

Memorandum

: All Commissioners

Date : September 2, 1971

Executive Officer

From : **Commission on Peace Officer Standards and Training**

Subject: Commission Meeting: 10 a. m., September 16 and 17
Bahia Motor Hotel - La Jolla Room
998 W. Mission Bay Drive
San Diego, California

AGENDA

1. Call to Order.
2. Introduction of Guests.
3. Approval of Minutes.
4. Project S. T. A. R. Progress Report
5. Bureau of Police Education and Training Report.
 - a. Certification of Courses
 - b. Advanced Officer Course Development Study
 - c. Extention of Moratorium
 - d. C. A. P. T. O. Course Evaluation Assistance
 - e. Community College Police Ineligibility
 - f. Regional Criminal Justice Training Centers
 - g. C. P. R. L. T. P. San Diego State Proposal
(Community-Police Relations Leadership Training Program)
6. Financial and Budget Report.
7. Advisory Committee Report.
8. Legislation.
9. Bureau of Police Standards Report.
 - a. Administrative Counseling Service
 - b. Madera County Feasibility Study
 - c. Personnel Standards Report

10. Status Report on P.O.S.T. Personnel
11. Old/New Business
 - a. Minority Recruitment Program
 - b. Attorney General's Opinion - San Francisco Sheriff's Office
 - c. Specialized Certificates - Policy on Experience
 - d. Office Space Availability
 - (1) Southern California Branch Office
 - e. Request from Dept. of Justice - Training Assistance
12. Date and Place of Next Meeting
13. Adjournment

Gene S. Muehleisen
GENE S. MUEHLEISEN

State of California
Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

September 16-17, 1971
San Diego, California

The meeting was called to order at 10 a. m. by Chairman Cash. A quorum was present.

Present:

LYELL C. CASH	- Chairman
JOHN FABBRI	- Vice-Chairman
BEN CLARK	- Commissioner
JACK G. COLLINS	- Commissioner
DAN KELSAY	- Commissioner
ARTHUR R. MC KENZIE	- Commissioner
FRED J. MOREY	- Commissioner
ROBERT S. SEARES	- Commissioner
JACK WEBER	- Representative of the Attorney General

Also Present:

GENE S. MUEHLEISEN	- Executive Officer
GEORGE H. PUDDY	- Assistant Executive Officer
CARL R. BALL	- Chief, Bureau of Police Education & Training
EDWARD M. TOOTHMAN	- Chief, Bureau of Police Standards
GEORGE W. WILLIAMS	- Assistant to the Executive Officer
OTTO H. SALTENBERGER	- Consultant
IMOGENE KAUFFMAN	- Recording Secretary

Absent:

Earl R. Strathman	- Commissioner
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Visitors:

Harold K. Becker	- Director, Institute for Police Studies, Cal-State Long Beach
Larry Hoffart	- Budget Analyst, Department of Justice
Matthew Hogan	- Student Representative, POST Advisory Committee
Vern Hoy	- Commander, Personnel & Training, L. A. P. D.
Dave Junker	- Sergeant, San Diego Marshal's Office
Don Reiersen	- Captain, San Diego Police Department

Walter Schottmiller	- Agent, Security Unit, Attorney General's Office
Dr. Charles P. Smith	- Director, Project S. T. A. R.
Dr. Paul Whisenand	- Director, Institute for Police Studies, California State College, Long Beach
William J. Winters	- Chief of Police, Chula Vista Police Department

APPROVAL OF MINUTES

MOTION by Commissioner McKenzie, seconded by Commissioner Clark, motion carried that the minutes of June 18, 1971 Commission meeting be approved as mailed.

PROJECT S. T. A. R. PROGRESS REPORT

Dr. Charles Smith, Director of Project S. T. A. R., was introduced by Mr. Muehleisen. Dr. Smith explained the funding of the project, outlined the basic objectives of the project and the problems encountered to date. He also stated they have been working vigorously with the judicial council to overcome problems in that area.

The Executive Officer stated that in accordance with a suggestion made by the S. T. A. R. Advisory Council Chairman, Ben Clark, the problems relating to Advisory Committee role and second year funding could be worked out by a committee. Such a committee was appointed consisting of Commissioners Clark and Fabbri, Muehleisen, Puddy, Townsend, Richard McGee and Dr. Harland Hill. (The committee met on 10-6-71)

BUREAU OF POLICE EDUCATION AND TRAINING REPORT

Certification of Courses

Mr. Ball reported that in view of the moratorium, most of the requests for certification were being held in abeyance. Commissioner Clark asked what was being done during the moratorium to evaluate the Advanced Officer Courses. Mr. Ball stated that Professor Nat Trives, Cal-State Los Angeles, Department of Police Science and Administration, was under contract to review the state of the art of Advanced Officer Courses and would report on this subject later in the meeting.

Nine Advanced Officer Courses were presented as emergency courses.

