

**Commission on Peace Officer Standards and Training**

1601 Alhambra Blvd
Sacramento, CA 95816-7083
www.post.ca.gov

Date: September 2, 2005

Bulletin: No. 2005-15

Subject: **Notice Of Proposed Regulatory Action – Amend the *Training and Testing Specifications for Peace Officer Basic Courses***

At its July 21, 2005, Commission meeting, the Commission approved proposed amendments to the *Training and Testing Specifications for Peace Officer Basic Courses*. Proposed revisions appear in all Learning Domains (LD) with the exception of LD #2 - Criminal Justice System, LD #5 - Criminal Law, and LD# 27 - Missing Persons. Related changes are proposed in POST Regulations 1005, 1007, and 1008, and in Procedures D-1, D-10, and D-14.

Proposed for a January 1, 2006, effective date, these changes are significant and will:

- Integrate Leadership, Ethics, and Community Policing curriculum
- Update POST scenario testing methodology and evaluation
- Revise curriculum to ensure proper alignment with entry-level officer tasks
- Modify language for clarification, accuracy, and grammar purposes.

Pursuant to the provisions of the Administrative Procedures Act, the Commission invites written input on this proposal. POST must receive any written comments related to the proposed actions no later than October 17, 2005.

No public hearing is scheduled. Pursuant to Government Code Section 11346.8, any interested persons or duly authorized representative may request in writing, no later than 15 days prior to the close of the public comment period, that a public hearing be held.

Please direct any inquiries concerning this proposed regulatory action to Patricia Cassidy, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, by email at Pat.Cassidy@post.ca.gov or by telephone at 916.227.4847. If Patricia is unavailable, please contact Julie Hemphill by email at Julie.Hemphill@post.ca.gov or by telephone at 916.227.0544.

KENNETH J. O'BRIEN
Executive Director

NOTICE OF PROPOSED REGULATORY ACTION

Amend the *Training and Testing Specifications for Peace Officer Basic Courses*

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Chapter 2 of Title 11 of the California Code of Regulations. This proposal is made pursuant to the authority vested by Penal Code sections 13503 (powers of the Commission on POST) and 13506 (Commission on POST authority to adopt regulations). This proposal is intended to interpret, implement and make specific Penal Code sections 13503(e) (Commission on POST authority to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses), 13510 (Commission on POST authority to adopt and amend rules establishing minimum standards for California local law enforcement officers) and 13510.5 (Commission on POST authority to adopt and amend standards for certain other designated California peace officers).

Informative Digest/Policy Statement Overview

At its July 21, 2005 meeting, the Commission approved proposed amendments to 38 Learning Domains throughout the *Training and Testing Specifications for Peace Officer Basic Courses* publication. This publication is incorporated by reference into Regulations 1005, 1007 and 1008, and Procedures D-1, D-10 and D-14. The proposed changes are significant and will:

- Integrate Leadership, Ethics and Community Policing curriculum
- Update POST scenario testing methodology and evaluation
- Revise curriculum to ensure proper alignment with entry-level officer tasks
- Modify language for clarification, accuracy, and grammar purposes.

All changes to academy curriculum begin with recommendations from law enforcement practitioners or, in some cases via legislative mandates. POST then facilitates meetings attended by curriculum advisors and subject matter experts (SMEs) who provide recommended changes to existing academy curriculum. These recommendations are then submitted to the Standing Alignment Committee (SAC), chaired by non-POST personnel and comprised of academy directors and coordinators. The SAC approved recommendations are then submitted for review by all academies at the Basic Course Consortium quarterly meetings facilitated by POST. Once approved by majority vote of all academies, the recommendations are forwarded to a Test Review Panel, also comprised of academy administrators that identify testing questions and pass point thresholds for the new curriculum. The completed work of all committees is then submitted to the POST Commission for final review. In addition to amending the learning domains for the aforementioned reasons, the SMEs also propose non-substantial changes at the same time to improve clarity and readability of the domains.

Upon adoption of the proposed amendments, academies and course presenters will be required to teach and test to the updated curriculum. The proposed effective date is January 1, 2006.

Public Comment

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 5:00 p.m. on October 17, 2005. Written comments should be directed to Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, or by fax at 916.227.2801.

A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or his or her duly authorized representative, may request in writing, no later than 15 days prior to the close of the public comment period, that a public hearing be held.

Adoption of Proposed Regulations

Following the close of the public comment period, the Commission may adopt the proposal substantially as set forth without further notice or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available, at least 15 days before adoption, to all persons whose comments were received by POST during the public comment period, and to 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, Rulemaking File, and Internet Access

The following information regarding the proposed regulatory action is provided on the POST website at www.post.ca.gov/RegulationNotices/RegulationNotices.asp:

- POST bulletin and Notice of Proposed Regulatory Action
- Text of Proposed Regulatory Action
- Initial Statement of Reasons.

Anyone who does not have Internet access may request a copy of the documents listed above by calling 916.227.4847 or by submitting a written request to the contact person listed below. Please refer to POST Bulletin 2005-15. The rulemaking file contains the above-mentioned documents and all information upon which this proposal is base. The file will be maintained for inspection during the Commission's normal business hours (Monday through Friday, 8: a.m. to 5 p.m.).

The Final Statement of Reasons will be prepared after the close of the public comment period. A copy may be requested via the above phone number, by writing to the address under Contact Persons at the end of this notice, or by viewing the document on the POST Internet website at the address cited above.

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

Non-Discretionary Costs/Savings to Local Agencies: None

Local Mandate: None

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

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will have no effect on California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Effect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California, and will not result in the elimination of existing businesses or create or expand businesses in the state of California.

Consideration of Alternatives

To take this action, the Commission must determine that no reasonable alternative considered by the Commission, or otherwise identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to effected private persons than the proposed action.

Contact Persons

Please direct any inquiries or comments pertaining to the proposed action to Patricia Cassidy, Associate Analyst, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, by telephone at 916.227.4847, by FAX at 916.227.5271, or by email at Pat.Cassidy@post.ca.gov. The back-up contact person for this proposal is Julie Hemphill, Associate Analyst; she may be reached by telephone at 916.227.0544, or by email at Julie.Hemphill@post.ca.gov.