cues that signal blindness or deafness and how to respond safely, courteously and effectively. Visual aids may resemble weapons and mannerisms may resemble persons drugged or intoxicated.
- B. In order to perform their duties effectively, law enforcement officers must know basic laws including the "White Cane Law" which guarantees blind and deaf persons equal rights in public places and the right to be accompanied by a guide or signal dog.

It is estimated these proposed changes would require one additional hour for instruction and testing. It is anticipated this proposed change to the Regular Basic Course will have a negligible impact on instruction hours since Basic Academy presenters have sufficient flexibility to conduct this instruction within the existing minimum 560-hour requirement for the Regular Basic Course.

CONSIDERATION OF ALTERNATIVES

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

(This language is predicated upon approval by the Office of Administrative Law of the proposed changes to Regulation 1005 adopted at the January 17, 1991 public hearing.)

Commission on Peace Officer Standards and Training

PROPOSED REGULATORY ACTION: LAW ENFORCEMENT
TREATMENT OF BLIND AND VISUALLY IMPAIRED AND DEAF
AND HEARING IMPAIRED PERSONS

1005. Minimum Standards for Training.

(Continued)

(Effective incorporation by reference statements remain unchanged, with the exception of the following:)

The document, Performance Objectives for the POST Basic Course--1989 adopted effective September 26, 1990, and July 1990 Supplement incorporated effective June 29, 1991, September 1990 Supplement incorporated effective June 29, 1991, and January 1991 supplement incorporated effective * , and November 1991 Supplement incorporated effective * , are herein incorporated by reference.

*This date to be filled in by OAL

Note: Authority cited: Sections 13503, 13506 and 13510 Penal Code.
Reference: Sections 832, 832.3, 832.6, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13520 and 13523, Penal Code.

PERFORMANCE OBJECTIVES FOR THE POST BASIC COURSE

1989

November 1991 Supplement



**THE COMMISSION
ON PEACE OFFICER STANDARDS AND TRAINING**

STATE OF CALIFORNIA

5.7.0

DEAF AND HEARING IMPAIRED/BLIND AND VISUALLY HANDICAPPED

Learning Goal: The student will understand how ~~gain the ability~~ to recognize, approach, and communicate effectively with the deaf and hearing impaired and blind and visually handicapped persons.
(1-1-88)

PERFORMANCE OBJECTIVE(S):

808 5.7.1 The student will identify the necessary considerations in communicating effectively with the deaf and hearing impaired including:(1-1-88)

- A. Recognition
- B. Approach
- C. Communicating
- D. Safety
- E. Legal

5.7.2 Given a word picture depicting a person who may be blind or visually handicapped (see list of cues), the student will identify an appropriate response (see list of appropriate responses) for communicating with the blind or visually handicapped; (10-31-91)

- A. The following cues signal that a person may be blind or visually handicapped:
 - 1. using seeing eye dog and/or cane (all white or metallic color - with or without red tip, collapsible or non-collapsible)
 - 2. jerky motion of the eyes
 - 3. milky coloration of the eyes
 - 4. person appears to be tracking the sound of someone's voice or is unable to maintain eye contact
 - 5. rocking motion of body
 - 6. unusual head motion or position of head
 - 7. getting unusually close to printed material or objects
 - 8. using bioptic lens and/or thick clear lenses or sunglasses
 - 9. holding onto arm of sighted guide
(NOTE: Eighty percent of the "blind" population have partial vision and may not be identifiable using these cues.)
- B. The following responses are appropriate for communicating with blind or visually handicapped persons:
 - 1. help a blind person cross an intersection by introducing yourself and asking if he/she needs assistance
 - 2. when guiding a blind person, let that person hold your elbow or shoulder so that he/she can more easily follow your body movements
 - 3. walk normally when guiding a blind person;

Commission on Peace Officer Standards and Training

4. don't pull or push the person along
talk directly to the blind person in a normal
manner (they are blind, not deaf)
5. identify yourself by saying "I'm a police
officer. My badge number is ____ . Are you
blind?"
6. allow the blind person to feel your badge or
handcuffs if he/she seeks confirmation of your
identity

5.7.3 Given a direct question, the student will identify the
following provisions of law which apply to the deaf and
hearing impaired and the blind and visually handicapped:
(10-31-91)

- A. Vehicle Code Section 21963 entitles total or
partially blind pedestrians carrying white canes or
using a guide dog to the right-of-way.
- B. Civil Code Section 54.1 ("White Cane Law") entitles
total or partially blind persons and deaf persons to
full and equal access to public streets and byways,
buildings, facilities, modes of transportation,
lodging, amusement and other places to which the
public is invited.
- C. Civil Code Section 54.2 ("White Cane Law") entitles
total or partially blind persons and deaf or hearing
impaired persons to be accompanied by a guide dog,
signal dog, or service dog in any of the places
specified in Section 54.1.
- D. Civil Code Section 54.4 ("White Cane Law") entitles
total or partially blind persons to the same rights
and privileges conferred by law upon other persons
in any of the places, accommodations, or conveyances
specified in Sections 54 and 54.1 with or without
white cane or guide dog.
- E. Penal Code Section 365.5 provides that blind or deaf
persons who are passengers on public conveyances
have a right to have specially trained guide,
signal, or service dogs, and to be admitted to
places of public accommodation. Anyone who prevents
a blind or deaf person from exercising these rights
is guilty of an infraction

5.8.0 LAW ENFORCEMENT RADIO COMMUNICATIONS

Learning Goal: The student will understand the concepts and effective methods of law enforcement radio communications.

5.8.1 The student will demonstrate the mechanical operation of law enforcement radio equipment including:

- A. On/Off Switch
- B. Proper hand/mouth microphone positions
- C. Antenna position
- D. Squelch/Volume control
- E. Frequency selection

- o The summarization of laws and highlighting their important points in the workbook was viewed as a positive change by the persons who took part in the program.
- o The program will eventually be seen by a far greater number of persons than could be exposed to the classroom program, providing them, at an exceptionally low cost, with an unabridged, first-hand training experience from the experts who were chosen to make the original presentations.

Based on these considerations, authorization is requested to present the program once more in 1992. The contract with CPOA will require no more than \$15,000, which would be limited to actual costs, for the production and publication of 1500 copies of a Legislative Update Workbook. Production and uplink costs are included in the distance learning program funding already approved at the April meeting. These costs are estimated at \$35,000 for this legal update program. The total budgeted cost for the 1992 legal update program would be no more than \$50,000, which is the same amount as was budgeted for the program last year.

RECOMMENDATION

Authorize the Executive Director to sign a contract with the California Peace Officers' Association in an amount limited to actual costs but not to exceed \$15,000 for the development, printing and mailing of 1500 copies of a workbook to be used in conjunction with the 1992 Legislative Update Telecourse.

SUMMARY OF RESULTS

EVALUATION OF LEGISLATIVE UPDATE TELECOURSE

POST, in collaboration with CPOA, developed a Legislative Update Telecourse which was broadcast via satellite on January 3, 1991. The two hour telecast, which was based, in large part, on a workbook developed by CPOA, was presented in 25 minute segments and featured a live question-and-answer period during which telephone inquiries from participants at the downlink sites were answered over the air.

Because a significant number of officers need to receive legislative update training on an annual basis, and because the telecourse represented a new approach to providing this training, an in-depth evaluation of the telecourse was conducted. The evaluation focused on a number of issues, including: (1) trainees' reactions to various features of the live telecourse, and to the companion workbook, (2) the number of officers reached by the training (via either participation in the live telecourse or subsequent viewing of video tapes of the broadcast), (3) training managers' perceptions concerning the use of the video tapes for on-site training, and (4) the overall utility of the approach (i.e., cost per trainee).

A special Legislative Update Advisory Committee, consisting of representatives from the CPOA, the California Police Chiefs' Association, and the California State Sheriffs' Association, reviewed the evaluation methodology and the survey instruments that were used to collect much of the desired information.

Evaluation Methodology:

Four different questionnaires were used. Trainees who attended the live telecourse completed a short questionnaire on various aspects of the production (Questionnaire #1), as well as the standard Course Evaluation Instrument (Questionnaire #2) [a questionnaire which is administered at the conclusion of all POST-certified courses]. Training managers from all police and sheriffs' departments in the POST program were asked to complete a separate questionnaire which focused on local agency representation at the live telecourse and local agency use of video tapes of the live telecourse (Questionnaire #3). Finally, a fourth questionnaire was administered to all training presenters, exclusive of law enforcement agencies, that are currently POST-certified to present the Advanced Officer Course and/or skills and knowledge module training (Questionnaire #4). The primary purpose of this questionnaire was to determine level of involvement by this group both in terms of attendance at the live telecourse, and duplication

and use of video tapes of the broadcast.¹ Copies of all four questionnaires are attached.

Along with the survey questionnaires, additional information was collected from Course Rosters (for those who participated in the live telecourse), and a review of course production and broadcast costs.

Results:

Live Telecourse

Attendance: Based on the Course Rosters, a total of 220 trainees were present to receive the live telecourse training. By comparison, survey returns from police and sheriffs' department training managers indicate that a total of 308 trainees from 48 departments attended the live telecourse.² In addition, for the 15 POST-certified presenters of the Advanced Officer Course and/or skills and knowledge module training that returned questionnaires, nine indicated that they had staff in attendance at the live telecourse, with the total number of staff in attendance being 99.³

Among police and sheriffs' departments, larger departments more frequently reported having personnel in attendance at the live telecourse than smaller departments. No differences in department attendance were found as a function of geographic location (e.g., northern versus southern California). Approximately one-fourth of the departments that participated in the live telecourse received the broadcast signal at their own facility; the remaining three-fourths sent their personnel to an off-site downlink location. Larger departments more frequently reported receiving the signal at their own location than smaller departments.

Reactions of Those Who Attended the Live Telecourse: Results obtained with the specially-designed questionnaire that was administered to participants at the live telecourse are shown below. As indicated by the results, those in attendance were generally very favorably impressed with all aspects of the production, and strongly support satellite telecourse training per

¹This particular group was singled out in the belief that presenters of the Advanced Officer Course and/or skills and knowledge modules would be most likely to use video tapes of the telecourse.

²Furthermore, the return rate for the questionnaire was 49%. Thus, this figure does not take into account the remaining 51% of the police and sheriffs' departments for which completed questionnaires were not returned.

³The return rate for this questionnaire was 28%.

se. Consistent with the rating information, many of the comments received on the questionnaires were indicative of enthusiastic support for the training. Comments included, "An excellent way of conveying information."; "Very useful course."; "Excellent program - convenient."; "Glad to see format depart from strictly 'talking head'..."; and "Outstanding format for this subject matter.". Several comments were also directed at the low level of attendance, noting difficulties in scheduling attendance during the Christmas holidays.

**SURVEY RESULTS FOR ATTENDEES AT LIVE TELECOURSE
(AVERAGE RATINGS)⁴**

1. The telecast was a useful way to present this kind of material.	5.33
2. The accompanying workbook was a useful reference which added to my understanding.	5.43
3. Participants in the program demonstrated useful presentation skills.	5.13
4. The television monitors produced good pictures which were easily seen.	5.39
5. The sound was clear and easily heard.	5.40
6. The facilities at the training site promoted concentration on the course material.	5.22
7. The graphics used in the presentation were clear and easily understood.	5.21
8. The question and answer period during the telecast was very useful.	4.52
9. I received all of the information that I thought I should get.	4.90
10. Legislative Update material should continue to be presented in this fashion.	5.33
11. Telecourses are an effective way to train.	5.33
12. More telecourses on other subjects should be developed by POST.	5.41

Similar results were obtained from the telecourse attendees with the standard CEI. Questions on this form fall into five general categories: Teacher Characteristics, Course Utility, Course Organization, Course Content, and Course Methods. The form contains a six-point rating scale, with a rating of 1 representing "Strongly Disagree" and a rating of 6 representing "Strongly Agree" with a positively worded statement (2 = "Disagree"; 3 = "Somewhat Disagree"; 4 = "Somewhat Agree"; and 5 = "Agree"). Shown below are the average ratings that were obtained for each evaluation category based on responses received from trainees at each of 18 downlink sites. Note that with the exception of the Course Methods category, all average ratings are greater than 5 (5 = "Agree"). The Course Methods category includes statements on the use of training aids, the use of exercises/activities, and the "mix" of instructional techniques. The written comments from those who rated these statements the lowest made mention of such things as the lack of significant discussion, not enough questioning and clarification, and not enough examples.

⁴Rating Scale: 6 = Strongly Agree; 5 = Agree; 4 = Somewhat Agree; 3 = Somewhat Disagree; 2 = Disagree; 1 = Strongly Disagree.

Average CEI Ratings From Those Who Attended Live Telecourse

Evaluation Category	Average Rating ⁵
Teacher Characteristics	5.14
Course Utility	5.21
Course Organization	5.23
Course Content	5.20
Course Methods	4.23
Overall Evaluation	5.01

Information concerning the perceived quality of the live telecourse was also sought from the police and sheriffs' department training managers. The specific question asked, and the results obtained are shown below. Again, the results are quite favorable.

"Based on your own observations and/or comments you received from those who attended, how would you rate the overall quality of the live telecast?" (check one)

Unable to Rate: 0%
Poor: 0%
Good: 30%
Very Good: 48%
Excellent: 22%

Reasons For Not Attending The Live Telecourse: 80% of the training managers who returned questionnaires indicated that no one from their agency attended the live telecourse. As reflected in the responses to the below question, the reasons most often cited were that other arrangements were made to receive the training (27%), and/or that the decision was made to simply obtain a video tape of the live broadcast (28%). Also mentioned by a significant percentage of the agencies (25%) was the inability to commit on-duty time for attendance. Fifteen percent of the agencies that did not attend were unaware of the telecast (as reported by the agency training manager).

⁵While not a focus of the evaluation, the average CEI ratings obtained for the live telecourse were compared with the average CEI ratings obtained across 21 POST-certified presentations of traditional (classroom lecture) legal update training. The average ratings obtained for the Teacher Characteristics category were not found to differ. However, for the remaining four evaluation categories (Course Utility, Course Organization, Course Content, Course Methods) the average ratings for the telecourse were significantly higher than those for the traditional presentations.

"Did anyone from your agency watch the live satellite telecast...? If 'No', why not? (check all that apply)

We didn't know about it: 15%

We knew about it but...

too late to do anything about it: 5%
couldn't arrange to send anyone: 16%
couldn't commit on-duty time for attendance: 25%
couldn't pay overtime for attendance: 20%
decided to make/already made other arrangements to receive the training: 27%
decided the training wasn't that important to our agency: .5%
decided it would be better for our agency to simply get a video tape of the broadcast: 28%
other (specify): 19%⁶

Video Tape of Live Telecourse

Procurement: 41% of the responding police and sheriffs' departments, and 80% of the responding training presenters reported that they have obtained at least one video tape copy of the live telecourse. For both groups, a greater percentage of those that attended the live telecourse obtained a video tape copy, as compared to those that did not attend the telecourse. As reflected in the results below, training presenters typically made their own copies directly from the live telecast, whereas police and sheriffs' departments more often obtained a copy from some other agency (either a community college, another law enforcement agency, or POST).

Method of Obtaining Video Tapes

Method	Police/Sheriff's Department	Training Presenter
Copied directly from telecast	26%	92%
Received copy from local comm. coll.	36%	0%
Received copy from another agency	10%	0%
Received copy from POST	23%	8%
Other	3%	0%

⁶The most frequently reported "other" response was lack of satellite receive capability.

Local Agency Use of Video Tapes: Based on the estimates provided by training managers from those police and sheriffs' departments that returned questionnaires, a total of 2,959 personnel have viewed part or all of a video tape of the telecast, and another 4,476 personnel will eventually do so. Considering that returned questionnaires were received from slightly less than half of the police and sheriffs' departments in the POST program (49%), an estimate of 10,000 for the total number of personnel who will eventually view a video tape of at least some portion of the live telecast would appear reasonable, if not overly conservative.⁷

How Video Tapes Are Being Used: 50% of the local law enforcement agencies reported that the tapes are viewed "Whenever personnel have the time; video playback equipment is provided in a convenient location and tapes are readily available to anyone upon request."; 29% reported that the tapes are used during briefings/roll call training; and 16% reported that they have used the tapes as part of on-site training in a POST-certified course. As indicated below, when asked to estimate the percentage of time in which the tapes are used in each of three different settings (i.e., with a subject matter expert present, in group settings with a coordinator, in the absence of either a subject matter expert or a coordinator) the responses were approximately equally divided.

"In approximately what percentage of the cases is the tape shown in the following contexts? (Note: Total should equal 100%)"

With a person knowledgeable in the subject matter present to elaborate upon the tapes and/or respond to questions: 34%

In group settings, where someone is present to introduce the tapes and run the video equipment, but no one with subject matter expertise is available: 35%

In settings where the individual has total responsibility for his/her own learning (i.e., operating the equipment; viewing and understanding the material): 31%

Other: 0%

With respect to the perceived effectiveness of the tapes when used in these different settings, training managers reported the video

⁷In addition to the above estimates from law enforcement agency training managers, responses from the training presenters surveyed indicate that they have or will use video tapes of the telecourse material to train a total of approximately 1200 students. Unfortunately, it is not possible to determine how many of these students are included in the estimates that were provided by law enforcement agency training managers.

tapes as being most "effective" when viewed with a subject matter expert present, and least "effective" when viewed in isolation (i.e., in the absence of a subject matter expert or training coordinator).⁸

Production Features

Time Blocks: As mentioned previously, the telecourse material was presented in distinct "time blocks" of 25 minutes to facilitate subsequent use of video tapes of the broadcast in roll call or segmented training. As shown below, the vast majority of both the local agency training managers and the training presenters found this approach to be either "Very Useful" or "Useful". When asked whether other than a 25 minute "time block" would be preferable, 55% of the training managers and 40% of the training presenters responded "No". Among those who responded "Yes", 72% of the training managers and 50% of the training presenters expressed a preference for 15 minute segments.

Usefulness of 25 Minute Time Segments

	Trng. Mngrs (L.E. Agencies)	Trng. Presenters
Very Useful	59%	64%
Somewhat Useful	28%	27%
Not at all Useful	7%	0%
Don't Know	7%	9%

Workbooks: As reported previously in the table on page 3, those who attended the live telecourse found the accompanying workbook to be a very useful reference. (On a 6-point scale, with 5 representing "Agree" and 6 representing "Strongly Agree", the average rating obtained for the statement, "The accompanying workbook was a useful reference which added to my understanding.", was 5.43.). Similar results were obtained from training managers and training presenters, with 59% of the former group reporting the workbook as being either "Very Useful" (42%) or "Useful" (17%), and 75% of the training presenters likewise characterizing the workbook as falling into one of these two categories. Interestingly, 30% of the training managers and 8% of the training presenters were

⁸Using a rating scale in which 1 = "Very Effective", 2 = "Effective", and 3 = "Somewhat Effective", the average ratings obtained were:

<u>Training Setting</u>	<u>Avg. Effectiveness Rating</u>
With Subject Matter Expert Present	1.94
In Group Setting With Coordinator Present	2.65
Individual Setting	2.77

unaware of the existence of a workbook. Written comments about the workbook were generally very favorable. The most frequently reported suggestion for improvement concerned the need for students to receive and review the workbook in advance of the course.

Question-and-Answer Period: Also as mentioned previously, the telecourse featured a live question-and-answer session during which anyone could "call in" from a downlink location and have their question answered over the air. Referring back to the table on page 3, moderate agreement was expressed by those in attendance at the live telecourse with the statement, "The question and answer period during the telecourse was very useful." (average rating of 4.52; 4 = "Somewhat Agree" and 5 = "Agree"). Consistent with these results, less than widespread enthusiasm was expressed by the training managers and training presenters when asked to indicate the importance of the question-and-answer periods to the quality of the course.

"...Based on your own experience or comments received from others, how important were the question-and-answer periods to the overall quality of the course?"

	Trng. Mgrs. (L.E. Agencies)	Trng. Presenters
Uncertain/Unable to answer	16%	8%
Not Very Important	13%	16%
Somewhat Important	29%	25%
Important	29%	25%
Very Important	14%	25%

The few comments that were received regarding the question-and-answer periods were essentially recommendations to eliminate this component from future telecasts.

Cost/Benefit Analysis

Production and telecast costs for the telecourse, including the printing of 1,500 workbooks and the procurement of 50 video tape copies of the broadcast, totalled \$32,740.⁹ Using the most conservative estimate of attendance, the cost to POST per trainee at the live telecourse was \$148.82 (\$32,740/220.). Adding to this attendance estimate the additional 10,000 personnel who are estimated have or will view a video tape of at least part of the telecourse, the cost to POST per individual reached by the telecourse material will be \$3.20 (\$32,740/10,220).¹⁰

⁹Estimated costs for POST staff time devoted to the project are not included in this total.

¹⁰As mentioned previously, the estimate of 10,000 is considered conservative, and in all likelihood is an underestimate.

Suggested Improvements

All groups surveyed were encouraged to provide suggestions for improving future telecourse training. The comments received most frequently addressed the needs for: (1) more downlink sites (and in some instances, assistance from POST in purchasing downlink receive equipment), (2) more advanced notice of future telecourses, and (3) a more convenient mechanism for obtaining video tapes of the telecourses. With respect to future legislative update telecourse training, a number of respondents cited the need to receive the training prior to the January 1 effective date for new legislation.

Commission on Peace Officer Standards and Training
SUPPLEMENTAL TELECOURSE EVALUATION

Reception Site: _____

Course Title: **LEGISLATIVE UPDATE**

POST is conducting a special evaluation of the Legislative Update Telecourse. As part of this evaluation, persons who watch the telecourse are being asked to complete this supplemental form in addition to the standard Course Evaluation Instrument (CEI).

Using the scale below, indicate the extent to which you agree with each of the statements that follow. Enter your response in the space provided at the end of each question.