The Santa Rosa Junior College Advanced Officer Course for female officers was questioned. Mr. Ball stated all members of the Women Peace Officer Association can participate but only sworn peace officers as defined in

830 P. C. can be claimed for purposes of reimbursement.

Commissioner Kelsay inquired about the necessity of sending female officers to the Advanced Course. The Executive Officer stated that, in his opinion, the choice should be up to local jurisdictions.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried (two nay) that the following Advanced Officer Courses be approved for certification:

Bakersfield College
 Feather River Peace Officer Academy
 Marin, College of
 Mount San Antonio College
 Palo Alto Police Training School
 Rio Hondo College
 San Jose City College
 Santa Rosa Junior College
 Santa Rosa Junior College (A.O. for female officers)

Supervisory Course

Commissioner Clark asked about evaluation of Supervisory Courses. Mr. Ball stated that the Education and Training Development Section is working on a broad plan for evaluation of all types of courses and is doing as individual evaluations as the very limited staff time permits. Commissioner Clark felt that if the moratorium is not followed, it is an exercise in futility. Mr. Ball made the assurance that the reason for presentation is that there is a pressing need for a Supervisory Course in the area of Cuesta College that justifies waiving the moratorium for this particular course.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried for approval of the Supervisory Course at Cuesta College

Middle Management Seminar - California State College, Los Angeles

Commissioner Clark raised a question regarding this Seminar as well as the Technical/Special Courses at Cal-State Long Beach. He questioned the tuition including overhead charges and advised that "the California Council on Criminal Justice recently faced this problem in terms of the overhead costs where schools were presenting proposals with 35 to 50% overhead. A motion was made in C. C. C. J. to limit overhead to 20%. This is what the Commission must do because this can get completely out of hand financially."

Mr. Ball explained that the Middle Management Seminar at Cal-State Los Angeles has a maximum enrollment of 24 but fewer are anticipated.

Their budget is based on an estimated average of enrollment of 16 which would give them \$1,200. \$600 goes for instruction, \$100 goes for materials and text books. There is a \$500 coordination and organization fee. The overhead is \$800 administration and promotion, but added that these were approximate figures.

Commissioner Clark suggested the Commission consider taking the actual cost of the course and add a percentage increase, perhaps limited to 25% overhead.

Chairman Cash asked if there were any uniform methods of determining costs that would make a fair comparison. There were no known examples. Commissioner Seares suggested using the amount used for federally negotiated overhead rate with colleges and universities which was stated to be 35%.

Dr. Whisenand said the state colleges also vary and added that they had recently been audited by H.U.D. and had been informed that their overhead costs were now going to 40%.

Captain Reierson added that the San Diego State Foundation had just negotiated a contract with C. C. C. J. which had carried the maximum C. C. C. J. overhead of 20%. He added, "The complicating factor is that the formula that they are allowed to use where they budget direct cost or indirect cost will depend upon the over-ride, eventually. They will negotiate from the maximum kind of contract, and that requires careful analysis of budgeting in the contract whether there is direct costs in their accounting system or indirect costs, and it can mean a difference of as much as 10% profit to them."

The Executive Officer stated that the National Crime Commission had faced the same problem and universities referred them to the Department of Defense policy of permitting 35%. The then legal advisory to the Secretary of Defense advised that while the overhead of 35% was sometimes excessive, it provided a "slush fund" for research.

MOTION by Commissioner Clark, seconded by Commissioner Collins, that in the future before courses with tuition are presented to the Commission for approval, the following requirements should be met:

1. The course should meet all established past criteria.
2. The staff has reviewed the budget and established the actual cost of the course and then added 20% overhead.
3. The Commission will then reject or approve after reviewing the budget.

The motion was defeated.

Commissioner Clark felt the staff should demand a more complete budget breakdown.

Commissioner Seares summarized the problem and pointed up the complicating factor of unpredictable enrollment.

Commissioner Kelsay felt the overhead charge factor should be studied and presented at a later date.

MOTION by Commissioner Clark, died for lack of a second, to table all courses on the agenda and requests for changes in reimbursement (where there is a tuition in excess of \$49) until staff makes a recommendation on the subject matter of the previously defeated motion.

The Executive Officer stated that the staff would like to have guidance in the field of overhead charges; that they would like to take a deeper look with the people involved, including the colleges and finance people, and come back with a report of the findings. He mentioned that one advantage that P.O.S.T. has is that the Controller's Office is now making in-depth audits for P.O.S.T., and it is aiding in this matter.

Commissioner Kelsay suggested that in all cases P.O.S.T. negotiate contracts directly with the colleges including the overhead in direct costs.

The Executive Officer spoke of the emergency need for Middle Management Seminars, stating there is a dearth of good executive training and middle management training. This need shows up repeatedly during P.O.S.T. management surveys. Survey recommendations are made, yet many departments are unable to implement because they do not have training managers. This is why the Cal-State L. A. Middle Management Seminar had been presented to the Commission as an emergency-type course.

MOTION by Commissioner Kelsay, seconded by Commissioner McKenzie, for approval of the

Cal-State L. A. Seminar for the balance of the school year.

The motion was defeated.

Commissioner Collins requested more explanation on what made this seminar an emergency.

The Executive Officer again explained what he referred to as "the need" for management training. He stated that with the amount of money in the fund at the present time, the need far out-balances the financial consideration.

Commissioner Seares felt the Commission should accept the staff's recommendations that these courses being presented were urgent and did qualify as emergency courses; that they be approved on a one-time basis and set a deadline for a final decision on future funding on overhead; or all the courses should be rejected. He stated it was regrettable that the funding question could not be settled first, but while that was being studied, the courses should be approved on a one-time basis.

The Executive Officer explained another important factor on the emergency status of courses was the backlog of courses being accumulated, and that those which were reasonably predictable as being essential should be moved on.

Commissioner Morey stated, "If the Commission directs staff along certain lines that the Commission will not approve anything in the future unless the budget analyses are presented -- that's one thing. But if we are going to say to staff, 'Don't present courses unless you have done certain things,' then that's the way it will be. But it seems to me we are talking about what is to be presented the next time instead of suddenly changing attitudes with no advanced stipulations."

