COMMISSION MEETING AGENDA

April 27-28, 1983, 10 a.m. to 5 p.m.
Holiday Inn - Holidome, Sierra Room
I-80 & I-880 At Madison Avenue
Sacramento, California

APPROVAL OF MINUTES

A. Approval of the minutes of the January 27, 1983, regular Commission meeting at the Hyatt Islandia Hotel in San Diego.

CONSENT CALENDAR

B.1. Receiving Course Certification Report

Since the January meeting, there have been 44 new certifications and 5 decertifications.

In approving the Consent Calendar, your Honorable Commission takes official note of the report.

B.2. Receiving Information on New Entries Into POST Reimbursement Program

Procedures provide for agencies to enter the POST Reimbursement Program when qualifications have been met. The following four agencies meet the requirements and have been accepted:

Desert Hot Springs Police Department
Pasadena Community College Police Department
Humboldt County District Attorney Investigators
Humboldt County Marshal's Office

In approving the Consent Calendar, your Honorable Commission takes note of these agencies having met the requirements and having been accepted into the POST Reimbursement Program.

B.3. Police Departments Disbanded

The cities of Imperial Beach and Parlier have disbanded their police departments and are contracting with the sheriffs' departments for police services. It is expected that the Calipatria Police Department will also be officially disbanded on April 14.

In approving the Consent Calendar, your Honorable Commission takes official note of this information.

B.4. Affirming Policy on Advisory Committee

Consistent with Commission instructions, statements of policy at previous Commission meetings are submitted for affirmation by the Commission at a subsequent meeting. This agenda item covers the policy statement developed at the January 27, 1983, meeting pertaining to the Advisory Committee. The staff report and complete policy statement is shown under Tab B.

In approving the Consent Calendar, your Honorable Commission affirms this policy.

B.5. Receiving the Quarterly Financial/Reimbursement Report

Financial information covering the 1982-83 F.Y. through March 31, 1983, is included under this tab. The report shows that revenue is consistent with projections. The volume of reimbursable trainees has taken an upturn and is 6% higher than the volume during the same period in F.Y. 1981-82.

As directed by the Commission in October, the salary reimbursement rate has been increased to 45% retroactive to July 1, 1982. Reimbursement expenditures to date are within our projections.

In approving the Consent Calendar, your Honorable Commission approves the report and recommendation.

B.7. Approving Resolution for Judge Alice Lytle, Resigning Advisory Committee Member

A resolution recognizing the service of Alice Lytle, a member of the POST Advisory Committee since September, 1981, will be adopted with the approval of the Consent Calendar.

PUBLIC HEARINGS

C. Public Hearing on Establishing a Minimum Basic Training Standard for Marshals and Deputy Marshals

This hearing is for the purpose of receiving input and testimony on the issue of a basic training standard for Marshals and Deputy Marshals pursuant to their entry into the POST Reimbursement Program in January, 1982. The matter of a training standard had been delayed pending completion of a statewide job analysis of the deputy marshals position. As reported earlier, marshal job tasks have been compared with existing training objectives in the Basic Course. The conclusions were:

1. A substantial portion of the Basic Course is relevant to the duties of deputy marshals; however,

2. A significant portion of the Basic Course need not become mandated training for deputy marshals, and

3. Training needs for the entry-level Deputy Marshal in courtroom security and civil process should be met by the development of new curricula.

Staff has met with representatives of Marshals' Departments and reviewed the results of job analysis and conclusions regarding training course content with them. The desire of the Marshals is that the Basic Course should remain the required training standard. They believe that the warrant service/field duties of deputy marshals should be considered of central importance. They hold the view that the uniformed deputy marshal's performance of field duties, including warrant arrests, justifies requirement of the full Basic Course. They also believe that training related to Bailiff and Civil Process duties could be obtained in an on-the-job field training program.

Staff's evaluation of training standards criteria has been based upon the same philosophy that has guided development and revisions of the patrol officer-oriented Basic Course. That philosophy has included:

1. Training should be job-related, and to the extent practical, validated.

2. The Commission's mandate to establish "minimum standards" implies that training should be mandated only where clearly needed to perform the job.

3. Training that appears to be desirable should be encouraged and supported, but not mandated.

Following this philosophy, staff proposes the following in the report under this tab:

1. Mandate the minimum content of an entry-level deputy marshal training standard as described in the report.

2. Allow the mandated training standard to be satisfied by successul completion of the regular Basic Course, plus completion of an 80-hour Bailiff and Civil Process Course.

Response from the field (other than Marshals who want the Basic Course mandated) to the Notice of Public Hearing is that it seems reasonable to describe a formal standard which addresses the minimum entry level training needs of these peace officers, but to allow that standard to be met through successful completion of the Basic Course plus a module. As has been the practice, letters will be available at the meeting, and more testimony may be received at the hearing.

Subject to input at the hearing, the recommended action would be a MOTION to approve Regulation changes as proposed in the enclosed report with whatever amendments the Commission may deem appropriate.

Commissioners have previously expressed a need to review the matter of maximum reimbursement for basic training of Deputy Marshals and some field input has been received on the issue. A reasonable approach to consider would be to allow no more than the 400 hours reimbursable for other trainees. This approach would put the Marshals on a reimbursement parity with others in the reimbursement program for meeting basic training requirements.

If the Commission concurs, the appropriate action would be a MOTION to reimburse Marshals' basic training at 400 hours.

D. Public Hearing on Including Marshals and Deputy Marshals in the Regular Certificate Program

This Public Hearing is being held to receive input and testimony on whether Mashals will be included in the Regular Certificate Program as they are requesting. Marshals had anticipated becoming eligible for Regular Certificates consistent with their eligibility for the Reimbursement Program. They are currently in the Specialized Certificate Program.

Because of a perception that the law enforcement responsibilities and functions of Marshals were different from those of other peace officer categories receiving Regular Certificates, the Commission had withheld a decision pending job analysis and further study. At the January, 1983, meeting, the Commission scheduled this public hearing to receive testimony on the proposal that the Regulations be changed to include Marshals in the Regular Certificate Program upon certain standards being met.

Peace officers currently receiving Regular Certificates are employed by a variety of agencies accepted by the Commission as having general law enforcement responsibilities for certificate program purposes. Regular Certificates are issued based on: (1) selection standards being met; (2) successful completion of the regular Basic Course; and, (3) one year's successful service in a law enforcement agency.

Marshals meet the same selection standards as do other program participants. They will have the opportunity of completing the Basic Course if that means of meeting their training standard (above item) is approved. The remaining factor is accepting the year's experience as meeting the general certificate criteria.

Written field input has been received on this issue and testimony is expected at the hearing. Considerable input has been received from law enforcement associations in support of the Marshals being awarded the general certificate. Upon receiving verbal testimony, the Commission will be in a position to decide on the issues. A MOTION reflecting the Commission's desires would be appropriate.

E. Public Hearing on Establishing a Minimum Basic Training Standard for District Attorney Investigators

This Public Hearing is the for purpose of receiving input and

testimony on the issue of a minimum training standard for District Attorney Investigators. Staff has previously conducted a statewide job analysis for this position and compared job tasks with existing curricula for the Basic Course and the Specialized Investigators' Basic Course. That study showed the Basic Course was not totally suited to meet their training needs; there were overlaps and omissions. An approach was developed describing a basic training standard which met minimum training needs, and allowing the standard to be met through completion of the Basic Course plus an 80-hour supplemental course. The Commission set this public hearing to consider this approach.

A meeting has been held with the representatives of District Attorneys' offices to review results of the job analysis and curricula proposed by staff. These representatives unanimously recommend that the Commission require the regular Basic Course for District Attorney Investigators, plus an 80-hour Investigation and Trial Preparation Course. Their rationale for the Basic Course is that the Investigators may be assigned to investigations involving patrol officers and should, therefore, be familiar with patrol officer duties. Additionally, they cite the prevailing practice of District Attorneys to hire as investigators persons who are already trained and experienced peace officers.

The philosophy for development of the proposed entry-level training standard now being heard is as described under Item C (Marshals' Training Standard).

Again, the proposal being heard before the Commission is to:

1. Mandate as the formal minimum entry-level training standard for District Attorney Investigators the course content described in the report under this tab (350 hours including specialized investigative training).

2. Allow this minimum training content to be satisfied by completion of the Basic Course, plus completion of an 80-hour Investigation and Trial Preparation Course.

Because the vast majority of newly hired District Attorney Investigators are already trained in the Basic Course through prior employment as regular officers, staff does not believe that the proposed 350-hour required curricula should be developed as a separate course. Former officers would need only the 80-hour Investigation and Trial Preparation Course to satisfy the 350-hour curricula. The few persons hired without prior training can most feasibly be trained in existing basic courses.

Staff had previously suggested that an additional alternative for meeting the 350-hour curriculum content could be completion of the 220-hour Specialized Investigator Course, plus the 80-hour Investigation/Trial Preparation Course. This alternative was viewed as feasible only if the 220-hour Specialized Course could be upgraded in the near future. After further study, staff believes that this alternative should not be considered at this time.

Subject to input at the hearing, appropriate action would appear to be a MOTION to approve regulation changes as proposed in the enclosed report.

Commissioners have previously expressed a need to review the matter of maximum reimbursement for basic training of District Attorney Investigators. As described under Item C (Basic Training - Marshals), an appropriate approach might be to allow no more than 400 hours which is the same for other in the reimbursable program.

F. Public Hearing on Including District Attorney Investigators in the Regular Certificate Program

This Public Hearing is being held to receive input and testimony on the issue of whether District Attorney Investigators will be included in the Regular Certificate Program as they are requesting. They had anticipated becoming eligible for Regular Certificates consistent with their eligibility for the Reimbursement Program. They are currently in the Specialized Certificate Program.

Because of a perception that the primary responsibility and functions of D. A. Investigators differed substantially from other peace officer categories receiving Regular Certificates, the Commission had withheld a decision pending job analysis and further study. At the January 1983 meeting, the Commission scheduled this public hearing to receive testimony on the proposal that regulations be changed to include D. A. Investigators in the Regular Certificate Program upon certain standards being met.

Peace officers currently receiving Regular Certificates are employed by a variety of agencies accepted by the Commission as having general law enforcement responsibilities for certificate program purposes. Regular Certificates are issued based on: (1) selection standards being met; (2) succcessful completion of the regular Basic Course; and, (3) one year's successful service in a law enforcement agency.

District Attorney Investigators meet the same selection standards as do other program participants. They will have the opportunity of completing the Basic Course if that means of meeting their training standard is approved. The remaining factor is accepting the years experience as meeting the general certificate criteria.

District Attorneys have suggested that the D. A. Investigator has the same general scope of responsibility as it relates to the investigation of crime. A parallel is suggested between the job of the D. A. Investigators and the police/sheriff investigators. It is also observed that the great majority of D. A. Investigators are former officers of Police and Sheriffs' Departments who have already been awarded the Regular Basic Certificate.

Upon conclusion of the Public Hearing and depending on the information received, the appropriate action would be a MOTION reflecting the Commission's policy on including District Attorney Investigators in the Regular Certificate Program.

CERTIFICATES & COMPLIANCE

G. Certificate Enhancement Study - Status Report

Since directed by the Commission at the April, 1982, Commission meeting, staff has researched areas of certificate program modification which might enhance the value and significance of the basic certificate. Areas of potential change were identified as:

1. Expansion of the revocation provisions beyond the current conviction of a felony. This would include conviction of specific crimes, both felonies that can be treated as misdemeanors and misdemeanors involving acts which would render one unqualified to be a peace officer.

2. Require periodic training, specifically designed, as a condition of retention of the certificate.

3. Require refresher training for holders of certificates when they have had a break in service of three years or more and are re-entering California law enforcement.

At the January, 1983, meeting, the Commission directed staff to survey administrators to determine their attitudes on these issues and to see if there is interest in holding a series of public meetings around the State. That survey has been completed, and the results indicate strong support by administrators for expanded revocation requirements and for a refresher training requirement. The certificate retention concept is supported to a lesser extent.

By almost a 2 to 1 majority, administrators favor the conducting of local public meetings.

Several administrators have written letters expressing concern that certificate enhancement will lead to licensing and will lessen local control of the selection process. Copies of those letters and a numerical summary of responses to the survey are included with the staff report under this tab.

Action called for by the Commission at this time would appear to be determinations as to

- Whether work should proceed on certificate enhancement, and

- Whether local public meetings should be scheduled by the Commission.

TRAINING PROGRAMS

H. Approval Of Publication "Guidelines For Course Coordinators & Instructors"

The Commission has had a longstanding interest in maintaining and upgrading the quality of training courses. At the January, 1982, Commission meeting, the Commission approved a recommendation emanating from the follow-up Task Force on Education and Training, Symposium on Professional Issues concerning the need for POST to develop a handbook that embodies the POST Commission's expectations for instructional excellence. As such, "Guidelines For Course Coordinators And Instructors" has been developed by staff and representative presenters. This document is designed as a guide to provide coordinators and instructors of POST-certified courses with the essential principles of training excellence in the planning, preparation, presentation, and evaluation of training programs.

If the Commission concurs, the appropriate action would be a MOTION to approve the document, included under Tab H, and authorize statewide distribution to training institutions and instructors.

I. Performance Objectives For Technical & Approved Courses

POST specifies minimum course content for POST mandated courses, job specific technical courses, and certain other courses of special interest to POST. For optional, POST-certified courses, presenters develop the course content which is reviewed and approved by POST staff.

POST-specified curricula have been developed in differing outline formats including topical (subject), learning goals, performance objectives and various combinations thereof. Staff believes the format for POST specified curricula should be standardized so that consistent course content guidelines can be provided to presenters.

It is proposed that the Commission approve POST Administrative Manual changes to permit all POST-prescribed curricula, except for the performance objective based Basic Course, to be specified in a standardized format using a combination of topical outline and learning goals. We believe this proposal to be a step forward in specifying curricula in an achievable and effective manner that is well accepted by course presenters.

A significant aspect of proposed changes would be the deletion of current requirements for performance-objectives-based curriculum in technical and approved courses. For reasons described in the staff report, it is believed performance objectives should no longer be required for those courses.

Proposed changes in PAM Procedures include some that are for technical "clean up" purposes unrelated to curricula speciication. Public Hearing is not required for these changes.

Should the Commission concur, the appropriate action would be a MOTION to adopt the POST Administrative Manual changes relating to PAM D-6 (Job Specific Courses), PAM D-7 (Approved Courses), and PAM D-10-4 (Statements of Policy).

CENTER FOR EXECUTIVE DEVELOPMENT

J. Center for Executive Development and Command College Progress Report

With the approval by the Commission, further development of the Command College plan has occurred. In addition, staff has developed and presented monthly executive and senior command officer seminars on subjects having high priorities, verified through the recent Executive Training Needs Assessment survey.

A progress report on the Center for Executive Development and Command College was presented at the January, 1983, Commission meeting. At this meeting staff will update the Commission on the results of the Executive Training Needs Assessment Survey, the Command College Nomination and Selection Process and the continuing development of the monthly POST-presented executive and senior command officer seminars.

Consistent with Commission desires, a MOTION may be in order regarding those portions of the report which meet with the Commission approval.

STANDARDS AND EVALUATION

K. Reading/Writing Test Status Report On Establishing Minimum Standards

At the October 1981 meeting, the Commission passed a motion calling for statewide standards for reading and writing ability for entry-level officers. These standards were to be implemented in 24 months. The standards themselves were to be expressed as minimum passing levels on reading and writing exams developed by POST.

The reading and writing tests have been developed and validated. Staff is now developing the procedures necessary to administer a statewide testing program. To assist staff in this endeavor, meetings were held with representatives of local law enforcement and personnel departments. At these meetings, the concerns of local jurisdictions with statewide standards were discussed.

Based on staff analysis and the input of local representatives at these meetings, an administrative model for statewide testing has been developed that appears to maximize program effectiveness while minimizing the negative impact of the standards on local jurisdictions. In this model, POST would maintain central control of the tests while decentralizing to local jurisdictions responsibility for test scheduling and test administration. The model also calls for POST to provide and score the tests without charge in order to reduce

any negative financial impact on local jurisdictions and to avoid adversely affecting minority applicants. Program costs to POST are estimated at $300,000 to $400,000 per year.

This agenda item is intended to inform the Commission concerning (a) the progress in the development of the reading and writing standards, and (b) possible approaches to the implementation and funding of the testing program. If the Commission intends to adopt the reading/writing standard at its October meeting, notice of public hearing will need to be approved at the July meeting. This report gives the Commission an advance look at the implementation concerns of the approach earlier authorized.

L. Report on Field Training Probationary Period

At the January Commission meeting, staff was directed to conduct a problem-solving/fact-finding seminar to determine the extent to which agencies are finding it difficult to defend the job-relatedness of their probationary period performance appraisal process.

Staff met with representatives of 15 large California agencies to discuss this issue. The agencies' representatives agreed that their only difficulty regarding probationary period performance appraisal involved establishing the necessary and defensible documentation for employee terminations during the probationary period. Although POST might be able to provide some assistance in this regard, the agencies did not feel that there was an urgent need for POST to get involved at this time.

With the Commission's concurrence, staff will continue to monitor the issue. If need for POST's involvement in this issue becomes apparent in the future, staff will report back to the Commission at that time.

A more complete report is included under this tab.

M. Combining of Physical Abilites Research Project - Contract Approval

POST is currently engaged in two highly related research projects: (1) research to develop job-related physical ability standards, and (2) research to develop a model physical fitness training program for the Basic Course. The model physical fitness program is a project authorized last year by the Commission. As part of the approval, the Commission authorized expending up to $17,500 for contract services from medical and exercise specialists. A state freeze on contracts has delayed work on that project. Since work has now commenced on physical abilities standards research, it seems most appropriate to combine the two projects. This will be more cost effective in terms of both staff time and contract costs. It is proposed that the Commission approve combining of the projects and authorize contract expenditures for both projects in a total amount not to exceed $25,000 (including $17,500 previously authorized).

Appropriate action if the Commission concurs would be a MOTION to approve merging of the two projects and to approve up to $25,000 in related contract costs.

INFORMATION SERVICES

N. Automated Reimbursement - Procedure Changes

At the October 22, 1982, meeting, the Commission adopted proposals on the changes to the Regulations and Commission Procedures relating to the POST Automated Reimbursement System (PARS). The Commission was also advised that when the necessary input documents were developed and procedures for their use prepared, staff would submit the required revisions of Sections D and E necessary to implement the system.

The changes, as proposed, do not require public hearing, since they are changes in procedure only. The Commission's previous public hearing action authorized their development and implementation.

Minor modifications have also been proposed in PAM Sections D-6, D-9, and D-10 in order to revise the instructions for completion of the various forms utilized in the certification process to make them compatible with the reimbursement system.

The Commission will recall that PARS is based on allowances rather than actual cost for individual claims. Rates for such items as travel and subsistence have to be determined to assure the average is as close as possible to actual. In the aggregate, agencies should receive the same amount of reimbursement.

Commission Procedure E-3 has been revised to provide a single directive dealing with the PARS reimbursement rates which the Commission establishes annually at the April meeting for the next fiscal year. At the time of this report, the final analysis necessary to determine average travel and subsistence rates for F. Y. 1983-84 have not been completed, but will be completed subsequently. Therefore, action on Procedure E-3 should be deferred until the July meeting. This will allow the Budget Committee ample time for review in the meantime.

The appropriate action, if the Commission concurs, would be a MOTION to adopt the proposed changes in PAM Sections E and D in relation to the Automated Reimbursement System and to authorize a series of training sessions on how to use the new system throughout the State.

EXECUTIVE DIRECTOR

O. Recommendation for the Commission to Increase Salary Reimbursement to 50% -- Retroactive to the Beginning of F.Y. 1982-83

At its October, 1982, meeting, the Commission adopted a policy requesting the Executive Director to report quarterly when demand for training responses and remaining budget amounts would allow additional

incremental retroactive adjustments to the salary reimbursement rates. At that meeting the Commission increased the salary from 30% to 45% retroactive to the beginning of the fiscal year. Training volume immediately increased, and no adjustment was recommended for the January meeting.

However, based on prudent evaluation of remaining unbudgeted monies and anticipated training demands for the balance of the fiscal year, it is recommended that the Commission increase the reimbursement rate to 50% retroactive to the beginning of this fiscal year.

As the Commission is aware, training volume is somewhat unpredictable. It rises and falls with need. This creates desirable flexibility for the departments and is one of the great strengths of the POST program concept. While this recommendation is prudent based on past experience, there is always a possibility that training demands may increase dramatically. If that small risk does occur, the practical course would be for the Commission to carry over some of the training expenses into 1983-84. We doubt that will be necessary, however. More likely, the Commission will be able to increase the reimbursement by a few more percentage points after conclusion of the fiscal year at the July, 1983, meeting.

If the Commission concurs, the appropirate action would be a MOTION to retroactively increase the slary reimbursement for qualifying courses to 50% retroactive to the beginning of this fiscal year.

P. Commission on Accreditation for Law Enforcement Agencies, Inc., Information Report

The Commission on Accreditation for Law Enforcement Agencies, Inc., was formed under an LEAA grant in 1979. The 21 member Accreditation Commission was appointed by N.S.A. and I.A.C.P. The Commission has developed national standards, which if met may result in "accreditation" of the department. The Accreditation Commission will charge a substantial fee for accreditation inspections. The fees are supposed to sustain the Commission after the grant expires this year.

Since 1979, 1,012 standards have been developed that may be applied to law enforcement agencies. the standards have been "field tested" in California and in other states.

Staff review of the standards indicates that they are professionally done and that implementation of the standards would be an aid to effective law enforcment management. Some of the standards may not parallel some administrators current philosophy, but generally, the standards appear to be acceptable.

However, there is a generalized concern that the operation of the law enforcment accreditation function from the national level could lead to less palatable standards or procedures in the future and a potential for significant fiscal impact on local government. There are a number of implications associated with the accreditation concepts, and there will likely be considerable discussion among law enforcement officials.

This report has been prepared for informational purposes only and is brought to the Commission for its consideration. If the Commission has interest in becoming more specifically involved in the issue, an ad hoc committee may be formed, or the matter referred to the Advisory Committee for comment.

COMMITTEE REPORTS

Q.1. Contracts Committee

Commissioner Trejo, Chairman of the Contracts Committee, will report on the Committee's recommendations on the following contracts for F.Y. 1983/84:

a. Executive Development Course Contract

The Executive Director was authorized to negotiate a contract for the presentation of five Executive Development Course presentations by the Cal-Poly Kellogg Foundation. Negotiations have been completed for an amount not exceeding $53,765. This year's contract is $51,465.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to prepare and sign a contract with Cal-Poly Kellogg Foundation, Pomona, for an amount not to exceed $53,765.

b. Management Course

The Executive Director was authorized to negotiate contracts with five presenters for 21 presentation of the Management Course for F.Y. 1983/84. Negotiations have been completed for a total cost not to exceed $217,560 with the following five vendors:

Presenter	Presentations	Amount
CSU, Humboldt	4	$ 41,312
CSU, Long Beach	5	49,170
CSU, Northbridge	3	31,461
CSU, San Jose	4	40,792
San Diego Regional Training Center	5	54,825
Maximum costs of all contracts --		$217,560

The differences in contract amounts is because of variations in salaries, course site rental fees, training aids used, per diem for instructors, printing and copying costs, and amount of materials. This year's cost for 21 presentations is $200,080.

If the Commission concurs, appropriate action would be a MOTION authorizing the Executive Director to sign contracts with the five presenters at a total cost not to exceed $217,560.

c. Department of Justice - Interagency Agreement for Training

POST has negotiated with Department of Justice officials for DOJ to conduct training under an interagency agreement with POST for training of law enforcement officers in the POST program. Training will be by the DOJ Advanced Training center and focus on the areas of expertise specific to DOJ, e.g., Organized Crime, Narcotics, etc.

The proposed training program for F.Y. 1983-84, is set forth under Tab R. The proposed program represents negotiated atreement between POST and DOJ staffs for need and cost-effective training. The proposed maximum cost is $599,000. This year's DOJ agreement amounted to $588,907.

The appropriate action if the Commission concurs is a MOTION to authorize the Executive Director to prepare and sign an Interagency Agreement with the Department of Justice in an amount not to exceed $599,727.

d. Cooperative Personnel Services - Regarding Administration of the Basic Course Proficiency Test

As part of an Interagency Agreement with POST, CPS has been handling all responsibilities associated with the publishing, administration and scoring of the POST Proficiency Test. Analysis of CPS testing activities indicates they have been doing an effective job. The maximum cost is projected at $29,050., compared to this year's contract for $25,780.

The appropriate action if the Commission concurs would be a MOTION to authorize the Executive Director to sign a contract with CPS for an amount not to exceed $29,050 for Proficiency Test administration services during F.Y. 1983-84.

e. Computer Services Contracts

The Commission, at its January 27, 1983, meeting, authorized the Executive Director to negotiate a contract with Four Phase Systems, Inc., to upgrade and continue the POST computer hardware system contract and to lease the necessary computer hardware to integrate POST Standards and Evaluation Services Bureau with the POST main computer system. The Commission also authorized the Executive Director to negotiate an interagency agreement with the Teale Data Center to provide computer services for F.Y. 1983/84.

The cost to upgrade the headquarters Four Phase system to replace our present processor with a larger capacity processor, additional disk storage, the provision of seven additional video

terminals, and the replacement of a volume printer with a faster printer would be $67,912. This is an annual lease figure, not a purchase price.

The upgrade of the Four Phase system necessary to integrate Standards and Evaluation Services Bureau with POST headquarters would be $6,449. The total cost of the Four Phase contract for the purposes detailed in the staff report would be $74,370.

Also tentatively approved at the last Commission meeting was an amount not to exceed $25,000 to develop an interagency agreement with the State's Teale Data Center for F.Y. 1983/84. The cost of the Teale Data Center contract will be offset by approximately 50 percent for 1983/84, because of the reduced private contractor usage. In subsequent years, this cost should be totally offset, since Standards and Evaluation Bureau will no longer be utilizing a private contractor to process their data, thus eliminating that expense.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign a contract for F.Y. 1983/84 with Four Phase Systems, Inc., in an amount not to exceed $74,370, and to authorize the Executive Director to sign an interagency agreement with the Teale Data Center for F.Y. 1983/84 in an amount not to exceed $25,000.

f. State Controller's Office - Agreement for Auditing Services

Approval was granted at the January meeting to negotiate an agreement with the State Controller in an amount not to exceed $40,000 to conduct local agency reimbursement claim audits.

Such an agreement has been negotiated, and if the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to sign an Interagency Agreement with the State Controller in an amount not to exceed $40,000 for F.Y. 1983-84.

g. MOU with California State University System for P.C. 13510(b) Specialty Research Assistance

There continues to be a need to augment the expertise of POST staff in several specialty areas in order that research initiated as a result of legislation and Commission action be accomplished. These specialty areas include statistical analysis and computer programming services. To assure these services, there is a need for a second Memorandum of Understanding (MOU) under a Master Agreement entered into with the California State University System in 1981.

In April, 1981, the Commission approved a Master Agreement with the California State University. Under this agreement, $500,000 was approved to obtain systems analysis, computer programming, and data processing services. By June 30, 1983, it

is anticipated that approximately $230,000 of the original $500,000 will have been spent under the first MOU. A new MOU is now needed.

The new MOU would accomplish four objectives:

(a) Provide consultation or complex statistical analyses required as a part of the P.C. 13510(b) standards research.

(b) Provide the manpower to actually conduct the statistical analyses and generate the computer reports.

(c) Provide the programming expertise to convert our current computer software to the state's Teale Data Center (conversion will begin July 1, 1983).

(d) Provide programming expertise in support of P.C. 13510(b) research and other bureau research.

The estimated budget for this new MOU is $89,208.

The appropriate action if the Commission concurs would be a MOTION to authorize the Executive Director to seek a time extension for the master agreement, and to negotiate and sign a second MOU with the California State University in an amount not to exceed $89,208.

Q.2. Legislative Committee

Commissioner Robert Edmonds, Chairman of the Legislative Committee, will report on the Committee Meeting of April 8, 1983.

Q.3. Advisory Liaison Committee Report

Commissioner Vernon, Chairman of the Advisory Liaison Committee, is planning on making a report on the activities of the Advisory Liaison Committee.

Q.4. Advisory Committee

Larry Watkins, Chairman of the Advisory Committee, will report on the special meeting March 7 and regular meeting April 25, 1983, of the Advisory Committee.

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
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April 27, 1983
Holiday Inn - Holidome
Sacramento, California

COMMISSION MEETING MINUTES

The meeting was called to order at 10 a.m. by Chairman Jackson. A calling of the roll indicated a quorum was present.

Commissioners Present:

Jacob Jackson	-	Chairman
Robert Edmonds	-	Vice-Chairman
Glenn Dyer	-	Commissioner
Cecil Hicks	-	Commissioner
William Kolender	-	Commissioner
Alex Pantaleoni	-	Commissioner
Jay Rodriguez	-	Commissioner
Joseph Trejo	-	Commissioner
Robert Vernon	-	Commissioner
B. Gale Wilson	-	Commissioner
John Van de Kamp	-	Attorney General - Ex Officio Member

Commissioner Absent:

Al Angele

Also Present:

Larry Watkins, Chairman of the POST Advisory Committee

Staff Present:

Norman Boehm	-	Executive Director
Glen Fine	-	Deputy Executive Director
Don Beauchamp	-	Assistant to the Executive Director
Ron Allen	-	Senior Project Coordinator
Patricia Cassidy	-	Staff Services Analyst
John Davidson	-	Chief, Administrative Services
Gene DeCrona	-	Chief, Training Delivery Services
Michael DiMiceli	-	Senior Consultant
Shirley DuMoulin	-	Office Technician
Bill Fricke	-	Staff Programmer Analyst
Robert Fuller	-	Senior Consultant
Pacita Gonzales	-	Accounting Officer
Brad Koch	-	Chief, Information Services
John Kohls	-	Chief, Standards & Evaluation Services
Ted Morton	-	Chief, Center for Executive Development
Harold Snow	-	Chief, Training Program Services
Karen Waggoner	-	Stenographer

Nancy Whalen	-	Key Data Operator
George Williams	-	Chief, Management Counseling Services
Brooks Wilson	-	Chief, Compliance & Certificate Services
Patricia Wilson	-	Secretary
Imogene Kauffman	-	Executive Secretary

Visitors' Roster:

Hershel Aron	-	L. A. County District Attorney's Office
S. J. Bowen	-	Orange County Marshal's Office
Dan Birtwhel	-	D. A. Investigator, El Dorado Co.
Ed Doonan	-	Sacramento County Sheriff's Dept.
Othel Jackson	-	Sacramento County Sheriff's Dept.
Cliff Ojala	-	Alameda County D.A.'s Office
David Edmondson	-	Deputy Marshal, Riverside Co.
Ron Lowenberg	-	Chief, Cypress Police Dept.
Patrick Tyrrell	-	Riverside County Marshal's Office
Shelby Worley	-	Captain, Riverside Sheriff's Dept.
R. C. Randolph	-	Marshal, San Bernardino County
Arnie Schmeling	-	Long Beach Peace Officers' Assoc.
Darla Farber	-	Deputy Marshal, Riverside County
Bob Mann	-	Assistant Marshal, Los Angeles County
Steve Casey	-	San Diego District Attorney's Office
Bruce M. Keipen	-	Marshal, Santa Barbara County
Rod Rodenberger	-	Marshal, Santa Maria
Walter F. Williams	-	Marshal, Merced
Norman Siber	-	Marshal, Merced
Virgil Any	-	Deputy Marshal, San Bernardino Co.
Tony Cretan	-	D. A. Investigator, Santa Clara Co.
Earl Smith	-	Deputy Marshal, Riverside Co.
Bill Woody	-	Assistant Marshal, Riverside Co.
John Clough	-	Deputy Marshal, San Bernardino Co.
Tim Martin	-	Chief, San Bernardino Co. D.A.'s Office
Seth Easley	-	Senior Investigator, L. A. D.A.'s Office
S. J. Wammack	-	Sergeant, San Bernardino Co. Marshal's Office
Carolyn Owens	-	Kellogg West, Cal Poly, Pomona
Marcella Muller	-	Deputy, Orange Co. Marshal's Office
Roger Mayberry	-	President, L. A. Marshals' Assoc.
Allan Lynch	-	President, Calif. D. A. Investigators' Assoc.
Jay Hawks	-	Assistant District Attorney, Riverside Co.
Don Forkus	-	Chief, Brea Police Dept.
Barbara Bare	-	President, Marshals' Assoc. of California
Jame Martin	-	San Diego District Attorney
Hike Yea	-	Placer County Marshal
Dennis Ludlow	-	Placer County Marshal's Office
Pat Runyon	-	Riverside Co. Marshal's Office
Armanao Castelas	-	Riverside Co. Marshal's Office
Larry Mallory	-	Riverside Co. Marshal's Office
Richard Daniel	-	Riverside Co. Marshal's Office, Desert District
Ken Smith	-	San Bernardino Marshal's Office
Robert Crumpacker	-	San Bernardino Marshal's Office
Rita Long	-	San Diego County Marshal's Office
Ron Jackson	-	San Francisco Police Dept.
Dave Eppley	-	Shasta County Marshal
Frank Kessler	-	Chief, Garden Grove Police Dept.
Jerry Pierson	-	Orange Co. Sheriff's Dept.

C. M. Saunders	-	San Bernardino Co. Marshal's Office
C. M. Frye	-	San Bernardino Co. Marshal's Office
Teresa Gersch	-	Deputy Marshal, San Diego County
Larry Lecht	-	Sergeant, L. A. Co. Marshal's Office
Claudia Conaway	-	Deputy Marshal, San Diego Co. Mashal's Office
Dan Kelly	-	San Diego Co. Marshal's Office
Skip Murphy	-	President, San Diego & Imperial Co. Chapter, PORAC
Sam Gonzales	-	San Diego Co. Marshal's Office
Mike Sgobba	-	Marshal, San Diego Co.
Lee Ghelardino	-	Sacramento Co. Marshal
Jim Murphy	-	Deputy Marshal, San Diego County
Richard Dronenburg	-	San Diego Co. Marshal's Office
William Curtin	-	District Attorney, Monterey Co.
Robert Foster	-	President, PORAC
John Theobald	-	Personnel, City off San Jose
Robert Peterson	-	Butte Co. District Attorney's Office
Richard Errelman	-	District Attorney, Stanislaus Co.
Dave Hall	-	Investigator, Napa Co.
Phillip Stewart	-	Sheriff, Napa County
Michael Torres	-	L. A. Marshal's Office
Ray Davis	-	Chief, Santa Ana Police Dept.
Gene Crawford	-	San Bernardino Sheriff's Dept.
Ben Clark	-	Sheriff, Riverside County

CALL TO ORDER

FLAG SALUTE

INTRODUCTION OF NEW COMMISSIONERS

INTRODUCTION OF PARTICIPANTS

APPROVAL OF MINUTES

MOTION - Rodriguez, second - Trejo, carried unanimously for approval of the minutes of the January 27, 1983, regular Commission meeting at the Hyatt Islandia Hotel in San Diego.

CONSENT CALENDAR

MOTION - Vernon, second - Van de Kamp, carried unanimously for approval of the Consent Calendar with the exception of Item B.4., Affirming Policy on Advisory Committee, which will be discussed under agenda Item Q.3., Advisory Liaison Committee Report.

B.1. Receiving Course Certification Report

Since the January meeting, there have been 44 new certifications and 5 decertifications.

B.2. Receiving Information on New Entries Into POST Reimbursement Program

The following four agencies were deemed to have met POST qualifications and to enter the POST Reimbursement Program:

Desert Hot Spring Police Department (3-11-83)
Pasadena Community College Police Department (3-11-83)
Humboldt County District Attorney Investigators (3-11-83)
Humboldt County Marshal's Office (3-11-83)

B.3. Police Departments Disbanded

The cities of Imperial Beach and Parlier have disbanded their police departments and are contracting with the sheriffs' departments for police services. It is expected that the Calipatria Police Department will also officially be disbanded on April 14.

B.4. Affirming Policy on Advisory Committee

This item was addressed under Item Q.3., the Advisory Liaison Committee Report.

B.5. Receiving the Quarterly Financial/Reimbursement Report

This report showed that revenue is consistent with projections. The volume of reimbursable trainees has taken an upturn and is 6% higher than the volume during the same period in F.Y. 1981-82.

As directed by the Commission in October, the salary reimbursement rate has been increased to 45% retroactive to July 1, 1982. Reimbursement expenditures to date are within our projections.

B.6. Approving Resolution for Judge Alice Lytle, Resigning Advisory Committee Member

A resolution recognizing the service of Alice Lytle, a member of the Advisory Committee since September, 1981, was adopted and will be presented at the appropriate time.

PUBLIC HEARINGS

C. Public Hearing on Establishing a Minimum Basic Training Standard for Marshals and Deputy Marshals

This hearing was for the purpose of receiving input and testimony on the issue of a basic training standard for Marshals and Deputy Marshals pursuant to their entry into the POST Reimbursement Program in January 1982.

After a report which included summarization of written correspondence received on this matter, Chairman Jackson opened the public hearing and invited those wishing to speak, both in favor and in opposition, to come forward.

Ron Lowenberg, Chief of Police, Cypress Police Department and Chairman, CPOA Training Committee, testified in support of the staff recommendation and in opposition to the Marshals' position that the Marshals' training standard be the Basic Course. The chiefs of the CPOA Training Committee had also indicated support of the staff recommendation.

John Theobald, City of San Jose Personnel, speaking as a citizen, urged against reimbursing for unnecessary training.

Testifying in opposition to the staff recommendation and in support of the Basic Course being the training standard for Marshals were:

Mike Sgobba, San Diego County Marshal
Skip Murphy, President, San Diego and Imperial County Chapters of PORAC
Ken Smith, President, San Bernardino County Marshals' Assoc.
Mike Sadlier, representing CAUSE
John Clough, San Bernardino County Marshal's Office
Kathleen O'Leary, Judge, Orange County Municipal Court
Carolyn Saunders, San Bernardino County Marshal's Office
Bob Foster, President, P.O.R.A.C.
Sam Wammack, San Bernardino County Marshal's Office
Robert Crumpacker, Training Officer, San Bernardino Marshal's Office
Patrick Tyrrell, Division Commander, Riverside County Marshal's Office
Wendell Phillips, Sacramento County Sheriff's Association
Mike Torres, L. A. Marshal, read a letter from Frank Beeson, Chief of Police, Hermosa Beach, in support of Basic Course
Barbara Bare, President, Marshals' Association of California
R. C. Randolph, Marshal, San Bernardino County

There being no further testimony from the floor, the public hearing was closed and the following action was taken:

MOTION - Van de Kamp, second - Pantaleoni, motion carried (Noes: Dyer and Vernon) for adoption of the following recommendation:

To approve proposed revisions to Commission Regulation 1005(a) and Commission Procedure D-1 to:

1. specify minimum basic training standards for Marshals and Deputy Marshals as the Marshals Basic Course, to be effective July 1, 1983;

2. permit the standard to be met by completion of the Basic Course (D-1) and the completion of a certified Bailiff and Civil Process Course.

3. reimburse Marshals at a maximum of 400 hours for Marshals' basic training standard.

NOTE: Later on the agenda and following luncheon break, there was a

MOTION - Rodriguez, second - Wilson, carried unanimously to reconsider the previous action taken on Agenda Item C.

MOTION - Vernon, second - Edmonds, motion carried (Noes: Jackson, Pantaleoni, Van de Kamp, with Hicks abstaining) that to clarify the issue of the training standard for Marshals, the following actions are adopted:

1. Confirm the Marshals basic training standard concept as recommended by staff;

2. Provide reimbursement of Marshals basic training up to the maximum of 376 hours which was staff estimate of the technical minimum basic training standard including the Bailiff and Civil Process training;

3. Staff is directed to utilize the most efficient and effective method to deliver this training.

By way of explanation, Commissioner Vernon stated that presently the only effective way for a Marshal to comply to the training standard is to allow attendance of a Basic Course (D-1) supplemented by the Bailiff and Civil Process Training. If, in the future, it becomes possible, present general and specific modular training, that would be "utilizing the most efficient and effective method of training."

D. Public Hearing on Including Marshals and Deputy Marshals in the Regular Certificate Program

This public Hearing was held to receive input and testimony on whether Mashals should be included in the Regular Certificate Program.

Following the opening of the hearing, the Executive Director read a synopsis of the written correspondence into the record.

The Chairman invited oral testimony from the audience.

Testifying in support of the request that Marshals and Deputy Marshals be eligible to receive the POST Basic Certificate were:

Mike Sgobba, Marshal, San Diego County and representing the Marshals' Executive Council of the State of California
Bob Foster, President, PORAC
Skip Murphy, representing San Diego Marshals' Assoc. and San Diego Imperial Chapter of PORAC
R. C. Randolph, Marshal, San Bernardino County
Dick Dronenburg, Assistant Marshal, San Diego County

There being no further testimony from the floor, the public hearing was closed and the following action was taken:

MOTION - Vernon, second - Edmonds, motion carried (Noes: Van de Kamp, Jackson, Trejo, Kolender, and Pantaleoni) that the Marshals and Deputy Marshals continue to receive the POST Specialized Certificate.

E. Public Hearing on Establishing a Minimum Basic Training Standard for District Attorney Investigators

This public hearing was for the purpose of receiving input and testimony to specify minimum basic training requirements for Inspectors and Investigators of District Attorneys' Offices.

Following the opening of the hearing, the Executive Director read into the record a synopsis of the correspondence that had been received.

The Chairman invited oral testimony from the audience.

Speaking in opposition to the staff recommendation and in support of the training standard being completion of the POST Basic Course were:

Allan Lynch, President of the California District Attorney's Assoc.
Donald Stahl, District Attorney, Stanislaus County and President of the District Attorney's Assoc. of California
Phillip Stewart, Sheriff, Napa County
Steve Casey, San Diego District Attorney's Office

Bob Foster, President, PORAC, testified in support of the staff recommendation but voiced concern about the correlation of the same type of training for all officers listed in P.C. 830.1. He further recommended that "POST needs to look at the entire certification program."

There being no further testimony, the public hearing was closed and the following action taken:

MOTION - Hicks, second - Pantaleoni, motion failed (Ayes: Hicks, Pantaleoni, Jackson, Trejo, and Rodriguez) that POST adopt the Basic Course (D-1) as the training standard for District Attorney Investigators plus an additional 80-hour specialized course.

MOTION - Vernon, second - Wilson, motion carried (No - Pantaleoni), for adoption of the following:

Effective July 1, 1983, the Commission does hereby adopt revisions to Commission Regulation 1005(a) and Commission Procedure D-1 to:

1. specify the minimum basic training standard for inspectors and investigators of a district attorney's office, as the District Attorney Investigators Basic Course of 350 hours;

2. permit the standard to be met by completion of the Basic Course (D-1) plus the completion of a certified Investigations and Trial Preparation Course; and

3. delete the Basic Specialized Investigators course (D-12) as an alternative means for training;

4. reimburse up to a maximum of 350 hours for District Attorney Inspectors and Investigators basic training.

F. Public Hearing on Including District Attorney Investigators in the Regular Certificate Program

This public hearing was held to receive input and testimony on the issue of whether District Attorney Investigators should be included in the Regular Certificate Program.

Following the opening of the hearing, the written testimony was read into the record.

The chairman invited oral testimony from the audience. There was no testimony presented in favor of District Attorney Investigators receiving the Specialized Certificate.

Testimony in support of District Attorney Investigators receiving the Regular POST Basic Certificate was received from:

Don Stahl, District Attorney, Stanislaus County
Allan Lynch, President, District Attorney Investigators Association
Tim Martin, San Bernardino County District Attorney's Office
Bob Foster, President, PORAC
Phillip Stewart, Sheriff, Napa County

There being no further testimony from the floor, the public hearing was closed and the following action was taken:

MOTION - Wilson, second - Rodriquez, motion carried (Noes: Hicks, Jackson, Pantaleoni, and Trejo) that inspectors and investigators of a District Attorney's Office continue to receive the POST Specialized Certificate.

CERTIFICATES & COMPLIANCE

G. Certificate Enhancement Study - Status Report

Following the presentation of the Certificate Enhancement Study, the action taken was:

MOTION - Edmonds, second - Vernon, carried unanimously that:

1. Work should proceed on certificate enhancement, and

2. Local public meetings should be scheduled by the Commission and that the incoming Chairman should appoint a committee to conduct public meetings throughout the State to receive input from the field and report back to the Commission by the October, 1983, meeting.

TRAINING PROGRAMS

H. Approval of Publication "Guidelines For Course Coordinators and Instructors"

MOTION - Pantaleoni, second - Edmonds, motion carried unanimously for approval of the document, "Guidelines for Course Coordinators and Instructors" and to authorize statewide distribution to training institutions and instructors.

I. Performance Objectives For Technical & Approved Courses

MOTION - Pantaleoni, second - Trejo, carried unanimously to approve POST Administrative Manual changes to permit all POST-prescribed curricula, except for the Basic Course and others specified by the Executive Director, be specified in a standardized format using a combination of topical outline and learning goals, as follows:

a. PAM D-6 (Job Specific Courses) - delete reference to curricula being available in performance ojectives.

b. PAM D-7 (Approved Courses) - delete reference to performance objectives.

c. PAM d-7 (Approved Courses) - technical change denoting by footnote those approved courses satisfied by the Basic Course.

d. PAM D-10-4j (Statements of Policy - Certification and Presentation of Training Courses) - delete "POST staff shall actively encourage the development and use of performance objectives in all certified courses."

CENTER FOR EXECUTIVE DEVELOPMENT

J. Center for Executive Development and Command College Progress Report

A report was provided the Commission with a progress report on the Center for Executive Development and Command College activities. No action was required. There was a suggestion that references to the Command College make it clear that the Commission is not attempting to set up a separate college facility and campus, but rather establishing a more effective executive training track using training resources and facilities already available.

STANDARDS AND EVALUATION

K. Reading/Writing Test Status Report on Establishing Minimum Standards

The Status Report on Establishing Minimum Reading and Writing Standards was presented. Staff will continue its work to comply with the Commission's directive to implement these standards. At the July Commission meeting, staff will be presenting its recommendations for the implementation of the standards and also a proposal for an October public hearing on the issue. At this time it is anticipated that staff will recommend the model where POST maintains close control over the tests and pays for the test administrations.

L. Report on Field Training Probationary Period

It was reported that staff had conducted a problem-solving/fact finding seminar to determine if and the extent to which agencies are finding it difficult to defend job-relatedness of their probationary period performance appraisal process.

The meeting participants were in essential agreement concerning the following issues:

1. The percentage of rejections during the probationary period has not been on the increase, nor is the number of rejections alarmingly high.

2. Agencies are not aware of any increasing pressure to defend the job-relatedness of their probationary period performance appraisal process.

3. Agencies do not think there is an urgent need for POST to become involved in this issue (e.g. through the development of a recommended or mandatory probationary period performance appraisal process).

4. Agencies have found it difficult to establish the necessay and defensible documentation for rejections during the probationary period.

Standards and Evaluation Services Bureau will be continuing to meet with representatives of agencies throughout the course of the standards research. Staff will monitor the probationary period performance appraisal issue, and if it seems necessary at some time in the future for POST to assist agencies with regard to the probationary period performance appraisal, such a recommendation will be made at that time to the Commission.

M. Combining of Physical Abilities Research Project - Contract Approval

POST is currently engaged in two highly related research projects:

1. research to develop job-related physical ability standards, and

2. research to develop a model physical fitness training program for the Basic Course.

MOTION - Vernon, second - Edmonds, carried unanimously to authorize staff to merge the physical fitness training program and PC 13510(b) entry-level physical ability standards research projects. In conjunction with the combined research projects, a total of $25,000 be authorized for contract services for physicians and exercise physiologists for F.Y. 1983-84.

INFORMATION SERVICES

N. Automated Reimbursement - Procedure Changes

MOTION - Dyer, second - Pantaleoni, carried unanimously to adopt the proposed changes in PAM Sections E and D in relation to the Automated Reimbursement System and to authorize a series of training sessions throughout the State on how to use the new system.

EXECUTIVE DIRECTOR

O. Recommendation for the Commission to Increase Salary Reimbursement to 50% -- Retroactive to the Beginning of F.Y. 1982-83

At its October, 1982, meeting, the Commission adopted a policy requesting the Executive Director to report quarterly when demand for training responses and remaining budget amounts would allow additional incremental retroactive adjustments to the salary reimbursement rates. Based on expenditures through the third quarter of the fiscal year, it was recommended that the basic salary reimbursement rate could be increased to 50% retroactive to July 1, 1982.

MOTION - Wilson, second - Vernon, carried unanimously to retroactively increase the salary reimbursement for qualifying courses to 50% retroactive to July 1, 1982.

P. Commission on Accreditation for Law Enforcement Agencies, Inc., Information Report

The Commission on Accreditation for Law Enforcement Agencies, Inc., was formed under an LEAA grant in 1979. The 21-member Accreditation Commission was selected by NSA, NOBLE, PERT, and IACP. The Commission has developed national standards, which if met may result in "accreditation" of departments. The Accreditation Commission will charge a fee for accreditation inspections.

Since 1979, 1,012 standards have been developed that may be applied to law enforcement agencies. The standards have been "field tested" in California and in other states.

This information report was presented to the Commission for its consideration.

Chairman Jackson directed that the report be referred to the POST Advisory Committee for tracking and analysis and to report back to the Commission at a later date.

COMMITTEE REPORTS

Q.1. Contracts Committee

Commissioner Trejo, Chairman of the Contracts Committee, reported that the Contracts Committee had met and reviewed all contracts for F.Y. 1983/84, which were consistent with the guidelines set forth at the January meeting.

MOTION - Trejo, second - Vernon, motion carried unanimously by roll call vote (Commissioner Vernon abstaining on items a and b), for approval of the following contracts for F.Y. 1983/84:

a. Executive Development Course Contract

Authorizes the Executive Director to prepare and sign a contract for the presentation of five Executive Development Course presentations by the Cal-Poly Kellogg Foundation, Pomona, for an amount not to exceed $53,765.

b. Management Course

Authorizes the Executive Director to sign contracts with five presenters at a total cost not to exceed $217,560 as follows:

Presenter	Presentations	Amount
CSU, Humboldt	4	41,312
CSU, Long Beach	5	49,170
CSU, Northridge	3	31,461
CSU, San Jose	4	40,792
San Diego Regional Trng.Cntr.	5	54,825
Maximum costs of all contracts --		$ 217,560

c. Department of Justice - Interagency Agreement for Training

Authorizes the Executive Director to prepare and sign an Interagency Agreement with the Department of Justice for a training program in an amount not to exceed $599,727.

d. Cooperative Personnel Services - Regarding Administration of the Basic Course Proficiency Test

Authorizes the Executive Director to sign a contract with Cooperative Personnel Services (CPS) for an amount not to exceed $29,050 for Proficiency Test administration services during F.Y. 1983-84..

e. Computer Services Contracts

Authorizes the Executive Director to sign a contract for F.Y. 1983/84 with Four Phase Systems, Inc., in an amount not to exceed $74,370, and to sign an interagency agreement with the Teale Data Center for F.Y. 1983/84 in an amount not to exceed $25,000.

f. State Controller's Office - Agreement for Auditing Services

Authorizes the Executive Director to sign an Interagency Agreement with the State Controller in an amount not to exceed $40,000 for auditing services during F.Y. 1983-84.

g. MOU with California State University System for P.C. 13510(b) Specialty Research Assistance

Authorizes the Executive Director to seek a time extension for the Master Agreement with the California State University, approved in April 1981, and to negotiate and sign a second MOU with the California State University in an amount not to exceed $89,208.

