

State of California
Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

To: All Commissioners

Date: August 17, 1962

From: Executive Officer

Subject: PROPOSED AGENDA - Commission Meeting
El Mirador Hotel, Sacramento
September 14, 1962 - 9:30 A. M.

1. Call to Order.
2. Approval of Minutes of June 8, 1962.
3. Approval of Expense Claims.
4. Financial Report.
5. Approval of 1963-64 Budget.
6. Certification of Schools.
7. Converting Period of Allocation to Calendar Year.
8. Awards to Cities and Counties.
9. Proposed Changes in Rules and Regulations.
10. Brochure.
11. U.S. Senate Bill 2984.
12. Civil Defense Course.
13. Action taken on assignments from last meeting.
14. Date and Place of next meeting.
15. Adjourn.


GENE S. MUEHLEISEN

12th

State of California
Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

September 14, 1962
Sacramento

The meeting was called to order at 9:40 A. M. by Chairman McDonnell. A quorum was present:

MARTIN C. MC DONNELL, Chairman
HOWARD W. CAMPEN
ALLEN B. COTTAR
LOHN R. FICKLIN
JAMES V. HICKS
DAN KELSAY
WILLIAM J. MC CANN (Arrived 11:45 A. M.)
ROBERT S. SEARES
GEORGE H. BRERETON, representing the Attorney General

Also Present: WAYNE BORNHOFT, Chief of Police, Fullerton.
MERRILL GAFFNEY, Executive Secretary, Peace Officers' Association of California.
GENE S. MUEHLEISEN, Executive Officer
GEORGE H. PUDDY, Assistant to the Executive Officer
MRS. BEVERLY CHAPMAN, Stenographer
MRS. ESTHER LEVIN, Stenographer

Absent (Excused): ROBERT T. ANDERSEN, Vice Chairman

EXPIRATION OF COMMISSIONERS' TERMS

Terms of Commissioners Kelsay, McCann and Seares expire on September 18, 1962. The Executive Officer was directed to notify the Governor and the Attorney General.

APPROVAL OF MINUTES

There being no corrections or additions, the minutes of June 8, 1962 were declared approved as mailed to all Commissioners.

APPROVAL OF EXPENSE CLAIMS

The following travel expense claims of the Executive Officer were declared approved by Chairman McDonnell upon the motion of Ficklin, seconded by Hicks:

May 4 thru June 1, 1962	Modesto, S.F., L.A., Anaheim, Fontana, & Pomona	\$ 90.02
June 6 thru 29, 1962	Monterey, Santa Barbara & Santa Rosa	\$ 74.73
July 9 thru Aug. 1, 1962	L.A., Orange Co., Arrowhead, Bakersfield, Santa Ana, L.B., S.D., Escondido, Oceanside, LaMesa, El Cajon, Coronado, Chula Vista, Imperial Beach	\$402.33
Aug. 23-28, 1962	L.A., Anaheim, Orange Co., Costa Mesa & Treasure Is.	\$ 26.15

A discussion took place on travel expenses of Commissioners while traveling on Commission business other than attendance at regular meetings. The following policy was adopted upon a motion by Cottar, seconded by Seares, unanimously approved:

When, at the discretion of a Commissioner, he deems to have a legitimate travel claim to be charged against the Commission, he shall clear such travel or other expense with the Chairman prior to undertaking the assignment. Upon clearance from the Chairman, the Commissioner or the Chairman shall notify the Executive Officer.

FINANCIAL REPORT

REVENUE

Training Fund Balance - June 30, 1962	\$278,741.09
Revenue - Accumulated	24,752.96
Revenue - August	<u>34,793.95</u>

BALANCE

\$338,288.00

EXPENDITURES

Administrative Expense - Accumulated	\$ 4,037.50
Administrative Expense - August	<u>3,818.92</u>
	\$ 7,856.42
Reimbursements - Accumulated	\$ 39,091.15
Reimbursements - August	<u>50,786.39</u>