Commissioner Seares felt that the need is more urgent than the necessity of deciding an overhead percentage at the meeting; however, the issue should be settled before any more courses are approved at future meetings.

Commissioner Morey advised that state colleges and universities are all scrambling for money, and most will use whatever means available to get additional funds.

MOTION by Commissioner Clark, seconded by Commissioner Collins that the Middle Management Seminar Cal-State L. A., be tabled until next commission meeting.

The motion was defeated.

Commissioner Collins stated that so long as the moratorium was in effect, the Commission should not approve "emergency" courses.

The Executive Officer explained that the moratorium policy adopted by the Commission included a clause which stated that emergency courses should be presented to the Commission for approval. He added that due to a lack of staff the moratorium has not progressed as had been intended. The staff recommendation was to approve the Cal-State L. A. Middle Management Seminar but limit the percentage overhead to 20%.

Commissioner Seares stated that he felt if the Commission had been committed or there would be consternation or hardship caused, the Commission should proceed with approval of the courses presented but not approve any more until a definite overhead amount could be set.

Mr. Ball stated the staff recommendation, "To approve these courses subject to the establishment of commission policy on overhead. The tuition would be negotiable at a later date when the overhead policy of percentage is established."

Commissioner Clark stated he could agree if there were no moratorium in effect, and everyone knew it. But it doesn't make any sense now to punish someone for something someone else got away with three months ago.

Commissioner Kelsay felt that if there is an actual need for each course presented on the agenda, then they should be approved and not cut off because of lack of a percentage policy. They should be looked at -- not as a group but each one individually.

The Executive Officer stated the Commission could be criticised for withholding funds accumulating in the Peace Officer Training Fund even though there is a demand for more training in the field.

Commissioner Clark stated the complaint could be just the opposite coming from Sheriffs and Chiefs on how much courses are costing the Fund. He added, "No one is arguing the merits of education; we are just trying to get ourselves on a given level so we make sense when we talk to people."

MOTION (repeated) by Commissioner Clark to table all courses or changes in reimbursement on the agenda where the tuition is in excess of \$49 until staff makes a recommendation to the Commission regarding the subject matter of the defeated motion (p. 4).

Motion was defeated.

MOTION by Commissioner Seares, seconded by Commissioner Morey, motion carried (Clark - no), for approval of the Middle Management Seminar, Cal-State L. A., for one presentation only, not to be given as set forth to the Commission on this date after December 31, 1971, pending action by the Commission on the decision of an established overhead rate.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried that at the next Commission meeting the Commission be presented with a staff recommendation which would form a basis on which to certify tuition courses. This recommendation to include a general study of actual costs and overhead.

Technical/Special Courses

Cal-State Long Beach

Organizational Development for Police Agencies

Dr. Whisenand explained that Santa Barbara Sheriff's Department and Police Department had requested that they involve themselves with this program, both individually and jointly with some common problems. San Diego City and County agencies also wanted this program for the specific purpose of joint team training concerning the Republican Convention in 1972. Menlo Park Police Department and Los Angeles Sheriff's Department are also interested in utilizing this course. Dr. Whisenand further stated that these requests would take the balance of time in 1971 and probably 1972 for completion.

The Executive Officer stated that it is hoped this type of presentation may be a valuable instrument in implementing the P. O. S. T. surveys.

Commissioner Collins objected to the possibility of this presenting a "blank check" to Cal-State Long Beach to present any type of three-day, problem solving course that was requested.

The Executive Officer reported on the need of a service to help departments solve their problems; whether this type offering is competent enough or not could only be answered after a trial presentation.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, motion carried (2 nay - Collins and Clark) for approval of the Organizational Development for Police Agencies - Cal-State Long Beach for the two specific requests, Santa Barbara County Sheriff's Department and Menlo Park Police Department, as a pilot program to ascertain if this approach is valid in problem solving in departments.

Commissioner Collins requested that machinery be set up to test the course presentation at its conclusion. The Executive Officer stated that a selected member of the Administrative Counseling staff would be assigned to attend the course, evaluate it, present a written document which would be the basis for a report back to the Commission. What takes place in the department following this course presentation would require a long-range evaluation.

Captain Reicerson stated that Chief Hoobler had expressed a great deal of interest in the services Dr. Whisenand can provide and suggested that San Diego Police Department be included as a participant in this type of offering. What is being considered in San Diego is a multiple agency approach in developing a planning and training model to develop the planning operations required to handle next year's Republican Convention. He further stated this would give the Commission a broader field of evaluation.

Cal-State Long Beach

Policemen as Elementary and Secondary
School Teachers

MOTION by Commissioner Clark, seconded by Commissioner Collins, motion carried for denial of certification of the Policemen as Elementary and Secondary School Teachers presentation presented by Cal-State Long Beach.

It was the Commission's opinion that this course was not of an urgent nature and should be resubmitted after the moratorium.

Department of Justice
Department of Justice
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Department of Justice

Basic Narcotic Enforcement
Advanced Narcotic Enforcement
Undercover Narcotic Enforcement
Protective Services Training

MOTION by Commissioner Kelsay, seconded by Commissioner McKenzie, motion carried that the above courses presented by the Department of Justice for certification be approved.

Commissioner Clark raised a question as to the method of presentation in the Basic Narcotic Enforcement Course, stating that the emphasis should be on field training. He also questioned whether the Protective Services Training Course was to train participants or trainers. Mr. Schottmiller, Department of Justice Security Unit, stated that the course was aimed at the working policeman rather than the supervisor. Commissioner Collins felt participants should be selected assignment rather than rank.