Q.2. Legislative Committee

Commissioner Edmonds, Chairman of the Legislative Committee, reported on the Committee meetings and presented the Committee's recommendations for the Commission's position on active legislation affecting POST.

MOTION - Edmonds, second - Dyer, motion carried, for adoption of the Committee's recommendations as follows:
(Hicks supported SB 208, and Jackson supported SB 382 and AB 2110)

SB 208 (Presley)	- Adds a District Attorney to the Commission	Oppose
SB 252 (Beverly)	- Adds Transit District police to those eligible for POST reimbursement	No position
SB 382 (Petris)	- Provides for expansion of POST responsibilities	Oppose
AB 865 (Stirling)	- Adds a Marshal and the Lt. Governor to POST Commission	Oppose
AB945 (Presley)	- Relates to standard setting of Dept. of Corrections & CYA	No position
AB 1020 (Leonard)	- Relates to integration of state hospital police & state museum police into State P.D.	No position

AB 1530 (Moore)	-	Relates to POST setting training standards for chokehold restraints	No Position
AB 2110 (Alatorre)	-	Requires peace officers named in P.C. 830.1 to meet certain training and certificate requirements. Also requires certain basic course graduates to pass POST examination before exercising peace officer powers.	Oppose the examination feature.
SB 1124 (Watson)	-	Relates to First Aid/CPR training and testing for peace officers	Support

Q.3. Advisory Liaison Committee Report

Commissioner Vernon, Chairman of the Advisory Liaison Committee, reported that as was asked by the Coimmission, the Advisory Committee had developed a proposal for long-range planning and setting objectives and suggestions on addressing those concerns. A report from the Advisory Committee, "Discussion Paper for the Commission on POST on the Future of the Program" was distributed. The document addressed seven basic areas. Commissioner Vernon suggested that it is appropriate to continue doing as they have been doing -- long-range planning and address some basic concerns in a long-term range with an articulated plan over the next 5 - 10 years. He recommended:

1. To accept the report as a source document to assist the Commission in performing its function, and

2. At a specific time, a working meeting be arranged, perhaps a 2 1/2 - 3 day working session, using the document as a format. Hopefully, this could be scheduled before the next Commission meeting.

Larry Watkins, Chairman of the Advisory Committee, reported that at the Aadvisory Committee meeting, it was moved that the Advisory Commitee Chairman request that the policy of requiring three names of prospective committee members be submitted by the representative association not be re-affirmed. It was felt the associations know best who can represent them and their philosophies and to submit three nominees is not needed.

Following discussion, there was a

MOTION - Vernon, second - Wilson, carried unanimously that the Commission re-affirm the policy that three names will be presented to the Commission to be considered in appointing Advisory Committee members, but to allow the organization to indicate a priority preference.

Q.4. Advisory Committee

Larry Watkins, Chairman of the Advisory Committee, stated that most of the Advisory Committee business had been previously addressed except that of the Certificate Enhancement Study. The Advisory Committee feels the study of the certificate program should continue as well as a total review of the POST program, as suggested in the Advisory Committee document, "Discussion Paper for the Commission on POST on the Future of the Program." Consistent with the Commission's direction, the Advisory Committee would like to continue to participate in the project, and participate in the public meetings to be held in the future.

MOTION - Rodriguez, second - Trejo, motion carried that members of the Advisory Committee be included in the public meetings regarding the Certificate Enhancement Study.

R. Old/New Business

1. Correspondence

2. Public Member Vacancy - Advisory Committee

This agenda item was withdrawn.

S. Proposed Dates and Locations of Future Commission Meetings

July 21, 1983, Bahia Hotel, San Diego (joint with Advisory Committee)
October 20, 1983, Sacramento Inn, Sacramento
January 26, 1984, Town and Country Hotel, San Diego
April 19, 1984, Sacramento

T. Report of Nominating Committee

There was unanimous concurrence that the term for offices of Chairman and Vice-Chairman will continue on a one-year basis.

MOTION - Kolender, second - Rodriguez, that Commissioner Robert Edmonds be nominated as Chairman for the year ending at the close of business at the April 1984 Commission meeting.

MOTION - Dyer, second - Pantaleoni, motion carried that the nominations be closed. Motion carried unanimously in favor of Commissioner Edmonds as Chairman.

MOTION - Vernon, second - Kolender, that Comissioner Jay Rodriguez be nominated as Vice-Chairman for the coming year.

MOTION - Trejo that Commissioner William Kolender be nominated as Vice-Chairman for the coming year. (Under discussion, Commissioner Kolender asked that his name not be placed in nomination and Commissioner Trejo withdrew the motion.)

Motion carried unanimously that Jay Rodriguez serve as Vice-Chairman for the coming year.

U. Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 4:45.

Imogene Kauffman

Imogene Kauffman
Executive Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Course Certification/Decertification Report		April 27-28, 1983
Bureau: Training Delivery Services	Reviewed By: Gene DeCrona, Chief	Researched By: Rachel S. Fuentes
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-4-83	Date of Report: March 17, 1983

Purpose: ☐ Decision Requested ☒ Information Only ☐ Status Report Financial Impact ☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

The following courses have been certified or decertified since the January 27, 1983 Commission meeting.

CERTIFIED

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
1.	Officer Safety - Field Tactics	San Diego Co. Reg. LE Trng. Ctr.	Technical	III	$38,790.00
2.	Training Managers Course -Module I	Justice Training Institute	Technical	I	50,640.00
3.	Training Managers Course -Module II	Justice Training Institute	Technical	I	50,580.00
4.	Reserve Training Modules A, B, C	San Luis Obispo Sheriff's Dept.	Approved	N/A	0
5.	Basic Course	Ventura Co. Sheriff's Dept.	Basic	II	83,038.00
6.	Reserve Training - Module B	College of Marin	Approved	N/A	0
7.	Detective Homicide School	Los Angeles Police Department	Technical	IV	1,200.00
8.	Advanced Officer Course (DIS)	Los Angeles Police Department	AO	II	40,400.00
9.	Defensive Tactics Instructors Course	Santa Clara Valley Crim. JTC	Technical	IV	8,240.00
10.	Forensic Alcohol Supervisor	Department of Justice	Technical	IV	11,200.00
11.	Civilian Traffic Officer School	Los Angeles Police Department	Technical	IV	650.00

CERTIFIED - Continued

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
12.	Understanding Social Styles	ARMAC Mgt. Systems, Inc.	Mgmt Seminar	III	$22,080.00
13.	Reserve Training - Module C	State Center Peace Officer Academy	Approved	N/A	0
14.	Organization & Dir. of a Search	Columbia College	Technical	IV	18,560.00
15.	Field Training Officers Course	State Center Peace Officer Academy	Technical	II	14,880.00
16.	Ethnic Relations and Gangs	Rio Hondo College	Technical	IV	4,710.00
17.	Driver Training, In-Service	Santa Clara Valley Crim. JTC	Technical	IV	7,446.00
18.	Blood Stain Evid.	San Francisco P.D.	Technical	IV	22,896.00
19.	Explosive Ordnance Disposal Training	U.S. Army, Presidio of San Francisco	Technical	IV	11,616.00
20.	Reserve Training - Module C	NCCJTES, Sacramento Center	Approved	N/A	0
21.	Dignitary Protection Seminar	United States Secret Service	Technical	IV	3,500.00
22.	First Aid/CPR Instructor Course	Rio Hondo College	Technical	IV	4,320.00
23.	Gangs and Subcultures	Los Angeles Sheriff's Dept.	Technical	IV	1,400.00
24.	Reserve Training - Module C	San Bernardino Co. Sheriff's Office	Approved	N/A	0
25.	Advanced Crime Prevention: Rural Crime	NCCJTES, Sacramento Center	Technical	IV	2,511.00
26.	Officer Safety/Field Tactics	Rio Hondo College	Technical	IV	12,950.00
27.	Hazardous Materials	Rio Hondo College	Technical	IV	12,600.00
28.	Advanced Traffic Accident Inv.	Rio Hondo College	Technical	III	9,407.00
29.	Advanced Officer	Shasta College	AO	II	12,000

CERTIFIED - Continued

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
30.	Obscenity Law & Litigation	Butte Training Center	Technical	IV	$ 900.00
31.	Vicarious Liability	Butte Training Center	Technical	N/A	3,900.00
32.	Narcotic Enforcement for Peace Officers	Rio Hondo College	Technical	N/A	27,720.00
33.	Protective Operations Briefings	U. S. Secret Service	Technical	IV	9,960.00
34.	Arrest, Search & Seizure Update	Los Angeles Sheriff's Dept.	Technical	IV	720.00
35.	Child Abuse	Los Angeles Sheriff's Dept.	Technical	IV	2,525.00
36.	Hazardous Materials Scene Management	Los Angeles Sheriff's Dept.	Technical	IV	7,500.00
37.	Homicide Invest. for Patrol Officers	Los Angeles Sheriff's Dept.	Technical	IV	1,894.00
38.	Vice Investigation	Los Angeles Sheriff's Dept.	Technical	II	18,000.00
39.	Traffic Accident Inv., Intermediate	Los Angeles Sheriff's Dept.	Technical	IV	10,000.00
40.	Jail Operations	College of the Sequoias	Technical	II	711.33
41.	Jail Operations	College of the Sequoias	Technical	II	22,600.00
42.	Child Abuse Prevention	UC, Davis Medical Center	Technical	IV	1,526.00
43.	People Mgmt/Sup. Seminar	Advanced Management Design	Supv. Seminar	III	9,084.85
44.	Systems Analysis	Law Enforc. Management Center	Mgmt Seminar	III	22,590.00

DECERTIFIED

1.	Basic Course	Ventura College	Basic Course	I	0
2.	Crim. Invest. II	Los Angeles Co. Sheriff's Dept.	Technical	IV	0

DECERTIFIED - Continued

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
3.	Homicide Invest.	Rio Hondo College	Technical	IV	0
4.	Advanced Officer Course	Fullerton College	AO	II	0
5.	Arrest & Firearms	Fullerton College	P.C. 832	IV	0

TOTAL CERTIFIED	44
TOTAL DECERTIFIED	5
TOTAL MODIFICATIONS	57

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Desert Hot Springs Police Department		April 28, 1983
Bureau Compliance and Certificate Services	Reviewed By Brooks W. Wilson	Researched By George Fox
Executive Director Approval Norman C. Boehm	Date of Approval	Date of Report March 2, 1983

Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report

Financial Impact ☒ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Desert Hot Springs Police Department and City Council have requested that their agency be included in the POST Program.

BACKGROUND

The City of Desert Hot Springs recently formed their own police department. The city has passed Ordinance 81-21 and the necessary request supports POST objectives and regulations.

ANALYSIS

The department presently employs eight sworn officers who possess or will be able to possess POST Certificates. The department also employs adequate selection standards.

FISCAL IMPACT

The projected fiscal impact will be about $2,000 annually.

RECOMMENDATION

The Commission be advised that the Desert Hot Springs Police Department has been admitted into the POST Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Pasadena Area Community College District Police		April 28, 1983
Bureau: Compliance and Certificate Services	Reviewed By: Brooks W. Wilson	Researched By: George Fox
Executive Director Approval: Norman C. Boehm	Date of Approval:	Date of Report: March 2, 1983

Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report

Financial Impact ☒ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Pasadena Area Community College District has requested entry into the POST Program.

BACKGROUND

The provisions of Section 830.31(c) Penal Code, permits a Community College District to create a police department. Section 13507(e) Penal Code places such a department into the Regular POST Program. The College District has submitted the necessary resolution supporting POST objectives and regulations.

ANALYSIS

The department presently employs nine sworn officers who possess or will be eligible to possess POST certificates. Adequate background selection standards are employed.

FISCAL IMPACT

The estimated fiscal impact will be about $2,000 annually.

RECOMMENDATION

That the Commission be advised that the Pasadena Area Community College District Police Department has been admitted into the POST Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Humboldt County District Attorney Investigators		April 28, 1983
Bureau Compliance & Certificate Services	Reviewed By Brooks W. Wilson	Researched By George Fox
Executive Director Approval Norman C. Boehm	Date of Approval March 10, 1983	Date of Report March 3, 1983

Purpose:
☐ Decision Requested ☐ Information Only ☐ Status Report Financial Impact ☒ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Humboldt County District Attorney has requested that the Agency's Investigations Unit be included in the POST Reimbursable Program.

BACKGROUND

The agency has participated in the Specialized Program since July 21, 1970 and now desires to be included in the Reimbursement Program. The agency has submitted the necessary documents supporting POST objectives and regulations.

ANALYSIS

All investigators meet or exceed POST training and selection requirements.

FISCAL IMPACT

The fiscal impact is estimated to be less than $1,000 per year.

RECOMMENDATION

That the Commission be advised that the Humboldt County District Attorney's Investigations Unit has been admitted into the POST Reimbursable Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Humboldt County Marshal		April 28, 1983
Bureau Compliance & Certificate Services	Reviewed By Brooks W. Wilson	Researched By George Fox GF
Executive Director Approval Norman C. Boehm	Date of Approval 3-10-83	Date of Report March 3, 1983

Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report Financial Impact ☒ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Humboldt County Marshal has requested entry into the POST Reimbursable Program.

BACKGROUND

The agency has participated in the POST Specialized Program since July 21, 1970 and now desires to participate in the Reimbursable Program.

ANALYSIS

All sworn members of the agency meet or exceed POST selection and training requirements.

FISCAL IMPACT

The fiscal impact is estimated to be less than $1,000 annually.

RECOMMENDATION

That the Commission be advised that the Humboldt County Marshal's Office has been admitted into the POST Reimbursement Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Police Departments Disbanded		April 27-28, 1983
Bureau Compliance and Certificate Services	Reviewed By Brooks W. Wilson	Researched By Brooks W. Wilson
Executive Director Approval Norman C. Boehm	Date of Approval 4-11-83	Date of Report April 1, 1983

Purpose:
☐ Decision Requested ☒ Information Only ☐ Status Report

Financial Impact ☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Thus far during the 1982/83 FY, the cities of Imperial Beach and Parlier, due to economic conditions, have disbanded and are contracting for police services with the counties in which they are located. The City of Calipatria will follow officially on April 14, 1983 for the same reason.

The Commission is advised that they have been deleted from the list of agencies in the POST Program.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
POLICY STATEMENT FOR COMMISSION POLICY MANUAL		April 27-28, 1983
Bureau Information Services	Reviewed By	Researched By B. W. Koch
Executive Director Approval Norman C. Boehm	Date of Approval 4-6-83	Date of Report April 5, 1983

Purpose:
☐ Decision Requested ☐ Information Only ☐ Status Report Financial Impact ☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

A policy statement is being submitted for approval, as adopted by the Commission at its regular meeting, January 27, 1983.

BACKGROUND

The Commission has directed that staff shall submit policy matters for affirmation by the Commission prior to inclusion into the Commission Policy Manual. The policy statement below is being submitted for such affirmation.

RECOMMENDATION

Affirm the following policy statement for inclusion in the Commission Policy Manual relative to the Commission's POST Advisory Committee policy.

1.a. Members representing an association or agency are nominated by the association or agency. Associations or agencies shall nominate a minimum of three (3) individuals. The Commission will appoint an individual from the nominees.

Commission Meeting 1/27/83

3687B

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
QUARTERLY FINANCIAL REPORT		April 27-28, 1983
Bureau Administrative Services	Reviewed By John B. Davidson	Researched By Staff
Executive Director Approval Norman C. Boehm	Date of Approval 4-13-83	Date of Report

Purpose:
☐ Decision Requested ☒ Information Only ☒ Status Report Financial Impact ☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

This report provides financial information relative to the local assistance budget through March 31, 1983. Revenue which has accrued to the Peace Officer Training Fund is shown, as are expenditures made from the fund to California cities, counties, and districts.

COMPARISON OF REVENUE BY MONTH

This report, shown as Attachment #1, identifies monthly revenues which have been transferred to the Peace Officer Training Fund. Through March 31, 1983, we have received $16,463.974.00. This amount is very close to the $16,800,000.00 estimation made by the Department of Finance at the beginning of the year.

REIMBURSEMENT BY CATEGORY OF EXPENSE

This report, identified as Attachment #2, lists the reimbursement paid so far in each course category at a salary reimbursement rate of 45%. The graph shown as Attachment #2A shows not only the present reimbursement at 45% of salary, but also the amount we would have reimbursed if we had retained the salary reimbursement base at 30% and compares this with last year's reimbursement, also at 30%. This reimbursement level is well within our annual estimation.

NUMBER OF REIMBURSED TRAINEES BY CATEGORY

This report (Attachment #3) shows the number of trainees reimbursed this fiscal year and compares that number with the number which occurred over the same period of time last year. Based on this comparison, it can be shown that the total number of trainees has increased over last year by 6.7%. The number of trainees who have been reimbursed for the basic course through March, however, has been reduced by 478 or 18%.

Attachment 1

Comparison of Revenue by Month

Fiscal Years 1981-82 and 1982-83

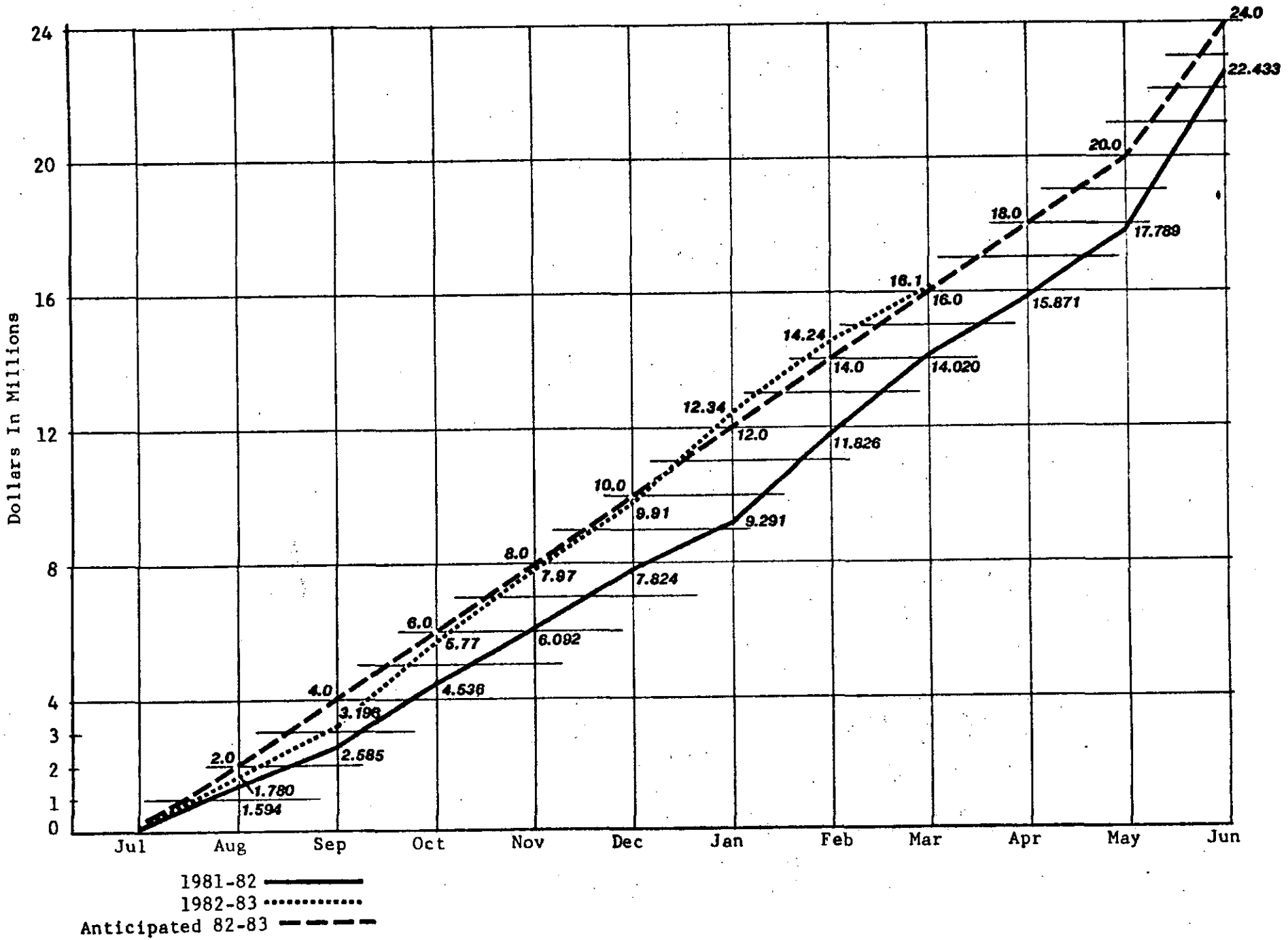
March 31, 1983

	1981-82		1982-83				
Month	Monthly Total	Cummulative Total	Cummulative Monthly Estimated	Penalty Assessment Fund	Other	Total	Cummulative Total
July	$ 88,731	$	$	$ -0-	$ 1,891	$ 1,891	$ 1,891
Aug	1,505,802	1,594,533	2,100,000	1,780,464	0	1,780,464	1,782,355
Sep	990,799	2,585,332	4,200,000	1,413,290	375	1,413,665	3,196,020
Oct	1,951,656	4,536,988	6,300,000	2,574,708	300	2,575,008	5,771,028
Nov	1,555,125	6,092,113	8,400,000	2,189,350	5,160	2,194,510	7,965,538
Dec	1,732,083	7,824,196	10,500,000	1,946,800	80	1,946,880	9,912,418
Jan	1,467,623	9,291,819	12,600,000	1,947,311	484,769	2,432,080	12,344,498
Feb	2,534,885	11,826,704	14,700,000	2,259.873	1,283	2,261,156	14,605,654
Mar	2,193,611	14,020,315	16,800,000	1,855,103	3,217	1,858,320	16,463,974
Apr	1,851,083	15,871,398	18,900,000				
May	1,918,325	17,789,723	21,000,000				
Jun	4,644,015	22,433,738	25,918,000				
	$22,433,738	$22,433,738	$25,918,000	$15,966,899	$497,075	$16,463,974	$16,463,974

Monthly % of Estimation

Cummulative % of Estimation

COMPARISON OF REVENUE BY MONTH
Fiscal Years 1981-82 and 1982-83
Also Shows Projected Revenues For 1982-83



Attachment 1A

Attachment 2

MONTH March

FISCAL YEAR 1982/83

REIMBURSEMENT BY CATEGORY OF EXPENSE

State of California
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
Mailing Address
P.O. Box 20145
Sacramento, California 95820-0145

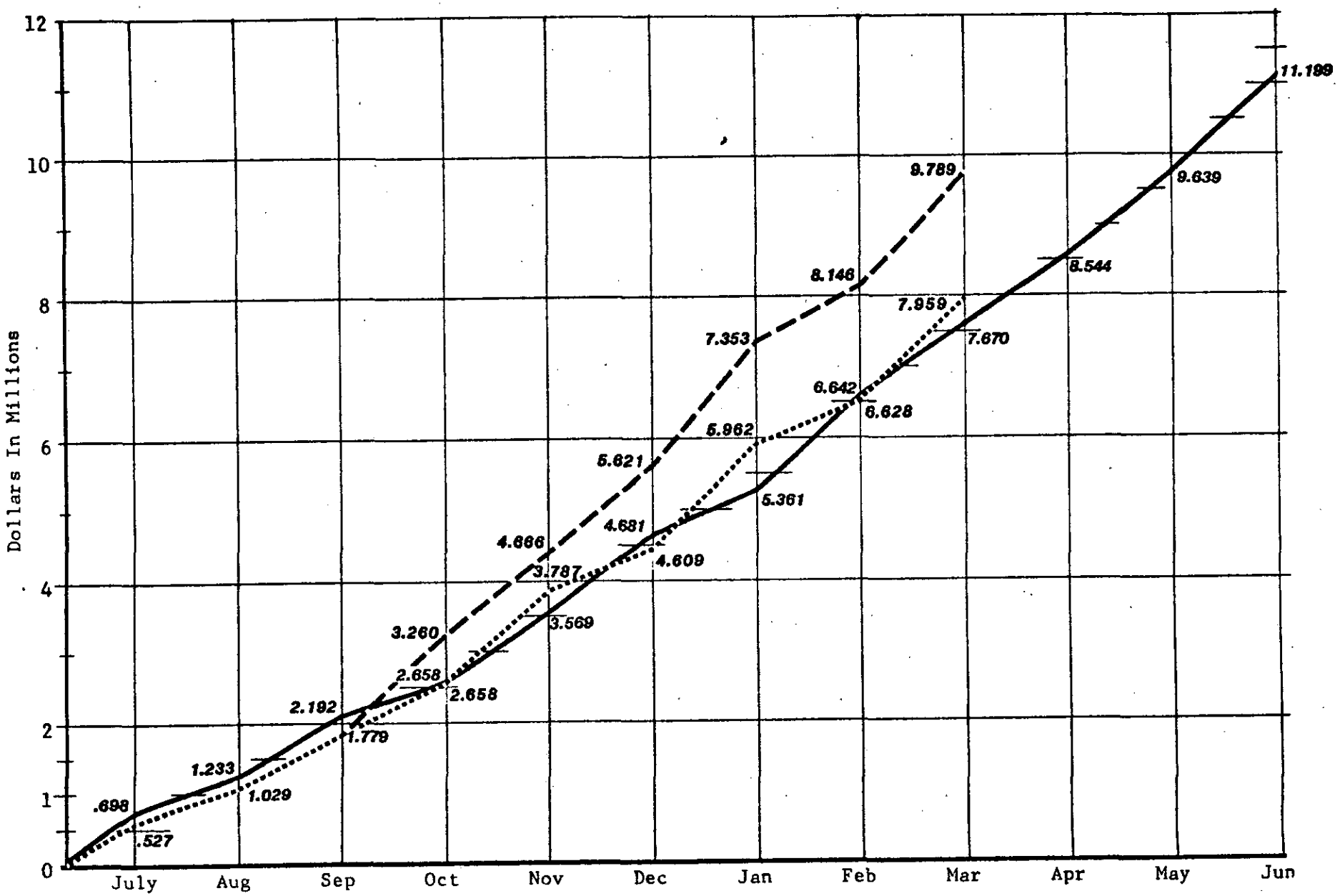
Code Ser.	COURSE CATEGORY		Resident Subsistence	%	Commuter Meal Allowance	%	Travel	%	Tuition	%	Salary	%	TOTAL	%
A	BASIC COURSE	Total this Month	46,743.38		10,070.25		8,378.99		51,507.00		622,088.27		738,787.89	
		Previous Months	338,643.97		58,673.46		114,554.57		218,427.75		2,819,356.20		3,549,655.95	
		Total to Date	385,387.35	09	68,743.71	02	122,933.56	03	269,934.75	06	3,441,444.47	80	4,288,443.84	44
B	SPECIALIZED BASIC INVESTIGATORS COURSE	Total this Month	2,616.70				552.50				1,902.53		5,071.73	
		Previous Months	2,284.11				616.80				3,106.01		6,006.92	
		Total to Date	4,900.81	44			1,169.30	11			5,008.54	45	11,078.65	0
C	ADVANCED OFFICER COURSE	Total this Month	14,976.40		2,775.71		4,465.26				185,527.28		207,744.65	
		Previous Months	18,370.38		9,003.08		15,568.78				652,134.35		695,076.59	
		Total to Date	33,346.78	04	11,778.79	01	20,034.04	02			837,661.63	93	902,821.24	09
D	SUPERVISORY COURSE (MANDATED)	Total this Month	9,883.41		923.30		3,608.82				12,831.66		27,247.19	
		Previous Months	68,549.21		4,672.80		20,976.52				166,793.88		260,992.41	
		Total to Date	78,432.62	27	5,596.10	02	24,585.34	09			179,625.54	62	288,239.60	03
G	SUPERVISORY SEMINARS AND COURSES	Total this Month	15,558.02		1,036.58		5,507.10		20,245.00				42,346.70	
		Previous Months	12,249.42		3,685.00		7,495.32		44,823.00				68,252.74	
		Total to Date	27,807.44	25	4,721.58	04	13,002.42	12	65,068.00	59			110,599.44	01
E	MANAGEMENT COURSE (MANDATED)	Total this Month	9,556.80		85.24		1,751.29				3,521.93		14,915.26	
		Previous Months	76,559.05		1,319.46		16,837.29				76,199.75		170,915.55	
		Total to Date	86,115.85	46	1,404.70	01	18,588.58	10			79,721.68	43	185,830.81	02
H	MANAGEMENT SEMINARS AND COURSES	Total this Month	24,348.89		622.35		9,993.95		20,460.00				55,425.19	
		Previous Months	112,111.33		2,505.62		46,344.51		104,857.75				265,819.21	
		Total to Date	136,460.22	42	3,127.97	01	56,338.46	18	125,317.75	39			321,244.40	03
F	EXECUTIVE DEVELOPMENT COURSE	Total this Month	7,133.88				897.57						8,031.45	
		Previous Months	26,563.52				6,155.79						32,719.31	
		Total to Date	33,697.40	83			7,053.36	17					40,750.76	01
I	EXECUTIVE SEMINARS AND COURSES	Total this Month	2,481.06		52.50		2,252.33						4,785.99	
		Previous Months	3,754.32		314.20		3,253.93		2,125.75				9,458.20	
		Total to Date	6,235.38	44	366.70	02	5,516.26	39	2,125.75	15			14,244.09	0
J	JOB SPECIFIC COURSES	Total this Month	75,862.42		3,288.93		26,508.22		30,535.00		130,307.94		266,502.51	
		Previous Months	518,096.68		17,455.52		158,281.64		129,777.25		816,376.87		1,639,987.96	
		Total to Date	593,959.10	31	20,744.45	01	184,789.86	10	160,312.25	08	946,684.81	50	1,906,490.47	20
K	TECHNICAL SKILLS AND KNOWLEDGE COURSES	Total this Month	132,374.42		6,537.41		54,002.62		52,325.07				245,239.52	
		Previous Months	664,313.61		33,127.13		263,519.70		362,324.42				1,323,284.86	
		Total to Date	796,688.03	51	39,664.54	03	317,522.32	20	414,649.49	26			1,568,524.38	16
L	FIELD MANAGEMENT TRAINING	Total this Month	1,144.52				1,121.69						2,266.21	
		Previous Months	6,430.00		58.00		4,919.34						11,407.34	
		Total to Date	7,574.52	55	58.00	01	6,041.03	44					13,673.55	0
M	TEAM BUILDING WORKSHOPS	Total this Month	6,505.65		95.00		564.65		13,500.00				20,665.30	
		Previous Months	29,548.43		1,593.35		2,525.82		60,187.50				93,855.10	
		Total to Date	36,054.08	32	1,688.35	01	3,090.47	03	73,687.50	64			114,520.40	01
N	POST SPECIAL SEMINARS	Total this Month	1,379.57		31.03		1,851.61						3,262.21	
		Previous Months	7,670.06		808.47		8,879.40						17,357.93	
		Total to Date	9,049.63	44	839.50	04	10,731.01	52					20,620.14	0
O	APPROVED COURSES	Total this Month			14.50		67.90						82.40	
		Previous Months	828.10		231.98		774.05						1,834.13	
		Total to Date	828.10	43	246.48	13	841.95	44					1,916.53	0
TOTAL FOR MONTH			350,565.12		25,532.80		121,524.50		188,572.07		956,179.61		1,642,374.10	
TOTAL FOR PREVIOUS MONTHS			1,885,972.19		133,448.07		670,713.46		922,523.42		4,533,967.06		8,146,624.20	
GRAND TOTAL TO DATE			2,236,537.31	23	159,980.87	02	792,237.96	08	1,111,095.49	11	5,490,146.67	56	9,788,998.30	100

POST 1-223 (Rev. 2/82)

$9,788,998.30 minus adjustments $3,044.96 = $9,785,953.34

TOTAL TRAINING REIMBURSEMENT

Fiscal Years 1981-82, 1982-83



1981-82 ——— *

1982-83 ····· *

1982-83 — — — ‡

* Assumes 30% Salary Reimbursement Rate.

‡ Shows Salary Reimbursement @ 45%

Attachment 2A

Attachment 3

COMMISSION ON POST

Number of Reimbursed Trainees by Category

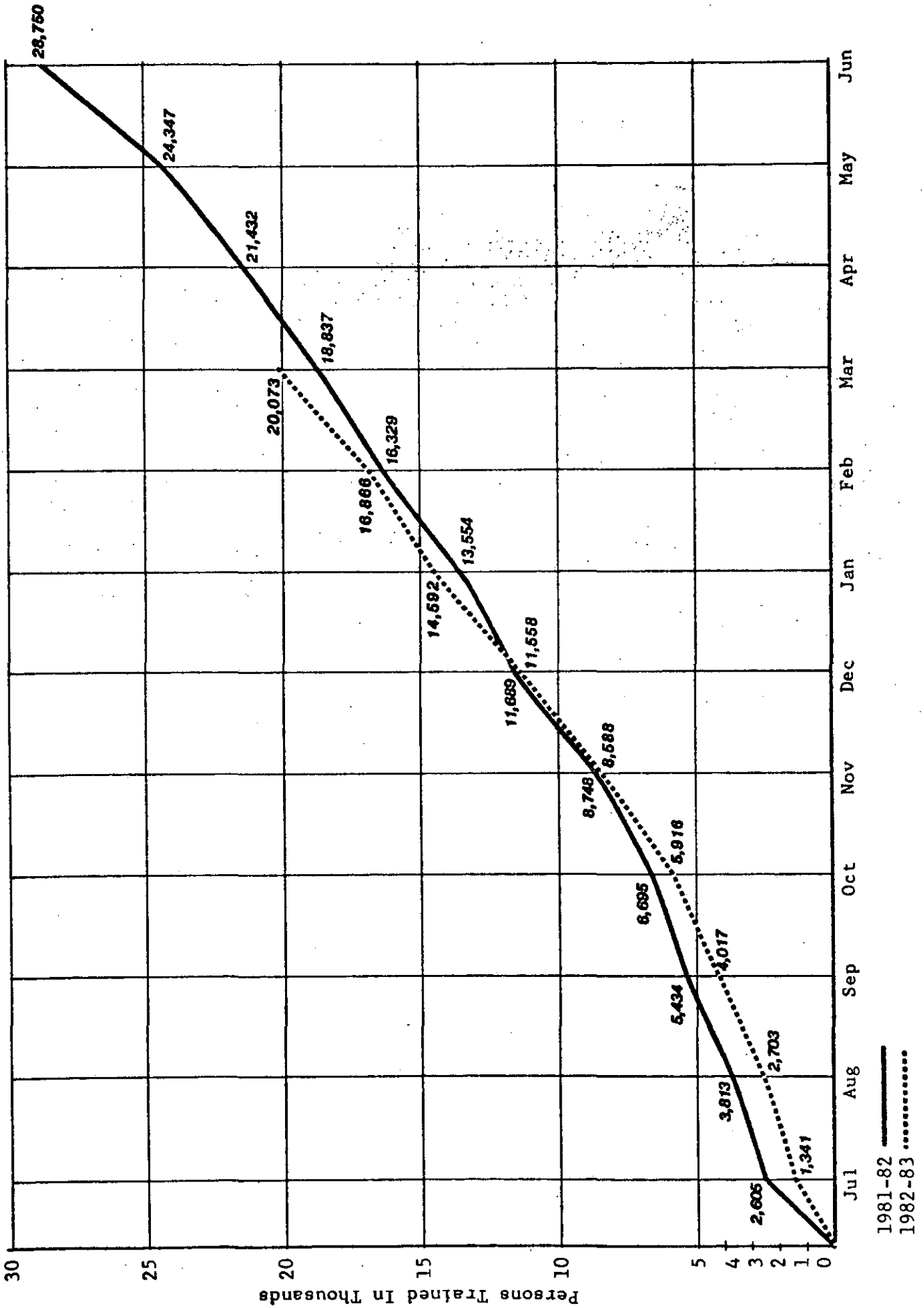
March 1983

Course Category	1981-82 Actual Total[1]	1981-82 Actual July-March	1981-82 % of Total	1982-83 Projected Total For Year	1982-83 Actual July-March	1982-83 % of Projection
Basic Course	3,580	2,605	.73	3,300	2,126	.64
Specialized Basic Investigators Course				100	5	.05
Advanced Officer Course	6,755	4,126	.61	9,122	4,723	.52
Supervisory Course (Mandated)	716	431	.61	804	397	.50
Supervisory Seminars and Courses	316	192	.61	296	578	1.95
Management Course (Mandated)	281	196	.70	329	212	.65
Management Seminars and Courses	1,232	786	.64	1,346	1,051	.78
Executive Development Course	80	48	.60	75	62	.83
Executive Seminars and Courses	1,792	1,409	.79	1,610	100	.06
Job Specific Course	5,625	3,760	.67	5,164	3,809	.74
Technical Skills and Knowledge Courses	7,286	4,586	.63	7,817	6,364	.82
Field Management Training	86	69	.81	76	59	.78
Team Building Workshops	464	307	.66	663	361	.54
POST Special Seminars	504	304	.61	586	205	.35
Approved Courses	33	18	.55	42	20	.48
Totals	28,750	18,837	.66	31,330	20,072	.64

Attachment 3A

TOTAL TRAINEES REIMBURSED

Comparison Between 1981-82 and 1982-83



Resolution OF THE

Commission on Peace Officer Standards and Training

STATE OF CALIFORNIA

WHEREAS, Judge Alice A. Lytle has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training since September 1981, and

WHEREAS, Judge Alice A. Lytle has effectively represented the citizens of California as a public representative on the Committee, and

WHEREAS, the POST Commission recognizes and values her contribution as a member of the POST Advisory Committee, and

WHEREAS, Judge Lytle has distinguished herself as a public servant serving in high executive positions in the State Administration; and

WHEREAS, Alice Lytle was appointed as a Judge in the Municipal Court, causing her to resign her membership on the Commission's Advisory Committee; now

THEREFORE, BE IT RESOLVED, that the Commission on Peace Officer Standards and Training does hereby commend Judge Alice A. Lytle for her service to California law enforcement; and

FURTHER BE IT RESOLVED, that the Commission extends best wishes to Judge Alice A. Lytle for a distinguished career in the prestigious California Judiciary.

Jacob J. Jackson
Chairman

Norman C. Boehm
Executive Director

April 27, 1983
Date

BILL ANALYSIS

State of California — Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
POST Certificate: Cancellation	Senator Petris	SB 382
SPONSORED BY	**RELATED BILLS**	**DATE LAST AMENDED**
Peace Officers' Research Assoc. of CA	AB 2110	4-7-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Senate Bill 382 would:

1. Amend Penal Code Section 832 to require peace officers to receive a basic course of training rather than the current arrest and firearms training.

2. Require that trainees who have completed the P.C. 832 training to successfully pass a comprehensive examination administered by POST before exercising peace officer powers.

3. Require trainees that complete the P.C. 832 basic training course to obtain the POST basic law enforcement certificate within 18 months of employment in order to remain eligible to exercise peace officer powers.

4. Amend P.C. 832.3 to require that all sheriffs, undersheriffs, deputy sheriffs, police officers of a city and police officers of certain districts to complete a course of training prescribed by POST, with no reference to limiting this requirement to those officers who perform general law enforcement duties.

5. Expands the testing program for those peace officers mentioned in P.C. 832.3 to require that each trainee completing the training successfully pass a comprehensive examination administered by POST before exercising peace officer powers.

6. Amend P.C. 832.4 to require that all undersheriffs, deputy sheriffs, police officers of a city, and police officers of certain districts, regardless of whether or not the peace officer is responsible for general law enforcement duties, to obtain the POST Basic Certificate within 18 months of employment in order to remain eligible to exercise peace officer powers.

7. Require POST to expand the certificate cancellation process to include 1) physically or mentally disabled persons, 2) drug dependent persons, 3) persons convicted of felonies and persons convicted of certain crimes involving moral turpitude and, 4) persons convicted of certain sex offenses.

8. Require the Commission to establish a decertification unit to investigate certificate cancellation actions.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Don Beauchamp	4-14-83		
EXECUTIVE DIRECTOR	**DATE**	**COMMENT**	
Norman C. Boehm	4-14-83		

POST 1-159 (Rev. 6/77)

9. Establish procedures to govern the certificate cancellation process.

10. Establish sanctions for the exercise of peace officer powers without proper certification.

11. Establish sanctions for improper use of the certificate.

12. Provide for fees to be charged for issuance and reissuance of the basic certificate. The valid period is established at two years.

Analysis

The provisions of this bill relating to the training, testing, and certification of peace officers addressed in Penal Code Section 832 are significant. It would increase the training from the current arrest and firearms course to a general broad based basic course. This could increase the hours necessary to present the course from the current 40 hours to one of approximately 140 hours in length. With the requirement that POST conduct the examination, rather than the current practice of having the course presenter complete the testing, the impact on POST could be substantial. The P.C. 832 course is currently presented at many locations statewide on a frequent basis. Test development, maintenance, and administration costs as required by this bill are estimated to be $50,000.00 annually. The creation of an entirely new POST certificate program, with attendant issuance, maintenance, and cancellation costs would further affect the Peace Officer Training Fund (POTF).

The bill provisions relating to Penal Code Sections 832.3 and 832.4, with the exception of the requirement that POST administer a comprehensive test at the conclusion of the required training, are not considered to have any major impact. The fact that all peace officers mentioned, not just those previously identified as having general law enforcement responsibilities, must meet the training and certification standards is essentially a moot point, as most of the concerned officers now are meeting that standard.

Testing required under the proposed revision to Penal Code Section 832.3 would be a major change from the current proficiency test. The proficiency test is a paper and pencil examination which each basic course graduate must take, but is not required to pass with any particular score. The results of the test are used exclusively to compare training courses and to develop a data base for course maintenance purposes. Test development, maintenance and administration costs for the comprehensive examination outlined in the bill are estimated to be $500,000,00 annually.

The expansion of the certificate cancellation process is also a change that could substantially alter the POST certificate program and impact the POTF. In addition to the new violations which could lead to certificate cancellation, the creation of a new unit within POST to handle the investigations which are necessary, would require the Commission to allocate substantial resources to this function. The fees which are allowed by the legislation would provide for income to offset at least part of these additional expenses.

Comments

This legislation, if passed, would change the entire thrust of the POST program as we now know it. It would expand POST responsibility to include the training and certification of all peace officers, not just those local general law enforcement officers that the original legislation saw fit to address. Although there has been a gradual move by the Legislature over the years to include new groups in the POST program, this has been on an individual basis and not systemwide.

This legislation would move the Commission into a very strong regulatory role, with POST staff concentrating on testing, certificate issuance and certificate cancellation processes. This role for POST has not been traditionally supported by local government as they see this as an infringement on local control. It is not a role that the Commission has sought.

There is also some question as to the soundness of some of the provisions of the bill, particularly the testing requirements. The current method of testing at natural intervals throughout the basic course has allowed for prompt remediation of sections failed and also allowed for the prompt separation of those students who obviously are not able to successfully complete the required training. This type of testing has provided an appropriate vehicle for assuring that standards are maintained, while keeping the examination costs reasonable. To add a comprehensive final examination administered by POST to this process would seem both unnecessary and expensive.

Aside from the obvious questions relating to the state's financial obligation in imposing additional mandates on local government, the fiscal impact on the POTF would be major. Although the fee system could provide some revenue, there is no doubt that these fees could not cover all the costs of this legislation. Without additional revenue sources, the monies that are now reimbursed to local cities and counties as partial reimbursement for their training costs, would be reduced.

For all these reasons, it seems appropriate that the Commission oppose this legislation.

Recommendation

Oppose.

AMENDED IN SENATE APRIL 7, 1983

AMENDED IN SENATE APRIL 4, 1983

SENATE BILL No. 382

Introduced by Senator Petris

February 15, 1983

An act to amend ~~Section 13510.1 of,~~ *Sections 832, 832.3, 832.4, and 13510.1 of, and to add Sections 832.2, 13510.2, 13510.3, 13510.4, and 13521 to,* the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 382, as amended, Petris. Peace officer training.

Existing law provides that ~~the Commission on Peace Officer Standards and Training shall establish a certification program for local law enforcement officers and the California Highway Patrol. The commission is required to cancel the certificates of persons convicted of, or who have entered a plea of guilty or nolo contendere to, a felony.~~ *every person described as a peace officer shall receive a course of training in the exercise of powers of arrest and a course of training in the carrying and use of firearms. The courses must meet the standards prescribed by the Commission on Peace Officer Standards and Training.*

This bill would require the commission to develop a training proficiency testing program and administer a standardized examination to ensure a minimum level of knowledge and competency in peace officer powers and duties.

Existing law provides that within 90-days of employment every peace officer shall satisfactorily complete the prescribed course of training.

This bill would provide that every peace officer employed

by a sheriff's department or city police department shall possess the basic law enforcement certificate awarded by the commission within 18 months of employment. Those officers who were employed prior to January 1, 1984, and who have met the training requirements shall possess the basic certificate no later than July 1, 1985, in order to continue to exercise peace officer powers.

Existing law requires the commission to establish a certification program which designates various degrees of certification, as specified.

This bill would delete those designations.

~~The bill would additionally require the commission to cancel a certificate for a person who is: so physically or mentally disabled as to be rendered unfit to perform the duties authorized by the certificate; dependent on the use of controlled substances; guilty of or has pleaded guilty or nolo contendere to a crime involving moral turpitude demonstrating unfitness to hold a peace officer certificate; determined to be a mentally disordered sex offender; or convicted of any of specified sex offenses.~~

The bill would permit the commission to cancel a peace officer's certificate after a specified investigative procedure and would prescribe hearing procedures and grounds for cancellation. The bill would require unspecified fees to be paid biennially for the basic certificates.

This bill would make it a misdemeanor, punishable by a fine or imprisonment or both, for a person to knowingly exercise the duties of a peace officer without certification, or misrepresent the possession, validity or authority of certification as a peace officer as specified.

Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill would impose a state-mandated local program by making it a misdemeanor, punishable by a fine or imprisonment or both, for a person to knowingly exercise the

duties of a peace officer, or misrepresent the possession, validity or authority of certification as a peace officer.

However, this bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ *yes.*

The people of the State of California do enact as follows:

SECTION 1. ~~Section 13510.1 of the Penal Code is amended~~ *Section 832 of the Penal Code is amended to read:*

832. (a) Every person described in this chapter as a peace officer, shall receive a basic course of training in the exercise of his or her law enforcement powers and duties. That portion of training in the carrying and use of firearms shall not be required of any peace officer whose employing agency prohibits the use of firearms. Such courses shall meet the minimum standards prescribed by the Commission on Peace Officer Standards and Training.

(b) (1) Every such peace officer described in this chapter, within 90 days following the date that he or she was first employed by any employing agency, shall, prior to the exercise of the powers of a peace officer, have satisfactorily completed the course of training as described in subdivision (a).

(2) Every peace officer described in Section 832.3 shall be exempt from the requirements of this section.

(c) Persons described in this chapter as peace officers who have not so satisfactorily completed the course described in subdivision (a) as specified in subdivision (b), shall not have the powers of a peace officer until they satisfactorily complete the course.

(d) Any peace officer who on or before January 1, 1984, has completed the training requirements imposed by this section, thereafter shall be considered to have met the requirements of this section.

(e) For the purpose of standardizing the training

required in subdivision (a), the commission shall develop a training proficiency testing program, including a standardized examination which ensures that trainees, completing such training, have acquired minimum knowledge and competency in their peace officer powers and duties. The commission shall administer the standardized examination to all graduates. No person, required by subdivision (a) to complete the training, who fails to attain a passing score, as determined by the commission on such examination, may exercise peace officer powers.

SEC. 2. Section 832.2 is added to the Penal Code, to read:

832.2. (a) Any peace officer required to complete training under Section 832 shall obtain the basic law enforcement certificate issued by the Commission on Peace Officer Standards and Training within 18 months of his or her employment in order to continue to exercise the powers of a peace officer after the expiration of the 18-month period.

(b) Any peace officer employed prior to January 1, 1984, who has met the training requirements of Section 832 shall be deemed eligible for the award of the certificate described in subdivision (a). Peace officers described in this subdivision shall, no later than July 1, 1985, obtain the basic certificate in order to continue to exercise peace officer powers.

SEC. 3. Section 832.3 of the Penal Code is amended to read:

832.3. (a) ~~Except as provided in subdivision (b), any~~ *Any* sheriff, undersheriff, or deputy sheriff of a county, any ~~policeman~~ *police officer* of a city, and any ~~policeman~~ *police officer* of a district authorized by statute to maintain a police department, who is first employed after January 1, ~~1975, for the purposes of the prevention and detection of crime and the general enforcement of the criminal laws of this state,~~ *1984,* shall successfully complete a course of training ~~approved~~ *prescribed* by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except

while participating as a trainee in a supervised field training program ~~approved~~ *prescribed* by the Commission on Peace Officer Standards and Training.

(b) For the purpose of standardizing the training required in subdivision (a), the commission shall develop a training proficiency testing program, including a standardized examination which ~~enables~~ *allows* (1) comparisons between presenters of such training and (2) development of a data base for subsequent training programs. ~~Presenters approved by the commission to provide the training required in subdivision (a) shall administer the standardized examination to all graduates. Nothing in this subdivision shall make the completion of such examination a condition of successful completion of the training required in subdivision (a).~~ *and ensures that trainees completing the training have acquired minimum knowledge and competency to perform peace officer duties. The commission shall administer the standardized examination to all graduates. No person, required by subdivision (a) to complete such training, who fails to attain a passing score, as determined by the commission, on the examination shall exercise peace officer powers.*

(c) Notwithstanding subdivision (c) of Section 84500 of the Education Code and any regulations adopted pursuant thereto, community colleges may give preference in enrollment to employed law enforcement trainees who shall complete training as prescribed by this section. At least 15 percent of each presentation shall consist of nonlaw enforcement trainees if they are available. Preference should only be given when the trainee could not complete the course within the time required by statute, and only when no other training program is reasonably available. Average daily attendance for such courses shall be reported for state aid.

SEC. 4. Section 832.4 of the Penal Code is amended to read:

832.4. Any undersheriff or deputy sheriff of a county, any ~~policeman~~ *police officer* of a city, and any ~~policeman~~

police officer of a district authorized by statute to maintain a police department, who is first employed after January 1, ~~1974, and is responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state,~~ *1984,* shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training within 18 months of his *or her* employment in order to continue to exercise the powers of a peace officer after the expiration of such 18-month period.

(b) Peace officers as described in subdivision (a) who are hired after January 1, 1974, and before January 1, 1984, shall obtain the basic certificate before July 1, 1985, in order to exercise peace officer powers.

SEC. 5. Section 13510.1 of the Penal Code is amended to read:

13510.1. (a) The commission shall establish a certification program for peace officers requiring training pursuant to the provisions of Sections 832 and 832.3.

(b) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.

(c) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by a law enforcement agency.

(d) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.

(e) Except as provided in Section 1029 of the Government Code, the commission shall cancel certificates issued to persons who:

(1) Are so physically or mentally disabled as to be rendered unfit to perform the duties authorized by the certificate for which that person applies.

(2) Are dependent upon the use of controlled substances as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code and such dependence demonstrates unfitness to exercise the

powers of a peace officer.

