

INITIAL STATEMENT OF REASONS

POST District Attorney Investigation and Trial Preparation Course – Procedure D-14, Regulations 1005, and 1015

At the February 8, 2018 meeting, the Commission approved proposed amendments to the POST Commission Procedure, D-14, - Regulations 1005 and 1015 for the District Attorney Investigation and Trial Preparation Course.

The Commission on Peace Officer Standards and Training (POST) is proposing changes that will assist District Attorney Investigators in receiving more specific training addresses the needs of the investigators. This realignment proposed the reduction of unnecessary training thereby causing a reduction in course training hours. These proposed changes called for a new title, District Attorney Investigator Transition Course, more accurately reflects the course curriculum.

Justification for the proposed changes is described below.

Justification for Proposed Revisions

All changes to Regulations begin with recommendations from law enforcement practitioners/course presenters, along with recommendations from POST staff to eliminate outdated content and assist with recruitment of new hires without prior investigative experience. Evaluation of the 80-hour course revealed the existing course was too long and repetitive. Conversely, the existing course was identified as being too short and lacking in sufficient depth for new investigators. Upon review a new strategy was adopted to create a course specifically addressing the needs of District Attorney (DA) Investigators. Learning Domains essential to the performance of all newly appointed DA Investigators were reviewed, retained, updated and reorganized. Elimination of outdated or criminal investigation specific information shortened the course to 40 hours.

Subsequently, the Commission approved these changes at the February 8, 2018 Commission meeting, subject to the Notice of Proposed Regulatory Action process.

Regulation 1005

(a)(2) - The change to the course name is necessary to accurately reflect the type of training contained within the course as the course prepares attendees for further training offered in the Criminal Investigations program.

Incorporation by Reference Statement

- The proposed revision is necessary to update the incorporation by reference statements for historical accuracy and to ensure utilization of only the most current regulation.

Regulation 1015

(d)(2) - The changes are necessary to reflect the change to the name of the course and the reflect the course hours changing from 80 hours to 40 hours.

Incorporation by Reference Statement

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Procedure D – 14,

The change to the name of the course is necessary to accurately reflect the type of training and the specific learning domains contained within the course as the course prepares attendees for further training offered in the Criminal Investigations program. After review and revision of the course content, it was determined the training content could be completed in 40 hours instead of the previous 80 hours.

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 section 11342.610, because the Commission sets selection and training standards for law enforcement, which are government entities, 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.

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

The Commission determined that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed, would be as effective, and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of the law.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on Peace Officer Standards and Training (POST) sets law enforcement selection and training standards for its member law enforcement agencies. Participation in POST programs, and adherence to POST regulations, is voluntary and limited to law enforcement agencies that are governmental entities. The proposed regulatory revisions pertain exclusively to the needs of the field by modifying course hours and curriculum to keep the training relevant, and, accordingly, will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California,

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Benefits of the Regulation:

The benefits of proposed amendments to the regulation will increase the effectiveness of training for District Attorney Investigators. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the State's environment.