



Administrative Progress Report (APR) January 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.

SUPREME COURT DECISION UPDATE

On August 7, 2007, the California State Supreme Court ruled that some information contained in the Peace Officer Database maintained by POST is public information and must be provided to the *Los Angeles Times* pursuant to a California Public Records Act (CPRA) request. After the court's decision was announced, POST's legal counsel and the *Los Angeles Times*' lawyers discussed the scope of information available for release and legal fees associated with the case.

On January 28, 2008, POST was served with a Court Order from Judge Lloyd G. Connelly of the Sacramento Superior Court. The closing paragraph of the Order reads: "To ensure compliance with the directions of the Supreme Court, this Court requests the parties to submit a statement no later than February 15, 2008, indicating whether they intend to pursue any further proceedings on the merits of this case in addition to proceedings on such ancillary matters as attorney fees and costs." To comply with the Supreme Court decision and the intent of the Court Order, POST staff and legal counsel developed a process whereby agencies could release officer information uncontested or identify "particular officers" who should, for safety or investigative reasons, be redacted from the roster of names to be released. A memo explaining this procedure and a copy of the Court Order were sent to the field on Friday, February 1, 2008.

POST is working with local and state agencies to gather relevant information to provide to the court by February 15, 2008. Updates, as appropriate, will be posted on the POST website. The Executive Director's memo dated February 1, 2008, a copy of the Court Order, and a link to the Supreme Court Decision are available at http://www.post.ca.gov/Whats_New/Supreme_Court_Decision.asp.

Questions about the Supreme Court's Decision may be directed to Bureau Chief Dave Spisak, Information Services Bureau, at (916) 227-0539 or Dave.Spisak@post.ca.gov, or to Assistant Executive Director Dick Reed, Executive Office, at (916) 227-2809 or Dick.Reed@post.ca.gov.

POST SPEARHEADS REVISIONS TO STATE LAWS AFFECTING PEACE OFFICER SELECTION

Two POST-developed proposals to amend laws involving the hiring of peace officers have found support and sponsorship in the State Legislature. Assembly Member Jose Solorio, Chair of the Assembly Committee on Public Safety, has agreed to author a bill to amend the California Fair Employment and Housing Act (FEHA) to include a provision permitting the peace officer background investigation to be conducted after a conditional offer of employment has been extended.

If enacted, this bill would free background investigators from the need to bifurcate the investigation into a pre-offer phase addressing non-medical issues and a post-offer phase investigating “medical” (e.g., history of illegal drug use, alcoholism) concerns. Experience has shown the pre-offer and post-offer phases are costly, ineffective, and are a significant public safety issue. An opinion request has been submitted to the Equal Employment Opportunity Commission (EEOC) to confirm that a post-offer deferral of the background investigation would be permitted by the federal Americans with Disabilities Act (ADA).

A second proposal developed by POST staff is currently being considered as an addition to the California District Attorney’s Association Omnibus Crime Bill. The proposed legislation would update and broaden the criteria for judging the acceptability of United States private high schools for meeting the educational standards described in Government Code 1031. It would also deem acceptable advanced United States college degrees (e.g., master’s degrees, doctorates) in addition to two-year and four-year degrees.

POST is currently seeking expressions of support for the FEHA legislation which may be directed to POST Legislative Liaison Bob Stresak at (916) 227-2085 or Bob.Stresak@post.ca.gov. Questions about either of these proposals should be directed to Supervising Personnel Selection Shelley Spilberg, Ph.D., Standards and Evaluation Services Bureau, at (916) 227-4824 or Shelley.Spilberg@post.ca.gov.

BASIC COURSE SKILLS TESTING PROJECT CONTINUING

POST Strategic Plan Objective A.4 directs staff to establish standardized basic course skills tests for arrest methods, firearms, and vehicle operations. Arrest methods and firearms tests have been completed and pilot-tested. Staff is developing a train-the-trainer package for each. It is anticipated that academies will begin a 12-month voluntary trial period for these exams in early 2008.