Following discussion, it was decided this did not present a problem at this time, and that the course be approved as presented.

Fullerton Jr. College Breathalyzer Course

MOTION by Commissioner Seares, seconded by Commissioner Kelsay, motion carried for approval of the Breathalyzer Course at Fullerton Junior College.

Reimbursement Change

Cal-State Long Beach Field Evidence Technician Course

MOTION by Commissioner Kelsay, seconded by Commissioner McKenzie, motion carried (two nay), for reimbursement change from Plan C to Plan B.

Los Angeles Police Academy Civil Disturbance School

MOTION by Commissioner Collins, seconded by Commissioner McKenzie, motion carried for reimbursement change from Plan C to Plan A, to 1/1/71.

San Jose State College Middle Management Course

MOTION by Commissioner Clark, seconded by Commissioner Collins, motion carried that a tuition increase from \$300 to \$350 be denied. (one nay)

San Jose State College Middle Management Course (Road Show Course)

MOTION by Commissioner Kelsay, seconded by Commissioner Collins, motion carried that the instructors of this course receive travel plus per diem in addition to the tuition.

Commissioner Kelsay felt that blanket amount should be paid to the school rather than tuition per student.

Reimbursement Change - ContinuedUniversity of California at Davis - Crime Scene Investigation and
Physical Evidence

MOTION by Commissioner Seares, seconded by Commissioner Collins, motion carried that the request for a tuition increase from \$512 to \$588 be denied.

Decertification

Fresno City College

Evidence Technician Training

MOTION by Commissioner Seares, seconded by Commissioner McKenzie, motion carried for decertification of the Evidence Technician Training course at Fresno City College as this course is inactive.

ADVANCED OFFICER COURSE DEVELOPMENT STUDY

Nat Trives of the Police Science and Administration faculty, Cal-State Los Angeles, has been hired as a special consultant to assist in the establishment of Advanced Officer Courses to accommodate the Commission's Advanced Officer Course requirement. Mr. Trives reported that his study is approximately half completed. Final recommendations have not been ascertained. Some problems have been encountered in the remote areas due to lack of near-by facilities for training. He advised that it will probably be recommended that the Commission develop a model curriculum so the coordinators or training officers will have firmer guidelines than presently exist.

Mr. Trives further stated that once the existing training needs have been identified, the capacity of various areas to handle the needs will be studied. It is hoped that in the final recommendation the courses that are adopted will meet a need and all conflicts or duplications can be eliminated. Department heads are being contacted to gain their preferences regarding any proposals that might be coming into P. O. S. T. All programs should be locally oriented.

Mr. Trives stated that his report will be completed within six to eight weeks, and the completed report and recommendations will be available by the next commission meeting in December.

EXTENSION OF THE MORATORIUM

Mr. Ball reported that due to lack of staff the planning and research which was to have been conducted during the course certification moratorium declared 12-10-70 through September 1971, had fallen far behind schedule. Therefore, it was recommended that the moratorium be extended to March 1, 1972.

MOTION by Commissioner Seares, seconded by Commissioner Collins, motion carried that the nine-month moratorium on the certification of new courses generally and new technical courses in particular, declared by the Commission on December 10, 1970, be extended to March 1, 1972.

C. A. P. T. O. (California Association of Police Training Officers) COURSE EVALUATION ASSISTANCE

Mr. Ball reported that the course evaluation assistance from C. A. P. T. O. is moving slowly; however, there is to be a meeting planned for the week of September 20th, and it is hoped that the quality control assistance will be forthcoming as a result of this meeting.

COMMUNITY COLLEGE POLICE INELIGIBILITY

George Williams reported that Los Angeles Community College District had requested a decision on whether or not their personnel were eligible for reimbursement. An Attorney General's Opinion was requested, and in this Opinion it was stated that 830.3 P. C. does not include community college district peace officer personnel. Therefore, they are not presently eligible for reimbursement.

REGIONAL CRIMINAL JUSTICE TRAINING CENTERS

Mr. Ball reported that, based upon the Stanford Research Institute survey on the concept of establishing regional training centers, the C. C. C. J. Education and Training Task Force had adopted a series of recommendations. These recommendations were presented to the Commission for information only. (A copy is set forth as Attachment "A".)

The Executive Officer stated that the establishing of regional training centers, affiliated with institutions of higher learning, could be a great influence on P. O. S. T. courses in the future. This, in part, fulfills the kinds of things the Commission has been talking about for a long time -- particularly the upgrading of instruction by reducing the total number of basic academies.

COMMUNITY - POLICE RELATIONS LEADERSHIP TRAINING PROGRAM
San Diego State College Proposal

Mr. Puddy reported that the San Diego State C. P. R. L. T. P. proposal was rejected by the Advisory Committee at the September 10 meeting as it does not conform with the original intent of the program and did not provide the management training required. The U. C. L. A. plan is to be retained as the model plan for the C. P. R. L. T. P. and San Diego State College is to present, at the earliest date possible, another proposal which conforms with the model.

JAIL OPERATIONS - JAIL MANAGEMENT - CIVIL PROCEDURES

Mr. Ball reported that members of the staff had met with representatives from L. E. A. A. and the U. S. Bureau of Prisons. Action had been taken to adopt the Jail Operations and Jail Management Courses offered by the U. S. Bureau of Prisons and affiliate them with academic institutions to meet the needs of Sheriffs' Departments throughout the State. A model Civil Procedures Course is also being developed. It is hoped that the Federal Government will get a grant which would permit the hiring of a consultant to determine the specific needs and locations for the presentation of this course.

