COMMISSION MEETING AGENDA
July 19, 1990 - 10:00 a.m.
Marriott Hotel Mission Valley
Sierra Rooms 5 & 6
8757 Rio San Diego Drive
San Diego, CA 92108
(619) 692-3800

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

WELCOMING NEW COMMISSIONERS

- EDWARD HUNT, DISTRICT ATTORNEY, FRESNO COUNTY
- RICHARD L. MOORE, CITY MANAGER, CITY OF ATHERTON

INTRODUCTIONS

RECOGNITION OF ADVISORY COMMITTEE MEMBERS PRESENT

HONORING COMMISSIONER SHERMAN BLOCK - CHAIRMAN APRIL 1989 TO APRIL 1990

APPROVAL OF MINUTES

A. Approval of the minutes of the April 19, 1990 regular Commission meeting at the Marriott Hotel Mission Valley in San Diego.

CONSENT CALENDAR

B.1 Receiving Course Certification Report

Since the April meeting, there have been 29 new certifications, 23 decertifications, and 81 modifications. In approving the Consent Calendar, your Honorable Commission receives the report.

B.2 Receiving Financial Report - Fourth Quarter FY 1989/90

The fourth quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Information on New Entries Into the POST Regular (Reimbursement) Program

The following entries have met the Commission's requirements and have been accepted into the POST Regular (Reimbursement) Program:

Imperial County District Attorney's Office
San Francisco District Attorney's Office
Blue Lake Police Department

In approving the Consent Calendar, your Honorable Commission receives the report.

B.3 Receiving Report on Withdrawal of Riverside and Desert Judicial District Marshals' Offices from the Specialized POST Program

The Riverside and Desert Judicial District Marshal's Office have become part of the Riverside County Sheriff's Department. In approving the Consent Calendar, the Commission takes note they are no longer part of the specialized program.

B.4 Receiving Information on New Entries Into the Public Safety Dispatcher Program

Procedures provide that agencies that have expressed willingness to abide by POST Regulations and have passed ordinances as required by Penal Code Section 13522 may enter into the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525.

In approving the Consent Calendar, your Honorable Commission notes that since the April meeting, 10 agencies listed in the enclosed report have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program. These new entrants bring to 252, the number of agencies joining the program since it began July 1, 1989.

B.5 Approving a Resolution Commending Special Consultant Jim Newman

In approving the Consent Calendar, your Honorable Commission adopts a Resolution commending Jim Newman for his outstanding service to POST in developing and updating curriculum for the Regular Basic Course. Sergeant Newman, of the Chino Police Department, served as a Special Consultant under the POST Fellowship Program from July 1, 1989 to June 30, 1990.

PRESENTATION

- Presentation of Resolution to Special Consultant James E. Newman

PUBLIC HEARINGS

C. Receiving Testimony on the Proposal to Adopt Training Standards on Sudden Death of Infants

Senate Bill 1067 of 1989 enacted Section 13519.3 of the Penal Code. The law requires peace officers assigned to patrol or investigations to complete a course of training covering Sudden Infant Death Syndrome (SIDS) and investigation of the sudden death of infants. Officers employed after January 1, 1990 must complete the training prior to July 1, 1992 and prior to award of a POST Basic Certificate.

The legislation requires POST to:

1. Develop the training course required of the affected peace officers.

2. Develop guidelines for the use of law enforcement agencies in the investigation of infant death cases.

3. Incorporate SIDS awareness training in the Basic Course with the subject block covering death investigation.

To effect these changes, it is proposed that Regulation 1081 (Minimum Standards for Statutory Training Requirements) be amended to add Section 18 concerning investigation of cases involving sudden deaths of infants. This section would specify minimum topics for a two-hour course covering SIDS awareness and investigation of infant deaths.

It is also proposed that this same course be adopted as Performance Objectives (POs) in the Regular Basic Course by amending Regulation 1005, Procedure D-1. Performance Objectives on this subject are included in the enclosed report. Only one estimated additional hour will be required to present this subject in the basic course because death investigation is already included. Modification of the death investigation performance objective and adoption of two new performance objectives concerning SIDS awareness are proposed.

P.C. 13519.3 also requires the Commission to develop and distribute guidelines for the use of law enforcement agencies in the investigation of sudden infant death. The guidelines will be for voluntary use and therefore need not be formally adopted pursuant to the Administrative Procedures Act. The guidelines are also before the Commission for approval.

Subject to the results of the public hearing, the appropriate action would be a MOTION to adopt the proposed training standards for the Investigation of Sudden Deaths of Infants pursuant to Penal Code Section 13519.3, and to approve guidelines relating to the investigation of sudden infant deaths.