TOTAL EXPENDITURES

97,733.96

NET BALANCE - AUGUST 31, 1962

\$240,554.04

FINANCIAL REPORT ANALYSIS

	<u>REVENUE</u>	<u>REIMBURSEMENTS ENCUMBERED</u>	<u>ADMINISTRATIVE EXPENSE</u>
July, 1962	\$24,752.96	\$39,091.15	\$4,037.50
August, 1962	<u>34,793.95</u>	<u>50,786.39</u>	<u>3,818.92</u>
	\$59,546.91	\$89,877.54	\$7,856.42

REVENUE COMPARISON

July through August, 1961

July through August, 1962

\$50,252.93

\$59,546.91

ENCUMBRANCE COMPARISON
(Jurisdiction Reimbursement)

\$87,133.43

\$89,877.54

The following summary of revenue and reimbursements for Los Angeles County were projected on a screen for discussion and review by the Commission:

Los Angeles County	476
Los Angeles City	234
Other Cities	<u>269</u>
	979

Train 54.3% of total officers in the State
Contribute 40.7% of total revenue

Los Angeles County
Gain 13.6%

REIMBURSEMENTS

Los Angeles County	\$118,339.00
Los Angeles City	59,305.00
Other Cities	<u>67,518.00</u>
	\$245,162.00

Revenue (5% assessment on fines) \$169,000.00

Reimbursements in excess of Revenue \$ 76,000.00

LOS ANGELES SHERIFF'S DEPARTMENT RE-CAP

Trainees receive 640 hours of training per man. Total = 476 men
P.O.S.T. reimburses on a basis of 160 hours per man.

P.O.S.T. Paid	\$118,339.00 (Total)
County Paid	<u>834,898.60 (Total)</u>
	\$953,237.60

P.O.S.T. Paid	\$ 250.40 per man (12.5%)
County Paid	1,752.20 per man (87.5%)

(NOT FOR PUBLICATION)

Brereton pointed up the high cost to cities and counties throughout the State for recruit training and emphasized the fact that a savings could be accomplished through pre-employment training in junior colleges, state colleges and universities.

Ficklin suggested that the staff develop some figures reflecting the cost of recruitment and training per officer. He further suggested that the average reimbursement from the State also be incorporated in the analysis.

A bulletin entitled "Recapitulation of Receipts of 1961-62 F. Y." showing total receipts forwarded to the Peace Officers' Training Fund by each county was discussed. A chart showing the receipts for 1,000 population reveals a marked divergence between counties. The possibility of non-compliance by the courts was discussed. The Executive Officer was directed to take such action as may be appropriate to insure adherence to the law in the collection of the 5% assessment by the courts.

The 1962 allocation itemized in the bulletin dated October 6, 1962 was discussed. The method of distributing the checks through the Attorney General, by Commissioners and by direct mail was also reviewed.

PROPOSED LEGISLATION 1963 SESSION

The Executive Officer reported that he had followed the Commission's directive to make organizations aware of the possible lack of funds in the future. It had been pointed out that staff estimates clearly indicated the 5% revenue would not be sufficient to carry the Program in the future.

It was reported that the Executive Officer had briefed the Law Legislative Committee of the Peace Officers' Association, the League of California Cities, the State Sheriffs' Association, the County Supervisors' Association of California, and the Legislative and Professionalization Committees of the Peace Officers' Research Association of California. It was further reported that the Senate Judiciary Committee anticipated holding a hearing on the accomplishments of the Commission as well as its financial structure.

Techniques, methods and recommendations calling the need of increased revenue was discussed at length by the Commission and the following suggestions were voiced by various Commissioners:

1. Notify cities and counties of the possibility that they will receive reduced reimbursements in the future.
2. Develop a one or two-page promotion package for distribution throughout law enforcement agencies, to legislators and to city and county government.
3. Synchronize notification of the possible deficit with the 1963 session of the Legislature.

4. Restrict discussions before the Legislature to the 160-hour program.
5. Continue to promote the program as outlined by the Executive Officer.