1 Strongly Disagree	2 Disagree	3 Somewhat Disagree	4 Somewhat Agree	5 Agree	6 Strongly Agree
1. The telecast was a useful way to present this kind of course material.					<input type="checkbox"/>
2. The accompanying workbook was a useful reference which added to my understanding of the course material.					<input type="checkbox"/>
3. Participants in the program demonstrated useful presentation skills.					<input type="checkbox"/>
4. The television monitors produced good pictures which were easily seen.					<input type="checkbox"/>
5. The sound was clear and easily heard.					<input type="checkbox"/>
6. The facilities at the training site promoted concentration on the course presentation.					<input type="checkbox"/>
7. The graphics used in the presentation were clear and easily understood.					<input type="checkbox"/>
8. The question and answer period during the telecast was very useful.					<input type="checkbox"/>
9. I received all of the information that I thought I should get.					<input type="checkbox"/>
10. The Legislative Update material should continue to be presented in this fashion.					<input type="checkbox"/>
11. Telecourses are an effective way to train.					<input type="checkbox"/>
12. More telecourses on other subjects should be developed by POST.					<input type="checkbox"/>

Comments:

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING COURSE EVALUATION INSTRUMENT

This form is used to collect student evaluations of all POST-certified training courses. The information that you furnish is used by both the course presenter and by POST to ensure that the training provided is of the highest quality. Please give complete and candid answers to all questions. Space is provided at the end of the form for comments.

Course Title: _____

Course Start Date:
Year Month Day

POST Course Control Number: - -

Your Name (optional): _____

Your Agency (optional): _____

On the remainder of this form, with the exception of your written comments, you will be coding your responses. Please observe the following directions for marking your responses.

- Use black lead pencil only (number 2 1/2 or softer).
- Do not use ink or ball point pens.
- Make heavy black marks that fill up the oval completely.
- Erase cleanly any mark you wish to change.
- Make no stray marks on the form.
- Examples of correct and incorrect ways of marking responses: CORRECT ● INCORRECT ◐ ◑ ◒ ◓

Using the scale below, indicate the extent to which you agree with each of the statements that follow. Enter your responses by blackening the appropriate oval after each statement.

	1 Strongly Disagree	2 Disagree	3 Somewhat Disagree	4 Somewhat Agree	5 Agree	6 Strongly Agree
1. What I learned in the course will have a positive impact on my career.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. A good mix of instructional techniques was used in the course (lecture, demonstration, role play, group problem solving, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The course material was too difficult.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Overall, the instructor(s) was(were) responsive to the needs of the students.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. The course material was well organized and presented in a systematic manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. The course material was too theoretical and not practical.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Overall, the instructor(s) made good use of training aids (handouts, films, etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. The course was worth my time and effort.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. The course material was too elementary.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
10. The course objectives were clearly stated.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
11. Overall, the instructor(s) was(were) knowledgeable.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Good use was made of exercises and other "learning by doing" activities in the course.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Respond to the following item only if the course contained training situations that were potentially hazardous and could result in student injury (weaponless defense, firearms, etc.):

13. Potentially hazardous situations were identified for students and appropriate safety procedures were closely followed during training.

Respond to the following item only if an examination was given:

14. The test was a good measure of the material covered in the course.

BACKGROUND INFORMATION: Blacken the oval in front of your response.

15. I attended this course because:
- I asked to take it.
 - I was assigned to take it, but did not mind.
 - I was assigned to take it, against my wishes.

CONTINUED ON REVERSE

16. My current employer:

- Municipal Police Department
- Sheriff's Department
- California Highway Patrol
- College/University Police Department
- District Attorney's Office
- Federal Law Enforcement Agency (FBI, Parks, Military, etc.)
- Marshal's Office
- Other Criminal Justice Agency (Probation, Corrections, etc.)
- Other State Law Enforcement Agency
- Private Security
- Other
- Not Currently Employed

17. My rank:

- Police Officer
- Deputy Sheriff
- Deputy Marshal
- Detective/Investigator
- Special Agent
- Corporal
- Supervising Investigator
- Sergeant
- Lieutenant
- Captain or Above
- Reserve Officer
- Other
- Non-Peace Officer

18. My current assignment:

- Patrol
- Administration
- Bailiff
- Civil
- Custody
- Investigation
- Juvenile
- Probation
- Traffic
- Training
- Other
- Do not work in a criminal justice agency

19. My sex:

- Male
- Female

20. My race/ethnicity:

- American Indian
- Asian
- Black
- Filipino
- Hispanic
- Pacific Islander
- White
- Other

21. My age:

- 18 - 21
- 22 - 29
- 30 - 39
- 40 - 49
- 50 - 59
- 60+

COMMENTS/SUGGESTIONS: Student comments regarding a course and its instructor(s) frequently provide the most important and useful information about the course. Please take the time to respond to the following questions.

22. What are the greatest strengths of the course (course content, instruction, etc.)?

23. What are the greatest weaknesses?

24. How should the course be improved?

25. Other:

Commission on Peace Officer Standards and Training
POST LEGISLATIVE UPDATE TELECOURSE
Survey of Local Agency Training Managers

POST is conducting a special evaluation of the Legislative Update Telecourse that was telecast via satellite January 3, 1991. As part of this evaluation, POST is surveying local agency training managers to determine who was or will be reached by the telecourse, whether as the result of viewing the live telecast, or viewing video tapes of the telecast. Please complete and return this form in the self-addressed envelope provided, no later than April 30, 1991. If you have any questions about the survey, please contact Bill Dyer at (916) 739-3885.

Agency:	
Your Name:	Phone Number: ()

1. Did anyone from your agency watch the live satellite telecast of the Legislative Update Telecourse?
 No Yes

If "No", why not? (check all that apply)

- We didn't know about it
- We knew about it, but . . .
 - too late to do anything about it
 - couldn't arrange to send anyone
 - couldn't commit on-duty time for attendance
 - couldn't pay overtime for attendance
 - decided to make/already had made other arrangements to receive legal update training
 - decided the training wasn't that important to our agency
 - decided it would be better for our agency to simply get a video tape of the broadcast
 - other (specify) _____

PROCEED TO QUESTION #2

If "Yes",

How many watched the live telecast?

Where did they watch the live telecast? (check one)

- In our agency (via our own satellite dish)
- At a downlink site located elsewhere
- Some viewed the telecast in our agency; others viewed it at a different downlink site

Based on your own observations and/or the comments you received from those who attended:

How would you rate the overall quality of the live telecast? (check one)

- Unable to Rate (don't have enough information)
- Poor
- Good
- Very Good
- Excellent

What could have been done to make the live telecast better?

2. Do you have a video tape of the live telecast?

No Yes

If "No", PROCEED TO QUESTION #3.

If "Yes",

What was the source of your copy of the tape?

- Copied directly from the broadcast
- Received copy from local Community College
- Received copy from another agency (specify) _____
- Received copy from POST
- Other (specify) _____

If you obtained the tape from another agency how much was charged for the service? \$

Did you provide copies to other agencies?
 No Yes - How many?

How are you using the tapes? (check all that apply)

- During briefings/roll call training
- As part of on-site training in a POST-certified training course (specify course(s)) _____
- During on-site training in a formal course of instruction not certified by POST
- Whenever personnel have the time; video playback equipment is provided in a convenient location and tapes are readily available to anyone upon request
- Other (specify) _____

Approximately how many of your personnel have viewed part or all of the video tape?

In approximately what percentage of the cases is the tape viewed in the following contexts? (Note: Total should equal 100%)

- ___ a. With a person knowledgeable in the subject matter present to elaborate upon the tape and/or respond to questions _____ %
- ___ b. In group settings, where someone is present to introduce the tapes and run the video equipment, but no one with subject matter expertise is available _____ %
- ___ c. In settings where the individual has total responsibility for his/her own learning (i.e., operating the equipment; viewing and understanding the material) _____ %
- ___ d. Other (specify) _____ %

In the spaces provided to the left of the preceding statements a through d above, indicate the degree to which the tapes are effective when used in these different contexts. Use the below rating scale to make your ratings. Reflect upon your own experiences and/or comments received from others when making your ratings.

1	2	3	4	5	6	7
Very Effective	Effective	Somewhat Effective	Not Applicable/ Don't Know	Somewhat Ineffective	Ineffective	Very Ineffective

Approximately how many additional personnel from your agency do you anticipate will eventually view part or all of the video tapes?

As you know, the full two-hour telecourse was presented in five distinct 25 minute segments, to facilitate use of video tapes of the telecast in "roll call" training. How useful have you found this approach to be? (check one)

Very Useful Somewhat Useful Not at all Useful Don't Know

Would other than 25 minute segments be more useful to you agency?

No

Yes (specify preferred length of time) _____ minutes

Don't Know

Interspersed in the telecast were several question-and-answer periods. Based on your own experience and/or comments received from others, how important were these question-and-answer periods to the overall quality of the course?

Uncertain/Unable to answer

Very Important

Important

Somewhat Important

Not Very Important

Again, drawing on your own experience and/or comments received from others, how useful is the workbook that was developed to be used with the program? (check one)

Was not aware that such a workbook was developed (SKIP TO QUESTION #3)

Very Useful

Useful

Somewhat Useful

Not at all Useful

How many workbooks has your agency ordered?

What suggestions, if any, do you have for improving the workbook? _____

3. Have persons from your agency attended any of the other live satellite telecourses (as opposed to satellite broadcasts of video tapes) broadcast by POST? No Yes
4. Has your agency obtained video tapes of any of the other live satellite telecourses broadcast by POST? No Yes
5. What specific suggestions, if any, do you have for improving future live satellite telecourses?

Thank you for completing the survey. Please return the survey in the self-addressed envelope provided.

Commission on Peace Officer Standards and Training
POST LEGISLATIVE UPDATE TELECOURSE
Survey of Training Presenters

POST is conducting a special evaluation of the Legislative Update Telecourse that was telecast via satellite January 3, 1991. As part of this evaluation, POST is surveying selected training presenters to determine who was or will be reached by the telecourse, whether as the result of viewing the live telecast, or viewing video tapes of the telecast. Please complete and return this form in the self-addressed envelope provided, no later than April 30, 1991. If you have any questions about the survey, please contact Bill Dyer at (916) 739-3885.

Agency:	
Your Name:	Phone Number: ()

1. Did you or any of your staff watch the live satellite broadcast of the Legislative Update Telecourse?
 No Yes

If "No", why not? (check all that apply)

- We didn't know about it
- We knew about it, but . . .
 - too late to do anything about it
 - couldn't arrange to send anyone
 - decided the training wasn't that important to the training courses which we present
 - decided it would be better for our agency to simply get a video tape of the broadcast
 - Other (specify) _____

PROCEED TO QUESTION #2

If "Yes",

How many watched the live telecast?

Where did they watch it? (check one)

- At our location (via our own satellite dish)
- At a downlink site located elsewhere
- Some viewed the telecast at our location; others viewed it at a different downlink site

Based on your own observations and/or the comments you received from those on your staff who viewed the live telecast:

How would you rate the overall quality of the live telecast? (check one)

- Unable to Rate (don't have enough information)
- Poor
- Good
- Very Good
- Excellent

What could have been done to make the live telecast better? _____

2. Do you have a video tape of the live telecast?

- No Yes

If "No", PROCEED TO QUESTION #3.

If "Yes",

What was the source of your copy of the tape?

- Copied directly from the broadcast
 Received copy from local Community College
 Received copy from another agency (specify) _____
 Received copy from POST
 Other (specify) _____

If you obtained the tape from another agency how much was charged for the service? \$

Did you provide copies to other agencies?

- No Yes - How many?

How are you using the tapes? (check all that apply)

- As part of POST-certified training (specify course(s)) _____
 As part of formal training (i.e., training courses) not certified by POST
 Other (specify) _____

To approximately how many of your trainees have you shown part or all of the tape?

In approximately what percentage of the cases is the tape shown in the following contexts?

(Note: Total should equal 100%)

- ___ a. With a person knowledgeable in the subject matter present to elaborate upon the tapes and/or respond to questions _____ %
___ b. In group settings, where someone is present to introduce the tapes and run the video equipment, but no one with subject matter expertise is available. _____ %
___ c. In settings where the individual has total responsibility for his/her own learning (i.e., operating the equipment; viewing and understanding the material) _____ %
___ d. Other (specify) _____ %

In the spaces provided to the left of the preceding statements a through d, indicate the degree to which the tapes are effective when used in these different contexts. Use the below rating scale to make your ratings. Reflect upon your own experiences and/or comments received from others when making your ratings

- 1 2 3 4 5 6 7
Very Effective Somewhat Not Applicable/ Somewhat Ineffective Very
Effective Effective Effective Don't Know Ineffective Ineffective Ineffective

Approximately how many additional trainees do you anticipate will view part or all of the tapes in future training which you present this fiscal year?

As you know, the full two-hour telecourse was presented in five distinct 25 minute segments to facilitate the use of videotapes of the telecast in segmented training. How useful have you found this approach to be? (check one)

- Very Useful Somewhat Useful Not at all Useful Don't Know

Would other than 25 minute segments be more useful?

- No Yes (specify preferred length of time) _____ minutes Don't Know

Interspersed in the telecast were several question-and-answer periods. Based on your own experience and/or comments received from others, how important were these question-and-answer periods to the overall quality of the course?

- Uncertain/Unable to answer
 Very Important
 Important
 Somewhat Important
 Not Very Important

Again, drawing on your own experience and/or comments from others, how useful is the workbook that was developed for use with the program? (check one)

- Was not aware that such a workbook was developed (SKIP TO QUESTION #3)
 Uncertain/Unable to answer
 Very Useful
 Somewhat Useful
 Not At All Useful

How many workbooks has your agency ordered?

What suggestions, if any, do you have for improving the workbook? _____

3. Have you or your staff attended any of the other live satellite telecourses (as opposed to satellite broadcasts of training video tapes) broadcast by POST?

- No Yes

4. Have you or your staff obtained video tapes of any of the other live satellite telecourses broadcast by POST? No Yes

5. What specific suggestions, if any, do you have for improving future live satellite telecourses? _____

Thank you for completing the survey. Please return the survey in the self-addressed envelope provided.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Recommendation to Accept Cultural Awareness Trng. and Guidelines and Authorize a Contract for a Pilot Course Training Program Svcs.		Meeting Date July 18, 1991
Reviewed By Ken O'Brien	Researched By Dave Spisak	
Executive Director Approval <i>Monica C. Boehm</i>	Date of Approval 6-25-91	Date of Report June 14, 1991
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 POST approve the proposed Cultural Awareness Training Course and Guidelines per Senate Bill 2680 and approve funding for a pilot course?

BACKGROUND

At its November 1989 meeting, the Commission directed staff to study and develop a recommended approach for making training available on the subject of cultural awareness and communicating with individual cultural groups and to report back to the Commission at the July 1990 meeting.

Subsequent to the Commission directing this study, SB 2680 was introduced (Attachment A) requiring POST to develop training and guidelines for law enforcement officers on racial and cultural differences among residents of this state. This legislation required POST to complete development by July 1991.

ANALYSIS

POST has been involved in cultural awareness training, then called community relations, since it mandated such training for the basic police academy in 1968. Since then, the Commission has distributed a manual entitled, Police-Community Relations Training in California, updated curriculum in the basic academy, and developed training in a variety of related areas such as minority police recruitment and selection, persons with disabilities, human relations training, and investigation and reporting of hate crimes.

Subsequent to the passage of SB 2680, the Cultural Awareness Advisory Committee of 26 persons was assembled (Attachment B). The committee contained representatives from immigrant and racial groups as well as representatives from major California law enforcement organizations. The committee helped develop the principles underlying the training and made recommendations about the design and content of the training and guidelines.

There are five important principles upon which this training was developed:

1. The attitudes of valuing diversity and treating all persons with respect need to be the attitudes of all chief executives of law enforcement organizations. The personal leadership of the top executive is viewed as the keystone to successful training.
2. Before law enforcement employees can be asked to value diversity in the community, the diversity they represent organizationally must be valued by the organization itself. Therefore, managing diversity in the law enforcement workplace is given high priority.
3. It is in the best interest of California law enforcement and POST to assist law enforcement agencies in developing a cultural awareness training capacity through a "train-the-trainers" program. Projections by the California Department of Finance and the US Census Bureau are clear that changing demographics is the one certain fact about our future. Therefore, one person within each agency or on behalf of a consortium of smaller law enforcement agencies, who has the confidence of the agency executives, needs to be appointed as the cultural awareness facilitator for the agency or consortium.
4. Each law enforcement agency needs to "profile" or inventory the demographics of its jurisdiction. Care must be taken not to assume the composition of any community. Immigration patterns are shifting rapidly in some areas of the State, therefore, "community profiling" needs to be done with care.
5. Training partnerships with the immigrant and racial groups are considered essential to the agency training program. The quality of cultural literacy training is, in large part, dependent upon the careful selection of a community member to perform the role of Community Training Mentor on behalf of their culture. Considerable attention has been paid to agency training of the Mentor to ensure that the training is, in fact, a partnership between the community and the agency.

The Cultural Awareness Training Program consists of two courses. The first course is an eight-hour Cultural Awareness Training for the Law Enforcement Executive. The curriculum includes: (1) the executives leadership role as a change agent; (2) managing organizational diversity; (3) the development of cultural awareness policy and agency value statements; (4) selection criteria for the cultural awareness facilitator; (5) and evaluation considerations for the cultural awareness training program (Attachment C).

The second course is a 48-hour class entitled, Cultural Awareness Facilitator (Attachment D). The course will consist of two Modules. The first Module will concentrate on skills and knowledge needed by the Cultural Awareness Facilitator to assess the agency and community, to

select and train community training mentors, and to design an agency training plan. Upon completion of Module One, the students will return to their agencies and apply this training to practical application. Module Two will follow shortly. In this Module, students will review, evaluate, and critique their respective plans.

The Cultural Awareness Training Guidelines (Attachment E) consist of eight recommendations for law enforcement agencies to consider when designing their cultural awareness training. These suggestions will assist local agency executives and training coordinators in the development of their training programs by highlighting conditions that need to be met for effective training to take place. The guidelines follow the principles that shaped the Cultural Awareness Training Program.

The proposed training program and guidelines actualize all of the principles identified as vital for a cultural awareness training process for law enforcement that will provide the tools to maximize appreciation and sensitivity for interacting with the cultural diversity in California.

If the Commission approves, the Cultural Awareness Training Program would be reported to the Legislature, the training and guidelines workbook would be distributed to law enforcement agencies, a pilot of the two courses would be conducted, and with any adjustments brought about by the pilot, presenters would be certified to Plan Three in northern and southern California to conduct the classes. During the balance of Fiscal Year 1991-1992, four additional courses could be conducted at an estimated cost of \$60,000.

Pilot Test Courses

It is recommended that one pilot program be presented beginning in September 1991 by contracting with a public agency. Twenty-five law enforcement agencies would be invited to participate. The costs involved in the pilot include: (1) instructor and development costs; (2) instructor travel and per diem; (3) facilities; (4) evaluation; (5) miscellaneous (notebooks, texts, printing); (6) and overhead for administration of program; for a total cost of \$17,000.

RECOMMENDATION

1. Approve the proposed Cultural Awareness Training Program and Guidelines for distribution and report to the Legislature.
2. Authorize the Executive Director to negotiate a contract with a public agency for the purpose of conducting a pilot of the courses on Cultural Awareness Training in an amount not to exceed \$17,000.

Senate Bill No. 2680

CHAPTER 480

An act to add Section 13519.4 to the Penal Code, relating to peace officers.

[Approved by Governor August 7, 1990. Filed with Secretary of State August 8, 1990.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2680, Boatwright. Peace Officers: racial and cultural diversity training.

Existing law establishes the Commission on Peace Officer Standards and Training, which develops and implements programs to increase the effectiveness of law enforcement through training, education, and investigation.

This bill would require the Peace Officer Standards and Training Commission, by January 1, 1991, to develop and disseminate guidelines and training for peace officers in California on the racial and cultural differences of people in the state, so that peace officers can be better prepared to deal with the racial and cultural diversity of the state citizenry.

The people of the State of California do enact as follows:

SECTION 1. Section 13519.4 is added to the Penal Code, to read:
13519.4. Effective July 1, 1991, the commission shall develop and disseminate guidelines and training for all law enforcement officers in California as described in subdivision (a) of Section 13510 and who adhere to the standards approved by the commission, on the racial and cultural differences among the residents of this state. The course or courses of instruction and the guidelines shall stress understanding and respect for racial and cultural differences, and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.

○

ATTACHMENT B

CULTURAL AWARENESS ADVISORY COMMITTEE

Louis Attiq, Public member

Kyria Attisha, Public member

Dennis Bacocho Lieutenant, Inyo County Sheriffs Department

Joel Benavides, US Department of Justice

Dan Campos, Ph.D., Public member

Joe Canton, Ph.D., Public member -

Ruth Cashmere, Human Rights Resource Center, Marin County

Phil Del Campo, Ph.D., Public member

Ray Dorsey, Under-Sheriff, San Bernadino County Sheriffs Department

Randy Edmonds, Public member

Edward Hendry, Captain, Orange County Sheriffs Department

Georgette Imura, Office of State Senator Roberti

Paul Jefferson, Captain, Los Angeles Police Department

Vince Jimno, Chief of Police, City of Escondido

Ray Johnson, Chief of Police, City of Inglewood

Bong Hwan Kim, Public member

Dinh Kim Le, Public member

Fred Lau, Deputy Chief of Police, San Francisco Police Department

Haywood Martin, Ph.D., Public member

Edward Negrete, Ph.D., California State University, Los Angeles

Tom O'Brien, Deputy, Fresno Sheriffs Department

Manny Ortega, Chief of Police, City of Placentia

Fred Persily, Public member

June Pouesi, Public member

Erwin Sanvictores, City Council Representative, City of San Diego

Sharon Singh, Office of Congressman Vic Fazio

Dorothy Tucker, Ph.D., Public member

Luther Wallace, Human Rights Resource Center, Marin County

ATTACHMENT C

CULTURAL AWARENESS TRAINING FOR THE LAW ENFORCEMENT EXECUTIVE

This course of training is designed for the chief executive officer of law enforcement agencies. The purpose of the training is to give the executive an appreciation of the need for personal leadership to effectively lead their agency to value diversity, both within the law enforcement agency and the community. Appreciating techniques to manage internal diversity, establishing a clear policy/value statement for the agency, careful selection of the cultural awareness training facilitator, and understanding evaluation techniques, are expected outcomes.