(3) Have entered a plea of nolo contendere to, or been found guilty of, or been convicted of, a crime punishable as a felony regardless of the sentence imposed, or a crime committed in another state or a violation of federal law, which if committed in this state would be classified as a felony, or a misdemeanor committed in this state involving moral turpitude arising out of, or in connection with, or related to activities of that person in a manner which demonstrates unfitness to exercise the powers of a peace officer, irrespective of an order granting probation following the conviction, suspending the imposition of sentence, or of a subsequent order under the provision of Section 1203.4 allowing that person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside a plea or verdict of guilty, or dismissing the accusation or information.

(4) Have been convicted of any sex offense in another state or in this state as defined in Sections 243.4, 290, or in Section 44010 or 87010 of the Education Code where such offense demonstrates unfitness to exercise the powers of a peace officer.

SEC. 6. Section 13510.2 is added to the Penal Code, to read:

13510.2. (a) The commission shall establish a decertification unit within its staff which shall investigate information on any acts presented to the commission as provided in Section 13510.1 which may be cause for the cancellation of a peace officer's law enforcement or basic certificate.

(b) At least 30 days prior to any meeting or hearing at which the certification of a peace officer is to be considered, the commission shall notify the peace officer of the specific allegations for which the certificate may be canceled in ordinary and concise language setting forth the acts charged.

Supplemental allegations shall be sent to the peace officer 30 days prior to the meeting or hearing. The portions of the investigation of the original or supplemental allegations which constitute the basis for

the allegations shall be open to inspection and copying by the peace officer and his or her attorney. The statement of the allegations shall inform the peace officer that the allegations, if they are true, are sufficient to cause his or her certificate to be canceled.

The commission shall order the investigation of allegations to be discontinued if a meeting or hearing on the allegations is not commenced within one year of the date of notification of the original allegations to the peace officer. An extension for one six-month period may be made by the commission upon the submission of a statement of the cause or causes for the extension.

The decision of the commission shall be in writing and a copy of the decision shall be delivered to the peace officer personally or sent to him or her by registered mail within 30 days after the meeting or hearing together with specific information relative to any administrative hearing to which the peace officer is entitled.

(c) All meetings and hearings of the commission to consider the cancellation of certificates shall be executive and closed sessions with only commission members, staff members, the peace officer whose certification is in issue, the counsel of the peace officer, and any material witnesses in attendance.

(d) When a hearing is held to cancel a certificate, the proceeding shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the commission shall have all the powers granted therein.

SEC. 7. Section 13510.3 is added to the Penal Code, to read:

13510.3. (a) Each allegation of an act by a peace officer for which his or her certificate may be canceled shall be presented to the commission. The commission may refer the allegations to the decertification unit for investigation.

(b) The decertification unit shall investigate each allegation referred to it by the commission. The investigation shall include, but not be limited to, all of the following:

(1) Investigation of the fitness and competence of the peace officer to perform the duties authorized by the certificate which he or she presently holds. The decertification unit shall have access to pertinent records of the sheriff or police department employing the peace officer including any investigations by that department.

(2) Determination of probable cause for cancellation of the certificate.

(A) If the decertification unit determines that probable cause for cancellation of the certificate does not exist, the decertification unit shall recommend to the commission that the investigation be terminated.

(B) If the decertification unit determines that probable cause for cancellation of the certificate exists, the decertification unit shall recommend that the commission initiate an adjudicatory hearing, as prescribed by Chapter 5 (commencing with Section 11500) of Division 3 of Title 2 of the Government Code, by filing a statement of issues.

(c) Upon completion of its investigation, the decertification unit shall report its actions and decisions to the commission, including its findings as to probable cause, and if probable cause exists, its recommendations as to cancellation of the certificate.

(d) The commission may conduct a hearing, in accordance with Section 13510.2, to consider cancellation of the certificate of the peace officer.

SEC. 8. Section 13510.4 is added to the Penal Code, to read:

13510.4. Any person who knowingly commits any of the following acts is guilty of a misdemeanor, and for each offense is punishable by a fine of not more than one thousand dollars ($1000) or imprisonment in the county jail not to exceed one year, or by both a fine and imprisonment:

(a) On or after July 1, 1985, exercises the powers of a peace officer in this state without being certificated as required by this chapter.

(b) Presents or attempts to present as the person's own the certificate of another.

(c) Permits another to use his or her certificate.

(d) Knowingly gives false evidence of any material kind to the commission, or to any member thereof, including the staff, in obtaining a certificate.

(e) Uses, or attempts to use, a canceled certificate.

(f) Uses the title of "certificated peace officer" without being certificated as required by this chapter.

(g) Refuses, or fails, to return a certificate canceled under the provisions of this chapter.

SEC. 9. Section 13521 is added to the Penal Code, to read:

13521. The commission shall fix the fee for the basic law enforcement certificate and the basic certificate at an amount of not more than _____ dollars ($_____) for two years and shall fix the renewal fee at an amount of not more than _____ dollars ($_____) for each subsequent two-year period. Each peace officer shall pay the fee required for the basic certificate he or she holds and no fee shall be required for any other certificate issued by the commission. All fees shall be paid into the Peace Officers' Training Fund.

SEC. 10. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

~~to read:~~

~~13510.1. (a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.~~

~~(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service~~

~~duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.~~

~~(c) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.~~

~~(d) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.~~

~~(e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.~~

~~(f) The commission shall cancel certificates issued to persons who:~~

~~(1) Are so physically or mentally disabled as to be rendered unfit to perform the duties authorized by the certificate for which such person applies.~~

~~(2) Are dependent upon the use of controlled substances as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code.~~

~~(3) Have entered a plea of nolo contendere or guilty to, or been found guilty of, or been convicted of, a crime punishable as a felony regardless of the sentence imposed, or is a crime committed in another state or is a violation of federal law, which if committed in this state would be classified as a felony, or is a felony or misdemeanor involving moral turpitude arising out of, or in connection with, or related to activities of that person in a manner which demonstrates unfitness to hold a peace officer certificate, irrespective of an order granting probation following the conviction, suspending the imposition of sentence, or of a subsequent order under the provision of Section 1203.4 allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside a plea or verdict of guilty, or dismissing the accusation or information.~~

~~(4) Have been determined to be a mentally~~

~~disordered sexual offender under the provisions of Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code or under similar provisions of law of any other state.~~

~~(5) Have been convicted of any sex offense as defined in Section 44010 or 87010 of the Education Code.~~

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BILL ANALYSIS

State of California — Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
POST: Commission Expansion/Award of Certificate	Assemblyman Stirling	AB 865
SPONSORED BY	**RELATED BILLS**	**DATE LAST AMENDED**
State Marshal's Association	SB 208	2-23-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Assembly Bill 865 would:

1. Add one new member (Marshal) to the POST Commission.

2. Require that all qualified peace officers who participate in the reimbursement program to be awarded the POST regular certificate.

Analysis

The analysis portion of this report will separately address the two features of this bill.

1. Expansion of POST Commission

There are currently twelve members on the Commission, including the Attorney General who serves by viture of his office (ex officio). Current representation includes five peace officer members of police or sheriff's departments, one peace officer of the rank of sergeant or below, one elected or chief administrative officer of a county, one elected or chief administrative officer of a city, two public members and one criminal justice educator. All are appointed by the Governor to three-year terms of office.

At the present time, there are many peace officer groups who participate in both the reimbursement and non-reimbursement programs of POST, who are not represented on the POST Commission. These include District Attorney Investigators, District Police, Airport Police, Welfare Fraud Investigators, as well as state agencies (California Highway Patrol, State Police, College and University Police, and a multitude of state investigative agencies). There are currently 56,206 officers participating in the POST program representing 543 agencies. The marshals represent 14 agencies and approximately 1,000 officers, or less than 1% of the total number of officers participating in POST.

An alternative to Commission membership is currently available to special interest groups such as the Marshal's Association who desire direct access to the decision-making process. This alternative is representation on the Commission's Advisory Committee, a group that meets quarterly and through its chairman, actively participates in every Commission meeting. This group was created by the Commission some years ago to allow a much broader spectrum of interest groups to participate without unduly expanding the Commission itself.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
D. Beauchamp	3-18-83		
EXECUTIVE DIRECTOR	**DATE**	**COMMENT**	
Glenn E. Bochin	3-18-83		

POST 1-159 (Rev. 6/77)

2. Require Issuance of Regular Certificate to Certain Peace Officers

Currently, the Commission is required to maintain a certificate program for certain peace officers. In practice, however, this certificate program is provided to all agencies who participate in both the reimbursable and non-reimbursable programs. By law, the criteria for issuance of the certificate includes a combination of training, education, and experience, as well as other requisites determined by the Commission. Currently, in order to be eligible for the award of a regular program certificate, an applicant must be employed full time as a member of a specified law enforcement agency. These specified agencies include only officers who perform the full range of general law enforcement duties. Peace officers who do not meet the criteria for issuance of the regular program certificate are eligible for award of the specialized certificate. Because of the different training and/or experience options available in the specialized program (Marshals, Investigators, Park and Recreation, etc.), the name of the agency (hence type) is included on the certificate.

In addition to recognizing certain training, education, and experience achievements, the POST certificate is a facilitator of lateral movement within the peace officer ranks. If an officer has been awarded a regular certificate, he is presumed to be fully qualified to assume general law enforcement duties in any general law enforcement agency. If an officer has been issued a specialized certificate as a member of an investigative agency, he is generally recognized as being qualified to perform similar duties in another such agency. This system has worked well, with minimum problems, over a prolonged period of time.

Comments

The provision of this bill relating to expansion of the POST Commission is not in the best interest of the POST program. The current makeup of the Commission has worked well for a number of years without undue criticism from those officers who are not represented directly by a Commissioner. To single out Marshals for such repesentation, when they comprise such a small fraction of the total officers in the program, could upset a delicate balance of interests and bring demands that each type of peace officer be represented on the Commission. An alternative, the POST Advisory Committee, currently exists to address the needs of the Marshal's group.

The certificate provision of the bill could have a detrimental impact on the POST certificate program as it now exists. To mandate that Marshals, or any other peace officer, who do not meet the training, education and experience standards required of a general law enforcement officer, be issued a POST certificate which implies they have met these standards, could impair the acceptability of the certificate as it relates to employment and/or lateral mobility.

It should also be mentioned in this analysis that the issuance of certificates to Marshals has been under administrative review by the Commission for several months. This issue will be considered by the Commission at its April 1983 meeting, and it is anticipated a final decision will be reached by mid-1983. The Commission is of the opinion that the administrative process should be exhausted before legislative remedies are brought into play.

Recommendation

Oppose that section of the bill that relates to the award of the POST certificate.

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL No. 865

Introduced by Assemblyman Stirling

February 23, 1983

An act to amend Sections 13500 and 13510.1 of the Penal Code, relating to the Commission on Peace Officer Standards and Training.

LEGISLATIVE COUNSEL'S DIGEST

AB 865, as introduced, Stirling. Peace officer standards and training.

(1) Under existing law, the Commission on Peace Officer Standards and Training is composed of 11 members, as specified.

This bill would increase the membership of the commission to 12 by adding one member who shall be a marshal of the California court or a peace officer nominated by his or her marshal.

(2) Under existing law, the Commission on Peace Officer Standards and Training is required to establish a certification program for peace officers pursuant to which certificates are awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission.

This bill would require that, when qualified, all peace officers as specified, shall be awarded the appropriate regular certificate.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13500 of the Penal Code is
2 amended to read:
3 13500. There is in the Department of Justice a
4 Commission on Peace Officer Standards and Training,
5 hereafter referred to in this chapter as the commission.
6 The commission consists of ~~11~~ *12* members appointed by
7 the Governor, after consultation with, and with the
8 advice of, the Attorney General and with the advice and
9 consent of the Senate.
10 The commission shall be composed of the following
11 members:
12 (1) Two members shall be (i) sheriffs or chiefs of
13 police or peace officers nominated by their respective
14 sheriffs or chiefs of police, (ii) peace officers who are
15 deputy sheriffs or city policemen, or (iii) any
16 combination thereof.
17 (2) Three members shall be sheriffs or chiefs of police
18 or peace officers nominated by their respective sheriffs or
19 chiefs of police.
20 (3) One member shall be a peace officer of the rank
21 of sergeant or below with a minimum of five years'
22 experience as a deputy sheriff or city policeman.
23 (4) One member shall be an elected officer or chief
24 administrative officer of a county in this state.
25 (5) One member shall be an elected officer or chief
26 administrative officer of a city in this state.
27 (6) Two members shall be public members who shall
28 not be peace officers.
29 (7) One member shall be an educator or trainer in the
30 field of criminal justice.
31 *(8) One member shall be a marshal of a California*
32 *court or a peace officer nominated by his or her marshal.*
33 The Attorney General shall be an ex officio member of
34 the commission.
35 Of the members first appointed by the Governor, three
36 shall be appointed for a term of one year, three for a term
37 of two years, and three for a term of three years. Their
38 successors shall serve for a term of three years and until

appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

The additional member provided for by the Legislature in its 1973–1974 Regular Session shall be appointed by the Governor on or before January 15, 1975, and shall serve for a term of three years.

The additional member provided for by the Legislature in its 1977–78 Regular Session shall be appointed by the Governor on or after July 1, 1978, and shall serve for a term of three years.

The additional member provided for by the Legislature in its 1983–84 Regular Session shall serve for a term of three years.

SEC. 2. Section 13510.1 of the Penal Code is amended to read:

13510.1. (a) The commission shall establish a certification program for peace officers specified in Sections 13510 and 13522 and for the California Highway Patrol.

(b) Basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officer members of city police departments, county sheriffs' departments, districts, university and state university and college departments, or by the California Highway Patrol.

(c) Certificates shall be awarded on the basis of a combination of training, education, experience, and other prerequisites, as determined by the commission. *When qualified, all peace officers specified in Section 13510 and the California Highway Patrol shall be awarded the appropriate regular certificate.*

(d) Persons who are determined by the commission to be eligible peace officers may make application for such certificates, provided they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.

(e) Certificates remain the property of the commission and the commission shall have the power to cancel any certificate.

(f) The commission shall cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified by statute or the Constitution as a felony.

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BILL ANALYSIS

State of California — Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
State Correction Officers: Standards/Training	Senator Presley	SB 945
SPONSORED BY	**RELATED BILLS**	**DATE LAST AMENDED**
CA Correctional Peace Officers Association		4-11-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Senate Bill 945 would:

1. Require the Department of Corrections and the Youth Authority to adopt selection and training standards for correctional peace officers.

2. Require the two departments to adopt the selection standards of the Commission on Peace Officer Standards and Training (POST) and the Board of Corrections as interim standards until the new standards are developed, or no later than 1-1-85.

3. Require the training divisions of the two agencies to provide specified training to correctional peace officers.

4. Create a special fund in the state treasury to provide training monies for the two agencies. The revenues for the fund to be generated by an annual $1.00 surcharge on every license plate or tag issued.

Analysis

Senate Bill 945 is a direct outgrowth of recent Senate hearings on the status of state correctional officer selection and training. At those hearings, it was brought out that current state employment and training practices are not appropriate for the job to be performed and higher standards needed to be set. The Senate Committee suggested that both the Department of Corrections and the Youth Authority seek assistance from POST in developing more appropriate standards.

Comments

The bill poses no particular problem for POST. The imposition of POST and Board of Corrections selection standards as an interim measure could involve the use of some staff resources, however, the impact is seen as minimal. For this reason, it is suggested that POST take no position on the bill.

Recommendation

No position.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
D. Beauchamp	3-18-83		
EXECUTIVE DIRECTOR	**DATE**	**COMMENT**	
Norman C. Boehm	3-18-83		

POST 1-159 (Rev. 6/77)

AMENDED IN SENATE APRIL 11, 1983

SENATE BILL No. 945

Introduced by Senator Presley

March 3, 1983

An act to add Title 5 (commencing with Section 13600) to Part 4 of the Penal Code, and to add Section 9251 to the Vehicle Code, relating to peace officer training.

LEGISLATIVE COUNSEL'S DIGEST

SB 945, as amended, Presley. Peace officer training.

Existing law provides that the commission on Peace Officer Standards and Training shall establish standards and recruitment of peace officers.

This bill would require the training divisions of the Department of Corrections and the Youth Authority to adopt applicant ~~screening~~ *selection* standards and create advanced peace officer, supervisory, and management curricula for training of correctional peace officers and to provide other training for correctional peace officers.

The bill would impose ~~an additional~~ *a surcharge of* $1 *for each license plate and license plate registration tag produced for the Department of Motor Vehicles* ~~vehicle registration fee~~ *and a 6% surcharge on products and services produced or provided by the Department of Corrections or the Youth Authority to other state or local governmental agencies,* to be deposited in the Youth and Correctional Peace Officer Standards and Training Fund created by this bill in the State Treasury. The fund would be appropriated without regard to fiscal years and would be used exclusively for the training and recruitment purposes in this bill. ~~The fee would become operative only upon the adoption of Senate Constitutional Amendment No. / / / / by the voters.~~ *Money could not be expended from the fund until the 1984–85 fiscal year.*

Vote: ⅔. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Title 5 (commencing with Section 13600) is added to Part 4 of the Penal Code, to read:

TITLE 5. YOUTH AND ADULT CORRECTIONAL PEACE OFFICER STANDARDS AND TRAINING

13600. (a) The Legislature finds and declares that ~~the staffs~~ *peace officers* of the state correctional system, including youth and adult correctional facilities, have a role in the criminal justice system that has previously been ignored in terms of creation and application of sound ~~screening~~ *selection* criteria for ~~applicants and standards to accomplish sound training of staffs.~~ *applicants and their training prior to assuming their duties. For the purposes of this section, correctional peace officers are peace officers as defined in Section 830.5 and employed by the Department of Corrections or the Department of the Youth Authority.*

The Legislature further finds that sound applicant ~~screening and training is~~ *selection and training are* essential to public safety and in carrying out the missions of the Youth and Correctional Agency in the custody and care of the state's ~~criminal~~ *offender* population. The greater degree of professionalism which will result from sound screening criteria and a significant training curriculum will greatly aid the Youth and Adult Correctional Agency in maintaining smooth, efficient, and safe operations and effective programs in the ~~Department~~ *Departments* of Corrections and the Youth Authority.

(b) It is the intent of the Legislature that the training divisions of the ~~Department~~ *Departments* of Corrections and the Youth Authority shall jointly accomplish any research for ~~the task of~~ creating permanent standards ~~and expansion of curriculum concerning recruitment~~

~~screening criteria, and selection of basic~~ *for selection of* correctional peace officer cadets *and expansion of training curriculum* to insure uniformity and economics in selecting and training correctional peace officer staffs and to insure that cadets meet standards of physical, mental, emotional and moral fitness.

13601. For the purpose of raising the level of competence of correctional peace officers relating to physical, mental, emotional, and moral fitness, the training divisions of the ~~Department~~ *Departments* of Corrections and the Youth Authority shall adopt the applicant ~~screening~~ *selection* standards of the Commission on Peace Officer Standards and Training and of the Board of Corrections. If the standards of the commission and the board address the same subject, the more stringent of the two shall be adopted.

These standards of the commission and the board shall constitute interim guides to ~~final~~ permanent standards which shall be incorporated in the rules of the directors of the ~~Department~~ *Departments* of Corrections and the Youth ~~Authority after review of the suitability of the standards of the board and commission for the purposes of the department and the authority. The department and the authority~~ *Authority. The departments* may adopt standards more stringent than those of the board or commission but not less stringent. The use of interim standards shall cease as soon as feasible after the adoption of new standards but no later than January 1, 1985.

In addition to the improved basic academy curriculum, the training division shall ~~also~~ create advanced correctional peace officer, supervisory, and management ~~curricula. Successful completion of these secondary training experiences, upon promotion, shall be a prerequisite to successful passage of probation at the higher level.~~ *curricula. When a correctional peace officer is promoted, he or she shall be required to complete these secondary training experiences as a prerequisite to successful passage of probation.*

The training divisions shall also provide training to correctional peace ~~officer personnel~~ *officers* in the

handling of ~~stress associated with the duties as well as refresher curricula, within one year of passage of probation prior to advanced and higher training experiences.~~ *stress associated with their duties.*

13602. There is hereby created in the State Treasury the Youth and Adult Correctional Peace Officers Standards and Training Fund which is funded from revenues collected pursuant to *Section 13603 of this code and* Section 9251 of the Vehicle Code and which is appropriated without regard to fiscal years, exclusively for the costs of implementing this chapter.

The moneys deposited in the fund shall be for the exclusive use of the training divisions of the Department of Corrections and the Youth Authority in amounts proportionate to the numbers of peace officers employed by each. The ~~department and the authority~~ *departments* shall jointly use the training academy at Galt. The training divisions, in using the funds, shall endeavor to minimize costs of administration so that a maximum amount of the funds will be used for ~~purposes of~~ providing training and support to ~~the security staffs~~ *correctional peace officers,* while being trained, ~~employed by the department and the authority.~~ *by the departments. Moneys deposited in the fund shall not be expended until the 1984–85 fiscal year.*

13603. A 6 percent surcharge shall be assessed on every product or service produced or provided by the Department of Corrections or the Youth Authority and sold to any other state or local government agency.

SEC. 2. Section 9251 is added to the Vehicle Code, to read:

~~9251. (a) In addition to the registration fees specified in Section 9250 and any weight fee, a fee of one dollar ($1) shall be paid at the time of registration or renewal of registration of every vehicle beginning January 1, 1984, except those vehicles that are expressly exempted under this code from the payment of registration fees.~~

~~(b)~~

9251. A surcharge of one dollar ($1) shall be assessed on every license plate and license plate registration tag

1 *produced for the Department of Motor Vehicles.* All ~~fees~~
2 *surcharges* received by the department pursuant to this
3 section shall be deposited monthy in the Youth and Adult
4 Correctional Peace Officer Standards and Training Fund
5 which is created in the State Treasury pursuant to Section
6 13602 of the Penal Code. The department shall be
7 reimbursed for any administrative costs incurred by this
8 section from the fees received. ~~This section shall become~~
9 ~~operative only if Senate Constitutional Amendment No.~~
10 ~~/ / / / of the 1983/84 Regular Session of the Legislature~~
11 ~~is enacted by the Legislature and adopted by the voters.~~

O

AMENDED IN ASSEMBLY APRIL 11, 1983

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL No. 1020

Introduced by ~~Assemblyman Leonard~~ ***Assemblymen Leonard, Baker, Bradley, Farr, Felando, Papan, Seastrand, and Wright***

(Coauthors: Senators Johnson and Royce)

February 28, 1983

~~An act to amend Section 3332 of, and to add Section 4110 to,~~ *An act to add Section 4110 to* the Food and Agricultural Code, to amend Section 14613 of, and to add Sections 14613.5 and 14613.6 to, the Government Code, to amend Sections 830.2, ~~830.3,~~ and 830.4 of the Penal Code, and to amend Sections 4312 and 4492 of, to add Sections 4301.5 and 4381.5 to, and to repeal Sections 4311, 4313, *4456.5,* 4491, and 4493 of, the Welfare and Institutions Code, relating to the state police.

LEGISLATIVE COUNSEL'S DIGEST

AB 1020, as amended, Leonard. State police.

~~Existing law enables the California Exposition and State Fair Board to appoint all necessary marshals and police to keep order and preserve peace at the California Exposition and State Fair premises on a year round basis.~~

~~This bill would provide that the board contract with the state police, through an inter/agency agreement, to provide these services.~~

Existing law provides that the hospital administrator of each state hospital shall designate bona fide hospital employees as peace officers, and is responsible for preserving the peace in the hospital buildings and grounds.

This bill would repeal these provisions.

This bill would further require the Director of Developmental Services and the Director of Mental Health to

establish specified custody security ratings, and provide that the California State Police shall furnish the necessary personnel at each state hospital to provide all police and security services.

This bill would require certain specified state officers to develop a transition plan for this purpose.

Existing law provides for a classification of Security Officer with the California State Police. These security officers are peace officers, as defined, while engaged in the performance of their duties and in limited circumstances.

This bill would delete the classification of Security Officer and enable personnel so classified to become State Police officers, as specified, whose authority extends to any place in the state.

This bill would further provide that the state police shall under contract furnish the necessary police and security services at the California Museum of Science and Industry.

This bill would also transfer all records, information, equipment, and real and personal property held by the Departments of Mental Health and Developmental Services, ~~the California Exposition and State Fair,~~ and the Museum of Science and Industry to the California State Police.

Existing law provides for the transfer of specified patients from Patton State Hospital, and assigns responsibility for the hospital's security to the Director of Corrections.

This bill would repeal these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 3332 of the Food and~~
2 ~~Agricultural Code is amended to read:~~
3 ~~3332. The board has authority to do any of the~~
4 ~~following:~~
5 ~~(a) Contract.~~
6 ~~(b) Accept funds or gifts of value from the United~~
7 ~~States or any person to aid in carrying out the purposes~~
8 ~~of this part.~~
9 ~~(c) Conduct or contract for programs, either~~

~~independently or in cooperation with any individual, public or private organization, or federal, state, or local governmental agency.~~

~~(d) Establish and maintain a bank checking account or a saving and loan association account, approved by the Director of Finance in accordance with Sections 16506 and 16605 of the Government Code, for depositing funds appropriated to the California Exposition and State Fair pursuant to subdivision (a) of Section 19622 of the Business and Professions Code. The Department of Finance shall audit the account at the end of each fiscal year.~~

~~(e) Make or adopt all necessary orders, rules, or regulations for governing the activities of the California Exposition and State Fair.~~

~~(f) Delegate to the officers and employees of the California Exposition and State Fair the authority to appoint civil service personnel according to state civil service procedures.~~

~~(g) Delegate to the officers and employees of the California Exposition and State Fair the exercise of powers vested in the board as the board may deem desirable for the orderly management and operation of the California Exposition and State Fair.~~

~~(h) Contract through inter/agency agreement with the California State Police for the provision of police services at the California Exposition and State Fair premises.~~

~~SEC. 2.~~

SECTION 1. Section 4110 is added to the Food and Agricultural Code, to read:

4110. The California State Police shall furnish the necessary personnel at the California Museum of Science and Industry to provide all police and security services.

~~SEC. 3.~~

SEC. 2. Section 14613 of the Government Code is amended to read:

14613. There is in the Department of General Services the California State Police Division.

The director shall appoint members and employees of

the California State Police Division as may be necessary to protect and provide police services for the state buildings and grounds and occupants thereof. Members of the California State Police Division have the powers of peace officers as defined in the Penal Code.

Members of the California State Police Division consist of all duly authorized peace officers employed by the California State Police. All other persons in the California State Police Division are considered employees.

The California State Police Division may provide for the physical security of the constitutional officers of the state and the legislators of the state.

~~SEC. 4.~~

SEC. 3. Section 14613.5 is added to the Government Code, to read:

14613.5. (a) All records, information, equipment, and real and personal property held by the Departments of Mental Health and Developmental Services at their headquarters as well as all 11 state hospitals relating to the provision of security and police protective services formerly provided by the hospital peace officers or other peace officers as appointed by the headquarters administration or hospital administration shall be transferred to the California State Police.

~~(b) All records, information, equipment, and real and personal property held by the California Exposition and State Fair relating to the provision of police protective services formerly provided by the marshals and police of the California Exposition and State Fair shall be transferred to the California State Police.~~

~~(c)~~

(b) All records, information, equipment, and real and personal property held by the Museum of Science and Industry relating to the provision of security services formerly provided by security personnel at the Museum of Science and Industry shall be transferred to the California State Police.

~~SEC. 5.~~

SEC. 4. Section 14613.6 is added to the Government Code, to read:

14613.6. (a) All civil service employees of the Department of Mental Health and Developmental Services in the classification of Hospital Peace Officer I, II, and III, shall be transferred to the California State Police where they shall retain all of their privileges, rights, status, and benefits.

~~(b) All civil service employees of the California Exposition and State Fair appointed as marshals or police shall be transferred to the California State Police where they shall retain all of their privileges, rights, status, and benefits.~~

~~(c)~~

(b) All civil service employees of the Museum of Science and Industry appointed as security personnel shall be transferred to the California State Police where they shall retain all of their privileges, rights, status, and benefits.

~~(d)~~

(c) All state security officers of the California State Police are eligible to become State Police Officers pursuant to subdivision (e) and shall retain all of their privileges, rights, status, and benefits.

~~(e)~~

(d) The California State Police shall not be required to retain any member pursuant to subdivisions (a), (b), *or* (c) ~~or (d) who does not meet certification standards set forth by the Commission of Peace Officer Standards and Training. Those officers who have not acquired prior to the effective date of this section the Peace Officers Standards and Training Basic shall be provided the opportunity for testing in lieu of attendance at a basic training academy or accredited college. The passing of the test will meet the standards as set forth by the Commission of Peace Officer Standards and Training. All officers will be given full credit for all Peace Officers Standards and Training academy training, federal, state and local law enforcement training, and college or university education in law enforcement subjects. A reasonable time shall be established for initial testing and retesting in areas not previously passed. During this time~~

who does not meet current minimum training standards established by the Commission on Peace Officers Standards and Training. Those officers who have acquired prior equivalent peace officer training, as determined by the commission, prior to the effective date of this section shall be provided the opportunity for testing in lieu of attendance of a POST-certified basic course, as provided for in Section 13511 of the Penal Code, and shall be granted a waiver of this attendance requirement by the commission upon compliance with all conditions of the waiver process established by the commission. During the waiver process those officers shall be employees of California State Police.

~~(f)~~

(e) The California State Police shall employ all those transferred employees as police officers that have met the training standards as stated above. No person presently employed by the departments effected as peace officers will be denied acceptance into the state police as a peace officer due to height, weight, eyesight, or age requirements should their previous department requirements be less restrictive then those of the state police.

~~(g)~~

(f) Those civil service employees within Museum of Science and Industry Security ~~, Exposition and State Fair Marshals and Police,~~ and Hospital Peace Officers II and ~~III,~~ *III* shall be evaluated and have transfer rights into supervisory positions in the state police in accordance with the persons training, education, and experience.

~~SEC. 6. Section 830.2 of the Penal Code is amended to read:~~

~~830.2. The following persons are peace officers whose authority extends to any place in the state:~~

~~(a) Any member of the California Highway Patrol provided, that the primary duty of any such peace officer shall be the enforcement of the provisions of the Vehicle Code or of any other law relating to the use or operation of vehicles upon the highways, as that duty is set forth in the Vehicle Code.~~

~~(b) Any member of the California State Police Division provided, that the primary duty of any such peace officer shall be the the enforcement of the law and protection of state property and officials as that duty is set forth in the Government Code.~~

~~(c) Members of the California National Guard have the powers of peace officers when they are (1) called or ordered into active state service by the Governor pursuant to the provisions of Section 143 or 146 of the Military and Veterans Code, (2) serving within the area wherein military assistance is required, and (3) directly assisting civil authorities in any of the situations specified in Section 143 or 146. The authority of any peace officer extends to the area wherein military assistance is required as to a public offense committed or which there is reasonable cause to believe has been committed within that area. The requirements of Section 1031 of the Government Code are not applicable under the circumstances.~~

~~(d) A member of the University of California Police Department appointed pursuant to Section 92600 of the Education Code provided, that the primary duty of any peace officer shall be the enforcement of the law within the area specified in Section 92600 of the Education Code.~~

~~(e) A member of the California State University and College Police Departments appointed pursuant to Section 89560 of the Education Code provided, that the primary duty of any peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code.~~

~~(f) Any member of the Law Enforcement Liaison Unit of the Department of Corrections, provided that the primary duty of any peace officer shall be the investigation or apprehension of parolees, parole violators, or escapees from state institutions, the transportation of those persons, and the coordination of such activities with other criminal justice agencies.~~

~~(g) Members of the Wildlife Protection Branch of the Department of Fish and Game, provided that the primary duty of the deputies shall be the enforcement of~~

~~the law as set forth in Section 856 of the Fish and Game Code.~~

~~(h) Employees of the Department of Parks and Recreation designated by the director pursuant to Section 5008 of the Public Resources Code, provided that the primary duty of any peace officer shall be the enforcement of the law as set forth in Section 5008 of the Public Resources Code.~~

~~SEC. 7. Section 830.3 of the Penal Code is amended to read:~~

~~830.3. The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense, or pursuant to Section 8597 or Section 8598 of the Government Code. The peace officers may carry firearms only if authorized and under the terms and conditions as are specified by their employing agencies.~~

~~(a) Persons employed by the Department of Alcoholic Beverage Control for the enforcement of the provisions of Division 9 (commencing with Section 23000) of the Business and Professions Code and designated by the Director of Alcoholic Beverage Control, provided that the primary duty of any peace officer shall be the enforcement of the laws relating to alcoholic beverages, as that duty is set forth in Section 25755 of the Business and Professions Code.~~

~~(b) Persons employed by the Division of Investigation of the Department of Consumer Affairs, and investigators of the Board of Medical Quality Assurance and the Board of Dental Examiners, and designated by the Director of Consumer Affairs, provided that the primary duty of any peace officer shall be the enforcement of the law as that duty is set forth in Section 160 of the Business and Professions Code.~~

~~(c) Employees or classes of employees of the Department of Forestry and voluntary fire wardens as~~

~~are designated by the Director of Forestry pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of any peace officer shall be the enforcement of the law as that duty is set forth in Section 4156 of such code.~~

~~(d) Employees of the Department of Motor Vehicles designated in Section 1655 of the Vehicle Code, provided that the primary duty of any peace officer shall be the enforcement of the law as that duty is set forth in Section 1655 of the code.~~

~~(e) Investigators of the California Horse Racing Board designated by the board, provided that the primary duty of any peace officer shall be the enforcement of the provisions of Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code and Chapter 10 (commencing with Section 330) of Title 9 of Part 1 of the Penal Code.~~

~~(f) The State Fire Marshal and assistant or deputy state fire marshals appointed pursuant to Section 13103 of the Health and Safety Code, provided that the primary duty of any peace officer shall be the enforcement of the law as that duty is set forth in Section 13104 of the code.~~

~~(g) Inspectors of the food and drug section as are designated by the chief pursuant to subdivision (a) of Section 216 of the Health and Safety Code, provided that the primary duty of any peace officer shall be the enforcement of the law as that duty is set forth in Section 216 of the code.~~

~~(h) All investigators of the Division of Labor Standards Enforcement, as designated by the Labor Commissioner, provided that the primary duty of any peace officer shall be enforcement of the law as prescribed in Section 95 of the Labor Code.~~

~~(i) All investigators of the State Departments of Health Services, Social Services, Mental Health, Developmental Services, and Alcohol and Drug Programs and the Office of Statewide Health Planning and Development, provided that the primary duty of any peace officer shall be the enforcement of the law relating to the duties of his department, or office.~~

~~(j) The Chief of the Bureau of Fraudulent Claims of the Department of Insurance and such investigators as designated by him, provided that the primary duty of the investigators shall be enforcement of the provisions of Section 556 of the Insurance Code.~~

~~(k) Employees of the Department of Housing and Community Development designated under Section 18023 of the Health and Safety Code, provided that the primary duty of any peace officer shall be the enforcement of the law as that duty is set forth in Section 18023 of the Health and Safety Code.~~

~~SEC. 8. Section 830.1 of the Penal Code is amended to read:~~

~~830.1. The following persons are peace officers while engaged in the performance of their duties in or about the properties owned, operated, or administered by their employing agency, or when they are required by their employer to perform their duties anywhere within the political subdivision which employs them. The officers shall also have the authority of peace officers anywhere in the state as to an offense committed, or which there is probable cause to believe has been committed, with respect to persons or property the protection of which is the duty of the officer or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is an immediate danger to person or property or of the escape of the perpetrator of the offense. The peace officers may carry firearms only if authorized by and under such terms and conditions as are specified by their employing agency:~~

~~(a) The Sergeant at Arms of each house of the Legislature.~~

~~(b) Bailiffs of the Supreme Court and of the courts of appeal.~~

~~(c) Guards and messengers of the Treasurer's office.~~

~~(d) Any railroad policeman commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code.~~

~~(e) Persons employed as members of a security department of a school district pursuant to Section 39670~~

~~of the Education Code.~~

~~(f) Security officers of the County of Los Angeles.~~

~~(g) Housing authority patrol officers employed by the housing authority of a city, district, county, or city and county.~~

~~(h) Transit police officers of a county, city, or district.~~

~~(i) Any person regularly employed as an airport law enforcement officer by a city, county, or district operating the airport or by a joint powers agency, created pursuant to Article 1 (commencing with Section 6500), Chapter 5, Division 7, Title 1 of the Government Code, operating the airport.~~

~~SEC. 9.~~

SEC. 5. Section 830.2 of the Penal Code is amended to read:

830.2. The following persons are peace officers whose authority extends to any place in the state:

(a) Any member of the California Highway Patrol, provided that the primary duty of the peace officer shall be the enforcement of the provisions of the Vehicle Code or of any other law relating to the use or operation of vehicles upon the highways, as that duty is set forth in the Vehicle Code.

(b) Any member of the California State Police Division, provided that the primary duty of the peace officer shall be the ~~protection of state properties and occupants thereof~~ *enforcement of the law and protection of state property and officials as that duty is set forth in the Government Code.*

(c) Members of the California National Guard have the powers of peace officers when they are (1) called or ordered into active state service by the Governor pursuant to the provisions of Section 143 or 146 of the Military and Veterans Code, (2) serving within the area wherein military assistance is required, and (3) directly assisting civil authorities in any of the situations specified in Section 143 or 146. The authority of the peace officer extends to the area wherein military assistance is required as to a public offense committed or which there is reasonable cause to believe has been committed within

that area. The requirements of Section 1031 of the Government Code are not applicable under those circumstances.

(d) A member of the University of California Police Department appointed pursuant to Section 92600 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 92600 of the Education Code.

(e) A member of the California State University and College Police Departments appointed pursuant to Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code.

(f) Any member of the Law Enforcement Liaison Unit of the Department of Corrections, provided that the primary duty of the peace officer shall be the investigation or apprehension of parolees, parole violators, or escapees from state institutions, the transportation of those persons, and the coordination of those activities with other criminal justice agencies.

(g) Members of the Wildlife Protection Branch of the Department of Fish and Game, provided that the primary duty of those deputies shall be the enforcement of the law as set forth in Section 856 of the Fish and Game Code.

(h) ~~Employees~~ *Members* of the Department of Parks and Recreation designated by the director pursuant to Section 5008 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as set forth in Section 5008 of the Public Resources Code.

(i) The Director of Forestry and employees or classes of employees of the Department of Forestry designated by the director pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as that duty is set forth in Section 4156 of the Public Resources Code.

SEC. 6. Section 830.4 of the Penal Code is amended to

of the Education Code.

~~(h)~~

(f) Security officers of the County of Los Angeles.

~~(i)~~

(g) Housing authority patrol officers employed by the housing authority of a city, district, county, or city and county.

~~(j)~~

(h) Transit police officers of a county, city, or district.

~~(k)~~

(i) Any person regularly employed as an airport law enforcement officer by a city, county, or district operating the airport or by a joint powers agency, created pursuant to Article 1 (commencing with Section 6500), Chapter 5, Division 7, Title 1 of the Government Code, operating the airport.

~~(l)~~

(j) Court service officers in a county of the third class.

SEC. 7. Section 4301.5 is added to the Welfare and Institutions Code to read:

4301.5. The Director of Mental Health shall establish a procedure which will provide a custody security rating for every patient occupied unit at the state hospitals under his supervision and hold the hospital administration responsible for providing a rating system which will determine the degree of custody needed by each client. Such a rating system shall include the needs of the client for protection from outsiders, the ability of the client to function in the community considering the client's and communities safety, the type of offense which brought the client to the state hospital system, and any other reasonable facts which are relevant in providing a safe and secure environment for treatment as well as protection to the surrounding community.

~~SEC. 10.~~

SEC. 8. Section 4311 of the Welfare and Institutions Code is repealed.

~~SEC. 11.~~

SEC. 9. Section 4312 of the Welfare and Institutions Code is amended to read:

read:

830.4. The following persons are peace officers while engaged in the performance of their duties in or about the properties owned, operated, or administered by their employing agency, or when they are required by their employer to perform their duties anywhere within the political subdivision which employs them. ~~Such~~ *The* officers shall also have the authority of peace officers anywhere in the state as to an offense committed, or which there is probable cause to believe has been committed, with respect to persons or property the protection of which is the duty of ~~such~~ *the* officer or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is an immediate danger to person or property or of the escape of the perpetrator of the offense. ~~Such~~ *The* peace officers may carry firearms only if authorized by and under such terms and conditions as are specified by their employing agency:

(a) ~~Security officers of the California State Police Division.~~

~~(b)~~ The Sergeant at Arms of each house of the Legislature.

~~(c)~~

(b) Bailiffs of the Supreme Court and of the courts of appeal.

~~(d)~~

(c) Guards and messengers of the Treasurer's office.

~~(e) Officers designated by the hospital administrator of a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services pursuant to Section 4313 or 4193 of the Welfare and Institutions Code.~~

~~(f)~~

(d) Any railroad policeman commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code.

~~(g)~~

(e) Persons employed as members of a security department of a school district pursuant to Section 39670

4312. (a) The hospital director may establish rules and regulations not inconsistent with law or departmental regulations, concerning the care and treatment of patients, research, clinical training, and for the government of the hospital buildings and grounds. Any person who knowingly or willfully violates such rules and regulations may, upon the order of either of the hospital officers, be ejected from the buildings and premises of the hospital.

(b) The California State Police shall furnish the necessary number of personnel at each state hospital to provide all police and security services. Officers assigned to the hospitals, in addition to their regular law enforcement training, shall receive specific training regarding mental disabilities and developmental disabilities, custody procedures, and transportation needs specifically relating to clients of the hospitals, laws of confidentiality, client abuse investigative techniques, laws governing the mentally and developmentally disabled clients, and the management of assaultive behavior. *No such officer shall carry a firearm in a patient-occupied area of any state hospital.* The state police commander at each facility will work closely with the hospital administration to coordinate the law enforcement service with the needs of the administrative and nursing functions of the hospital.

~~SEC. 12.~~

SEC. 10. Section 4313 of the Welfare and Institutions Code is repealed.

~~SEC. 13.~~

SEC. 11. Section 4381.5 is added to the Welfare and Institutions Code, to read:

4381.5. The Director of Developmental Services shall establish a procedure which will provide a custody security rating for every patient occupied unit at the state hospitals under his supervision and hold the hospital administration responsible for providing a rating system which will determine the degree of custody needed by each client. The rating system shall include the needs of the client for protection from outsiders, the ability of the

client to function in the community considering the client's and community's safety, the type of offense which brought the client to the state hospital system, and any other reasonable facts which are relevant in providing a safe and secure environment for treatment as well as protection to the surrounding community.

~~SEC. 14.~~

SEC. 12. Section 4456.5 of the Welfare and Institutions Code is repealed.

~~4456.5. (a) The security of patients committed pursuant to Section 1026 of, and Chapter 6 (commencing with section 1367) of Title 10 of Part 2 of, the Penal Code, and Sections 6316 and 6321 of the Welfare and Institutions Code, at Patton State Hospital shall be the responsibility of the Director of the Department of Corrections.~~

~~(b) The Department of Corrections and the State Department of Mental Health shall jointly develop a plan to transfer all patients committed to Patton State Hospital pursuant to the provisions in subdivision (a) from Patton State Hospital no later than January 1, 1986, and shall transmit this plan to the Senate Committee on Judiciary and to the Assembly Committee on Criminal Justice, and to the Senate Health and Welfare Committee and Assembly Health Committee by June 30, 1983. The plan shall address whether the transferred patients shall be moved to other state hospitals or to correctional facilities, or both, for commitment and treatment.~~

~~(c) This section shall remain in effect only until all patients committed, pursuant to the provisions enumerated in subdivision (a), have been removed from Patton State Hospital and shall have no force or effect on or after that date.~~

SEC. 13. Section 4491 of the Welfare and Institutions Code is repealed.

~~SEC. 15.~~

SEC. 14. Section 4492 of the Welfare and Institutions Code is amended to read:

4492. (a) The hospital director may establish rules and regulations not inconsistent with law or departmental regulations, concerning the care and

1 treatment of patients, research, clinical training, and for
2 the government of the hospital buildings and grounds.
3 Any person who knowingly or willfully violates such rules
4 and regulations may, upon the order of either of the
5 hospital officers, be ejected from the buildings and
6 premises of the hospital.
7 (b) The California State Police shall furnish the
8 necessary number of personnel at each state hospital to
9 provide all police and security services. Officers assigned
10 to the hospitals, in addition to their regular law
11 enforcement training, shall receive specific training
12 regarding mental disabilities and developmental
13 disabilities, custody procedures, and transportation needs
14 specifically relating to clients of the hospitals, laws of
15 confidentiality, client abuse investigative techniques,
16 laws governing the mentally and developmentally
17 disabled clients, and the management of assaultive
18 behavior. The state police commander at each facility
19 will work closely with the hospital administration to
20 coordinate law enforcement services with the needs of
21 the administrative and nursing functions of the hospital.
22 ~~SEC. 16.~~
23 *SEC. 15.* Section 4493 of the Welfare and Institutions
24 Code is repealed.
25 *SEC. 16. The Chief of the California State Police and*
26 *the Director of Mental Health, the Director of*
27 *Developmental Services, or the California Museum of*
28 *Science and Industry, whichever is concerned, by mutual*
29 *agreement shall develop a transition plan to be*
30 *completed by January 1, 1985. The transition plan shall*
31 *provide for an orderly and phased transfer, in a manner*
32 *that will not jeopardize the security of any hospital, of all*
33 *peace officer positions in each state hospital to the*
34 *California State Police. The Governor may intercede at*
35 *any time to reverse or halt the transition if an emergency*
36 *arises.*
37 *SEC. 17. The Director of Corrections, the Chief of the*
38 *California State Police, and the Director of Mental Health*
39 *by mutual agreement shall develop a transition plan to be*
40 *completed by January 1, 1985. The transition plan shall*

provide for an orderly and phased transfer, in a manner that will not jeopardize the security of the hospital, of all correctional officer positions and remaining funding for their use at Patton State Hospital to the California State Police. The Governor may intercede at any time to reverse or halt the transition if an emergency arises.

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BILL ANALYSIS

State of California — Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
CHOKEHOLDS: Training Course Development	Assemblywoman Moore	AB 1530
SPONSORED BY Author	RELATED BILLS	DATE LAST AMENDED 3-3-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Assembly Bill 1530 would:

1. Legislatively declare chokeholds to constitute the use of deadly force.
2. Specify the circumstances and procedures under which chokeholds may be applied.
3. Require appropriate training in the application of specified chokehold.
4. Provide sanctions for improper use of chokeholds.

Analysis

This analysis will be limited to the training requirement of the bill.

As written, the bill requires the Department of Justice, in cooperation with the Commission on Peace Officer Standards and Training (POST), to develop standards for a course on the use of the carotid chokehold. It goes on to state that an officer must complete the approved course before using the hold.

The bill, as presented, places POST in a secondary role relating to the development of the required training course. The author indicated that this language was not intended to make any changes in training responsibility, and she would feel equally comfortable with having POST develop the course. Amendments will be offered to return this responsibility to POST.

It is estimated that the course required in this legislation can be taught in one, four-hour segment. This segment can be incorporated into the existing basic course with no appreciable impact. A separate course for those officers now in the field can also be integrated into existing training vehicles without undue delay or cost. It is estimated course development costs will not exceed $5,000, on a one-time basis.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
D. Beauchamp	3-29-83		
EXECUTIVE DIRECTOR	DATE	COMMENT	
Norman Boehm	4-6-83		

POST 1-159 (Rev. 6/77)

Comments

The training aspects of this legislation do not appear to cause POST to expend any significant amount of staff time to accomplish. The fiscal impact is also minimal. Because of the other, more controversial aspects of the bill, it is suggested that POST neither support or oppose AB 1530.

Recommendation

No position, if amended to place the course development responsibility with POST.

Proposed Amendment to AB 1530

149.5(d) The Commission on Peace Officer Standards and Training shall develop a training course relating to the use of carotid artery holds. The course of training required for the issuance of the basic certificate by the Commission and the training course prescribed by the Commission pursuant to Penal Code Section 832, shall, on and after July 1, 1984, include the training related to the use of the carotid artery holds. Peace officers or custodial officers who completed the above courses prior to July 1, 1984 and therefore did not receive instruction on the use of the carotid artery holds, shall, by January 1, 1985, successfully complete a supplementary course of instruction prescribed by the Commission relating to the use of the carotid artery holds. Effective January 1, 1985, every peace officer or custodial officer shall have satisfactorily completed the course of training on carotid artery holds before using the hold.

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

ASSEMBLY BILL No. 1530

Introduced by Assemblywoman Moore

March 3, 1983

An act to add Section 149.5 to the Penal Code, relating to law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1530, as introduced, Moore. Law enforcement: chokeholds.

Existing law imposes certain limitations on the use of force by law enforcement officers, but does not expressly regulate chokeholds.

This bill would contain an expression of legislative intent respecting chokeholds, and would prohibit certain holds and regulate the use of others.

Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

The bill would impose a state-mandated local program by imposing criminal sanctions for violation of its standards.

However, this bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 149.5 is added to the Penal Code,
2 to read:
3 149.5. (a) The Legislature finds and declares that the
4 use of restraints generally known as chokeholds by law
5 enforcement officers constitutes the use of lethal force,
6 and that the unrestricted use of such force presents an
7 unnecessary danger to the public. Therefore, it is the
8 intent of the Legislature in the enactment of this section
9 to specify the circumstances and procedures under which
10 these restraints shall be permitted.
11 (b) As used in this section:
12 (1) A "trachea," or "arm bar," or "bar-arm" hold shall
13 be defined as any weaponless technique or any technique
14 using the officer's arm, a long or short police baton, or a
15 flashlight or other firm object that attempts to control or
16 disable a person by applying force or pressure against the
17 trachea or windpipe or the frontal area of the neck with
18 the purpose or intent of controlling a person's movement
19 or rendering a person unconscious by blocking the
20 passage of air through the windpipe.
21 (2) A "carotid artery," "sleeper," or "v" hold shall be
22 defined as any weaponless technique which is applied in
23 an effort to control or disable a person by applying
24 pressure or force to the carotid artery or the jugular vein
25 or the sides of the neck with the intent or purpose of
26 controlling a person's movement or rendering a person
27 unconscious by constricting the flow of blood to and from
28 the brain.
29 (c) The intentional and willful use of the trachea hold
30 by a peace officer or custodial officer under color of
31 authority is prohibited.
32 (d) The Department of Justice in cooperation with the
33 Commission on Peace Officer Standards and Training
34 shall develop standards for a course on the use of carotid
35 artery holds.
36 (e) The use of the carotid artery hold by any peace or
37 custodial officer shall be prohibited except under those
38 circumstances and conditions wherein the use of lethal

1 force is reasonable or necessary to protect the life of a
2 civilian, another law enforcement officer, or in
3 self-defense, and has been effected to control or subdue
4 an individual, and the employing police department, law
5 enforcement authority, or local government entity has
6 promulgated procedures and policies which require as a
7 minimum of all of the following:
8 (1) That an officer shall have satisfactorily completed
9 a course of training on the carotid artery hold as
10 approved by the Department of Justice before using the
11 hold.
12 (2) That the officer or officers who have applied the
13 hold on an individual render that person immediate first
14 aid and emergency medical treatment should the person
15 be unconscious as a result of the hold.
16 (3) That upon resuscitation of the unconscious person,
17 the individual shall be transported immediately to an
18 emergency medical facility for examination, treatment,
19 and observation by a competent and qualified
20 emergency medical technician or physician within a
21 reasonable period of time not to exceed one hour.
22 (4) That where the person rendered unconscious
23 through the use of the hold is unconscious for a period of
24 three minutes or more, or appears to be under the
25 influence of alcohol or drugs, or has shown signs of acute
26 mental disturbance, that person shall be immediately
27 transported to an emergency medical or acute care
28 facility for examination, treatment or observation by
29 competent and qualified medical personnel within a
30 reasonable period not to exceed one hour.
31 (f) The failure to immediately provide appropriate
32 medical aid as defined in paragraphs (3) and (4) of
33 subdivision (e) to a person who has been rendered
34 unconscious or subdued by the use of a hold shall for
35 purposes of civil liability create a presumption, affecting
36 the burden of proof, of willful negligence and reckless
37 disregard for the safety and well-being of that person.
38 (g) Every peace officer or custodial officer who under
39 color of authority willfully and intentionally violates the
40 standards prescribed in subdivision (c) or (e) or any

regulations based thereon is punishable by a fine of five thousand dollars ($5,000), or imprisonment in the state prison, or in a county jail not exceeding one year, or by both such fine and imprisonment and by removal from office. Such conduct shall also be subject to the civil remedies related to a violation of Section 51.7 of the Civil Code.