APPROVAL OF 1963-64 BUDGET

Puddy briefed the Commission on the 1963-64 budget as set forth as follows:

	<u>ACTUAL</u> 1961-62	<u>ESTIMATED</u> 1962-63	<u>PROPOSED</u> 1963-64
SALARIES AND WAGES			
Commissioners (9)			
Executive Officer	\$12,790.02	\$13,990.00	\$13,860.00
Ass't. to Executive Officer	7,940.10	10,790.00	11,310.00
Senior Stenographer	4,461.38	4,888.00	5,085.00
Intermediate Stenographer	4,491.31	4,928.00	4,980.00
Field Representative (Proposed)			9,384.00
Totals, Salaries and Wages	29,682.81	34,596.00	44,619.00
OPERATING EXPENSES			
General Expense	555.58	1,000.00	1,200.00
Communications	1,202.65	1,500.00	1,700.00
Travel - In State	6,523.01	10,000.00	12,000.00
Travel - Out of State	578.61	1,000.00	1,000.00
Rent - Building space	2,060.28	2,060.00	2,060.00
Pro Rata Charges	9,004.38	9,500.00	10,000.00
Totals, Operating Expenses	19,924.51	25,060.00	27,960.00
EQUIPMENT	69.17	600.00	1,400.00
State Employees' Retirement	2,238.41	2,421.00	3,123.00
State Employees' Health & Welfare	85.00	85.00	113.00
Contingency Reserve Fund	15.29	15.00	20.00
TOTAL EXPENDITURES	<u>52,015.19</u>	<u>62,777.00</u>	<u>77,235.00</u>

<u>FUND CONDITION</u>	<u>Actual 1961-62</u>	<u>Estimated 1962-63</u>	<u>Estimated 1963-64</u>
Accumulated surplus, July 1	\$447,621.98	\$280,093.00	\$164,866.00
Revenue:			
From Assessment on fines	415,456.02	457,300.00	502,700.00
Total Resources	863,078.00	737,393.00	667,566.00
Less Expenditures:			
Commission on P. O. S. T.	52,015.19	62,777.00	77,235.00
Reimbursements to Cities & Counties			
Due & Paid Fiscal 1960-61	\$95,474.99		
Due Fiscal 1961-62	435,494.48		
	530,969.47	489,750.00	535,238.00
Total Expenditures	582,984.66	552,527.00	612,473.00
Accumulated Surplus	280,093.34	184,866.00	55,093.00
Less Reserve for Administrative Exp.		- 20,000.00	
Available Surplus	280,093.34	164,866.00	55,093.00

Campen questioned the difference in the amount of the total expenditures from that which the Commission approved at an earlier meeting. It was explained that the salary increase and the pro rata charges made up the difference. The condition of the Peace Officers' Fund was discussed, and the advisability of requesting an addition to the staff at this time.

Motion was made by Campen, seconded by Seares, and unanimously carried that the proposed budget be adopted.

CERTIFICATION OF SCHOOLS

The Executive Officer recommended that the following schools be certified:

Stockton Police Training Center
Tulare-Kings County Peace Officer Academy
Riverside City College Course 51AB

The schools were declared officially certified by the Commission upon the motion of Ficklin, seconded by Kelsay.

The Executive Officer reported that certification inspections had been conducted at the first colleges to apply for certification under the pre-service college training policy. He stated that Orange Coast College was the first to apply and had been inspected. Modesto Junior College has also been inspected. It was pointed out that the two junior colleges meet our standards with one exception. The subject content within courses as recommended by the Junior College Police Science Curriculum Committee has not received final approval of the Bureau of Industrial Education and it would not be possible to approve the colleges until a comparison could be made with the final recommendations of the Curriculum Committee and the course content of the colleges requesting certification.

The Commission recommended certification of Orange Coast College and Modesto Junior College be deferred for the reasons stated above.

MASTER CURRICULAR PLAN CALIFORNIA STATE COLLEGES

A letter received from Professor G. Douglas Gourley regarding the omission of Police Science from the proposed Master Curricular Plan California State Colleges was discussed. The Executive Officer reported that he had discussed the situation with Dr. Raymond Rydell, Vice Chancellor, and Dean James Enochs of the State College System and that both persons stated the Police Science program would continue in the state colleges.

The Chairman instructed the Executive Officer to forward a letter to the Chairman of the Board of Trustees of the California State College System, expressing our views on the subject.