1.0 INTRODUCTION

1.1 The executive will understand the definition of key terms and the legal basis for cultural awareness training.

1.1.1 The executive will identify the definition of key cultural awareness terms.

- A. Culture
- B. Cultural Awareness
- C. Cultural Literacy
- D. Cultural Diversity
- E. Cultural Competency

1.1.2 The executive will identify the legal basis for cultural awareness training.

- A. US Constitution
- B. California Constitution
- C. California laws
 - 1. Ralph Civil Rights Act
 - 2. Bains Civil Rights Act
 - 3. SB 2680
- D. City/County Policy
- E. Agency policy/value statement

1.1.3 The executive will identify personal leadership styles and there impact on law enforcement organizations

2.0 ORGANIZATIONAL SYSTEM ASSESSMENT

2.1 The executive will understand the elements of

an organizational system.

2.1.1 The executive will identify the elements of an organizational system.

2.2 The executive will understand their personal attitudes and beliefs about immigrant and racial groups as part of the organizational system.

2.2.1 The executive will conduct a personal assessment of their attitudes and beliefs about immigrant and racial groups as part of the organizational system.

2.3 The executive will understand the elements of an organizational system assessment.

2.3.1 The executive will review the elements of an organizational system assessment.

3.0 MANAGING ORGANIZATIONAL DIVERSITY AND THE DEVELOPMENT OF AN AGENCY CULTURAL AWARENESS PROGRAM

3.1 The executive will understand the concepts of managing organizational diversity within an organization.

3.1.1 The executive will identify major concepts of managing diversity within an organization.

3.1.2 The executive will explain the application of diversity management within their law enforcement organization.

3.2 The executive will understand the methodology utilized in the development or updating of cultural awareness policy.

3.2.1 The executive will identify the elements needed to be included in cultural awareness policy.

- A. Service orientation
- B. Requires employees to have good grasp of communities cultural diversity
- C. Includes goal of employees representative of the community

3.2.2 The executive will discuss the process for developing and updating cultural awareness policy.

- A. Case studies
- B. Process not product

C. Policy the result of department executive team

- 3.3 The executive will understand the factors involved in establishing community, political, and financial support for cultural awareness training.
 - 3.3.1 The executive will identify methods of obtaining support from city council/board of supervisors for cultural awareness training.
 - 3.3.2 The executive will identify the value of and methods for developing community support for cultural awareness training.
 - 3.3.3 The executive will describe techniques for managing change in a law enforcement organization.
 - 3.3.4 The executive will identify factors impacting the budget for cultural awareness training.
 - A. Non-personnel costs
 - B. Personnel costs
- 3.4 The executive will understand the necessity of appointing a Cultural Awareness Facilitator.
- 3.5 The executive will identify with criteria appropriate for the selection of a Cultural Awareness Facilitator.
 - 3.5.1 The executive will explain the value of the personal life view considerations of the Cultural Awareness Facilitator.
 - A. Candidate is personally and professionally growing
 - B. Candidate has good interpersonal communication skills
 - C. Candidate is aware of self and comfortable with personal identity
 - 3.5.2 The executive will define other factors to consider in the selection of the Cultural Awareness Facilitator.
 - A. Voluntary participation in cross-cultural awareness activities
 - B. Knowledge or potential for cross-cultural communication
 - C. Self-confident
 - D. Training background

- E. Respected inside organization and community
- F. Demonstrates concern for others
- G. Executive has confidence in and will give access to

3.5.3 The executive will review the structure of the training course to be provided to the Cultural Awareness Facilitator.

- A. Expanded course outline for Phase II Training
- B. Expanded course outline for Phase III Training

4.0 EVALUATION OF AGENCY CULTURAL AWARENESS PROGRAM

4.1 The executive will understand the major components and methods of evaluating an agency cultural awareness program.

4.1.1 The executive will identify major components that could be used for evaluation.

- A. Discourtesy complaints
- B. Lawsuits
- C. Minority recruiting
- D. EEO complaints
- E. Officer safety

4.1.2 The executive will identify program evaluation methods.

- A. Time series comparison
- B. Key person interviews
- C. Survey questionnaires

ACTIVITIES TO BE UNDERTAKEN BEFORE THE CULTURAL AWARENESS FACILITATOR TRAINING COURSE

1. The executive should initiate a management conference to begin the development or refinement of the agency policy on cultural awareness and/or agency value statement.
2. The executive should, considering the selection criteria, appoint a member of the agency to the position of Cultural Awareness Facilitator.
3. The executive should initiate an organizational system assessment.

ATTACHMENT D

CULTURAL AWARENESS FACILITATOR TRAINING

This course is designed as a "train the trainer" course. It is expected that the chief executive officer, as a result of their training, will carefully appoint an officer to the position of Cultural Awareness Facilitator. This course is designed in two parts. The first, taking place in a class room setting, will include elements of culture that need to be considered, communication skills, agency assessment and evaluation techniques, how to inventory the community, and how to select a training partner from immigrant and racial groups to work with the agency in the development of their training plan.

A majority of the second part of the training will take place at the agency and in the community. The Cultural Awareness Facilitator will conduct an agency and community assessment, select a Community Training Mentor, train that Mentor, and design a local training plan. The Facilitators will then return to class where key training plans will be presented and evaluated.

PART A

1.0 INTRODUCTION

1.1 The student will understand the definition of key terms and the legal basis for cultural awareness training.

1.1.1 The student will identify the definition of key cultural awareness terms.

- A. Culture
- B. Cultural Awareness
- C. Cultural Literacy
- D. Cultural Diversity

1.1.2 The student will identify the legal basis for cultural awareness training.

- A. US Constitution
- B. California Constitution
- C. California Laws
 - 1. Ralph Civil Rights Act
 - 2. Bains Civil Rights Act
 - 3. SB 2680
- D. City/County Policy
- E. Agency Policy/Value Statement

1.2 The student will understand the need to treat all people with dignity and respect.

1.2.1 The student will identify the importance of treating all people with dignity and respect.

- A. Golden Rule
- B. Law Enforcement Ethics
- C. Right Thing To Do
- D. Safer and Easier for Officer

2.0 ELEMENTS OF CULTURES

2.1 The student will understand elements common to all cultures and the complexity of those elements.

2.1.1 The student will identify components of cultural that will minimally include:

- A. History
 - 1. Geography
 - 2. Intercultural dynamics
 - a. Past
 - b. Present
 - 3. Gender dynamics
- B. Customs
 - 1. Art
 - 2. Music
 - 3. Food
 - 4. Ceremony
 - 5. Family
- C. Religion
 - 1. Practices
 - 2. Dress
- D. Values
 - 1. Biases
- E. Language
 - 1. Slang
 - 2. Trigger words
- F. Law Enforcement
 - 1. Attitudes toward law enforcement in native country
 - 2. Attitudes toward California law enforcement

2.1.2 The student will understand the differences between generations of immigrants and types of immigrant and racial groups in California.

- A. First Generation
- B. Second Generation
- C. Third Generation

- D. Refugees
- E. Undocumented

2.2 The student will understand the process of acculturation and assimilation.

2.2.1 The student will understand the elements of acculturation

- A. How a culture is formed
- B. Environment
- C. Human activity

2.2.2 The student will understand the elements of assimilation

2.3 The student will understand the dynamics of change.

2.3.1 The student will understand the elements of organizational change

- A. System readiness for change
- B. Process of change
- C. Roles in the change process
- D. Handling resistance

3.0 IMMIGRANT AND RACIAL GROUPS IN CALIFORNIA

3.1 The student will be familiar with the various immigrant and racial groups in California and their immigration patterns.

3.1.1 The student will identify immigrant and racial groups in California, this will minimally include:

- A. Asian/Filipino, Pacific Islander
- B. Black/African American
- C. Hispanic - Latino - Chicano
- D. Anglo - White
- E. American Indians/Native American
- F. Middle Eastern
- G. Eastern Europe
- H. Caribbean

3.1.2 The student will identify the historical and projected immigration and racial patterns of California.

3.2 The student will become familiar with the methodology of identifying immigrant and racial patterns within an agency jurisdiction.

- 3.2.1 The student will define the immigrant and racial patterns within an agency's jurisdiction.
- 3.2.2 The student will define the immigrant and racial patterns of employment within the agency and the city or county government of the agency.

4.0 COMMUNICATIONS SKILLS

- 4.1 The student will learn basic communication skills to effectively communicate with immigrant and racial groups.
 - 4.1.1 The student will discuss personal communication skills.
 - A. Knowledge of personal communication style
 - B. Active listening skills
 - C. Verbal and non-verbal communications
 - D. Non-combative communications
 - 4.1.2 The student will identify elements of cultural communication.
 - A. Cultural communication differences
 - 1. "In-group privileges"
 - 2. Inappropriate use by outsiders
 - B. Elements of Cultural Conflict Management
- 4.2 The student will learn specific communications skills needed in a classroom to effectively communicate with students.
 - 4.2.1 The students will identify various classroom communication skills.
 - A. How to Give and Receive Information Without Becoming Emotionally Involved
 - B. How to Take Negative Energy From a Student as a Request for More Information
 - C. How to Give and Receive Effective Feedback
 - D. Group Dynamics
 - E. How to Establish Rapport With the Class

5.0 PERCEPTION TECHNIQUES

5.1 The student will understand the factors involved in developing one's perceptions, feelings, biases and thoughts as they relate to immigrant and racial differences.

5.1.1 The student will discuss how perceptions are developed.

- A. Past Experiences
- B. Maturity
- C. Mental Condition
- D. Emotional Involvement
- E. Physical Condition
- F. Environmental Conditions Present
- G. Training
- H. Cultural and Ethnic Background
- I. Personal Prejudices and Biases

5.1.2 The student will explain an analysis of the development of self-cultural perception.

- A. Understanding the Development of One's Culture
- B. How to Put a Professional Face on Personal Culture

5.1.3 The student will explain why perceptions are neither right nor wrong.

- A. One's Perception is One's Reality
- B. Others' Perception is Their Reality

6.0 CULTURAL EXPERIENCES

6.1 The student will understand the benefits of experiencing direct and simulated interaction with various immigrant and racial groups in the community.

6.1.1 The student will identify the benefits of personal interaction with representatives of immigrant and racial groups.

6.1.2 The student will identify methods for interaction and simulation with immigrant and racial groups.

- A. Methods for Simulation
 - 1. Videotapes
 - 2. Simulation games
 - 3. Computer-based training

- 4. Interactive videodisc
- B. Methods for Interaction

7.0 HATE CRIMES AS THEY RELATE TO IMMIGRANT AND RACIAL GROUPS

7.1 The student will understand the potential for immigrant and racial groups to be victims of hate crimes.

7.1.1 The student will identify reason why immigrant and race groups are targets for hate crime.

- A. Perceived threats
- B. Stereotyping

7.1.2 The student will identify special considerations for the investigation of hate crimes.

- A. Observations (appearance, clothing, language, ethnicity of victim and perpetrator, non-verbal behavior)
- B. Body Language
- C. Community Dynamics
- D. Circumstances
- E. Neighborhood - Turf

7.2 The student will learn of current legal issues concerning hate crime.

7.2.1 The student will identify and discuss current case law concerning hate crime.

7.2.2 The student will discuss new laws concerning hate crimes.

8.0 COMMUNITY SURVEYING

8.1 The student will understand methods for gathering information about immigrant and racial groups in the community and how to develop a Cultural Awareness Needs Assessment.

8.1.1 The student will identify organizations and institutions in the agency jurisdictions that could be used to develop a Cultural Awareness Needs Assessment and as training resource.

- A. Organizations That Exist in the Community
 - 1. Community organizations

- 2. Human relations commissions and associations
- 3. Religious organizations
- B. Business Community
 - 1. Chambers of commerce
 - 2. Labor unions
 - 3. Trade associations
- C. Units of Government
 - 1. Public and private schools
 - a. Local school districts
 - 1) District offices for demographics
 - 2) Local schools for diversity activities
 - b. Universities
 - 1) Research and data resources
 - 2) Faculty and students as resources
 - 2. Planning departments
 - 3. Public information officers
 - 4. Bureau of Census
 - 5. Recreation departments
 - 6. Bureau of Indian Affairs

8.1.2 The student will identify the methods of developing a Cultural Awareness Needs Assessment.

- A. Agency
 - 1. Survey agency employees to identify local training needs
- B. Community
 - 1. Community's perceptions of law enforcement
 - 2. Development of community support for training
- C. Survey Methodology
 - 1. How to develop community role/expectations
 - 2. Survey development
 - 3. Interview techniques (key person, round table, focus groups, telephone)
- D. Development and Use of Community Training Mentor

8.1.3 The student will describe the benefits to the community for participation with the agency training program.

- A. Increase safety for neighborhoods

- B. Improved communications with law enforcement

9.0 COMMUNITY TRAINING MENTORS

9.1 The student will understand the criteria for the selection of a Community Training Mentor.

9.1.1 The student will describe the criteria for the selection of a Community Training Mentor including:

- A. Formal community leaders
- B. Informal community leaders
- C. Prior experience working with law enforcement agency
- D. Prior training experiences

10.0 TRAINING OF COMMUNITY TRAINING MENTORS

10.1 The student will learn the elements of a training process for the Community Training Mentors from immigrant and racial communities.

10.1.1 The student will identify training elements needed for the Community Training Mentor.

- A. Agency familiarization
- B. Agency policy (cultural awareness, affirmative action, values)
- C. Based on background knowledge of Community Training Mentors, those portions of Phase II that are needed.
- D. Agency Training Plan
- E. Communications skills
- F. Instructional strategies and resources

11.0 AGENCY CULTURAL AWARENESS TRAINING PLAN

11.1 The student will understand the need for a Cultural Awareness Training Plan and how its various components relate to all immigrant and racial groups.

11.1.1 The student will identify the following as minimum components of a Cultural Awareness Training Plan:

- A. Agency policy/value statement
- B. Principles of perception

11.1.2 The student will identify the following sub-components for Cultural Awareness Training Plan.

- A. Elements of culture
 - 1. History
 - 2. Customs
 - 3. Religion
 - 4. Values
 - 5. Language
 - 6. Attitudes toward law enforcement
- B. Differences between generations and types of immigrant and racial groups
 - 1. First, second, and third generation immigrants
 - 2. Refugees
 - 3. Undocumented immigrants
- C. Patterns of immigration and racial employment in the agency and local government
- D. Demography within the agency jurisdiction

11.2 The student will understand the need for personal communication skills and cultural communications to be included in the Cultural Awareness Training Plan:

11.2.1 The student will identify personal communication skills.

- A. Knowledge of personal communication style
- B. Active listening skills
- C. Verbal and non-verbal communications
- D. Non-combative communications

11.2.2 The student will identify elements of cultural communication.

- A. Cultural communication differences
 - 1. "In-group privileges"
 - 2. Inappropriate use by outsiders
- B. Elements of cultural conflict management

11.3 The student will understand issues impacting agency cultural awareness training.

11.3.1 The student will describe the following issues that could impact agency cultural awareness training.

- A. Support of agency executive as expressed

- by agency policy/value statement
- B. Political influence of minority groups
- C. Percentage of police contacts where cultural diversity is a factor
- D. Minority employee associations and their ability to influence agency policy
- E. Agency history in dealing with immigrant and racial groups
- F. Level of resistance to cultural awareness training likely to be encountered within the agency at various levels of the organization

11.4 The student will identify methods to evaluate an agency Cultural Awareness Training Plan.

11.4.1 The student will identify major components that could be used for evaluation of the agency Cultural Awareness Training Program.

- A. Discourtesy Complaints
- B. Lawsuits
- C. Minority Recruiting
- D. EEO Complaints
- E. Officer Safety

11.4.2 The student will identify evaluation methods.

- A. Time Series Comparison
- B. Key Person Interviews
- C. Survey Questionnaires

12.0 INSTRUCTIONAL STRATEGIES

12.1 The student will understand various instructional strategies.

12.1.1 The student will discuss the value of the following instructional strategies.

- A. Scenarios
- B. Simulation Games
- C. Direct Experiences
 - 1. Expert panel
 - 2. Field trip
 - 3. Use of minority officer
- D. Multi-media
- E. Computer-based Training
- F. Interactive video
- G. Lecture

13.0 INTRODUCTION TO RESOURCES

13.1 The student will become familiar with human and physical resources available for cultural awareness training.

13.1.1 The student will identify human and physical resources available for cultural awareness training.

- A. Human Resources (annotated list of professionals available in California)
- B. Physical Resources (bibliography of videos, books, newsletters, and other materials available in California)
- C. Local community resources

PART B

14.0 APPLICATION OF TRAINING

14.1 The student will develop a Cultural Awareness Needs Assessment (8.1).

14.2 The student, working with the executive, will select Community Training Mentor(s) (9.0).

14.3 The student will train the Community Training Mentor(s) (10.0).

14.4 The student will develop an agency cultural awareness training plan (11.0).

15.0 PRESENTATION OF CULTURAL AWARENESS TRAINING PLANS

Selected training plans will be presented to the class and used as a basis for discussion. Plans will be chosen to demonstrate major components of the planning process.

ATTACHMENT E

CULTURAL AWARENESS TRAINING GUIDELINES

These guidelines consist of eight recommendations for law enforcement agencies to consider when designing their cultural awareness training plans. The suggestions will assist local agency executives and their cultural awareness training coordinators in the development of their training by highlighting conditions that need to be met for appropriate training to take place. The guidelines follow the principles that shaped the Cultural Awareness Training Program.

GUIDELINE #1: THE LAW ENFORCEMENT EXECUTIVE SHOULD ASSESS THE DEPARTMENT'S CULTURAL AWARENESS CONDITION. The executive needs to conduct an assessment of the condition of the law enforcement agency. Before initiating such an assessment it would be useful for the executive to closely reflect on their personal perspective about cultural diversity and their own communication style both within the organization and with the community.

- A. Determine the need for the development or revision of the agency policy/value statement relative to cultural diversity, including workplace and community.
- B. Review all training received by ALL agency personnel concerning cultural awareness, human relations, race relations and communication skills.
- C. Review cultural diversity indicators such as rudeness complaints by immigrant and racial groups, lawsuits brought by immigrant and racial members of the community, EEO complaints within the agency, and complaints by minority employee groups.
- D. Involving top management of the agency, develop an action plan to meet the needs as determined by A, B and C.

GUIDELINE #2: THE LAW ENFORCEMENT EXECUTIVE SHOULD CONSIDER THE NEED FOR TRAINING SUPERVISORS IN TECHNIQUES OF MANAGING AND SUPERVISING A DIVERSE WORKFORCE. As law enforcement agencies more and more reflect the ethnic diversity that exists in our communities it

is important to provide supervision and management techniques appropriate to this diverse workforce.

GUIDELINE #3: THE LAW ENFORCEMENT EXECUTIVE SHOULD APPOINT AN AGENCY CULTURAL AWARENESS FACILITATOR. (CAF) The law enforcement executive should have one officer who has the responsibility to monitor the need for cultural awareness training and the skills to work with the community and the agency to provide such training.

- A. Candidate should have good interpersonal communication skills, a strong sense of personal identity and demonstrated professional growth.
- B. Other considerations for the CAF include voluntary participation in cross cultural activities, cross cultural communication experience, self confidence, training experience, respect with the organization and community, demonstrated concern for others.

GUIDELINE #4: THE CULTURAL AWARENESS FACILITATOR SHOULD RECEIVE INSTRUCTION IN CULTURAL AWARENESS TRAINING PROCEDURES. These procedures should include:

- A. Elements of Cultures
 - 1) Components of culture
 - 2) Process of acculturation and assimilation
 - 3) The dynamics of cultural change
- B. Immigrant and Racial Groups in California
 - 1) Immigration and racial patterns in California
 - 2) How to determine immigration and racial patterns within their agency jurisdiction
- C. Communications Skills
 - 1) Personal communication skills
 - 2) Classroom communication skills

D. Perception Techniques

- 1) The factors involved in developing one's perception, feelings, biases and thoughts as they relate to immigrant and racial differences.

E. Cultural Experiences

- 1) The benefits of experiencing direct and simulated interaction with various immigrant and racial groups in the community

F. Hate Crimes As They Relate To Immigrant And Racial Groups

- 1) Understand the potential for immigrant and racial groups to be victims of hate crimes
- 2) Current legal issues concerning hate crimes

G. Community Sensing

- 1) Procedures for learning about immigrant and racial groups in the community
- 2) How to develop a Cultural Awareness Needs Assessment

H. Community Training Mentor (CTM)

- 1) How to select a CTM
- 2) How to train a CTM

GUIDELINE #5: THE LAW ENFORCEMENT EXECUTIVE SHOULD EVALUATE THE NEED FOR ADDITIONAL CULTURAL AWARENESS TRAINING FOR LAW ENFORCEMENT AGENCY. The law enforcement executive and the Cultural Awareness Facilitator should determine, after the various assessments and sensing the community are complete, if there are any training opportunities for the agency.

GUIDELINE #6: A TRAINING PLAN SHOULD BE DEVELOPED FOR THE LAW ENFORCEMENT AGENCY. If the evaluation in Guideline #5 indicates the need for additional training, the training plan should include, but not be limited to, the following contents:

- A. Agency policy/value statement
- B. Principles of perception
- C. Elements of culture
- D. Demography within the agency jurisdiction
- E. Patterns of immigration and racial employment in the law enforcement agency and local government
- F. Communication skills
 - 1) Personal communication skills including active listening and tactical communications
 - 2) Cultural communications including "in-group privileges" and cultural conflict management

GUIDELINE #7: CONSIDERATION SHOULD BE GIVEN TO VARIOUS TYPES OF TRAINING DELIVERY POINTS. Consideration should be given to the placement of training at the following points within the organization:

- A. Basic police academy
 - 1) Considerations for experiential training opportunities for recruit officers
- B. In-service training
 - 1) Roll call cultural literacy training
 - 3) Advanced Officer Training on cultural awareness
 - 4) Supervisory and Management training on diversity in the workplace
 - 5) In-service training for non-sworn personal on cultural awareness and literacy
 - 6) Executive staff seminars on cultural diversity in the workplace and agency policy/value statements

GUIDELINE #8: AN EVALUATION SHOULD BE DEVELOPED FOR THE AGENCY TRAINING PLAN. An evaluation component for the training program should be included during the design phase of the training plan.