(h) The provisions of this section do not prohibit local legislative bodies from prohibiting outright any use of the carotid hold.

SEC. 2. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

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BILL ANALYSIS

State of California — Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
PEACE OFFICERS: Training, Testing and Certification	Assemblyman Alatorre	AB 2110
SPONSORED BY	**RELATED BILLS**	**DATE LAST AMENDED**
Peace Officers Research Assoc. of CA	SB 382	3-8-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Assembly Bill 2110 would:

1. Require all peace officers described in subdivision (a) of Section 830.1 of the Penal Code, first employed after January 1, 1984 to successfully complete a course of training prescribed by POST before exercising peace officer powers, except while participating in a specified field training program.

2. Require persons who undergo the required training to successfully pass an examination prescribed by POST, before exercising peace officer powers.

3. Require all peace officers described in subdivision (a) of Section 830.1 of the Penal Code, who are first employed after January 1, 1984 to obtain the POST basic certificate within 18 months of employment in order to retain peace officer powers.

Analysis

Current law requires sheriffs, undersheriffs and deputy sheriffs of a county, policemen of a city, and policemen of a district authorized by law to maintain a police department to meet the training and certificate requirement specified in this bill. In addition, most marshals and deputy marshals of a municipal court and district attorney investigators have voluntarily met the standards for some time.

The only significant group listed in Section 830.1(a) of the Penal Code, who have not routinely met the training and certificate standards contained in this bill, are the constables and deputy constables of a judicial district. Although the exact number of constables and deputy constables now active in the state is not known, there are 88 justice courts in existence, with one constable in each court. Each constable may have deputy constables, however, because of the size of the justice courts, the number of deputy constables is thought to be small.

Current law also mandates that POST maintain a training proficiency testing program to provide for comparisons between basic training courses and to develop a data base for subsequent training programs. This test cannot be used to determine the successful completion of the required basic training. This bill would change this proficiency test to provide that trainees must attain a passing score, as determined by POST, before exercising peace officer powers. There would no longer be any reference to "comparisons" or to limitations on the use of the test results.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Don Beauchamp	4-7-83		
EXECUTIVE DIRECTOR	**DATE**	**COMMENT**	
Norman Boehm by [illegible]	4-7-83		

POST 1-159 (Rev. 6/77)

Comments

With the exception of constables and deputy contables, the requirements in this bill relating to training and certification are now being met by the mandate of current law and voluntary compliance. It should be noted, however, that the imposition of these standards on constables and their aides, who are primarily bailiffs and process servers in the lower courts, could be significant. Many of these officers are of an age that could preclude them from successfully meeting the training standards of POST, therefore the incumbents could cease to have peace officer powers and ultimately be terminated by their employing agency.

The provisions of this bill relating to the successful passage of standardized examination before a person may exercise peace officer powers is redundant, in that trainees are presently required to successfully pass several tests which are administered at regular intervals throughout the course. This form of periodic examination provides for testing at the conclusion of natural training blocks while the material is still fresh in the student's mind, and allows for prompt remediation in those areas which the test reveals the student has not yet mastered. This continual testing also provides for the timely identification of trainees who, for one reason or another, are not suited for the law enforcement profession. The separation of these trainees during the course of instruction ensures that training resources are expended only on those students who have some assurance of success in the law enforcement field.

Because the POST examination requirements outlined in this bill would be different from the standardization testing program which is now mandated by law, the fiscal impact on the Peace Officer Training Fund of implementing AB 2110 could be significant. Currently, there are about 4,000 students each year who are administered the POST proficiency test, with the total annual cost, excluding the original test development expenditure, being about $50,000.00. It is estimated that the development of the test to meet the mandate of this legislation could cost POST approximately $300,000.00. Because of the expanded requirements outlined in AB 2110 (test for minimum knowledge and competency), it is estimated the annual testing expenditures will increase to $500,000.00. This is an increase of $450,000.00 over the current costs. There are no provisions in the bill to provide additional funds to cover these expenditures, therefore, all costs would come out of existing resources. This could impact the amount of monies now available to reimburse cities and counties for certain training costs.

Recommendation

Because the requirement for a final test is redundant, and because of the fiscal impact on the Peace Officer Training Fund, it is recommended the examination feature of this bill be opposed.

CALIFORNIA LEGISLATURE—1983–84 REGULAR SESSION

ASSEMBLY BILL No. 2110

Introduced by Assemblyman Alatorre

March 8, 1983

An act to amend Sections 832.3 and 832.4 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2110, as introduced, Alatorre. Peace officers.

Existing law requires any sheriff, undersheriff, deputy sheriff, policeman of a city, or policeman of a district authorized to maintain a police department who is first employed after January 1, 1975, for the purposes of prevention and detection of crime and general law enforcement to successfully complete a course of training approved by the Commission of Peace Officer Standards and Training before exercising the powers of a peace officer. Successful completion of the course does not require completion of the examination. Those peace officers first employed after January 1, 1974, are required to obtain the basic certificate issued by the commission within 18 months of employment to continue to exercise the powers of a peace officer. The commission is required to develop a training proficiency testing program including a standardized examination.

This bill would require that specified peace officers, including those listed above and marshals, deputy marshals, constables, deputy constables, and inspectors and investigators of a district attorney's office first employed after January 1, 1984, shall successfully complete a course of training prescribed by the commission. They would be required to pass a standardized examination administered by the commission before they could exercise the powers of a peace officer. Those peace officers first employed after

January 1, 1984, would have 18 months to obtain the basic certificate to continue to exercise the powers of a peace officer.

Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

This bill would impose a state-mandated local program by requiring that peace officers of specified local governmental agencies employed after January 1, 1984, pass a standardized test before exercising the powers of a peace officer and obtain a basic certificate.

This bill would provide that no appropriation is made by this act for the purpose of making reimbursement pursuant to the constitutional mandate or Section 2231 or 2234, but would recognize that local agencies and school districts may pursue their other available remedies to seek reimbursement for these costs.

This bill would provide that, notwithstanding Section 2231.5 of the Revenue and Taxation Code, this act does not contain a repealer, as required by that section; therefore, the provisions of the act would remain in effect unless and until they are amended or repealed by a later enacted act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 832.3 of the Penal Code is
2 amended to read:
3 832.3. (a) ~~Except as provided in subdivision (b), any~~
4 ~~sheriff, undersheriff, or deputy sheriff of a county, any~~
5 ~~policeman of a city, and any policeman of a district~~
6 ~~authorized by statute to maintain a police department~~
7 *Any peace officer described in subdivision (a) of Section*
8 *830.1*, who is first employed after January 1, ~~1975~~ *1984*, ~~for~~
9 ~~the purposes of the prevention and detection of crime~~

A ~~and the general enforcement of the criminal laws of this state,~~ shall successfully complete a course of training ~~approved~~ *prescribed* by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer, except while participating as a trainee in a supervised field training program approved by the Commission on Peace Officer Standards and Training.

(b) For the purpose of standardizing the training required in subdivision (a), the commission shall develop a training proficiency testing program, including a standardized examination which ~~enables (1) comparisons between presenters of such training and (2) development of a data base for subsequent training programs. Presenters approved by the commission to provide the training required in subdivision (a) shall administer the standardized examination to all graduates. Nothing in this subdivision shall make the completion of such examination a condition of successful completion of the training required in subdivision (a)~~ *ensures that trainees completing the training have acquired minimum knowledge and competency to perform peace officer duties. The commission shall administer the standardized examination to all graduates. No person required by subdivision (a) to complete the training who fails to attain a passing score as determined by the commission on the examination may exercise peace officer powers.*

(c) Notwithstanding subdivision (c) of Section 84500 of the Education Code and any regulations adopted pursuant thereto, community colleges may give preference in enrollment to employed law enforcement trainees who shall complete training as prescribed by this section. At least 15 percent of each presentation shall consist of nonlaw enforcement trainees if they are available. Preference should only be given when the trainee could not complete the course within the time required by statute, and only when no other training program is reasonably available. Average daily attendance for such courses shall be reported for state

aid.

SEC. 2. Section 832.4 of the Penal Code is amended to read:

832.4. Any ~~undersheriff or deputy sheriff of a county, any policeman of a city, and any policeman of a district authorized by statute to maintain a police department~~ *peace officer described in subdivision (a) of Section 830.1*, who is first employed after January 1, ~~1974~~ *1984*, ~~and is responsible for the prevention and detection of crime and the general enforcement of the criminal laws of this state,~~ shall obtain the basic certificate issued by the Commission on Peace Officer Standards and Training within 18 months of his *or her* employment in order to continue to exercise the powers of a peace officer after the expiration of such 18-month period.

SEC. 3. Notwithstanding Section 6 of Article XIII B of the California Constitution and Section 2231 or 2234 of the Revenue and Taxation Code, no appropriation is made by this act for the purpose of making reimbursement pursuant to these sections. It is recognized, however, that a local agency or school district may pursue any remedies to obtain reimbursement available to it under Chapter 3 (commencing with Section 2201) of Part 4 of Division 1 of that code.

SEC. 4. Notwithstanding Section 2231.5 of the Revenue and Taxation Code, this act does not contain a repealer, as required by that section; therefore, the provisions of this act shall remain in effect unless and until they are amended or repealed by a later enacted act.

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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
PUBLIC HEARING - MARSHALS BASIC TRAINING STANDARD		April 27, 1983
Bureau: Training Program Services	Reviewed By: Glen Fine	Researched By: Hal Snow
Executive Director Approval: Norman C. Boehm	Date of Approval: 5-6-83	Date of Report: February 28, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [X] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

A public hearing on the proposal to specify minimum basic training requirements for marshals of a municipal court, as approved by the Commission at its January 27, 1983 meeting.

BACKGROUND

As a result of Senate Bill 210 of 1981, making counties that employ Marshals and Deputy Marshals eligible for POST reimbursement, the Commission directed, at its January 1982 meeting, that staff conduct a job analysis in order to determine the appropriate basic training requirement. The results of the job analysis were reported at the October 1982 Commission meeting. Staff's preliminary analysis at that time revealed differences and similarities between the tasks performed by patrol officers of police/sheriffs' departments and those of deputy marshals. Based on the results of the job analysis, staff preliminarily recommended continuation of the Regular Basic Course as the basic training requirement with the understanding that staff would recommend, at the January 1983 meeting, that a public hearing be approved for the April 1983 meeting that would specify the Marshals Basic Course as the basic training requirement and alternatively, the regular Basic Course plus a POST-certified 80-120 hour course for Marshals and Deputy Marshals. These tentative recommendations were tabled by the Commission at that time.

Since the October 1982 Commission meeting, further research into the appropriate basic training standard has occurred. In addition to the Job Task Analysis, other significant variables affecting the training standard were considered such as: (1) past and present marshals' offices hiring practices, (2) practicalities of training delivery, (3) fiscal impact alternatives, and (4) field input on the job analysis and training needs of deputy marshals.

On December 14, 1982, staff met with a 15-member group of marshals, deputy marshals, association representatives, and trainers to consider the appropriate basic training standard including the above issues. The group unanimously recommended that the basic training requirement be completion of the regular Basic Course to be completed prior to assignment as a peace officer. The arguments against a Marshals Basic Course by the group are described in Attachment B.

At the January 27, 1983 Commission meeting, the Commission approved a staff recommendation to bring this issue to this public hearing. Attachment A is POST Bulletin 83-3 announcing this public hearing.

ANALYSIS

Staff has analyzed the input from the marshals and the results of the POST job analysis for deputy marshals. The results, previously transmitted to the Commission, in summary conclude that:

> " (1) A significant number of Patrol Officer Basic Course Performance Objectives are not relevant for the position of Deputy Marshal, and
>
> (2) Performance Objectives which are not part of the current Patrol Officer Basic Course are necessary to fully prepare entry-level Deputy Marshals."

Staff believes the methodology and results of the job analysis are based upon an objective and scientific approach. The results reflect the responses of 309 marshals/deputy marshals and 77 supervisors of marshals/deputy marshals. Approximately 34% of the incumbents and 80% of the supervisors in the participating agencies were surveyed. It is our conclusion from these results that the job of a Deputy Marshal is different from that of a Patrol Officer. Therefore, the mandated minimum content of basic training should be different. The basic training requirement for Deputy Marshals should be training that addresses the 260 core tasks identified for the deputy marshal position including (1) 159 or about 50% of the 322 patrol officer core tasks, and (2) 101 Deputy Marshal unique core tasks that are not part of the patrol officer core tasks. This should be the basic training requirement for Deputy Marshals.

With this conclusion in mind, staff developed a Deputy Marshals Basic Course, which is outlined in Attachment C, proposed revised PAM Procedure D-1-5. The proposed basic training standard addresses the 260 core tasks identified for Deputy Marshals, including 159 of the 322 Patrol Officer core tasks and 101 Deputy Marshal unique core tasks. In developing the Deputy Marshals Basic Course, it was necessary for staff to include content based upon the results of the job analysis and judgments about what Deputy Marshals "should know or be able to do." Judgments were also made in comparing job tasks with learning goals of the regular Basic Course and in estimating how many instructional hours were needed for each subject. These judgments resulted in the addition of subjects beyond what the job analysis indicated.

The Deputy Marshals Basic Course is a possible alternative basic training requirement since approximately 76 Deputy Marshals completed the regular Basic Course during the 1981-82 Fiscal Year with an unknown number of laterals from police/sheriffs departments whose officers have previously completed the regular Basic Course. If there were no other basic training alternatives and all 76 Deputy Marshals were required to complete the Deputy Marshals Basic Course, there would be sufficient trainees to have 1-3 presentations annually. This would result in considerable delay for Deputy Marshals receiving the training plus increased travel and per diem costs to POST. There is some uncertainty as to whether a course presenter could be secured under the current community college growth limitations. If the Deputy Marshals Basic

MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS

Proposed Language: Commission Regulations

1005. Minimum Standards for Training (continued)

~~(3) Regular Program agencies may assign newly appointed sworn personnel as peace officers for a period not to exceed 90 days from date of hire, without such personnel being enrolled in the Basic Course, if the Commission has approved a field training plan submitted by the agency and the personnel are full-time participants therein.~~

~~Requirements for POST-approved Field Training Programs are set forth in PAM, Section D-13~~.

(3) Every regularly employed and paid as such marshal or deputy marshal of a municipal court as defined in Section 830.1 P.C., except those participating in a POST-approved field training program, shall satisfactorily meet the training standards of the Marshals Basic Course, PAM, Section D-1-5. The standards may be satisfactorily met by successfully completing the training requirements of the Basic Course, PAM, Section D-1-3, before being assigned duties which include performing specialized enforcement or investigative duties. The satisfactory completion of a certified Bailiff and Civil Process Course, PAM, Section D-1-5, is also required within 12 months from the date of appointment as a regularly employed and paid as such marshal or deputy marshal of a municipal court.

(4) Every specialized officer, except marshals, deputy marshals, and regularly employed and paid inspectors and investigators of a district attorney's office, shall satisfactorly meet the training requirements of the Basic Course, PAM, Section D-1, within 12 months from the date of appointment as a regularly employed specialized peace officer; or for those specialized agency peace officers whose primary duties are investigative and have not completed the Basic Course, the chief law enforcement administrator may elect to substitute the Specialized Basic Investigators Course, PAM, Section D-12.

MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS

Proposed Language: Commission Procedure D-1

Procedure D-1-3 was incorporated by reference into Commission Regulation 1005 on April 15, 1982. A public hearing is required prior to revision of this directive.

BASIC COURSE TRAINING

Purpose

1-1. Specifications of Basic ~~Course~~ Training: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations which relate to Basic Training.

Training Methodology Basic Course

1-2. Basic Course Training Methodology: The standards for the Basic Course are the Performance Objectives contained in the document "Performance Objectives for the POST Basic Course." This document is part of a dynamic basic course training system designed for change when required by new laws or other circumstances. Supporting documents, although not mandatory, that complete the system are the POST Basic Course Management Guide and Instructional Unit Guides (58).

a. Performance objectives are divided into mandatory and optional objectives. Mandatory objectives must be achieved as dictated by the established success criteria; whereas optional objectives may be taught at the option of each individual academy. No reimbursement for optional performance objective training will be granted unless they conform to the adopted performance objectives standards.

b. Training methodology is optional.

c. Tracking objectives by student is mandatory; however, the tracking system to be used is optional.

d. A minimum of 400 hours of instruction in the Basic Course is required.

Content and Minimum Hours

1-3. Basic Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Basic Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. The Basic Course contains the following Functional Areas and minimum hours. Within ~~the~~ a ~~framework of hours and~~ functional areas, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval.

MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS

Proposed Language: Commission Procedure D-1

~~1-4.~~ Functional Areas:

a.	Professional Orientation	10 hours
b.	Police Community Relations	15 hours
c.	Law	45 hours
d.	Laws of Evidence	15 hours
e.	Communications	15 hours
f.	Vehicle Operations	15 hours
g.	Force and Weaponry	40 hours
h.	Patrol Procedures	105 hours
i.	Traffic	30 hours
j.	Criminal Investigation	45 hours
k.	Custody	5 hours
l.	Physical Fitness and Defense Techniques	40 hours

~~1-5.~~ Examinations: 20 hours

~~1-6.~~ Total Minimum Required Hours 400 hours

1.4. District Attorney Investigators Basic Course Content and Minimum Hours: Proposed course content subject to Public Hearing scheduled April 27, 1983.

Marshals Basic Course

1-5. Marshals Basic Course Content and Minimum Hours:

The Marshals Basic Course contains the following Functional Areas and minimum hours. Within a functional area, flexibility is provided to adjust hours and instructional topics with prior POST approval. Marshals basic training may be met by satisfactory completion of the training requirements of the Basic Course plus the satisfactory completion of a certified Bailiff and Civil Process Course.

Functional Areas:

	a.	Professional Orientation	10 hours
	b.	Police Community Relations	15 hours
	c.	Law	30 hours
	d.	Laws of Evidence	15 hours
	e.	Communications	15 hours
	f.	Vehicle Operations	4 hours
	g.	Force and Weaponry	40 hours
	h.	Criminal Investigation	10 hours
	i.	Physical Fitness and Defense Techniques	40 hours
**	j.	Field Techniques	50 hours
**	k.	Custody	20 hours
**	l.	Civil Process	60 hours
**	m.	Bailiff	40 hours

MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS

Proposed Language: Commission Procedure D-1

Examinations	20 hours
Total Minimum Required Hours	374 hours

** Functional Areas that form the basis for the POST-Certified 80-hour Bailiff and Civil Process Course.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Course Outline

COURSE TITLE: Bailiff and Civil Process Course

MINIMUM INSTRUCTION HOURS: 80

PREREQUISITE: Successful completion of the POST Basic Course.

PURPOSE: This course is designed to present information specific to the job of marshal and bailiff, to marshals and bailiffs who have already received general law enforcement training at the POST Basic Course. The course will also be of interest to sheriff's deputies who perform these tasks in areas where there is no marshal's office.

TOPICAL OUTLINE

1.0 Bailiff

2.0 Custody

3.0 Field Techniques

4.0 Civil Process

LEARNING GOALS

1.0 Bailiff

Learning Goals: The student will understand how to:

1.1 Set up Court Room for morning proceedings.
1.2 Keep list of emergency phone numbers.
1.3 Operate Court Room equipment (e.g., public address system, Security alarm systems, heating & ventilation equipment, etc,.)
1.4 Review Court calendar.
1.5 Check Court calendars and Writs of Possession for names of persons with outstanding warrants.
1.6 Contact field deputies/other law enforcement jurisdictions that have outstanding warrants for prisoners.
1.7 Arrange for transportation of prisoners.
1.8 Seat participants and spectators in Court Room.
1.9 Remember names and faces (witnesses, attorneys, jurors, etc.)
1.10 Call Court to order and introduce judge.
1.11 Record results of calendar call.

1.0 Bailiff (continued)

1.12 Assist with proper sequencing of Courtroom events.
1.13 Maintain proper courtroom demeanor.
1.14 Maintain security of "handcuff" and/or "gun" locker.
1.15 Search of visitors to holding area.
1.16 Control access to restricted area of Court Room.
1.17 Direct people to locations in the Court building.
1.18 Respond to inquiries (over phone, in person, or in writing.)
1.19 Publicize and enforce Judge's orders (e.g., "Witness excluded" until called, "public excluded," etc.)
1.20 Page Defendants.
1.21 Convey Messages (Verbal, Written) to judge, jurors, attorneys.
1.22 Silence verbal outbreaks in courtroom.
1.23 Physically restrain disruptors in courtroom.
1.24 Obtain paperwork relevant to trial/hearing and deliver to court (e.g., commitment order, health records, warrants).
1.25 Inform Court of new bookings.
1.26 Get jury from jury room.
1.27 Keep seating charts of jurors.
1.28 Provide jury security.
1.29 Search people entering Court Room.
1.30 Direct peace officers or others to obtain prisoners or witnesses.
1.31 Provide writing material to jurors.
1.32 Ensure weapons in evidence are unloaded (use triggerguard)
1.33 "Tag" exhibits.
1.34 Serve as Court courier.
1.35 Retrieve law books as needed.
1.36 Inform attorneys of witness availability.
1.37 Summons witness (in person, by phone).
1.38 Inventory personal property.
1.39 Verify documents presented by defendant (bail slips, receipts, etc,).
1.40 Inform defendants how to recover their property.
1.41 Inform deputies of persons with outstanding warrants.
1.42 Request Court order for removal of a prisoner.
1.43 Arrange transportation for jurors.
1.44 Vehicle inspections - sign off citations.
1.45 Transport Judge and/or court attache to crime scene.

2.0 CUSTODY

Learning Goals: The student will understand how to:

2.1 Take special procedures with extremely dangerous prisoners and high escape risk prisoners.
2.2 Maintain control over 5150 WIC prisoners
2.3 Guard and count prisoners while loading and unloading from transport vehicle.

2.0 Custody (continued)

2.4 Check route leading from holding cell to courtroom before escorting prisoners.
2.5 Escort prisoners between holding cells and courtroom.
2.6 Handle prisoners who have medical problems such as seizures, casts, crutches, wheelchairs, etc.
2.7 Open holding facility (unlock doors, etc.).
2.8 Receive prisoners at the Courtroom.
2.9 Separate inmates who are charged with crimes as opposed to those who face civil charges.
2.10 Brief prisoners/inmates on Courtroom rules of conduct.
2.11 Accept prisoners from bailiff.
2.12 Provide privacy for attorney client interviews in holding areas.
2.13 Advise prisoners of his/her rights to telephone calls.
2.14 Complete booking forms.
2.15 Review and prepare paperwork for jailer.
2.16 Verify the identity of prisoners.
2.17 Determine which prisoners are to be released.
2.18 Coordinate the location of prisoners with other agencies.
2.19 Take fingerprints.

3.0 FIELD TECHNIQUES

Learning Goals: The student will understand how to:

3.1 Post notice of sale of property in newspapers and public places.
3.2 Locate and identify property in civil actions.
3.3 Install keepers in attachments and executions.
3.4 Seize personal property.
3.5 Contact private companies for pick-up and storage of property.
3.6 Seize contraband.
3.7 Perform investigations over telephone.
3.8 Request/perform warrant checks.
3.9 Request assistance of emergency personnel.
3.10 Request assistance from other law enforcement agencies.
3.11 Handle toxic or hazardous materials (e.g., PCP, firearms, etc.).

4.0 CIVIL PROCESS

Learning Goals: The student will understand how to:

4.1 Plan method of serving criminal/civil process.
4.2 Organize route for serving criminal/civil process.
4.3 Contact plaintiff to schedule execution of writs.
4.4 Execute a claim and delivery.
4.5 Execute levies on real property.
4.6 Execute levies on personal property.

4.0 Civil Process (continued)

4.7 Execute writs of execution.
4.8 Execute writs of attachments.
4.9 Execute writs of possession (in person or by posting).
4.10 Conduct sales of real or personal property.
4.11 Levy on real property.
4.12 Serve Writs of Possession.
4.13 Serve civil bench warrants.
4.14 Serve child custody turnover orders.
4.15 Review/complete return of warrants.
4.16 Advise plaintiffs that writs have been executed.
4.17 Garnishments.
4.18 Verify accuracy of return of service on warrants.
4.19 Inform landlords of eviction proceedings.
4.20 Accept fees for serving civil process.
4.21 Review instruction to levy for completeness and accuracy.
4.22 Accept civil papers over-the-counter from private citizens and attorneys.
4.23 Review court orders for completeness and accuracy.
4.24 Serve unlawful detainer orders.
4.25 Serve notices (in person or by posting).
4.26 Serve temporary Restraining Orders.
4.27 Serve Order to Show Cause.
4.28 Inform plaintiffs of additional information needed to serve civil process.
4.29 Serve Summons and Complaint.
4.30 Serve Summons and Petition.
4.31 Serve Orders of Examination for appearance of debtor of a judgment debtor.
4.32 Serve Earnings Withholding Orders.
4.33 Serve Orders of examination for appearance of debtor.
4.34 Serve Claim of Plaintiff order.
4.35 Serve Subpoenaes.
4.36 Serve Citations.
4.37 Serve Claim of Defendant.
4.38 Serve Military Affidavit.

ATTACHMENT A

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN, *Governor*
DEPARTMENT OF JUSTICE
JOHN K. VAN DE KAMP, *Attorney General*
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

March 4, 1983

Bulletin 83-3

SUBJECT: PUBLIC HEARINGS:

1. MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS.

2. MINIMUM BASIC TRAINING STANDARDS FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS.

Public hearings will be conducted by the Commission on Peace Officer Standards and Training at its April 27, 1983, 10:00 a.m., meeting at the Holiday Inn, Holidome, Sacramento, for the purpose of receiving comments on the issues shown above.

A brief summary of each issue follows:

1. MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS.

The Commission is proposing that the minimum basic training standards for marshals and deputy marshals shall be satisfactory completion of the proposed Marshals Basic Course (proposed Commission Procedure D-1-5). As an alternative, the Commission is proposing that the marshals and deputy marshals minimum basic training standard may be met by satisfactory completion of the regular Basic Course, plus the completion of an 80-hour POST-certified Bailiff and Civil Process Course.

As an interim standard since coming into the reimbursable program in January 1982, marshals and deputy marshals have been required to complete the POST regular Basic Course. Marshals and deputy marshals have urged the Commission to mandate the regular 400-hour Basic Course as the standard, and have expressed a desire to continue attendance at the regular Basic Course.

2. MINIMUM BASIC TRAINING STANDARDS FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS.

The Commission is proposing that the minimum basic training standard for inspectors and investigators of a district attorney's office shall be satisfactory completion of the proposed District Attorney's Investigators Basic Course (proposed Commission Procedure D-1-4). As an alternative, the Commission is proposing that the basic training standard for inspectors and investigators of a district attorney's office may be met by satisfactory completion of the regular Basic Course or an upgraded specialized Basic Investigators Course, plus the completion of an 80-hour POST-certified Investigation and Trial Preparation Course.

As an interim standard since coming into the reimbursable program in January 1982, district attorney inspectors and investigators have been required to complete the POST regular Basic Course or the Specialized Basic Investigators Course.

District attorneys and district attorney investigators have urged the Commission to mandate the regular 400-hour Basic Course as the standard. They have expressed strong dissatisfaction with the 220-hour Specialized Investigators Course and point out that the great majority of district attorney invesigators are former experienced/trained regular officers who perform duties similar to police and sheriffs' detectives.

The attached Notices of Public Hearing, required by the Administrative Procedures Act, provide details concerning the proposed changes and provide information regarding the hearing process. Inquiries concerning the proposed actions may be directed to Patricia Cassidy at (916) 739-5348.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachments

Commission On Peace Officer Standards And Training

NOTICE OF PUBLIC HEARING

MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS

Notice is hereby given that the Commission on Peace Officers Standards and Training (POST), pursuant to the authority vested by Section 13506 of the Penal Code and to interpret, amend, and make specific, Sections 13503, 13506, 13510, and 13510.5, of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title II of the California Administrative Code. A public hearing to adopt the proposed amendment, will be held before the full Commission on:

Date: Wednesday, April 27, 1983
Time: 10:00 a.m.
Place: Holiday Inn, Holidome,
Sacramento, California

INFORMATIVE DIGEST

Existing law requires the Commission on Peace Officer Standards and Training to adopt minimum standards for the recruitment and training of peace officer members of specified entities. With the passage of Senate Bill 210, marshals and deputy marshals of a municipal court were added to Penal Code Section 13510 as a specified entity for such purposes.

Currently, marshals and deputy marshals are required to complete the POST regular Basic Course. A statewide job task analysis was conducted which provided evidence that a substantial portion of the regular Basic Course is relevant to the duties of marshals and deputy marshals; however, there are also numerous tasks unique to only marshals and deputy marshals that are not covered in the Basic Course.

The following proposed amendments to Commission Regulations and Commission Procedures establish the minimum basic training standards for marshals and deputy marshals, in accordance with the provisions of amended Penal Code Section 13510:

Amend Section 1005(a), which provides minimum standards for basic training, to repeal the paragraph which unnecessarily paraphrases Penal Code Section 832.3, to amend the section title for clarity by deleting "course", and instead use "training", since more than one type of Basic Course is referenced within the section.

Amend Regulation Section 1005(a)(1), which specifies training standards for a regular officer and marshal or deputy marshal, to delete the reference to marshal or deputy marshal, and to amend to include the field training provision for regular officers, which was previously stated under 1005(a)(3), for clarity.

Repeal Regulation Section 1005(a)(3), which provides for field training for regular officers, to relocate under Section 1005(a)(1), for clarity.

Amend Commission Regulation 1005(a)(3) to add new section to provide for minimum basic training standards for marshals and deputy marshals of a municipal court, as being the satisfactory completion of the training requirements of the Marshals Basic course, or as an alternative, the satisfactory completion of the training requirements of the Basic Course, plus satisfactory completion of a certified Bailiff and Civil Process Course within 12 months from date of appointment.

Amend Commission Procedure D-1-1, which provides for specifications of the Basic Course, to delete the reference to Basic Course and to use language relating to Basic Training to provide consistency with Regulation 1005(a).

Amend Commission Procedure D-1-3, which provides for Basic Course content and minimum hours, to make language changes for clarity.

Amend Commission Procedure D-1 to add Section 1-5, to include course content and hours for the Marshals Basic Course, as the minimum basic training standard for marshals and deputy marshals.

INFORMATION REQUESTS

Notice is hereby given that any person interested may present statements or arguments in writing revelant to the action proposed. Written comments are requested to be submitted to the Commission on Peace Officer Standards and Training, P. O. Box 20145, Sacramento, CA 95820-0145, no later than April 18, 1983, and will be accepted through the date of the hearing.

The Commission on POST has prepared a Statement of Reasons for the proposed action and the informaton on which it is relying in recommmending the proposed action.

Copies of the Statement of Reasons and the exact language of the proposed regulations may be obtained at the hearing or prior to the hearing upon requests from the Commission. Inquiries concerning the proposed action may be directed to Patricia Cassidy at (916) 739-5348.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, the Commission on POST may adopt the proposed regulation if it remains substantially the same as described in the Informative Digest. The Commission on POST may make changes to the regulation before adopting. The text of any modified regulation must be made available to the public at least 15 days before the agency adopts the regulation. A request for the modified text should be addressed to the agency official designated in the notice. The Commission on POST will accept written comments on the modified regulation for 15 days after the date on which the text is made available.

Course were the only alternative for satisfying the basic training requirement, those Deputy Marshals lateraling from police/sheriff departments would experience a significant duplication of training having already completed the regular Basic Course. If the basic training requirement for Deputy Marshals provided for alternative means for satisfaction, such as the Deputy Marshals Basic Course or regular Basic Course, there is no question marshals would elect to send their peace officers to the regular Basic Course for reasons given in Attachment B. This would result in few, if any, presentations of the Deputy Marshals Basic Course.

The Regular Basic Course is a minimum 400-hour course that is designed primarily for patrol officers. It contains some subject matter (estimated 25-33%) not relevant to the training needs of Deputy Marshals. Few of the 101 unique core tasks (Bailiff and Civil Process) performed by deputy marshals are addressed by this course. The regular Basic Course is offered over 100 times per year and has an unknown but growing percent of pre-employment graduates for which POST incurs no reimbursement expense. A Deputy Marshals Basic Course would be expected to have few, if any, pre-employment students.

Except for the absence of unique training related to bailiff and civil duties, the regular Basic Course is an acceptable alternative for meeting the entry-level training requirement for Deputy Marshals. The unique tasks identified in the job analysis should also be a part of the basic training requirement. An 80-hour Bailiff and Civil Process Course has been designed to meet these unique training needs of entry-level Deputy Marshals (See Attachment D). On February 24, 1983, staff met with the previously mentioned group of Marshals and it was the group's consensus that this course content could best be addressed through a POST mandated field training program for deputy marshals. However, staff believes the curriculum can also be addressed in a formalized course as recommended. The regular Basic Course is a recommended prerequisite. Since the course can be considered Job Specific, salary reimbursement would apply. It is anticipated that existing Deputy Marshals and perhaps some sheriffs' deputies may wish to attend this course. Because of the infrequency of this course being offered (3-5 times/year), staff believes that the course should be completed within one year from the date of employment while completion of the regular Basic Course must be prior to assignment as a peace officer.

Staff recommends that the basic training requirement for Mashals and Deputy Marshals be revised to specify the Deputy Marshals Basic Course but that the requirement may be satisfied by completing the regular Basic Course plus the 80-hour POST-certified Bailiff and Civil Process Course. The proposed revisions to POST Regulation 1005(a) and PAM Procedure D-1 are Attachment C. Because of the lack of demand and identified training delivery issues, it is recommended that the Deputy Marshals Basic Course not be actually developed and offered at this time.

Analysis of the Marshals training standard and the training delivery system indicates a need for further staff study of the Universal Basic Course concept with required module courses depending on the kind of duties performed by broad categories of peace officers, e.g., Patrol, Investigators, etc. Staff will continue to explore this concept and its potential for improvements in the future delivery of basic training.

FISCAL IMPACT

The estimated fiscal impact of the staff recommendation is:

1.	For 76 Deputy Marshals to complete the regular Basic Course (76 at $1,413) (not a new cost to POST)	$107,388
2.	For 76 Deputy Marshals to complete the 80-hour Bailiff and Civil Process Course (76 at $400)	$ 30,400
	Total POST cost	$137,788

This fiscal impact assumes application of current rules to reimbursement for attendance at these courses. It is assumed from discussion at prior meetings that Commissioners may wish to take action on the matter of maximum reimbursement.

RECOMMENDATION

Subject to input at the public hearing, approve proposed revisions to Commission Regulation 1005(a) and Commission Procedure D-1 (per attached) to:

1) specify minimum basic training standards for marshals and deputy marshals as the Marshals Basic Course, to be effective July 1, 1983,

2) permit completion of the Basic Course to satisfy the standard, and

3) require, in addition, the completion of a certified Bailiff and Civil Process Course.

Attachments

A. POST Bulletin 83-3
B. Arguments Presented by Marshals and Deputy Marshals Against a Marshals Basic Course
C. Proposed Regulation Changes
D. Course Outline - Bailiff and Civil Process Course

FISCAL IMPACT

The Commission on POST has determined that no savings or increased costs to any state agency other than POST, no reimbursable or non-discretionary costs or savings under Section 2231 of the Revenue and Taxation Code to local agencies or school districts, and no costs or savings in federal funding to the state will result from the proposed regulation. The Commission has also determined that the proposed regulation does not impose a mandate on local agencies or school districts under Revenue and Taxation Code Section 2231, and will involve no significant cost to private individuals and businesses.

It is anticipated that the cost to POST for implementation of this program will not exceed $138,000 per year for which funds are available.

HOUSING COST IMPACT STATEMENT

The proposed regulations will have no effect on housing costs.

SMALL BUSINESS IMPACT STATEMENT

The proposed regulations will have no adverse economic impact on small businesses.

ARGUMENTS PRESENTED BY MARSHALS AND DEPUTY MARSHALS AGAINST A MARSHALS BASIC COURSE

1. A Marshals Basic Course would serve as a barrier to lateral mobility for persons moving to and from marshals' offices and police/sheriffs' departments.

2. A Marshals Basic Course as a training requirement would result in increased costs to POST and counties to retrain laterals.

3. Marshals are satisfied with the present standard (Regular Basic Course) and no deputies would be sent to a Marshals Basic Course. Marshals' offices generally have established the Regular Basic Course as a "condition of employment."

4. Marshals need the patrol content in the Regular Basic Course because of the on-view incidents encountered by deputy marshals as they perform particularly, their field assignments. Marshals indicate that without the patrol content of the Regular Basic Course, counties would be subject to increased vicarious liability.

5. Marshals believe a Marshals Basic Course would result in a loss of professional status and comradery.

6. The Marshals Basic Course requirement would result in the Marshal's inability to hire the pre-employment, already-trained student. The Regular Basic Course has an unknown but growing percent of non-employed graduates and to the degree these persons are hired it saves POST and counties training costs. A Marshals Basic Course is not likely to have very many pre-employment students.

8. The Marshals Basic Course requirement would result in higher student travel and per diem costs to POST because there would necessarily have to be fewer course presentations and presenters, whereas there are Regular Basic Courses located in commuting distance from most marshals' offices. The infrequency of presenting a Marshals Basic Course would pose a hardship on marshals' offices while the Regular Basic Course would provide timely training. Marshals offices would not be able to use deputy marshals as peace officers until they were trained if the training were required prior to assignment.

8. There may be difficulty in getting presenters for the Marshals Basic Course due to the community college program growth limitation.

9. The Marshals Basic Course would require a substantial and ongoing POST staff commitment to maintain another basic course.

10. The marshals question the sampling strategy used in the job analysis for deputy marshals and believe the results would have been different had POST surveyed only those deputies assigned to field duties. They point out that deputy marshals assigned to court bailiff and prisoner security duties do not encounter the patrol-type incidents which would justify the Regular Basic Course.

ATTACHMENT C

MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS

Proposed Language: Commission Regulations

1005. Minimum Standards for Training

(a) Basic ~~Course~~ Training (Required)

~~Penal Code Section 832.3 requires that peace officers of cities, counties and districts complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. The course of training approved by the Commission is the Basic Course. Penal Code Section 832.3 further provides that peace officers who have not completed an approved course may exercise the powers of a peace officer while participating in a field training program approved by the Commission on Peace Officer Standards and Training.~~

(1) Every regular officer ~~and marshal or deputy marshal of a municipal court~~, except those participating in a POST-approved field training program, shall ~~be required to~~ satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the prevention and detection of crime and the general enforcement of state laws.

Requirements for the Basic Course are set forth in the POST Administrative Manual, Section D-1-3, (adopted effective April 15, 1982), herein incorporated by reference.

Agencies that employ regular officers may assign newly appointed sworn personnel as peace officers for a period not to exceed 90 days from date of hire, without such personnel being enrolled in a Basic Course, if the Commission has approved a field training plan submitted by the agency and the personnel are full-time participants therein.

Requirements for a POST-approved Field Training Program are set forth in PAM, Section D-13.

(2) Every regularly employed and paid inspector and investigator of a district attorney's office as defined in Section 830.1 P.C. who conducts criminal investigations, except those participating in a POST-approved field training program, shall be required to satisfactorily meet the training requirements of the Specialized Basic Investigators Course or may elect to satisfactorily meet the training requirements of the Basic Course before being assigned duties which include performing specialized enforcement or investigative duties.

Requirements for the Specialized Basic Investigators Course are set forth in PAM, Section D-12 and PAM Section, respectively.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: MARSHALS' REQUEST TO PARTICIPATE IN THE REGULAR CERTIFICATE PROGRAM		Meeting Date: April 27-28, 1983
Bureau: Compliance & Certificate	Reviewed By: Brooks Wilson	Researched By: Wilson/Farnsworth
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-12-83	Date of Report: March 30, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should marshals and deputy marshals be eligible to receive regular certificates?

BACKGROUND

Marshals' officers have been eligible for participation in the Specialized Certificate Program since 1970. Many agencies have been participating without benefit of reimbursement, and their qualified officers have been issued POST Specialized Certificates. In 1981, they were successful in having legislation passed making them eligible for reimbursement from the Peace Officer Training Fund. Based on eligibility for reimbursement, they anticipated and requested to participate in the Regular Certificate Program.

In the past, all reimbursable agencies have been issued regular certificates. Agencies which gained reimbursement status through legislation earlier were considered to be "general law enforcement" agencies and were placed in the Regular Certificate Program. Due to the more limited function of marshals' officers, the Commission delayed a decision pending further study, including a job analysis. At the January 1983 Commission meeting, staff was instructed to prepare for a public hearing on this issue at the April 1983 meeting. A copy of the Public Hearing Notice is Attachment A.

A job analysis has been completed and indicates that Marshals departments perform different law enforcement functions than do police and sheriff departments, however, they are all included in P.C. 830.1.

ANALYSIS

Regular certificates are now awarded on the basis of:

1. Satisfaction of minimum selection standards.
2. Completion of the Basic Course
3. Completion of one year of satisfactory service in a general law enforcement agency.

Marshals and deputy marshals are subject to the same selection standards as those now receiving regular certificates. The opportunity for marshals to attend the basic course voluntarily as part of their entry-level training standard is before the Commission for decision.

Even though marshals may meet the same selection and training standards as do others receiving the regular certificate, the experience to be obtained in their agencies is different from other agencies in the regular certificate program.

Marshals have submitted that their duties now encompass enforcement responsibilities, and relate strongly to those of police officers and deputy sheriffs. They cite service of criminal warrants as a key responsibility that of course involves many arrests and lead to enforcement action where other crimes are discovered.

Assuming that Deputy Marshals continue to complete the regular basic course, the key factor regarding eligibility for the regular certificate program would be the nature of experience received in Marshals' departments.

It would appear most appropriate for the Commission to resolve this matter with consideration of its decision on the related training standard issue, and with consideration to written and verbal input to be received at the hearing.

Commission On Peace Officers Standards And Training

NOTICE OF PUBLIC HEARING

PROFESSIONAL CERTIFICATES FOR MARSHALS AND DEPUTY MARSHALS

Notice is hereby given that the Commission on Peace Officers Standards and Training (POST), pursuant to the authority vested by Section 13506 of the Penal Code and to interpret, amend, and make specific Sections 13503, 13506, 13510, 13510.1, 13510.5, 13522, 13523, and 13524 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Administrative Code. A public hearing to adopt the proposed amendments, will be held before the full Commission on:

Date: Wednesday, April 27, 1983
Time: 10:00 a.m.
Place: Holiday Inn, Holidome
Sacramento, California

INFORMATIVE DIGEST

The purpose of this hearing is to determine whether Commission Regulations and Procedures should be amended to change participating marshals and deputy marshals from the POST Specialized Certificate Program to the POST Regular Certificate Program.

Marshals' departments have been eligible for participation in the Specialized Certificate Program since 1970. Many of the agencies employing marshals and deputy marshals have participated in the POST Program (Participation requires adherence to hiring and training standards set by POST.) without the benefit of reimbursement and qualified officers have been issued POST Specialized Basic Certificates.

In the past, all reimbursable agencies have been issued regular certificates. Other agency types have achieved reimbursable status through legislation and were subsequently placed in the Regular Certificate Program, and are considered to be "general law enforcement" agencies. In 1982, legislation was enacted making agencies employing marshals and deputy marshals eligible for reimbursement from the Peace Officer Training Fund. Based on their agency's eligibility for reimbursement, marshals and deputy marshals anticipated and requested to participate in the Regular Certificate Program.

Marshals and deputy marshals are considered to have a more limited function than those agencies currently participating in the Regular Certificate Program. The Commission delayed a decision on the program designation pending further study, including a job analysis of the district attorneys' investigators function. At the January 27, 1983 Commission meeting, POST staff was instructed to prepare for a public hearing on this issue at the April 28, 1983 Commission meeting.

No recommendation between the following two alternatives has been made, pending a decision by the Commission after the hearing.

Alternative #1. Retain the existing certificate programs, Regular and Specialized, and continue to issue specialized certificates to marshals and deputy marshals.

Alternative #2. Retain the existing certificate programs but transfer marshals and deputy marshals into the Regular Certificate Program for certificate issuance.

The following amendments to Commission Regulations and Procedures are proposed to implement the certificate program change if so approved:

Amend Regualtion 1001(t), which defines a regular officer, to include marshals or deputy marshals of a municipal court.

Amend Regulation 1001(y), which defines a specialized peace officer, to delete the marshal classes.

Amend Regulation 1015(a), which provides for reimbursement, to include agencies employing marshals or deputy marshals in the Regular Program reference and to delete these departments in the reference to specialized peace officer classification.

Amend Commission Procedure F-1-2a, which defines eligibility for award of a certificate, to add marshals' departments to agencies eligible for the Regular Program Certificate.

Amend Commission Procedure F-1-4e, which defines experience acceptable for a Regular Program Certificate, to include experience as a marshal or deputy marshal as a qualification for award of a Regular Program Certificate.

INFORMATION REQUESTS

Notice is hereby given that any person interested may present statements or arguments in writing revelant to the action proposed. Written comments are requested to be submitted to the Commission on Peace Officer Standards and Training, P.O Box 20145, Sacramento, CA 95820-0145, no later than April 18, 1983, and will be accepted through the date of the hearing.

The Commission on POST has prepared a Statement of Reasons for the proposed action and the information on which it is relying in proposing the above action.

Copies of the Statement of Reasons and the exact language of the proposed regulations may be obtained at the hearing or prior to the hearing upon request from the Commission. Inquiries concerning the proposed action may be directed to Patricia Cassidy at (916) 739-5348.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, the Commission on POST may adopt the proposed regulation if it remains substantially the same as described in the Informative Digest. The Commission on POST may make changes to the regulation before adopting. The text of any modified regulation must be made available to the public at least 15 days before the agency adopts the regulation. A request for the modified text should be addressed to the agency official designated in the notice. The Commission on POST will accept written comments on the modified regulation for 15 days after the date on which the text is made available.

FISCAL IMPACT

The Commission on POST has determined that no savings or increased costs to any state agency, no reimbursable or non-discretionary costs or savings under Section 2231 of the Revenue and Taxation Code to local agencies or school districts, and no costs or savings in federal funding to the state will result from the proposed regulation. The Commission has also determined that the proposed regulation does not impose a mandate on local agencies or school districts under Revenue and Taxation Code Section 2231, and will involve no significant cost to private individuals and businesses.

HOUSING COST IMPACT STATEMENT

The proposed regulations will have no effect on housing costs.

SMALL BUSINESS IMPACT STATEMENT

The proposed regulations will have no adverse economic impact on small businesses.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: PUBLIC HEARING - DISTRICT ATTORNEY INVESTIGATORS BASIC TRAINING STANDARD		Meeting Date: April 27, 1983
Bureau: Training Program Services	Reviewed By: Glen Fine	Researched By: Hal Snow HS
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-6-83	Date of Report: February 28, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [X] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

A public hearing on the proposal to specify minimum basic training requirements for inspectors and investigators of a district attorney's office as approved by the Commission at its January 27, 1983 meeting.

BACKGROUND

Since January 1970, the basic training requirement for DA's Investigators has been the Specialized Basic Investigators Course or alternatively, the regular Basic Course.

As a result of Senate Bill 201 of 1981 making counties that employ DA's Investigators eligible for POST reimbursement, the Commission directed, at its January 1982 meeting, that staff conduct a job analysis in order to determine the appropriate basic training requirement. The results of the job analysis were reported at the October 1982 Commission meeting. Staff's preliminary analysis at that time revealed differences and similarities between the tasks performed by patrol officers of police/sheriffs departments and those of DA's Investigators. Based on results of the job analysis, staff preliminarily recommended: (1) continuation of the existing training requirements, and (2) add a requirement for DA's Investigators, who satisfy the alternative basic training requirement of the regular Basic Course, to complete a POST-certified course on criminal investigation. These tentative recommendations were tabled by the Commission at that time.

Since the October 1982 Commission meeting, further research into the appropriate basic training standard has occurred. In addition to the Job Task Analysis, other significant variables affecting the training standard were considered such as: (1) past and present District Attorney hiring practices of investigators, (2) practicalities of training delivery, (3) fiscal impact alternatives, and (4) field input on the job analysis and training needs of DA's Investigators.

On December 8, 1982, staff met with a 14-member group of District Attorneys, District Attorney Investigators, Association representatives, and trainers to consider the appropriate basic training standard including the above issues.

The group unanimously recommended that the basic training requirement be completion of the regular Basic Course, to be completed prior to assignment, and an 80-hour Investigation and Trial Preparation Course to be completed within one year of appointment. The arguments advanced for this recommendation by the group are described in Attachment B.

At the January 27, 1983 Commission meeting, the Commission approved a staff recommendation to bring this issue to this public hearing, Attachment A is POST Bulletin 83-3 announcing this public hearing.

ANALYSIS

Staff has analyzed the input from the District Attorney and DA's Investigators and the results of the POST Job Analysis. The results, previously transmitted to the Commission, in summary conclude that:

> "(1) A significant number of the Patrol Officer Basic Course Performance Objectives are not relevant for the position of DA's Investigators, and
>
> (2) Performance Objectives which are not part of the current Patrol Officer Basic Course are necessary to fully prepare entry-level DA's Investigators."

Staff believes the methodology and results of the job tasks analysis are based upon an objective and scientific approach. The results reflect the responses of 329 DA's Investigators and 104 supervisors of DA's Investigators. Approximately 60% of the incumbents and 85% of the supervisors in the participating agencies were surveyed. It is our conclusion from these results that the job of a DA's Investigator is different from that of a Patrol Officer. Therefore, the mandated minimum content of basic training should be different. The basic training requirement for DA's Investigators should be training that addresses the 259 core tasks identified for the DA's Investigator position including (1) 167 Patrol Officer core tasks from the 1979 Patrol Officer survey and (2) 92 DA's Investigators unique core tasks that are not part of the Patrol Officer core tasks. This should be the basic training requirement for DA's Investigators.