CONVERTING THE PERIOD OF ALLOCATION TO THE CALENDAR YEAR

The Executive Officer reported the Controller's Office and the Attorney General's Office advised there were no legal, technical or other objections for adopting the calendar year as the period of allocation. Several arguments favoring the adoption of the calendar year over the fiscal year were voiced by members of the Commission and a motion was made by Seares that the calendar year be adopted as the period of allocation. The motion was seconded and unanimously carried.

AWARDS TO CITIES AND COUNTIES

At the Commission meeting of June 8, the Commissioners unanimously agreed that cities and counties adhering to the standards receive an award of recognition. The Chairman instructed the Executive Officer to contact the Attorney General's office for an opinion on the legality of such awards by the Commission.

The Executive Officer reported that an Attorney General's opinion stated awards of this nature by the Commission were fully within the scope of its obligations and authority under the law. The following proposed bulletin was read and approved by the Commission:

"The Commission desires to present an award to individual cities and counties in recognition of their voluntary adherence to the established minimum standards for the recruitment and training of peace officers.

"A certificate attesting to the maintenance of the minimum standards will be awarded to those cities and counties which by ordinance (Enclosure A) adhere to the Program and are receiving financial aid and to cities and counties which by resolution (Enclosure B) adhere to the minimum standards but elect not to receive the financial aid."

A sample mounted certificate was displayed to the Commission and after a general discussion on awards to cities and counties, cost factors and the sample presented, motion was made by Ficklin, seconded and carried that the Executive Officer proceed with the procurement and distribution of the awards. The Chairman requested that the records show he did not vote.

BROCHURE

Sample brochures for distribution to the following groups were discussed:

1. City Councilmen, County Supervisors and members of the Legislature.
2. High school and junior college students considering careers in law enforcement.
3. The general public and interested organizations.

Following a discussion, it was recommended that the staff submit two or three samples to the Brochure Sub-Committee for approval. The Committee consists of Chairman McDonnell, Ficklin and Campen.

U. S. SENATE BILL 2984

The resolution and comments concerning U. S. Senate Bill 2984 contained in the minutes of June 8, 1962 were reviewed. The Executive Officer reported that the Governor and the Attorney General supported the position of the Commission. The Executive Officer was directed to collaborate with Mr. Gaffney of the Peace Officers' Association in preparing a letter in which the Peace Officers' Association of the State of California would outline their objections to the Bill.

Motion by Campen, seconded by Ficklin and unanimously carried that in light of the support by the Governor and the Attorney General, the Commission's resolution on S. B. 2984 be forwarded to Senator Kuchel and other appropriate persons and groups. There were no objections to the suggestion that the Executive Officer be authorized to discuss the Bill with interested individuals and groups.

CIVIL DEFENSE COURSE

The Executive Officer read a resolution from the Peace Officers' Association of the State of California that a course in Civil Defense Training be included in the list of required subjects for the basic course, and that the Civil Defense subject might include pre-attack and post-attack operational concepts as well as defense against chemical, biological, and radiological warfare. The difficulties of incorporating the course within the 142 hours of required subjects was discussed. The Executive Officer recommended that the course be included as an elective subject.

During the discussion it was emphasized that Civil Defense and disaster training should be given to all peace officers and not confined to recruits. The Commission concluded that Civil Defense and disaster training more appropriately belonged in the in-service training area and should be tailored to fit local needs and requirements.

The Executive Officer was instructed to notify the President of the California Peace Officers' Association of the Commission's opinion.

PROPOSED CHANGES IN RULES AND REGULATIONS

At the Commission meeting of June 8 the Executive Officer was directed to prepare items which should be discussed by the Commission as proposed changes or additions to the Rules and Regulations and submit the list of suggested changes and additions to the Commissioners prior to the meeting of September 14.

The list of proposed changes which had been forwarded by the staff to each Commissioner was reviewed and discussed section by section and modifications in the wording were suggested and noted.

The following sections were reworded and approved by the Commission:

1001 (k)
1002 (a -7)
1005 (a), (b)
1006 (a - 1)
1010 (b), (c), (f)
1012 (a)
1014 (a), (b)
1015 (a), (b)

1010 (a), (b), (c), and (f) were approved as set forth in Attachment "A". Sections (d) and (e), covering requirements of the Intermediate and Advanced Certificates, were deferred for approval at the request of the Executive Officer. It was reported that additional refinements would be presented to the Commission for approval following the meeting of the Commission's Advisory Committee on Certificates.