- A. The agency and community assessment studies could provide baseline data. Discourtesy complaints, lawsuits, minority recruiting, EEO complaints and officer safety issues could be considered as indicators.
- B. Evaluation techniques that could be considered include time series comparisons, key person interviews and survey questionnaires of the community and agency employees.

With this outline of action taken to implement training on methods of gang and drug law enforcement, it is proposed that notification be made to the now Senator Calderon of compliance by POST to AB 2306.

RECOMMENDATION

Approve notification of Senator Calderon that appropriate action has been taken by POST to meet the requirements of AB 2306 concerning implementing gang and drug training for law enforcement.

Assembly Bill No. 2306

CHAPTER 333

An act to amend Sections 13510, 13522, and 13525 of, and to add Section 13519.5 to, the Penal Code, relating to public safety.

[Approved by Governor July 18, 1990. Filed with Secretary of State July 18, 1990.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2306, Calderon. Public safety.

Existing law requires the Commission on Peace Officer Standards and Training to develop courses for the training of peace officers.

This bill would require the commission to implement a course of instruction to provide ongoing training to the appropriate peace officers on methods of gang and drug law enforcement.

Existing law requires the Commission on Peace Officer Standards and Training to establish and enforce minimum standards relating to peace officer members of specified entities, and to public safety dispatchers of specified entities.

This bill would extend those provisions to joint powers agencies. Under existing law, any entity that desires to receive state aid from the Peace Officer's Training Fund shall make application to the commission for the aid, and requires that the initial application be accompanied by a copy of an ordinance, or in the case of the University of California and the California State University by a resolution, adopted by its governing body providing that it will adhere to the standards for recruitment and training established by the commission.

This bill would permit the original application of an agency that is not authorized to act by ordinance to be accompanied by a resolution.

The people of the State of California do enact as follows:

SECTION 1. Section 13510 of the Penal Code is amended to read 13510. (a) For the purpose of raising the level of competency of local law enforcement officers, the commission shall adopt, and from time to time amend, rules establishing minimum standards relating to physical, mental, and moral fitness, which shall govern recruitment of any city police officers, peace officer members of county sheriff's office, marshals or deputy marshals of a municipal court, reserve officers as defined in subdivision (a) of Section 83, policemen of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Governm

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— 2 —

Code, regularly employed and paid inspectors and investigators of a district attorney's office as defined in Section 830.1 who conduct criminal investigations, or peace officer members of a district, in any city, county, city and county, or district receiving state aid pursuant to this chapter, and shall adopt, and may, from time to time amend, rules establishing minimum standards for training of city police officers, peace officer members of county sheriff's offices, marshals or deputy marshals of a municipal court, reserve officers as defined in subdivision (a) of Section 830.6, policemen of a district authorized by statute to maintain a police department, peace officer members of a police department operated by a joint powers agency established by Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, regularly employed and paid inspectors and investigators of a district attorney's office as defined in Section 830.1 who conduct criminal investigations, and peace officer members of a district which shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. Those rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1, of Division 3 of Title 2 of the Government Code.

(b) The commission shall conduct research concerning job-related educational standards and job-related selection standards, to include vision, hearing, physical ability, and emotional stability. Job-related standards which are supported by this research shall be adopted by the commission prior to January 1, 1985, and shall apply to those peace officer classes identified in subdivision (a). The commission shall consult with local entities during the conducting of related research into job-related selection standards.

(c) For the purpose of raising the level of competence of local public safety dispatchers, the commission shall adopt, and may, from time to time amend, rules establishing minimum standards relating to the recruitment and training of local public safety dispatchers having a primary responsibility for providing dispatching services for local law enforcement agencies described in subdivision (a), which standards shall apply to those cities, counties, cities and counties, and districts receiving state aid pursuant to this chapter. These standards shall also apply to consolidated dispatch centers operated by an independent public joint powers agency established pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code when providing dispatch services to the law enforcement personnel listed in subdivision (a). Those rules shall be adopted and amended pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. As used in this section, "primary responsibility" refers to the performance of law enforcement dispatching duties for a minimum of 50 percent of the time worked within a pay period.

(d) Nothing in this section shall prohibit a local agency from

establishing selection and training standards which exceed the minimum standards established by the commission.

SEC. 2. Section 13519.5 is added to the Penal Code, to read:

13519.5. The commission shall, on or before July 1, 1991, implement a course or courses of instruction to provide ongoing training to the appropriate peace officers on methods of gang and drug law enforcement.

SEC. 3. Section 13522 of the Penal Code is amended to read:

13522. Any city, county, city and county, or district which desires to receive state aid pursuant to this chapter shall make application to the commission for the aid. The initial application shall be accompanied by a certified copy of an ordinance, or in the case of the University of California, the California State University, and agencies not authorized to act by ordinance, by a resolution, adopted by its governing body providing that while receiving any state aid pursuant to this chapter, the city, county, city and county, or district will adhere to the standards for recruitment and training established by the commission. The application shall contain any information the commission may request.

SEC. 4. Section 13525 of the Penal Code is amended to read:

13525. Any city, county, city and county, district, or joint powers agency which desires to receive state aid pursuant to this chapter for the training of regularly employed and paid local public safety dispatchers, as described in subdivision (c) of Section 13510, shall include that request for aid in its application to the commission pursuant to Sections 13522 and 13523.

Commission on Peace Officer Standards and Training

8.50.0 GANG AWARENESS

KD38 Learning Goal: The student will understand the characteristics and importance of recognizing gangs as they apply to officer safety and investigation of criminal activity. (9-1-89)

PERFORMANCE OBJECTIVES

- 80%
2 8.50.1 The student will identify the following types of gangs which represent law enforcement concerns: (9-1-89)
- A. Street gangs
 - B. Motorcycle gangs
 - C. Prison gangs
 - D. Cult/ritualistic gangs
- 70%
2 8.50.2 The student will identify the following primary reasons for gang membership: (9-1-89)
- A. Peer pressure
 - B. Common interest
 - C. Protection/safety
- 70%
2 8.50.3 The student will identify the following characteristics which are common to most gangs: (9-1-89)
- A. Cohesiveness
 - B. Code of silence
 - C. Rivalries
 - D. Revenge
- 80%
2 8.50.4 The student will identify the following methods which gangs use to distinguish their members from members of other gangs. (9-1-89)
- A. Tattoos
 - B. Attire and accessories
 - C. Use of monikers
 - D. Use of hand signs
- 80%
2 8.50.5 The student will identify the following gang graffiti factors as significant to law enforcement operations: (9-1-89)
- A. Identifying individuals and/or a specific gang
 - B. Identifying gang boundaries
 - C. Indications of pending and/or past gang conflicts

Commission on Peace Officer Standards and Training

- 80%
2 8.50.6 The student will identify the following types of criminal activities as those commonly engaged in by gangs: (9-1-89)
- A. Sale and use of narcotics
 - B. Physical violence
 - C. Auto theft/burglary from vehicles
- 70%
2 8.50.7 The student will identify law enforcement methods used to reduce gang activity. These include: (9-1-89)
- A. Identification of gang activity
 - B. Coordination with allied agencies
 - C. Reduction of the opportunity for criminal activities

STREET GANG ADVISORY COMMITTEE

Sergeant Ernest Owen
Sacramento County Sheriff's Dept.
Main Jail
651 I Street
Sacramento, CA 95814
(916) 455-5310

Sergeant Scott Reese
California Highway Patrol
2555 First Avenue
Sacramento, CA 95818
(916) 445-0752

Lucy Quarry, G.I.C.
California Youth Authority
3001 Ramona Avenue
Sacramento, CA 95826
(916) 739-2067

Sergeant Al Lerche
Alameda County Sheriff's Dept.
15001 Foothill Boulevard
San Leandro, CA 94578
(415) 667-3653

Officer Guy Bernardo
San Jose Police Department
201 West Mission Street
San Jose, CA 95110
(408) 277-4345

Investigator Tom Baxter
Inglewood Police Department
#1 Manchester
P.O. Box 6500
Inglewood, CA 90301
(213) 412-5337

Sergeant Ignatius Chinn
Oakland Police Department
455 7th Street, Room 232
Oakland, CA 94607
(415) 273-3951
(415) 430-4899

Detective Bertrum Sorenson
Metro G.V.S./Gang Investigations
Long Beach Police Department
400 West Broadway
Long Beach, CA 90802
(213) 420-3108 Office
(213) 420-6409 Desk Phone

Lieutenant Tony Argott
Men's Central Jail
Los Angeles County Sheriff's Dept.
441 Bauchet
Los Angeles, CA 90012
(213) 974-4916

Detective Robb Hurt
San Diego Police Department
Training & Development Division
1401 Broadway
San Diego, CA 92101
(619) 531-2626

Senior Investigator Richard W. Pena
Buena Park Police Department
6650 Beach Boulevard
Buena Park, CA 90622
(714) 521-9352, Ext 158

Sergeant Anthony Coultress
San Joaquin County Sheriff's Dept.
222 E. Weber Avenue
P.O. Box 201058
Stockton, CA 95201
(209) 944-2141

Sergeant Daniel Foley
Intelligence/Gang Task Force
San Francisco Police Department
850 Bryant Street
San Francisco, CA 94103
(415) 553-9081

Detective Sergeant Robert Jackson
Los Angeles Police Department
150 N. Los Angeles Street
P.O. Box 30158
Los Angeles, CA 90012
(213) 458-2501

David Tolford, Senior Investigator
Riverside Co. District Attorney's
Office
Juvenile Court Building
9991 County Farm Road, #200
Riverside, CA 92503
(714) 358-4140

Donna J. Waldrop
Advanced Training Center
Department of Justice
4949 Broadway
Sacramento, CA 95820
(916) 739-5202

Sergeant John Powell
Career Criminal Detail
San Bernadino County Sheriff's Dept.
655 East 3rd Street
San Bernadino, CA 92415
(714) 387-3544

Lieutenant Carlos Mestas
Fresno County Sheriff's Department
Area 2
5717 E. Shields Avenue
Fresno, CA 93727
(209) 292-1126

Deputy Ed Lupo
Lompoc Sub Station
Santa Barbara Co. Sheriff's
Department
751 Burton Mesa Road
Lompoc, CA 93436
(805) 737-7737 (W)
(805) 736-6481 (H)

Sergeant Wesley McBride
Juvenile Operations Bureau
Los Angeles County Sheriff's
Department
11515 So. Colima Road
Whittier, CA 90604
(213) 946-7916

Jerry Marynik
DOJ Administrator I
Bureau of Organized Crime &
Criminal Intelligence
P.O. Box 903357
Sacramento, CA 94203-3570
(916) 739-5678

Commission on Peace Officer Standards and Training

Expanded Course Outline
A 24-Hour Train-the-Trainer
Gang Awareness Course

OBJECTIVES:

The student will be able to instruct law enforcement personnel on the history, characteristics, structure and dynamics of street gang members and their associates.

The student will be familiar with specific attributes of groups such as:

Black Street Gangs
Hispanic Gangs
Asian Gangs
Prison Gangs
Outlaw Motorcycle Gangs

The student will be able to demonstrate the application of the knowledge on gang awareness to enhance officer safety.

**TRAIN-THE-TRAINER
GANG AWARENESS COURSE**

- I. Introduction and Overview
- A. History of Gang
1. Street Gangs
 2. Asian Gangs
 3. Outlaw Motorcycle Gangs
 4. Skinheads
 5. Prison Gangs
- B. Gang Dynamics
1. Structure and characteristics
 2. Gang Sociology
- C. Problems Today
1. Criminal Activity
 2. Drugs
 3. Mobility
 4. Officer Safety
 5. Lack of complete Documentation
 6. Counterintelligence

II. Street Gangs

A. Crips and Bloods

1. Identification characteristics
 - a. Predominate color worn
 - b. Clothing
 - c. Gang Jargon/slang
 - d. Graffiti
 - (1) Handsigns
 - (2) etc.
 - e. Nicknames
 - f. Profiling of gang members
 - g. Gang identity/recognition
 - h. Organization and structure
2. Areas of operation/local group
3. Criminal Activities
 - a. Gang violence
 - (1) Drive-by shootings
 - (2) Weapons
 - (3) Enforcement
 - (4) Rivalries
 - (5) Revenge
 - (6) Witness Intimidation
 - b. Drugs
 - (1) Sales
 - (a) Street corners
 - (b) Rock houses
 - (c) Apartments
 - (d) Hotels/motels
 - (2) Trafficking
 - (a) Cellular phones/pager
 - (b) Multiple forms of transportation
 - (c) Caravaning
 - (d) Intra-/interstate implications
 - c. Other criminal activities
 - (1) Jewelry store robberies
 - (2) Auto and truck theft
 - (3) Weapons thefts and sales
 - (4) Witness intimidation

B. Hispanic Gangs (Mexican Gangs)

1. Identification Characteristics
 - a. Territorial
 - (1) State
 - (2) Local
 - b. Graffiti
 - c. Handsigns
 - d. Monikers
 - e. Tattoos
 - f. Clothing
 - g. Calo - Gang Jargon
2. Structure
 - a. Traditional

- b. Allegiance/protection
- c. Pride
- d. Cliques
- 3. Criminal Activities
 - a. Substance Abuse
 - (1) Alcohol/Marijuana
 - (2) PCP
 - (3) Heroin
 - (4) 381 P.C. (Inhaling Glue)
 - (5) Crack/cocaine
 - b. Gang Violence
 - (1) Drive-by shootings
 - (2) Weapons
 - (3) Vendetta
 - (4) Rivalries
 - (5) Witness Intimidation
 - c. Other Criminal Activities
 - (1) Auto Thefts
 - (2) Burglaries
 - (3) Robberies

III. Asian Gangs

A. Chinese Gangs

- 1. Organized Structure
 - a. Big Brother
 - b. Little Brother
 - c. Kids
- 2. Criminal Activities
 - a. Gambling
 - b. Loan Sharking
 - c. Extortion
 - d. Importation of Heroin
 - e. Alien Smuggling
 - f. Prostitution
 - g. Bookmaking
 - h. Residential Robberies
 - i. Drug Abuse
- 3. Triads
 - a. Historical development
 - b. Criminal syndicates
 - (1) Traditional structure of a triad
 - (2) Recruitment
 - (3) Ritual and ceremonies
 - c. Hong Kong
 - (1) Triad in Hong Kong-crime connections in the US
 - (2) 1997 exodus of Triad members to the US
 - (3) US immigration policy
 - d. Taiwan's United Bamboo
 - e. Narcotics trafficking
 - f. Triad in the US
 - g. Triad in California
 - (1) Organized crime activities

- (2) National and international crime connections
 - (3) Wah Ching's gambling
 - 4. Ethnic Chinese youths from South East Asia involved in criminal activities
 - a. Organized Structure
 - b. Criminal Activities
 - (1) Ruthless
 - (2) Medical Fraud
 - (3) Insurance Fraud
 - (4) Residential Robberies
 - (5) Business Robberies
 - (6) Car Theft
 - (7) Extortion
- B. Vietnamese, Cambodians, Laotians, and Hmong.
- 1. Cultural Differences
 - 2. Organized Structure
 - 3. Assimilation with established American street gangs
 - 4. Language problems
 - a. Interpretation
 - b. Translation
 - 5. Police problems
 - a. Name reversal
 - b. Means of basic communication
 - 6. Criminal Activities
 - a. Generally commit their crimes against other Asians/Oriental
 - b. Residential Robberies
 - c. Business Robberies
 - d. Extortion
 - e. Illegal currency transactions
 - f. Murder
 - g. Weapons possession
 - h. Protection rackets
 - i. Assaults
 - j. Witness intimidation
 - k. Auto theft
- C. Koreans
- 1. Organized Structure
 - 2. Criminal Activities
 - a. Within Korean community
 - b. Extortion
 - c. Residential Robberies
 - d. Business Robberies
- D. Narcotics use and trafficking
- 1. Narcotic smuggling
 - a. Golden Triangle
 - (1) Opium and Morphine
 - (a) Production, cultivation,

- laboratories/refineries, processing
 - (b) Logistics and export to the US
 - (c) Smuggling of Southeast Asian heroin to the US
 - b. Hong Kong
 - (1) Heroin laboratories
 - (2) Major international drug market
 - c) Hmong
 - (1) Opium production/smuggling
 - (2) Methods of opium concealment
 - (3) Mail routing to the US
 - E. Organized crime groups
 - 1. National and international crime connections
 - 2. Street Gang
 - F. US Indochinese Refuge Resettlement Program and Policy
 - G. Demographics and mobility of gang members
 - H. Profiling gang members
- IV. Outlaw Motorcycle Gangs
- A. Hells Angels
 - 1. Very Structured
 - a. Local chapters
 - b. National organization
 - c. International connections
 - d. Hierarchy of chapter officers
 - 2. Criminal activities
 - a. Manufacture and distribution of methamphetamine
 - b. Auto theft
 - c. Chop shops
 - d. Witness intimidation
 - e. Contract murders
 - f. Revenge murders, both within and outside of the club
 - g. Firearms and explosives
 - h. Business infiltration
 - i. Money laundering
 - B. Other outlaw motorcycle gangs
 - 1. Vagos
 - 2. Bandidos
 - 3. Hessians
 - C. Lifestyle
 - 1. Gang "colors"
 - 2. Tattoos

Commission on Peace Officer Standards and Training

3. Motorcycles
4. Clubhouses
5. Women's role -- male dominance

D. Gangs allies, enemies, and counter-intelligence operations

1. Local, national, international connections
2. White supremacist philosophy
3. Counter-intelligence operations

E. Run Enforcement

1. Tactical operations
2. Officer safety

V. Skinheads

A. Unorganized/relatively small in numbers

1. Young whites
 - a. Shaven heads or extremely short haircuts
 - b. Involved with heavy metal rock bands
 - c. Dress style
 - d. Tattoos/graffiti
2. Philosophy
 - a. Hatred for Jews, Blacks, and Homosexuals
 - (1) Recruitment into white supremacist and separatist organization
 - (a) Aryan Nation
 - (b) White Aryan Resistance
 - (c) White Student Union/Aryan Youth Movement
 - (d) Ku Klux Klan
 - (2) Literature
3. Criminal activities
 - a. Vandalism
 - b. Robbery
 - c. Grand Theft Auto
 - d. False imprisonment
 - e. Possession of illegal weapons
 - f. Possession of explosives
 - g. Battery
 - h. Assault
 - i. Assault with a deadly weapon
 - j. Conspiracy to commit murder
 - k. Murder
 - l. Thrill killings
4. Propensity for violence/may become organized

VI. Prison Gangs

A. Introduction

1. Evolution

Commission on Peace Officer Standards and Training

2. Organizational structure/leadership (prison vs street)
3. Recruitment
4. Alliance with street gangs
5. Criminal activities
6. Weapons (prison vs street)
7. Tattoos
8. Graffiti
9. Slang
10. Drawings

B. Mexican Mafia (South)

1. East LA or other large metropolitan area
2. Align with the Aryan Brotherhood
3. Sophisticated

C. Aryan Brotherhood

1. Whites only
2. Align with the Mexican Mafia (EME)
3. Known to assault staff

D. Nuestra Familia (North)

1. Rural areas or small towns
2. Align with Black Guerrilla Family
3. Appears to be disorganized since RICO
4. Norteno Movement

E. Black Guerrilla Family

1. Blacks only
2. Align with Nuestra Familia
3. Most radical/philosophical background/political factors
4. Known to assault staff

F. Others

1. Crips/Consolidated Crips Organization
2. Bloods/United Bloods Nation
3. Texas Syndicate
4. Vanguard

VII. Crime prevention Programs

VIII. Specialized prosecution

A. Gang prosecution versus individual predatory crimes

IX. Reasons for documenting all contacts with, known or suspected gang members

Commission on Peace Officer Standards and Training

- A. Identify gang problems
 - 1. Members
 - 2. Associates
 - 3.
- B. Solve crimes
 - 1. Members
 - 2. Associates
 - 3. Vehicles
 - 4. Turf
- C. Successful prosecution
 - 1. Use of information or evidence that may otherwise not be used.
 - 2. Use of Special Prosecutor
 - 3. Revocation of parole or probation
- D. Special Laws
 - 1. 467 P.C. (Intent to commit great bodily harm)
 - 2. 182 P.C. (Conspiracy)
 - 3. 32 P.C. (Accessory)
- E. Methods
 - 1. Field Interrogation
 - 2. Crime Reports
 - 3. Arrest Reports
 - 4. Photos
 - a. Line-up quality
 - b. Depicting tattoos
 - c. graffiti
 - 5. Probation Report
 - 6. Written Intelligence reports
- X. Resources
 - A. GREAT (Gang Reporting, Evaluation and Tracking)
 - B. OSS (Operation Safe Street)
 - C. CRASH (Community Resources Against Street Hoodlums)
 - D. SANE (Substance Abuse and Narcotics Education)
 - E. DARE (Drug Abuse Resistance Education)
 - F. BOCCI (Bureau Of Organized Crime, DOJ)
 - G. Community based organization

Commission on Peace Officer Standards and Training

- H. WSIN (Western States Information Network)
 - I. GIN/GISU (CYA) (Gang Information Network/Gang Information Service Unit)
 - J. PGTF (Prison Gang Task Force)
 - K. Gang Investigators' Associations
 - L. CDC/SSU (California Dept of Corrections/Special Services Unit)
 - M. SMASH (San Bernardino Movement Against Street Hoodlums)
- XI. Officer Safety Considerations.
- A. Common Sense
 - B. Be aware
 - C. Risk assessment
 - D. Mental attitude

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INSTRUCTOR TRAINING PROGRAM
GANG AWARENESS COURSE

HOURS	DAY 1	DAY 2	DAY 3
0800-0900	REGISTRATION/ ORIENTATION	OUTLAW MOTOR- CYCLE GANGS	DOCUMENTATION
0900-1000	HISPANIC GANGS	OTHER GANGS (I.E. STONER, SKINHEAD)	METHODS
1000-1100		PRISON GANGS	
1100-1200			RESOURCES
1200-1300	LUNCH BREAK		
1300-1400	BLACK GANGS	ASIAN GANGS	OFFICER SAFETY
1400-1500			
1500-1600			
1600-1700			TESTING AND COURSE EVALUATION

COMMENTS:

MEMORANDUM

To : POST Commissioners Date: July 18, 1991

Ronald Lowenberg, Chairma
Accreditation Committee
From : Commission on Peace Officer Standards and Training

Subject : REPORT OF THE ACCREDITATION COMMITTEE

The Committee met in Huntington Beach on June 19, 1991 at 10:00 a.m. Present were myself and committee members Don Forkus (Advisory Committee), Ray Johnson (CPOA), Karel Swanson (CPCA), Gary White (PORAC), and Ed Williams (CSSA). Also present were Deputy Director Glen Fine and Bureau Chief Mike DiMiceli.