D. Receiving Testimony on the Proposal to Adopt Regulations Concerning Distribution of Asset Forfeiture Funds

Health and Safety Code Section 11489 was modified in 1988 to revise provisions for distribution of money accruing from the seizure/disposal of property involved in drug offenses. The law provides that after specified distributions are made, 85% of any remaining funds would be deposited in the Peace Officer Training Fund (POTF). The Office of Criminal Justice Planning (OCJP) reports that approximately $800,000 has accrued for transfer to the POTF.

Summary interpretation of the law is that monies accruing shall be disbursed as reimbursement for drug related training only, and that state agencies shall be eligible for these asset forfeiture fund reimbursements on an equal basis with agencies participating in the POST program.

The proposed regulation would provide that a special account for asset forfeiture funds be established, and that reimbursements be distributed on an annual basis at the close of each fiscal year. Reimbursements would be calculated by determining how many total hours of eligible drug training were completed statewide for the fiscal year, and dividing that number into the amount of money available. The resulting hourly dollar amount would then be used to determine the yearly reimbursement to each eligible agency based upon the number of hours of drug related training completed by agency personnel.

Subject to the results of the public hearing, the appropriate action would be a MOTION to adopt the proposed regulation to establish the special account and implement a reimbursement program as described.

TRAINING PROGRAM SERVICES

E. Recommendation to Schedule a Public Hearing to Establish a Training Course for School Police

Senate Bill 446 of 1989, effective January 1, 1990, enacted Section 832.2 of the Penal Code which requires K-12 school and community college peace officers to complete a course of training approved by POST directly related to the role of school peace officers. The course of training must be

completed by school peace officers who do not possess a POST Basic Certificate. The school peace officer training course is required to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other school related matters, as determined by POST. The course of training is required to be developed and approved no later than January 1, 1991.

Approximately 300 school peace officers will be affected. The only training currently required training for these officers is the P.C. 832 Introduction to Law Enforcement Course.

Based upon input from school peace officers and others, a 32-hour School Peace Officer Course was developed that includes the Role of School Peace Officers, Reporting Crimes to Other Law Enforcement Agencies, Dealing With Drugs/Violence On Campus, Laws Impacting School Campuses, Maintaining Campus Community Relations, Campus Parking and Traffic Control, Facility Protection, and Handling Disasters and Emergencies. As required, guidelines and procedures for reporting offenses to other law enforcement agencies is included under the topic: "Reporting Offenses to Other Law Enforcement Agencies."

To implement this training standard, Commission Regulation 1081 should be amended to include Section 19, School Peace Officer (Penal Code Section 832.2), to specify the minimum topics and hours noted above. In adopting this new training standard, it is proposed that the Commission recommend that all school peace officers who perform general law enforcement duties should complete the Regular Basic Course prior to appointment or assignment to peace officer duties.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing in conjunction with the November 1990 meeting to consider adopting a training standard for school peace officers pursuant to Penal Code Section 832.2.

F. Report on the Cultural Awareness/Communications Training Study and Recommendation for a POST Special Consultant (Management Fellow).

The Commission at its November 1989 meeting directed staff to study and develop a recommended approach for making training available on the subject of cultural awareness and communicating with individual cultural groups, and report back to the Commission at the July 1990 meeting.

Subsequent to the Commission directing this study be undertaken, Senate Bill 2680 was introduced requiring POST to develop guidelines and training for law enforcement officers on racial and cultural differences among California residents. This legislation requires POST to complete its development by July 1991. The Commission supports this proposed legislation which leaves attendance decisions to the needs of the field. Follow-up development subsequent to this study should take into consideration the requirements of SB 2680 because of the likelihood of its passage.

This staff study concluded that: (1) existing cultural awareness training is limited in scope and availability: (2) there is need for a more coordinated, focused and standardized approach for law enforcement training on this subject; (3) the needed training should focus on individual cultures and what law enforcement should be aware of and be sensitive to; (4) much cultural awareness training is best presented within departments; and (5) racial sensitivity should be simultaneously studied.

To accomplish this, specific work activities are necessary including:

1. Developing and publishing a Program Development Guide of Cultural Awareness/Racial Sensitivity Training that includes curriculum and guidelines required by Senate Bill 2680.

2. Developing POST certified training for departmental trainers/facilitators.

3. Developing orientation/training for law enforcement executives regarding the program elements, goals, and benefits.

4. Assessing the feasibility for developing a fundamental language training program, possibly using interactive videodisc technology.