The complete sections as approved by the Commission are set forth as Attachment "A".

DATE AND PLACE OF NEXT MEETING

The date of the next meeting was set for December 14, 1962, in Southern California.

ADJOURNMENT

The meeting adjourned at 3:30 P.M.

Respectfully submitted,



GENE S. MUEHLEISEN
Executive Officer

State of California

Commission on Peace Officer Standards and Training

Sample Ordinance Guide

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE REQUIREMENTS OF SECTION
13522 OF THE PENAL CODE RELATING TO TRAINING OF LAW
ENFORCEMENT OFFICERS

General introductory paragraph used by the governmental
agency enacting the ordinance.

Section 1. The _____
declares that it desires to qualify to receive aid from the State
of California under the provisions of Chapter 1 of Title 4, Part 4
of the California Penal Code.

Section 2. Pursuant to Section 13522 of said Chapter 1, the
(city or county) of _____ while receiving aid
from the State of California pursuant to said Chapter 1 will ad-
here to the standards for recruitment and training established by
the California Commission on Peace Officer Standards and Train-
ing.

General paragraph used by the governmental agency setting
forth the procedure for adoption, i. e., effective date, publica-
tion and similar information.

ENCLOSURE "A"

State of California

Commission on Peace Officer Standards and Training

Sample Resolution Guide

IT IS HEREBY RESOLVED that the (city, county, or city & county) shall adhere to or exceed the standards for recruitment and training of peace officers which have been established by the California Commission on Peace Officer Standards and Training.

IT IS FURTHER RESOLVED that the Commission, or its representatives, may at any time make such inquiries and inspections as may be necessary to determine whether the (city, county, or city & county) is adhering to the standards for recruitment and training established pursuant to Chapter I, Title 4, Part 4 of the California Penal Code.

ENCLOSURE "B"

PROPOSED CHANGES IN RULES AND REGULATIONS

Revised - September 14, 1962

1001. DEFINITIONS.

- (e) "Aid" is the money allocated annually from the Peace Officer Training Fund, as provided in Section 13523 of the Act, to cities and counties, counties, and cities meeting the requirements of this Act.
- (h) "High School" is a school accredited as a high school by the Department of Education of the State in which the high school is located, or a school accredited as a high school by the recognized regional accrediting body, or a school accredited, as a high school by the State University of the State in which the high school is located.
- (k) "Specification" is a description of a requirement supplementing a section of the Rules and Regulations.

1002. MINIMUM STANDARDS FOR RECRUITMENT.

- (a) The minimum standards shall be the following:
 - (7) Examination by a licensed physician and surgeon. Only those applicants who are found to be free from any physical, emotional or mental condition which might adversely affect performance of his duty as a peace officer shall be eligible for appointment. The applicant's declaration of medical history and the physician's findings upon the examination

1006. CREDIT FOR PRE-SERVICE COLLEGE TRAINING.

(a) Credit for pre-service college training may be accepted in lieu of the basic course described in Section 1005 and 1007 provided said pre-service training meets the following requirements:

- (1) The training must have been completed at a college or university certified by the Commission prior to the completion of said training and
- (2) The course of study shall meet the requirements of the basic course as set forth in Section 1005 of the Rules and Regulations and
- (3) Satisfactory completion of one of the following:

(A) The award of an Associate in Arts Degree with a major in Police Science.

(B) Completion of no less than 60 semester units in a course presented at a junior college, college or university leading to a bachelor degree in Police Science.

(b) Within 60 days after the date of appointment the employing jurisdiction shall forward to the Commission the name, date of birth, date of appointment, and a copy of the degree or college transcript for each officer whose training is claimed to have been accomplished under the provisions of this regulation.

(c) An officer appointed pursuant to this regulation shall be eligible for the award of the Basic Certificate as provided in Section 1010 of the Rules and Regulations.

- (d) Jurisdictions which elect to send officers meeting the training requirements of this Section through certified schools in accordance with the Rules and Regulations are eligible for reimbursement.