The initial draft of the evaluation forms for the vehicle operations project has been completed. Staff is preparing to pilot-test the forms at the San Bernardino County Sheriff’s Department and the Alameda County Sheriff’s Department. Staff anticipates completing this Strategic Plan Objective in December 2008.

Questions about the Basic Course Testing Project may be directed to Bureau Chief Ken Krueger, Standards and Evaluation Services Bureau, at (916) 227-4832 or Ken.Krueger@post.ca.gov.

ATTENDANCE BY STATE AGENCY PEACE OFFICERS AT SIMON WIESENTHAL MUSEUM OF TOLERANCE TRAINING INITIATED

The Simon Wiesenthal Museum of Tolerance (MOT) in Los Angeles has been a long-time training institution for law enforcement. At its July 2007 meeting, the Commission authorized amending the contract with the MOT to permit attendance by state agency peace officers at the Museum's training programs. There is no additional cost to POST as a result of the action since all funding will be obtained from the recurring annual allocation for delivery of MOT training. Admission of state agency peace officers will be permitted after local agency law enforcement officers have had the opportunity to send their personnel to MOT training programs.

Contracts have been initiated with the California Department of Corrections and Rehabilitation (CDCR), the California Highway Patrol (CHP), and the Department of Justice (DOJ). To date, contracting has been completed with the CDCR, and the agency expressed eagerness to send personnel to training this fiscal year. Contracting with the CHP or the DOJ is nearing completion.

Questions about the attendance of state agency peace officers at the Simon Wiesenthal Museum of Tolerance training may be directed to Special Consultant April Crume-Vickers, Training Program Services Bureau, at (916) 227-0473 or April.Crume-Vickers@post.ca.gov.

ANALYSES FOR THE REPORT WRITING ASSESSMENT AND REMEDIATION GAMING SOFTWARE COMPLETED

During January, POST staff met with Studio Kinecton, Inc., to review the analyses to assess and remediate entry-level officers' report writing deficiencies through gaming. Subsequently, Studio Kinecton, Inc., submitted a report detailing input from project constituents (i.e., report writing instructors, the Basic Course Consortium, and FTOs, cadets, and recent academy graduates). The report describes methodologies employed to identify skills to be targeted by the gaming software. In February, Studio Kinecton, Inc., will submit for review the goals and objectives to focus the development of the software.

Questions about the Report Writing Assessment and Remediation Gaming Software may be directed to Personnel Selection Consultant Elizabeth Wisnia, Standards and Evaluation Services Bureau, at (916) 227-4830 or Elizabeth.Wisnia@post.ca.gov.

