



**Commission on Peace Officer Standards and Training**

1601 Alhambra Blvd  
Sacramento, CA 95816-7083  
[www.post.ca.gov](http://www.post.ca.gov)

**Date:** July 4, 2008

**Bulletin:** No. 2008-09

**Subject:** **Notice of Proposed Regulatory Action – *Training Specifications for the Investigation and Trial Preparation Course, Regulation 1005 and Procedure D-14***

At its July 2006 meeting, the Commission approved proposed amendments to the *Training Specifications for the Investigation and Trial Preparation Course* publication, incorporated by reference into POST Regulation 1005 and Procedures D-14. POST is proposing the changes to the training specifications to:

- Re-distribute course hours
- Add verbs to the learning objectives
- Conform to the adult learning methodologies adopted for other basic courses
- Reflect contemporary job functions and emerging training needs
- Improve the clarity, accuracy, readability, level of mastery, and grammar.

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. The following, related information is available on the POST website at [www.post.ca.gov/RegulationNotices/RegulationNotices.asp](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

Please direct inquiries about this proposed regulatory action to Dave Spisak, at the Commission on POST, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, by email at [Dave.Spisak@post.ca.gov](mailto:Dave.Spisak@post.ca.gov), by telephone at 916.227.0539, or by FAX at 916.227.5271. If Dave is unavailable, please contact Frank Decker by email at [Frank.Decker@post.ca.gov](mailto:Frank.Decker@post.ca.gov) or by telephone at 916.227.4261.

PAUL A. CAPPITELLI  
Executive Director

Attachment: Notice of Proposed Regulatory Action

**NOTICE OF PROPOSED REGULATORY ACTION**  
***Training Specifications for the Investigation and Trial Preparation Course***  
**Regulation 1005 and Procedure D-14**

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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 as described below in the Informative Digest. 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.

**Public Comments Due by August 18, 2008, at 5:00 PM**

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by FAX at 916.227.5271 or by letter to the:

Commission on POST  
Attention: Dave Spisak  
1601 Alhambra Boulevard  
Sacramento, CA 95816-7083

Following the close of the public comment period, the Commission may adopt the proposal substantially as described below or may modify the original proposal with sufficiently related changes. With the exception of technical or grammatical changes, the full text of a modified proposal will be available for 15 days prior to its adoption from the person designated in this notice as the contact person. The Commission will also mail the full text to persons who submit written comments related to the proposal or who have requested notification of any changes to the proposal.

**Authority and Reference**

This proposal is made pursuant to the authority vested by Penal Code §13503 – POST powers and §13506 - POST authority to adopt regulations. This proposal is intended to interpret, implement, and make specific Penal Code §13503 (e) which authorizes POST to develop and implement programs for increasing the effectiveness of law enforcement, including programs involving training and education courses; §13510 which authorizes POST to adopt and amend rules establishing minimum standards for California local law enforcement officers; and §13510.5 which authorizes POST to adopt and amend standards for certain other designated California peace officers.

**Informative Digest/Policy Statement Overview**

POST Regulation 1005 (a) (2) requires that “Every district attorney investigator or inspector (Penal Code §830.1), regularly employed and paid as such, in addition to the Regular Basic Course training requirement set forth in Regulation 1005(a)(1), shall complete a POST-certified Investigation and Trial Preparation Course, PAM section D-14, within 12 months from the date of appointment.” Commission Procedure D-14 requires that presenters deliver instruction on all learning objectives and the minimum course hours of instruction prescribed in the *Training Specifications for the Investigation and Trial Preparation Course* publication incorporated by reference in POST Regulation 1005 (a)(2).

POST is proposing the following changes to the training specifications:

- Re-distribute course hours to assure adequate teaching time for each domain
- Add active verbs to the learning objectives in the training specifications document to convey the intent and level of training to both instructors and students

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*Training Specifications for the Investigation and Trial Preparation Course*  
**Regulation 1005 and Procedure D-14**

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- Revise the design and delivery of course to conform to the adult learning methodologies adopted for other peace officer basic courses
- Add/modify course content to reflect contemporary changes in job functions and emerging training needs for the district attorney investigator
- Modify language to improve the clarity, accuracy, readability, level of mastery, and grammar.

The amendments are proposed by POST staff, Subject Matter Experts (SMEs) and a Steering Committee convened by the POST Basic Training Bureau. All changes to curriculum began with recommendations from law enforcement practitioners or, in some cases, in consideration of legislative changes. POST facilitated the meetings attended by curriculum advisors and subject matter experts (SMEs) who provided recommended changes to existing course curriculum. The recommendations were reviewed by the Steering Committee, which is chaired by a non-POST person, and comprised of a statewide representation of District Attorney Chief Investigators, an Assistant Chief Investigator, Supervising Investigators, and a Senior Investigator. Subsequently, the California District Attorney Investigators Association and the California District Attorney Association reviewed and approved the recommendations. The completed work of all committees was then submitted to the POST Commission for final review.

At its July 2006 meeting, the Commission approved the proposed amendments to the *Training Specifications for the Investigation and Trial Preparation Course* publication, which is incorporated by reference into POST Regulation 1005 and Procedure D-14. Upon adoption of the proposed amendments, course presenters will be required to teach and test to the updated curriculum.

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**Local Mandate**

This proposal does not impose a mandate on local agencies or school districts.

**Fiscal Impact Estimates**

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with §17500) of the Government Code, Division 4. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

**Costs or Savings to State Agencies**

POST anticipates no additional costs or savings to state agencies.

**Business Impact/Small Businesses**

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code §11342.610, because the Commission sets selection and training standards for law enforcement and does not have an impact on California businesses, including small businesses.

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**Assessment Regarding Effect on Jobs/Businesses**

The Commission has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs and will not result in the elimination of existing businesses or the creation or expansion of businesses in the State of California.

**Cost Impacts on Representative Private Persons or Businesses**

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Effect on Housing Costs**

None

**Alternatives**

The Commission must determine that no reasonable alternative considered by the agency, or otherwise identified and brought to the agency's attention, 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 written comments about the proposed regulatory action to the following:

Dave Spisak  
Commission on POST  
1601 Alhambra Boulevard  
Sacramento, CA 95816-7083  
916.227.0539 or [Dave.Spisak@post.ca.gov](mailto:Dave.Spisak@post.ca.gov)  
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*or*

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**Text of Proposal**

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon, from the Commission on POST at 1601 Alhambra Boulevard, Sacramento, CA 95816. These documents are also located on the POST website at: <http://www.post.ca.gov/RegulationNotices/RegulationNotices.asp>.

**Availability and Location of the Rulemaking File and the Final Statement of Reasons**

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to the contact person(s) name above.