With this conclusion in mind, staff developed a District Attorney Investigators Basic Course, which is outlined in Attachment C, proposed revised Regulation 1005(a) and Procedure D-1. The proposed basic training standard addresses the 259 core tasks identified for DA's Investigators. In developing the District Attorney Investigators Basic Course, it was necessary for staff to include or not include content based upon the results of the job analysis and judgments about what DA's Investigators "should know or be able to do." Judgments were also made in comparing job tasks with learning goals of the regular Basic Course and in estimating how many instructional hours were needed for each subject. These judgments resulted in the addition of subject matter beyond what the job analysis indicated.

In establishing the District Attorney Investigators Basic Course as the basic training requirement, other factors have to be considered. DA's Investigators are currently employed almost exclusively (95%) or 60 per year statewide from the ranks of police and sheriffs' departments whose officers have completed the regular Basic Course. There is reason to question the practicality of developing and maintaining the District Attorney Investigators Basic Course for

those 60 trainees nor the 5-6 trainees who now complete the Basic Specialized Investigators Course annually. To require DA's Investigators who have previously completed the regular Basic Course to also complete the District Attorney Investigators Basic Course would result in a major duplication of training and an unnecessary expense to POST and local government.

The existing Basic Courses (Regular Basic and Basic Specialized Investigators Course) must be considered as vehicles to provide training for DA's Investigators. The advantages and disadvantages of each include:

The Basic Specialized Investigators Course is a 220-hour course including P.C. 832 Arrest and Firearms. It is general in nature and contains many of the same subjects as the regular Basic Course with the exception of patrol and traffic. The course is designed for and attended almost exclusively by State-agency investigators who are highly specialized investigators often performing regulatory and inspectional duties. On the other hand, DA's Investigators perform more general criminal investigation duties, none of which are regulatory/inspectional. There are numerous subjects relevant to the training needs of DA's Investigators that are not part of this course but are contained in the regular Basic Course, e.g. Criminal Investigation. Virtually none of the 92 unique tasks performed by DA's Investigators are addressed by this course. This course is offered only 2-3 times per year. To make the Basic Specialized Investigators Course an acceptable alternative to satisfy the entry-level training needs of DA's Investigators would require substantial additions. These additions would generally not be relevant to the training needs of specialized investigators, primarily from State agencies, who are the primary course attendees. Staff has determined that the State-investigative agencies who send trainees to the course are by in large satisfied with the curriculum in its present form. Contrary to staff's previous recommendations, we now believe the Basic Specialized Investigators Course should not be considered as an acceptable alternative for satisfying the basic training needs of DA's Investigators.

The regular Basic Course is a minimum 400-hour course that is designed primarily for patrol officers. It contains some subject matter not relevant to DA's Investigators, e.g., Patrol and Traffic. However, approximately 75% of the course is relevant to the training needs of DA's Investigators. Few of the unique tasks performed by DA's Investigators are addressed by this course. This course is offered over 100 times per year.

With the exception of unique tasks, the regular Basic Course is considered the only acceptable alternative for meeting the entry-level training requirement for DA's Investigators. As indicated by staff in recommending the District Attorney Investigators Basic Course as the basic training requirement, the unique or investigative tasks identified in the job analysis should also be a part of the basic training requirement. Attachment D is the 80-hour Investigation and Trial Preparation Course and is designed to meet the unique training needs for DA's Investigators. This course curriculum has been developed as a result of a meeting with District Attorneys on February 24, 1983. The investigation content is from the perspective of the DA's Investigator in preparing for trial. Completion of the regular Basic Course is a recommended prerequisite. Since the course can be considered Job Specific, salary reimbursement would apply. It is anticipated that existing DA's Investigators and perhaps some police/sheriff detectives may wish to attend the course. Staff believes that the course should be completed within one year from the date of employment, while completion of the regular Basic Course must

be prior to assignment to duties which include performing specialized enforcement or investigative duties.

Staff recommends that the basic training requirement for DA's Investigators be revised to include the District Attorney Investigators Basic Course but that the requirement may be satisifed by completing the regular Basic Course plus the 80-hour POST-certified Investigation and Trial Preparation Course. The proposed revisions to POST Regulation 1005(a) and PAM Procedure D-1 are Attachment C. Because of the lack of demand and identified training delivery issues, it is recommended that the District Attorney Investigators Basic Course not be actually developed and offered at this time.

Additionally, the results of this study of DA Investigator training indicates a need for further staff study of the Universal Basic Course with required module courses depending on the kind of duties performed by broad categories of peace officers, e.g., Patrol, Specialized Investigation, Marshal, DA's Investigator, etc. Staff will continue to explore this concept and its potential for improvements in the future delivery of basic training.

FISCAL IMPACT

The estimated annual fiscal impact of the staff recommendation is:

1.	For the estimated 6 DA's Investigators who complete the Basic Course (6 @ $1,413) (not a new cost to POST)	$ 8,478
2.	For the estimated 66 DA's Investigators to complete the 80-hour POST-certified Investigation and Trial Preparation course (66 at $400)	$26,400
	Total Annual Cost	$34,878

This fiscal impact assumes application of current rules to reimbursement for attendance at these courses. It is assumed from discussion at prior meetings that Commissioners may wish to take action on the matter of maximum reimbursement.

RECOMMENDATION

Subject to input at the public hearing, approve effective July 1, 1983, proposed revisions to Commission Regulation 1005(a) and Commission Procedure D-1 (per attached) to:

1) specify the minimum basic training standard for inspectors and investigators of a district attorney's office, as the District Attorney investigators Basic Course,

2) permit completion of the Basic Course to satisfy the standard and delete the Basic Specialized Investigators Course as an alternative means for satisfying the training standard, and

3) require in addition, the completion of a certified Investigations and Trial Preparation Course.

Attachments

A. POST Bulletin 83-3
B. Arguments Presented by District Attorneys and DA's Investigators in Support of the Regular Basic Course Plus an 80-Hour Investigation and Trial Preparation Course
C. Proposed Regulation Changes
D. Course Outline - Investigation and Trial Preparation

ATTACHMENT A

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

March 4, 1983

Bulletin 83-3

SUBJECT: PUBLIC HEARINGS:

1. MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS.

2. MINIMUM BASIC TRAINING STANDARDS FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS.

Public hearings will be conducted by the Commission on Peace Officer Standards and Training at its April 27, 1983, 10:00 a.m., meeting at the Holiday Inn, Holidome, Sacramento, for the purpose of receiving comments on the issues shown above.

A brief summary of each issue follows:

1. MINIMUM BASIC TRAINING STANDARDS FOR MARSHALS AND DEPUTY MARSHALS.

The Commission is proposing that the minimum basic training standards for marshals and deputy marshals shall be satisfactory completion of the proposed Marshals Basic Course (proposed Commission Procedure D-1-5). As an alternative, the Commission is proposing that the marshals and deputy marshals minimum basic training standard may be met by satisfactory completion of the regular Basic Course, plus the completion of an 80-hour POST-certified Bailiff and Civil Process Course.

As an interim standard since coming into the reimbursable program in January 1982, marshals and deputy marshals have been required to complete the POST regular Basic Course. Marshals and deputy marshals have urged the Commission to mandate the regular 400-hour Basic Course as the standard, and have expressed a desire to continue attendance at the regular Basic Course.

2. MINIMUM BASIC TRAINING STANDARDS FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS.

The Commission is proposing that the minimum basic training standard for inspectors and investigators of a district attorney's office shall be satisfactory completion of the proposed District Attorney's Investigators Basic Course (proposed Commission Procedure D-1-4). As an alternative, the Commission is proposing that the basic training standard for inspectors and investigators of a district attorney's office may be met by satisfactory completion of the regular Basic Course or an upgraded specialized Basic Investigators Course, plus the completion of an 80-hour POST-certified Investigation and Trial Preparation Course.

As an interim standard since coming into the reimbursable program in January 1982, district attorney inspectors and investigators have been required to complete the POST regular Basic Course or the Specialized Basic Investigators Course.

District attorneys and district attorney investigators have urged the Commission to mandate the regular 400-hour Basic Course as the standard. They have expressed strong dissatisfaction with the 220-hour Specialized Investigators Course and point out that the great majority of district attorney invesigators are former experienced/trained regular officers who perform duties similar to police and sheriffs' detectives.

The attached Notices of Public Hearing, required by the Administrative Procedures Act, provide details concerning the proposed changes and provide information regarding the hearing process. Inquiries concerning the proposed actions may be directed to Patricia Cassidy at (916) 739-5348.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachments

Commission On Peace Officer Standards And Training

NOTICE OF PUBLIC HEARING

MINIMUM BASIC TRAINING STANDARDS FOR
DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Notice is hereby given that the Commission on Peace Officers Standards and Training (POST), pursuant to the authority vested by Section 13506 of the Penal Code and to interpret, amend, and make specific, Sections 13503, 13506, 13510, and 13510.5, of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title II of the California Administrative Code. A public hearing to adopt the proposed amendment, will be held before the full Commission on:

Date: Wednesday, April 27, 1983
Time: 10:00 a.m.
Place: Holiday Inn, Holidome,
Sacramento, California

INFORMATIVE DIGEST

Existing law requires the Commission on Peace Officer Standards and Training to adopt minimum standards for the recruitment and training of peace officer members of specified entities. With the passage of Senate Bill 201, district attorney investigators and inspectors were added to Penal Code Section 13510 for such purposes.

Currently, district attorney inspectors and investigators are required to complete the POST regular Basic Course. A statewide job task analysis was conducted which provided evidence that a substantial portion of the regular Basic Course is relevant to the duties of district attorney inspectors and investigators; however, there are also numerous tasks unique to only district attorney inspectors and investigators that are not covered in the Basic Course.

The following proposed amendments to Commission Regulations and Commission Procedures establish the minimum basic training standards for district attorney investigators and inspectors, in accordance with the provisions of amended Penal Code Section 13510:

Amend Commission Regulation 1005(a)(2), which specifies minimum basic training standards for inspectors and investigators of a district attorney's office, to specify that the minimum standard is the satisfactory completion of the training requirements of the District Attorney Investigators Basic Course, and that the minimum basic training standard may be met by the satisfactory completion of the training requirements of either the Basic Course or the Specialized Basic Investigators Course, plus the satisfactory completion of a Certified Investigation and Trial Preparation Course.

Amend Commission Regulation 1005(a)(4) which provides for minimum basic training for specialized peace officers, to make minor language changes for clarity and consistency.

Amend Commission Procedure D-1 to add Section 1-4, to include course content and hours for the District Attorney Investigators Basic Course, as the minimum basic training standard for investigators and inspectors of a district attorney's office.

INFORMATION REQUESTS

Notice is hereby given that any person interested may present statements or arguments in writing revelant to the action proposed. Written comments are requested to be submitted to the Commission on Peace Officer Standards and Training, P. O. Box 20145, Sacramento, CA 95820-0145, no later than April 18, 1983, and will be accepted through the date of the hearing.

The Commission on POST has prepared a Statement of Reasons for the proposed action and the informaton on which it is relying in recommmending the proposed action.

Copies of the Statement of Reasons and the exact language of the proposed regulations may be obtained at the hearing or prior to the hearing upon requests from the Commission. Inquiries concerning the proposed action may be directed to Patricia Cassidy at (916) 739-5348.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, the Commission on POST may adopt the proposed regulation if it remains substantially the same as described in the Informative Digest. The Commission on POST may make changes to the regulation before adopting. The text of any modified regulation must be made available to the public at least 15 days before the agency adopts the regulation. A request for the modified text should be addressed to the agency official designated in the notice. The Commission on POST will accept written comments on the modified regulation for 15 days after the date on which the text is made available.

FISCAL IMPACT

The Commission on POST has determined that no savings or increased costs to any state agency other than POST, no reimbursable or non-discretionary costs or savings under Section 2231 of the Revenue and Taxation Code to local agencies or school districts, and no costs or savings in federal funding to the state will result from the proposed regulation. The Commission has also determined that the proposed regulation does not impose a mandate on local agencies or school districts under Revenue and Taxation Code Section 2231, and will involve no significant cost to private individuals and businesses.

It is anticipated that the cost to POST for implementation of this program will not exceed $35,000 per year for which funds are available.

HOUSING COST IMPACT STATEMENT

The proposed regulations will have no effect on housing costs.

SMALL BUSINESS IMPACT STATEMENT

The proposed regulations will have no adverse economic impact on small businesses.

ATTACHMENT B

ARGUMENTS PRESENTED BY DISTRICT ATTORNEYS AND DA'S INVESTIGATORS IN SUPPORT OF THE REGULAR BASIC COURSE PLUS AN 80-HOUR INVESTIGATION AND TRIAL PREPARATION COURSE

1. District Attorney Investigators must investigate and perform trial preparation duties that include all criminal and traffic offenses. They must necessarily evaluate police activities and preliminary investigations conducted by other peace officers. Even though DA's Investigators do not directly perform some patrol tasks, as verified by the job task analysis, they report that they must have prerequisite knowledge about them in order to conduct investigations and trial preparation.

2. The most prevalent (95%) hiring practice of District Attorneys' offices is to employ already regular basic trained officers and detectives from police and sheriffs' departments. Even though the Basic Specialized Investigators Course has been available for many years, DA's Offices have self-imposed a higher standard and chosen to have more broadly trained and experienced investigators. Less than 10 DA's Investigators have annually been sent to the Basic Specialized Investigators Course, while approximately 60 are employed annually with regular basic training.

3. The Basic Specialized Investigators Course is designed to be general in nature and is not geared to meet the special training needs of DA's Investigators. Because of the minimal number of trainees from DA's offices, the course was designed primarily to accommodate the training needs of State agency investigators. The job analysis reveals that the course does not include some of the broad criminal and civil investigative trial preparation duties of DA's Investigators. Some DA's offices have already successfully implemented supplementary training of their regular basic trained investigators. For example, the Los Angeles County DA's Office has a 120-hour course for new investigators.

4. The necessary interagency cooperation between DA's offices and other law enforcement agencies is fostered by commonly shared training. In some counties, DA's Investigators are called upon to assist in local investigations of crimes freshly committed.

5. Investigation of officer misconduct, one of the most sensitive DA's Investigators tasks, requires knowledge of police procedures and practices only acquired from regular basic training and police experience.

6. The fiscal impact of the proposed training requirement will be nominal (estimated $34,878/year)in increased POST reimbursement for approximately 60 investigators to complete the 80-hour Investigation and Trial Preparation Course. There will be negligible costs for requiring the Regular Basic Course because most recruit investigators have already been basic trained.

MINIMUM BASIC TRAINING STANDARDS FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Proposed Language: Commission Regulations

1005. Minimum Standards for Training

(a) Basic Course (Required)

Penal Code Section 832.3 requires that peace officers of cities, counties and districts complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. The course of training approved by the Commission is the Basic Course. Penal Code Section 832.3 further provides that peace officers who have not completed an approved course may exercise the powers of a peace officer while participating in a field training program approved by the Commission on Peace Officer Standards and Training.

(1) Every regular officer and marshal or deputy marshal of a municipal court, except those participating in a POST-approved field training program, shall be required to satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the prevention and detection of crime and the general enforcement of state laws.

Requirements for the Basic Course are set forth in the POST Administrative Manual, Section D-1-3, (adopted effective April 15, 1982), herein incorporated by reference.

(2) Every regularly employed and paid as such inspector ~~and~~ or investigator of a district attorney's office as defined in Section 830.1 P.C. who conducts criminal investigations, except those participating in a POST-approved field training program, shall be required to satisfactorily meet the training requirements of the ~~Specialized~~ District Attorney Investigators Basic ~~Investigators~~ Course, PAM Section D-1-4. ~~or may elect to~~ The standard may be satisfactorily ~~meet~~ met by successful completion of the training requirements of the Basic Course or the Specialized Basic Investigators Course before being assigned duties which include performing specialized enforcement or investigative duties. The satisfactory completion of a certified Investigations and Trial Preparation Course, PAM, Section D-1-4, is also required within 12 months from the date of appointment as a regularly employed and paid as such inspector or investigator of a District Attorney's Office.

Requirements for the ~~Specialized Basic~~ District Attorney Investigators Basic Course and the Specialized Basic Investigators Course are set forth in PAM, ~~Section D-12 and PAM~~ Section D-1-4 and D-12, respectively.

MINIMUM BASIC TRAINING STANDARDS FOR
DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Proposed Language: Commission Regulations

1005. Minimum Standards for Training (continued)

(3) Regular Program agencies may assign newly appointed sworn personnel as peace officers for a period not to exceed 90 days from date of hire, without such personnel being enrolled in the Basic Course, if the Commission has approved a field training plan submitted by the agency and the personnel are full-time participants therein.

Requirements for POST-approved Field Training Programs are set forth in PAM, Section D-13.

(4) Every specialized officer, except marshals, deputy marshals, and regularly employed and paid as such inspectors ~~and~~ or investigators of a district attorney's office, shall satisfactorily meet the training requirements of the Basic Course, PAM, Section D-1, within 12 months from the date of appointment as a regularly employed specialized peace officer; or for those specialized agency peace officers whose primary duties are investigative and have not satisfactorily completed the Basic Course, the chief law enforcement administrator may elect to substitute the satisfactory completion of the training requirements of the Specialized Basic Investigators Course, PAM, Section D-12.

MINIMUM BASIC TRAINING STANDARDS FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Proposed Language: Commission Procedure D-1

Procedure D-1-3 was incorporated by reference into Commission Regulation 1005 on April 15, 1982. A public hearing is required prior to revision of this directive.

BASIC COURSE

Purpose

1-1. Specifications of Basic Course: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(a) of the Regulations which relate to Basic Training.

Training Methodology

1-2. Basic Course Training Methodology: The standards for the Basic Course are the Performance Objectives contained in the document "Performance Objectives for the POST Basic Course." This document is part of a dynamic basic course training system designed for change when required by new laws or other circumstances. Supporting documents, although not mandatory, that complete the system are the POST Basic Course Management Guide and Instructional Unit Guides (58).

a. Performance objectives are divided into mandatory and optional objectives. Mandatory objectives must be achieved as dictated by the established success criteria; whereas optional objectives may be taught at the option of each individual academy. No reimbursement for optional performance objective training will be granted unless they conform to the adopted performance objectives standards.

b. Training methodology is optional.

c. Tracking objectives by student is mandatory; however, the tracking system to be used is optional.

d. A minimum of 400 hours of instruction in the Basic Course is required.

Content and Minimum Hours

1-3. Basic Course Content and Minimum Hours: The Performance Objectives listed in the POST document "Performance Objectives for the POST Basic Course" are contained under broad Functional Areas and Learning Goals. The Functional Areas and Learning Goals are descriptive in nature and only provide a brief overview of the more specific content of the Performance Objectives. The Basic Course contains the following Functional Areas and minimum hours. Within the framework of hours and functional areas, flexibility is provided to adjust hours and instructional topics with prior POST approval.

MINIMUM BASIC TRAINING STANDARDS FOR
DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Proposed Language: Commission Procedure D-1

~~1-4.~~ Functional Areas:

a.	Professional Orientation	10 hours
b.	Police Community Relations	15 hours
c.	Law	45 hours
d.	Laws of Evidence	15 hours
e.	Communications	15 hours
f.	Vehicle Operations	15 hours
g.	Force and Weaponry	40 hours
h.	Patrol Procedures	105 hours
i.	Traffic	30 hours
j.	Criminal Investigation	45 hours
k.	Custody	5 hours
l.	Physical Fitness and Defense Techniques	40 hours

~~1-5.~~ Examinations: 20 hours

~~1-6.~~ Total Minimum Required Hours 400 hours

1-4. District Attorney Investigators Basic Course Content and Minimum Hours:

The District Attorney Investigators Basic Course contains the following Functional Areas and minimum hours. Within a functional area, flexibility is provided to adjust hours and instructional topics with prior POST approval. District attorneys basic training may be met by satisfactory completion of the training requirements of the Basic Course or the Specialized Basic Investigators Course, plus the satisfactory completion of a certified Investigation and Trial Preparation Course.

Functional Areas:

	a.	Professional Orientation	10 hours
	b.	Police Community Relations	15 hours
	c.	Law	45 hours
	d.	Laws of Evidence	15 hours
	e.	Communications	15 hours
	f.	Vehicle Operations	4 hours
	g.	Force and Weaponry	40 hours
	h.	Custody	5 hours
	i.	Physical Fitness and Defense Techniques	40 hours
*	j.	Field Techniques	60 hours
*	k.	Criminal Investigation and Trial Preparation	45 hours
*	l.	Specialized Investigation Techniques	30 hours
*	m.	Civil Process	20 hours

MINIMUM BASIC TRAINING STANDARDS FOR
DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Proposed Language: Commission Procedure D-1

Examinations	20 hours
Total Minimum Required Hours	350 hours

* Functional Areas that form the basis for the POST-certified 80-hour Investigation and Trial Preparation Course.

ATTACHMENT D

COMMISSION ON PEACE OFFICER
STANDARDS AND TRAINING

Course Outline

COURSE TITLE: Investigation and Trial Preparation

MINIMUM INSTRUCTION HOURS - 80

PREREQUISITE - Successful Completion of The Regular Basic Course or the Basic Specialized Investigator's Course.

PURPOSE

This course is designed to update, refresh, and orient the peace officer who has been, or is about to be, transferred to the investigative staff of a District Attorney's Office. It will also be of interest to law enforcement officers who wish to improve their proficiency in the subject.

The course must be completed within one year of the student's employment as a District Attorney's Investigator.

TOPICAL OUTLINE

1.0	Legal Obligations of the DA's Office	(1 Hr.)
2.0	History, Authority, and Use of Grand Jury	(1 Hr.)
3.0	Court Processes and Motions	(3 Hrs.)
4.0	Role of the D.A. Investigator	(1 Hr.)
5.0	Sources of Information, Its Use, and Controls	(4 Hrs.)
6.0	Witness Management	(3 Hrs.)
7.0	Specialized Investigative Techniques	(4 Hrs.)
8.0	Investigative Aids (Legal Principles)	(4 Hrs.)
9.0	Interviewing/Interrogating	(6 Hrs.)
10.0	Evidence	(7 Hrs.)
11.0	Warrants	(6 Hrs.)
12.0	Special Cases	(1 Hr.)

13.0	Civil Process	(1 Hr.)
14.0	Survey of Related Agencies	(1 Hr.)
15.0	Case Preparation	(3 Hrs.)
16.0	Nonuniformed Officer Safety	(10 Hrs.)
17.0	DA's Office Security	(1 Hr.)
18.0	Special Investigations	(20 Hrs.)
	Course Administration and Testing	(3 Hrs.)
	Total	80 Hours

LEARNING GOALS

1.0 Legal Obligations of the District Attorney's Office
Learning Goals: The student will understand:

1.1 The Penal Code mandates that pertain to the office of the District Attorney.

2.0 Role of the District Attorney Investigator
Learning Goals: The student will understand:

2.1 The transition from the police mentality to the prosecutor's mentality; the police car to the law office and court; the hot scene to the cold scene.

2.2 Agency investigative duties and functions.

2.3 Relationships with other units and agencies.

2.4 Ethical considerations.

2.5 Relationships with the news media. (Note: The student will write a press release describing progress in a simulated investigation).

3.0 History, Authority and Use of The Grand Jury
Learning Goals: The student will understand:

3.1 What the Grand Jury can do, what it cannot do, and how the District Attorney's Investigator can make use of its investigative authority.

4.0 Court Processes and Motions
Learning Goals: The student will understand:

4.1 Motion to return property or suppress evidence (1538.5 PC).

4.2 Motion to set aside; delay in final ruling (995 PC).

4.3 Habeus Corpus proceedings.

4.4 Bail review hearings.

4.5 Marsden hearings.

4.6 Change of venue hearings.

4.7 Jury Selection.

4.8 Death penalty and expert witness voir dire.

4.9 Bifurcated phases of death penalty trials.

4.10 Classification of offenses motions (17 PC).

4.11 Probation (1203 PC et. seg.).

4.12 Disposition of Evidence.

4.13 Bail (1268 PC, et. seg.).

4.14 Competency hearing (1368 PC).

4.15 Sentencing, Parole, and Revocation (Morrisey) hearings.

4.16 Motions for continuance (Due diligence).

4.17 Demand for trial (1381 PC)

5.0 Sources of Information, Control, and Use
Learning Goals: The student will understand how to obtain information from:

5.1 Records of other agencies including automated systems.

5.2 Criminal Intelligence Units.

5.3 Witnesses and informants.

5.4 Financial records including their location and their admissability.

6.0 Witness Management

Learning Goals: The student will understand how to:

6.1 Identify and locate witnesses (due dilignece)

6.2 Conduct a background check.

6.3 Arrange for the appearance of a witness:

A. Uniform Witness Act
B. Out of State Witness
C. Witness in Mexico or Canada. Formal and informal processes.

6.4 Encourage the relucant witness.

6.5 Win the confidence of the victim/witness.

6.6 Protect the witness (Witness protection program).

6.7 Obtain the expert witness.

7.0 Specialized Investigative Techniques

Learning Goals: The student will understand:

7.1 Surveillance techniques including the use of optical, photo, and electronic equipment and the legality of their use.

7.2 Undercover techniques.

7.3 Analytical techniques:

A. Visual Investigative Analysis
B. Link Analysis.

8.0 Investigative Aids

Learning Goals: The student will understand the legal principles concerning the use of:

8.1 The Lineup. (Note: Conduct a simulated lineup, or video presentation, in class.)

8.2 The photo lineup.

8.3 The field showup.

8.4 Hypnosis.

8.5 The polygraph.

9.0 Interviewing/Interrogation

Learning Goals: The student will understand:

9.1 The latest legal update.

9.2 Miranda update.

10.0 Evidence

Learning Goals: The student will understand:

10.1 The Evidence Code.

10.2 Proposition 8 implications relating to the Evidence Code.

10.3 Admissability of evidence.

10.4 Legal aspects:

A. Consent
B. Corroboration
C. Impeachment
D. Rebuttal
E. Transcripts
F. Privilege
G. Hearsay and exceptions
H. Best evidence

10.5 Classification of evidence

10.6 Physical Evidence:

A. Handling
B. Laboratory capabilities
C. Scientific aids
D. Storage and release procedures (Long term evidence management)

11.0 Warrants

Learning Goals: The student will undersatnd:

11.1 The complaint.

11.2 The arrest warrant:

A. Felony complaint.
B. Bench.

11.3 The Search Warrant:

A. Elements
B. Filing
C. Service and return

D. Special master
E. Telephonic

(Note: Each student will write an affadavit and a search warrant in class.)

12.0 Civil Process
Learning Goals: The student will understand:

12.1 The Code of Civil Procedure.

12.2 Service of the Summons.

12.3 Service of the Supoena Duces Tecum.

13.0 Survey of Related Agencies
Learning Goals: The student will understand:

13.1 Which public agencies, such as law enforcement and regulatory agencies, may be of assistance to the DAI.

13.2 Which private agencies, such as the Better Business Bureau, Credit Agencies, and Dunn & Bradstreet, may be of assistance to the DAI.

14.0 Case Preparation
Learning Goals: The student will understand:

14.1 Report Writing for investigators.

14.2 How to prepare the prosecution summary.

14.3 How to prepare exhibits/demonstrations:

A. Models
B. Photos, including aerial photos
C. Video
D. Diagrams and maps

15.0 Nonuniformed Officer Safety
Learning Goals: The student will understand:

15.1 Arrest techniques.

15.2 Observation techniques.

15.3 Felony vehicle stops.

15.4 Building searches.

15.5 Prisoner search, handcuffing, and transportation.

15.6 Persons under the influence of alcohol/drugs.

15.7 Mentally deranged persons.

16.0 Security for District Attorney's Office
Learning Goals: The student will understand:

16.1 How to provide office security

17.0 Specific Investigations
Learning Goals: The student will understand:

17.1 Family law:

A. Welfare fraud
B. Failure to provide
C. Child stealing

17.2 Major frauds such as embezzlement.

17.3 Consumer fraud.

17.4 Crimes against the person:

A. Homicide
B. Sexual assault/child abuse

17.5 Crime against the court:

A. Perjury
B. Subornation of perjury
C. Witness intimidation
D. Falsification of evidence
E. Conspiracy to obstruct justice
F. Jury tampering

17.6 Misconduct of public officers:

A. Election Code violations
B. Theft of public funds
C. Bribery
D. Conflict of interest
E. Complaints against law enforcement

17.7 Officer involved incidents (includes jail deaths) Note: Discuss issues--not specific policies, such as, routinely taking blood sample of officer involved in a homicide, taking officer's firearm, and sealing scene for later reenactment of incident. (See attached check list).

18.0 Common Defenses and Trial Problems

Learning Goals: The student will understand:

18.1 How to identify, anticipate, and counteract defenses such as:

A. Sanity
B. Alibi
C. Witness statements
D. Physical evidence
F. Expert witnesses

Note: Simulate a complete mock trial including jury selection, motions, and more common defenses. Recommend video presentation.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title DISTRICT ATTORNEY INVESTIGATORS' REQUEST TO PARTICIPATE IN REGULAR CERTIFICATE PROGRAM		Meeting Date April 27-28, 1983
Bureau Compliance and Certificate	Reviewed By BW Brooks Wilson	Researched By Wilson/Farnsworth
Executive Director Approval Norman C. Boehm	Date of Approval 4-12-83	Date of Report March 30, 1983

Purpose:
[X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should district attorney investigators receive regular certificates?

BACKGROUND

District attorney investigators have been eligible for participation in the Specialized Program since 1970. Many agencies have been participating without benefit of reimbursement, and many officers have been issued specialized certificates. In 1981, they were successful in passing legislation making them eligible for reimbursement from the Peace Officer Training Fund. Based on eligibility for reimbursement, they anticipated and requested to participate in the Regular Certificate Program.

In the past, all reimbursable agencies have been issued regular certificates. Agencies which gained reimbursement status through legislation earlier were considered to be "general law enforcement" agencies and were placed in the Regular Certificate Program. Due to the more limited function of district attorney investigators, the Commission delayed a decision on certificates pending further study, including a job analysis. At the January 1983 Commission meeting, staff was instructed to prepare for a public hearing on this issue at the April 1983 meeting. A copy of the Public Hearing Notice is Attachment A.

ANALYSIS

The job analysis has been completed and indicates that district attorney investigators perform more limited tasks than do general law enforcement officers, although a parallel can be found with general law enforcement agency staff assigned to specialized investigative units.

Regular certificates are now awarded on the basis of:

1. Satisfaction of minimum selection standards.
2. Completion of the Basic Course
3. Completion of one year of satisfactory service in a general law enforcement agency.

District attorney investigators are subject to the same selection standards as those now receiving regular certificates. The matter of their required entry-level training course is before the Commission for decision. Their expressed preference is to continue to complete the same basic course as do officers now receiving the regular certificate.

Even though they may meet the same selection and training standards as do others receiving the regular certificate, their experience is somewhat different. It is important to note, however, that the majority of district attorney investigators are recruited from general law enforcement agencies, have general law enforcement experience, and have been issued a regular basic certificate. They represent a different situation than an officer who is recruited from a specialized agency or without any law enforcement experience. A reasonable case can be made for issuance of regular intermediate and higher certificates to investigators with general law enforcement background. They normally will have completed POST basic training and possess regular basic certificates which were based on a year's general law enforcement experience. The additional training and experience on which the higher certificates are based are parallel to that of a detective in a police or sheriff's department who receive regular certificates.

Subject to input to be received at the hearing, it would appear reasonable under the circumstances to grant regular certificate program eligibility to all officers in the district attorney investigative units who have completed the regular basic course.

Commission On Peace Officers Standards And Training

NOTICE OF PUBLIC HEARING

PROFESSIONAL CERTIFICATES FOR DISTRICT ATTORNEY INVESTIGATORS AND INSPECTORS

Notice is hereby given that the Commission on Peace Officers Standards and Training (POST), pursuant to the authority vested by Section 13506 of the Penal Code and to interpret, amend, and make specific Sections 13503, 13506, 13510, 13510.1, 13510.5, 13522, 13523, and 13524 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Administrative Code. A public hearing to adopt the proposed amendments, will be held before the full Commission on:

Date: Wednesday, April 27, 1983
Time: 10:00 a.m.
Place: Holiday Inn, Holidome
Sacramento, California

INFORMATIVE DIGEST

The purpose of this hearing is to determine whether Commission Regulations and Procedures should be amended to change participating district attorney investigators and inspectors from the POST Specialized Certificate Program to the POST Regular Certificate Program.

District attorney investigation departments have been eligible for participation in the Specalized Certificate Program since 1970. Many of the agencies employing district attorney investigators and inspectors have participated in the POST Program (Participation requires adherence to hiring and training standards set by POST.) without the benefit of reimbursement and qualified officers have been issued POST Specialized Basic Certificates.

In the past, all reimbursable agencies have been issued regular certificates. Other agency types have achieved reimbursable status through legislation and were subsequently placed in the Regular Certificate Program, and are considered to be "general law enforcement" agencies. In 1982, legislation was enacted making agencies employing district attorney investigators and inspectors eligible for reimbursement from the Peace Officer Training Fund. Based on their agency's eligibility for reimbursement, district attorney investigators and inspectors anticipated and requested to participate in the Regular Certificate Program.

District attorney investigators and inspectors are considered to have a more limited function than those agencies currently participating in the Regular Certificate Program. The Commission delayed a decision on the program designation pending further study, including a job analysis of the district attorney investigator's function. At the January 27, 1983 Commission meeting, POST staff was instructed to prepare for a public hearing on this issue at the April 28, 1983 Commission meeting.

No recommendation between the following two alternatives has been made, pending a decision by the Commission after the hearing.

Alternative #1. Retain the existing certificate programs, Regular and Specialized, and continue to issue specialized certificates to district attorney investigators.

Alternative #2. Retain the existing certificate programs but transfer district attorney investigators into the Regular Certificate Program for certificate issuance.

The following amendments to Commission Regulations and Procedures are proposed to implement the certificate program change if so approved:

Amend Regualtion 1001(t), which defines a regular officer, to include a regularly employed and paid inspector or investigator of a district attorney's office.

Amend Regulation 1001(y), which defines a specialized peace officer, to delete the district attorney investigator or investigator classes.

Amend Regulation 1015(a), which provides for reimbursement, to include district attorney departments in the Regular Program reference and to delete these departments in the reference to specialized peace officer classification.

Amend Commission Procedure F-1-2a, which defines eligibility for award of a certificate, to add district attorney departments to agencies eligible for the Regular Program Certificate.

Amend Commission Procedure F-1-4e, which defines experience acceptable for a Regular Program Certificate, to include experience as district attorney investigator or inspector as a qualification for award of a Regular Program Certificate.

INFORMATION REQUESTS

Notice is hereby given that any person interested may present statements or arguments in writing revelant to the action proposed. Written comments are requested to be submitted to the Commission on Peace Officer Standards and Training, P.O Box 20145, Sacramento, CA 95820-0145, no later than April 18, 1983, and will be accepted through the date of the hearing.

The Commission on POST has prepared a Statement of Reasons for the proposed action and the information on which it is relying in proposing the above action.

Copies of the Statement of Reasons and the exact language of the proposed regulations may be obtained at the hearing or prior to the hearing upon request from the Commission. Inquiries concerning the proposed action may be directed to Patricia Cassidy at (916) 739-5348.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, the Commission on POST may adopt the proposed regulation if it remains substantially the same as described in the Informative Digest. The Commission on POST may make changes to the regulation before adopting. The text of any modified regulation must be made available to the public at least 15 days before the agency adopts the regulation. A request for the modified text should be addressed to the agency official designated in the notice. The Commission on POST will accept written comments on the modified regulation for 15 days after the date on which the text is made available.

FISCAL IMPACT

The Commission on POST has determined that no savings or increased costs to any state agency, no reimbursable or non-discretionary costs or savings under Section 2231 of the Revenue and Taxation Code to local agencies or school districts, and no costs or savings in federal funding to the state will result from the proposed regulation. The Commission has also determined that the proposed regulation does not impose a mandate on local agencies or school districts under Revenue and Taxation Code Section 2231, and will involve no significant cost to private individuals and businesses.

HOUSING COST IMPACT STATEMENT

The proposed regulations will have no effect on housing costs.

SMALL BUSINESS IMPACT STATEMENT

The proposed regulations will have no adverse economic impact on small businesses.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title PROGRESS REPORT - CERTIFICATE ENHANCEMENT STUDY		Meeting Date April 28, 1983
Bureau Compliance and Certificate Bureau	Reviewed By Brooks Wilson	Researched By Wilson/Farnsworth
Executive Director Approval Norman C. Boehm	Date of Approval 4-12-83	Date of Report March 28, 1983
Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report	Financial Impact	☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

1. Should work continue on the Certificate Enhancement study?

2. Should local public meetings be held to gather input on the issues involved in the study?

BACKGROUND

At its April 15, 1982 meeting, the Commission directed staff to study ways to strengthen the POST certificate programs and to report its findings at the October 1982 meeting.

At the October 22, 1982 meeting, a report was submitted which recommended that the Commission:

1. Approve a public hearing to adopt expanded revocation provision.

2. Approve a public hearing to adopt requirements for a certificate renewal/refresher course which would be required of both certified and non-certified officers who had a three-year break-in-service.

3. Approve the concept of a certificate retention requirement for currently employed officers and direct staff to complete further study.

The issue was tabled at the October meeting. At the January 27, 1983 meeting, as a result of a report from the Long Range Planning Committee, staff was directed to solicit input from the field on the issue and to inquire if interest exists in a series of public meetings on the subject.

This has been done. A copy of the questionnaire which was submitted to the chief executive of each agency in the POST program is included as Attachment A.

ANALYSIS

Response has been good with a high percentage of questionnaires returned. Tabulation shows overwhelming support for expanded revocation and for the renewal/refresher training requirement. Notwithstanding the level of support, several strong letters of opposition were received. Those writing expressed a concern that the certificate would become a license, as well as some negative feelings regarding the nature, length, and cost of the training required. See Attachment B for Statistical summary of responses and copies of letters received.

The following summarizes responses and suggestions from administrators on each issue:

Issue 1. Expand Certificate Revocation to Include Selected Misdemeanor Convictions. Over ninety percent of those responding to the questionnaire on this issue favor this action. There were some suggestions relative to either adding or deleting crimes, and questions regarding the need for hearings or appeals. Additional crimes that were suggested for inclusion in the list were drunk driving, possession of marijuana, and falsifying evidence.

Issue 2. Certificate Renewal/Refresher Course Requirements. The majority opinion of those responding to the questionnaire favored this proposal. Some of those in favor cited the need for flexiblity in application; some respondents also felt that it should be the department's responsibility to provide this training. Some of those expressing negative feelings wanted to know more about course content and availability, costs, staffing, and need.

Issue 3. Certificate Retention Requirements. Over ninety percent of those responding were favorable to this issue, but ten percent of these approvals felt some changes were needed. Most of their concerns related to the nature and availability of the training, and the length of the break in service.

It is apparent that the field favors proceeding with Issues 1 and 3. More work needs to be done before proceeding with Issue 2, the requirement for a periodic training course to retain certification.

A majority favors local public meetings on certificate enhancement, however, the primary concern remains with Issue 2 on the renewal/refresher course.

Appropriate actions for the Commission to consider at this time are:

1. Whether to direct staff to continue work in this area, and

2. Whether to conduct local public meetings prior to taking formal steps toward certificate enhancement.

STATE OF CALIFORNIA
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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
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BUREAUS
Administrative Services
(916) 739-5354
Compliance and Certificates
(916) 739-5377
Information Services
(916) 739-5340
Management Counseling
(916) 322-3492
Standards and Evaluation
(916) 322-3492
Training Delivery Services
(916) 739-5394
Training Program Services
(916) 739-5372
Course Control
(916) 739-5399
Professional Certificates
(916) 739-5391
Reimbursements
(916) 739-5367
Resource Library
(916) 739-5353
Center for Executive Development
(916) 739-5328

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

March 7, 1983

Dear Department Head:

The Commission, as a result of last year's hearings on licensing of peace officers, has been studying ways to strengthen the Basic Certificate. During last year's hearings, many administrators urged that the certificate be strengthened as an alternative to licensing legislation.

Based on the field suggested POST study, which includes widespread input, several proposed changes have been presented to the Commission. The Commission would like to know how law enforcement executives feel about these proposals before moving ahead.

We have enclosed a questionnaire explaining the proposals, along with a return envelope. The questionnaire is brief, and we would appreciate it if you would complete it personally. If you need more information to respond, a report on the issue is available to you by calling (916) 739-5377.

Thank you for your assistance.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Enclosure

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

QUESTIONNAIRE

POST Basic Certificate Enhancement

(To be completed by Respondent)
Department _____

Chief Administrator _____
(signature)

Date _____

The Commission, as a result of last year's hearings on licensing, has been studying ways to strengthen the Basic Certificate. Based on the study, which includes widespread input, staff has proposed several changes to the Commission. The Commission would like to know how law enforcement executives feel about these proposals before moving ahead on any. The changes to be considered are outlined below. If needed, a copy of the report on this subject can be obtained by calling (916) 739-5377.

Proposal 1- Additional Revocation Provisions

There appears to be support for expansion of revocation provisions beyond the current legally required provisions for felony convictions. Many felony charges against officers are reduced by the courts to misdemeanor convictions. Accordingly, a list of specific crimes has been developed as additional grounds for revocation. These include misdemeanors and felonies which may be punished as misdemeanors. They include:

P.C. 118, 118a, 127, 128, 129, perjury - F/M

P.C. 147, inhumanity to a prisoner - M

P.C. 272, contributing to the delinquency of a minor - F/M

P.C. 290, registration as a sex offender (not subject to P.C. 290.5 rehabilitation provision) - F/M

P.C. 337, bribery for gambling purposes - F

P.C. 459, burglary - F/M

P.C. 484 to 514 inclusive, theft and embezzlement - F/M

P.C. 518 to 527 inclusive, extortion - F/M

H & S 11350 to 11355, relating to drugs - F/M

H & S 11358, marijuana cultivation - F

H & S 11359, possession for sale - F

H & S 11361, sale to minors - F

H & S 11358, marijuana cultivation - F

H & S 11359, possession for sale - F

H & S 11361, sale to minors - F

If this proposal was adopted, the major impact would be certificate revocation for felony offenses which are punished as misdemeanors; and revocation for conviction of misdemeanor theft and sex crimes.

Please check the item below which describes your opinion on this proposal.

( ) I am in favor of the proposal

( ) I am against the proposal

( ) I cannot offer an opinion without more information

( ) I am in favor of the proposal with the following changes (additions or deletions):

_____

_____

_____

Proposal 2- Certificate Retention

It has also been suggested that retention of the Basic Certificate be contingent on periodic training designed specifically for this purpose. A new course could be developed, or the Advanced Oficer Course with more specific required content could be used. No specific new requirement has been proposed, but the Commission has directed further study of this concept. If such a concept was implemented, one major impact would be cancellation of certificates of individuals who did not complete periodic in-service training.

Please check the item below which describes your opinion on this concept.

( ) I am in favor of the concept

( ) I am against the concept

( ) I cannot offer an opinion without more information

( ) I am in favor of the concept with the following suggestions:

_____

_____

_____

Proposal 3- Certificate Renewal

Currently, certificated officers with a break in service are not required to demonstrate competency upon re-employment. Non-certificated officers, even though trained, are required to requalify by passing the Basic Course Waiver Exam if there has been a break in service of three years or more. It is contemplated that both certificated and non-certificated trained officers returning after a three-year break in service, be required to attend a refresher course. The existing waiver exam process would not be required of officers attending the refresher course.

The major impact of the proposal would be the required refresher training for certificated officers who re-enter the occupation after a 3-year or greater absence.

Please check the item below that describes your opinion on this proposal.

( ) I am in favor of the proposal

( ) I am against the proposal

( ) I cannot offer an opinion without more information

( ) I am in favor of the proposal with the following changes(additions or deletions):

_____

_____

_____

Statewide Meetings Regarding Certificate Enhancement

It has been suggested that a series of small meetings be held statewide to hear testimony as was done for the licensing proposal. Please check one of the items below.

( ) I am in favor of POST holding a series of informal statewide meetings on the subject.

( ) I think the required formal public hearing will be sufficient for input.

Please return the completed questionnaire in the enclosed envelope by March 30, 1983. If you need additional information, please contact Brooks Wilson at (916) 739-5377.

RESPONSES TO BASIC CERTIFICATE ENHANCEMENT QUESTIONNAIRE

Proposal One - Additional Revocation Provisions

(1)	I am in favor of the proposal	310
(2)	I am against the proposal	18
(3)	I cannot offer an opinion without more information	21
(4)	I am in favor of the proposal with the following changes (additions or deletions):	40

Proposal Two - Certificate Retention

(1)	I am in favor of the concept	165
(2)	I am against the concept	84
(3)	I cannot offer an opinion without more information	75
(4)	I am in favor of the concept with the following suggestions:	72

Proposal Three - Certificate Renewal

(1)	I am in favor of the proposal	326
(2)	I am against the proposal	26
(3)	I cannot offer an opinion without more information	11
(4)	I am in favor of the proposal with the following changes (additions or deletions):	29

Statewide Meetings Regarding Certificate Enhancement

(1)	I am in favor of POST holding a series of informal statewide meetings on the subject.	244
(2)	I think the required formal public hearing will be sufficient for input.	144

STATE OF CALIFORNIA
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Center for Executive Development
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GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

March 28, 1983

(This form letter was mailed in response to the following letters.)

Roger Lee Roberts
Sheriff-Coroner, Glenn County
543 West Oak
Willows, CA 95988

Dear Sheriff Roberts:

Thank you for your letter regarding the questionnaire on the subject of enhancement of the Basic Certificate. I have recently met with Sheriff Roy Whiteaker, the President of the Sheriffs' Association, and discussed our mutul concerns in this area. A copy of my letter to Sheriff Whiteaker is enclosed.

We understand and appreciate your concern. Your views will be presented to the Commission at their next meeting.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Directorr

Enc.

Sheriff-Coroner of Glenn County
Willows, California 95988
916-934-4631 or 916-865-2313
Willows Orland

March 14,1983

Roger Lee Roberts
Sheriff - Coroner

H. T. Lewis
Undersheriff

COMMISSION ON POST
MAR 16 10 41 AM '83

Mr. Norman C. Boehm
Executive Director
Commission of Peace Officer Standards and Training
P.O. Box 20145
Sacramento, Ca 95820-0145

Dear Mr. Boehm;

I have reviewed the questionnaire regarding Basic Certificate Enhancement. It appears that this is just a different approach to state licensing of Peace Officers. A proposal that I am adamantly opposed to.

With this program the local administrators would again be losing local control to the state level. In essense this is whats known as the back door approach to a program that was cut off at the front door last year.

Certificates are simply recognition for the completion of training and this proposal would simply be calling a license by a different name. I do not think that POST or anyone else should have the power to dismiss or retain an employee except the Administrator that the employee works for.

In closing I wish to restate my opposition to state licensing of Peace Officers, regardless of what title it is given. I would appreciate your passing my views on to the appropriate members of the Commission.

Sincerely,

Roger Roberts

Roger Lee Roberts
Sheriff-Coroner

SHERIFF'S DEPARTMENT

929 Bridge Street • Colusa, California 95932

B.D. "Bob" McWatters
Sheriff
Leonard Mosley
Undersheriff

PHONE 458-2115

March 10, 1983

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards & Training
P.O. Box 20145
Sacramento, Ca. 95820-0145

Dear Mr. Boehm,

I have thoroughly reviewed the proposed changes that would strengthen the Basic POST Certificate.

Unless I am badly mistaken this is merely another way of licenseing police officers in this state. I am opposed to a state controlled police and view this as an attempt to do just that. Law enforcement executives have a difficult time as it is with the restrictions placed on us at every level of government. We do not need any more restrictions.

I have been a police officer in this state for 26 years and involved with POST since its inception. Again I may be mistaken but I strongly feel that POST was developed to serve law enforcement agencies in California. I think the process has been reversed to the point that law enforcement agencies are now serving POST.

Please pass along my feelings to the Commission members.

COMMISSION ON POST
MAR 14 10 37 AM '83

Sincerely,

B.D. McWatters
Sheriff of Colusa County

BDM/kj

SHERIFF - CORONER
& PUBLIC ADMINISTRATOR

1100 "I" STREET MODESTO, CALIFORNIA 95354 TELEPHONE 571-6456

LYNN WOOD
SHERIFF - CORONER
& PUBLIC ADMIN.

March 15, 1983

Mr. Norman C. Boehm
Executive Director
Commission of Peace Officer
Standards and Training
P.O. Box 20145
Sacramento, CA 95820-0145

Dear Mr. ~~Boehm~~ Norman:

I have reviewed your letter of March 7, 1983 relative to proposed POST Basic Certificate Enhancement and I have filled out the enclosed questionnaire.

I have also received a copy of the letter sent to you by Sheriff Whiteaker dated March 8, 1983 and I must inform you that I am in basic agreement with his position in this matter. We carefully scrutinize those persons we employ and retain and we will continue to do so in the future without any state mandates or your strengthening the Basic Certificate. We have too many agencies in the federal and state governments now telling us what to do and how to do it. As long as we have the responsibility for law enforcement within our counties, it necessarily follows we also want the controls and the latitude to accomplish our tasks with the least amount of interference possible.

POST now has enough power and has done a commendable job in helping law enforcement with our training problems. It is my suggestion that POST remain in their area of expertise--training, and leave the decision making process where it belongs, with us.

Yours truly,

LYNN WOOD, Sheriff-Coroner
Stanislaus County

LW:bjb

Enclosure

COUNTY of MONO

OFFICE OF THE SHERIFF - CORONER
POST OFFICE BOX 616
BRIDGEPORT, CALIFORNIA 93517
TELEPHONE (714) 932-7451

Lloyd F. Wilson
SHERIFF-CORONER

S. L. MANN
UNDERSHERIFF

March 14,1983

Mr. Norman C. Boehm
4949 Broadway
P. O. Box 20145
Sacramento, CA. 95820-0145

RE: POST Basic Certificate Enhancement Questionnaire

Dear Mr. Boehm:

In reviewing your questionnaire of March 7,1983 in regards to the above-referenced matter, I find I must oppose all 3 proposals. The provisions set forth should rightfully be addressed by the Administrator of the Law Enforcement Agency, in this case the Sheriff.

I look upon the POST Program as a training program, not a controlling program.

Very Truly Yours,

Lloyd F. Wilson
Sheriff-Coroner

/m

County of Sutter

Roy D. Whiteaker

Sheriff - Coroner

March 8, 1983

COMMISSION ON POS
MAR 9 10 22 AM '83

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards & Training
P. O. Box 20145
Sacramento, CA 95820-0145

Dear Mr. Boehm:

Your questionnaire and proposal to strengthen the POST certificate was received and thoroughly reviewed.

I am adamantly opposed to the proposal and any other process which would remove or dilute the authority of local law enforcement administration throughout this state. The proposal presented goes beyond the mere regulation of training and into the business of administering the department and renders decisions which should be made by the head of the office or department. The decision to retain or dismiss employees should rest entirely on the law enforcement administrator, not POST.

This proposal appears to be another back door approach at state control over local law enforcement. By proposing to regulate the POST certificate, you in effect license the individual. Certificates of training should be issued for the completion of the training process or course of study and not as a means of licensing police officers. Certificate retention and revocation procedures, certificate renewal and certificate enhancement are all synonymous with state license and state mandate and all abolish local control.

Please distribute my opposition to the appropriate members of the Commission. I am certain the vast majority of my colleagues feel as strongly as I do regarding this matter.

