

**State of California  
Office of Administrative Law**

**In re:**  
**Commission on Peace Officer Standards and  
Training**

**Regulatory Action:**

**Title 11, California Code of Regulations**

**Adopt sections:**

**Amend sections: 1005, 1007, 1008**

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2020-0522-01**

**OAL Matter Type: Regular (S)**

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In this regular rulemaking action the Commission on Peace Officer Standards and Training amends two learning domains in the incorporated by reference document, Training and Testing Specifications for Peace Officer Basic Courses, pursuant to Penal Code section 13519.41.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 10/1/2020.

Date: August 10, 2020



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Amy R. Gowan  
Attorney

For: Kenneth J. Pogue  
Director

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Original: Manuel Alvarez, Jr., Executive  
Director

Copy: Cheryl Smith

**APPROVED TEXT OF PROPOSED REGULATION ACTION**  
**Training and Testing Specifications for Peace Officer Basic Courses**  
**Regulations 1005, 1007, and 1008**

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**§ 1005. Minimum Standards for Training. (Reference Regulation 1007 and Commission Procedure H for *reserve peace officer* training standards.)**

[(a) – The document, Training Specifications for the Investigation and ...except for]

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The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001, and amended effective October 1, 2001, January 1, 2002, July 1, 2002, January 1, 2003, January 1, 2004, August 15, 2004, September 15, 2004, July 1, 2005, January 1, 2006, January 19, 2007, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2009, January 1, 2010, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2017, February 15, 2017, August 1, 2017, July 1, 2018, ~~and~~ April 1, 2020, and October 1, 2020, is herein incorporated by reference.

[The document, Instructor’s Guide to Learning – the end....remains unchanged]

Note: Authority cited: Sections 832.1, 832.3, 832.6, 13503, 13506, 13510, 13510.3, 13510.5, 13515.26 and 13519.8, Penal Code. Reference: Sections 830.33, 832, 832.1, 832.3, 832.6, 835a, 13506, 13510, 13510.3, 13510.5, 13511, 13513, 13514, 13515.29, 13515.295, 13516, 13517, 13519.8, 13519.10, 13520 and 13523, Penal Code.

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**§ 1007. Reserve Officer Minimum Training Standards.**

[(a) – PAM Section H-4 adopted...except for]

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The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001, and amended effective October 1, 2001, January 1, 2002, July 1, 2002, January 1, 2003, January 1, 2004, August 15, 2004, September 15, 2004, July 1, 2005, January 1, 2006, January 19, 2007, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2017, February 15, 2017, August 1, 2017, July 1, 2018, ~~and~~ April 1, 2020, and October 1, 2020, is herein incorporated by reference.

[The document Instructor’s Guide – to the end....remains unchanged]

Note: Authority cited: Sections 832.3, 832.6, 13503, 13506, 13510 and 13515.26, Penal Code. Reference: Sections 832.2, 832.3, 832.6, 835a, 13503, 13506, 13510, 13510.5, 13512 and 13519.10, Penal Code; Section 48412, Education Code; and Section 1031(d), Government Code.

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**APPROVED TEXT OF PROPOSED REGULATION ACTION**  
**Training and Testing Specifications for Peace Officer Basic Courses**  
**Regulations 1005, 1007, and 1008**

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**§ 1008. Basic Course Waiver and Requalification Requirement.**

[(a) – (i)Requalification Requirement remains unchanged...except for]

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The document, *Training and Testing Specifications for Peace Officer Basic Courses*, adopted effective January 1, 2001 and amended effective October 1, 2001, January 1, 2002, April 26, 2002, September 15, 2004, July 1, 2005, January 1, 2006, July 1, 2007, August 8, 2007, January 1, 2008, July 1, 2008, January 1, 2009, July 1, 2009, January 1, 2010, July 1, 2010, July 1, 2011, January 1, 2012, July 1, 2012, January 1, 2013, August 1, 2013, February 1, 2014, August 1, 2014, August 1, 2015, February 1, 2016, August 1, 2016, February 1, 2017, February 15, 2017, August 1, 2017, July 1, 2018, ~~and~~ April 1, 2020, and October 1, 2020, is herein incorporated by reference.

