



Administrative Progress Report (APR) October 2008

To: POST Commissioners and Advisory Committee Members

From: PAUL A. CAPPITELLI
Executive Director

The Administrative Progress Report (APR) is a monthly status report that informs POST Commissioners and the California law enforcement community of recent progress on POST projects and instructional programs under development, and other information of importance to our mission to continually enhance the professionalism of California law enforcement.

AB 2028 PROVIDES LAW ENFORCEMENT AGENCIES GREATER LATITUDE IN THE PEACE OFFICER BACKGROUND INVESTIGATION

AB 2028 (Solorio), a POST-developed bill that was signed into law on September 27, 2008, by the Governor, is intended to enable California law enforcement agencies to meet two conflicting statutory obligations: (1) the conduct of thorough peace officer background investigations, and (2) the lawful sequencing of medical and non-medical inquiries consistent with the California Fair Employment and Housing Act.

With the passage of AB 2028, Section 1031.2 is added to the Government Code which provides law enforcement agencies with greater latitude to situate the background investigation within the larger peace officer hiring process. Agencies may now conduct the following aspects of the background investigation *after* a conditional offer is extended: (1) the collection of documents that may include protected information or that require considerable time to acquire, and (2) the “physical investigation” i.e., contacts and interviews with relatives, friends, employers, and any other references.

At the post-offer stage, background investigators may ask whatever is necessary to conduct a thorough investigation, as long as the inquiries are job-related and consistent with business necessity. The investigator is also free to communicate with the screening psychologist and physician to ensure that each evaluator has the information necessary to make their respective assessment.

An informational bulletin on this statutory change is forthcoming. Questions may be directed to Supervising Personnel Selection Consultant Shelley Spilberg, Ph.D., Standards and Evaluation Services Bureau, at (916) 227-4824 or Shelley.Spilberg@post.ca.gov.

PEACE OFFICER EDUCATIONAL REQUIREMENTS BROADENED WITH PASSAGE OF SB 1241

Senate Bill 1241, the California District Attorneys' Association omnibus crime bill, was signed into law by Governor Schwarzenegger on September 30, 2008. Included in this bill was an amendment developed by POST staff to revise the minimum education standards in Government Code 1031(e). This revision, effective January 1, 2009, broadens criteria for judging the acceptability of a peace officer candidate's education. Currently, the only non-public high schools that meet the statutory minimum are those accredited by an accrediting association recognized by the U.S. Department of Education (DOE). However, the focus of the DOE is on recognizing *post-secondary* schools, not high schools. As a consequence, many individuals who receive diplomas from bona fide private high schools are forced to take the GED. SB 1241 remedies this problem by including four associations that oversee the accreditation of private institutions: the National Council for Private School Accreditation (NCPSA), the Commission on International and Trans-Regional Accreditation (CITA), the Council for American Private Education (CAPE), and the National Federation of Nonpublic School State Accrediting Associations (NFSSAA).

Peace officer educational standards can also be met by a post-secondary degree from an acceptable college. However, in its current form, GC 1031(e) only recognizes two-year and four-year degrees. SB 1241 changed this oversight to allow for advanced college degrees (e.g., masters, doctorate) from accredited colleges and universities to satisfy the educational requirements.

An informational bulletin on this statutory change is forthcoming. Questions may be directed to Supervising Personnel Selection Consultant Shelley Spilberg, Ph.D., Standards and Evaluation Services Bureau, at (916) 227-4824 or Shelley.Spilberg@post.ca.gov.

POST HONORED FOR EXCELLENCE IN CULTURAL DIVERSITY EDUCATION

The Islamic Networks Group (ING) held its annual Supporters Dinner on October 5, 2008, in Santa Clara. POST staff were invited to receive ING's award for "Excellence in Cultural Education" within the field of law enforcement. The ING is a national educational outreach organization that promotes interfaith dialogue to improve understanding and mutual respect. The evening featured community actions to protect the civil rights of all persons and the importance of dignity and respect.

The award, presented by Chief Robert Davis of the San Jose Police Department, spotlighted POST's video productions as exemplary programming on various cultural groups residing within California. Chief Davis applauded the Commission's standard of training in areas of prejudice and discrimination, in addition to racial profiling and hate crimes.