Sincerely,

ROY D. WHITEAKER
SHERIFF-CORONER

RDW:bb

1077 CIVIC CENTER DRIVE
YUBA CITY, CALIF. 95991

PHONE 673-1253
AREA CODE 916

LOS ANGELES POLICE DEPARTMENT

DARYL F. GATES
Chief of Police

TOM BRADLEY
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone:
(213)- 485-3114
Ref#: 2.2

April 1, 1983

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
P.O. Box 20145
Sacramento, CA 95820-0145

Dear Mr. Boehm:

The Los Angeles Police Department is concerned about improving the quality of the POST Basic Certificate as an alternative to the licensing legislation.

We appreciate the opportunity to participate in the questionnaire and, offer our assistance on matters of mutual concern.

Very truly yours,

DARYL F. GATES
Chief of Police

Thomas G. Hays

THOMAS G. HAYS, Captain
Commanding Officer
Training Division

Enclosures

NEWPORT BEACH POLICE DEPARTMENT
P.O. BOX 7000, NEWPORT BEACH, CA 92660
(714) 644-3701

CHARLES R. GROSS
Chief of Police

March 17, 1983

Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
P. O. Box 20145
Sacramento, California 95820-0145

Dear Mr. Boehm:

In addition to completing the questionnaire, I would add the following comments.

I am concerned that POST certificates are taking on, or are perceived as, indicating a level of proficiency or knowledge. If this is accepted, then the whole concept of POST has been significantly modified. I am opposed to POST being the determiner (through certification) of individuals' qualifications to perform any particular law enforcement assignment.

The receipt of a POST certificate reflects nothing more than the completion of training in an approved course. Therefore, the revocation or retention of a certificate is not a means of insuring an individual's qualification to perform a law enforcement role.

The core of my concern is that the hiring or retention of an individual is solely the responsibility of the hiring agency. It would be extremely dangerous to permit this to become the role of POST.

There is no question that the establishment of minimum training standards is an appropriate role for POST, and one which that organization has performed with consumate skill.

I believe that State licensing is inimical to good law enforcement and I consider that the proposals examined in this questionnaire would make a POST certificate tantamount to a "license".

With specific reference to questions 1 and 2, I would note that the offenses listed should, in fact, justify removal by the employing agency or the refusal to hire by the individual agency. However, once received I do not believe that

it is philosophically correct to revoke a certificate which has no meaning other than to indicate the completion of a required course and subsequent field application.

I strongly endorse the concept of small, regional meetings to discuss this issue.

Sincerely,

Charles R. Gross
Chief of Police

OFFICE OF
DISTRICT ATTORNEY
BUREAU OF INVESTIGATION
Court House
P. O. Box 442 Modesto, California 95353 Tel. (209) 577-0570

DONALD N. STAHL
District Attorney

Reply to:

March 16, 1983

COMMISSION ON POS
MAR 18 10 50 AM '83

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
4949 Broadway
P.O. Box 20145
Sacramento, CA. 95820-0145

Re: Basic Certificate Enhancement

Dear Mr. Boehm:

The attached questionnaire is an amended response to my reply of March 7, 1983. I am in favor of your proposals concerning the enhancements on training and certification.

Very truly yours,

DONALD N. STAHL
District Attorney

Richard G. Esselman
Chief Investigator

RGE/im
Enclosure

STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY

OFFICE OF THE DIRECTOR
DEPARTMENT OF MOTOR VEHICLES
P. O. BOX 11828
SACRAMENTO, CA 95853
(916) 445-5281

March 17, 1983

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
P.O. Box 20145
Sacramento, CA 95820-0145

Dear Mr. Boehm:

I agree with the concept of strengthening the Basic Certificate. I have reviewed the changes you have outlined and am in favor of these proposals. My opinion is that you should move ahead and hold the suggested meetings to hear testimony on the issues.

If you have any questions, please call Roger Hagen, Chief, Division of Registration Services and Compliance Enforcement at (916) 445-6340.

Yours truly,

GEORGE E. MEESE
Director

Attachment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: POST PUBLICATION - "GUIDELINES FOR COURSE COORDINATORS AND INSTRUCTORS		Meeting Date: April 28, 1983
Bureau: Training Program Services	Reviewed By: Hal Snow HS	Researched By: Beverley Clemons BC
Executive Director Approval: Norman C. Boehm	Date of Approval: 3-22-83	Date of Report: March 2, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [ ] Yes (See Analysis per details) [X] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Release of a new POST publication, "Guidelines for Course Coordinators and Instructors." The publication is designed as a handbook to be used by coordinators and instructors of POST courses in their quest to meet POST's expectations in achieving training excellence.

BACKGROUND

The issue of course quality control and instructor development was addressed by the Symposium on Professional Issues. One of the recommendations emanating from the follow-up Task Force on Education and Training was that POST publish an "Instructor's Handbook" to be used as a guide by instructors and training institutions. At the January 1982, Commission meeting, the Commission approved the Long Range Planning Committee's recommendation to develop such a handbook. At the April 1982, meeting, the Commission received the Advisory Committee's report that the Symposium recommendations and Project Star instructional techniques be considered in course quality control processes and instructor development projects.

ANALYSIS

A preliminary report was made to the Advisory Committee in October 1982, which included a complete description of the course quality control processes performed by POST bureaus and course presenters. A draft of the proposed "handbook" was also presented to the Advisory Committee for consideration and input. In January 1983, a revised draft of the "handbook" was presented to the Basic Academy Directors at the Consortium meeting. The Directors were also given an opportunity to review the document and to provide input.

Input was received from course coordinators, instructors and POST Training Delivery Services Bureau relative to its practicality, feasibility, legality and acceptability. The document has been widely accepted by the POST training community, as evidenced by the feedback received during the refinement process.

The publication contains what POST believes are the essential elements of quality instruction, and is another step forward in the enhancement of course quality control.

The "handbook" provides guidelines for course coordinators and instructors in planning presenting, and evaluating POST training courses. A section of the "handbook" is devoted to certification guidelines, with excerpts taken from PAM, Section D-10 on how to request and present POST certified courses. Three checklists were also developed.

1) A checklist for coordinators concerning the "usual" steps involved in course planning, program development, and evaluation.

2) A checklist for instructors concerning the "usual" steps involved in preparing and presenting POST courses.

3) A checklist for evaluating instructors. This checklist is designed for use by the coordinator in evaluating new instructors and monitoring all instructors.

The use of the checklists, while recommended, is optional on the part of the coordinators and instructors.

The "handbook" is considered to be as complete as practicable, without being a "how to do manual." The items have been arranged in a chronological order from planning to final course completion. While contents may not include all of the tasks performed by each coordinator or instructor, due to individual preference or need, the document does contain those elements we feel are essential to attain training excellence.

RECOMMENDATION

The Commission approve the document, "Guidelines for Course Coordinators and Instructors," and authorize statewide distribution to training institutions and instructors.

Attachment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
PERFORMANCE OBJECTIVES CURRICULUM FORMAT		April 27, 1983
Bureau	Reviewed By	Researched By
Training Program Services	Glen Fine	Hal Snow HS
Executive Director Approval	Date of Approval	Date of Report
Norman C. Boehm	4-6-83	March 23, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact [ ] Yes (See Analysis per details) [X] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should PAM procedures be modified to delete the requirement for specifying approved and technical course curriculum in performance objective format?

BACKGROUND

POST specifies minimum course content for POST mandated courses, job specific technical courses, and certain other courses of special interest to POST. For optional POST-certified courses, presenters develop the course content which is reviewed and approved by POST staff.

POST-specified curricula have been developed in differing outline formats including topical (subject), learning goals, performance objectives, and various combinations thereof. POST-specified curriculum also varies considerably as to the degree of specificity. Staff believes the format for POST specified curricula should be standardized to the degree possible so that consistent course content guidelines can be provided to presenters.

ANALYSIS

There are varying advantages and disadvantages associated with the different formats for specifying curricula. A topical outline, which is a listing of major subjects, provides the presenter a framework describing what POST minimally expects to be covered in the course. It facilitates instructor scheduling as hours can be associated with each major topic. The disadvantage of a topical outline is that it focuses on what the instructor will present rather than what the student will be able to do as a result of the instruction.

Learning Goals are brief statements of what the student is expected to be able to do or to know. Learning Goals can be written as broadly or as narrowly as desired but usually are designed to be general statements of student performance. Their disadvantage is that standing alone, they do not assist presenters with course scheduling since hours are not usually associated with them.

Performance Objectives are statements of student performance that are measureable and by definition contain four critical elements: 1) Learner (student), 2) Description of expected behavior, 3) Conditions of Instruction and/or Evaluation, and 4) Success Criteria or level of student mastery required. Unquestionably, performance-objective based instruction is the most precise means for specifying curricula and particularly lends itself to courses that require extensive instruction in, and evaluation of manipulative skills.

Upon the recommendation of staff, the Commission previously embraced, in part, the concept of specifying curricula in performance objective format as indicated by the following: 1) mandated performance objectives for the Basic Course, effective July 1, 1978, and 2) approved in April 1980, performance objectvies for 25 technical courses designated as job specific. In addition, the Commission approved language on 1-1-81 referencing availability of performance objective curricula for POST Administrative Manual (PAM) Procedure D-6 (Job Specific Courses) and D-7 (Approved Courses), and in January 1, 1979, approved Commission Procedure D-10-4j (Statements of Policy-Certification and Presentation of Training Courses) which states, "POST staff shall actively encourage the development and use of performance objectives in all certified courses."

During the past 10 years, POST staff has gained sufficient, in-depth experience with performance objectives to conclude the following:

1. Developing course curricula in performance objectives, using sound instructional design principles, involves a substantial amount of staff time.

2. Because police training is dynamic and constantly changing, maintaining performance objectives once they are developed, also requires significant staff time. Standardizing instruction in the Basic Course using performance objectives involves continuous updating of the job task analysis, the performance objectives themselves, the Unit Guides that provide detailed guidance to instructors, test items, simulation exercises, and instructors.

3. Unless course coordinators and instructors are specifically trained in the use of performance objective based instruction, its value is minimized.

4. Unless courses are designed to evaluate students for pass/fail purposes, the value of performance objectives is also largely lost. Most POST-certified courses do not contain testing for this purpose.

5. Performance-objective based instruction creates an administrative workload for course presenters due to the need for tracking of students on each objective.

6. Performance objective based instruction for the Basic Course continues to present difficulties for POST in developing defensible and administratively workable, success criteria.

7. Course quality is more directly related to competencies of course coordinators and instructors, instruction methodologies, etc.

Specifying curricula using performance objectives for the Basic Course appears to be worthwhile, particularly since updating activities is a joint partnership between POST and the basic academies. However, for the above conclusions, there is good reason to question the utility of performance objectives for other POST-certified courses. Except for the Basic Course, staff and course presenters have found that a combination of topical outline and learning goals has been a satisfactory means for specifying curricula for POST-certified courses for which POST specifies minimum content. A detailed procedure specifying this standardized curriculum format (Internal Directive - POST-Specified Curricula) has been drafted pending Commission approval of the following proposed POST Administrative Manual (PAM) changes.

Staff is proposing that the Commission approve POST Administrative Manual changes to permit all POST-prescribed curricula, except for the Basic Course and others specified by the Executive Director, be specified in a standardized format using a combination of topical outline and learning goals. This proposal should not be viewed as a retreat from the high standards of excellence in curriculum development that POST has established. Rather, it is a step forward in specifying curricula in an achieveable and effective manner that is well accepted by course presenters.

RECOMMENDATION

Approve the following POST Administrative Manual (PAM) changes: (See Attachment A)

a. PAM D-6 (Job Specific Courses) - delete reference to curricula being available in performance objectives.

b. PAM D-7 (Approved Courses) - delete reference to performance objectives.

c. PAM D-7 (Approved Courses) - technical change denoting by footnote those approved courses satisfied by the Basic Course.

d. PAM D-10-4j (Statements of Policy - Certification and Presentation of Training Courses) - delete "POST staff shall actively encourage the development and use of performance objectives in all certified courses."

Attachments

PPWCUR

ATTACHMENT A

COMMISSION PROCEDURE D-6
Revised: January 1983

TECHNICAL COURSES

Purpose

6-1. Specifications for Technical Courses: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(f) of the Regulations for Technical Training.

Content and Minimum Hours

6-2. Technical Courses Subjects and Minimum Hours: Technical Courses may vary in length and subject matter and are designed to satisfy local needs in specialized subjects or where additional expertise is required. Subjects may include, but are not limited to, evidence gathering and processing, narcotics or juvenile delinquency control, data processing and information systems, riot control for commanders and trainers, jail operations, supervision, and management, advanced criminal investigation, crime prevention, community relations leadership, and others. The length of these courses for which reimbursement may be granted shall be determined by the Commission.

6-3. Job Specific Training: Job specific training courses are technical courses and are defined as courses of instruction which teach the basic skills required to perform sworn or non-sworn jobs in law enforcement agencies.

Training courses excluded by this definition are advanced technical courses and those courses which teach only a single skill or technique, unless it involves the entire job of an individual. Reimbursement for Job Specific Training shall be determined by the Commission. (See PAM, Section E-3)

~~6-4. Job Specific Performance Objectives: Performance Objectives guidelines for selected technical job specific courses are enumerated in the document, "Performance Objectives for the POST Technical Job Specific Courses". In order to meet local needs, flexibility in curriculum may be authorized with prior POST approval.~~

6-4. POST Prescribed Curricula: For selected technical courses, POST specifies the course curricula. Certified presenters of such courses shall use the course curriculum specified by POST. In order to meet local needs, flexibility in curriculum may be authorized with prior POST approval at least 30 days in advance of course presentation. Copies of the POST specified curricula for individual courses are available upon request from POST.

APPROVED COURSES

Purpose

7-1. Specifications for Approved Courses: This Commission procedure describes the minimum standards for approved courses as established in Commission Regulation 1005(g). State laws require the POST Commission to establish curriculum course standards for various kinds of peace officers and related groups.

Content and Minimum Hours

7-2. Standards for Approved Course Content and Minimum Hours: Approved courses shall meet the following minimum content and hours when specified. ~~Expanded course descriptions and performance objectives~~ Copies of curricula content for individual courses are available upon request from POST.

	Minimum Hours
Penal Code Section 832 Arrest and Firearms * (a)(b)	(40)

Arrest (26 hours):

A. Introduction
   1. Orientation
   2. Ethics
B. Discretionary Decision Making
C. Arrest, Search and Seizure
   1. Laws of Arrest, Search and Seizure
   2. Methods of Arrest
D. Examination

Firearms (14 hours):

A. Moral Aspects, Legal Aspects and Policy
B. Range
C. Safety Aspects (First Aid)
D. Examination

When the Arrest and Firearms Courses are presented together, only one examination is necessary.

	Minimum Hours
Penal Code Section 832.1 Aviation Security * (a)	(20)

A. Introduction and Background
B. Criminal Threat to the Aviation Industry
C. Federal Organization and Jurisdiction
D. Legal Aspects
E. Psychological Aspects
F. Passenger Screening
G. Aviation Explosives
H. Aviation Security Questions and Issues
I. Examination and Critique

Penal Code Section 832.3 Basic Course * (a)	(400)

See PAM, Section D-1

Penal Code Section 832.6 Reserve Peace Officer * (a)(b)

Module A: (40)

P.C. 832 Arrest and Firearms Course

(Module A is required for Level III, Level II, and non-designated Level I Reserve Officers.)

*(a) Certified Courses.
(b) Satisfied by the Basic Course

7-2. Standards for Approved Course Content and Minimum Hours (continued)

Minimum Hours

Penal Code Section 13510.5
State Agency Peace Officers~~*~~ (a)

The Advanced Officer Course as described in Pam, Section D-2 shall satisfy the minimum training required by PC 13510.5, per Commission action of October 1978.

Penal Code Section 13516 ~~(6)~~
Sex Crime Investigation~~*~~ (b)(d)

Preliminary Sexual Assault Investigation and Sexual Exploitation/Sexual Abuse of Children (Required part of Basic) (6)

A. Overview of Problems, Issues and Prevention Considerations
B. Sensitivity of Responding Officer
C. Treatment of Victim
D. Preliminary Investigation Procedure
E. Collection and Preservation of Evidence
F. Classroom Demonstration

Follow-up Sexual Assault Investigation~~*~~ (a)(d) (18)

~~(Optional Technical Course)~~

G. ~~A.~~ Basic Assault Investigation
H. ~~B.~~ Review Report of Preliminary Investigation
I. ~~C.~~ Re-interview the Victim
J. ~~D.~~ Investigation of the Suspect
K. ~~E.~~ Physical Evidence
L. ~~F.~~ Prosecution
M. ~~G.~~ Pretrial Preparation

Total (24)

Minimum Hours

Penal Code Section 13517
Child Abuse and Neglect~~*~~ (a)(b)(d)

(Optional Technical Course)

A. Detection
B. Investigation
C. Response
D. Procedures for determining whether or not a child should be taken into protective custody

Vehicle Code Section 40600
Traffic Accident Investigation* (a)(d)

A. Vehicle Law and Court Decisions Relating to Traffic Accidents
B. Report Forms and Terminology
C. Accident Scene Procedures
D. Follow-up and Practical Application

Civil Code Section 607f (15)
Humane Officer Firearms~~*~~ (a)

The required course is the Firearms portion of the PC 832 Course, with an examination.

~~PCP Abuse Control*~~

~~A. Introduction & Background~~
~~B. Drug/User Identification~~
~~C. Apprehension and Control of PCP Abuser~~
~~D. Legal Aspects~~
~~E. Illicit Laboratory Identification~~
~~F. Case Preparation~~
~~G. Referrals~~
~~H. Community Relations~~
~~I. Available Materials~~

~~*~~(a) Certified courses
(b) Satisfied by the Basic Course
(d) No minimum hours have been established

COMMISSION PROCEDURE D-7
Revised: ~~July 1, 1982~~
January 1983

7-2. Standards for Approved Course Content and Minimum Hours (continued)

Minimum Hours

Penal Code Section 832.6
Reserve Peace Officer* (continued)

Module B: (40)

A. First Aid & CPR
B. Role of Back-up Officer
   1. Orientation
   2. Officer Survival
   3. Weaponless Defense & Baton
   4. Traffic Control
   5. Crime Scene Procedures
   6. Shotgun
   7. Crowd Control
   8. Booking Procedures
   9. Community Relations
   10. Radio & Telecommunication
   11. Examination

(Module B is required for Level II and non-designated Level I Reserve Officers.)

Module C: (120)

A. Professional Orientation
B. Police Community Relations
C. Law
D. Communications
E. Vehicle Operations
F. Laws of Evidence
G. Patrol Procedures
H. Traffic
I. Criminal Investigation
J. Custody
K. Physical Fitness & Defensive Techniques
L. Examination

(Module C is required for non-designated Level I Reserve Officers.)

Designated Level I Reserve Officers are required to complete the POST Basic Course as described in PAM, Section D-1.

Minimum Hours

Penal Code Section 12002 (8)
Baton for Private Security (c)

A. Legal & Ethical Aspects of Force
B. Baton Familiarization and Uses
C. First Aid for Baton Injuries
D. Practical--Techniques

Penal Code Section 12403 (b) (8)
Chemical Agents for Peace Officers
Exceptions: Chemical Agent Training for California Youth Authority Field Parole Agents and local field probation officers, as described in P.C. Section 830.5 shall be the training prescribed in P.C. Section 12403.7, and certified by the Department of Justice.

A. Legal and Ethical Aspects
B. Chemical Agents Familiarization
C. Medical and Safety Aspects (First Aid)
D. Use of Equipment
E. Simulations and Exercises

Penal Code Section 12403.5 (c) (2)
Chemical Agent Training for Private Security personnel shall be the training prescribed in P.C. 12403.7 and certified by Department of Justice

A. Self Defense, History of Chemical Agents, and Aerosol Weapons
B. Effectiveness as a Self-Defense Weapon
C. Mechanics of Tear Gas Use
D. Medical Aspects of First Aid
E. Practical Use
F. Field Training and Demonstration
G. Discard of Weapons

*(a) Certified courses.
(b) Satisfied by the Basic Course
(c) Not POST certified. Public institutions currently presenting certified courses, and other as determined by the Commission, are designated to present these approved courses.
~~No minimum hours have been established.~~

CERTIFICATION AND PRESENTATION OF TRAINING COURSES

Purpose

10-1. Course Certification Program: This Commission Procedure implements the Course Certification Program established in Section 1012(a) and (b) of the Regulations, which outlines the criteria for certification and presentation of POST courses.

Standards

10-2. POST Standards for Training: A primary responsibility of the Commission is to establish minimum standards for the training of personnel in local police and sheriffs' departments that participate in POST approved training programs. In fulfilling this responsibility, POST conducts an on-going evaluation of training programs to ensure sustained quality.

Evaluation

10-3. POST Evaluation of Training: Every training course for which reimbursement is made to eligible law enforcement agencies for personnel training costs, must be certified by the Commission on Peace Officer Standards and Training. The purpose of the requirement for course certification is to evaluate those factors that justify the need for, and ensure the quality of, the training course. Factors evaluated include:

a. course content
b. qualification of instructors
c. adequacy of physical facilities
d. cost of course
e. potential clientele
f. need for course
g. time frame of course presentation
h. method of course presentation

Policy

10-4. Statements of Policy: The following statements of policy shall govern the certification of courses by the Commission on Peace Officer Standards and Training:

a. Only those courses for which there is a definable and justifiable need shall be certified. The POST training resources are directed primarily toward the development of training according to the priorities identified by a needs assessment process. The need for training which is not thus identified must be substantiated by the requester.

b. Funds allocated for training shall be expended judiciously and in the most cost effective manner possible.

10-4. Statements of Policy (continued)

c. POST staff and course presenters shall develop and use means of evaluating course effectiveness.

d. Courses shall not be certified which will be presented in conjunction with association or organizational meetings or conferences, nor shall courses be certified to associations which offer a one-time presentation if attendance is restricted to association members.

e. No course shall be certified which restricts attendance to a single agency unless the purpose of the course is for the improvement of a specific law enforcement agency, and attendance by nonmembers of that agency would jeopardize the success of the course.

f. Contracts for courses shall be awarded competitively with the training to be presented in the most cost-effective manner possible consistent with quality, cost, and need considerations.

g. Contracts for courses shall be kept to a minimum and shall be entered into only when absolutely necessary.

h. Certification of courses to out-of-state presenters shall be kept to a minimum, and only made on an exceptional basis and with Commission approval.

i. Course certification shall be made on a fiscal year basis, subject to annual review.

~~j. POST staff shall actively encourage the development and use of performance objectives in all certified courses.~~

j ~~k.~~ Training course certification and training activities shall be consistent with the Resource Management System.

Forms

10-5. Forms Used for Certification and Presentation of Training Courses: There are five forms to be used in requesting certification and in presenting a POST certified training course. The forms are:

a. The Course Certification Request Form (POST 2-103): Submitted by the course coordinator to POST and is the basis for obtaining certification of a training course.

b. The Course Budget Form (POST 2-106): Submitted with the Course Certification Request Form only if tuition is charged for the course.

c. The Course Announcement Form (POST 2-110): Submitted to obtain POST approval for the initial presentation of a specific certified course and for each separate presentation thereafter.

d. The Course Roster Form (POST 2-111): Lists names of trainees attending a given class and is submitted to POST at the conclusion of each course.

e. The Course Evaluation Form (POST 2-245): Distributed by the course coordinator on the first day of the presentation and completed at the end of the course by each trainee. The completed forms are to be collected on the last day of the course and submitted to POST with the Course Roster Form (POST 2-111).

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Center for Executive Development and Command College Progress Report		Meeting Date April 27-28, 1983
Bureau Center for Executive Develop.	Reviewed By	Researched By Ted Morton
Executive Director Approval Norman C. Boehm	Date of Approval 4-6-83	Date of Report April 1, 1983

Purpose: ☐ Decision Requested ☒ Information Only ☐ Status Report Financial Impact ☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

This information is provided to the Commission as a progress report on the Center for Executive Development and Command College.

Background

Since September, 1982, the Center staff has been developing the Command College plan for Commission approval. In addition, staff has developed and presented monthly executive and senior command officer seminars on subjects having high priorities, verified through the Executive Training Needs Assessment survey.

Analysis

Staff presented a progress report on the Center for Executive Development and Command College at the January, 1983 Commission meeting. Staff will update the Commission at the April meeting on the Training Needs Assessment Survey, the Command College Nomination and Selection Process and the continuing development of the monthly POST-presented executive and senior command officer seminars.

Recommendation

This report will provide the Commission with a progress report on the Center for Executive Development and Command College activities. No action is required.

State of California **Department of Justice**

Memorandum

: Norman C. Boehm
Executive Director

Date : April 14, 1983

Ted Morton, Chief
Center for Executive Development

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

Subject: CENTER FOR EXECUTIVE DEVELOPMENT AND COMMAND COLLEGE PROGRESS REPORT (Executive Training Needs Assessment Survey)

The POST Center for Executive Development, including the Command College, was established to help prepare administrators to manage and shape the future of law enforcement in California. Programs in planning now will enhance management skills, focus on contemporary problems and explore emerging issues that will form the executive's law enforcement future. The knowledge and experience of law enforcement executives is important to the development of the Center for Executive Development.

The questionnaire provided information to POST concerning important subjects for law enforcement executive training. The answers to the questions form the basis for the development of new training and improvement of the quality of existing training.

The questionnaire consisted of three sections. Section I contained questions concerning the future role of California law enforcement. For each question in Section I, the executive was asked to indicate the extent to which he or she agreed or disagreed each topic should be included in executive training. Section II consisted of topics of current interest and value to present responsibilities. For each question the executive was asked to indicate priority for training he or she believed to be consistent with present needs. Section III asked for information about the size of the department to assist in our analysis of the survey.

This report is prepared as a preliminary analysis of the Executive Training Needs Assessment and immediate and short-range impact on the program of the Center for Executive Development and Command College.

THE FUTURE ROLE OF LAW ENFORCEMENT

1. The respondents were asked to list topics or issues they believed would significantly affect the role of their law enforcement agency in the future. The following are the items mentioned most often:

1.	Fiscal Management	50.79%
2.	Labor Relations Management	27.78%
3.	Computer Applications	21.33%
4.	Productivity	18.65%
5.	Technology Development	15.48%

2. The respondents were asked to list obstacles in the future (next five to ten years) which might affect the efficient delivery of law enforcement services to their community:

1.	Fiscal Management	67.06%
2.	Labor Relations Management	22.62%
3.	Productivity	20.24%
4.	Criminal Justice System	18.65%
5.	Political Relationships	14.29%

3. The respondents were asked to list skills or knowledge they thought would be necessary to enable them to effectively lead their law enforcement agency in the future:

1.	Computer Applications	30.16%
2.	Fiscal Management	29.37%
3.	Organization Development	26.19%
4.	Labor Management Relations	23.81%
5.	Political Relationships	20.63%

4. The respondents were asked to list present obstacles to the efficient and effective delivery of law enforcement services to their community:

1.	Fiscal Management	43.25%
2.	Productivity	19.44%
3.	Political Relationships	19.05%
4.	Criminal Justice Systems	15.48%
5.	Community Relations	11.90%

5. The respondents were asked to list what they would need today (besides more money) to help overcome the current obstacles described in Question #4:

1.	Training	20.63%
2.	Political Relationships	19.84%
3.	Community Relations	17.46%
4.	Criminal Justice System	11.51%
5.	Fiscal Management	8.73%

THE FUTURE ROLE OF LAW ENFORCEMENT

The following scale was used for priorities on training:

(1)	(2)	(3)	(4)	(5)
Strongly Disagree	Disagree	No Opinion Neither Agree Nor Disagree	Agree	Strongly Agree

The five topics receiving the highest numerical rating were as follows:

1.	Technological Development for Public Safety	4.45
2.	Techniques for Forecasting and Long Range Planning	4.40

3.	Trends in Public Finance	4.39
4.	Trends in Community Development and Public Safety	4.35
5.	Organizational Development and Transitional Management	4.30

TRAINING PRIORITIES

Areas of interest and concern that include skills and knowledge valuable to your present assignment and organization.

Administration and Organization

1.	Fiscal Resources and Budget Management	4.40
2.	Cost Analysis and Budget Planning	4.30
3.	Organization Communication	4.27
4.	Productivity and Organization Performance	4.20
5.	Policy Planning, Development and Implementation	3.95

Leadership and Management

1.	Responsibility, Accountability and Liability	4.18
2.	Management of Change; Planning & Organizing	4.05
3.	Motivation Theory and Application	4.00
4.	Ethics and Values	3.99
5.	Team Building Strategies	3.97

Personnel Management

1.	Discipline	4.05
2.	Managing Problem Employees	4.02
3.	Work-Related Illness, Injury and Disability	3.91
4.	MOU Administration and Grievance	3.91
5.	Recruitment and Selection	3.81

Personal Skills Development

1.	Executive Communication, Verbal, Nonverbal, Written	4.18
2.	Problem Solving/Decision Making	4.00
3.	Executive Stress Management	3.78
4.	Time Management	3.70
5.	Public Appearances and Presentations	3.68

Contemporary Issues

1.	Computer Applications for Law Enforcement	4.11
2.	Community Relations	4.01
3.	Media Relations	3.70
4.	Collective Bargaining Process	3.60
5.	Unusual Occurrence Planning Management	3.57

In most of the areas on the training needs and the various functional areas mentioned, there was general agreement between the chiefs, sheriffs and city managers, except for the area of personnel management. The city managers were lower than the chiefs and sheriffs on the training needs in areas of discipline, managing problem employees and MOU administration and grievances. This would be an area where there frequently occurs disagreements between chiefs and city managers which might explain the difference in priorities due to city managers seeing that this is a responsibility of the chiefs and not the city manager.

SIGNIFICANT DIFFERENCES BETWEEN AGENCIES WITH 24 PERSONNEL AND AGENCIES OVER 200 PERSONNEL

1. Trends in Public Finance: This was a much higher priority with the smaller agencies.

2. Analysis of Social Trends (racial, ethnic): This was a much higher priority for the larger agencies.

3. Technological Developments for Public Safety: This was a much higher priority for the larger agencies.

Administration and Organization

1. Fiscal Resources and Budget Management - the smaller agencies rated this much higher than the larger agencies.

Leadership and Management

1. Management of Change, Planning and Organizing - the larger agencies rated this significantly higher than the smaller agencies.

2. Responsibility, Accountability and Liability - the smaller agencies rated this much higher than the larger agencies.

Personnel Management

1. Work Related Illness, Injury and Disability - the smaller agencies rated this higher than the larger agencies.

Personnel Skills Development

There were no significant differences.

Contemporary Issues

1. Media Relations - the larger agencies rated this higher than the smaller agencies.

2. Computer Applications for Law Enforcement - the larger agencies rated this higher than the smaller agencies.

It is important to note that the Center for Executive Development staff have already taken the initiative to design additional executive and management seminars through November, 1983, taking into account the high priorities established on training skills and knowledge for law enforcement executives and their managers. The subjects chosen for July through November are:

1. Cost Analysis for Small Agencies
2. Injury on Duty/Workman's Compensation
3. Communication Skills
4. Labor Relations
5. Fiscal Management Including a View of Consolidation of Law Enforcement Services

This report is preliminary in nature and will be followed by a much more in-depth report which will measure many of the significant issues between sizes of agencies, future and present issues, differences between city managers and chiefs, sheriffs and chiefs, and the priorities to be established by the Center for present and future training programs.

State of California **Department of Justice**

Memorandum

: Norman C. Boehm
Executive Director

Date : April 8, 1983

From : Ted Morton, Chief
Center for Executive Development
Commission on Peace Officer Standards and Training

Subject: COMMAND COLLEGE NOMINATION AND SELECTION PROCESS

POST staff has completed a study of a recommended procedure for the Nomination and Selection Process for the Command College. Staff will present a second seminar in Los Angeles on April 20-21 so that the "think tank" group assembled in October 1982 will be able to evaluate and make recommendations on the process.

The goal for the study was to develop an objective nomination and selection process for the Command College using a system that will evaluate the nominee's potential against pre-set quality standards.

Staff used as a basis for comparison the Police Chief Executive Report completed in 1976 by the International Association of Chiefs of Police, under a Law Enforcement Assistance Administration (LEAA) grant. This one-year study resulted in the identification of personal traits, professional and personal factors, and management skills, successful police executives should possess. The comparative data of private industry and public and private agencies, nationally and internationally, measure factors such as law enforcement training, education, law enforcement experience, personality, management experience, professional reputation, management training, and personal attributes such as appearance, physical fitness and age.

The POST study surveyed ten national corporations including Bank of America, Xerox, Standard Oil of California, General Electric, Transamerica, Royal Police College, Bramshill, England, Naval Post-Graduate School, and the Federal Executive Institute. In addition, studies were made of Fortune 500 companies' selection of chief executive officers by review of: Business Quarterly, Summer 1978 (factors associated with managerial success); a text on the Promotable Woman (measures skills and competencies); and Industry Week Magazine (a measure of executive qualities).

The primary questions asked of company directors of personnel, directors of human resources development and assistants to the chief executive officers were (1) what processes did they use to identify high achievers; and (2) what criteria did they use in their nomination and selection for management and executive positions.

Compilation of the information reviewed and evaluated is as follows.

FACTORS IN SELECTION OF POLICE CHIEF EXECUTIVES

Law Enforcement Training
Education
Law Enforcement Experience
Personality
Management Experience
Professional Reputation
Management Training
Personal Appearance
Physical Fitness
Age
Military Experience

The following areas are to be studied further as recommendations for the nomination process:

Part I Education-Experience-Training

Part II Management and Executive Competencies (current or potential skills)

Part III Statement of Nomination by applicant's superior (this will relate to reasons for nomination, present/potential executive capabilities, role applicant will play next 3-5 years)

Part IV Applicant's request to participate (this will relate to commitment, purposes, expectation, contributions, public interests and goals).

When the recommendations are adopted for the nomination process, applications will be submitted to POST in a formal written process on forms to be developed by staff.

SELECTION PROCESS

The selection Committee may include police executive, private industry, and university representatives and POST staff sitting in an advisory capacity.

The Committee should consist of five to seven members.

MINIMUM SELECTION CRITERIA

It is recommended that the applicant meet the following requirements:

- o Occupy senior management position
- o Have potential for promotion to chief or deputy chief in large organization
- o Currently be chief executive in an agency
- o Be willing and able to actively participate in the entire program

Staff will make further progress reports on the nomination and selection process after the completion of the April "think tank" seminar and further staff study. It is anticipated final recommendation will be submitted to the Commission at the July 1983 meeting.

The following processes are used to measure the potential of high achievers:

- Skills
- Knowledge
- Abilities
- Demonstrated or Potential Skills
  - Leadership
  - Administrative

The following processes are used in the selection of high achievers for management and executive positions:

- Personal traits
- Performance dimensions
- Behavioral dimensions
- Individual and environmental factors
- Executive and management competencies
- Self-assessment of performance and skills

Further research before a final report to the Commission for approval of the nomination and selection process will be the development of the program to relate to the following three major areas:

MANAGEMENT SKILLS FOR POLICE CHIEF EXECUTIVES

- Motivate Personnel/Maintain Moral
- Develop Subordinates into Effective Teams
- Relating to the Community
- Organize Personnel and Functions
- Administer Internal Discipline
- Maintain Internal Review and Control
- Communicate With All Levels Within the Agency
- Establish and Communicate Objectives and Priorities
- Forecast, Plan and Implement Activities
- Resolve Employee Relations Problems
- Budget and Fiscal Management
- Utilize Advanced Technology
- Coordinate Agency Activities with Other Organizations
- Secure and Manage Government-Funded Projects

TRAITS FOR POLICE CHIEF EXECUTIVES

- Integrity/Honesty
- Judgment/Common Sense
- Alert/Intelligent
- Energy/Initiative
- Flexible/Open Minded
- Ethical/Loyal
- Patience/Self Control
- Courage/Self Confidence
- Cooperative/Reasonable
- Interested/Sincere
- Forceful/Persuasive

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Status Report: Reading and Writing Standards Project		Meeting Date: April 27, 1983
Bureau: Standards and Evaluation Services	Reviewed By: John W Koller	Researched By: Richard Honey
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-8-83	Date of Report: April 5, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Standards and Evaluation Services is presently completing work on the tests, and test administration procedures, required to implement statewide reading and writing standards.

BACKGROUND

At the October 1981 meeting, the Commission unanimously passed a motion calling for statewide standards in the areas of reading and writing ability. The Commission specified both the time frame within which the regulations were to go into effect (24 months) and the means by which the standards were to be assessed (minimum passing levels on reading and writing tests developed by POST).

ANALYSIS

In order to implement the Commission action, Standards and Evaluation Services undertook a major research effort to develop and validate reading and writing tests, and to develop the procedures necessary to administer such a testing program. At this time the test development and validation phases of the project have been completed. Efforts are now being directed at the administrative aspects of the testing program.

To assist POST staff in the development and refinement of administrative procedures, staff conducted meetings with representatives of local law enforcement agencies and local personnel departments. (A list of the agencies and the individuals representing these agencies is attached.)

Concerns About The Statewide Reading and Writing Standards

At these meetings the local representatives were invited to discuss their reactions to different administrative models that could be developed by POST to implement the testing program. Based on staff analysis and input from the local representatives, a number of concerns about the standards were identified.

Some of these concerns regarded the level of achievement that the standards would require. Various agencies were concerned that the standards would be too high, thereby making recruitment difficult. A high standard could create difficulties for agencies attempting to

meet the quotas imposed by consent decrees and the goals established for affirmative action. Concerns were also expressed that the standards might be too low, thus reducing the quality of new recruits.

Other concerns focused on the administrative consequences that local agencies could experience as a result of the requirement that the applicants pass the POST tests prior to entering the local applicant flow. The concern here was that any standard that placed a part of the selection process out of the control of the local jurisdiction could adversely affect the jurisdiction's ability to hire on a timely basis.

Advantages Of The Statewide Reading and Writing Standards

There are a number of advantages that will be realized as a consequence of the implementation of statewide standards. For the first time there will be statewide uniformity in terms of entry-level reading and writing ability. By establishing a realistic minimum ability level for new recruits, the selection process can eliminate those who have a poor chance of succeeding academically in an academy. This saves the unqualified individual the time spent in a futile effort. For the agency and for POST there is a significant money savings in terms of early screening out of unqualified candidates.

The regulation also makes available to law enforcement agencies statewide a test battery that has been validated according to professional standards. The test battery is consistent with the standards established by the American Psychological Association and the standards established by The Federal Guidelines on Employee Selection Procedures.

Finally, the implementation of statewide standards should raise the achievement level of academy students. By ensuring that students possess adequate minimum levels of reading and writing ability when they enter the academy, academies can stop expending time and resources on language remediation and focus on the academy curriculum.

Status Report: Reading and Writing Standards Project

Administration and Funding Of The Statewide Standards

With regard to the implementation of the statewide standards there are two issues that remain to be resolved before the standards can be implemented: one administrative and one financial.

Regarding the administration of the test one can have either a centralized or decentralized model, or some model that combines aspects of both. In a centralized model POST would maintain possession of the tests and control of all test administration procedures (scheduling, administering, scoring, etc.). In a decentralized model the tests would be released to local jurisdictions who would administer and score the tests. The centralized system maximizes test security (an absolutely essential condition), but minimizes responsiveness to local needs. The decentralized system is sensitive to local needs but it essentially eliminates test security.

Regarding funding for the testing program there are three options: 1) the agencies could be required to fund the program, 2) the costs could be transferred to the applicant, or 3) the costs could be absorbed by POST. Again, each alternative has both positive and negative implications. If the agencies are required to fund the program, there are potential SB 90 implications. If the applicant is forced to pay, the new requirements will likely have a negative effect on the recruitment of minority applicants for whom the expense might be a problem. If POST bears the cost, the price tag would be approximately $300,000 to $400,000 per year (assuming approximately 100,000 test takers). This amount does not include the approximately $65,000 per year that will be expended on test maintenance, computer costs, travel, and staff costs regardless of the model selected.

There is one model which appears to maximize program effectiveness while minimizing the negative consequences to local jurisdictions. Administratively, this involves combining aspects of the centralized and decentralized models. Specifically, control of the test would be maintained by POST. This would enhance test security. Scheduling and test administration would be decentralized to the local jurisdictions. This would minimize the impact of the standards on local procedures. The funding for the program would be picked up by POST. POST could also establish some regional test centers around the state where individuals could, if they desired, take the tests at their own expense.

Status Report: Reading and Writing Standards Project

CONCLUSION

Unless directed otherwise, staff will continue its work to comply with the Commission's directive to implement these standards. At the July Commission meeting staff will be presenting its recommendations for the implementation of the standards and also a proposal for an October public hearing on the issue. At this time it is anticipated that staff will recommend the model where POST maintains close control over the tests and pays for the test administrations.

REPRESENTATIVES OF LOCAL JURISDICATIONS WHO PARTICIPATED IN THE MEETINGS WITH POST STAFF

Northern California

James Birmingham	Oakland P.D.
S. Jensen	Oakland P.D.
James A. Robbins	Oakland Personnel
John Theobold	San Jose Personnel
Craig Shuey	San Jose P.D.
Russ LeGault	San Jose P.D.
Ray Wong	San Francisco P.D., Consent Decree
Al Benner	San Francisco P.D.
Denise Connonier	San Francisco P.D.
Ron Jackson	San Francisco P.D.
Craig Wong	Sacramento County Personnel
Betty Prestwich	Sacramento County Personnel
Ed Doonan	Sacramento County Sheriff's Dept.
John Worcester	Sacramento City Personnel
Samuel D. Sommers	Sacramento P.D.
Richard Gregson	Sacramento P.D.
Tom Young	Contra Costa Sheriff's Dept.
Mike Ross	Contra Costa Personnel
Dave Hess	Cooperative Personnel Services

Southern California

Bev Ross	San Diego City
Dave Hall	San Diego P.D.
A. Pipkin-Allen	San Diego County
Ernest Klevesair	San Diego County Sheriff's Dept.
Jack Corindia	San Diego County Sheriff's Dept.
D.W. McClure	Los Angeles County Sheriff's Dept.
Martha Zavala	Los Angeles County Sheriff's Dept.
Anne Marrelli	Los Angeles County
Matthew Hunt	Los Angeles P.D.
Richard Mancuso	Los Angeles Personnel
Jeff Pfau	Los Angeles City Personnel
Anita Ford	Los Angeles Unified School District
Larry Hutchens	Los Angeles City Schools
Gene Brizzolara	Long Beach P.D.
Carol Moss	Long Beach Civil Service
D. Prescott	Santa Barbara County
Dick Neufeld	Santa Barbara County Personnel
Michael O. Figueroa	Riverside P.D.
Roy Lineberry	Riverside P.D.
Irv Richards	Riverside Personnel
Debbie Persi	Orange County Personnel
Norma Roberts	Orange County Personnel
Joe Harwell	Ventura Co. Sheriff's Dept.
Sharon Skeels	Ventura County Personnel
Pam Harris	Cooperative Personnel Services
Karen Coffee	Cooperative Personnel Services
Bob Hyland	Cooperative Personnel Services

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Probationary Period Performance Appraisal		Meeting Date April 27, 1983
Bureau Standards and Evaluation Services	Reviewed By	Researched By John Kohls
Executive Director Approval Norman C. Boehm	Date of Approval 4-7-83	Date of Report April 5, 1983

Purpose:
[X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue:

At the January Commission meeting, staff was directed to conduct a problem-solving/fact-finding seminar to determine the extent to which agencies are finding it difficult to defend the job-relatedness of their probationary period performance appraisal process.

Background:

Agencies must make important decisions during the probationary period regarding retention of potential future employees. To be effective and defensible, these decisions must be based upon well researched, job-related criteria of satisfactory job performance. To the extent that the criteria are not defensible and accurate, agencies face the risk of: (a) keeping unacceptable employees and rejecting acceptable ones, and (b) incurring fair employment liability.

Another problem associated with inadequate performance appraisal information is that employee selection research becomes very difficult to conduct.

Analysis:

During the month of March, POST staff met with representatives of the following California agencies:

County of San Diego
County of Los Angeles
City of Long Beach
County of Santa Barbara
City of Los Angeles
City of Riverside
City of San Diego
County of Ventura
Orange County
City of San Francisco
City of Oakland
County of Contra Costa
City of San Jose
City of Sacramento
County of Sacramento

Agenda Item - PROBATIONARY PERIOD PERFORMANCE APPRAISAL

Analysis (continued)

The meeting participants were in essential agreement concerning the following issues:

(1) The percentage of rejections during the probationary period has not been on the increase, nor is the number of rejections alarmingly high.

(2) Agencies are not aware of any increasing pressure to defend the job-relatedness of their probationary period performance appraisal process.

(3) Agencies do not think there is an urgent need for POST to become involved in this issue (e.g. through the development of a recommended or mandatory probationary period performance appraisal process).

(4) Agencies have found it difficult to establish the necessary and defensible documentation for rejections during the probationary period.

Conclusion

Standards and Evaluation Services Bureau will be continuing to meet with representatives of the above agencies throughout the course of the standards research. Staff will monitor the probationary period performance appraisal issue, and if it seems necessary at some time in the future for POST to assist agencies with regard to the probationary period performance appraisal, such a recommendation will be made at that time to the Commission.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Physical Fitness Training and Entry-Level Physical Ability Testing Projects		Meeting Date: April 27, 1983
Bureau: Standards and Evaluation Services	Reviewed By: John W Koehler	Researched By: John Berner JBB
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-7-83	Date of Report: April 5, 1983

Purpose:
[x] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

POST is currently engaged in two highly related research projects: (1) research to develop job-related physical ability standards, and (2) Commission authorized research to develop a model physical fitness training program for the Basic Course. The need exists to obtain contract services from exercise and medical specialists in conjunction with the two projects.

BACKGROUND

At the July, 1982, Commission meeting, POST staff was given authorization to begin work on the development of a physical fitness training program for Basic Course trainees. An amount not to exceed $17,500 was authorized for contract services from physicians and exercise physiologists, who would work with academy PT instructors and POST staff to develop the program. Subsequent to Commission action, POST staff met with academy PT instructors to develop specifications for the development of a request for proposal (RFP) for contract services. A detailed RFP was then developed by POST staff and was about to be issued when a freeze on new contracts was enacted by the new administration. The freeze is to remain in effect until the end of the fiscal year.

With the passage of AB 1310 (now PC 13510(b)), POST is required to develop job-related, entry-level physical ability standards by January 1, 1985. The expertise of medical and exercise specialists is also needed in conjunction with conducting the research that is planned for this project.

ANALYSIS

Because the freeze on contracts has delayed development of the physical fitness training program, and because POST must begin related research to develop entry-level standards under PC 13510(b), it would be appropriate and cost effective to merge the two projects. Expenditure of time (and therefore money) on the part of expert consultants, POST staff and academy staff would be reduced as a result of merging the two projects. If the two projects are merged, it is estimated that a total not to exceed $25,000 would be required for contract services. This estimate includes the initial $17,500 authorized by the Commission in July for development of the physical fitness training program, and an additional $7,500 for contract services needed in conjunction with PC 13510(b) research to develop entry-level standards.

Physical Fitness Training & Entry-Level
Physical Ability Testing Projects

RECOMMENDATION

(1) POST staff be authorized to merge the physical fitness training program and PC 13510(b) entry-level physical ability standards research projects.

(2) In conjunction with the combined research projects, a total of $25,000 be authorized for contract services for physicians and exercise physiologists for fiscal year 83/84.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
AUTOMATED REIMBURSEMENT - PROCEDURE CHANGES		April 27, 1983
Bureau	Reviewed By	Researched By
Information Services		Bradley W. Koch Brk
Executive Director Approval	Date of Approval	Date of Report
Norman C. Boehm	4-12-83	April 4, 1983

Purpose:
[X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [X] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

In July, 1982, the Commission authorized staff to proceed with the development of an automated reimbursement system. At the October 22, 1982 Commission meeting, after a public hearing on the issue, necessary regulation changes in Section 1005 and PAM Section E, relating to reimbursement, were approved so that work could proceed on the data processing program development necessary to implement the program.

BACKGROUND

At the October 22, 1982 meeting, the Commission adopted the staff proposals on the changes to the Regulations and Commission Procedures. The Commission was advised that when the necessary input documents were developed and procedures for their use prepared, staff would return to the Commission for approval of the revisions of PAM Sections D and E necessary to provide the policy and instructions required to implement the system.

ANALYSIS

The changes, as proposed, do not require a public hearing. Since they are changes in procedure only, the Commission's previous public hearing action authorized their development and implementation.

Minor modifications have been proposed to the previously revised Commission Procedures E-1, E-2, and E-4, and it is proposed to add a new procedure, Commission Procedure E-5, which explains the use of the Training Reimbursement Request form and provides the instructions for the completion of that form.

Commission Procedure E-3 has been revised to provide a single directive dealing with reimbursement rates which the Commission establishes annually. This directive will not be presented to the Commission at this meeting since final testing has not been completed to determine reimbursement rates to be recommended for F.Y. 1983-84. The directive and the proposed rates will be presented to the Commission for approval at their July meeting.

Minor modifications are also proposed to Section D-6, D-9, and D-10 in order to revise the instructions for completion of the Course Certification, Course Announcement, and Course Roster forms to make them compatible with the new reimbursement system. The proposed changes are attached.

(continued)

RECOMMENDATION

The requested action of the Commission is to approve the proposed additions, amendments, and deletions of the Commission Procedures as indicated on the attachments as it relates to the automated reimbursement system.

TECHNICAL COURSES

Purpose

6-1. Specifications for Technical Courses: This Commission procedure implements that portion of the Minimum Standards for Training established in Section 1005(f) of the Regulations for Technical Training.

Content and Minimum Hours

6-2. Technical Courses Subjects and Minimum Hours: Technical Courses may vary in length and subject matter and are designed to satisfy local needs in specialized subjects or where additional expertise is required. Subjects may include, but are not limited to, evidence gathering and processing, narcotics, ~~or juvenile delinquency control,~~ law enforcement procedures, data processing and information systems, riot control ~~for commanders and trainers~~, jail operations, ~~supervision, and management, advanced~~ criminal investigation, crime prevention, community relations, ~~leadership,~~ and others. The length of these courses for which reimbursement may be granted shall be determined by the Commission.

6-3. Job Specific Training: Job specific training courses are technical courses and are defined as courses of instruction which teach the basic skills required to perform ~~sworn or civilian~~ peace officer or non-peace officer jobs in law enforcement agencies. Training courses excluded by this definition are advanced technical courses and those courses which teach only a single skill or technique, unless it involves the entire job of an individual. ~~Reimbursement for Job Specific Training shall be determined by the Commission. (See PAM, Section E-3)~~

6-4. Job Specific Performance Objectives: Performance Objectives guidelines for selected technical job specific courses are enumerated in the document, "Performance Objectives for the POST Technical Job Specific Courses". In order to meet local needs, flexibility in curriculum may be authorized with prior POST approval.

#36841

FIELD MANAGEMENT TRAINING

Purpose

9-1. Field Management Training: This Commission procedure implements that portion of the minimum standards for training established in Section 1005(i) of the Regulations for Field Management Training. Field Management Training is a training technique designed to assist in the development and implementation of procedural and operational changes, or in the solution of specific problems within law enforcement agencies which cannot be addressed by other available training programs. The Commission provides for financial assistance to participating departments to send their personnel to other California law enforcement agencies or places having outstanding programs in order to observe or to participate in on-the-job training.