5. Evaluating needed improvements in Basic Academy content and instructor training.

The recommended work activities will require approximately one year of research and development. The most feasible approach for accomplishing these tasks is to contract for one year's service of a POST Special Consultant (Management Fellow). Estimated costs for salary and fringe benefits are $100,000, excluding long term per diem and travel.

If the Commission Concurs, the appropriate action would be a MOTION to authorize the Executive director to enter into a contract for up to one year's services of a POST Special Consultant for actual costs not to exceed $100,000 to conduct research and development associated with cultural awareness/language training and the requirements of Senate Bill 2680. (ROLL CALL VOTE)

G. Recommendation to Schedule a Public Hearing to Revise Specialized Investigator Course Requirements

A review of the Specialized Basic Investigators Course was initiated earlier this year at the request of user agencies. An advisory committee composed of agency administrators, presenters and subject matter experts was convened to provide input on the general subject areas and need for revision of the curriculum.

It is proposed that 58 performance objectives be added to the course curriculum. These modifications are proposed due to changes in law, additional duties performed by specialized investigators, and the desire of agency administrators for a course more specifically designed to meet the needs of specialized investigators. Areas recommended for addition include extortion, embezzlement, burglary, and robbery law; sex crimes; controlled substances; search warrants; gang recognition; interviewing; and case management. Of those performance objectives recommended for addition, 50 are taken directly from the Regular Basic Course, and eight are new POs related to the unique tasks performed by specialized investigators.

Twenty-eight performance objectives are recommended for deletion because they are no longer considered relevant or are no longer required by law. They include POs related to line-ups, discovery, vehicle operations, polygraph, informant management, and that portion of chemical agents' training pertaining to use of gas masks.

Accordingly, it is proposed that total Specialized Basic Course performance objectives be increased from 323 to 361, a net increase of 38. It is further proposed that the total testing time be increased from 11 hours to 30 hours. These changes would increase the minimum hours of the Specialized Basic Investigators Course from 220 to 340.

To implement these proposals, staff is recommending amending Commission Procedure D-1-6 which is incorporated into POST regulation 1005, to reflect these curriculum and hourly changes and to mandate performances objectives.

Virtually all attendees of the course are employed by agencies in the non-reimbursable Specialized Program. Therefore, there is no projected fiscal impact on the POTF.

There will be some additional staff workload associated with implementation of the proposed testing requirement. An estimated six weeks of work will be required to develop new test items.

If the Commission concurs, the appropriate action would be a MOTION to schedule a public hearing at the November 1, 1990 Commission meeting to consider changes to the Specialized Basic Investigators Course.

H. Recommendation for Contract Authority for a Pilot Legal Update Telecourse

For many years now, the California Peace Officer's Association has presented an annual Legislative Update Course in November and December. For the last four years, this has included a microwave broadcast, limited to 13 Northern California sites. Under this proposal, the microwave broadcast would be replaced, on a pilot evaluation basis, by a more compact program, broadcast via satellite to agencies throughout the state. The program would also be recorded on tape for future showing at agencies' convenience.

The proposed program, to be conducted in conjunction with the California Peace Officer's Association, would be between two to three hours in length. The training would be divided into fifteen minute segments suitable for replay as roll call presentations.

This proposal for a pilot program has been reviewed and concurred with by CPOA and by the Long Range Planning Committee.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into contracts for actual costs, but in a total cumulative amount not to exceed $50,000, for the development and presentation of a satellite distributed telecourse training program on the subject of Legislative Update. (ROLL CALL VOTE)

I. Recommendation to Schedule a Public Hearing for Training Standards for P.C. 832 Course

Pursuant to Penal Code Section 832 mandating an introductory training course for peace officers, POST requires a minimum 24-hour Arrest Course and for those peace officers who carry firearms an additional 16-hour Firearms Course for a total 40-hour requirement. POST recommends that peace officers who make arrests complete an additional 16-hour Communications and Arrest Methods Course.

Course hours have remained the same since inception of the requirement in 1973. Four factors have emerged that suggest it may be timely to update POST's requirements for the course:

1. recent informal legal advice to POST has suggested that this training requirement rests upon the individual (rather than an agency) and should not be considered a state mandated/reim-bursable program;

2. the need expressed by school peace officers for increased officer safety related training;

3. the availability of the POST P.C. 832 Interactive Training Program now providing a convenient means to expedite instruction for this course; and

4. virtually all (97%) of the existing P.C. 832 Course presenters exceed the minimum POST hourly and curriculum requirements with most including the proposed curriculum additions.