Visitors present were:

Jerry Hallanger (LAPD)
Jack Healy (CHP)
Fran Hickman (LAPD)
Ed McErlain, Huntington Beach P. D.
Ted Mertens, L. A. County Chiefs' Association

The Committee discussed the 1989 study of accreditation and agreed that the present study should expand upon the program developed initially in 1989.

The Committee further agreed that a stable funding source is necessary to support an accreditation program, and that the Driver Training Fund and Peace Officer Training Fund are the most reasonable sources of funding.

Finally, the Committee agreed to communicate with the various professional and labor organizations about the accreditation study and to include the information gained in a model accreditation program. A proposal for an accreditation program should be included in the Commission's response to the Legislature on the Rodney King incident.

Further work by the Committee will be scheduled following the Commission's discussion of the study at this meeting.

Minutes of the committee meeting are included at this tab.

The Committee adjourned at 1:30 p.m.

POST Committee on Accreditation
June 19, 1991
Huntington Beach Police Department

MINUTES

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman Ron Lowenberg.

ACCREDITATION COMMITTEE MEMBERS

Present: Ron Lowenberg, Commissioner
Don Forkus, Advisory Committee
Ray Johnson, California Peace Officers' Association
Karel Swanson, California Police Chiefs' Association
Gary White, Peace Officers Research Assoc. of Calif.
Ed Williams, Calif. State Sheriffs' Association

Absent: Dan Lungren, Commissioner
Dick Moore, Commissioner
Floyd Tidwell, Commissioner

POST staff present:

Mike DiMiceli, Bureau Chief, Management Counseling
Services
Glen Fine, Deputy Executive Director

Visitors present:

Jerry Hallanger, Los Angeles Police Department
Jack Healy, California Highway Patrol
Fran Hickman, Los Angeles Police Department
Ed McErlain, Huntington Beach Police Department
Ted Mertens, Chief, Manhattan Beach Police Department

DISCUSSION OF 1988/89 ACCREDITATION STUDY

Chairman Lowenberg briefly reviewed the resource material for the meeting and the purpose of the committee.

Chief Swanson described the 1988/89 study of accreditation. Members of the committee commented on the earlier work and the present study, from the perspective of the organization they represent:

- * Williams (CSSA) - concept and previous work is good. The original program was limited to police and sheriff's departments and some concern remains that to add other agencies will create a cumbersome program. Other agencies may be added after the program is established.

- * White (PORAC) - PORAC is interested in the concept and ready to reconsider support for an accreditation program.
- * Forkus (Advisory Committee) - support for the concept continues. Local agencies will need outside assistance to solve problems and prepare for an accreditation review.
- * Johnson (CPOA) - current time is right for renewing a proposal for an accreditation program. Committee should be aware of continuing pressure to join the CALEA program and of interest in accreditation from other law enforcement agencies.

DISCUSSION OF THE PRESENT STUDY

The discussion of the present study of accreditation included the following points:

- * An accreditation program will require a stable funding source to avoid an annual debate about funding from the State General Fund. The Driver Training Fund and the POTF seem, initially, to be the most logical funding source. At the same time, care must be taken not to jeopardize POST reimbursement funding to obtain support for accreditation.
- * The committee should revisit the principles upon which the 1989 program was based. The 1989 model program was developed, in part, as a defensive reaction to the pressure to approve national accreditation. Original principles upon which the program was based should be confirmed and new principles (i.e., shared costs) should be examined and included in a new program, as appropriate.
- * Because California law enforcement remains, for the most part, reluctant to participate in the CALEA program, the committee should focus the present study on expanding the 1989 concept and model program.
- * A voluntary program is important, as is a mechanism to ensure timely participation in accreditation, especially as local conditions may exert pressure on an individual agency to become accredited.

CONSENSUS OF THE COMMITTEE

At the conclusion of the open discussion, the committee reached consensus that it should:

- * move forward with the 1989 model program, modifying it as necessary to reflect current principles and needs;
- * report on the committee's work to the organizations that are represented and present the reactions to a California accreditation program at a later meeting of the committee;
- * develop a strategy to approach the Legislature to secure stable funding for the program;
- * keep labor organizations (PORAC, ALADS, LAPPL, etc.) informed about the study and development of a proposal for an accreditation program; and,
- * include a proposal for an accreditation program in the Commission's response to the Legislature on the Rodney King incident.

The Chairman will report on the committee's work at the July Commission meeting. Future committee meetings to continue the accreditation study will be announced after the Commission has considered the issue.

ADJOURNMENT

The committee adjourned at 1:30 pm.

Commission on Peace Officer Standards and Training
Legislative Review Committee
Thursday, July 18, 1991, 9:00 a.m.
Marriott Mission Valley
Meeting Room - Santa Fe 4
San Diego, CA

AGENDA

- | | <u>Attachment</u> |
|--|-------------------|
| 1. New Bill - SB 1261 (Davis) Peace Officer Disqualification | A |
| 2. New Bill - SB 1053 (Robbins) Emergency Medical Service Dispatchers | B |
| 3. Amendments to AB 492 (Campbell) - ACR 58 Followup: Training Technology and Facilities | C |
| 4. Amendments to SB 811 (Ayala) - Composition and Size of POST Commission | D |
| 5. Status of Active Legislation | E |

This chart indicates the current status and history of bills for which the Commission has taken positions during this legislative session.

- | | |
|------------------------------|---|
| 6. Informational Legislation | F |
|------------------------------|---|

These bills are generally outside the scope of the Commission's interest in taking positions but are being followed for their potential impact upon POST. The Committee may wish to receive a briefing on these.

BILL ANALYSIS

State of California
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Attachment A

TITLE OR SUBJECT Peace Officer Disqualification	AUTHOR Senator Ed Davis	BILL NUMBER SB 1261
	RELATED BILLS SB 591	DATE LAST AMENDED 5-16-91

SPONSORED BY

Author

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

1. This bill would require certain peace officers, while in uniform, to immediately undertake reasonable efforts, as defined, to restrain or arrest any other peace officer whom he or she observes engaging in the felonious use of force, as defined. This bill would also provide that if the peace officer fails to undertake these reasonable efforts, the officer is guilty of official dereliction of duty, a felony.
2. This bill would require a peace officer, having actual knowledge of the commission of the felonious use of force by another peace officer to immediately report the commission of that use of force. Any peace officer who knowingly fails to immediately report that use of force is guilty of official obstruction of justice, a felony.
3. This bill would provide that if a peace officer engages in the felonious use of force and fails to immediately adhere to the order of another uniformed peace officer to cease and desist the officer is guilty of interference with a peace officer under color of law, a felony.
4. This bill would specify that a peace officer who is convicted of any of the above is not qualified to hold office as a peace officer and shall not be so employed.

Analysis

The Commission's policy is not to take positions on legislation outside the scope of its responsibilities. The provisions in this bill relating to establishing criminal sanctions for peace officer misconduct are outside POST's responsibilities. The provision establishing a new peace officer disqualification under Government Code Section 1029 (a), however, would be within POST's legislative interest.

OFFICIAL POSITION

ANALYSIS BY <i>Pat Snow</i>	DATE 6-11-91	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Thomas C. Boehm</i>	DATE 6-17-91	COMMENT	DATE

Existing peace officer disqualifications include persons convicted of a felony, charged with a felony and adjudged by a superior court to be mentally incompetent, found not guilty by reason of insanity of a felony, determined to be a mentally disordered sex offender, or adjudged addicted or in danger of becoming addicted to narcotics.

This bill was introduced along with several others as response to the LAPD/Rodney King incident and directed particularly to those officers who apparently failed to act to restrain/report those officers using excessive force. The intent of the bill is to reinforce the peace officer duty to intervene and take positive action when another peace officer is illegally using excessive force. Law enforcement labor groups are opposed to this bill because of its harshness in designating these acts or omissions as felonies and because of the vagueness of language defining the criminal acts or omissions.

There is some reason to question the necessity for adding the peace officer disqualification to specifically identify these crimes when Section 1029 (a)(1) of the Government Code already provides that all felony convictions are disqualifiers. The author's office is aware of this redundancy but believes that the proposed new felonies could be reduced to misdemeanors during the legislative process which would therefore make the proposed disqualifier necessary.

Comments

This issue currently has high interest in the Legislature with many members supporting corrective legislation. It may be appropriate for POST to remain neutral on the bill and work with the author on technical amendments as needed during the legislative process.

Recommendation

Neutral

BILL ANALYSIS

State of California
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Attachment B

TITLE OR SUBJECT Emergency Medical Services Dispatchers	AUTHOR Sen. Alan Robbins	BILL NUMBER SB 1053
	RELATED BILLS AB 352	DATE LAST AMENDED 5-25-91

SPONSORED BY
City of Los Angeles, California State Firefighters Association

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

1. This bill would require the state's Emergency Medical Services Authority (EMS) to establish minimum (voluntary) standards and adopt regulations for the certification, training, and scope of practice for an emergency medical services dispatcher (EMSD), as defined, EMSD programs, as defined, and EMSD training programs. The bill would also require the director of EMS to issue an EMSD certificate to an individual who has completed an approved training program and passed a competency based examination. The bill would require local EMS agencies to ensure EMSD programs are consistent with standards established by the EMS. It would permit the local EMS agency to establish a fee schedule for assistance of local dispatching agencies.
2. This bill would create a continuously appropriated Emergency Medical Services Dispatcher Personnel Fund, consisting of prescribed fees established by the bill, to be expended by the EMS, to establish and maintain the EMSD testing, registry, certification, and EMSD training program.
3. This bill would provide that a certified EMSD is only liable for certain grossly negligent acts when operating within the scope of his or her authority. It would provide that a public or private agency employing the EMSD is not liable, except as specified, for civil damages if the agency has an approved EMSD program.

Analysis

Law enforcement, fire and other agencies throughout the country are increasingly adopting emergency medical dispatcher programs that consist of two separate functions: a priority dispatch system and prearrival instructions. The priority dispatch system allows for more accurate response of prehospital care equipment and personnel through the utilization of medical priorities protocols applied in conjunction with a predetermined response. Prearrival instructions (PAI), sometimes known as "medical self-help", enables dispatchers to provide prearrival telephone life

OFFICIAL POSITION

ANALYSIS BY <i>Neil Snow</i>	DATE 6-17-91	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>William C. Carlson</i>	DATE 6-17-91	COMMENT	DATE

sustaining instructions according to medically approved procedure until such time as professional help can arrive. Questioning and directing methods using card systems have been developed for dealing with people in crises. These systems have recorded major success in saving lives when monitoring occurs to ensure protocols are followed.

A growing body of case law is evolving suggesting that establishment of such programs is a duty of public agencies receiving calls and dispatching emergency medical services. POST's recently completed job task analysis for the police dispatcher indicates that 55% of the supervisors and 48% of job incumbents say the task of providing "advice to citizens of actions to take during medical emergencies" is a job task and that they perform this task more than once/month.

SB 1053 seeks to standardize the protocols through establishing minimum standards/guidelines for programs and individual dispatcher certification and training. There appears to be a need for this program because of the need for statewide uniformity and preparedness on the part of the dispatchers. The limiting of civil liability for dispatchers and their employers also appears to be desirable even though this provision is opposed by the California Trial Lawyers Association.

The EMSD certification and training program to be established under SB 1053 closely parallels POST's existing program for police dispatchers, particularly for training course certification, individual certification, and agency/program certification. POST's 80-hour required Basic Complaint Dispatcher Course contains a brief overview of the emergency medical dispatch systems but does not cover the industry accepted standard of 40 hours of initial training nor the 12 hours annually needed for recertification. POST does certify two 40-hour Complaint Dispatcher Medical Emergency Update Courses which complies with the existing EMS guidelines for such training. Passage of SB 1053 would result in two state agencies (POST and EMS) providing similar but not identical services. In view of the highly technical nature of EMS dispatching and the need to have the medical perspective present in developing guidelines and training, there appears to be no viable alternative to having EMS set these standards. It does appear necessary to closely coordinate both programs as POST could be reimbursing training for standards set by EMS. Therefore, it is suggested POST seek amendment to SB 1053 to require EMS to coordinate development of training standards with POST.

SB 1053 would appear to lend support to POST's current quest to seek a portion of the 911 Emergency Telephone Account for the training of 911 dispatchers through AB 352 which is stalled in the Assembly Ways and Means Committee.

Recommendation

Neutral, seek amendment.

AMENDED IN ASSEMBLY APRIL 8, 1991
 AMENDED IN ASSEMBLY MARCH 18, 1991

CALIFORNIA LEGISLATURE—1991-92 REGULAR SESSION

ASSEMBLY BILL

No. 492

Introduced by Assembly Member Campbell
 (Coauthors: Assembly Members Becerra, Elder, Filante,
 Gotch, Hauser, Hayden, and Jones Jones, and Umberg)
 (Coauthor: Senator Watson)

February 13, 1991

An act to add Section 13508 to the Penal Code, relating to law enforcement, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 492, as amended, Campbell. Law enforcement: instructional technology.

Under existing law, the Commission on Peace Officer Standards and Training is responsible for developing and implementing programs to increase the effectiveness of law enforcement. The commission is required to adopt rules establishing minimum standards relating to physical, mental, and moral fitness governing the recruitment of specified peace officers.

This bill would require the commission to conduct pilot projects with regard to needed facilities and otherwise implement modern instructional technology to improve the effectiveness of law enforcement training, as specified.

The bill would require the commission to develop an implementation plan for the acquisition of law enforcement facilities and technology, including specified items.

~~The bill would appropriate \$70,000 from the Peace Officers' Training Fund to the commission for the 1990/91 fiscal year.~~

~~and \$527,000 from the Peace Officers' Training Fund to the commission for the 1991-92 fiscal year, to establish a learning technology laboratory, conduct the pilot projects created by this bill, and implement modern instructional technology as provided by this bill.~~

This bill would require the commission to report to the Legislature on or before January 1, 1994, as to the status and effectiveness of the pilot projects.

~~The bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature acknowledges the study
2 by a committee specially convened and constituted by
3 the Legislature to investigate the need for modern
4 technology and facilities for law enforcement training
5 pursuant to Resolution Chapter 166 of the Statutes of
6 1989. The study made each of the following conclusions:

7 (a) The skills, knowledge, and attitudes acquired by
8 law enforcement officers through training has a profound
9 impact upon the quality of living in California.

10 (b) The training of California's law enforcement
11 officers suffers from lack of availability of modern
12 instructional technology and specialized training
13 facilities.

14 (c) The training of law enforcement officers could be
15 greatly enhanced through technology and adequate
16 facilities.

17 The Legislature finds and declares that it is essential
18 that the training of California's law enforcement officers
19 be afforded greater use of modern instructional
20 technology and specialized training facilities.

21 SEC. 2. Section 13508 is added to the Penal Code, to
22 read:

23 13508. (a) The commission shall do each of the
24 following:

25 (1) Conduct pilot projects with regard to needed

*^ Establish a learning technology
laboratory that would*

1 facilities and otherwise implement modern instructional
2 technology to improve the effectiveness of law
3 enforcement training.

4 (2) Develop an implementation plan for the
5 acquisition of law enforcement facilities and technology.
6 In developing this plan, the commission shall consult with
7 appropriate law enforcement and training organizations.
8 The implementation plan shall include each of the
9 following items:

10 (A) An evaluation of pilot and demonstration projects.

11 (B) Recommendations for the establishment of
12 regional skills training centers, training conference
13 centers, and the use of modern instructional technology.

14 (C) A recommended financing structure.

15 (3) Report to the Legislature on or before January 1,
16 1994, as to the status and effectiveness of the pilot projects
17 implemented under this section.

18 (b) The commission may enter into joint powers
19 agreements with other governmental agencies for the
20 purpose of developing and deploying needed technology
21 and facilities.

22 (c) The technology to be incorporated into law
23 enforcement training by the commission is exempt from
24 Chapter 7 (commencing with Section 11700) of Division
25 3 of Title 2 of the Government Code.

26 ~~SEC. 3. The sum of seventy-nine thousand dollars~~
27 ~~(\$79,000) is hereby appropriated from the Peace Officers'~~
28 ~~Training Fund to the Commission on Peace Officer~~
29 ~~Standards and Training for the 1990/91 fiscal year. The~~
30 ~~sum of five hundred twenty-seven thousand dollars~~
31 ~~(\$527,000) is hereby appropriated from the Peace~~
32 ~~Officers' Training Fund to the commission for the~~
33 ~~1991-92 fiscal year. These funds shall be used to establish~~
34 ~~a learning technology laboratory, to conduct the pilot~~
35 ~~projects created by this act, and to implement modern~~
36 ~~instructional technology as provided by this act.~~

37 ~~SEC. 4. This act is an urgency statute necessary for~~
38 ~~the immediate preservation of the public peace, health,~~
39 ~~or safety within the meaning of Article IV of the~~
40 ~~Constitution and shall go into immediate effect. The facts~~

- 1 ~~constituting the necessity are:~~
- 2 ~~To assure that law enforcement officers are provided~~
- 3 ~~with the most effective training, it is necessary that this~~
- 4 ~~act take effect immediately.~~

AMENDED IN SENATE MAY 21, 1991

SENATE BILL**No. 811**

Introduced by Senator Ayala

March 7, 1991

An act to amend Section 13500 of the Penal Code, relating to the Commission on Peace Officer Standards and Training.

LEGISLATIVE COUNSEL'S DIGEST

SB 811, as amended, Ayala. Commission on Peace Officer Standards and Training.

Existing law provides for the Commission on Peace Officer Standards and Training in the Department of Justice. The duties and responsibilities of the commission, include, among other things, to develop and implement programs to increase the effectiveness of law enforcement, including the adoption of rules establishing minimum standards relating to physical, mental, and moral fitness to govern the recruitment of specified law enforcement personnel.

Existing law provides that the commission consists of 11 members appointed by the Governor, as specified, one of whom is required to be from the category of peace officers of the rank of sergeant or below with a minimum of 5 years' experience as a deputy sheriff or city police officer.

This bill would change the size of the commission to 13 members by providing that 2 more members be appointed ~~by the Governor~~, *one member appointed by the Speaker of the Assembly and one member appointed by the Senate Committee on Rules*, from the category of peace officers of the rank of sergeant or below with a minimum of 5 years' experience as a deputy sheriff or city police officer. This bill would also expand the category from which the total of 3 members are required to ~~be from~~ to include a marshal or state employed peace officer.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 13500 of the Penal Code is
2 amended to read:
3 13500. (a) There is in the Department of Justice a
4 Commission on Peace Officer Standards and Training,
5 hereafter referred to in this chapter as the commission.
6 The commission consists of 13 members *appointed as*
7 *specified in subdivision (b). The members appointed by*
8 *the Governor ; shall be made after consultation with, and*
9 *with the advice of, the Attorney General, and with the*
10 *advice and consent of the Senate.*
11 ~~The~~
12 (b) *The* commission shall be composed of the
13 following members:
14 (1) Two members shall be (i) sheriffs or chiefs of
15 police or peace officers nominated by their respective
16 sheriffs or chiefs of police, (ii) peace officers who are
17 deputy sheriffs or city police officers, or (iii) any
18 combination thereof.
19 (2) Three members shall be sheriffs or chiefs of police
20 or peace officers nominated by their respective sheriffs or
21 chiefs of police.
22 (3) Three members shall be peace officers of the rank
23 of sergeant or below with a minimum of five years'
24 experience as a deputy sheriff , city police officer,
25 marshal, or state employed peace officer. *The three*
26 *members appointed pursuant to this paragraph shall be*
27 *appointed as follows:*
28 (A) *One member shall be appointed by the Senate*
29 *Committee on Rules.*
30 (B) *One member shall be appointed by the Speaker of*
31 *the Assembly.*
32 (C) *One member shall be appointed by the Governor.*
33 (4) One member shall be an elected officer or chief
34 administrative officer of a county in this state.
35 (5) One member shall be an elected officer or chief

1 administrative officer of a city in this state.

2 (6) Two members shall be public members who shall
3 not be peace officers.

4 (7) One member shall be an educator or trainer in the
5 field of criminal justice.

6 The Attorney General shall be an ex officio member of
7 the commission.

8 ~~Of~~

9 (c) *Of* the members first appointed by the Governor,
10 three shall be appointed for a term of one year, three for
11 a term of two years, and three for a term of three years.
12 Their successors shall serve for a term of three years and
13 until appointment and qualification of their successors,
14 each term to commence on the expiration date of the
15 term of the predecessor.

16 The additional member provided for by the
17 Legislature in its 1973-1974 Regular Session shall be
18 appointed by the Governor on or before January 15, 1975,
19 and shall serve for a term of three years.

20 The additional member provided for by the
21 Legislature in its 1977-78 Regular Session shall be
22 appointed by the Governor on or after July 1, 1978, and
23 shall serve for a term of three years.

24 The additional members provided for by the
25 Legislature in its 1991-92 Regular Session shall be
26 appointed ~~by the Governor~~ on or before July 1, 1992, and
27 shall serve for a term of three years.