Commissioner Kelsay felt this course should qualify for emergency approval.

FINANCIAL AND BUDGET REPORT

The financial report for the year ending June 30, 1971 (Attachment "B"), reflects a fund balance, after reimbursement, of \$10,296,10.

The Proposed Administration Budget 1972-73 F. Y. (Attachment "C") was presented and explained by Mr. Larry Hoffart, Budget Analyst, Department of Justice. To maintain the current workload, the proposed budget requested 7 additional consultant and 3 clerical personnel. Four consultant and 2 clerical positions were proposed to be effective March 1, 1973, at the termination of the Administrative Counseling Federal Grant. The remaining consultant positions will be one each to Bureau of Education and Training, Special Projects, and Administration. The authorized positions figures conform with the long-range plans approved by the Commission at the June 1970 meeting in Monterey.

After a discussion, the following action was taken:

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried for approval of the F. Y. 1972-73 Budget as proposed.

Mr. Puddy presented the Proposed Aid To Local Government Budget, F. Y. 1972-73 (Attachment "D"). Budget estimates based upon 75% of salary and living costs and 100% of salary and living costs for the Basic, Supervisory and Advanced Officer Courses were presented for consideration. At 100% reimbursement for these courses, the estimated fund balance, after F. Y. 1972-73 reimbursement, was \$6,152,190 (Attachment "E").

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried that 100% reimbursement for Basic, Supervisory and Advanced Officer Courses continue for F. Y. 1972-73.

ADVISORY COMMITTEE REPORT

Mr. Puddy reported on the Minority Recruitment Project which was envisioned by ACR 158. Steps have been taken for the Advisory Committee to take part in implementing the minority recruitment of police personnel. Further action by the Committee would be contingent upon legislative action taken on ACR 158. The Advisory Committee has compiled a suggested list of candidates for employment as special consultants for this project, or as resource persons to assist the project.

Mr. Puddy further reported that the Advisory Committee had taken some action on plans for evaluation of the Community-Police Relations Leadership Training Program. In accordance with the Commission's instructions at the March 10-11 meeting, the following procedure was recommended for evaluation of C. P. R. L. T. P. :

1. Critique sheets collected from students and forwarded to the Commission should be compiled as the first set of data which is to be evaluated.
2. Individual school evaluations of the effectiveness of the program should be obtained, collected, evaluated and collated.
3. Input deriving from critiques or opinions from earlier students expressed at the re-evaluation conferences, to be held September 18-19 at Arrowhead, should be examined and recorded.
4. Any data derived from formal or informal studies conducted by other agencies should be collected and analyzed, e. g., Office of Community Relations, U. S. Department of Justice.
5. Reports that may be obtained from and written by members of the commission staff should be considered.

6. A questionnaire should be directed to individual departments requesting before and after information on the use of the personnel who have received the training. Questionnaires would also cover the progress made in the development of a formal community-police relations program.

Individual representatives of qualified research firms should be interviewed with the view of obtaining estimates on what the cost would be to evaluate, analyze, collate and draw conclusions from the results of the raw data obtained. After obtaining at least three bids, the Commission would contract with the most appropriate firm with the view of awarding a contract to obtain the professional assistance to aid the Commission in completing the final evaluation report.

MOTION by Commissioner Clark, seconded by Commissioner Seares, motion carried to accept the recommendations of the Advisory Committee and carry out the work.

Following commission approval of the procedure presented, Mr. Puddy stated that at a future commission meeting there would be some figures presented for the cost of this evaluation. A request for proposal will be prepared. \$10,000 has been suggested as grant cost estimate.

LEGISLATION

Mr. Puddy reported on the following legislation affecting P. O. S. T. :

AB 2886

Provides that statutory minimum qualifications for peace officers shall apply to all classes of peace officers. Requires peace officers to take courses of training in exercising of arrest powers and in use of fire-arms, to be approved by the Commission on Peace Officer Standards and Training. Requires such courses to be satisfactorily completed by January 1, 1973, or lose peace officer status until such courses are so completed. (This bill was a product of the P. O. S. T. ACR 55 Research Report.)

The Commission has already approved the 65-hour course to provide for this bill.

S. B. 819

Would change 647 F "Drunk in Public" from an offense to a civil procedure. George Williams reported to the Commission that this would have a very small effect on the Peace Officer Training Fund budget.

AB 2552

Mr. Williams also reported that Robin Lamson, Research Specialist for the Assembly, is working on AB 2552 which provides indemnification for victims of violent crimes. This bill attaches to 13521 P.C. an additional \$2 assessment to take care of payments to victims of these crimes. Inasmuch as the assessment is already very high, it was the staff recommendation to oppose this bill.

MOTION by Commissioner Kelsay, seconded by Commissioner Seares, carried, that the Commission should oppose the source of this assessment.

BUREAU OF POLICE STANDARDS REPORT

Mr. Toothman reported that since the inception of the Administrative Counseling program, 73 requests for departmental surveys have been received, 30 have been completed with 6 presently in progress. The most recent survey completed was Sacramento Police Department, and still in progress are surveys of the Stockton and San Jose Police Departments. Many requests for information and counseling are received and are handled on a staff-assistance basis. These may be one-day or on-site visits, or oral discussions on the phone or in the offices of P.O.S.T. So far in 1971, 9 surveys have been completed.

Mr. Toothman stated that the staff of 6 professional and 4 clerical personnel of the Administrative Counseling Section represents about one-half of the authorized strength for this section. The recruitment of qualified administrative counseling consultants has been very difficult. The Police Standards Section has been augmented by one staff member from Administrative Counseling Section, which approximately doubles the number of field inspections being completed.

