

**Commission on Peace Officer Standards and Training**

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

Date: May 11, 2007

Bulletin: No. 2007-11

Subject: **Notice of Proposed Regulatory Action – Regulations 1005, 1007, and 1008; and the Training Specifications for Peace Officer Basic Courses**

At its July 2006 meeting, the Commission approved proposed amendments to update the *Training and Testing Specifications for Peace Officer Basic Courses* publications, and make related changes in Commission Regulations 1005, 1007, and 1008 as follows:

- Remove the POST-Constructed Knowledge test requirement in Learning Domain 17, Presentation of Evidence
- Modify language for clarification, accuracy, and grammar purposes
- Remove redundant curriculum in LD 41, Hazardous Materials
- Add verbs to LD 43, Emergency Management
- Add the new effective date for incorporating the training specifications by reference in Regulations 1005, 1007, and 1008.

Go to www.post.ca.gov/RegulationNotices/RegulationNotices.asp to access these related documents: the POST Bulletin and Notice of Proposed Regulatory Action, the Text of Proposed Regulatory Action, and the Initial Statement of Reasons documents.

Please direct inquiries about this proposed regulatory action to Patricia Cassidy, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, by email at Patti.Cassidy@post.ca.gov, by telephone at 916.227.4847, or by FAX at 916.227.5271. Julie Hemphill is the back-up contact person for this proposal; she is available by email at Julie.Hemphill@post.ca.gov, or by telephone at 916.227.0544.

HAL SNOW
Interim Executive Director

Attachment: Notice of Proposed Regulatory Action

NOTICE OF PROPOSED REGULATORY ACTION

Regulations 1005, 1007, 1008; *Training 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 §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 §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, §13519.12 - Commission on POST authority to establish training standards involving the responsibilities of first responders to terrorism incidents and training standards for related instruction.

Public Comments Due by June 25, 2007

The Commission requests written comments on the proposed actions. POST must receive the written comments no later than 5:00 p.m. on June 25, 2007. Please send written comments to Hal Snow, Interim Executive Director, at the Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, or by fax at 916.227.5271.

A public hearing is not scheduled. Pursuant to Government Code §11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Informative Digest/Policy Statement Overview

Academies and training presenters use the *Training and Testing Specifications for Peace Officer Basic Courses* publication to teach and test POST mandated instruction and testing for basic training courses. This publication includes the learning domain (LD) curriculum and is incorporated by reference into POST Regulations,

The proposed changes include the following:

- Remove the POST-Constructed Knowledge test requirement in Learning Domain 17, Presentation of Evidence
- Modify language for clarification, accuracy, and grammar purposes
- Remove redundant curriculum in LD 41, Hazardous Materials
- Add verbs to LD 43, Emergency Management
- Add the new effective date for incorporating the training specifications by reference in Regulations 1005, 1007, and 1008.

The Consortium approved the recommendation to remove the existing language in LD 17 at its August 2005 meeting and the Commission approved them at its October 2005, meeting. At its June 2006 meeting, the Consortium approved proposed changes to LDs 41 and 43; the Commission approved them at its October 2006 meeting. Upon successful completion of the rulemaking process and adoption of the proposed amendments, academies and course presenters will be required to teach and test to the updated curriculum.

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

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Commission makes changes to the language before the date of adoption, it will make available the text of any modified language, clearly indicated, at least 15 days before adoption to all persons whose comments POST received during the public comment period and to all persons who request notification from POST of the availability of such changes. Please address requests for the modified text 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 becomes available.

Text of Proposal, Rulemaking File, and Internet Access

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

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

Individuals without Internet access may request a copy of the above documents by calling 916.227.4847, or by submitting a written request to the contact person listed below. Please refer to POST Bulletin **2007-11**. The rulemaking file, which contains the above-mentioned documents and all information upon which POST is basing this proposal, will be available for inspection during the Commission's normal business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.).

The Final Statement of Reasons will be prepared after the close of the public comment period. To request a copy, contact POST at the above telephone number, write to the address under Contact Persons at the end of this notice, or view 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
- Business Impact/Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will not affect 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 the proposed action.

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- Effect on Housing Costs: None.

Assessment

The Commission has determined that this regulatory proposal 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.

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 affected private persons than the proposed action.

Contact Persons

Please direct inquiries or comments about this proposed regulatory action to Patricia Cassidy, at Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA, 95816-7083, by telephone at 916.227.4847, by FAX at 916.227.5271, or by email at Patricia.Cassidy@post.ca.gov. The back-up contact person is Julie Hemphill; she is available by telephone at 916.227.0544, or by email at Julie.Hemphill@post.ca.gov.