[The document, Instructor's – the end....remains unchanged]

Note: Authority cited: Sections 832.3, 13503, 13506, 13510 and 13515.26, Penal Code. Reference: Sections 832.3, 835a, 13505, 13506, 13510, 13510.5, 13511 and 13519.10, Penal Code.

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**TRAINING AND TESTING  
SPECIFICATIONS FOR LEARNING DOMAIN #25  
DOMESTIC VIOLENCE**

~~February 15, 2017~~ [October 1, 2020](#)

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X

**I. LEARNING NEED**

To effectively carry out their responsibilities, peace officers need a basic knowledge of legal definitions, terminology and applicable Penal Code Sections as well as an understanding of how to classify the crimes that may lead to arrests.

**LEARNING OBJECTIVES**

- A. Recall the definition of domestic violence (Penal Code Section 13700)
- B. Recognize the crime elements required to arrest a suspect for the following crimes as applied to domestic violence incidents:
  - 1. Willful infliction of corporal injury
  - 2. Battery
  - 3. Stalking
  - 4. Malicious destruction of telephone, telegraph, cable television, or electrical lines
  - 5. Preventing or dissuading a witness or a victim from testifying
  - 6. Criminal threats
  - 7. Spousal rape
- C. Recognize the crime classification for each crime that may result from a domestic violence incident as a misdemeanor or felony

**II. LEARNING NEED**

Domestic violence causes tremendous harm to victims and society as a whole. Each member in an abusive or violent household suffers physically and/or emotionally, and often violence is spread from one generation to the next. Current law affords peace officers greater opportunity to assist victims, and provides protection and

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X

education to help stop the cycle of violence.

LEARNING OBJECTIVES

- A. Identify common characteristics of a victim and a batterer
- B. Identify a peace officer's role in reducing domestic violence

III. LEARNING NEED

When peace officers respond to a domestic violence call, it is essential that they proceed cautiously to ensure the protection of all people involved.

LEARNING OBJECTIVES

- A. ~~\_\_\_\_\_~~ ~~A. \_\_\_\_\_~~ Recognize the initial process for responding to a domestic violence call to include:
  - 1. Making contact with members of the LGBTQ community
- B. Recognize under what circumstances an arrest should be made
- C. Identify physical evidence to be collected
- D. Recognize procedures for seizing firearms or other deadly weapons
- E. Discuss resources available for victim protection

IV. LEARNING NEED

When there is a court order involving domestic violence, it must be verified and enforced following specific procedures.

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X				X	X	X
X						

LEARNING OBJECTIVES

- A. Identify the differences between the types of court orders to include:
  1. Criminal protective/stay-away orders
  2. Emergency Protective Orders
  3. Restraining orders
- B. Identify the validity of a restraining order
- C. Identify the purpose for obtaining an Emergency Protective Order
- D. Demonstrate how to enforce a court order

V. LEARNING NEED

A comprehensive investigation includes the collection of evidence and the documentation of events, resulting in a detailed report of the domestic violence incident and investigative action.

LEARNING OBJECTIVES

- A. Identify what information needs to be documented in a report
- B. Identify how the peace officer can provide support for the victim

VI. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 3.