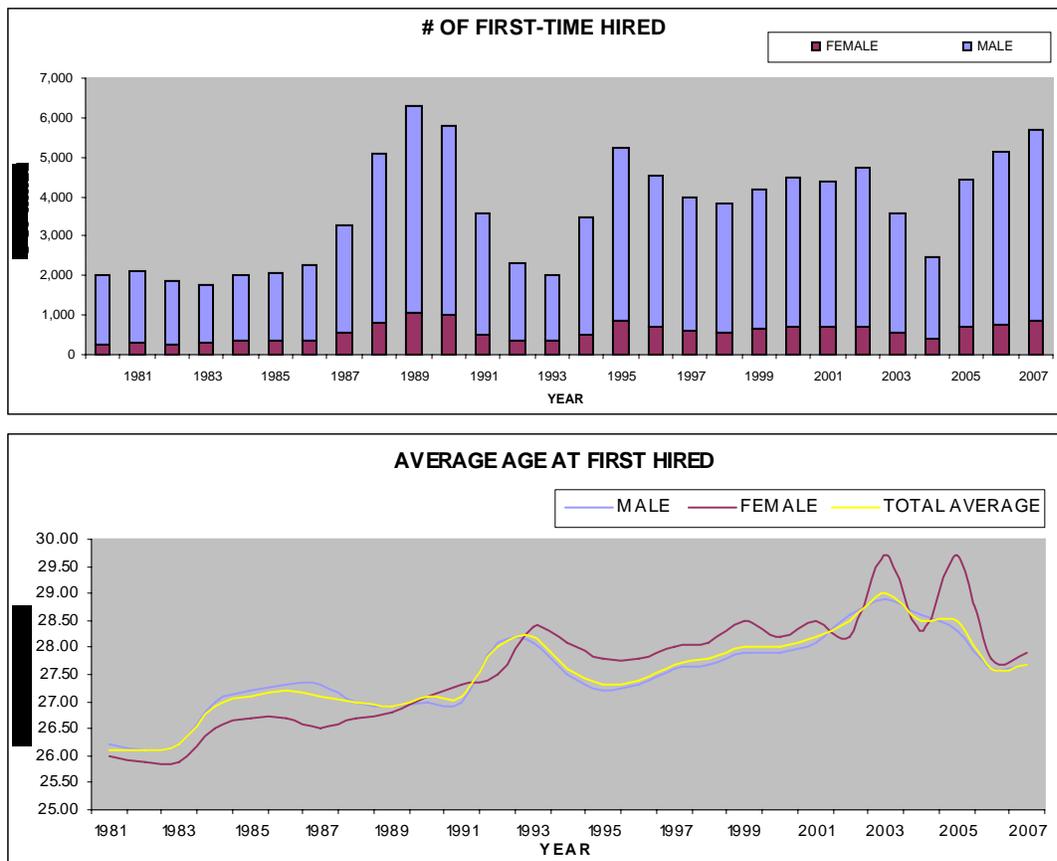
COMMAND COLLEGE PROMOTIONAL VIDEO

A ten-minute video containing information on Command College is now available on the POST Command College website at <http://www.post.ca.gov/Training/cc/>. The video includes interviews with Command College graduates and students and provides an overview of application requirements, course content, and benefits of attendance. The DVD will be distributed to law enforcement chief executives and presented in POST executive leadership courses.

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.

ANALYSIS OF HIRING AGE FOR NEW PEACE OFFICERS

The Computer Services Bureau completed an analysis of peace officers hired over the past 27 years. The data was obtained from POST records of new peace officer appointments. Surprisingly, the average age of new hires for both men and women has consistently increased. Twenty-seven years ago the average male was 25.9 years of age; the average female was 25.4. Today, the average male is 27.7 years of age; the average female is 27.9. This increase in age of first-time hired peace officers may reflect the need for agencies to revise strategies for recruiting new peace officers.



Questions about the survey data may be directed to Senior Consultant Robert Ziglar, Basic Training Bureau, at (916) 227-3454 or Robert.Ziglar@post.ca.gov.

OFFICER SUICIDE PREVENTION VIDEO AVAILABLE NATIONWIDE VIA POST WEBSITE

Responding to a nationwide concern for law enforcement officer suicide deaths, POST has produced a *Preventing Law Enforcement Suicide* telecourse program which is available on the POST website at http://www.post.ca.gov/Whats_New/Preventing_Officer_Suicide_Video.asp. Officers, their supervisors, peers, and families may access the training material directly from the POST website. The streaming video is identical to the DVD version of the program released in California in December 2007. The online version offers convenient links to additional suicide prevention resources.

The *Preventing Law Enforcement Suicide* program examines: 1) occupational factors, trends, patterns, and causes of suicide, 2) emotional distress and warning signs, and 3) the culture that may hinder a helping process. The program also identifies support systems and effective intervention techniques. Five major sections are: 1) Responsibility: Law enforcement's involvement with supporting suicide awareness and prevention, 2) Prevention: Knowing what causes suicide in the law enforcement culture may help prevent suicides; 3) Intervention: Understanding the warning signs, triggers, and symptoms to better intervene and support someone who is suicidal; 4) Postvention: How to cope with the aftermath of a law enforcement suicide; and 5) Maintaining Balance: Final thoughts regarding suicide prevention.

Questions about the *Preventing Law Enforcement Suicide* telecourse program may be directed to Senior Consultant Jody Buna, Training Program Services Bureau, at (916) 227-4896 or Jody.Buna@post.ca.gov.