Some of the extensive problems seen in the surveys were reported as being organizational; deficiencies such as suitable manuals; proper directives; lack of good management communications; a great variety of make-shift records systems; a lack of systems information retrieval and very limited understanding and knowledge of information data. Deficiencies in the utilization of personnel is often found. There is an obvious need for more extensive training in the field of police management.

In accordance with the direction given by the Commission at the June 18 commission meeting, individual resolutions had been requested and received from each representative body of the Madera County feasibility study. This survey is now pending.

BRITISH SENIOR COMMAND COURSE

The Executive Officer reported on the 3, four-hour debriefing sessions that had been held at P.O.S.T. headquarters with Captain Tom Johnson, Berkeley Police Department. Captain Johnson attended the Senior Command Course at Bramshill, England. Part of the C.C.C.J. funded contract required Captain Johnson to spend at least 5 man-days within the office of P.O.S.T. briefing the staff on his findings. Of particular interest to the Commission was the area of amalgamation -- the English term for consolidation. The Executive Officer stated that these sessions had been taped, and it is hoped this input can be used by California law enforcement personnel in discussing consolidation of small police departments. California has 114 departments with less than 10 men. It was stated that departments that are too large must be studied and possibly divided into separate units or departments with some type umbrella for services. It was stated by Mr. Toothman that there would never be good policing in the United States until something was done about the multiplicity of small departments. However, the strong desire of the community to identify with the policing agency can be lost if the consolidation process is not done with this in mind.

PERSONNEL STANDARDS REPORT

Mr. Toothman reported that the Personnel Standards Section had recently designed forms for the inspection of police agencies. Since July 27th when the Personnel Standards Section became a part of the Bureau of Police Standards, 45 law enforcement jurisdictions have been inspected for compliance with P.O.S.T. standards. The newly designed forms for the reporting system for these inspections were presented to the Commission. Mr. Toothman pointed out that these forms were designed to assure that all of the aspects of compliance are inspected and evaluated.

Mr. Toothman stated it had been found that it is not desirable for the Personnel Standards consultants to be in the field all the time, and that it may be desirable to disperse this type of work within the Bureau of Police Standards and have the men who are doing surveys also do some of the inspections in order to break the monotony of one or two men doing the entire inspection job.

Commissioner Kelsay suggested that the word "recruit" replace the word "candidate". Other Commissioners disagreed. No formal action was taken.

Mr. Toothman stated that it has become more and more apparent there is a need to reduce the period in which basic training is required (18 months - Regulation Section 1005 (b)(2)). He recommended that training be accomplished before street assignment and the granting of authority to make an

arrest -- or for the time being, at least, reduce the period to 12 months from date of hire. A lot of abuse is given in this area because some departments delay for the full period to make certain the officer is going to remain in the department before he is trained. He added that this is very detrimental to the whole concept of developing trained people in law enforcement.

Commissioner Kelsay objected to more stringent training standards because of the lack of schools in Northern California to accommodate immediate training after hire. He felt one of the basic reasons the P. O. S. T. program does not have 100% agency participation is because they feel they can't adhere to the P. O. S. T. standards because of lack of training facilities. (Mr. Puddy stated there are 38 jurisdictions that do not participate.)

Commissioner Seares was of the opinion that the development of criminal justice training centers would solve the problem. Most Commissioners appeared to agree and Commissioner Seares voiced the opinion that a reimbursement plan whereby the living expenses and travel expenses could be paid as well as the salary while the officers were at training school would also aid small departments to the extent that all jurisdictions would come into the P. O. S. T. program.

The Executive Officer stated that while some small departments may have difficulty in finding a school in their area, there are a great many who could find a school but do not do it because of apathy and low standards of police work. He added that the very small departments may never comply, and if they do not, they should not be permitted to serve as a police agency.

Commissioner Kelsay stated he felt P. O. S. T. would not be doing a 100% job until all police jurisdictions in California are participating in the P. O. S. T. program.

Mr. Toothman felt it would be a great incentive for all jurisdictions to join the P. O. S. T. program if it was required that every law enforcement officer in the State be trained before he is permitted police authority of arrest.

Commissioner Kelsay stated that until the State makes it mandatory that all jurisdictions adhere to the minimum standards, P. O. S. T. should be looking for ways to make it easier for these jurisdictions to come into the program and not "tighten up" the standards as had been suggested.

-- Meeting recessed at 5 p. m. until 9 a. m. September 17 --

Meeting reconvened at 9 a. m. September 17, by Chairman Cash. A quorum was present. Commissioners Morey and Strathman were absent.

STATUS REPORT ON P. O. S. T. PERSONNEL

Consultant Examination Status

Mr. Puddy reported that the examination to establish a P. O. S. T. consultant list is in progress. The State Personnel Board has stated that there are approximately 90 applicants; about 2/3 of whom appear to be of high caliber. The selection process will require at least one month's time. Hiring is expected by January 1972. There are 16 positions to be filled, including 2 vacancies that exist in the Administrative Counseling section under the Federal Grant.

The Executive Officer reported that the low salary offered had caused P. O. S. T. to lose some very fine applicants who had stated they would like very much to work for P. O. S. T., but the salary was too low.