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
					X	
				X		
						X
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		

- B. The POST-Constructed Comprehensive SIBC Test 3.
- C. The POST-Constructed Comprehensive Module I Test.
- D. The POST-Constructed Comprehensive Requalification Test.
- E. A scenario test that requires the student to demonstrate proficiency in responding to investigating a simulated domestic violence incident. At a minimum, the test shall evaluate the following competencies:
  1. Conflict Resolution - The ability to mediate disagreements by resolving a conflict using appropriate communication skills.
  2. Use of Force - The ability to distinguish and apply reasonable force options in given circumstances.
  3. Leadership - The practice of influencing people, while using ethical values and goals to produce an intended change.
  4. Problem Solving/Decision-Making - Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
  5. Legal Authority/Individual Rights - The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
  6. Officer Safety - The demonstration of situational and tactical awareness and appropriate response.
  7. Communication - The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
  8. Stress Tolerance and Emotional Regulation - Maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

VII. REQUIRED LEARNING ACTIVITIES

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		

- A. The student will participate in a Learning Activity relating to proper response to a domestic violence incident to include:
1. Felony arrests
  2. Misdemeanor arrests
  3. Use of citizen arrests
  4. Verification and enforcement of temporary restraining orders when the suspect is present and when the suspect has fled
  5. Verification and enforcement of stay-away orders
  6. Cite and release policies
  7. Emergency assistance to victims to include medical care, transportation to a shelter, and law enforcement standbys for the removal of personal property
  8. Assistance to victims in pursuing criminal options to include giving the report number and directing the victim to the proper investigative unit
  9. Providing information card with local resources to victims at the scene
- B. The student will participate in a Learning Activity requiring them to demonstrate the knowledge and ability to obtain an Emergency Protective Order (EPO).
1. Who is eligible for an EPO
  2. Legal authority
  3. Procedures for obtaining an EPO
  4. Completion of the appropriate documentation
  5. Scope and duration of the EPO
  6. Service of the EPO
  7. Data entry of the EPO into the Domestic Violence Restraining Order System (DVROS)
  8. Distribution of forms

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X				X		
X				X		
X				X		
X				X		
X				X		
X				X		
10				10	10	4

C. The student will participate in one or more Learning Activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding domestic violence. At a minimum, each activity, or combination of activities must address the following topics:

1. Application of SARA or other problem solving model (e.g. PBL) to identify crime elements, analyze known facts, develop and implement an appropriate response, and assess the effectiveness of the response
2. Knowledge of available community resources or referrals for victims and others involved in a domestic violence incident
3. How collaboration with the community builds trust and confidence in policing efforts
4. Discretion, flexibility and conflict resolution skills
5. Influence of an officer's demeanor on persons present at the scene

VIII. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on domestic violence.

IX. ORIGATION DATE

January 1, 2001

X. REVISION DATE

January 1, 2002

January 19, 2007

August 1, 2013

January 1, 2004

July 1, 2008

February 1, 2014

September 15, 2004

July 1, 2009

August 1, 2015

January 1, 2006

July 1, 2010

February 15, 2017

October 1, 2020

**TRAINING AND TESTING  
SPECIFICATIONS FOR LEARNING DOMAIN #42  
CULTURAL DIVERSITY/DISCRIMINATION**

~~July 1, 2012~~ [October 1, 2020](#)

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X	X	X	X		X	
X			X		X	
X	X	X			X	X
X	X	X			X	X

I. LEARNING NEED

Peace officers need to recognize and respect the complexities of cultural diversity to develop skills necessary for identifying and responding to California's changing communities.

LEARNING OBJECTIVES

A. Define the terms:

1. Culture
2. Cultural diversity

B. Describe personal, professional, and organizational benefits of valuing diversity within the community and law enforcement organizations

C. Explain the historical and current cultural composition of California

II. LEARNING NEED

Peace officers need to become aware of stereotyping that could lead to prejudicial viewpoints and unlawful acts of discrimination.