POST Executive Director Paul Cappitelli accepted the award on behalf of the Commission. Executive Director Cappitelli highlighted the achievements of the California POST Training Network (CPTN) in the area of diversity training and introduced a video clip that stressed cultural competency and immersion training. Also in attendance from POST were Senior Consultant Jody Buna who managed the production of the award-winning hate crimes telecourse video series, Assistant Executive Director Alan Deal, and Training Program Services Bureau Chief Mike Hooper.

Questions about CPTN and its telecourse programming may be directed to Senior Consultant Jody Buna, Training Program Services Bureau, at (916) 227-4896 or Jody.Buna@post.ca.gov.

COMMAND COLLEGE GRADUATES CLASS 43 AND PREPARES TO COMMENCE CLASS 46

On September 12, 2008, 20 students graduated Command College Class 43 at the Doubletree Hotel in Del Mar. The class speaker was Assistant Commissioner Maxie Santiago of the California Highway Patrol. Award recognitions included Peter Bowen of Servite High School in Anaheim who received the Outstanding Faculty Award; Commander Eric V. Winchell (Claremont Police Department) who received the Dorothy Harris Award; and Captain Eve R. Irvine (Inglewood Police Department) who received the Hank Koehn Award.

Command College Class 46 will commence on December 7, 2008, with 25 students. The program will be held at the Lake Natoma Inn in Folsom. In addition, applications are currently being accepted for Class 47 which is scheduled to start on May 17, 2009.

Questions about the Command College may be directed to Senior Consultant Karen Lozito, Center for Leadership Development, at (916) 227-4892 or Karen.Loizito@post.ca.gov.

UPDATE OF THE POST SUPERVISORY COURSE

The POST Supervisory Course update is underway. Course subject matter experts from around the state convened at a workshop to begin revising the 80-hour mandated course for newly-promoted sergeants. Course objectives, content, and instructional methodology will be reviewed in order to address the needs of today's first-level supervisor.

Questions about the Supervisory Course may be directed to Senior Consultant Michael Davies, Center for Leadership Development, at (916) 227-3916 or Mike.Davies@post.ca.gov.

DEVELOPMENT OF SEARCH WARRANT WRITING TOOL CONTINUES

The development of a search warrant writing tool is in progress and is being guided by contributions from experts representing local law enforcement agencies, district attorney's offices, and the California District Attorneys' Association. When complete, the tool will improve officers' effectiveness in developing search warrants by reducing the errors and time required to prepare warrants. The tool is also being designed to assist officers who have not developed a warrant by providing expert-approved examples for common crimes.

The tool will enable users to set preferences for county and agency, enter and edit case-specific information, store statements of expertise, and access legal updates. It will also include features to enable officers to check the accuracy of the warrant, ensure that proper fact patterns were used, and ensure the document was correctly formatted. The tool is expected to be available through the POST Learning Portal in Spring 2009.

Questions about the development of the search warrant writing tool may be directed to Senior Instructional Designer Sven Blomberg, Learning Technology Resource Center, at (916) 227-4547 or Sven.Blomberg@post.ca.gov, or to Senior Instructional Systems Engineer Rich Dunn, Learning Technology Resource Center, at (916) 227-4262 or Richard.Dunn@post.ca.gov.

POST DISPATCHER CERTIFICATE PROGRAM RECEIVES MORE INTEREST

The POST Dispatcher Certificate was replaced by the POST Dispatcher Basic Certificate when two new dispatcher certificates - the Dispatcher Intermediate Certificate and the Dispatcher Advanced Certificate - were added to the POST Professional Certificates Program. The goal of adding the two new certificates was to enhance professionalism and increase retention among Public Safety Dispatchers.

As a result of adding the two new dispatcher certificates, POST has experienced an increase in the demand for dispatcher certificates. In 2007, a total of 263 Dispatcher Certificates were issued. Since January 2008, a total of 710 Dispatcher Certificates (429 Dispatcher Basic Certificates, 159 Dispatcher Intermediate Certificates, and 122 Dispatcher Advanced Certificates) have been issued.

Questions about the Dispatcher Certificate program may be directed to Staff Services Analyst Mike McVean, Administrative Services Bureau, at (916) 227-4253 or Mike.McVean@post.ca.gov.