Participation

9-2. Who May Participate: Particular attention is to be given, in approval of Field Management Training requests, to management rather than operational aspects of the functions to be addressed by training. Normally, training is limited to those persons with management responsibilities. In special circumstances, however, and on an individual basis, POST may approve Field Management Training in operational subjects for management or operational personnel.

9-3. Request for Participation: In order to participate in Field Management Training, the department head ~~chief or sheriff~~ must submit to POST an Application for Field Management Training, POST Form 2-268. (See Page 9-3.)

Approval

9-4. Approval of Training Applications: If ~~alternate, applicable means of~~ training courses are ~~presently~~ available, they must be used rather than Field Management Training. Field Management Training trips to be reimbursed by POST must not be initiated by the requesting agency until approved by POST. A letter expressing approval or disapproval will be sent by POST to the requesting agency.

~~9-5. Limited Expenditures: Field Management Training is subject, in addition to the previous limitations set forth, to a spending limit based upon the allocation of expenditures set annually by the Commission. In granting requests for approval of Field Management Training, POST shall assign first priority to those requests for this training which are designed to impact the management needs of the requesting agency.~~

COMMISSION PROCEDURE D-9
Revised: July 1, 1983

Training Schedule

9-65. Schedule of Field Management Training: Arrangements for visits to the agencies concerned may be scheduled by POST, the requesting agency, or by mutual arrangement. The itinerary for the training exercise must be approved by the Chief, Management Counseling Services Bureau.

9-76. Training Limits: Field Management Training is limited to a maximum of five days for any one training experience. Exceptions may be granted for longer periods of time if deemed appropriate by POST.

Field Management Implementation Training

9-7. Additional Training: Subsequent to a field management training visit, when additional training is necessary for the implementation of the examined project, and it is not cost effective to send additional personnel for this training to the agency that was visited, the Commission may provide financial assistance to facilitate the travel of training personnel (from the agency that was visited) to the agency implementing the new project.

Reports

9-8. Evaluation Report ~~of Training~~ Required: Before reimbursement ~~claims~~ requests will be processed, the requesting agency must submit an Evaluation Report ~~a report~~ to POST ~~preferably~~ using POST Form 2-257 (see Page 9-4). The content of the report must ~~be pertinent and~~ describe the degree of accomplishment of the objectives of the trip. In addition, the report must specifically evaluate the effectiveness of the Field Management Training in contributing to the solution of the problem or addressing the matter being studied. ~~The report must be submitted to POST with or prior to the submission of the claim for reimbursement. (See PAM, Section E-1-3-g.)~~

Reimbursement

~~9-9. Reimbursement Claims. Eligible claims for reimbursement of training expenses for Field Management Training are paid under Plan IV. Claims for reimbursement must be received by POST within 90 days after completion of the training if they are to be paid without reduction. (See PAM, Section 1015(b).)~~

4:686

10-21. Intructions for Completion of Course Certification Request (continued)

22. Texts and Reference Material: List text books or other reference material to be used.

23. Required Project: Describe briefly, any required project.

24. Method of Evaluating Stated Objectives: State briefly, how achievement of course objectives will be evaluated, e.g., written examination, performance examination, critique, etc.

25. Name and Title of Person Requesting Course Certification: Self-explanatory.

26. Date of Request: Self-explanatory.

Instructions for Completion of Form 2-106

10-22. Instructions for Completion of Course Budget Form (POST 2-106): The Course Budget Form is submitted only for tuition-type and contract training programs. See PAM Section D 10-7 for tuition guidelines.

Course Announcement Process

10-23. Procedures Required For Presentation of a Course: Course coordinators who wish to present a course of instruction which has been previously certified by POST must prepare and submit a Course Announcement form (POST 2-110). The course shall not be presented until the Form has been approved by POST and returned to the course coordinator. ~~Relating to Course Announcement Form (POST 2-110): For the purpose of reimbursement from the California Peace Officers' Training Fund, no course certified by POST shall be presented without first having a Course Announcement Form (POST 2-110) approved by POST.~~

~~a. Procedures:~~

~~(1) Course Announcement Form (POST 2-110)~~
~~(2) Course Outline~~
~~(3) Hourly Distribution Schedule~~
~~(4) Names and resumes of all new instructors that were not submitted in the Course Certification~~

b.a. Deadline for Submission: The Course Announcement form must be submitted to POST:

(1) At least 30 calendar days prior to the offering of the course described, if the course was previously approved at time of course certification.

(2) At least 90 calendar days prior to the offering of the course described, if the course was not previously approved at the time of course certification.

c.b. Course Control Number: After the Course Announcement has been reviewed and approved by POST staff, the final digits are added to the course certification number. This action changes the course certification number to a course control number and identifies a particular offering of a specific course,. and The course control number must be used ~~on all documents or~~ when making any references pertaining to ~~this~~ a particular offering.

10-23. Procedures Relating to Course Announcement Form (POST 2-110) (continued)

~~d.~~c. Sequence for Submission: Each time a course is offered, a new course announcement must be submitted for approval.

~~e.~~d. Concurrent Sessions: In those instances where two sessions of the same certified course are scheduled to run concurrently, two Course Announcement forms must be submitted. In the Comment Section of the Course Announcement form, a remark should be made to the effect that this is one of two sessions of the same course being conducted concurrently.

~~f.--Standards-for-Presentation:--The-presentation-shall-adhere-to-the conditions-as-stated-in-the-course-as-certified-by-the-Commission. Any-change-or-modification-requires-POST-staff-approval.~~

~~g.~~e. Modification Procedures: If, subsequent to the receipt of an approved Course Announcement, the course coordinator becomes aware of a need to make any course changes, such as dates of presentation, scheduled times, presentation location, or hours of presentation, POST must be contacted for approval. ~~Refer-to-the-"Note"-in-the-instructions-for line-30-on-the-Course-Announcement.~~

~~h.~~f. Approval: Once the Course Control Number is given to a particular course presentation, it is recorded on the Course Announcement form and ~~that~~ a copy of the form is returned to the coordinator. The returned Course Announcement form constitutes course approval and is the basis for the presentation of a certified course.

10-24. Instructions for Completion of the Course Announcement Form (POST 2-110):

The Course Announcement form is to be completed and submitted to the Commission on POST each time a certified course is to be presented. Refer to PAM D-10-23(a) for the deadline for submission.

Complete each lettered section where applicable.

A. COURSE CERTIFICATION NUMBER: Enter the POST-approved course certification number for the course.

B. CERTIFIED COURSE TITLE: Enter the title approved by POST and as shown in the Catalog of Certified Courses, PAM Section D-14.

C. COURSE PRESENTER: Enter the name of the school, agency, individual, or firm authorized to present course as indicated on the course certification.

D. ADDRESS WHERE COURSE WILL BE PRESENTED: Enter the address where the main course of instruction will take place.

E. COURSE PRESENTATION DATES AND TIMES: Enter the dates and times this course is scheduled to begin and end.

F. BASIC COURSE ONLY-LIST DATES OF DRIVER TRAINING: If this announcement is for a Basic Course presentation, enter the dates of the "behind the wheel" driver training portion of the Basic Course. This information will be used to determine if a trainee completed this training and is eligible for the Driver Training fee.

10-24. Instructions for Completion of the Course Announcement Form (POST 2-110): (continued)

G. TOTAL CERTIFIED HOURS: Enter the total number of hours approved on the course certification.

H. HOURS FOR THIS PRESENTATION: Enter the number of hours of instruction for this course presentation.

I. TOTAL NUMBER OF TRAINING DAYS: Enter the number of classroom days that training will be in session.

J. MAXIMUM ENROLLMENT: Enter the maximum number of trainees that will be allowed to enroll for this course presentation.

K. LIST DATES THAT CLASS WILL NOT BE HELD: Enter as appropriate. Particular attention should be paid to local or school district holidays in addition to legal holidays. It is not necessary to list weekend dates unless it would be a normal class day.

L. TUITION: Enter the POST-approved tuition amount charged per student or per agency for this course presentation. For Basic Course presentations enter the amount charged for the driver training portion of the course. If the amount varies per student for any reason i.e., tuition was less because agency vehicle will be used for driver training, explain in comments.

M. TRAVEL: Enter number of miles from the training site to the closest off-campus accommodation if the closest lodging accommodation is greater than 5 miles away.

Occasionally students are required to travel to locations away from the normal training site, i.e., to a shooting range. If this course presentation includes training at another location, complete the blanks as follows:

Indicate if a student must provide his/her own transportation to another site or if the course presenter has made arrangements for the transportation of students. If the latter is the case, explain the arrangements made and any cost to the student or agency.

Indicate the number of round-trip miles to the other site.

Enter the number of round trips required to attend training at another site.

N. LODGING: If lodging is arranged by the training institution, provide information necessary for POST to process subsistence reimbursement by completing the applicable spaces and boxes.

A mandatory lodging requirement indicates that all trainees are required to reside at the accommodations provided/arranged by the training institution with no exceptions.

If the lodging accommodations arranged by the training institution cannot be provided for the full length of the course, it will be necessary at the end of the course to provide POST with an itemized report of the number of lodging days charged for each trainee. Situations of this type should be avoided if possible.

10-24. Instructions for Completion of the Course Announcement Form (POST 2-110): (continued)

O. MEALS: If meals are arranged by the training institution, enter the daily meal charge, and check the applicable box(es) explaining what meals are provided for this charge. Check the applicable box indicating the days of the week meals are arranged by the training institution.

P. COMMENTS: Enter information that will serve to clarify or supplement the course presentation information.

Q. SIGNATURE OF COORDINATOR: The course coordinator or designee must sign the Course Announcement.

R. PHONE: It is important that POST staff have the phone number of the coordinator in the event there is need for additional data or clarification of information.

S. NAME OF ALTERNATE: The name of the coordinator's alternate is essential as a contact person when the coordinator is not available.

Course Roster Process

10-25. Purpose of Course Roster (POST 2-111): The Course Roster provides POST with a record of all students who have attended a POST-Certified Course. The information is used by the Reimbursement Section in approving reimbursements, and by the Certificate Section in maintaining training records and verifying training information for training points.

10-26. Procedures Required Upon Course Completion: A Course Roster Form (POST 2-111) must be prepared and submitted to POST after completion of each certified course presentation.

a. Deadline for Submission: The Course Roster form must be submitted to POST upon completion of a course presentation and no later than seven calendar days following the ending date of the course.

b. Modification Procedures: If subsequent to the submission of a Course Roster to POST the course coordinator becomes aware of errors on the submitted roster, POST should be contacted immediately about corrections.

c. Forms to Accompany Course Roster: The Course Roster must be submitted with:

1. The Course Evaluation form (POST 2-245), completed by each trainee listed on the roster. These forms should not be stapled to the roster form.

2. The Training Reimbursement Request form (POST 2-273) must be collected from trainees at the beginning of the course. These forms should be stapled with the Course Roster on top.

10-27. Instructions For Completion of The Course Roster Form (POST 2-111): The Course Roster form is to be completed and submitted to POST each time a certified course has been presented. Refer to PAM D-10-26(a) for the deadline for submission.

Complete the lettered sections of the form for each trainee attending the course presentation. Ditto marks may be used where appropriate.

A. COURSE CONTROL NUMBER: Enter the course control number assigned by POST on the approved Course Announcement form POST-2-110.

B. COURSE PRESENTER: Enter name of the school, agency, individual or firm authorized to present the course as indicated on the course certification.

C. COURSE PRESENTATION DATES: Enter beginning date and ending date of training.

D. NAME OF TRAINEE: Enter the names of all trainees enrolled in this course by last name, first name, middle initial. Names should appear in the same order as the Training Reimbursement Requests, POST forms 2-273, attached behind the Course Roster. Trainees not eligible for reimbursement should be listed in alphabetical order, following the names shown on the Training Reimbursement Request forms.

E. SOCIAL SECURITY NUMBER: Enter each trainee's social security number, this number will be used on appropriate POST records as a reliable identifier.

F. TRAINEE STATUS: If the trainee's name did not appear on a Training Reimbursement Request form, check the most applicable box indicating the trainee's status. Brief definitions of each status follow:

Peace Officer - Is an employee subject to assignment to the prevention and detection of crime and the general enforcement of the criminal laws of this state.

Non-Peace Officer - Is a civilian, non-sworn employee, or a peace officer that does not exercise the general enforcement of laws, i.e., a jailer, or field evidence technician.

Reserve Officer - Is an individual appointed as a Level I, II, or III Reserve Officer under the authority of Section 832.6 of the Penal Code.

G. DEPARTMENT OR AGENCY: Enter the name of the current agency employing the trainee. If the trainee has no agency affiliation, enter "NONE".

H. NUMBER COURSE HOURS ATTENDED: Enter the total number of hours attended by the trainee. It is important that the instructors keep a daily account of the trainee's hours of attendance, as the hours will affect the reimbursement process.

I. SATISFACTORY COMPLETION?, (Y/N): Enter an "X" mark in the appropriate column. An "X" mark in the "yes" column indicates the trainee satisfactorily completed all the requirements of the course.

10-27. Instructions For Completion of The Course Roster Form (POST 2-111): (continued)

J. DATES OF CLASS NOT ATTENDED BY THIS TRAINEE: Enter any full-day of training that was not attended by the trainee for any reason. If the trainee does not attend several consecutive days, the range of days may be shown rather than an individual listing. If additional space is needed, attach an additional sheet of paper.

K. REASON FOR ABSENCE/FAILURE: Provide a brief explanation of the reason for absence or failure. If further explanation is required, attach an additional sheet of paper.

L. LODGING BILLED: Place an "X" in this area if student resided in accommodations arranged by the training institution and will be billed the amount shown on the Course Announcement form. If the per day rate for lodging varied from the amount entered on the Course Announcement form, explain on separate sheet of paper.

M. MEALS BILLED: Place an "X" in this area if student obtained meals arranged by the training institution and will be billed the amount shown on the Course Announcement form. If the per day rate for meals varied from the amount on the Course Announcement form, explain on separate sheet of paper.

N. SIGNATURE OF COORDINATOR: The course coordinator or designee shall sign the Course Roster form.

O. DATE APPROVED: Self-Explanatory.

P. PHONE: It is important that POST staff have the phone number of the coordinator in the event there is need for additional data or clarification of information.

Q. PAGE OF PAGES: Record the Roster page number followed by the total number of roster pages submitted. This is done to account for all pages submitted.

Sections E-1-4a, E-1-4c. and E-1-4e. of Procedure E-1 were incorporated by reference into Commission Regulations 1014, 1015 and 1015, respectively, on April 15, 1982. A public hearing is required prior to revision of those sections of this directive.

REQUIREMENTS FOR REIMBURSEMENT

Purpose

1-1. Reimbursement Requirements: The purpose of this Commission procedure is to provide departments participating in the POST Reimbursement Program with general information about procedures to be followed in requesting reimbursement from the Commission on POST for expenditures in training personnel.

Eligibility for Reimbursement

1-2. Eligibility: As provided in Sections 13507, 13510 and 13522 of the Penal Code, departments participating in the POST Reimbursement Program which, by formal agreement with the Commission, adhere to the standards for recruitment and training as established by the Commission, may be reimbursed from the Peace Officers' Training Fund for allowable expenditures incurred for the training of their personnel in POST certified courses.

Requirements Relating to Reimbursement

1-3. Specific Requirements: The following specific requirements relating to reimbursement are indicated in the Commission Regulations:

a. Basic Course: As specified in Commission Regulation 1005(a).

b. Supervisory Course: As specified in Commission Regulation 1005(b).

Reimbursement, when requested by the department head, will be paid under Plan II for expenses related to attendance of a certified Supervisory Course provided the trainee has been awarded or is eligible for the award of the Basic Certificate and is (1) appointed to a supervisory position or (2) will be appointed within 12 months to a first-level supervisory position or (3) is appointed to a quasi-supervisory position.

c. Management Course: As specified in Commission Regulation 1005(c)

Reimbursement, when requested by the department head, will be paid under Plan II for expenses related to attendance of a certified Management Course provided the trainee has satisfactorily completed the training requirements of the Supervisory Course and the trainee is (1) appointed to a middle management position (2) will be appointed within 12 months to a middle management position or (3) is appointed to a first-level supervisory position.

d. Advanced Officer Course: As specified in Commission Regulation 1005(d).

e. Executive Development Course: As specified in Commission Regulation 1005(e).

1-3. Specific Requirements (continued)

Reimbursement, when requested by the department head, will be paid under Plan IV for expenses related to attendance of a certified Executive Development Course provided the trainee has satisfactorily completed the training requirements of the Management Course and is (1) appointed department head or to an executive staff position or (2) will be appointed within 12 months to a department head or to an executive staff position.

f. Field Management Training: As specified in Commission Procedure D-9.

g. Team Building Workshops: A condition of certification of Team Building Workshops is the development by participants of an Action Plan for implementing results of the course. A copy of the Action Plan must be received by POST within 90 days of completion of the Team Building Workshop before reimbursement for training expenses can be authorized.

1-4. General Requirements: General requirements relating to reimbursement are as follows:

a. Training for Non-Sworn and Paraprofessional Personnel: Reimbursement is provided for the training of non-sworn personnel performing police tasks and for paraprofessionals attending a certified Basic Course.

1. The training shall be specific to the task currently being performed by an employee or may be training specific to a future assignment which is actually being planned.

2. Non-sworn personnel may attend the courses identified in Section 1005 (a)(b)(c)(d)(e), but reimbursement shall not be provided except as indicated in sub-paragraphs 3 and 4 below.

3. Paraprofessional personnel in, but not limited to, the classes listed below may attend a certified Basic Course and reimbursement shall be provided to the employing jurisdiction in accordance with the regular reimbursement procedures. Prior to training paraprofessional personnel in a certified Basic Course, the employing jurisdiction shall complete a background investigation and all other provisions specified in Section 1002(a) (1) through (7) of the Regulations.

Eligible job classes include the following:

Police Trainee
Police Cadet
Community Service Officer
Deputy I (nonpeace officer)

4. A full-time, non-sworn employee assigned to a middle management or higher position may attend a certified management course and the jurisdiction may be reimbursed the same as for a regular officer in an equivalent position. Requests for approval shall be submitted in writing to POST, Center for Executive Development at least 30 days prior to the start of the concerned course. Request for approval must include such information as specified in Section 1014 of the Regulations. Approval will be based on submission of written documentation that the non-sworn manager is filling a full-time position with functional responsibility in the organization above the position of first-line supervisor.

1-4. General Requirements (continued)

5. Non-sworn persons performing police tasks who are to be assigned or are assigned to the following job classes are eligible, without prior approval from POST, to attend training courses, as provided by Regulation Section 1014, that are specific to their assignments. Job descriptions shall be used to determine those positions eligible:

Administrative Positions
Communications Technician
Complaint/Dispatcher
Criminalist
Community Service Officer
Evidence Technician
Fingerprint Technician
Identification Technician
Jailer and Matron
Parking Control Officer
Polygraph Examiner
Records Clerk
Records Supervisor
School Resource Officer
Traffic Director and Control Officer

6. Reimbursement for training which is not specific to one of the job classes enumerated in the above paragraph, must be approved by the Commission on an individual basis prior to the beginning of the course, providing such information as specified in Section 1014 of the Regulations.

b. Reimbursement Will be Approved Only Once For Repeated Training: When a trainee has attended a course certified by the Commission, for which reimbursement has been legally paid, the employing jurisdiction may not receive reimbursement for repetition of the same course unless the course is authorized to be repeated periodically; for example, Seminars or Advanced Officer Courses and selected Technical Courses which deal with laws, court decisions, procedures, techniques and equipment which are subject to rapid development or change. Exceptions or special circumstances must be approved by the Executive Director prior to beginning the training course.

c. On-Duty Status: Section 1015(e) of the Regulations provides that reimbursement will be made only for full-time employees attending certified courses in an "on-duty" status or when appropriate overtime or compensatory time off is authorized. This does not preclude attendance of a POST certified course, for which reimbursement is not claimed, on the employee's own time.

d. Federal or Other Funding Programs: A jurisdiction which employs a trainee full-time, whose salary is paid by a source other than the employing jurisdiction, such as a federal grant or other outside funding source, is not eligible to receive POST reimbursement for the trainee's salary or other expenditures covered by the grant.

COMMISSION PROCEDURE E-1
Revised: July 1, 1983

1-4. General Requirements (continued)

e. Trainee Must Complete the Course: Within the provisions established by the Commission, a jurisdiction may receive reimbursement for training expenditures, only when the trainee satisfactorily completes the POST-certified training course. Exceptions are the Basic Course, Motorcycle Training and courses designed to train the trainer.

The Executive Director is authorized administrative discretion to resolve situations of equity for partial completion of POST-Certified courses, (for example, allowing reimbursement when a trainee successfully completes a major portion of a course but for some reason, such as injury, is prevented from completing the entire course).

f. A department requesting reimbursement of training expenditures shall, upon request of POST or the State Controller's Office, provide records that will demonstrate the agency incurred the requested expenditures for employees trained and that the expenses generally equated to on an annual basis the amount reimbursed by POST. These records must be retained for three fiscal years (current, plus two prior).

When records of a department indicate a gross disparity in the amount reimbursed annually versus the amount of expenses incurred annually for training, the head of that department should notify POST immediately to make adjustments.

REIMBURSEMENT PLANS

Purpose

2-1. Commission Procedure E-2: This Commission Procedure describes the four reimbursement plans adopted by the Commission and their various levels of reimbursement.

Reimbursement Plans

2-2. Plans: POST reimbursement for training expenditures of departments is participating in the POST reimbursement program is based on schedules known as "plans." Each plan may vary in the amount and/or category of expenses that may reimbursed by POST. The categories of expense/allowances that may be reimbursed are: Subsistence, commuter lunch, travel, tuition, and salary. The four reimbursement plans that have been adopted by the Commission are designated as Plan I, II, III, IV as follows:

Plan I	Plan II	Plan III	Plan IV
Subsistence	Subsistence	Subsistence	Subsistence
Commuter Lunch	Commuter Lunch	Commuter Lunch	Commuter Lunch
Travel	Travel	Travel	Travel
Tuition		Tuition	
Salary	Salary		

Each plan is subject to the provisions established by the Commission.

2-3. Where to Obtain Training Course Information: Information regarding training courses and the plan under which each is presented, is disseminated to the local agencies in several ways, e.g.,:

a. The POST Administrative Manual, Section D-14, Catalog of Certified Courses.

b. Obtained by contacting the school or course coordinator.

c. Obtained by contacting POST Course Control Clerk at (916) 739-5399.

REIMBURSEMENT POLICIES

Purpose

4-1. Commission Procedure E-4: This Commission Procedure describes the policies for reimbursement of training for agencies participating in the POST Reimbursement Program.

General Policy

4-2. Notice of Appointment: Reimbursement will not be approved for training of any sworn peace officer when the agency has not notified POST of the officer's employment by submitting a Notice of Appointment form, POST form 2-114. After submission of form 2-114, the training expenses will be paid.

4-3. Courses With Maximum Reimbursement Limitations: Subsistence, commuter lunch, and travel allowances will be reimbursed up to the date the maximum number of weeks is reached; and salary allowances will be reimbursed up to the maximum number of hours shown for the following courses:

	Weeks/Hours		Weeks/Hours
Basic Course	10/400	Advanced Officer Course	1/40
Supervisory Course	2/80	Management Course	2/80
Executive Development Course	2/80	Management, Supervisory Executive Seminar	1/40

Subsistence Allowance Policy

4-4. Eligibility For Subsistence Allowance: A department may receive reimbursement for this category of expense for an employee that satisfies the "Resident Trainee" definition, and if reimbursement of the expense has been requested on the Training Reimbursement Request, POST form 2-273.

4-5. Resident Trainee Definition: A resident trainee is an individual who resides away from his/her normal place of residence and takes subsistence (lodging and meals) at or close to the training site for the entire length of the course.

4-6. Subsistence Allowance Calculated By POST: If a department is eligible for reimbursement of subsistence, POST will determine the amount to be reimbursed based on the following situations:

a. If the trainee resided in accommodations arranged by the training institution, the daily subsistence rate charged by the training institution will be reimbursed when the rate is less than the daily subsistence rate established by the Commission.

b. If the trainee resided in accommodations selected by the trainee, the daily subsistence rate established by the Commission for the fiscal year will be reimbursed. (Commission Procedure E-3-2).

4-7. Subsistence For Course Days: Subsistence will be reimbursed for each instructional day or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Commission Procedure E4-3.

4-8. Subsistence For Weekends: Subsistence will be reimbursed for each weekend day that falls between the beginning date and ending date of the course or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Commission Procedure E-4-3. Travel allowance for one round trip between the trainee's station assignment and the training site will be reimbursed in lieu of weekend subsistence when travel allowance is less.

4-9. Subsistence For School Holidays: Subsistence will be reimbursed for each school holiday that falls between the beginning date and ending date of the course or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Commission Procedure E-4-3. Travel allowance for one round trip between the trainee's station assignment and the training site will be reimbursed in lieu of holiday subsistence when travel allowance is less.

4-10. Subsistence For Enroute Travel Time: Subsistence will be reimbursed for enroute time not to exceed 24 hours of subsistence allowance at the daily subsistence established by the Commission for the fiscal year. The subsistence allowance for enroute travel time will be calculated as a fraction of a day's subsistence allowance and will be proportional to the distance traveled between the trainee's station assignment and the training institution. A round trip of less than 50 miles will not be eligible for any enroute subsistence, and a round trip of greater than 400 miles may receive no more than one day of enroute subsistence.

Commuter Lunch Allowance Policy

4-11. Eligibility For Commuter Lunch Allowance (C.L.A.): A department may receive reimbursement for this category of expense for an employee that satisfies the "Commuter Trainee" definition, and if reimbursement of the expense has been requested on the Training Reimbursement Request, POST form 2-273.

4-12. Commuter Trainee Definition: A commuter trainee is an individual who attends a training course and travels between his/her agency/station assignment or normal residence and the course site each day. Trainees who do not meet all the conditions of the resident trainee definition (CP E-4-5) will be considered a commuter trainee for reimbursement purposes.

4-13. Commuter Lunch Allowance Calculated By POST: If a department is eligible for reimbursement of C.L.A., POST will determine the amount to be reimbursed at the daily lunch rate approved by the Commission for the fiscal year (CP E-3-2).

4-14. Commuter Lunch Allowance For Course Days: C.L.A. will be reimbursed for each instructional day attended by the trainee or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in (CP E-4-3).

4-15. Commuter Lunch Allowance For Weekends, Holidays, And Enroute: C.L.A. will not be reimbursed for any weekend day, school holiday, or enroute travel time before or after the course, that is not an instructional day.

Travel Allowance Policy

4-16. Eligibility For Travel Allowance: A department may receive reimbursement for travel expenses if reimbursement of the expense has been requested on the Training Reimbursement Request, POST form 2-273, and if the trainee attending the course is not shown as a "Passenger of a Vehicle" on that form.

4-17. Passenger Of Vehicle Definition: A trainee shall be considered a passenger of a vehicle when being transported to a training course by another trainee in a private, agency, or rental vehicle. If several trainees share the driving of one vehicle to attend training, travel allowance may be requested for only one trainee and the other trainee(s) must be shown as passengers.

4-18. Travel Allowance Calculated By POST: If a department is eligible for reimbursement of travel expenses, POST will reimburse total mileage at the per mile rate established by the Commission for the fiscal year. Total mileage may include the following: 1) Straight-line mileage distance to and from the trainee's agency/station assignment and the course site, 2) the average daily mileage for transportation between resident student's accommodations and the course site, and 3) the mileage incurred by a trainee to attend training away from the main course site.

The travel allowance is intended to cover expenses to and from the course site and some travel at the course site, regardless of the mode of transportation used i.e., auto, airplane, bus, or train.

4-19. Mileage Incurred To And From The Training Site: POST will calculate the straight-line distance from agency/station assignment to the course site and return.

Resident trainees may be eligible for one round trip of mileage to and from the course site plus one round trip for each weekend during the course period up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in Commission Procedure E-4-3. Weekend subsistence will be reimbursed in lieu of travel allowance when weekend subsistence is less.

Commuter trainees may be eligible for one round trip of mileage to and from the course site for each instructional day or up to the date the maximum number of weeks is reached for those courses with limited reimbursement as specified in (CP E-2-6).

4-20. Daily Travel Allowance: Resident trainees may be eligible for daily travel allowance for mileage incurred from a resident trainee's lodging accommodations to the course site if the mileage to nearest accomodations is greater than 5 miles one way. Daily mileage will be reimbursed from the date the course starts to the date the course ends or up to the date the maximum number of weeks is reached for those courses with limited reimbursement, as specified in (CP E-4-5). Daily travel allowance is automatically calculated based on the information supplied by the course presenter.

4-21. Travel To Other Course Sites: Upon notification by the course presenter that travel expenses will be incurred by the trainees to attend training at a site(s) other than the main site of training, reimbursement will be authorized for the number of miles reported by the course presenter at the per mile rate approved by the Commission for the fiscal year (CP E-3-2).

Tuition Policy

4-22. Tuition Definition: Tuition is the Commission authorized amount charged by the training institution for trainees attending POST-certified courses. Tuition may include fees charged to departments for driver's training presented in the Basic Course. Tuition does not include registration or material fees charged by the training institution.

4-23. Eligibility For Tuition Reimbursement: A department may receive reimbursement for tuition expenses, when tuition is authorized under the reimbursement plan, for each trainee listed on the Training Reimbursement Request, POST form 2-273.

Salary Policy

4-24. Eligibility For Salary Reimbursement: A department may receive reimbursement for this category of expense if authorized under the reimbursement plan and if the trainee is listed on the Training Reimbursement Request, POST form 2-273.

4-25. Salary Definition: The basic monthly salary is the employee class basic salary that shall not include incentive pay, hazard pay, education subvention, scholarship, insurance premiums, medical benefits, watch differential pay, pension plans, uniform allowance or other employee benefits. The basic monthly salary will be the salary earned on the starting day of the course.

4-26. Salary Reimbursement Calculated By POST: If a department is eligible for reimbursement of salary, POST will determine the amount to be reimbursed according to the following formula:

Basic Monthly Salary	÷	173 hours (monthly avg.)	X	Allowable Course Hours*	X	Salary Percentage

*Allowable course hours are the number of hours completed by a trainee as reported on the Course Roster, not to exceed the maximum number of hours for those courses specified in (CP E-2-6). In cases where a trainee, unemployed by a reimbursable agency, begins a Basic Course and then sometime during the course is hired by a reimbursable agency, the agency may only receive reimbursement from the date the trainee is hired.

4-27. Salary Reimbursement For Job Specific Training: An individual may attend only one Job Specific Course a fiscal year (July 1-June 30) for which salary reimbursement may be requested and authorized. All other allowable training related expenses may be requested.

INSTRUCTIONS FOR COMPLETION OF THE TRAINING REIMBURSEMENT REQUEST FORM

Purpose

5-1. Commission Procedure E-5: This Commission Procedure provides instructions for completion of the Training Reimbursement Request, POST (2-273).

5-2. When to Complete the POST 2-273 Form: This form must be completed when a participating reimbursable agency requests reimbursement for an employee(s) attending a POST-certified course. The form should be completed prior to the trainee(s) attending the course, and presented to the course coordinator/instructor on or before the first day of training.

5-3. Instructions For Completion of POST 2-273: The Training Reimbursement Request form must be completed in its entirety. Instructions for completing each section follow:

A. AGENCY: Enter the name of the participating reimbursable agency submitting the request for reimbursement.

B. CERTIFIED COURSE TITLE: Enter the certified course title. It must be the same as shown in the Certified Course Catalog, Section D-14 of the POST Administrative Manual. The certified course title may also be obtained from the coordinator. Do not depend on brochures or other course advertisements as the source for certified course titles.

C. NAME OF TRAINEE: Enter the last name first, followed by the first name and middle initial.

D. SOCIAL SECURITY NUMBER: Enter the trainee's social security account number, this number will be used on appropriate POST records as a reliable identifier.

E. CURRENT RANK: Enter the trainee's present rank or classification using the appropriate abbreviation as shown below. If the trainee's job title is different from those shown, please indicate the most applicable abbreviation from the selection available. Peace officers that are not assigned to the prevention and detection of crime and general enforcement of criminal laws, i.e., jailers, field evidence technicians, should be shown with a rank of non-peace officer.

NPO--Non-Peace Officer	SGT--Sergeant	CMDR--Commander
PARA--Paraprofessional	INV--Investigator	DCHF--Deputy Chief
TRN--Trainee	DET--Detective	ASH--Assistant Sheriff
PO--Police Officer	SUP--Supervisor	ACHF--Assistant Chief
DPTY--Deputy	LT--Lieutenant	US--Undersheriff
DMAR--Deputy Marshal	CHFI--Chief Inv.	MAR--Marshal
CPL--Corporal	MGR--Manager	DIR--Director
AGNT--Agent	CAPT--Captain	CHF--Chief
JVO--Juvenile Officer	INS--Inspector	SH--Sheriff

Instructions For Completion Of The Training Reimbursement Request Form (continued)

F. BASIC MONTHLY SALARY: Enter the basic monthly salary rate earned on the starting date of the course. The basic monthly salary rate is the employee class basic salary and shall not include incentive pay, hazard pay, education subvention, scholarships, insurance premiums, medical benefits, watch differential pay, pension plans, uniform allowance, or other employee benefits.

G. RESIDENT TRAINEE: If the trainee will be a resident trainee, place an "X" mark in this column opposite the trainee's name. A resident trainee is defined as a person who, while away from his or her department or normal residence, attends a training course and takes lodging and meals at or near the course site for the entire course length.

Note: Those trainees not meeting all the conditions of the resident trainee definition that reside for only a portion of the course, must be shown as a commuter trainee on this form for reimbursement purposes.

H. COMMUTER TRAINEE: If the trainee will be a commuter trainee, place an "X" mark in this column opposite the trainee's name. A commuter trainee is defined as a person who attends a training course and travels between his or her department or normal residence and the course site each day.

I. TRANSPORTATION: Place an "X" in one of the columns indicating the mode of transportation used.

Place an "X" in "Driver of Vehicle" column if the trainee is the driver of a private, agency, or rental vehicle used for transportation to and from the training site.

Place an "X" in "Passenger in Vehicle" column if the trainee was a passenger in, rather than the driver of, a private, agency, rental vehicle. If driving was shared by one or more trainees, indicate only one trainee as the driver.

Place an "X" in "other" column if trainee used any other mode of transportation, such as commercial air travel.

J. ALLOWANCE REQUESTED: This section is to be completed to indicate whether subsistence, commuter lunch, and/or travel reimbursement is requested. An "X" mark in a column indicates that the agency will pay those associated expenses to or for the trainee. Place an "X" mark(s) in the appropriate columns for which reimbursement is requested.

K. STATION ASSIGNED OTHER THAN HEADQUARTERS: For an agency having more than one station where personnel are assigned, identify the sub-station of assignment in this column.

L. SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL: Legal and other provisions require that an authorized person properly sign the completed Training Reimbursement Request form. The authorized official of the department or jurisdiction must sign his or her full name and title. If a signature stamp is used or if someone is authorized to sign for the department head, the person affixing the stamp or signing must also sign his or her name in full rather than initials on this form.

Instructions For Completion Of The Training Reimbursement Request Form (continued)

M. PHONE NUMBER: Give the complete telephone number, including area code and extension number, of the person who prepared the form.

N. DATE: Enter the date this form was completed.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
REIMBURSEMENT REVIEW		April 27-28, 1983
Bureau	Reviewed By	Researched By
Administrative Services	John B. Davidson	Staff
Executive Director Approval	Date of Approval	Date of Report
Norman C. Boehm	4-14-83	

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Shall the Commission increase the salary reimbursement rate to 50% retroactive to July 1, 1982.

BACKGROUND

At the October 1982 meeting, the Commission expressed its intention to provide periodic salary reimbursement increases throughout the fiscal year consistent with budget allocations and claims experience. At that meeting, the Commission raised the basic salary reimbursement rate from 30 to 45% retroactive to July 1, 1982.

ANALYSIS

Based on expenditures through the third quarter of the fiscal year, staff believes that the basic salary reimbursement rate now can and should be increased to 50% retroactive to July 1, 1982. Cost of this increase is estimated to be $896,146. We believe that the reduction of this amount from the projected year end balance will still leave a sufficient balance to account for unexpected increases in training claims between now and June 30, 1983.

RECOMMENDATIONS

Increase the basic salary reimbursement rate to 50% retroactive to July 1, 1982.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title: Commission on Accreditation for Law Enforcement Agencies, Inc.		Meeting Date: April 27-28, 1983
Bureau: Executive Office	Reviewed By:	Researched By: Staff
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-12-83	Date of Report: April 13, 1983
Purpose: ☐ Decision Requested ☐ Information Only ☒ Status Report	Financial Impact	☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Status report on the Commission on Accreditation for Law Enforcement Agencies, Inc.

BACKGROUND

The accreditation program for law enforcement agencies is a joint effort of the Commission on Accreditation for Law Enforcement Agencies and four major police membership associations:

- IACP - The International Association of Chiefs of Police;
- NOBLE - The National Organization of Black Law Enforcement Executives;
- NSA - The National Sheriffs' Association; and
- PERF - The Police Executive Research Forum.

Under a grant from the Law Enforcement Assistance Administration, work was begun in 1979 to prepare standards and to develop a process for the accreditation of law enforcement agencies. Since 1979:

- The 1,012 standards have been drafted by the four associations, with the participation of many law enforcement officials, other professional associations, and representatives from the private sector;

- The Commission on Accreditation for Law Enforcement Agencies, Inc., has been established as an independent, tax-exempt, non-profit corporation; and

- The Commission has approved standards, subject to intensive field tests of each standard, and a pilot test of the standards and the accreditation process.

Objectives of the Program

The stated objectives of the Accreditation Program are, through a voluntary program to:

(1) increase effectiveness and efficiency of state and local law enforcement agencies in the delivery of law enforcement services;

(2) increase the confidence of citizens in the effectiveness and responsibilities of their law enforcement agencies, thereby insuring a high degree of community support;

(3) increase confidence of individual law enforcement officers in the effectiveness and efficiency of their own agencies;

(4) promote greater standardization of managerial, administrative, and operational procedures among law enforcement agencies; and

(5) promote greater understanding and cooperation with courts, prosecutors, and correctional agencies.

Basic Features of the Program

Policies and procedures are continuing to be developed, but the basic features of the program are as follows:

- It will be voluntary. Each agency will make a decision whether or not it wishes to participate in the program.
- It will be dynamic. The standards will be undergoing continuing review and modification. Some will be deleted; new standards will be developed to reflect new needs or changing circumstances.
- Accreditation will be awarded when an agency complies with applicable standards determined to a large extent, by the agency's size, its legally-mandated responsibilities, and the functions it performs.
- Accreditation of an agency will be for a specific period of time.
- Re-accreditation will be required at the end of the specified period.

The Commission is composed of 21 members selected by unanimous agreements of the four associations; of the 21, 11 are from the law enforcement community, representing agencies of differing sizes and responsibilities. Ten of the members represent state and local government, the judiciary, academia, and labor. The Commission is assisted by a staff, headed by an Executive Director. The staff will ultimately provide initial and continuing contact with agencies that wish to become participants in the Accreditation Program.

The role and functions of the Commission are to:

(1) develop and approve standards concerning policies, procedures, practices and methods used by law enforcement agencies;

(2) award, defer, or deny accreditation and re-accreditation in accordance with established criteria and guidelines;

(3) suspend or revoke accreditation in certain circumstances; and

(4) maintain liaison with law enforcement agencies that are applicants for accreditation or re-accreditation.

The New York State Association of Chiefs of Police has adopted a resolution opposing the accreditation concept. The National Association of State Director of Law Enforcement Training (NASDLET) has withdrawn support of the concept. Several articles have been written supporting the accreditation concept.

The Commission expects to receive their first requests for accreditation from agencies in October 1983 and anticipate granting accreditation to agencies in December of 1983.

ANALYSIS

Staff evaluation of the standards promulgated by the Commission indicates that they are professionally done, and that their adoption by California law enforcement agencies would be an aid to effective management. A few standards might require change for conformance with California law, and some others might be at variance with staff or local administrators' judgments. But, for the main part, the standards seem very acceptable.

There are substantial concerns, however, about the process of accrediting agencies as having met the standards, and the current and future promulgation of the standards by a nationally based, non-governmental agency. Additionally, costs to local agencies to meet the standards, and costs of payment by agencies for their assessment by the Accreditation Commission staff, can be significant.

The POST Commission has for many years provided a management counseling service to local law enforcement agencies; and, of course, sets standards for employment and training of peace officers. Neither POST nor state or local government has had direct input to the Accreditation Commission's decision-making process.

There is a generalized concern that the operation of the law enforcement accreditation function from the national level could lead to less palatable standards in the future and a potential for significant fiscal impact on local government.

ALTERNATIVES

This report has been prepared for information purposes. The Commission may wish to communicate with local law enforcement personnel and others for additional information and input on the applicability of the accreditation concept in California; or the Commission may wish to consider taking an official position in the future relative to the accreditation of California law enforcement agencies.

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
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BUREAUS
Administrative Services
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Information Services
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Management Counseling
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Standards and Evaluation
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Training Delivery Services
(916) 739-5394
Training Program Services
(916) 739-5372
Course Control
(916) 739-5399
Professional Certificates
(916) 739-5391
Reimbursements
(916) 739-5367
Resource Library
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Center for Executive Development
(916) 739-5328

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

May 2, 1983

Robert Foster, President
P.O.R.A.C.
1912 F Street
Sacramento, CA 95814

Dear Bob:

Thank you for your letter of April 22, 1983, on accreditation. At its April meeting, the Commission referred this matter to the POST Advisory Committee for review and a report back to the full Commission at a later date.

We look forward to input from the field on the Commission on Accreditation for Law Enforcement Agencies.

Sincerely,

Norm

NORMAN C. BOEHM
Executive Director

cc: Les Sourisseau
President-Elect, C.P.O.A. (Monterey P.D.

PORAC

Peace Officers Research Association of California

STATE OFFICE
1912 F STREET • SACRAMENTO, CALIFORNIA 95814
(916) 441-0660 • (800) 952-5263

April 22, 1983

Norman Boehm
Executive Director
Peace Officers Standards and Training
4949 Broadway
P.O. Box 20145
Sacramento, CA 95820-0145

Leslie Sourisson
President-Elect
California Peace Officer's Association
2012 H Street, Ste. 102
Sacramento, CA 95814

I am sure that your organizations have been monitoring the progress of the Commission on Accreditation for Law Enforcement Agencies these last three years. The efforts of the Commission appear to be nearing fruition and I have heard some concern expressed about the potential for a "hidden agenda" within the program.

The Peace Officers Research Association of California have been supportive of the Commission's conceptual objectives, and indeed a former PORAC President has been involved in these efforts. However, I now feel that the California Law Enforcement should collectively review the Commission's Program of Accreditation and reach a consensus if possible.

I would be interested in meeting with you to explore the issues of accreditation and to decide if further activities are warranted.

Please let me hear from you in the near future.

Sincerely,

ROBERT FOSTER
President

RF:ac

Attachment

APR 27 11 55 AM '83

INFORMATION

COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES

Information Office: Suite 460 • 1730 Pennsylvania Avenue, N.W. • Washington, DC 20006 • (202) 783-5247

FOR FURTHER INFORMATION CONTACT:
Karen Donnelly, Information Officer
(202) 783-5247 Accreditation

FOR IMMEDIATE RELEASE
March 30, 1983

ACCREDITATION COMMISSION ANNOUNCES SELECTION OF SELECTED PILOT TEST SITES

WASHINGTON, D.C.-- The Commission on Accreditation for Law Enforcement Agencies, Inc. today announced the selection of five law enforcement agencies to pilot test the accreditation program for law enforcement agencies.

Commission Executive Director James V. Cotter said in making the announcement, "We're pleased to have the Elkhart County, IN Sheriff's Department; Hayward, CA Police Department; Mt. Dora, FL Police Department; Elgin, IL Police Department and the Baltimore County, MD Police Department as our pilot test sites. We are grateful to these law enforcement agencies and the citizens of these communities for helping us evaluate our accreditation program."

The pilot tests will be conducted March through August 1983 for the purpose of combining for the first time the standards for acreditation and the processes for applying the standards. In May of last year, the Commission announced tentative approval of over 1,000 standards covering a full range of law enforcement services.

- more -

Approximately 60 percent of the Commission's standards fall into the mandatory category -- mandatory in the sense that all accredited agencies must comply with all applicable mandatory standards. The balance of the standards are other than mandatory, and in some cases, not applicable. The other than mandatory standards are applied to a weighted scale, determined by the size and function of the applicant agency.

The pilot tests also are designed to test how key components of the process work with the standards -- the application procedures, self-measurement materials and the processes the Commission will use on-site to verify compliance with the standards.

Cotter said, "We're not testing the agency, we are testing our program. One of the key tasks facing us is to determine the amount of time and financial resources accreditation will require of agencies. We want to make sure all of our materials are practical and workable within an operational setting, and we know we can count on these agencies to give us valuable feedback."

Earlier this year the Commission conducted a review of the standards among over 300 agencies, and on-site tests of the program documents in four areas of the country.

Cotter explained the steps in the pilot test. "First, an agency will fill out a questionnaire. The Commission uses that information to design a package of standards applicable to that agency based on size and functions. The agency then measures its own compliance with the standards -- a process we call self-assessment -- and reports to the Commission. When the agency is ready for an on-site visit, we send in Commission assessors to verify compliance with the standards."

The Commission will hear an interim report on the pilot test program at its next meeting scheduled for April 28-May 1 in West Palm Beach, FL. Commission Chairman Richard P. Wille, the Sheriff of Palm Beach County, FL is host.

Work on the accreditation program started in 1979 with the appointment of a 21-member Commission to approve standards developed by four professional law enforcement associations -- the International Association of Chiefs of Police (IACP); National Organization of Black Law Enforcement Executives (NOBLE); National Sheriffs' Association (NSA); and Police Executive Forum (PERF). Accreditation is a voluntary process, and is expected to begin in September, 1983, if field test results indicate the process is ready.

# # #

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Executive Development Course Contract-FY 1983/84		Meeting Date April 27-28, 1983
Bureau Center for Exec. Development	Reviewed By	Researched By Ted Morton
Executive Director Approval Norman C. Boehler	Date of Approval 3-14-83	Date of Report March 9, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

This item is presented for Commission review and final approval of the Executive Development Course Contract costs for Fiscal Year 1983/84. The total maximum cost is $53,765.

Background

Commission Regulation 1005(e) provides that every regular peace officer who is appointed to an executive position may attend the Executive Development Course and the jurisdiction may be reimbursed provided the officer has satisfactorily completed the training requirements of the Management Course as a prerequisite.

The single contractor for the Executive Development Course is Cal-Poly Kellogg Foundation, located on the California State Polytechnic University, Pomona, campus. The Cal-Poly Kellogg Foundation has been under contract to present the course since October, 1979. The 1982/83 contract was for $51,465 for five presentations.

Analysis

The presentations by the Cal-Poly Kellogg Foundation have been well received. The coordinators of the course have developed a special expertise in identifying law enforcement management needs and developing an excellent core of subject materials that meet the needs of the trainees. This expertise has attracted a top level group of instructors, with state and national reputations, who receive excellent evaluations for their contributions to solving contemporary issues. The instructors are recognized for their expertise in law enforcement management, psychology, management consulting, legal matters, education and social issues.

The contract provides for five presentations in Fiscal Year 1983/84. A minimum of 100 chiefs, sheriffs and senior managers will receive training in the 80 hour course.

Recommendation

The action for the Commission would be to authorize the Executive Director to enter into contract agreements with Cal-Poly Kellogg Foundation for five presentations of the POST Executive Development Course at a maximum cost of $53,765 for Fiscal Year 1983/84.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Management Course Contracts-Fiscal Year 1983/84		April 27-28, 1983
Bureau Center for Exec. Development	Reviewed By	Researched By Ted Morton
Executive Director Approval Norman C. Boehm	Date of Approval 4-4-83	Date of Report March 9, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and final approval of the Management Course contracts for Fiscal Year 1983/84. The total maximum cost is $217,560.

Background

Staff has met with each coordinator representing the five contract presenters for the Management Course. Staff has identified a need for 21 contract course presentations during Fiscal Year 1983/84.

Analysis

Course costs are consistent with POST tuition guidelines. Required learning goals are being satisfactorily presented by each contractor.

The Fiscal Year 1983/84 contract costs for 21 presentations will not exceed a total cost of $217,560. The following costs have been agreed to by the presenters:

California State University Long Beach Foundation	-- 5 presentations $49,170.00
California State University Foundation, Northridge	-- 3 presentations $31,461.00
San Jose State University Foundation	-- 4 presentations $40,792.00
Humboldt State University	-- 4 presentations $41,312.00
San Diego Regional Training Center	-- 5 presentations $54,825.00

Total cost of contracts for FY 1982/83 was $200,000. A minimum number of 420 law enforcement middle managers will attend the 21 presentations during the fiscal year.

Recommendation

If approved, the action of the Commission will be to authorize the Executive Director to enter into contract agreements with the current five contractors to present twenty-one (21) presentations of the Management Course during Fiscal Year 1983/84, not to exceed a total contract cost of $217,560.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
POST/DOJ Interagency Agreement		April 27-28, 1983
Bureau Training Delivery Services	Reviewed By Gene DeCrona, Chief	Researched By Darrell L. Stewart
Executive Director Approval	Date of Approval April 13, 1983	Date of Report April 13, 1983

Purpose: [X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [X] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

The Department of Justice, in a memorandum to the Executive Director, has requested the approval of an Interagency Agreement in the amount of $599,727 for Fiscal Year 1983/84. The purpose of the agreement would be to support presentation cost of law enforcement training certified by POST to the Department of Justice Training Center.

BACKGROUND

POST has contracted with DOJ for certified course training for the past eight years. The amount of the agreement each year has been based on costs to DOJ for instruction, coordination, clerical support, supplies and travel. Each year in the past the total cost to POST for training delivered has been at or below the maximum allowable costs established in Commission tuition guidelines.

The objectives of POST involvement with the DOJ Training Center are to provide training in subject areas where DOJ has special expertise, and to provide on-site training to small and medium sized law enforcement agencies in remotely located areas of the state.

ANALYSIS

The current (FY 1982-83) Interagency Agreement is for a maximum of $588,907. It appears at this time that approximately $70,000 of the encumbered funds will not be requested, as actual expenses are less than projected. However, accounting procedures have been improved and the budgeting process refined, so the proposed FY 1983-84 program costs are a more accurate projection than in past years.

The FY 1983-84 proposal is for 23 separate courses, with a total of 159 presentations and 4,800 total classroom hours for 3,513 students (see attachment). The list of courses is similar to previous years, except courses entitled Cargo Theft Investigation, Fencing Investigation, Gambling, Investigation of Crimes Against the Elderly, and Narcotic Smuggling have been eliminated. One new course, entitled Clandestine Drug Laboratory (20 hrs.), has been developed for inclusion in the DOJ program.

As in the past agreements, the total cost of the proposed agreement to POST does not cover the total costs to DOJ. The proposed FY 1983-84 budget does include more actual DOJ costs than were previously identified or billed. Other costs, such as handout materials, have been substantially reduced. The net effect, however, is an increase in costs in most courses. All costs for instruction, coordination, clerical support, supplies and travel are within POST tuition guidelines.

