

TEXT OF PROPOSED REGULATION ACTION
Regulation 1016

11 CCR § 1016

§ 1016. Services Provided by the Commission on Peace Officer Standards and Training (POST)

Counseling services are provided only to a local jurisdiction and only upon request for the purpose of improving its administration, management, and operations. Aid may also be given to such agencies in implementing recommended procedures or practices. ~~See PAM Section G.~~

(a) Management Counseling

- (1) In accordance with Penal Code section 13513, upon the request of a local jurisdiction, the Commission on Peace Officer Standards and Training (POST) shall provide a counseling service to such local jurisdiction for the purpose of improving the administration, management or operations of a police agency and may aid such jurisdiction in implementing improved practices and techniques. Management counseling services shall be provided only to local law enforcement agencies.

(b) Services Provided

(1) Upon request, POST may provide the following types of counseling service:

- (A) Preliminary evaluation
- (B) Special Study
- (C) General Study
- (D) Selected Counseling
- (E) Implementation Assistance

(c) Preliminary Evaluation

(1) A preliminary evaluation is conducted by a POST consultant(s) who determine and make recommendations as to the extent and scope of the counseling services proposed.

(d) Special Study

(1) A special study includes appropriate analysis of a single or limited number of functions within a local law enforcement department, such as an analysis and written report with recommendations covering one or more of the following:

- (A) Organization
- (B) Direction and Control
- (C) Operations (patrol, traffic, investigations)
- (D) Administration (personnel, training, research and development, community relations, crime prevention)
- (E) Services (communications, records, warrants, property/evidence control jail, civil and bailiff)

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(e) General Study

- (1) A general study includes review and appropriate analysis of the administration, operation and service provided by a local law enforcement department and a written report of the analysis with recommendations. All requests for general studies are subject to approval by POST staff.

(f) Selected Counseling

- (1) Selected counseling consists of formal or informal discussions or conferences between administrators of a department and POST staff in order to provide advice. The counseling may be provided with or without preparation of a formal report. High priority for this service will normally be assigned to meet the special or emergency needs of a law enforcement agency. Selected counseling services may be provided to requesting agencies at no cost.

(g) Implementation Assistance

- (1) Implementation assistance is designed to provide staff assistance in carrying out recommendations provided in POST studies or management counseling services. This service may include review of preliminary planning, identifying resource materials needed, actual field testing of systems designed, as well as onsite study of existing systems by key personnel for field management training.

(h) Consultants Assigned

- (1) POST consultants are assigned to conduct studies and provide implementation assistance. POST may elect to utilize the services of qualified special consultants who are contracted with POST to complete such studies.

(i) Requests for Service

- (1) Counseling services must be requested electronically to POST. In addition to the chief law enforcement officer, requests must be approved by the city manager/administrator or mayor of a municipality, if required by the jurisdiction.
- (2) As a matter of standard practice, POST will not conduct any requested study(ies) where there is or are active state, local, or federal investigation pending.

(j) Costs

- (1) POST shall charge a fee to conduct general or special studies. Reimbursement to POST for actual time spent by a Law Enforcement Consultant (LEC) on the project will cover face-to-face meeting time at the agency, research, and document preparation, and will not include travel time. The cost will be charged at the current straight hourly rate of pay of a Law Enforcement Consultant's current wage, plus 8 percent of the cost to compensate for administrative expenditures.

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(2) Upon payment of the study fee by the requestor(s), the completed study and its recommendations shall be released to the requestor(s).

(3) For situations that may arise where POST determines there will be a financial hardship to a requesting agency, and a general or special study is necessary due to exigent or critical circumstances, the Executive Director or his/her designee may waive any or all charges in order to assist the requesting agency and provide POST study services. The waiving of charges will be considered only in rare circumstances, and on a case-by-case basis.

(k) Special Consultants

(1) If part-time special consultants are required, costs will be charged at the current straight hourly rate of pay of a Law Enforcement Consultant's current wage, plus 8 percent of the cost to compensate for administrative expenditures.

(l) Assistance Available

(1) Staff follow-up assistance is available regarding the implementation of a study or counseling recommendations and to evaluate a department's efforts of implementation.

Note: Authority cited: Section 13506, Penal Code. Reference: Sections 13503 and 13513, Penal Code.

HISTORY

1. Amendment filed 2-10-83; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 83, No. 7).
2. Amendment filed 6-15-83; effective thirtieth day thereafter (Register 83, No. 25).
3. Change without regulatory effect amending section filed 12-9-2015 pursuant to section 100, title 1, California Code of Regulations (Register 2015, No. 50).

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