NEW BACKGROUND INVESTIGATIONS CORE COURSE CURRICULUM

During the summer of 2007, all seven presenters of the Basic Background Investigations course received the new curriculum. The revised course offers more student involvement as several new learning activities were added to the 32-hour curriculum. With one exception, all presenters were audited within the last year to ensure the new curriculum is being used.

The current presenters of this course are: the Santa Rosa Junior College Public Safety Training Center, the South Bay Regional Training Consortium, the Sacramento Regional Public Safety Training Center, the Fresno City College's State Center Regional Training Facility, the Los Angeles City Personnel Department, the Los Angeles County Sheriff's Department, and the Riverside County Sheriff's Department. Information about any of these courses may be found online on the POST website under the Course Catalog.

Questions about the Basic Background Investigations Course may be directed to Senior Consultant Charles Sandoval, Training Delivery and Compliance Services Bureau, at (916) 277-4414 or Charles.Sandoval@post.ca.gov.

NEW ONLINE OFFICER SAFETY TRAINING ON LEARNING PORTAL

POST Learning Portal users were surveyed in September and October 2007 to determine topics of interest for future online training courses. Officer safety was the most frequently requested subject. Subsequently, POST developed an online officer safety course through the POST Learning Portal in October 2008.

This is the first of a planned series of online officer safety modules that will be offered in a new area of the Learning Portal - the Officer Safety Page. The new course, *Hot or Not*, focuses on refreshing peace officers' situational assessment and judgment skills. Warning signs and risk factors for assaults on peace officers are combined with opportunities to assess circumstances commonly encountered by law enforcement. Course content is derived from the *Law Enforcement Officers Killed and Assaulted (LEOKA)* report findings, as well as subject matter experts and the POST LEOKA Committee. Users receive one hour of CPT credit upon completion of the course.

The new Officer Safety Page, also introduced in October 2008, can be accessed through the secure POST Learning Portal. The page brings together links for all officer safety-related resources, courses, and forums on the Portal. These offerings are part of POST's strategy to meet the training needs of law enforcement through use of current technologies and methods.

Questions about the online officer safety course or the LEOKA report findings may be directed to Senior Consultant Tami Evans, Basic Training Bureau, at (916) 227-3467 or Tamara.Evans@post.ca.gov. Questions about the Learning Portal or Officer Safety Page and features may be directed to Senior Instructional Designer Catherine Bacon, Learning Technology Resource Center, at (916) 227-4546 or Catherine.Bacon@post.ca.gov.

POST LIBRARY IMPROVES RESEARCH ASSISTANCE FOR CLIENTS

The POST library serves diverse clients of in-house staff and law enforcement personnel. POST is in the process of enhancing its services to the users. To accomplish this, library staff, under the direction of Librarian Laurel Espell, has initiated a series of projects.

The first to be completed is a Research Help Desk phone line. The phone line - (916) 227-3765 - is now available for anyone to use. Whether the request is large or small, POST's professional library staff will be available to help.

The next change will be a new and improved Web presence. POST is in the final stages of a redesign of the library webpages that will make on-line resources and research capability "user-friendly." Suggestions and comments on how POST's research library can better serve the field may be directed to library@post.ca.gov.

Questions about the Library Improvement Project may be directed to Librarian Laurel Espell, Information Services Bureau, at (916) 227-3765 or Laurel.Espell@post.ca.gov.

REFURBISHED COMPUTERS AID VAWA COURSE FACILITATORS

In response to the current budget climate, POST is mindful of spending while continuing to support law enforcement training programs throughout the state. A recent example of this can be seen in the Violence Against Women Act (VAWA) program.

The VAWA program has received no funding for computer equipment since its inception in 1997. The original equipment has been upgraded and repaired many times over the years. In an effort to equip VAWA course facilitators with equipment with improved operability, POST's Computer Services Bureau refurbished eight older laptops slated for replacement within Training Delivery and Compliance Services Bureau. The refurbishment included new office software, virus software updates, and docking stations for each unit. The refurbished equipment began to be issued to VAWA facilitators during October. The estimated value of the refurbished computers was applied toward a portion of the required in-kind match for the VAWA grant, which constituted further added value to the refurbishment action.