1008. TIME LIMIT FOR COMPLETION OF COURSE.

- (a) Each trainee must complete the prescribed basic course within 18 months from the date of his appointment as a regularly employed officer.
- (b) Extension of the 18-month time limit for completion of the course may be granted by the Commission upon presentation of evidence by a jurisdiction that a trainee was unable to complete the prescribed course due to illness, injury, or military service.
- (c) An officer who has received a certificate of completion of the basic course, and for whom aid has been legally claimed, cannot again be claimed as a trainee by any department regardless of transfer or re-employment by another department.

1009. EACH RECRUIT EMPLOYED MUST COMPLY WITH THE STANDARDS.

- (a) To be eligible for aid, a jurisdiction must adhere to the minimum standards for recruitment and training as defined in these regulations for each and every officer employed during the period of allocation in which the jurisdiction applies for aid.
- (b) In the event a jurisdiction employs one or more officers who do not meet the minimum standards for recruitment and training

as defined in these regulations,, the jurisdiction shall be ineligible to receive any amount of aid during the period of allocation in which the ineligible officers were employed.

- (c) If, in the opinion of the Commission, a jurisdiction has failed to adhere to the minimum standards for recruitment and training, the Commission shall notify the jurisdiction of said opinion and of its probable ineligibility for aid during the affected period of allocation. The Commission shall also request compliance. In the event the jurisdiction fails to comply, the Commission may afford the concerned jurisdiction's official representatives the opportunity to appear before it and present whatever arguments the jurisdiction may deem appropriate in support of the claim. If the Commission is still of the opinion that the standards have not been adhered to, it must reject the claim in accordance with Paragraph (b) of this Section.

1010. CERTIFICATES AND AWARDS.

- (a) Certificates and awards may be presented by the Commission for the purpose of raising the level of competence of law enforcement and to foster cooperation among the Commission, agencies, groups, organizations, jurisdictions. and individuals.
- (b) Applications for the award of the Basic, Intermediate or Advanced Certificate shall be submitted on forms prescribed by the Commission.

- (c) THE BASIC CERTIFICATE - The Commission may award the Basic Certificate to any officer who has completed the probation period prescribed by the employing jurisdiction but in no case of less than one year of service and who meets the standards for recruitment and basic training prescribed in Section 1002 and 1005 of the Rules and Regulations.
- (d) INTERMEDIATE CERTIFICATE (Deferred for approval)
- (e) ADVANCED CERTIFICATE (Deferred for approval)
- (f) The Commission shall recognize for credit toward Intermediate and Advanced Certificates only those units awarded in a course from:
 - (1) A college or university accredited as such by the Department of Education of the State in which the college or university is located, or
 - (2) A college or university accredited as such by the recognized regional accrediting body, or
 - (3) A college or university accredited as such by the state university in the state in which the college or university is located, or
 - (4) From a course accredited and evaluated by the Commission for college unit equivalency.

1012. CERTIFICATION OF SCHOOLS.

- (a) The Commission shall certify and identify those schools deemed adequate to teach effectively one or more of the prescribed courses.

1014. APPLICATION AND CLAIM FOR REIMBURSEMENT.

- (a) The employing jurisdiction shall complete and forward the "Application for Reimbursement" forms to the Commission for each trainee prior to the starting date of the required course.
- (b) The employing jurisdiction shall complete and forward the "Claim for Reimbursement" forms to the Commission upon completion of the required training.

1015. REIMBURSEMENTS.

(a) BASIC COURSE

- (1) SALARY - Reimbursement for satisfactory completion of the basic course shall not exceed 50% of a trainee's salary at straight time during 160 working hours.
- (2) LODGING AND MEALS - Reimbursement for lodging and meals shall not exceed 50% of the costs of said lodging and meals incurred by a trainee which are necessitated by training requiring that he be away from his residence overnight and are subject to the following restrictions:
 - (A) Where meals and lodging are provided at the school; the allowed costs shall be based upon 50% of the charge for meals and lodging made by the school.
 - (B) The claim shall not exceed 50% of the maximum legal living cost allowance permitted by the jurisdiction submitting the claim.

(C) In cases which do not fall into categories (A) or (B), the cost allowed for meals and lodging shall be based upon 50% of the current rate for lodging and meals granted State employees under Section 711 and 712 of the Rules and Regulations of the California State Board of Control.