PRE-ACADEMY PHYSICAL FITNESS STANDARD PROJECT COMPLETES PHASE II

In December 2007, Basic Academies completed the second phase of a one-year period of data collection for the Pre-Academy Physical Fitness Standard Project. In Phase I, maximum pushups, one-minute sit-ups, and 1.5 mile run times were found to be predictive of success in a small sampling of academy classes. In Phase II, all academy classes were tested to ensure that the results were representative of all academies and that the tests meet professional standards of validity, utility, and fairness for all candidate groups. In March 2008, a subject matter committee will meet to review this information.

This project is designed to validate simple physical fitness tests as indicators of candidate readiness to begin the physical conditioning, defensive tactics training, and other academy physical tasks. The resulting tests and pass points will identify candidates who are prepared to successfully complete physically-demanding academy tasks without experiencing a higher risk of injury.

Questions about the Pre-Academy Physical Fitness Standard Project may be directed to Senior Personnel Selection Consultant Michael Catlin, Standards and Evaluation Services Bureau, at (916) 227-2570 or Michael.Catlin@post.ca.gov.

NEW ONLINE INSTRUCTOR COURSE DEVELOPMENT BEGINS

A new online course for instructors is under development. The course will focus on Bloom's Taxonomy which classifies learning objectives into categories ranging from simple behaviors to complex skills. One of the goals of familiarizing instructors with the taxonomy is to ensure appropriate levels of delivery and testing needed in classroom activities so learners will effectively perform desired peace officer behaviors. The online course will be available on the POST Learning Portal this summer and will provide refresher training for certified academy instructors.

Questions about online training may be directed to Supervisor Jan Myyra, Learning Technology Resource Center, at (916) 227-4550 or Jan.Myyra@post.ca.gov.

FIRST AID/CPR ONLINE COURSE UPDATE

Updated scenarios for the First Aid/CPR online course were filmed in January at the CHP Academy in West Sacramento. In addition, the first round of online testing was completed. The online course will be released in spring 2008.

The course content will satisfy the POST requirement for First Aid/CPR refresher training. Officers using the online course will be required to complete the skills demonstration separately. Directions for completing both parts will be provided in the online training. Completion of the online course and skills demonstration will be recorded via the POST Learning Portal and training records will be automatically updated.

Questions about the First Aid/CPR online course may be directed to Senior Instructional Designer Sven Blomberg, Training Program Services Bureau, at (916) 227-4547 or Sven.Blomberg@post.ca.gov.

NEW DESIGN AND PUBLISHING UNIT ESTABLISHED

POST is pleased to announce the formation of the POST Design and Publishing Unit. The Unit, located within the Information Services Bureau (ISB), consists of the ISB bureau chief, the Web publisher, two graphic designers, a publications manager, and a student assistant. The Unit's mission is to improve POST's published materials in both print and Web formats which will advance the Commission's goal to provide high-quality products for its clients. Combining the talents and skills of the graphics design staff, the Web staff, and the publications manager will improve internal and external processes, streamline the workflow, and take full advantage of the Internet's potential.

The Design and Publishing Unit is committed to providing easier access to information for POST's clients, converting paper copies to electronic documents, and improving the quality of POST products. POST continues to develop and publish material on the Web.

Questions about the Design and Publishing Unit may be directed to Bureau Chief Dave Spisak, Information Services Bureau, at (916) 227-0539 or Dave.Spisak@post.ca.gov.

CALENDAR OF EVENTS ON THE POST WEBSITE

Due to security concerns, 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

The following are bills in Legislative Session 2007-08 on which the Commission has taken, or will consider taking, a position.

Bill # and Author	Title, Summary and Commission Position	Status of Bill
<u>AB 1769</u> (Galgiani)	Jury Service - Peace Officer Exemption: This bill exempts active peace officers from jury duty. Commission Position: Undetermined.	Assembly Public Safety (no date)
<u>AB 1855</u> (Portantino)	Public Safety Officers – Investigations and Interrogations: This bill amends the Peace Officer Bill of Rights. No statement made during interrogation by a public safety officer under duress, coercion, or threat of punitive action shall be admissible in any judicial proceeding. Commission Position: Undetermined at this time.	May be heard in Committee by 3/1/08

REPORT DATE: January 31, 2008