Questions about the VAWA program may be directed to Management Fellow April Crume, Training Program Services Bureau, at (916) 227-0473 or April.Crume@post.ca.gov.

CAL/EPA ONLINE ENVIRONMENTAL CRIMES COURSE TESTING AND DEVELOPMENT

POST staff and representatives of Binary Labs, Inc., the course developer, conducted user testing and met with subject matter experts to finalize the scenarios and content for the online Environmental Crimes Investigations Overview course. The user testing session provided input on course functionality. Subject matter experts provided content and guidance for scenarios that will be used in the course. It is expected the course will be complete in early 2009.

Penal Code §14304 states that POST shall develop a course of instruction for training local and state peace officers on the detection of violations and the apprehension of suspected violators of state and local environmental laws. This online course will cover:

- Civil and criminal codes that apply to environmental crimes,
- Agencies that make up an environmental crimes task force,
- How these agencies can assist in environmental crime investigations,
- Safety issues related to environmental crimes, and
- Search and seizure issues that arise in environmental crimes investigations.

Questions about the Cal/EPA online environmental crimes course may be directed to Senior Instructional Designer Catherine Bacon, Learning Technology Resource Center, at (916) 227-4546 or Catherine.Bacon@post.ca.gov.

POST EMPLOYEE HIGHLIGHTS

Featured Employee – David Maxwell



David Maxwell hails from Sacramento and was born to a family of four children - he is oldest with three younger sisters. In the summer of 1997, David was hired by Wells Fargo Bank, right out of Florin High School as a young part-time teller. He worked in different branches in the Sacramento area. To gain advancement, he took accounting classes at Cosumnes River College and was promoted in the spring of 2003 to become a full-time Service Manager for the Rancho Cordova branch of Wells Fargo. Previously, David was enrolled at the same college taking classes in the hope of becoming an On-Air Personality Radio Show Host in an internship at

KHTK-1140 conducting radio sports interviews.

After eleven years in the banking industry, David entered state service and joined POST as an Accounting Technician on March 12, 2008. David shares the task of reimbursing over six hundred local agencies for their training costs and reimbursing individual trainees/experts covering various workshops via the Letter of Agreement plan.

In his spare time, David edits family videos, weddings, and anniversaries. He is also very active in the public ministry teaching the Bible, as well as counseling families and children. David is married to Antonette, his wife of two years.

David enjoys working at POST because of the friendly environment, and he is very close to home. David's work ethic and positive attitude makes him an asset to POST.

POST STAFF ATTENDED FUNERAL SERVICES FOR RICHMOND POLICE DEPARTMENT OFFICER

On October 14, 2008, POST staff attended the funeral service at the Concord Pavilion for Officer Bradley Alan Moody, age 29, of the Richmond Police Department (RPD). Officer Moody died October 9, 2008, as a result of injuries sustained in a traffic collision while responding to a call involving a felony assault. Officer Moody was a K-9 officer and a member of the RPD SWAT Team. He was held in highest regard by his peers, friends, and coworkers who spoke in remembrance. Chief of Police Christopher Magnus commented to the gathering that Officer Moody's work ethic was extraordinary and his commitment to the community of Richmond and his profession was unparalleled.

Officer Moody is survived by his wife, Susan, and two young daughters. Officer Moody was posthumously decorated by Chief Magnus and accorded a full honors memorial service. Executive Director Paul Cappitelli, Bureau Chief Bob Stresak, and Senior Consultant Don Lane attended the services on behalf of POST.

Questions about Officer Bradley Moody's funeral may be directed to Senior Consultant Don Lane, Homeland Security Training Program, at (916) 227-3918 or Donald.Lane@post.ca.gov.

CALENDAR OF EVENTS ON THE POST WEBSITE

For security reasons, the POST Calendar of Events is located in the Flagship Network on the POST Website. The Flagship Network is an electronic bulletin board for the Commission and sworn law enforcement personnel accessed through a user identification and password.

Information about obtaining access is located at http://www.post.ca.gov/library/p_ch/flagship_bb.asp. If you have access to the network but have forgotten your user identification or password, please send an email to clearinghouse@post.ca.gov.

LEGISLATIVE UPDATE - STATUS OF CURRENT LEGISLATION

There is no legislative report for this month due to the Legislature being in recess.

REPORT DATE: October 31, 2008