Commission on Peace Officer Standards and Training Status of Legislation of Interest to POST

Bill No./ Author	Subject	Commission Position												
			Introduced	First Policy Committee	First Appropriations Committee (if applicable)	Floor of First House	Second Policy Committee	Second Appropriations Committee (if applicable)	Floor of Second House	To Governor for Action	Chaptered			
SB 249 (Davis)	Peace Officers - authorizes POST to set standards and reimburse for peace officer members of Coroner's Offices	Support	1/29	3/12	4/8	5/14	P							
AB 352 (Nolan)	Funding Local Public Safety Dispatcher Training - authorizes a percentage of the 911 Emergency Telephone Account for POST to train dispatchers	Support	1/29	3/18	S									
AB 401 (Epple)	Establishes California Commission on Law Enforcement Policies, Procedures, and Training	Opposed	2/4	4/30	-	5/16	6/18							
AB 420 (Elder)	Hazardous Materials Enforcement Training - requires POST to provide voluntary training	Neutral	2/4	2/19	P									
SB 474 (Presley)	Three-Year Break-in-Service for PC 832 Course Graduates - requires requalification or retesting	Support	2/25	5/6	-	5/17	P							
AB 492 (Campbell)	ACR 59 Followup: Training Technology and Facilities Status - requires POST to evaluate pilot projects and develop plan	Support	2/13	4/2	S									
SB 811 (Ayala)	Composition and Size of POST Commission - adds two members appointed by Legislature from peace officers of rank of sergeant or below	Oppose	3/7	4/30	-	P								
AB 990 (Stathum)	Community College Training - requires Chancellor to study impact of ADA cap on state-mandated training	Support	3/4	4/23	5/8	5/17	P							
SB 1053 (Robbins)	Emergency Medical Services Dispatchers Training and Certification	Not Considered	3/8	5/14	P									
SB 1126 (Presley)	Peace Officers: Private Post-Secondary Educational Institutions - authorizes the appointment of peace officers pursuant to MOU with chief or sheriff	Oppose	3/8	5/14	-	P								
AB 1196 (Hughes)	Peace Officers: authorizes California Museum of Science and Industry to appoint peace officers	Opposed	3/8	4/30	-	P								
SB 1261 (Davis)	Peace Officer Disqualification	Not Considered	5/16	P										

P = Pending
 F = Failed Passage/or 2 yr. bill
 S = Suspense File
 Revised 6/19/91

LEGI-TECH

06/19/91

 BILL-FILE - COMMISSION ON POST-MASTER
 TYPE -INFO LEG

BILL NO	AUTHOR	TITLE	TYPE	POSITI
AB 183	FERGUSON	LAW ENFORCEMENT: PAIN ENFORCEMENT TECHNIQUES	INFO LEG	NONE
AB 192	KATZ	GANG RISK INTERVENTION PROGRAMS	INFO LEG	NONE
AB 591	MOORE	PEACE OFFICERS	INFO LEG	NONE
AB 761	HORCHER	PENALTY ASSESSMENTS: AUTOMATED IDENTIFICATION SYSTEMS	INFO LEG	NONE
AB 1114	ARCHIE-HUDSON	CRIMES	INFO LEG	NONE
AB 1180	MURRAY	PRIVATE INVESTIGATORY AND SECURITY SERVICES	INFO LEG	NONE
AB 1297	ISENBERG	TRIAL COURT FUNDING	INFO LEG	NONE
AB 1301	KLEHS	PEACE OFFICER TRNG: PREJUDICE- BASED INCIDENTS	INFO LEG	NONE
AB 1364	CORTESE	DEPARTMENT OF FISH AND GAME: DIVERSION OF WATER	INFO LEG	NONE
SB 1871	BURTON	COMMUNITY CORRECTIONS	INFO LEG	NONE
SB 2022	COSTA	CORRECTIONAL FACILITIES	INFO LEG	NONE
AB 2175	BOLAND	COUNTY PAROLE OFFICERS	INFO LEG	NONE
SB 150	DEDDEH	CUSTODIAL OFFICERS: SAN DIEGO AND FRESNO COUNTIES.	INFO LEG	NONE
SB 189	DILLS	DRIVER TRAINING	INFO LEG	NONE
SB 191	MCCORQUODALE	CRIMINAL FINES: DAY-FINE SYSTEM	INFO LEG	NONE
SB 198	DILLS	DRIVER TRAINING	INFO LEG	NONE
SB 208	KOPP	RECORDS	INFO LEG	NONE
SB 313	PRESLEY	LOCAL PUBLIC EDUCATIONAL AGENCIES	INFO LEG	NONE
SB 421	WATSON	PEACE OFFICER TRAINING: DOMESTIC VIOLENCE	INFO LEG	NONE
SB 513	WATSON	PEACE OFFICERS: CRIMES	INFO LEG	NONE
SB 528	DILLS	DRIVER TRAINING PENALTY ASSESSMENT FUND	INFO LEG	NONE
SB 671	MORGAN	CITIES: POLICE	INFO LEG	NONE
SB 885	LOCKYER	JUSTICE SYSTEM CHARGES	INFO LEG	NONE
SB 998	ROSENTHAL	PEACE OFFICERS: CITIZENS' COMPLAINTS	INFO LEG	NONE
SB 1014	CALDERON	LAW ENFORCEMENT: AUTOMATED TELLER MACHINES	INFO LEG	NONE
SB 1075	ROBERTI	ARREST: REASONABLE FORCE	INFO LEG	NONE
SB 1149	PRESLEY	CORRECTIONS	INFO LEG	NONE

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
July 17, 1991, 10 a.m.
Marriott Mission Valley Hotel
Meeting Room - Sierra 5 and 6
8757 Rio San Diego Drive
San Diego, CA

AGENDA

- | | | |
|----|---|---------------|
| A. | Call to Order | Chair |
| | o. Roll Call | Chair |
| | o. Introductions | |
| B. | Approval of Minutes of Previous Meeting | Chair |
| C. | Review of Commission Agenda | Staff |
| D. | Update on Cultural Awareness Training Study | Staff |
| E. | Report of Training Review Committee | Staff |
| F. | Advisory Committee Member Reports | Members |
| G. | Commission Liaison Committee Remarks | Commissioners |
| H. | Old and New Business | |
| | o. Update on Impact ADA Growth Cap
on Law Enforcement Training | Staff |
| | o. Update on Evaluation of Legal Update
Satellite Broadcast | Staff |
| | o. Update on Recruitment Project | Staff |
| I. | Adjournment | Chair |

POST Advisory Committee Meeting
April 17, 1991
Holiday Inn - Holidome
Sacramento, California

MINUTES

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman John Clements.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Charles Brobeck, Calif. Police Chiefs' Assoc.
Don Brown, Calif. Organization of Police and Sheriffs
Douglas Burris, Calif. Community Colleges
Cois Byrd, Calif. State Sheriffs' Assoc.
Jay Clark, Calif. Assoc. of Police Training Officers
John Clements, Calif. Highway Patrol
Donald Forkus, Calif. Peace Officers' Assoc.
Derald Hunt, Calif. Assoc. of Administration of Justice
Educators
Dolores Kan, Women Peace Officers' Assoc. of Calif.
Marcel Leduc, Peace Officers' Research Assoc. of Calif.
Joe McKeown, Calif. Academy Directors' Assoc.
Carolyn Owens, Public Representative
Cecil Riley, Calif. Specialized Law Enforcement
Judith Valles, Public Representative

Commission Advisory Liaison Committee Members present:

Commissioner Carm Grande
Commissioner Edward Maghakian
Commissioner Raquel Montenegro
Commissioner C. Alex Pantaleoni

POST staff present:

Ron Allen, Bureau Chief, Training Delivery Services
Mike Di Miceli, Bureau Chief, Management Counseling
Izzy Flores, Senior Consultant
Ken O'Brien, Bureau Chief, Training Program Services
Hal Snow, Assistant Executive Director
Imogene Kauffman, Executive Secretary

INTRODUCTIONS

Newly appointed Advisory Committee Member, Judith Valles, President of Golden West College, was introduced and welcomed.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION - Brown, second - Clark, carried unanimously to approve the minutes of the January 16, 1991 Advisory Committee Meeting at the Holiday Inn On-The-Bay in San Diego.

DEMONSTRATION OF THE POST AUTOMATED TRAFFIC ACCIDENT ANALYSIS AND RECORDS MANAGEMENT SYSTEM

A presentation was made which described and demonstrated the Office of Traffic Safety Automated Traffic Accident Analysis and Records Management System (ATAARMS) software that operates on an IBM compatible personal computer. It was demonstrated how the system allows manual data entry in a pre-determined format, and that the entry screens are consistent with certain source documents: Notice to Appear, Traffic Collision Report, and Property Damage Only. Stored data can be retrieved in structured summary reports and ad hoc reports produced on demand by the user. The database will provide: Name Index; eight Statewide Integrated Traffic Records System (SWITRS) reports; ten citation correlation reports; and eight DUI reports, including an adjudication report.

There was consensus that it was well done, impressive, and should be distributed to the field.

UPDATE ON ETHICS TRAINING

It was reported that staff had received instructions to examine the area of ethics and values and determine whether or not there could be appropriate video tapes used to bring out some timely messages to law enforcement training programs. Staff has met with video producers and got some concepts as to how that might be done. A number of agencies have begun to make a series of vignettes that were related to ethical matters. Some problems have arisen such as questions on what to recommend as to their use. There are possibilities of using them at the beginning of teleconferences, but in some instances the message is totally unrelated to the content of the program. What audiences to target in terms of ethics is being studied. Another is that the types of things that are presented must have credibility in terms of timely issues that mean something to the officers that don't appear to be critical in nature.

Four video tapes obtained from the Los Angeles Sheriff's Department were shown. They showed the deep-seated impacting messages that could be given to the officers in a short period of time. The Video Review Committee and the Video Makers Producers Committee will be working on how best these vignettes can be provided to develop programs that have a message.

REVIEW OF COMMISSION AGENDA

Staff reviewed the April 18, 1991 Commission meeting agenda and responded to questions and discussion on the issues. Agenda item C. was discussed - "August Vollmer University Appeal for POST to Recognize Non-Accredited Education Units" - and the following action was taken:

MOTION - Byrd, second - Forkus, carried unanimously that the Advisory Committee support the staff recommendation to deny the request for recognition of non-accredited units, courses, and degrees toward the award of POST professional certificates.

Agenda item R. was discussed which included a request by California Reserve Officers' Association for representation on the POST Advisory Committee.

MOTION - Byrd. second - Brobeck, carried unanimously to recommend to the Commission that the request be denied.

ADVISORY COMMITTEE MEMBER REPORTS

Community College - Douglas Burris reported on the problems the community colleges are facing, i.e., growth overcap. It is figured that in excess of 20 new colleges, costing \$2 - 3 billion, are needed to accommodate the growth factor. At the May meeting the Board of Governors will appoint a citizens' commission patterned after the ACR 58 approach. The committee will look at improved means to deliver instruction in the future.

In response to a request for an ADA Cap update, staff reported that most of the problem is forecasted and not actual yet. Those courses that have been cut or denied certification are generally not mandated courses. The ADA cap problem will continue to be monitored.

Calif. Police Chiefs' Assoc. - Charles Brobeck reported on the very successful conference held this year in Anaheim. The Association is very actively supporting legislation to repeal the effects of AB 2557, booking fees. He also stated that the Association's President, Karel Swanson, has been appearing on a number of talk shows talking about training and the profession as a result of the Rodney King incident in Los Angeles.

Calif. Assoc. of Police Training Officers - Jay Clark's report included the announcement that CAPTO will have a State Board meeting on April 25-26 in Monterey. They will be reviewing progress on their plan to establish a computer-based bulletin board which will enhance their ability to more effectively provide information and communication links to the membership.

Calif. Peace Officers' Assoc. - Don Forkus reported that CPOA has a new training course, a one-day course concerning officer-involved shootings put on by an attorney in Orange County. It identifies the elements needing to be considered for incorporation into the officer-involved policies. CPOA is also working on a course on the use of excessive force. Another course under way is recruitment testing and imaging. Hopefully, this will improve the profession's image.

In response to a request for a report on "Verbal Judo" training, staff stated that it is comparatively popular training and is designed to assist officers in gaining non-violent compliance. It involves being aware of listening skills and body language, using proper verbal techniques. It is presented as a block in Advanced Officer courses, and is well received. The title more often used is "Tactical Communications".

Calif. Organization of Police and Sheriffs - Don Brown reported that COPS had introduced AB 2015. This bill would require all family security billings to install a security key box for emergency access. He also announced the COPS' Annual Seminar is scheduled for June 7-8 in Palm Springs. Emphasis will be on Public Safety Officers' Procedural Bill of Rights.

Peace Officers' Research Assoc. of California - Marcel Leduc announced that the PORAC spring board meeting is scheduled for May 16-18 in Sacramento.

Calif. Academy Directors' Assoc. - Joe McKeown stated that most of CADA's efforts are being directed toward passage of AB 990. This legislation was introduced by Assemblyman Stratham and requires that the Chancellor, in cooperation with POST, CADA and other concerned organization, study the fiscal effect of the ADA cap on offering public safety courses that meet state training mandates offerings in community colleges. Presley, who is co-authoring the bill, indicates amendments will be made to change it so that it will exempt state mandate courses from the ADA cap.

Calif. State Sheriffs' Assoc. - Cois Byrd, Chairman of the CSSA Training Committee, reported that they have been looking at their training and trying to breath some freshness into that training. Most specifically, they had met to review supervisory training. The Board of Corrections is working with CSSA on the training, i.e., use of force, ethics and values aspects, group psychology, preventive action, policy and procure issues, and non-lethal weapons.

Calif. Assoc. of Administration of Justice Educators - Derald Hunt reported that CAAJE's annual conference is set for April 26-28 in San Diego. The theme, "A Look Toward the Future", will emphasize the use of computer-assisted instruction, teaching

control, and investigation of computer crime.

Women Peace Officers' Assoc. of Calif. - Dolores Kan reported that there will be a three-day training conference next month in Beverly Hills. WPOA has three training workshops planned. Also included will be installation of incoming officers and presentation of awards as well as scholarships.

California Highway Patrol - John Clements stated the CHP was faced with significant budgetary short-fall that could cancel the academy class in June and possibly September.

On behalf of the Advisory Committee, Chief Clements expressed thanks and best wishes on all future endeavors to Commissioner Carm Grande, who is retiring from the Commission.

Chief Clements announced that he will be transferred to the coastal division of the CHP, located between Santa Cruz to Ventura, effective July 1, 1991.

ADJOURNMENT

At the request of Chief Brobeck, the meeting was adjourned in the memory of John Rierdon, a 20-year veteran of the San Rafael Policy Department and a past Advisory Committee member. Mr. Rierdon passed away on April 7, 1991.

There being no further business to come before the Committee, the meeting was adjourned at 1 p.m.


Imogene Kauffman
Executive Secretary

ANALYSIS

In April, 1991, the California Postsecondary Education Commission (CPEC) finalized a report to the Legislature on the subject of accreditation by professional accrediting bodies and the state approval processes. The report draws attention to legislation in 1958 which changed the Education Code to permit for-profit, degree-granting colleges and universities to operate in the State without monitoring by the state. As the result of the 1958 legislation, incidence of fraudulent activities increased in this segment of proprietary education. New institutions with marginal assets were able to operate due to the lack of regulations and adequate consumer protection laws under the State regulatory system. The 1958 legislation introduced all of the various terms such as approved, licensed, authorized, and accredited without making clear distinction among them.

As reported by CPEC, the Private Postsecondary Act of 1977, as amended in 1986 was legislative effort to foster greater integrity in postsecondary education, but as noted by the author of the CPEC report, Chief Policy Analyst, William Haldeman, "the lack of a sympathetic administrative structure" hampered the implementation of significant changes.

The CPEC report also described the State regulatory system as "notoriously ineffective" between the years 1958 to 1989, when the Private Postsecondary and Vocational Education Reform Act was enacted. The 1989 legislation, which took effect January 1, 1991, establishes an independent council to administer the State regulatory system; strengthens the licensing laws; provides for closer monitoring; increased the measures to ensure the financial stability of institutions; establishes tougher consumer protection standards regarding false advertising, ambiguous enrollment contracts, and tuition refund policies, among other requirements. However, it is important to note that this new State regulatory system, pursuant to the 1989 Reform Act, has not yet become operative but is awaiting the development and adoption of required rules and regulations.

August Vollmer University, which was first "Authorized to Operate" in 1986 is now a "Candidate for Approval" under the new State regulatory system. The university must undergo an appraisal under the new rules and regulations prior to January 1, 1994.

The Western Association of Schools and Colleges (WASC) is the most widely recognized voluntary accrediting body in this region of the country. The State delegates authority to WASC and exempts it from State supervision. Government Code Section 1031 (e), in addressing the minimum education standard for peace officers, specifies that a two-year or four-year degree from a college or university accredited by WASC is acceptable in lieu

of high school graduation.

Voluntary accreditation and the processes proposed under the new State system may appear similar on the surface. Both are based on a comprehensive set of standards that must be met by institutions, including a site visit, to determine compliance. The differences in the systems revolve around the source of authority, primary emphasis and the consequences of decisions.

For example, the primary emphasis of accreditation is to promote integrity and quality of the educational experience among postsecondary institutions. These associations establish threshold standards that must be met for membership. A certain sameness in the membership enables members to carry out peer evaluations, self evaluations and provides for transferability among similar institutions. Units, credits and degrees from non-accredited colleges and universities are not recognized or accepted by accredited institutions.

On the otherhand, the primary objective of State licensure is to ensure that institutions and the individuals employed by them comply with minimum standards relating to consumer protection.

Since the April Commission meeting, in addition to conducting more research in the interest of clarity, staff has sought alternatives for the Commission to consider with respect to this pending issue, and has had discussions with Dr. Kenney. He has submitted additional information which is included as Attachment A. The materials provide an explanation of his rationale in support of this appeal, as well as his explanation of the processes of accreditation and State approval/authorization.

He describes in Attachment A substantial similarities in the processes of accreditation and State approval/authorization. Staff is not in disagreement with his description of the processes per se. However, other available information from CPEC establishes that there are substantial differences behind the surface of these processes. As noted earlier, the Chief Policy Analyst for CPEC recently described, in an April, 1991 report to the Legislature, that the State regulatory system was "notoriously ineffective" between the years 1958 to 1989. Further, that which transpires after the 1989 Postsecondary Education Reform Act becomes effective depends on the future success of the newly designated State regulatory body and the effectiveness of the implementation of the pending new rules and regulations.

Dr. Kenney's proposal to limit POST recognition to non-accredited institutions that specialize in criminal justice/criminology curriculum was evaluated. August Vollmer University may be the only private non-accredited institution now specializing in criminal justice education. Certainly, POST does not wish to

discourage higher education for the criminal justice field. However, should the Commission give recognition to August Vollmer University as requested, there is some likelihood that other non-accredited institutions could move into this area. Impetus would also be given to other non-accredited institutions to seek POST approval of their programs. Additionally, while staff respects Dr. Kenney personally, staff has no basis for opinion as to the quality of degrees and units awarded by August Vollmer University. If this option were to be pursued, the Commission probably should establish its own approval criteria by which August Vollmer and potentially others would be evaluated.

According to the CPEC representative there are approximately 200 private postsecondary degree-granting institutions in the State. POST currently has requests from students for recognition of three other State approved non-accredited institutions, Columbia Pacific University, of San Raphael, Sierra University, of Costa Mesa and California Coast University, of Santa Ana. These types of requests are received with some frequency. It would be anticipated that these requests would be intensified if the Commission decides to recognize non-accredited institutions. POST lacks the staff expertise and the necessary resources to evaluate postsecondary degree-granting programs. There also would be difficulty in promulgating criteria that would serve this POST evaluation process.

As another alternative, the Commission could accept the State approval process either in whole or in part. Blanket recognition of all State approved non-accredited institutions would entail the recognition of some 2,500 to 3,000 institutions, including vocational institutions. The partial recognition consisting of only the degree-granting institutions was discussed in the previous paragraph. The down side of blanket recognition would be the potential risk of greatly reducing the quality control of education credits now afforded by the accrediting body that POST now recognizes. There could be an adverse impact upon the credibility of POST professional certificates.

Still another alternative could be that August Vollmer University apply for accreditation through WASC. If he were successful with his application for accreditation, the issue before the Commission would be resolved.

Dr. Kenney has drawn attention to Education Code Section 94301. This statute, as revised effective January 1, 1991, expresses legislative intent to establish minimum standards for education quality and the ethical and business practices of postsecondary educational institutions. The intent is also to encourage recognition of coursework and degrees issued by private institutions. A copy of Education Code Section 94301 is included as Attachment B.

Although the intentions expressed in Education Code Section 94301 are commendable, it appears premature to consider changing POST Regulations based upon the creation and potential of a new State regulatory agency which is still evolving. Moreover, the university which is the subject of this appeal was originally authorized to operate in 1986 under a system which has been described by CPEC as ineffective in assuring the integrity of its non-accredited units. As of January 1, 1991, the State's regulatory system, resulting from the 1989 Reform Act, requires a newly designated independent council and the development of rules and regulations to improve the system. As previously noted, these legislatively required changes have yet to be realized.

In summary, based on the foregoing, the options before the Commission appear to be the following:

- (1) Deny the appeal for POST to change its regulations to allow for the recognition of non-accredited units, courses and degrees toward the award of professional certificates.
- (2) Change POST Regulations to place reliance for recognition upon the State approval process.
 - (a) Blanket approval of all State regulated institutions, including vocational institutions.
 - (b) Recognition of only the degree-granting institutions.
 - (c) Recognition of only those State approved/authorized programs that specialize in criminal justice curriculum.
- (3) Change POST Regulations to allow for POST to establish and adopt standards for the recognition and approval of educational institutions.

In conclusion, because of reliable input regarding the inadequacies of the State regulatory system between the years 1958 and 1989, it would not seem prudent to rely on the authorization/approval process at this time. Further, it is premature to make an assessment as to the eventual success of the new State regulatory system that is currently under development.

It is believed that the option of requiring POST to develop its own approval standards would be unduly costly and would require new staff expertise.

Because of these findings it is felt the current POST Regulation requiring units, credits, and degrees from accredited institutions for the award of professional certificates is appropriate.