LEARNING OBJECTIVES

A. Define the term stereotype

B. Discuss the dangers of relying on stereotypes to form judgments or to determine actions

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X			X	X
X	X	X			X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

- C. Define the term prejudice
- D. Define the term discrimination
- E. Define the term racial profiling, including the:
  - 1. Conceptual definition
  - 2. Legal definition
- F. Discuss the legal considerations peace officers should take into account related to racial profiling, including:
  - 1. California Penal Code Section 13519.4
  - 2. Fourth Amendment
  - 3. Fourteenth Amendment
  - 4. Current case law
  - 5. Criminal profiling vs. racial profiling
- G. Discuss the impact of racial profiling on the:
  - 1. Individual citizens
  - 2. Community
  - 3. Officer
  - 4. Criminal justice system
- H. Discuss landmark events in the evolution of civil and human rights
- I. Define key indices peace officers should recognize and respect that make up evolving culture among a community
- J. Discuss the obligations of peace officers in preventing, reporting, and responding to discriminatory or biased practices by fellow officers

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

III. LEARNING NEED

Peace officers must recognize that one of the most reliable strategies for successful contacts with individuals from differing cultural, racial, or ethnic backgrounds is to treat all individuals and groups with dignity and respect.

LEARNING OBJECTIVES

A Explain strategies for effective communication within a diverse community, including:

1. Verbal communication
2. Active listening
3. Nonverbal communication

B. Describe positive officer behaviors during contacts with members of a cross-cultural community

C. Discuss articles of faith that can be interpreted as a weapon, including:

1. Identification of the article
2. Proper handling of and respect for the article

IV. LEARNING NEED

Peace Officers need to recognize and respect the complexities of sexual orientation and gender identity and develop the necessary skills to understand, effectively communicate, and respond to the needs of the community and the law enforcement workplace.

LEARNING OBJECTIVES

A. Discuss the difference between sexual orientation and gender identity.

1. Sexual orientation: a person's physical, emotional and romantic attraction to people of the same and/or other gender
2. Gender identity: a person sense of being male, female, or something other or in-between



RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

LEARNING OBJECTIVES

- A. State the legal definition of a hate crime based on the Penal Code
- B. Classify the crime and the elements required to arrest for:
  - 1. Desecrating religious symbols
  - 2. Interfering with religious freedom
  - 3. Terrorizing another
  - 4. Interfering with an individual's civil rights
- C. Explain the legal rights and remedies available to victims of hate crimes based on federal law and Civil Code
- D. Describe the impact of hate crimes on victims, the victims' families, and the community
- E. Discuss the indicators of hate crimes
- F. Explain considerations when investigating and documenting incidents involving possible hate crimes

VI. LEARNING NEED

Peace officers need to have an understanding of what constitutes sexual harassment, how to respond to sexual harassment in the workplace, and the legal remedies available through the sexual harassment complaint process.

LEARNING OBJECTIVES

- A. State the legal definition of sexual harassment

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

B. Discuss the federal and state laws dealing with sexual harassment to include:

1. Title VII
2. Government Code Section 12940 et. seq.
3. Concept of Quid Pro Quo
4. Concept of hostile work environment
5. Current case law

C. Explain the legal remedies available to a victim of sexual harassment

D. Describe behaviors that constitute sexual harassment, including:

1. Verbal
2. Physical
3. Visual
4. Written material
5. Sexual favors
6. Threats
7. Hostile work environment
8. Force

E. Explain the mandated sexual harassment complaint process guidelines

F. State the protections that exist to prevent retaliation against anyone submitting a sexual harassment complaint

G. Describe the methods for responding to sexually offensive or unwanted behavior

**VII. REQUIRED TESTS**

None





RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	X
X			X		X	X
X			X		X	X
16	1	1	15		16	4

in a facilitated discussion and/or small group discussion which addresses the following:

1. Application of the 4<sup>th</sup> and 14<sup>th</sup> Amendments and current case law
2. Consensual contacts as it pertains to racial profiling
3. Importance of articulable characteristics or behaviors to develop probable cause.

~~VIII~~. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on cultural diversity/sexual harassment/hate crimes.

~~IX~~. ORIGINATION DATE

January 1, 2001

~~XI~~. REVISION DATE

January 1, 2004	July 1, 2010
January 1, 2006	July 1, 2011
January 19, 2007	July 1, 2012
July 1, 2008	<u>October 1, 2020</u>