

**Commission on Peace Officer Standards and Training**

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

Date: March 9, 2007

Bulletin: No. 2007-06

Subject: Notice of Proposed Regulatory Action – Intermediate and Advanced Certificates for Public Safety Dispatchers

At its October 2006 and January 2007 meetings, the Commission on Peace Officer Standards and Training (POST) approved proposed amendments to create intermediate and advanced certificate categories for public safety dispatchers. The attached notice describes the proposed changes and includes an invitation for written input on this proposal, the deadline for written comments, and information about requesting a public hearing.

Go to www.post.ca.gov/RegulationNotices/RegulationNotices.asp to access these related documents:

POST Bulletin and Notice of Proposed Regulatory Action
Text of Proposed Regulatory Action
Initial Statement of Reasons

Please direct inquiries about this proposed regulatory action to Patricia Cassidy, Commission on POST, 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. Tom Liddicoat is the back-up contact person for this proposal; Tom is available by telephone at 916.227.3928, or by email at Tom.Liddicoat@post.ca.gov.

HAL SNOW
Interim Executive Director

Attachment: Notice of Proposed Regulatory Action

NOTICE OF PROPOSED REGULATORY ACTION
Commission Regulation 9072
Intermediate and Advanced Certificates for Public Safety Dispatchers

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 (Commission on POST powers), §13506 (Commission on POST authority to adopt regulations), §13510.c (Commission on POST authority to establish minimum standards for dispatchers to raise the level of competence). Implementation of this proposal will 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), PC §13506 (adopt regulations), and §13510.c (Commission on POST authority to establish minimum standards for dispatchers to raise the level of competence).

Public Comments Due by April 23, 2007

The Commission requests written comments on the proposed actions. POST must receive the written comments no later than 5:00 p.m. on April 23, 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

Though POST currently issues 21 professional certificates to peace officers based on levels of education, training, and experience in their pursuit of professional excellence, there is only one certificate for dispatchers, the Public Safety Dispatcher Certificate. In 2004, POST Strategic Plan Objective C-1 was added which directs POST staff to “study the feasibility of providing intermediate and advanced professional certificates for dispatchers.” POST staff convened a meeting of dispatcher subject matter experts (SMEs) in June 2006 to discuss the idea of establishing additional certificates for dispatchers -- specifically intermediate and advanced certificates. The group was in overwhelming agreement that intermediate and advanced certificates would help establish a career ladder for those dispatchers who have pursued higher education, training opportunities, and greater experience levels. POST staff and the dispatcher subject matter experts concluded that the addition of two dispatcher certificates would help encourage dispatcher retention, promote professionalism, and provide promotional opportunities. The SME group developed a comprehensive list of arguments in favor of establishing intermediate and advanced dispatcher certificates, and the impact they would have on the profession.

The list follows:

1. There is a need to bring up the knowledge/skill base for dispatchers. Professional certificates would provide the incentive and encouragement for dispatchers to become better educated and trained.
2. Liability issues – better training and more education lessens liability.
3. It establishes educational and training goals.
4. Opportunities for advancement – builds a career ladder.
5. Promotion will require succession-planning training with agency.
6. Higher certificates may enhance the recruitment of dispatchers.
7. May encourage lateral transfers.

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8. Promotes individual professional development.
9. Will encourage use of civilian's dispatchers rather than peace officers being dispatchers.
10. Encourages learning new technology/new trends in the industry.
11. Making the criteria a combination of the education, training, and experience categories established for peace officer certificates gives credibility to the profession.
12. Recognizes career development and advancement.

In addition to the reasons cited above that favor the creation of the two new dispatcher certificates, the SME group observed some possible adverse impacts. They are the following:

1. Additional paperwork for the agency and for POST.
2. Additional time for processing certificates – man power/revisions/forms.
3. Labor issues – bargaining chip for individuals to leave agency for better pay.
4. Availability and time for additional training – shortage of staff and overtime costs.

The SME group concluded that the advantages in favor of the proposed new certificates far outweigh the disadvantages. Given the importance of well-trained dispatchers in their mission to support officers in the field, sometimes through life and death situations, the issuance of intermediate and advanced certificates is overdue.

The SME group also discussed the levels of education, training, and experience necessary for the award of each certificate. Using the regular peace officer certificate requirements as a guide, the group kept the same categories of “degree or education points,” “experience,” and “training points.” They then developed recommended experience and training point requirements and reviewed various matrices for each new certificate. The group believes a dispatcher needs more experience in order to be eligible for the certificate, but it recognized that not as much training is available or required. The agreed-upon eligibility requirements are reflected in new regulation sections 9072(d) and (e).

POST proposes amendments to the *POST Administrative Manual (PAM)*, Chapter 7, Section 9072, et seq. The proposed amendments would rename the POST Dispatcher Certificate to the Dispatcher Basic Certificate, create a Dispatcher Intermediate Certificate and a Dispatcher Advanced Certificate, and revise the Certificate Application-Public Safety Dispatcher (POST 2-289) form. The Commission approved the proposed amendments in concept at its October 2006 meeting, and the strike out/underline text at its January 2007 meeting. The Commission took favorable action at both meetings.

It is unknown how many of the approximate 6,600 public safety dispatchers will meet the requirements for the new certificates; the outcome depends on educational and training attainments. Local agency training managers would have to track educational attainments, training attainments, and service dates for their dispatchers for them to earn these respective certificates. Though the approximate 6,600 dispatchers in the POST program could generate workload for more than 13,000 certificates, actual requests should be significantly less than this amount. POST estimates that it will spread the workload over many months.

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, it will make

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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 2007-06. 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
- 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, 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

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action.

- Effect of Proposal on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would not affect 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 affected private persons than the proposed action.

Contact Persons

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