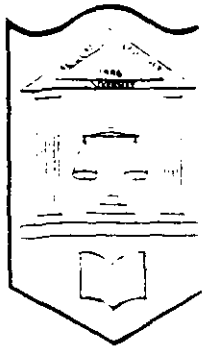
The staff report, prepared for the April 18, 1991 Commission meeting, is included as Attachment C. Regulation Section 1001 (a) and Commission Procedure F-1-4 (b) are included as Attachment D. The latter two documents articulate the current requirement of the Commission's recognition of only units awarded by accredited colleges and universities toward the award of POST professional certificates.

RECOMMENDATION

Deny the request for recognition of non-accredited units, credits and degrees toward the award of POST professional certificates.

May 10, 1991

Mr Glen Fine, Assistant Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083



Dear Glen;

Enclosed is my report to the Commission clarifying accreditation, approval and authorization of higher education degree-granting institutions. The Report also includes a rationale for the August Vollmer University request and a recommendation for adoption by the Commission.

The Report has been reviewed by my staff, faculty members and Dr. Merrill Mulch who has been a consultant to the Western Association of Schools and Colleges and to the State Department of Education on accreditation, approval and authorization of degree-granting institutions and to the ad-hoc committee for degree-granting institutions of the Council for Postsecondary and Vocational Education in the preparation of regulations.

I feel confident that you will find that this Report addresses the key issues of concern of the Commission members. I have purposely avoided addressing the issue of the Commission acceptance of all units, course work and degrees from accredited institutions toward the award of P.O.S.T. professional certificates. As was indicated in our recent conversation it is a subject for much more study.

I trust that the staff will concur in my proposed recommendation to the Commission. I sincerely believe that it is realistic and essential for the furthering of professionalism of law enforcement in California.

I am looking forward to your response to the Report and in working with the staff on preparation of the final report to the Commission for the July 18 meeting in San Diego.

Best personal regards,

Jack

John P. Kenney, Ph.D.
President

JPK/mmc

Enclosures

AUGUST VOLLMER UNIVERSITY

A REPORT TO THE COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING CLARIFYING ACCREDITATION, APPROVAL
AND AUTHORIZATION OF HIGHER EDUCATION DEGREE-GRANTING
INSTITUTIONS IN CALIFORNIA

Prepared by:

John P. Kenney, Ph.D., President
AUGUST VOLLMER UNIVERSITY

The Report has been prepared to support my request that the Commission recognize units, course work and degrees of criminal justice/criminology and law enforcement programs of private postsecondary degree-granting institutions licensed to conduct business in California toward the award of P.O.S.T. professional certificates. The Report includes the following:

- A. A RATIONALE FOR THE AUGUST VOLLMER UNIVERSITY REQUEST
- B. RECOMMENDATION
- C. SUMMARY OF STANDARDS AND REQUIREMENTS FOR ACCREDITATION, APPROVAL AND AUTHORIZATION OF POSTSECONDARY DEGREE-GRANTING INSTITUTIONS
- D. REQUIREMENTS FOR ACCREDITATION BY ACCREDITING COMMISSIONS
- E. REQUIREMENTS FOR APPROVAL AND AUTHORIZATION OF PRIVATE POST-SECONDARY DEGREE-GRANTING INSTITUTIONS IN CALIFORNIA
- F. EXCERPT FROM HANDBOOK OF ACCREDITATION, WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES
- G. EXCERPT FROM SENATE BILL NO.194

MAY 1991

A. A RATIONALE FOR THE AUGUST VOLLMER UNIVERSITY REQUEST

The Commission can justify recognition of units, course work and degrees of criminal justice/criminology and law enforcement programs of private postsecondary degree-granting institutions licensed to conduct business in California toward the award of P.O.S.T. professional certificates for the following reasons:

1. Private postsecondary degree-granting institutions are recognized as a category of higher education institutions along with private and public colleges and universities in California.
2. They provide education equal to that provided by accredited public and private institutions.
3. They are subjected to a rigorous evaluation process which measures their adherence to standards and regulations established by the State Legislature and the oversight agencies, the State Department of Education in the past and since January 1, 1991, The Council for Private Postsecondary and Vocational Education. The process is comparable to that of accrediting commissions.
4. The Private Postsecondary Education Act of 1977 as amended 1986 provided a basis for effective higher education by degree-granting institutions.
5. The Private Postsecondary and Vocational Education Reform Act of 1989, operative January 1, 1991 assures continued provision of quality education by the private postsecondary degree-granting institutions.
6. By limiting recognition to units, course work and degrees from criminal justice/criminology and law enforcement programs the relevancy and applicability of education provided is assured. Criminal justice/criminology which includes law enforcement is now a recognized academic discipline.
7. It is becoming increasingly difficult for professional peace officers in California to attend the traditional colleges and universities due to cutbacks in the program offerings, limitations on scheduling classes and the transportation "gridlock" which complicates transportation.

8. The Legislature has recognized that the need for educational services is so great in California that it cannot be met by tax supported higher educational institutions alone. The financial burden is just too great for the State to carry.

9. It is the stated intent of the Legislature in the Reform Act of 1989, operative January 1, 1991 to promote effective integration of the private postsecondary education into all aspects of California's educational system.

10. The Legislature has encouraged TAX supported institutions to recognize work completed and degrees and diplomas issued by privately supported institutions to the end that students may have equal opportunities for equal accomplishments and ability. This means that the Legislature has recognized as a matter of public policy that the private postsecondary degree-granting institutions are providing quality education.

11. The programs of the private postsecondary degree-granting institutions will provide additional opportunities for the advancement of the professionalism of law enforcement in California.

B. RECOMMENDATION

The Commission recognizes units, course work and degrees of the Criminal Justice/Criminology and law enforcement programs of private postsecondary degree-granting institutions licensed to conduct business in California toward the award of POST professional certificates.

The Programs of all universities and colleges are easily identified as follows:

1. CRIMINOLOGY - Ph.D. and Doctor of Criminology (D.Crim.)
2. CRIMINAL JUSTICE - D.Crim. and Ph.D.
Master Degrees: Master of Arts - M.A.
Master of Science - M.S.
Master of Criminal Justice - M.C.J.

Bachelor Degrees: Bachelor of Arts - B.A.
Bachelor of Science - B.S.

Associate Degrees: Associate of Arts - A.A.
Associate of Science - A.S.
3. ADMINISTRATION OF JUSTICE -
Master Degrees: Master of Arts - M.A.
Master of Science - M.S.

Bachelor Degrees: Bachelor of Arts - B.A.
Bachelor of Science - B.S.

Associate Degrees: Associate of Arts - A.A.
Associate of Science - A.S.
4. POLICE SCIENCE: Associate of Arts - A.A.
Associate of Science - A.S.

(Limited primarily to community colleges)

C. SUMMARY OF STANDARDS AND REQUIREMENTS FOR
ACCREDITATION, APPROVAL AND AUTHORIZATION OF
POSTSECONDARY DEGREE-GRANTING INSTITUTIONS

1. "Accredited" means that an institution has been recognized as meeting the standards established by an accredited agency recognized by the U.S. Department of Education.

Accrediting commissions "accredit" institutions, not individual programs. For California it is the Commissions of the Western Association of Schools and Colleges.

Institutional accreditation is a voluntary, non governmental process.

2. "Approval" means that the Superintendent of Public Instruction in the past and the Council for Private Postsecondary and Vocational Education since January 1, 1991 has determined and certified that an institution meets minimum established standards and the provisions of the applicable legislative Acts.

3. "Authorization" meant in the past that the Superintendent of Public Instruction had granted permission for an institution to operate having met established standards and regulations and undergone a rigorous evaluation process. (All institutions with the status became "candidates for approval" January 1, 1991. This status will no longer be used.)

4. The stated purposes of accreditation, approval and authorization include the following:

- a. To assure the educational community, the general public and other organizations and agencies of institutional integrity and that established standards have been met.
- b. To promote excellence in education.
- c. To encourage institutional development and improvement through self study and periodic evaluation by qualified peer professionals.
- d. To develop and use standards to assess and enhance educational quality and institutional performance and to evaluate these standards by ongoing research.

5. The status of accreditation indicates that an institution has met an accrediting commission's standards.

The status of approval or authorization indicates that an institution has met the standards established by the Private Postsecondary Education Act of 1977, as amended 1986 and the Private Postsecondary and Vocational Reform Act of 1989, operative January 1, 1991 and the requirements of the oversight entities, the Superintendent of Public Instruction in the past and the Council for Private Postsecondary and Vocational Education since January 1, 1991.

In order to achieve the statuses the institutions must have undergone an intensive and comprehensive self study followed by an on-site evaluation of institutional performance. In this process the institution must demonstrate financial responsibility, that satisfactory quality of education is provided and that the institution is committed to established standards and requirements.

6. The California Superintendent of Public instruction in an information bulletin stated, "Degrees granted by institutions in conformance with any of the categories for accrediting, approving, authorizing, or exempt degree-granting institutions are all equally legal under the law".

D. REQUIREMENTS FOR ACCREDITATION

BY

ACCREDITING COMMISSIONS

As used, Section 94302 of the California Education Code, "Accredited" means that an institution has been recognized or approved as meeting the standards established by an accrediting agency recognized by the United States Department of Education or the Committee of Bar Examiners for the State of California. It shall not include those institutions that have applied for accreditation, or are identified by accrediting associations as candidates for accreditation or have provisional accreditation.

Accrediting commissions "accredit" institutions, not individual programs or units, course work and degrees. Institutional accreditation is a voluntary, non - governmental process. It follows policies and procedures established by representatives of accredited institutions.

Institutions of higher education, colleges and universities, are all approved by a governmental agency otherwise they could not operate. Accreditation follows governmental approval.

THE HANDBOOK OF ACCREDITATION of the Accrediting Commission for Senior Colleges and Universities of the Western Association of Schools and Colleges clearly presents the purposes, standards, policies and the process for accreditation. A brief overview of the requirements follows:

In order to assist institutions in determining their educational effectiveness, the Commission has recognized four purposes of accreditation:

- "1. To assure the educational community, the general public, and other organizations and agencies that an institution has clearly defined objectives appropriate to higher education and that it meets Commission standards;
- "2. To encourage institutional development and improvement through self study and periodic evaluation by qualified peer professionals;
- "3. To develop and use standards to assess and enhance educational quality and institutional performance and to validate these standards by ongoing research; and
- "4. To promote interchange of ideas among public and independent institutions through peer review."

The accreditation standards to be addressed are as follows:

1. Institutional Integrity
2. Institutional Purposes, Planning and Effectiveness
3. Governance and Administration
4. Educational Programs
5. Faculty and Staff
6. Library, Computing and Other Information and Learning Resources
7. Student Services and the Co-Curricular Learning Environment
8. Physical Resources
9. Financial Resources

The status of accreditation indicates that an institution has met Commission standards. In so doing—the institution has:

- "1. Undergone a period of intensive and comprehensive self study followed by an on-site evaluation of institutional performance;
- "2. Demonstrated that it operates at a satisfactory level of quality in its educational programs consistent with its stated purposes and consistent with Commission standards;
- "3. Demonstrated the availability of sufficient resources to support existing and planned activities at a satisfactory level of quality, and offered reasonable grounds for belief that there will continue to be adequate resources in the future; and
- "4. Committed itself to institutional improvement, periodic self-evaluation, and continuing compliance with all Commission standards, policies procedures and decisions."

Every accredited institution files an annual report, is visited at least every five years, and undergoes a comprehensive self study and evaluation at least every ten years.

The process for accreditation includes a comprehensive self study by the requesting institution which addresses all of the applicable requirements set forth in the Handbook of Accreditation (see handbook pages 119 - 128).

Following submission of the study a visit is made by an evaluation team of professional peers (see handbook pages 128 - 128). The visit serves to:

- "1. Confirm and validate the conclusions of the institution's report;

- "2. Determine whether the institution has been responsive to recommendations of the previous visiting team.
- "3. Identify areas in which the institution is not in compliance with Commission standards;
- "4. Call attention to problems not adequately recognized by the institution itself;
- "5. Reinforce the institution's commitment to the continuing pursuit of excellence; and
- "6. Recommend to the Commission the appropriate accreditation action."

In its relations with the institution it serves the Commission is committed to working closely with the institutions in terms of their own stated purposes within the context of Commission standards. It interprets standards in ways that are relevant to the character of the particular institution, respecting institutional integrity and diversity. Emphasis of this and other "commitments" is on aiding the institutions in fulfillment of their responsibilities to the accrediting process and the responsibilities of the Commission in individualizing the process for each institution.

Accreditation ceases whenever an institution fails to pay its annual fees, or requests in writing that its accreditation be terminated, or when the Commission formally acts to terminate accreditation.

E. REQUIREMENTS FOR APPROVAL AND AUTHORIZATION
OF PRIVATE POSTSECONDARY DEGREE-GRANTING INSTITUTIONS
IN CALIFORNIA

The California State Legislature in providing for the licensing of the private postsecondary degree-granting institutions to operate has given them the status of "approval" or "approval to operate". The definitions of the terms have varied through the years as new legislation has been passed but are essentially as follows:

1. "Approval" or "approval to operate" means that the Superintendent of Public Instructions in the past and the Council for Private Postsecondary and Vocational Education since January 1, 1991 has determined and certified that an institution meets minimum established standards and the provisions of the legislation.
2. "Authorization to operate" meant in the past that the Superintendent of Public Instructions had granted permission for a postsecondary institution to operate. (This status was dropped effective January 1, 1991, and all institutions with this status became "Candidates for Approval".) Note: SB194, the Private Postsecondary and Vocational Education Reform Act of 1989, operative January 1, 1991 and the Private Postsecondary Education Act of 1977 as amended 1986 made adjustments in existing law with regard to application and approval process for the institutions that were approved or authorized pursuant to provisions antedating these acts.

The LEGISLATIVE INTENT of the Act of 1977 as amended in 1986 clearly establishes the Legislature's expected quality of the education to be provided by private postsecondary education institutions and its expected acceptance of degrees conferred. Section 94301 of the Act follows:

"It is the intent of the Legislature to encourage privately supported education and protect the integrity of degrees and diplomas conferred by the privately supported as well as publicly supported educational institutions."

"It is also the intent of the Legislature to encourage recognition by tax supported institutions of work completed and degrees and diplomas issued by privately supported institutions to the end that students may have equal opportunities for equal accomplishments and ability."

"In the present period, the need for educational services is so great that it cannot be met by tax supported educational institutions alone. The contribution of privately supported educational institutions to the preservation of liberty is essential. These objectives can best be achieved by protecting the integrity of degrees and diplomas issued by such institutions."

SB194, The Reform Act of 1989, operative January 1, 1991 stated that,

"It is the intent of the Legislature to promote the effective integration of the postsecondary education into all aspects of California's education system and to foster and improve the educational programs and services of these institutions while protecting the citizens of the State from fraudulent or substandard operations."

Both Acts established standards and required the oversight agencies, the Superintendent of Public Instructions in the past and the current Council for Private Postsecondary and Vocational Education to promulgate additional standards as needed which must be met by all private postsecondary degree-granting institutions. Section 94310 of the Education Code as amended by the Acts require that the prescribed review process shall review the following for which standards have been established in the Acts or prescribed by the oversight agencies:

1. Institutional Objectives
2. Administrative Methods
3. Curriculum
4. Instruction
5. Faculty, including qualifications
6. Physical Facilities
7. Administration Personnel
8. Procedures for Keeping Educational Records
9. Tuition, Fees, and Refund Schedules
10. Admission Standards
11. Scholastic Regulations and Graduation Requirements
12. Degrees Offered
13. Financial Stability
14. Library and Learning resources
15. Student activities and services
16. Ethical principles and practices

CATEGORIES OF INSTITUTIONS

There are three categories of institutions covered by the Acts:

Vocational Education

Out of State accredited institutions operating in California

Degree-granting institutions.

All must meet the standards set forth in the Acts, however, the institutions in each category are evaluated differently under supplemental standards, regulations and procedures and visitation teams.

SB194 states, "It is the intent of the Legislature that the minimum standards for approval for degree-granting institutions established in 94310 not exceed the accreditation standards utilized by Western Association of Schools and Colleges."

THE EVALUATION PROCESS

The process for approval and in the past authorization includes a comprehensive self study by the requesting degree-granting institution which addresses all of the applicable requirements set forth in the Acts and supplemental standards, regulations and procedures. Following submission of the study a visit is made by an evaluation team of professionals which includes a subject matter specialist. The visit serves to:

1. Confirm and validate the conclusions of the institutions report.
2. Determine whether the institution has been responsive to recommendations of the previous visiting team.
3. Identify areas in which the institution is not in compliance with established standards and regulations.
4. Call attention to problems not adequately recognized by the institution itself.
5. Reinforce the institution's commitment to the continuing pursuit of excellence; and
6. Recommend to the Superintendent of Public Instruction in the past and currently to the Council the appropriate approval or (authorization) action.

All institutions must file an annual report, in the past with the Superintendent of Public Instruction and currently with the Council for Private Postsecondary and Vocational Education and each institution shall file a self-study and be visited at least every five years.

FRAUDULENT AND SUBSTANDARD PERFORMANCE OF INSTITUTIONS

The 1977 Act as amended in 1986 and the Reform Act of 1989 which became operative January 1, 1991 contained "prohibition" provisions designed to protect consumers and the public from fraudulent and substandard performance of institutions.

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The Western Association of Schools and Colleges

The Western Association of Schools and Colleges (WASC) is one of the six regional accrediting associations covering the United States, whose purpose is continual improvement of education and cooperation among educational institutions and agencies. WASC was formed on July 1, 1962, to evaluate and accredit schools, colleges, and universities in California, Hawaii, Guam, and the Pacific Island Trust Territories. WASC functions through a board of directors and three accrediting commissions: the Accrediting Commission for Senior Colleges and Universities, the Accrediting Commission for Community and Junior Colleges, and the Accrediting Commission for Schools. The board of directors consists of nine members, each accrediting commission electing three members.

Each commission, with the involvement of all participating institutions, develops its own standards, procedures, and fiscal policies, under the authority and subject to the approval of the WASC board of directors. The accreditation actions of each commission are certified by the board of directors of WASC. Accreditation ceases whenever an institution fails to pay its annual fees, or requests in writing that its accreditation be terminated, or when the Commission formally acts to terminate accreditation.

PURPOSES OF ACCREDITATION

Voluntary, nongovernmental, institutional accreditation as practiced by the Commission and the other regional commissions is a unique characteristic of American education. No institution in the United States is required to seek accreditation; however, because of the recognized benefits, most of the eligible institutions in this and other regions have sought to become accredited. In many other countries the maintenance of educational standards is a governmental function.

While the Commission works to establish minimum standards of quality for institutions, its primary focus is to foster educational excellence. Each institution has the responsibility of defining, for itself, characteristics of quality and excellence, and presenting evidence that such quality and excellence is being achieved. The Commission tries to deal with institutional differences in ways that protect both general standards

*For the WASC Constitution and list of candidate and accredited institutions, see the annual WASC Directory, which is available from each Commission office or from WASC, P.O. Box 9990, Mills College, Oakland, CA 94613-9990. For a list of regional accrediting associations and related bodies, see pages 194-96.

of excellence and individualized educational philosophy and practice.

The Commission accredits institutions, not individual programs. Therefore, in addition to assessing the academic quality of educational programs, the Commission emphasizes structures, processes and resources.

Where an institution provides programs not commonly offered by accredited institutions of higher education in the United States, the institution bears the burden of demonstrating that the subject matter offered is appropriate to higher education, academic in quality and rigor, and is able to be reviewed by peers from accredited institutions.

In order to assist institutions in determining their educational effectiveness, the Commission has recognized four major purposes of accreditation:

1. To assure the educational community, the general public, and other organizations and agencies that an institution has clearly defined objectives appropriate to higher education and that it meets Commission standards;
2. To encourage institutional development and improvement through self study and periodic evaluation by qualified peer professionals;
3. To develop and use standards to assess and enhance educational quality and institutional performance, and to validate these standards by ongoing research; and
4. To promote interchange of ideas among public and independent institutions through peer review.

STANDARDS AND POLICIES

Accreditation is a continuing process, the heart of which lies in periodic self-appraisal by each institution, in its initial application for candidacy or accreditation, and in preparation for each subsequent visit. Every institution prepares an extensive report with primary emphasis on self-analysis and evaluation. Between scheduled visits, each institution addresses visiting team recommendations and submits annual reports.

As a result of extensive experience and research, the Commission has determined that there are certain basic characteristics of quality required of all institutions of higher education. The Commission has found that institutions can readily maintain their individuality while complying with these established standards. These Commission standards, policies,

**CODE OF
COMMISSION
GOOD PRACTICE
AND ETHICAL
CONDUCT**

and procedures are periodically reviewed and revised. Revisions are made as needed, based on research, the experience of the Commission and visiting teams, and comments of institutional representatives.

In carrying out its functions, the Commission has established a code of good practice, both for its relations with the institutions it serves and with regard to its internal organization and procedures.

Every institution desiring recognition by the Commission is expected to abide by the standards and policies of the Commission, as stated in this *Handbook* and as may be developed in the future. As knowledge increases and the needs of society change, institutions are continually evolving in order to serve their students and community better. Consequently, the Commission continually reviews the role and validity of its standards and engages in widespread consultation with the accredited institutions in the region in order to incorporate their suggestions and receive their approval. Consistent research findings demonstrate that accreditation serves all types of institutions for institutional improvement.

The effectiveness of self-regulatory accreditation, however, depends upon the institution's acceptance of specific responsibilities, including compliance with all of the standards and abiding by the Commission's policies, procedures, and decisions. There must be institutional involvement in and commitment to the accreditation process. The process assumes that each institution has the responsibility to participate in and to accept an honest and forthright assessment of institutional strengths and weaknesses. As a consequence, an acceptable self-study report and peer evaluation are required. Only in this way will the validity and vitality of the accreditation process be ensured.

In its relations with the institutions it serves, the Commission is committed to:

1. Appraise institutions in terms of their own stated purposes within the context of Commission standards. Interpret standards in ways that are relevant to the character of the particular institution, respecting institutional integrity and diversity.
2. Emphasize the value and importance of institutional self study.
3. Assist and stimulate improvement in the educational effectiveness of the institution.