RECOMMENDATION

Authorize the Executive Director to enter into an Interagency Agreement with the Department of Justice to present the described training courses for an amount not to exceed $599,727.

TRAINING PROGRAM 1983/84

Course	Hours	No. of Presentations: Offsite	Training Center	Total	Est. Class Sizes (*5)	Total Classroom Hours	Est. Attend. All Present. (*5)	Average Cost Per Course(*2)	Est. POST Cost on IAA (*2,*3)
Analyst (C.I. Data)	36	2	2	4	20	144	80	$3,565	$14,261
Basic Elements (C.I.)	40	2	2	4	20	160	80	4,165	16,661
Clandestine Laboratory	20	0	3	3	20	60	60	2,090	6,270
Commander (C.I.,Vice,Narc.)	36	0	2	2	20	72	40	3,965	7,929
Economic Crime Investigation	40	4	2	6	20	240	120	5,212	31,275
Executive Protection	36	0	2	2	20	72	40	5,817	11,633
Heroin Influence	20	8	0	8	40	160	320	3,124	24,990
Informant Development & Maintenance (O.C.)	36	3	3	6	25	216	150	4,610	27,662
Introduction to Crime Analysis	36	3	3	6	20	216	120	4,106	24,636
Investigation of Computer Crimes	36	3	3	6	20	216	120	4,374	26,242
Investigation of Homicide & Violent Crime(*7)	40	3	3	6	24	240	144	4,995	29,970
Latent Print Techniques	40	0	2	2	12	80	24	2,325	4,649
Link Analysis Techniques	8	11	0	11	15	88	165	879	9,665
Modular Training(*1,*4)	8	32	0	32	25	768	800	2,927	93,664
Narcotic Enforcement for Peace Officers	20	14	1	15	25	300	375	2,681	40,214
Narcotic Investigation(*7)	80	0	10	10	20	800	200	11,606	116,061
Prison Gang Activity	36	2	2	4	25	144	100	4,252	17,010
Records Management	40	1	1	2	25	80	50	4,828	9,656
Sinsemilla Eradication	80	1	0	1	20	80	20	16,259	16,259
Specialized Surveillance Equipment	36	3	5	8	15	288	120	2,256	18,044
Street Gang Activity	24	3	3	6	20	144	120	3,185	19,109
Urban Terrorist Activity	36	2	2	4	25	144	100	5,837	23,346
Visual Investigative Analysis	8	11	0	11	15	88	165	956	10,521
		108(68%)	51(32%)	159		4,800	3,513		$599,727

(*1) 10% of total hours may be given as 8-hour modules (see attachment for appropriate subjects).
(*2) Includes 15% indirect.
(*3) Budgets based on established class size.
(*4) Typical Modular program consists of 24 hours instruction.
(*5) 20% over enrollment each presentation allowable.
(*6) Maximum enrollment depending on facilities.
(*7) Funded by POST Plan II.

4/11/83

1983/84 BUDGET BREAKDOWN
IN COMPLIANCE WITH POST REQUIREMENTS

COURSE	Instruct.	Coordination Presite	Coordination Onsite	Clerical	Supplies	Travel	Sub-total	15% Indirect	Est. Cost Per Presentation
Analyst (C.I. Data)	$1,150	$150	$432	$375	$278	$ 716	$3,100	$ 465	$ 3,565
Basic Elements (C.I.)	1,250	150	480	375	218	1,149	3,622	543	4,165
Clandestine Laboratory	650	100	180	187	209	491	1,818	273	2,090
Commander (C.I,Vice,Narc.)	1,425	150	324	375	187	986	3,447	517	3,965
Economic Crime Investigation	1,375	150	520	375	445	1,667	4,533	680	5,212
Executive Protection	2,150	150	324	375	899	1,160	5,058	759	5,817
Heroin Influence	768	100	225	187	336	1,100	2,716	407	3,124
Informant Development & Maintenance (O.C.)	1,500	150	432	375	282	1,270	4,009	601	4,610
Introduction to Crime Analysis	1,250	150	432	375	219	1,144	3,570	536	4,106
Investigation of Computer Crimes	1,200	150	432	375	456	1,190	3,803	570	4,374
Investigation of Homicide & Violent Crime	1,550	150	480	375	470	1,318	4,343	651	4,995
Latent Print Techniques	1,000	150	360	375	81	55	2,021	302	2,325
Link Analysis Techniques	200	50	33	90	136	255	764	115	879
Modular Training	756	100	120	270	334	964	2,545	382	2,927
Narcotic Enforcement for Peace Officers	1,000	100	90	187	374	580	2,331	350	2,681
Narcotic Investigation	6,450	240	720	750	1,002	930	10,092	1,514	11,606
Prison Gang Activity	1,175	150	432	375	347	1,219	3,698	555	4,252
Records Management	1,365	150	480	375	366	1,463	4,198	630	4,828
Sinsemilla Eradication	8,323	240	1,200	750	302	5,048	14,138	2,121	16,259
Specialized Surveillance Equipment	900	150	101	375	214	221	1,961	294	2,256
Street Gang Activity	925	100	288	300	237	920	2,769	415	3,185
Urban Terrorist Activity	1,375	150	432	375	496	2,247	5,075	761	5,837
Visual Investigative Analysis	200	50	33	90	204	255	832	125	956

4/11/83

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Continuation of POST Contract with (CPS)		Meeting Date April 27, 1983
Bureau Standards and Evaluation Services	Reviewed By	Researched By John W. Kohls JWK
Executive Director Approval Norman C. Boehm	Date of Approval 4-8-83	Date of Report April 7, 1983

Purpose: ☒ Decision Requested ☐ Information Only ☐ Status Report Financial Impact ☐ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE:

Continuation of the POST contract with Cooperative Personnel Services (CPS) of the State Personnel Board to administer the POST Training Proficiency Test.

BACKGROUND:

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. For the last two years POST has contracted with CPS to administer the Proficiency Test. CPS has been doing an effective job and at a reasonable cost (it would be more expensive for POST to administer the test itself).

ANALYSIS:

At the January meeting, the Commission authorized staff to negotiate a contract with CPS for Proficiency Test administration services during FY 1983-84.

The contract has been negotiated in the amount of $29,050. This contract provides an estimated 116 administrations with a total of approximately 5,000 test takers. The amount is a 13% increase over the FY 1982-83 contract. The increase is predicated on an 8% increase in the number of administrations and a 5% inflation factor.

RECOMMENDATION:

Authorize the Executive Director to sign a contract with CPS for an amount not to exceed $29,050, for Proficiency Test administration services during FY 1983-84.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
CONTRACT AUTHORIZATION FOR COMPUTER RENTAL		April 27-28, 1983
Bureau: Information Services	Reviewed By	Researched By: Bradley W. Koch
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-5-83	Date of Report: April 4, 1983

Purpose: ☑ Decision Requested ☐ Information Only ☐ Status Report

Financial Impact ☑ Yes (See Analysis per details) ☐ No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Final Commission approval is requested for the Executive Director to negotiate the following:

(1) An upgrade to and continuation of POST computer hardware (equipment) lease;

(2) A lease of computer hardware necessary to integrate POST Standards and Evaluation Bureau with the POST main computer system; and

(3) A computer services interagency agreement with the Teale Data Center for Fiscal Year 1983-84

BACKGROUND

In 1979, the Commission authorized a three-year contract with FourPhase Systems, Inc., the State's contract vendor for computer hardware, to supply POST with a computer and requisite peripheral components. The present annual cost is $47,522. Present computer storage capability will reach a critical saturation point by the third quarter of 1983. Therefore, staff requested and the Commission tentatively approved an upgrade of the present system and tentatively approved the contract with FourPhase for Fiscal Year 1983-84 in the amount of $67,912.

As reported at the last Commission meeting, POST Standards and Evaluation Bureau has, for the last four years, had a separate computer application from the main POST system, and it was recommended, with tentative approval indicated by the Commision, that means need to be devised for permitting integration of all POST's computer applications. In order to "tie through" the Standards and Evaluation Bureau to POST headquarters and to the Teale Data Center (which has the capability of processing the statistical, demographic, and test results data required by that Bureau), an additional $6,449 would be required.

Also tentatively approved at the last Commission meeting was an amount not to exceed $25,000 to develop an interagency agreement (contract) with the Teale Data Center for Fiscal Year 1983-84. The cost of the Teale Data Center

contract will be off-set by approximately 50 percent for 1983-84 because of reduced private contractor usage. In subsequent years this cost should be totally off-set since Standards and Evaluation Bureau will no longer be utilizing a private contractor to process their data, thus eliminating that expense.

ANALYSIS

The cost of consolidating the two POST computer systems will initially be more than presently expended; however, in time the cost will be totally offset and should eventually result in cost savings.

The upgrade of the headquarters FourPhase System would include:

(1) Replacement of our IV/90 processor with a IV/95 processor.
Required because of increased computer usage and to accommodate additional terminals due in part to the automated reimbursement process.

(2) Addition of one large disk storage device.
Required because of lack of storage capacity. By September 1983, our present computer storage facility will be completely filled. Additional capacity is essential due to increasing volume of activity now running at approximately 70,000 documents per year.

(3) Addition of seven video terminals.
Required by the Reimbursement Unit to meet the July 1, 1983 Automated Reimbursement System requirements and word processing needs.

(4) Replacement of our volume printer with a faster printer.
The fast printer is required to print out requested agency training records and to process automated reimbursement fiscal reports on a monthly basis.

The contract cost for this element of the system for Fiscal Year 1983-84 would be $67,912.

The upgrade to the FourPhase system necessary to integrate Standards and Evaluation Bureau would include:

(1) Lease of IV/10 remote display processor

(2) Lease of one video display unit

(3) Lease of one keyboard

(4) Lease of one printer

These four items constitute the minimum "package" necessary to provide the connection to POST headquarters. A special terminal is required because the Standard and Evaluation Bureau is located approximately six miles away.

The above would be an additional cost of $6,449.

The interagency agreement with the Teale Data Center for 1983-84 to process the data for the Standards and Evaluation will be necessary in an amount not to exceed $25,000.

RECOMMENDATIONS

Authorize the Executive Director to sign a contract with FourPhase, Inc., for the purposes outlined, in an amount not to exceed $74,370.

Authorize the Executive Director to sign an interagency agreement with the Teale Data Center for Fiscal Year 1983-84, in an amount not to exceed $25,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title 1983-84 INTERAGENCY AGREEMENT - STATE CONTROLLER'S OFFICE	AUDITING SERVICES	Meeting Date April 27-28, 1983
Bureau Administrative Services	Reviewed By John R. Davidson	Researched By Staff
Executive Director Approval Norman C. Boehm	Date of Approval 4-14-83	Date of Report

Purpose:
[X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

It is requested that the Commission authorize the signing of an interagency agreement between POST and the State Controller to require the audit of training reimbursement claims submitted by selected local agencies.

BACKGROUND

There is a need to audit the training claims made by local agencies against the Peace Officer Training Fund. For the past ten years these audits have been conducted by the State Controller.

ANALYSIS

Each year since 1972-73 the State Controller has conducted audits of local agencies reimburesement claims for POST. In fiscal year 1982-83, the Controller conducted audits against reimbursement payments made in fiscal year 1980-81, recovering approximately $30,000.

RECOMMENDATION

It is recommended that the Commission authorize the signing of an interagency agreement with the State Controller in the amount of $40,000 to audit local agency reimbursement claims for fiscal year 1981-82.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title California State University - Memorandum of Understanding		Meeting Date April 27, 1983
Bureau Standards and Evaluation Services	Reviewed By John W Kohler	Researched By Luella Luke lbl
Executive Director Approval Norman C. Boehm	Date of Approval 4-8-83	Date of Report April 5, 1983

Purpose:
[X] Decision Requested [ ] Information Only [ ] Status Report Financial Impact [ ] Yes (See Analysis per details) [ ] No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue:

There continues to be a need to augment the expertise of POST staff in several specialty areas in order that research initiated as a result of legislation and Commission action be accomplished. These specialty areas include statistical analysis and computer programming services. To meet these needs, we are preparing a second Memorandum of Understanding (MOU) under a Master Agreement entered into with the California State University System in 1981. This MOU would be for $89,208.

Background:

In April of 1981, the Commission approved a Master Agreement with the California State University. This $500,000 agreement was to obtain systems analysis, computer programming, and data processing services. By June 30, 1983, it is anticipated that approximately $230,000 of the original $500,000 will have been spent. The balance is not accessible because no money was allocated beyond fiscal year 1982/83.

Therefore, as this first MOU draws to an end, there is a need to engage in a second MOU to continue the work. That work includes consultative/research expertise on the following projects: (1) Basic Course Proficiency Examination; (2) Basic Course Waiver Examination; (3) test item banking; (4) language ability; (5) physical performance testing; (6) readability analysis; (7) evaluation of training; (8) survey analysis; (9) statistical analyses for standards projects regarding vision, hearing, minimum education, physical agility, emotional stability.

Analysis:

The Memorandum of Understanding with the California State University System has proven to be an efficient and effective way to acquire necessary services for the performance of difficult research projects.

California State University
Memorandum of Understanding

Analysis:

The new MOU would accomplish four objectives:

(a) provide consultation or complex statistical analyses required as a part of the PC 13510(b) standards research. ($25,000)

(b) provide the manpower to actually conduct the statistical analyses and generate the computer reports. ($16,333)

(c) provide the programming expertise to convert computer software to the state's Teale Data Center (conversion will begin July 1, 1983). ($13,333)

(d) provide programming expertise in support of PC 13510(b) research and other bureau research. (13,334)

Travel and indirect costs amount to an additional $21,208. The estimated budget for this new MOU is $89,208. This amount would cover the cost of a statistician/psychometrician, a statistical analyst, a programmer, key entry, travel and indirect costs.

Recommendation:

Commission authorize the Executive Director to negotiate and sign a contract with the California State University System for an amount not to exceed $89,208.

STATUS OF PENDING LEGISLATION OF INTEREST TO POST

ACTIVE *

Bill/Author	Subject	Commission Position	Status
AB 4IX (Johnson)	Assessment Fund: Diversion of Revenues (See AB 1688)		In Assembly
AB 165 (Nolan)	Reserve Officer: Certificate	No position	In Senate
SB 208 (Presley)	POST Commission: Membership Change		In Assembly
SB 252 (Beverly)	POST Reimbursement: Transit Districts		In Senate
SB 382 (Petris)	POST Certificate: Suspension/Cancellation		In Senate
AB 865 (Stirling)	POST: Commission Expansion/Award of Certificate		In Assembly
SB 945 (Presley)	State Correctional Officers: Standards and Training		In Senate
AB 1020 (Leonard)	State Police: Expansion of Services		In Assembly
AB 1530 (Moore)	Chokeholds: Training Course Development		In Assembly
AB 1688 (Johnson)	Assessment Fund: Diversion of Revenues (See AB 4IX)		In Assembly
AB 2110 (Alatorre)	Peace Officers: Training, Testing and Certification		In Assembly

*Active means the Commission has or may take an official position.

Rev. 04/13/83

STATUS OF PENDING LEGISLATION OF INTEREST TO POST

INFORMATIONAL *

Bill/Author	Subject	Status
AB 5 (Campbell)	Aquatic Education: Funding	In Senate
SB 147 (Petris)	Peace Officers: Exam by Psychologist	In Assembly
SB 185 (Beverly)	Peace Officer: Off Duty Powers	In Senate
SB 310 (Presley)	Local Law Enforcement: Funding	In Senate
SB 425 (Johnson)	Peace Officer Power: Correctional Officer	Failed passage
AB 626 (W. Brown)	DA/Public Defender Training: Funding	In Assembly
AB 767 (McAlister)	Santa Clara Co. Transit District: Police and Security Officers	In Assembly
SB 789 (Lockyer)	Counties: Block Grant Program	In Senate
AB 873 (Felando)	Peace Officer Powers: Correctional officers of Los Angeles County	In Assembly
SB 969 (Richardson)	CCW Permit: Exemption for Elderly	In Senate
SB 1174 (Johnson)	State Police: Funding for Training	In Senate
AB 2108 (Wright)	School Districts: Security or Police Departments	In Assembly
AB 2114 (Roos)	Olympic Task Force: Membership	In Assembly

*Informational means the Commission will take no official position.

Rev. 04/13/83
(0007A/02)

BILL ANALYSIS

State of California — Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
POST Commission: Membership Change	Senator Presley	SB 208
SPONSORED BY	**RELATED BILLS**	**DATE LAST AMENDED**
District Attorney's Association		3-10-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Senate Bill 208 would:

1. Add an elected District Attorney to the Commission on Peace Officers Standards and Training.

Analysis

This bill would expand the size of the present 12 member POST Commission to 13 members by the addition of an elected District Attorney.

Although District Attorneys are not presently named as members of the Commission, the Governor has, in recent times, appointed a District Attorney to fill the elected county official position. The purpose of this bill is to create a new position on the Commission specifically for an elected District Attorney.

Recommendation

No position.

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
Don Beauchamp	3-29-83		
EXECUTIVE DIRECTOR	**DATE**	**COMMENT**	
Norman Boehm by [illegible]	4-6-83		

POST 1-159 (Rev. 6/77)

AMENDED IN SENATE MARCH 10, 1983

SENATE BILL No. 208

Introduced by Senator Presley

January 27, 1983

An act to amend Section 13500 of the Penal Code, relating to law enforcement.

LEGISLATIVE COUNSEL'S DIGEST

SB 208, as amended, Presley. Law enforcement.

Existing law provides that the Commission on Peace Officer Standards and Training consists of 11 members, appointed by the Governor, as specified. ~~One member is required to be an elected officer or chief administrative officer of a county.~~

This bill would ~~delete the above requirement and provide, instead, that one of the members shall~~ *add an additional member to the commission who would* be an elected district attorney ~~selected from the nominees submitted to the Governor by elected district attorneys~~.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes.* State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13500 of the Penal Code is
2 amended to read:
3 13500. There is in the Department of Justice a
4 Commission on Peace Officer Standards and Training,
5 hereafter referred to in this chapter as the commission.
6 The commission consists of ~~11~~ *12* members appointed by
7 the Governor, after consultation with, and with the
8 advice of, the Attorney General and with the advice and
9 consent of the Senate.

The commission shall be composed of the following members:

(a) Two members shall be (1) sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police, (2) peace officers who are deputy sheriffs or city policemen, or (3) any combination thereof.

(b) Three members shall be sheriffs or chiefs of police or peace officers nominated by their respective sheriffs or chiefs of police.

(c) One member shall be a peace officer of the rank of sergeant or below with a minimum of five years' experience as a deputy sheriff or city policeman.

(d) One member shall be an elected ~~district attorney selected from the nominees submitted by elected district attorneys.~~ *officer or chief administrative officer of a county in this state.*

(e) One member shall be an elected officer or chief administrative officer of a city in this state.

(f) Two members shall be public members who shall not be peace officers.

(g) One member shall be an educator or trainer in the field of criminal justice.

(h) One member shall be an elected district attorney.

The Attorney General shall be an ex officio member of the commission.

Of the members first appointed by the Governor, three shall be appointed for a term of one year, three for a term of two years, and three for a term of three years. Their successors shall serve for a term of three years and until appointment and qualification of their successors, each term to commence on the expiration date of the term of the predecessor.

The additional member provided for by the Legislature in its 1973–1974 Regular Session shall be appointed by the Governor on or before January 15, 1975, and shall serve for a term of three years.

The additional member provided for by the Legislature in its 1977–78 Regular Session shall be appointed by the Governor on or after July 1, 1978, and

1 shall serve for a term of three years.
2 *The additional member provided for by the*
3 *Legislature in its 1983–84 Regular Session shall be*
4 *appointed by the Governor on or after July 1, 1984, and*
5 *shall serve for a term of three years.*

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BILL ANALYSIS

State of California — Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

TITLE OR SUBJECT	AUTHOR	BILL NUMBER
POST Reimbursement: Transit District	Senator Beverly	SB 252
SPONSORED BY: So. California Rapid Transit District	RELATED BILLS	DATE LAST AMENDED: 2-2-83

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

General

Senate Bill 252 would:

1. Add Transit Districts to those agencies that are eligible for POST training reimbursement.

Analysis

The sponsors of this bill indicate that they are currently meeting the POST selection and training standards (including attendance at the regular POST basic academy) as part of the POST specialized program. They now wish to be eligible for reimbursement of training costs incurred meeting these standards.

The Southern California Rapid Transit District (SCRTD) is one of ten Transit Districts in the state. SCRTD and the Bay Area Rapid Transit (BART) are the only two such districts that employ sworn peace officers. BART has been a participant in the POST reimbursement program since January 1977. SCRTD currently employs 70 sworn officers. Based on an average expenditure per eligible employee of $305.00, the projected annual cost to the Peace Officer Training Fund (POTF) is $21,350.

Comments

The Commission has traditionally opposed the addition of new agencies to the reimbursement program unless there were additional continuing funds included in the legislation sufficient to cover the cost of the new agencies participation. This is to ensure that the addition of the new agency did not cause current participants to suffer a reduction in their reimbursement level. The Legislature, quite obviously, has not accepted this rationale and has added at least two new groups in recent years (District Attorney Investigators and School District Police) to the reimbursement program without benefit of additional revenues.

Because one rapid transit district (BART) has been meeting the POST standards and receiving reimbursement for a number of years, it would appear that consideration could be given to including all such districts, who have peace officers (Southern California Rapid Transit District) in the reimbursement program. In reviewing the offsetting factors (opposition because no new funds are included in the bill vs. support because of low fiscal impact and fairness doctrine), it would seem appropriate that the Commission take no position on this bill.

Recommendation

"No Position"

OFFICIAL POSITION

ANALYSIS BY	DATE	REVIEWED BY	DATE
D. Beauchamp	2-22-83		
EXECUTIVE DIRECTOR: Norman C. Boehm	DATE: 2-22-83	COMMENT	

POST 1-159 (Rev. 6/77)

SENATE BILL No. 252

Introduced by Senator Beverly

February 2, 1983

An act to amend Section 13507 of the Penal Code, relating to training.

LEGISLATIVE COUNSEL'S DIGEST

SB 252, as introduced, Beverly. Peace officer training.

Under existing law, the Commission on Peace Officer Standards and Training may establish and maintain minimum standards relating to peace officer members of, among other entities, districts. For those purposes, the definition of "district" does not expressly include transit districts.

This bill would add transit districts to that definition for those purposes, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13507 of the Penal Code is
2 amended to read:
3 13507. As used in this chapter, "district" means any of
4 the following:
5 (a) A regional park district.
6 (b) A district authorized by statute to maintain a
7 police department.
8 (c) The University of California.
9 (d) The California State University and Colleges.
10 (e) A community college district.
11 (f) A school district.
12 *(g) A transit district.*

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Napa Chamber of Commerce

For a Better Community

1900 JEFFERSON ST. - P.O. BOX 636
NAPA, CALIFORNIA 94559
AREA CODE 707 - 226-7455

February 17, 1983

Jacob J. Jackson, Chairman
Commission on Peace Officer
Standards & Training
8770 Mary Brook Drive
Sacramento, CA 95826

Re: Basic Police Academy
Night Format
Napa Valley College

Dear Mr. Jackson:

As chairman of the Law Enforcement/Fire Prevention Committee for the Napa Chamber of Commerce, I have been instructed by the Chamber to present to you the following most serious matter. The matter in question relates to the development and certification of a Basic Academy at Napa Valley College to fulfill a critical local need for law enforcement.

Attached is a chronological report made by college staff of the events in the development and attempts at certification of the program. We are offering this initial communication since it was felt by Sheriff Stewart and Chief Jennings that the Commission was given only one side of the story in San Diego.

The current alternative for students who wish to achieve this "certification" in this format is tantamount to forced busing, forty miles away to Santa Rosa over a two lane road which is in poor condition. Law enforcement agencies in southern Sonoma County, Solano County and Napa County have endorsed this program. Graduates would create a certified applicant pool from which all of these local agencies could draw. This concept is cost effective and frankly makes sense. We fail to understand why this simple annual singular presentation to 40 students presents such a monumental threat to the entire statewide training delivery system.

The Napa Chamber of Commerce believes the community has in good faith prepared well for the certification of a Basic Academy and it intends to do all within its potential to see that such an academy comes into being to fulfill our law enforcement needs. We are

working, and shall continue to work, through the offices of our Assemblyman and Senator, and through the offices of the Governor as well, in order to make this Basic Academy a reality in Napa.

After you have read the chronological report, which clearly states the facts, we respectfully request another hearing.

Sincerely,

Joe Threat, Jr.

Joe Threat, Chairman
Law/Fire Committee

cc: All Commission Members
Governor George Deukmejian
Senator Jim Nielsen
Assemblyman Don Sebastiani
Sheriff Phillip E. Stewart, Napa County
Chief Ken Jennings, Napa P.D.
Chief James Anderson, Calistoga P.D.
Chief Andy Angel, St. Helena P.D.
Chief Roland Dart, Vallejo P.D.
Chief Bill Rettle, Sonoma P.D.
Sheriff Al Cardoza, Solano County

JT/ps
Encls.

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
JOHN K. VAN DE KAMP, *Attorney General*
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145
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Information Services
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Management Counseling
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Standards and Evaluation
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Training Delivery Services
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Training Program Services
(916) 739-5372
Course Control
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Professional Certificates
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Reimbursements
(916) 739-5367
Resource Library
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Center for Executive Development
(916) 739-5328

March 9, 1983

Joe Threat, Chairman
Law/Fire Committee
Napa Chamber of Commerce
P. O. Box 636
Napa, CA 94559

Dear Mr. Threat:

This is in response to your letter of February 17, 1983, regarding the Basic Police Academy at Napa College. We appreciate your continued interest in the law enforcement community.

We have reviewed your document, "The History of Pursuit of a Napa Valley College Basic Police Academy (Night Format)" and find comments inconsistent with our investigation during the certification review process. We do not believe the document provides sufficient reason to warrant another hearing of the certification request.

The Commission believed, at the January hearing, that no compelling need existed for this certification, and that proliferation of basic course presenters would be detrimental to the regional training system. The Commission of course will remain receptive to reviewing any new information which the college may have on the issue of need for a new basic course certification.

I'm sure you realize that POST's primary responsibility is to provide training for in-service regular and reserve officers. Napa College is currently certified to present reserve officer training, and our staff has already communicated willingness to consider coordinating the reserve training curriculum with an existing basic course. Such an approach has potential to address the concerns expressed in Napa County for pre-employment training. The Commission supports such training within the existing system, but believes that a shift towards POST supported training of non-employed students should be considered only after thorough study of statewide, long-term implications.

Thank you again for your interest in promoting the welfare of law enforcement.

Sincerely,

Jacob J. Jackson

JACOB J. JACKSON
Chairman

cc: All Commission Members
Governor George Deukmejian
Assemblyman Don Sebastiani
Sheriff Phillip E. Stewart, Napa County
Chief Ken Jennings, Napa P.D.
Chief James Anderson, Calistoga P.D.
Chief Andy Angel, St. Helena P.D.
Chief Roland Dart, Vallejo P.D.
Chief Bill Rettle, Sonoma P.D.
Sheriff Al Cardoza, Solano County

City of NAPA

CITY HALL
955 SCHOOL STREET, P.O. BOX 660
NAPA, CALIFORNIA 94559-0660
(707) 252-7711

OFFICE OF THE MAYOR

March 7, 1983

Mr. Jacob J. Jacksen, Chairman
Commission on Peace Officer
Standards and Training
8770 Mary Brook Drive
Sacramento, CA 95826

Dear Mr. Jacksen:

On behalf of the Napa City Council and the community of Napa, I am writing to respectfully request that a reconsideration of the concept to provide an Extended Day POST certified curriculum at Napa Valley College be held as soon as possible. The City of Napa, the County of Napa and all of the law enforcement agencies within this County strongly support the establishment of an Extended Day program at Napa Valley College. I emphasize that this will be an extended day program and not a full time curriculum. It has never been the intention in this series of applications, to request certification as a full time academy. The City of Napa, and I am sure the other law enforcement agencies in the County, will continue to send their newly hired enforcement officers to educational institutions that have full time academy status. When we hire a new law enforcement person, we are in need of that person's service as soon as possible. We have used the facilities at Santa Rosa, Eureka and Sacramento - we intend to continue that process.

The Extended Day curriculum we are requesting at Napa Valley College, would provide an opportunity to many of the citizens who volunteer their time in our Reserve Program. In addition, it will extend opportunities to people who are employed in other careers and wish to pursue an alternative career in law enforcement. It is a significant, financial advantage to all of the law enforcement agencies to recruit a fully trained person. We can actually place that person out in our community 3-4 months sooner than we would otherwise do. Using POST certified field training officers, we are able to locally orient that new recruit within a matter of 2-3 months. The advantage of having local residents obtain certification prior to their hiring, reduces, significantly, the cost to our agency, gives us a longer probationary period on the job, and aids in our selection process. By the way, the City of Napa has an extensive selection process which we are always willing to share with other law enforcement agencies. This program has been developed through the cooperation of POST staff and medical & psychological resources.

March 7, 1983

In a time when all government resources are limited, we would not be asking for anything but the most efficient and cost-effective applications. The City of Napa, County of Napa, and its law enforcement agencies, feel that the Extended Day Program at Napa Valley College would be an excellent program for the citizens in our communities and be very cost-effective for the POST training mission and the overall enhancement of law enforcement. For these reasons, we respectfully request a rehearing and reconsideration of this matter as soon as possible.

Sincerely,

Phyllis Moore

Phyllis Moore
MAYOR

PM:mlb
cc: Senator Nielsen
Assemblyman Sebastiani
Napa Register
K V O N
Napa Chamber of Commerce
Napa County Board of Supervisors
County Administrator
District Attorney, Jerry Mautner
William Fedderson, Napa Valley College

STATE OF CALIFORNIA GEORGE DEUKMEJIAN, *Governor*

DEPARTMENT OF JUSTICE JOHN K. VAN DE KAMP, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

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Center for Executive Development
(916) 739-5326

March 28, 1983

Phyllis Moore, Mayor
City of Napa
City Hall
955 School St., P. O. Box 660
Napa, CA 94559-0660

Dear Mayor Moore:

Thank you for your recent letter regarding certification of a basic training academy in your community. We have recently communicated with Mr. Joe Threat of the Napa Chamber of Commerce on this same matter. A copy of our letter is enclosed. As indicated in that letter, the Commission is concerned for the regional training system currently in place, and is reluctant to shift emphasis toward the training of nonemployed/non-screened students.

The economic benefits (for the employer) of pre-employment training are significant, and POST encourages such training within the existing training system.

A 200-hour reserve officer course is now certified to Napa College. That course can prepare volunteer reserves and also provides the foundation for completion of basic training in existing academies. An approach which integrates Napa College reserve training with extended format basic courses in surrounding areas seems feasible and would address the concerns described in your letter.

We do not believe a rehearing of the certification request at this time could be productive without presentation of new information on the subject of need for a new course. We will, however, remain receptive to the consideration of new information.

Should you have questions or desire additional information, please contact our Executive Director, Norman Boehm, at (916) 739-5328.

Sincerely,

Jacob J. Jackson

JACOB J. JACKSON
Commission Chairman

Enc.

cc: William H. Feddersen, President
Napa College

City of Placerville
CALIFORNIA

January 13, 1983

Commission on Peace Officer
Standards & Training
P.O. Box 20145
Sacramento, CA 95820

Members of the Commission:

I am writing to express my feelings relative to the potential of televised training programs which allow for student/instructor interaction. I recently attended such a presentation covering Legal Update material. The potential appears unending and exciting for this medium to bridge the training gap experienced by smaller law enforcement agencies. With all segments of government being concerned with the most efficient and effective use of fiscal and personnel resources I believe the video/television training program is extremely cost effective. A one time instructor cost would enable a program to be effectively delivered to a large and geographically diverse audience.

At the present time no reimbursement is allowable for this type training. I do not believe that I stand alone in my feeling that the further development of video training is essential. Therefore, I request that you consider providing adequate funding for P.O.S.T. staff to develop, implement and evaluate several more training programs for a minimum period of one year. Further, I would request that reimbursement be provided to agencies participating.

487 MAIN STREET • PLACERVILLE, CALIFORNIA 95667

Administration 622-6200 • City Clerk/Finance Director 622-3515 • Accounting 622-3518 • Utility Billing/Purchasing 622-5523 • Building Inspector 622-7483
City Engineer/Community Development Director 626-0606 • Engineering 622-8332 • Planning 622-9353 • Public Works Superintendent 622-6724

Fire Department
730 Main Street
622-4163

Police Department
730 Main Street
622-0111

Recreation & Parks Department
549 Main Street
622-0832

All Emergencies
626-4911

If I might answer any questions or provide you additional information please don't hesitate to contact me.

Ted J. Mertens
Chief of Police

TJM/bjr

March 1, 1983

Ted J. Mertens, Chief
Placerville Police Department
487 Main Street
Placerville, CA 95667

Dear Chief Mertens:

Thank you for your kind interest in innovative training for California law enforcement.

"Interactive TV" programming as a way to reach large groups of law enforcement personnel over a greater area, does look promising as an inexpensive way to train. The two experimental presentations, sponsored by POST, established that Interactive TV training is viable for the above reasons as well as a means to reduce cost per student training hour. The results have been encouraging to date; however, there are still some unanswered questions which need to be resolved before Interactive TV training becomes a reality.

POST will continue to explore this process as a means of bringing quality training to law enforcement.

Our next presentation will be a presentation by George Francell on Vicarious Liability. The presentation should be of great value to you and your city attorney. It will be held in Grass Valley, March 29, from 9:30 a.m. to 3:30 p.m., and reimbursement will be under Plan IV.

Your separate letter to the Commission regarding this training concept will be provided to them at their regular meeting on April 21, 1983 in Sacramento.

Thank you again for your support and interest in our training programs. You will be kept apprised of futther developments by your Area Consultant, George Estrada.

Sincerely,

NORMAN C. DOEHM
Executive Director

NCB:GAE:mbk

NOTE TO TYPIST: Itemize enclosures on this copy

Bureau	Originator	Bureau Chief	Executive Office	Xerox copy to:

POST 1-272 (1/82)

SHERIFF AND CORONER

ALFRED F. NOREN
SHERIFF-CORONER

COUNTY OF SANTA CRUZ

701 Ocean Street, Room 340
SANTA CRUZ, CALIFORNIA 95060
PHONE (408) 425-2035

IN REPLY PLEASE REFER
TO OUR FILE _____

March 3, 1983

Mr. Norman Boehm, Executive Director
Commission on Peace Officer Standards & Training
P. O. Box 20145
Sacramento, California 95820

Dear Mr. Boehm:

I have received your February 18 letter relative to reimbursement of non-sworn personnel based upon approval on a case-by-case evaluation.

I'd like to apprise you of my disapproval of further bastardizing our system of standardized training for peace officers.

Little by little, various entities are seeking and receiving P.O.S.T. funding on a limited basis. I feel strongly that if the Commission continues to broaden its scope to include all levels of government, then monies to finance this endeavor should be derived from some other source and local entities should receive the fruits of their own labors, to-wit: the fine monies that currently support P.O.S.T.

Sincerely,

Alfred F. Noren

ALFRED F. NOREN, Sheriff-Coroner

AFN/dm

RIVERSIDE COMMUNITY COLLEGE DISTRICT

OFFICE OF THE PRESIDENT

serving the unified school districts of ALVORD • JURUPA • MORENO VALLEY • RIVERSIDE

4800 MAGNOLIA AVENUE / RIVERSIDE, CALIFORNIA 92506 / (714) 684-3240

March 1, 1983

COMMISSION ON POS
MAR 4 10 58 AM '83

Mr. Jacob Jackson, Chairman
Commission on Peace Officer Standards
and Training
P.O. Box 20145
Sacramento, CA 95820-0145

Dear Mr. Jackson:

You may be aware that the legislature is considering the imposition of tuition in the California Community Colleges beginning sometime subsequent to July 1, 1983. If tuition becomes a reality there are obvious implications and matters of concern for colleges offering basic academies, as well as other law enforcement in-service training.

In discussing these concerns with our local law enforcement officials, I have learned that most training funds are provided to local agencies through the Peace Officer Standards and Training program. I would like to know if the POST Commission has adopted, or is considering, a position regarding community college tuition for police officer training.

I would appreciate hearing from you on this matter as soon as possible, as it affects our planning for future law enforcement training.

Sincerely,

Charles A. Kane
Superintendent

CAK/pm

cc: Gerald Hayward, Chancellor
California Community Colleges

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN, *Governor*

DEPARTMENT OF JUSTICE
JOHN K. VAN DE KAMP, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145
EXECUTIVE OFFICE
(916) 739-5328

BUREAUS
Administrative Services
(916) 739-5354
Compliance and Certificates
(916) 739-5377
Information Services
(916) 739-5340
Management Counseling
(916) 322-3492
Standards and Evaluation
(916) 322-3492
Training Delivery Services
(916) 739-5394
Training Program Services
(916) 739-5372
Course Control
(916) 739-5399
Professional Certificates
(916) 739-5391
Reimbursements
(916) 739-5367
Resource Library
(916) 739-5353
Center for Executive Development
(916) 739-5328

March 18, 1983

Charles A. Kane, Superintendent
Riverside Community College
4800 Magnolia Avenue
Riverside, CA 92506

Dear Mr. Kane:

Your letter of March 1, 1983, was referred to me for response by Commission Chairman Jacob J. Jackson.

The Commission is not now considering tuition for law enforcement training at community colleges. As a general rule, the Commission is looking to increasingly high quality and effective basic courses. The community college approach has worked reasonably well over all and has been excellent in many instances.

Though there are financial pressures on community colleges, we are confident that within the overall system, educational resources can continue to be made available for law enforcement courses. With the pressures for money on law enforcement, certainly the Commission would want to avoid a systemic shift of dollars from peace officer agencies to underwriting the educational system. Without the Legislature having acted, it is probably best to avoid conjecture on future alternatives.

As to your college's planning for future programs, we hope that the POST-certified courses will continue at the current level and adapt to accommodate police training needs in the future.

If you have any questions, please feel free to contact me at (916) 739-5328 or your area consultant, Everitt Johnson, at (916) 739-5405.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

4949 BROADWAY
P. O. BOX 20145
SACRAMENTO 95820-0145

SPECIAL MEETING
POST ADVISORY COMMITTEE
March 7, 1983
CHP Academy
Bryte, CA

M I N U T E S

CALL TO ORDER

The special meeting of the POST Advisory Committee was called to order by Chairman Larry Watkins at 10 a.m., March 7, 1983.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Roll was called.

Present were:	Larry Watkins, Chairman Barbara Ayres Ben Clark Mike D'Amico Jack Pearson Mike Sadleir Arnold Schmeling Mimi Silbert J. Winston Silva Robert Wasserman
Absent were:	Mike Gonzales John Dineen Joe McKeown
POST Staff:	Norman C. Boehm, Executive Director Ron Allen, Chief, Special Projects Judy Yamamoto, Secretary, Executive Office
Commission Advisory Liaison Committee:	Commissioner Robert Vernon, Chairman

Larry Watkins welcomed Norm Boehm, Executive Director of POST, and Commissioner Robert Vernon, Chairman of the Commission's Advisory Liaison Committee.

For informational purposes, the Study of Training Required by Penal Code Section 832 report was handed out to the members. This item came before the Advisory Committee at its last meeting.

PURPOSE OF MEETING

The Chairman Watkins explained that the purpose of this meeting was to update and review the proposed future-oriented issues and concerns that the Advisory Committee would like the Commission to address. The Committee was divided into four subcommittees to deal with specific topics. Subsequently, each subcommittee met and the chairpersons reported on what their group has done to date.

A round table discussion on the original charge of the Advisory Committee followed. Commissioner Vernon stated that at this time, the Advisory Committee should only take the issues to the Commission and perhaps with alternatives to deal with these issues and also to prioritize the issues. Then if the Commission approves, the Committee could work in more detail on the issues.

The remainder of the afternoon was devoted to refining the issues/concerns. It was decided that the subcommittee chairpersons will meet before the next regular Advisory Committee meeting and prioritize the issues/concerns.

There being no further business to come before the Advisory Committee, Chairman Larry Watkins adjourned the meeting at 3:30 p.m.

Respectfully submitted,

Judy

Judy Yamamoto
Secretary

STATE OF CALIFORNIA
EDMUND G. BROWN JR., *Governor*
DEPARTMENT OF JUSTICE
GEORGE DEUKMEJIAN, *Attorney General*
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1949 BROADWAY, BUILDING E, SECOND FLOOR
P. O. BOX 20145
SACRAMENTO, CA 95820-0145

POST Advisory Committee Meeting
January 19-20, 1983
Town and Country Hotel
San Diego, California

M I N U T E S

CALL TO ORDER

The meeting of the POST Advisory Committee was called to order by Chairman Larry Watkins at 10 a.m., January 19, 1983.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Roll was called.

Present were:	Larry Watkins, Chairman Ben Clark Michael Gonzales Joe McKeown Jack Pearson Michael Sadleir J. Winston Silva
Absent were:	Barbara Ayres Michael D'Amico John Dineen Alice Lytle Arnold Schmeling Mimi Silbert Robert Wasserman
POST Staff Present:	Ron Allen, Chief, Special Projects Don Beauchamp, Assistant to the Director Dr. John Berner, Standards and Evaluation Services Ted Morton, Chief, Center for Executive Development Harold Snow, Chief, Training Program Services Judy Yamamoto, Secretary, Executive Office
Guest:	Dave Allan, Assistant Director, Special Projects Section, Office of the Attorney General

APPROVAL OF PREVIOUS MEETING MINUTES

MOTION Clark, second Pearson, to approve the minutes of the October 14, 1982 Advisory Committee meeting. Motion carried.

REVIEW OF OCTOBER 1982 COMMISSION MEETING

Chairman Watkins briefly reviewed some of the highlights of the October Commission Meeting.

REVIEW OF AD HOC COMMITTEE MEETING ON CENTER FOR EXECUTIVE DEVELOPMENT

Ted Morton, Chief, Center for Executve Development, updated the Committee on some of the activities of the Center for Executive Development including the Command College. (See Attachment A for presentation material.)

Ben Clark suggested that a shorter time span between Core I and Core II (perhaps four months) might be better, and in this time, students would be taught how to do research, then would do the research report and implement it in their department. After a year or so, if the implementation works, then the student would go on to Core III. In this way, Sheriff Clark stated that you will see whether or not you have participants who are forward looking and not only are they bringing themselves along, they are bringing their own departments along.

832 STUDY - REPORT TO THE LEGISLATURE

Don Beauchamp, Assistant to the Director, reviewed the PC 832 report on the training standard that will be going to the Legislature after approval from the Commission. After a short discussion on the format of the report, the following motion was made:

MOTION Clark - second McKeown - because of the complexity and length of the report, the report should be accompanied with an Executive Summary identifying the recommendations and summarizing the current and proposed course. Motion carried.

LEGISLATION - PROGRESS REPORT

Don Beauchamp reviewed bills POST is following:

AB 5 (Campbell) - This bill would establish an aquatic education program for public elementary schools. The original bill requested Peace Officer Training Fund money be used to fund the program, but has since been amended. This bill is no longer of specific interest to POST as funding for the program would come from the driver training portion of the penalty assessment fund.

AB 165 (Nolan) - This bill would allow specified reserve officers, who were qualified on January 1, 1981, to receive a Level I reserve officer certificate, if they failed to obtain the certificate during that time period. (See Attachment B.)

Dr. John Berner, Standards and Evaluation Services Bureau, updated the Committee on the three following projects:

PHYSICAL TRAINING REQUIREMENTS IN BASIC COURSE

This project was started because of physical training instructors concern over the physical performance objectives. Subsequently, an ad hoc committee was formed and recommended that the Commission authorize development of a standardized PT program. At the July 1982 meeting, the Commission granted the development of a model PT program. This program will be completed in conjunction with the statewide entry-level physical ability standards project. The project schedule indicates that there will be a pilot program by June of 1983 and a final product by April 1984. (See Attachment C.)

AB 1310 RESEARCH UPDATE

POST has recently completed a national recruitment effort and has hired three research specialists to conduct research to establish job-related entry-level employment standards with regard to emotional stability, minimum education, vision, hearing, and physical ability. This project is to be completed by January 1, 1985. (See Attachment D.)

READING AND WRITING STANDARDS

(See Attachment E for report.)

Harold Snow, Chief, Training Program Services Bureau, reported on the following three projects:

PAMPHLET: POST GUIDELINES FOR INSTRUCTIONAL EXCELLENCE

Harold asked the members to review the project and to submit suggestions and comments to him by February 4, 1983. (See Attachment F for report.)

SUPERVISORY COURSE REVISION

(See Attachment G for report.)

INNOVATIVE FORMS OF TRAINING DELIVERY

On October 20-21, 1981, a workshop was held in Sacramento to address what POST's role should be, if any, in the production, reproduction and distribution of instructional media. The participants, commerical, college and law enforcement agency producers, basic academy representatives, police administrators, trainers and user of audio-visual programs, formulated eight recommendations (see Attachment H). Of the eight recommendations, POST has:

1. Certified a pilot media development course at San Jose State University.

2. Certified a telecourse at Butte College.

Innovative Forms of Training Delivery (Con't)

3. Submitted a budget proposal for a Media Clearinghouse. (Because of the State freeze, this proposal is pending.)

4. Submitted a budget proposal to purchase interactive video equipment to develop some pilot demonstration programs (Because of the State freeze, this proposal is pending.)

Committee Member McKeown expressed his concerns regarding the above as follows:

POST's certified telecourse at Butte and San Jose is not practical because the proposal relies on the university systems capability to fund the project and to work with Butte College. The university system is faced with the same revenue problems as other state agencies, the state freeze. POST should explore how we can still accomplish some of these things but in different ways.

The Clearinghouse concept is a needed program and, if priorities with- in POST will allow, the project should go forward. If, however, POST cannot use staff and resource to implement this concept, perhaps POST could identify existing repositories of instructional media and coordinate the information currently available on a regional basis through law enforcement associations, colleges and other agencies.

The Interactive video equipment and the training program concept is a good long range goal for POST. Academy directors think it would be nice to have and recommend that POST, as an in-house item, continue to explore its feasibility. From a practical point of view, not many colleges/academies can afford the equipment now nor will they be able to in the near future. Perhaps there are more important projects POST should be pursuing at this time.

A motion was made to adjourn the meeting until tomorrow morning. Motion carried.

January 20, 1983

The Advisory Committee meeting was reconvened at 8:30 a.m. by Chairman Watkins.

Present were:	Larry Watkins Ben Clark Michael D'Amico Michael Gonzales Joseph McKeown Jack Pearson Michael Sadleir J. Winston Silva
POST Staff:	Ronald T. Allen Judy Yamamoto
Other:	Dave Allan

REPORT ON GOVERNOR'S TASK FORCE ON CIVIL RIGHTS

Ron Allen, Chief, Special Projects, discussed the Governor's Task Force on Civil Rights Report. The Task Force membership was comprised of representatives from state and local government, business, law enforcement, civil rights and community groups, the judicial system, and the public. The Task Force was established to monitor incidents of community violence and identify the scope and depth of racial, ethnic, and religious incidents in California. The Civil Rights Task Force Report was presented to the Advisory Committee for informational purposes.

REVIEW OF JANUARY COMMISSION AGENDA

Ron Allen reviewed the January 27, 1983 Commission Agenda.

Mike Sadleir, representing CAUSE, reported on some of the marshals' concerns regarding the Marshal's Training Course. Mike reported that the marshals would like the attend the regular Basic Course and then attend 80 hours of specialized marshals training. Other concerns of the marshals reported by Mike will be directed to POST staff and will be discussed at the April 1983 Public Hearing in Sacramento.

After a short discussion of the Peace Officer Legal Sourcebook and some questions being answered by Dave Allan, Assistant Director, Special Projects Section, Office of the Attorney General, there was a positive response from the Advisory Committee members that the Commission should go forward regarding funding of 5,000 copies of the Sourcebook.

DISCUSSION: "LIST OF TOPICS" ADVISORY RECOMMENDS THE COMMISSION CONSIDER FOR FUTURE

At the October 1982 Commission meeting, the Commission Chairman formed the "Commission Liaison Committee" to review the role of the Advisory Committee and to meet with the Advisory Committee regarding their ideas and concerns. Members of the Liaison Committee are: Commissioner Vernon (Chairman), Commissioners Edmonds and Trives. The Commission Liaison Committee met with the Advisory Committee on December 1, 1982 in Los Angeles.

The Advisory Committee members interpretation of the charge given to them at the December 1, 1982 meeting by the Liaison Committee was to develop a long range plan suggesting what the Commission should look like in five to ten years. The plan will include a list of topics the Advisory Committee recommends the Commission should consider. The Advisory Committee members agreed that their "action plan" to respond to the assignment would be as follows:

1. Identify major concerns/issues in California law enforcement as related to the responsibilities of POST.

2. Major responsibilities to be divided among the Committee. (Four Advisory subcommittees formed.)

3. Members to meet with their constituents and obtain input.

Discussion: "List of Topics" (Con't)

4. Subcommittees will meet and develop summary.

5. Advisory Committee will meet on March 7 in Sacramento. (Special Advisory Meeting.)

6. Final report to the Commission at the April 26, 1983 Commission meeting.

(See Attachment I for subcommittees and suggested report format.)

PROPOSED FUTURE MEETINGS (Dates/Locations)

It was decided that quarterly meetings of the Advisory Committee will be scheduled the day before and at the same location of the Commission meetings. This will make it more convenient for the Commission Liaison Committee members to meet with the Advisory Committee.

April 26, 1983	Sacramento, Holidome
July 20-21, 1983	San Diego, Bahia Hotel
October 19, 1983	Sacramento

ADJOURNMENT

There being no further business to come before the Advisory Committee, Chairman Larry Watkins adjourned the meeting at 11:20 a.m.

Respectfully submitted,

Judy

Judy Yamamoto
Secretary

ATTACHMENTS

State of California

Department of Justice

Memorandum

: POST Commissioners

Date : March 25, 1983

Nathaniel Trives

Nathaniel Trives, Chairman, The Commission's Nominating Committee

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

Subject: Nominating Committee Report

At its January, 1983, meeting, the Commission's Chairman appointed three Commissioners to serve as an ad hoc Nominating Committee. The purpose of this Committee was to establish nominations for the Chairs of the POST Commission for 1983 and to determine Commissioners' positions on a two-year vs. a one-year term for the Chairs. The Committee consisted of Commissioners Trives (Chair), Kolender, and Van de Kamp.

Committee Chairman Trives arranged a meeting by conference call on March 25 at 10 a.m., with members Kolender and Van de Kamp, for discussion and recommendations of the results of a questionnaire mailed to all Commissioners which requested positions on the extended term for the Chairmanship and nominations for Chair offices for 1983. Based on the current practice of serving one-year terms, the nominees were Commissioners Jackson and Edmonds for Chairman and Commissioners Edmonds, Kolender, Rodriguez, and Vernon for Vice-Chairman.

Following deliberations, the Committee agreed on the following three recommendations:

1. The present one-year terms for the Commission Chairs be expanded to a term of two years to become effective in April, 1984.

2. With that spirit in mind, and with the fact that Chairman Jackson has served well, it was further recommended that he serve one additional year as Chairman with Commissioner Edmonds serving one additional year as Vice-Chairman.

3. A recommendation to the 1984 Nominating Committee is to be that Vice-Chairman Edmonds advance to Chairman and Commissioner Kolender advance to Vice-Chairman for 1984 offices.