Administrative Services Officer

It was reported that the services of an administrative services officer have been obtained. Mr. Fravel S. (Jim) Brown will report October 1. He is essentially a specialist in personnel and budget management. His background shows eight years of foreign service (C. I. A.); a baccalaureate degree from Georgetown University; several years as the number one staff man working as the exempt classification and pay coordinator for the Department of Finance. He also served with the State Personnel Board for five years. Mr. Brown will be working primarily on the P. O. S. T. salary structure and adjustments until this problem is resolved.

It was the sense of the Commission that a realistic and up-to-date job description of the responsibilities of the Executive Officer should be reviewed at this time as they have increased considerably since the original specification was drafted in 1960.

MOTION by Commissioner Seares, seconded by Commissioner Fabbri, motion carried that a current job description of the responsibilities of the Executive Officer be presented to the Commission at the next commission meeting.

OLD/NEW BUSINESSMinority Recruitment Program

The Executive Officer gave a brief status report on the Minority Recruitment Program stating that action is pending awaiting final action on ACR 158, as no money for this program will be available until the resolution is passed. In the interim, minority recruitment meetings have been conducted and certain direction and needs have been established.

It was the sense of the Commission that P.O.S.T. should carry on with this program and go ahead regardless of whether ACR 158 is passed.

Attorney General's Opinion - San Francisco Sheriff's Department

It was reported that San Francisco County Sheriff's Department had requested full participation and reimbursement from the Peace Officer Training Fund. Inasmuch as the San Francisco Sheriff's Department does not perform policing duties, an Attorney General's Opinion was requested regarding the legality of reimbursement for training and the issuance of certificates to personnel of the department. The Opinion received August 16, 1971, stated, "...members of the San Francisco Sheriff's Department who come within the categories of 830.1 P.C. are by definition peace officers regardless of their actual duties. Under the present status of the law, it is concluded that the County of San Francisco is eligible for reimbursable aid for the recruitment and training of peace officers in the San Francisco Sheriff's Department provided that it complies with the standards established by the Commission."

Office Space Availability

Mr. Puddy reported space planning for future P.O.S.T. headquarters at 33rd and C Streets is being considered. The remodeling cost would be in excess of \$150,000; however, space would be provided for future expansion, and the rental rate is about one-half that being paid at the present location. The investment would, therefore, amortize over a period of approximately 5 years. The contract for remodeling will be put out for bid, and the remodeling process will require at least a six-month period.

It was reaffirmed by the Commission that the expenditure of funds to remodel this space was the most economical and feasible plan to provide the necessary additional space required by P.O.S.T. (Action authorizing the use of this space and the remodeling was passed by the Commission on December 11, 1970.)

Southern California Branch Office

Mr. Puddy reported that in spite of several disadvantages it was the recommendation of the staff that increased effectiveness would be accomplished by establishing a Southern California P.O.S.T. Branch Office. The advantages and disadvantages were discussed as well as several areas suggested, including Orange County, Long Beach and the present S.T.A.R. Headquarters at Marina del Rey.

MOTION by Commissioner Seares, seconded by Commissioner McKenzie, motion carried (Collins abstaining) that the staff be authorized to set up a minimal branch office in Southern California with the following stipulations:

1. It is to be located close to an airport.
2. It should preferably be housed in another State building.
3. The following personnel should be employed:
One Personnel Standards consultant, two consultants from the Bureau of Education and Training, and one clerical staff.

Request from Department of Justice for Training Assistance

A request from Deputy Director Robert Houghton, Division of Criminal Investigation and Information, Department of Justice, requesting the services of the P.O.S.T. training staff for assistance in the training program required in the comprehensive reorganization of the State Department of Justice. The services of a professional trainer would be required. Such expertise is not available within the staff of the Department of Justice. The Commission was requested to provide the services of a qualified person to achieve the training objectives. Concern was expressed by the majority of the Commissioners over the necessity for the Commission to provide this type of special service. Following discussion, the following action was taken:

MOTION by Commissioner Clark, seconded by Commissioner Kelsay, motion carried that the Commission consider a request from the Department of Justice for a counseling service to identify their training needs.

In addition to the motion, it was the unanimous sense of the Commission that the matter be referred to the Administrative Counseling Committee for final action acting for the full Commission. This committee included Commissioners Cash, Kelsay, Seares and Fabbri, to be chaired by Commissioner Fabbri.

McDermott Case - Bail Bond Assessment

For information purposes, Mr. Williams reported the case of McDermott v. Superior Court filed on August 30, 1971, has no quarrel with the penalty

assessment on bail posted by persons charged with traffic offenses. However, the decision clearly states that placing the penalty assessment on bail deposited by persons charged with criminal offenses results in establishing excessive bail and a denial of due process. The decision does not question the constitutionality of the penalty assessment derived at the time of determining fine or punishment after a finding of guilt of a defendant. This matter is now before the California Supreme Court for hearing.

DATE AND PLACE OF NEXT MEETING

The Commission set the date of the next meeting to be December 9, 1971, in Sacramento.

ADJOURNMENT

The meeting was adjourned at 11 a. m.