4. Conduct evaluation visits by experienced and qualified peers under conditions which, insofar as reasonably possible, ensure impartial and objective judgment, avoiding conflict of interest.

5. Protect the confidentiality of the institutional self-study and evaluation team reports.

6. Make sincere efforts to include on evaluation teams representation from other institutions of similar purpose and academic program.

7. Provide institutions an opportunity to object, for cause, to individual members assigned to the team designated to visit the institution, with special concern for possible conflict of interest.

8. Consider for evaluation teams, persons recommended for accrediting service.

9. Advise each chair to arrange consultation during the visit with administration, faculty, students, and trustees, and to include during comprehensive visits a publicized opportunity for an open hearing.

10. Provide opportunity for the institution to respond in writing to the team report before it is completed, and to appear before the Commission when the report is considered. The Commission staff will notify the institution in writing as soon as reasonably possible regarding Commission decisions.

11. Provide opportunity for institutional representatives and the general public to attend portions of Commission meetings devoted to policies and other nonconfidential matters. See policy on Public Access to the Commission, pages 107-08.

12. Encourage widespread discussion and serious consideration of major team recommendations.

13. Request a written response from an institution or refer a matter to the next evaluation team when the Commission's attention is drawn to the possibility that an institution may be in violation of Commission standards or policies. If a written report is requested and the response is not deemed adequate, the staff may schedule a fact-finding visit to the institution in question. The Commission will bear the expense of such a visit.

14. Make an initial visit for candidacy or accreditation to an institution only on the written request of the chief executive officer and governing board chair of the institution.

15. Revisit an institution in keeping with periodic evaluation procedures and after due notice to the institution.

16. Permit withdrawal of a request for initial candidacy or initial accreditation at any time (even after evaluation) prior to final action by the Commission. This privilege does not apply to other types of visits.

17. Revoke accreditation or candidacy only after advance written notice.

18. Encourage continuing communication between the Commission and institutions through the liaison officer position in each institution. See policy on Accreditation Liaison Officer, pages 93-4.

THE STATUS OF ACCREDITATION

The status of accreditation indicates that an institution has met Commission standards.

In so doing, the institution has:

1. Undergone a period of intensive and comprehensive self study followed by an on-site evaluation of institutional performance;
2. Demonstrated that it operates at a satisfactory level of quality in its educational programs consistent with its stated purposes and consistent with Commission standards;
3. Demonstrated the availability of sufficient resources to support existing and planned activities at a satisfactory level of quality, and offered reasonable grounds for belief that there will continue to be adequate resources in the future; and
4. Committed itself to institutional improvement, periodic self-evaluation, and continuing compliance with all Commission standards, policies, procedures and decisions.

Accreditation is attained by the process of evaluation of an entire institution and continues until formally withdrawn. It is subject, however, to periodic review and to conditions as determined by the Commission. Every accredited institution files an annual report, is visited at least every five years, and undergoes a comprehensive self study and evaluation at

least every ten years. Initial accreditation, as a matter of Commission policy, requires institutional self study and review no more than five years after the date of the Commission action granting such status. Neither accreditation nor candidacy is retroactive.

As a voluntary, nongovernmental agency, the Commission does not have the responsibility to exercise the regulatory control of state and federal governments, or to apply their mandates regarding collective bargaining, affirmative action, health and safety regulations, and the like. Furthermore, the Commission does not enforce the standards of specialized accrediting agencies, the American Association of University Professors, or other nongovernmental organizations, although institutions may wish to review the publications of such other agencies as part of the self-study process. The Commission has its own standards and expects that institutions and teams will apply them with integrity, imagination, and an attitude of humane concern for students and the public interest.

The accreditation standards apply to all institutions in the region. For those seeking candidacy and initial accreditation, the standards must be met at least at a minimum level. For institutions seeking reaffirmation of accreditation, the standards must be met at higher levels. The standards define normative expectations and characteristics of excellence, and provide a framework for institutional self study. Depending upon the stage of development of the institution, some components of the standards may be viewed as of greater or lesser priority.

or the Council for Private Postsecondary and Vocational Education.

SEC. 5. Section 94310 of the Education Code, as added by Chapter 1307 of the Statutes of 1989, is amended to read:

94310. No private postsecondary educational institution may issue, confer, or award an academic or honorary degree unless the institution meets the requirements of subdivision (a) or (b), as follows:

(a) The institution is approved by the Council for Private Postsecondary and Vocational Education to operate in California and award degrees. The council shall not approve an institution to issue degrees, diplomas, or certificates pursuant to this subdivision until it has conducted a qualitative review and assessment of, and has approved, each degree program offered by the institution, and all of the operations of the institution, and has determined all of the following:

(1) The institution has the facilities, financial resources, administrative capabilities, faculty, and other necessary educational expertise and resources to ensure its capability of fulfilling the program or programs for enrolled students.

(2) The faculty is fully qualified to undertake the level of instruction that they are assigned and shall possess appropriate degrees and have demonstrated professional achievement in the major field or fields offered, in sufficient numbers to provide the educational services.

(3) The education services and curriculum clearly relate to the objectives of the proposed program or programs and offers students the opportunity for a quality education.

(4) The facilities are appropriate for the defined educational objectives and are sufficient to ensure quality educational services to the students enrolled in the program or programs.

(5) The course of study for which the degree is granted provides the curriculum necessary to achieve its professed or claimed academic objective for higher education, and the institution requires a level of academic achievement appropriate to that degree.

(6) The institution provides adequate student advisement services, academic planning and curriculum development activities, research supervision for students enrolled in Ph.D. programs, and clinical supervision for students enrolled in various health profession programs.

(7) If the institution offers credit for prior experiential learning it may do so only after an evaluation by qualified faculty and only in disciplines within the institution's curricular offerings that are appropriate to the degree to be pursued. The council shall develop specific standards regarding the criteria for awarding credit for prior experiential learning at the graduate level, including the maximum number of hours for which credit may be awarded.

(b) The approval process shall include a qualitative review and assessment of all of the following:

- (1) Institutional purpose, mission, and objectives.
- (2) Governance and administration.
- (3) Curriculum.
- (4) Instruction.
- (5) Faculty, including their qualifications.
- (6) Physical facilities.
- (7) Administrative personnel.
- (8) Procedures for keeping educational records.
- (9) Tuition, fee, and refund schedules.
- (10) Admissions standards.
- (11) Financial aid policies and practices.
- (12) Scholastic regulations and graduation requirements.
- (13) Ethical principles and practices.
- (14) Library and other learning resources.
- (15) Student activities and services.
- (16) Degrees offered.

The standards and procedures utilized by the council shall foster the development of high quality, innovative educational programs and emerging new fields of study within postsecondary education. In addition, the standards and procedures utilized by the council shall not unreasonably hinder educational innovation and competition.

It is the intent of the Legislature that the minimum standards for approval for degree granting institutions established in Section 94310 not exceed the accreditation standards utilized by the Western Association of Schools and Colleges.

(c) The council may, at its discretion, delegate the responsibilities for regulation and oversight of accredited degree granting law schools to the California Committee of Bar Examiners, and that accreditation may be accepted by the council in lieu of state approval.

(d) (1) The council shall conduct a qualitative review and assessment of the institution and all programs offered, including the items listed in subdivision (b), through a comprehensive onsite review process, performed by a qualified visiting committee impaneled by the council for that purpose. Each institution shall submit a single application for all operations in California, and the application shall include a single fee which is institution-based and not site-based. The visiting committee shall be impaneled by the council within 90 days of the date of the receipt of a completed application and shall be composed of educators, and other individuals with expertise in the areas listed in subdivision (b), from degree granting institutions legally operating within the state. Within 90 days of the receipt of the visiting committee's evaluation report and recommendations, or any reasonable extension of time not to exceed 90 days, the council shall take one of the following actions:

(A) If the institution is in compliance with this chapter and has not operated within three years before the filing of the application

It is the intent of the Legislature to promote the effective integration of private postsecondary education into all aspects of California's education system and to foster and improve the educational programs and services of these institutions while protecting the citizens of the state from fraudulent or substandard operations.

It is further the intent of the Legislature to recognize the enormous diversity of California's private postsecondary educational enterprise, with its approximately 3,000 privately supported institutions of academic and vocational education.

It is further the intent of the Legislature to provide for the protection, education, and welfare of citizens of California, its postsecondary educational institutions, and its students by providing for all of the following:

(a) Ensuring minimum standards of instructional quality and institutional stability for all students in all types of institutions, and thereby encourage the recognition by public and private institutions of completed coursework and degrees and diplomas issued by private institutions to the end that students will be provided equal opportunities for equal accomplishment and ability.

(b) Establishing minimum standards concerning the quality of education, ethical and business practices, health and safety, and fiscal responsibility to provide protections against substandard, transient, unethical, deceptive, or fraudulent institutions and practices.

(c) Prohibiting the granting of false or misleading educational credentials.

(d) Prohibiting misleading literature, advertising, or solicitation, or representations by private educational institutions or their agents.

(e) Recognizing the importance of providing adequate funding through application and renewal fees and federal funding for the veteran's approval process to support the state's activities in implementing this chapter.

(f) Protecting the consumer and students against fraud, misrepresentation, or other practices which may lead to an improper loss of funds paid for educational costs, whether financed through personal resources or state and federal student financial aid.

(g) Establishing a path for the development of institutions offering fields of study or methods of instruction and innovative educational delivery systems not previously recognized in order to encourage them to become fully approved institutions.

(h) Recognizing and encouraging quality nongovernmental accreditation, while not ceding to that or any other nongovernmental process the responsibility for state oversight for purposes of approval if the accreditation process fails either to protect minimum standards of quality or to acknowledge legitimate innovative methods in postsecondary education.

(i) Establishing an administrative agency staffed by individuals who are knowledgeable about private academic and vocation education, and charged with the responsibility of developing policies and procedures for the oversight and approval of private postsecondary and vocational education, including the responsibility for managing a broadly construed policy and planning process that seeks to improve state accountability for private postsecondary and vocational education as well as to improve the articulation of private postsecondary and vocation education with the ***public and independent postsecondary *** educational community. It is the intent of the Legislature that current employees of the Private Postsecondary Education Division of the State Department of Education shall be covered by Section 19050.9 of the Government Code during the establishment of the new administrative agency. This new body should provide the leadership and planning needed to maintain and develop a strong private sector of this community.

(Added by Stats. 1989, c. 1307, § 4, operative Jan. 1, 1991.
Amended by Stats. 1990, c. 1479 (S.B. 194), § 1.)

**Additions or changes indicated by underline;
deletions by asterisks*****

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Recognition of Non-Accredited Units, Courses, and Degrees Toward Award of Professional Certificates		April 18, 1991
Bureau	Reviewed by	Researched by
Compliance and Certificate Services	Frederick Williams	Frederick Williams
Executive Director Approval	Date of Approval	Date of Report
		March 5, 1991
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 POST modify its Regulation which currently only recognizes units, courses, and degrees from accredited colleges and universities toward the award of POST professional certificates?

BACKGROUND

College units are necessary to meet requirements for award of Intermediate and Advanced Certificates. Such units are also necessary to meet minimum requirements for the Supervisory, Management, and Executive Certificates.

The Commission, at its March 24, 1965 meeting, adopted the requirement that it would only recognize units awarded by accredited colleges and universities toward the award of POST professional certificates. There is no documentation on file for the basis of the Commission decision. However, it is speculated that the action was taken to protect the integrity of the certificates, and to preclude the necessity for POST staff to conduct independent analysis of the academic standing of each educational institution under consideration. Commission Regulation 1011 authorizes the award of certificates and awards to members of participating agencies in recognition of achievement of education, training, and experience. Commission Procedure F-1-4 (b), in describing the qualifications for the award of certificates, cites that education points (units) shall have been awarded by an accredited college or university.

August Vollmer University is a non-accredited institution. Its president, John P. Kenney, proposes that the Commission change its Regulation, allowing non-accredited institutions' units and courses to be accepted in the award of POST professional certificates. He notes that recent legislation, SB 194, has improved the process for overseeing institutions such as his; that the oversight responsibility has been removed from the Superintendent of Public Instruction and placed with the Council For Private-Postsecondary and Vocational Education.

~~On May 1, 1986, August Vollmer University was initially authorized by the Superintendent of Public Instruction to~~

operate as a California degree granting institution in accordance with California Education Code Section 94310 (c). The institution was subsequently reauthorized on September 19, 1990 under Education Code Section 94310.3 (change in code sections). However, pursuant to SB 194, which was effective September 28, 1990, Education Code Section 94310 (h) essentially grandfathered those existing authorized institutions, with the designation "Candidate for Approval Status." The legislation also indicates that on a specified date prior to January 1, 1994 (to be determined by the Council For Private Postsecondary and Vocational Education) that each institution granted "Candidate for Approval Status" shall file a completed application for approval pursuant to the new legislation.

ANALYSIS

The Commission has affirmatively articulated policy which states that only units of credit and college degrees awarded by accredited institutions will be honored toward the award of POST certificates. Historically, this position was taken as a means of providing assurance that the source of the education credits was recognized and approved as meeting standards of a recognized accrediting body. Over the years, POST professional certificates have remained respected and in many instances assigned value beyond that which was anticipated by the Commission.

The Private Postsecondary and Vocational Education Reform Act of 1989 and follow up legislation SB 194 are expressions of legislative intent to improve the educational programs and services of private postsecondary and vocational educational institutions. The language of the Reform Act specifically cites the intent to protect the citizens of the state from fraudulent or substandard operations.

The recent legislation acknowledges and recognizes the co-existence of the nongovernmental accreditation process (Western Association of Schools and Colleges) along with the process under development pursuant to the 1989 Reform Act and SB 194. SB 194, among other provisions, enacted language "prohibiting a private postsecondary institution from advertising, or indicating in any promotional material that the institution is accredited, unless the institution has been recognized or approved as specified."

According to Mr. Kenney, the August Vollmer University program is devoted exclusively to criminal justice/criminology. He notes in his correspondence that the university's degrees are appropriate and applicable for law enforcement; that they should be accepted toward the award of POST Intermediate and Advanced Certificates. Mr. Kenney further indicates that "authorized and approved institutions have been created by law. They have been given legal status with all institutions of higher education. They are creatures of the State therefore have all the rights and privileges accorded. Anything else is discrimination."

The standard under which the university was originally authorized to operate May 1, 1986 has been theoretically improved by legislative action and the identification of an independent oversight Council. Under the old standard the Superintendent of Public Instruction, under the authority of the Education Code, could confer upon institutions: (1) Accredited (2) Approved (3) Authorized or (4) Exempted status. The Council is currently in the midst of promulgating its rules and regulations which will govern the new process. Under the new system, the Council will confer only one designation, that being "Approval." As Mr. Kenney observes the new standards for approval of private postsecondary institutions, based on preliminary review, do appear to be similar to those steps involved in the accreditation process, i.e., comprehensive self-study, followed by an on-site evaluation of the programs and services of the total institution. The new regulations will also be subject to review and approval by the Office of Administrative Law. In enacting SB 194, The Legislature expressed its intent to recognize the enormous diversity of California's private postsecondary educational enterprise, with its approximately 3,000 privately supported institutions of academic and vocational education.

However, August Vollmer University has yet to undergo this new appraisal process. As previously noted, the university is a "Candidate For Approval Status," based a grandfather provision under Education Code Section 94310 (h).

In Summary, POST staff finds the old system under which August Vollmer was originally authorized to operate unacceptable in assuring the integrity of non-accredited units. It would be overly burdensome and complicated for POST staff to distinguish between sound educational institutions and those that are fraudulent or substandard in their operations, i.e., diploma mills. We could possibly accept for recognition purposes those institutions "Approved" under the new independent Council for Private Postsecondary and Vocational Education. However, the Council's operating rules and regulations for such approvals are under development and reportedly are several months away from completion. These rules and regulations for approval should be completed and adopted, and institutions like August Vollmer University approved accordingly before POST consider recognition. It is important to note that this issue is larger than August Vollmer University. If POST Regulations are changed to recognize "Approved" institutions, units would be accepted from all such institutions.

Should the Commission consider a change in POST Regulations at this time, as requested by Mr. Kenney, or at some future date, the issue of retroactive approval of units bears some attention. It would appear most reasonable to recognize only units completed after the conferring of "Approval" status by the Council for Private Postsecondary and Vocational Education. This is recommended because there would be greater reliability in the

integrity of units earned under this approval process.

Finally, the Commission should be aware that Government Code Section 1031 (e), in addressing the minimum education standard for peace officers, specifies that a two-year or four-year degree from a college or university accredited by the Western Association of Colleges and Universities is acceptable in lieu of high school graduation. In the event the Commission decides to recognize "Approved" educational institutions for credit toward POST certificates, an issue of apparent inconsistency will exist, as graduation from an "Approved" educational institution will not be acceptable in satisfying the high school graduation minimum standard for peace officers. This inconsistency could be reconciled either by the Commission not recognizing "Approved" educational institutions, or through a change in the language of Government Code Section 1031 (e), also recognizing "Approved" educational institutions, along with accredited colleges and universities.

Mr. Kenney is aware of staff analysis described in this report and of the conclusion that it appears premature to consider a change in POST Regulations. Mr. Kenney wishes to appeal and petition directly to the Commission for a change in regulations. This report and agenda item has been prepared to allow for this appeal.

Mr. Kenney's formal request for Commission action and his supporting analysis are included as attachment A.

Attachment B includes letters of support for recognition of August Vollmer University.

RECOMMENDATION

Deny the request for the recognition of non-accredited units, courses and degrees toward the award of POST professional certificates.

POST ADMINISTRATIVE MANUAL

REGULATIONS

CALIFORNIA CODE OF REGULATIONS

The Regulations of the Commission on Peace Officer Standards and Training are established and adopted in compliance with and by authority of Penal Code Sections 13500 et seq.

The Regulations are codified in Title II, Chapter 2 of the California Code of Regulations, originally effective October 23, 1960, and revised effective December 1, 1983.

TITLE II

PEACE OFFICER STANDARDS AND TRAINING

CHAPTER 2

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Article 1. General

NOTE: The objectives of the Commission on Peace Officer Standards and Training are:

1000. Objectives.

- (a) To raise the level of competence of regular, reserve, and specialized peace officers:
 - (1) By establishing minimum standards relating to physical, mental, and moral fitness which shall govern the selection of such peace officers, and
 - (2) By establishing minimum standards for training such peace officers.
- (b) To provide such services and aid to local law enforcement as are authorized by law.

1001. Definitions.

- (a) "Accredited College" is a community college, college or university accredited as such by:
 - (1) The department of education of the state in which the community college, college or university is located, or
 - (2) A recognized national or regional accrediting body, or

(3) The state university in the state in which the community college, college or university is located.

- (b) "The Act" refers to Part 4, Title 4 of the Penal Code of California, commencing at Section 13500 and entitled, "Standards and Training of Local Law Enforcement Officers."
- (c) "Approved Course" is a curriculum that is determined by the Commission to satisfy a legislative mandate. Approved courses are outlined in *PAM, Section D-7.
- (d) "Assistant Department Head" is a peace officer occupying the first position subordinate to a department head, is generally responsible for supervision of middle managers and/or supervisors, and is a position for which commensurate pay is authorized.
- (e) "Certified Course" is a formal program of instruction for law enforcement for which the Commission approved individual presentations for the purpose of maintaining quality control.
- (f) "Commission" is the Commission on Peace Officer Standards and Training.

POST ADMINISTRATIVE MANUAL

COMMISSION PROCEDURE F-1

REGULAR AND SPECIALIZED LAW ENFORCEMENT
CERTIFICATE PROGRAM

Purpose

1-1. **The Professional Certificate Program:** This Commission procedure describes the Professional Certificate Program established in Section 1011 of the Regulations.

General Provisions

1-2. Eligibility:

- a. To be eligible for the award of a Regular Program Certificate, an applicant must currently be a full-time peace officer employed and paid as such in a participating California agency, and have satisfactorily completed the Basic Course listed in PAM, Section D-1-3.
- b. To be eligible for the award of a Specialized Law Enforcement Certificate, an applicant must currently be a full-time peace officer employed and paid as such in a participating California agency, and have satisfactorily completed a specialized basic course listed in PAM, Section D-1.
- c. Notwithstanding the provisions of subsections a and b, full-time, paid peace officer employees of cities, counties and districts authorized by statute to maintain police departments are eligible for award of a basic certificate if they are required by Penal Code Section 832.4 to obtain such a certificate, and their employing agency does not participate in the POST Program. This eligibility shall pertain only to award of a basic certificate, which shall be issued only after compliance with the applicable selection, training and experience requirements. Selection requirements shall be Government Code Sections 1029-1031.5; training requirements shall be the minimum training specified in Commission Regulation 1005 for the peace officer's classification; probation/service requirements shall be consistent with the requirements for all officers in Commission Procedure F-1-5.

Regular Basic Certificates will be awarded to officers qualifying pursuant to this section who complete the regular basic course referred to in Regulation 1005(a)(1). Specialized Basic Certificates will be awarded to qualifying officers who complete basic training referred to in Regulation 1005(a)(2) thru (6).

- d. A currently employed peace officer who has satisfactorily completed the regular Basic Course, regardless of completion date, and was issued the Specialized Basic Certificate and/or higher level Specialized Certificates, may apply for issuance of the Regular Basic and/or higher level Regular Certificates.
- e. A currently employed peace officer who has been awarded a Basic Certificate listing an experience category may apply for another Basic Certificate, after completing the required experience in the new agency category.

1-3. Application Requirements:

- a. All applications for award of certificates covered in this procedure shall be completed on the prescribed Commission form entitled "Certificate Application," POST 2-116 (Rev. 8/88).
- b. Each applicant shall attest that he or she subscribes to the Law Enforcement Code of Ethics.
- c. The department head shall sign the following statement which appears on the application:
 - (1) "I recommend that the certificate be awarded. I attest that the applicant has completed a period of satisfactory service or probation as provided in Section 1010b (3), (4), or (5) of the Commission's Regulations (Basic Certificate requirement only), and the applicant has been employed in compliance with the minimum standards set forth in Section 1002 of the Commission's Regulations. The applicant is my-