Respectfully submitted,


GENE S. MUEHLEISEN
Executive Officer

CCCJ EDUCATION AND TRAINING TASK FORCE

V. The Educational and Training Task Force Recommends Adoption of the Following Stanford Research Institute

4. Recommendation: The Task Force should urgently request the California Human Relations Agency and the California Probation, Parole, and Correctional Association to implement a commission to formulate training standards for criminal justice correctional personnel.
5. Recommendation: The Task Force should strongly endorse the concept of integrated criminal justice training based on common functional responsibilities, and encourage the various agencies to develop proposals for implementing pilot programs.
6. Recommendation: The Task Force should endorse the concept of instructional consolidation and should strongly urge all Regional Coordinators to seriously consider the practical pooling of training resources within their respective regions as the most productive plan to improve the quality of professional instruction.
7. Recommendation: The Task Force encourages the placement of all future criminal justice academies under the direct administrative control of community college district or closely affiliated with an institution of higher education.
8. Recommendation: The Task Force should strongly endorse the concept of preparatory training for all major functions performed by criminal justice personnel and support elements of the criminal justice system in their efforts to provide such training.
10. Recommendation: The Task Force should endorse the concept that criminal justice teaching should be a career function, and immediately initiate the necessary action to develop a criminal justice teaching curriculum in one of the California State Colleges.
11. Recommendation: The Task Force should encourage the development of proposals that would implement a traveling instructional team to replace personnel for residential academy training, while at the same time conduct on-site instruction at the agency.
13. Recommendation: The Task Force should develop a plan, which should be coordinated with all relevant master plans, to eventually establish Criminal Justice Academy/Resource Centers in the eight following areas:
 - o Sacramento Area
 - o San Francisco Bay-Peninsula Area
 - o Upper San Joaquin-Yosemite Area
 - o Lower San Joaquin Valley Area



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

714 P STREET, ROOM 1508
SACRAMENTO, CALIFORNIA 95814

FINANCIAL REPORT

July 1, 1971

Revenues

Balance as of June 30, 1970	\$ 7,222,653
Late Revenue -- 1969-1970	1,210,230
Revenue -- 1970-1971	<u>8,471,228</u>

TOTAL

\$16,904,111

Deductions

Accounts Receivable (1969-1970)	\$ 884,000
Prior Year Adjustment	342,711
Operating Expenses	459,630
1970-1971 Allocation	4,515,240
Contracts with Colleges (CPRLTP)	<u>406,340</u>

TOTAL

6,607,921

BALANCE OF FUND
(June 30, 1971)

\$10,296,190

DEPARTMENT OF JUSTICE
 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
 ADMINISTRATION PROPOSED BUDGET
 1972-73 FISCAL YEAR

DESCRIPTION	AUTHORIZED FOR 1972-73		ADDITIONAL REQUESTED		PROPOSED 1972-73 BUDGET	
	POSITIONS	AMOUNT	POSITIONS	AMOUNT	POSITIONS	AMOUNT
<u>Personal Services</u>						
Executive Officer	1	\$ 21,516			1	\$ 21,516
Asst. Executive Officer	1	20,004			1	20,004
Admin. Service Officer I	1	14,556			1	14,556
Consultants	22	338,804	7	\$ 59,536	29	398,340
Clerical & Technical	25	168,449	3	12,072	28	180,521
Temporary Help	1.5	12,200			1.5	12,200
Total Salaries & Wages	51.5	\$ 575,529	10	\$ 71,608	61.5	\$ 647,137
Salary Savings	-2.2	-23,021	-0.3	-2,864	-2.5	-25,885
Staff Benefits	-	66,300	-	8,249	-	74,549
Total Personal Services	49.3	\$ 618,808	9.7	\$ 76,993	59	\$ 695,801
<u>Operating Expense & Equipment</u>						
General Expense		\$ 116,200		\$ 4,375		\$ 120,575
Travel		49,900		8,600		58,500
Facilities Expense		44,000		4,270		48,270
Contractual Expense		15,000		-		15,000
Equipment		30,192		5,917		36,109
Total Operating Expense & Equip.		\$ 255,292		\$ 23,162		\$ 278,454
GRAND TOTAL		\$ 874,100		\$ 100,155		\$ 974,255

Note: In the "Additional Requested" column, 4 Consultant and 2 Clerical positions are to be effective March 1, 1973, at the termination of the Administrative Counseling Federal Grant.

Fiscal Office
 L. Hoffart
 9/71



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

714 P STREET, ROOM 1508
SACRAMENTO, CALIFORNIA 95814

PROPOSED BUDGET

1972-73

AID TO LOCAL GOVERNMENT

	<u>No. of Men</u>	<u>Cost (each)</u>	<u>Total</u>
*Basic Course	4,000	\$1,500	\$ 6,000,000
*Supervisory	800	490	392,000
*Advanced Officer	8,000	180	1,440,000
Middle Management	400	600	240,000
Executive Development	200	700	140,000
Special or Technical	<u>5,000</u>	400 (av)	<u>2,000,000</u>
TOTALS	**18,400		\$10,212,000

If 100% salary and living costs are paid
for Basic, Supervisory and Advanced

Officer ----- add----- \$ 1,958,000

TOTAL \$12,170,000

* @ 75% of salary and living costs, if any

** Not including Tear Gas



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

714 P STREET, ROOM 1508
SACRAMENTO, CALIFORNIA 95814

ESTIMATED FUND CONDITION

June 30, 1973

Resources

Estimated Balance of Fund (6-30-71)	\$10,296,190		
Revenue (1972-73)	<u>9,000,000</u>		
TOTAL		\$19,296,190	\$19,296,190

Expenditures

Aid to Local Government	\$10,212,000		
Administrative Costs	<u>974,000</u>		
TOTAL @ 75%*		<u>11,186,000</u>	
TOTAL @ 100%* (add \$1,958,000)			<u>13,144,000</u>
ESTIMATED BALANCE OF FUND *@ 75% (6-30-73)		<u>8,110,190</u>	
ESTIMATED BALANCE OF FUND *@ 100% (6-30-73)			<u>6,152,190</u>

* Salary for Basic, Supervisory and
Advanced Officer