The proposal before the Commission is to add the curriculum of the 16-hour Communications and Arrest Methods Course, and additional performance objectives in both the arrest and firearms areas, and increase total course length to 76 hours. Presenters using the POST P.C. 832 Interactive Training Program in a self-paced mode could seek waiver of these minimum hours to expedite the training.

To permit further review and field input on the proposal, it is recommended the public hearing on this issue be scheduled for the January 1991 meeting. It is further proposed that these changes have a one year delayed implementation from the date of Commission approval to permit presenter planning time and POST test development. The substantive proposals described have been reviewed and concurred in by the Commission's Long Range Planning Committee.

If the Commission concurs, The appropriate MOTION would be to schedule a hearing in conjunction with the January 1991 meeting to consider changes to Regulation 1081 (1) that would update POST's curriculum and hourly requirements for the P.C. 832 Course.

J. <u>Recommendation to Adopt Emergency Regulations Concerning a Training Standard for Implementation of Proposition 115.</u>

Proposition 115 requires all law enforcement officers with less than five years service to attend a course of training certified by POST before they can testify to hearsay

evidence in a preliminary hearing. The course of training must include training in the subjects of investigation, reporting and testifying.

An ad hoc committee was assembled to assist POST in the design of such a course. The committee consisted of district attorneys, academy directors, and other subject matter experts. The results of this work is a recommendation for a one hour course of instruction.

To implement the course, it is proposed that Commission Regulation 1081 be modified by adding Section 19, "Hearsay Training." The section would specify minimum topics for training officers to testify to hearsay at a preliminary hearing. Incorporation of this standard into regulations requires Commission action consistent with the Administrative Procedures Act.

Because Proposition 115 was effective immediately upon passage last June, and many law enforcement agencies and prosecutors see immediate needs for the training, it is proposed that the Commission act to adopt the course as an emergency measure. Under the emergency procedure, the regulation prescribing the course becomes legally effective upon approval as to form and procedure by the Office of Administrative Law.

Since emergency measures must be followed by a public input process, it is proposed that the Commission also approve the release of Notice of Proposed Regulation Action. Following a public input period, the regulation would be formally adopted assuming no demand for a hearing is received. Should a member of the public so demand, a formal public hearing could be scheduled for the November 1, 1990 Commission meeting.

Due to the nature, short course length and potential high volume of trainees, it is recommended that the Commission approve certification of the course without reimbursement, and without the normal maintenance of course completion records by POST.

If the Commission concurs, the appropriate action would be a MOTION to approve emergency Regulation 1081 (19) concerning curriculum for the one-hour Hearsay Testimony Course, approve the release of a Notice of Proposed Regulatory Action, and approve certification of the course without reimbursement and POST records of attendance.

STANDARDS AND EVALUATION

K. Report on Reading/Writing Testing Program

The Commissioners have requested a report on the status of POST's entry-level reading and writing testing requirement. The report under this tab describes growth of the use of the POST test battery and compares current test scores with corresponding scores of three years ago. Key findings are:

- The average test score for job applicants has declined.

- The average test score for all academy cadets has remained unchanged. However, the average score for affiliated (employed) cadets has declined, while the average score for nonaffiliated (open-enrollment) cadets has risen. Furthermore, among the 1989/90 cadet group, test scores for cadets screened with other than the POST test were significantly lower than the scores for cadets screened with the POST test.

- With few exceptions, agencies using the POST test are establishing minimum cutoff scores that fall within the recommended minimum cutoff score range established by the Commission.

- The number of candidates taking the POST test has increased substantially, in large part due to the first-time use of the test by the CHP.

- Scores on the POST test continue to be significantly correlated with academic performance in basic training.

Preliminary findings for an experimental essay test are promising. With a minimum of training, inexperienced readers can reliably score the test using holistic scoring techniques. Further, the test adds substantially to the prediction of basic academy instructor evaluations of report writing skills. However, scoring is somewhat time consuming and would preclude POST from scoring such an exam for local agencies.

A major shortcoming of the current evaluation is that a standardized measure of the report writing skills of current academy graduates is lacking. That is, each academy is responsible for determining whether a trainee's report writing skills are adequate, and the methods used to make this determination vary. Thus, lacking a standardized benchmark for measuring graduating trainees' report writing skills, it is difficult to evaluate whether, and to what extent, a problem exists.

Given the mixed findings of the current evaluation with respect to cadet scores on the POST entry-level test battery, the Commission may wish to consider having staff develop and administer a standardized measure of report writing capabilities to a representative sample of graduating academy cadets. Such an evaluation could be completed within six to nine months, at which time staff would report back to the Commission.

If the Commission concurs, the appropriate action would be a MOTION to direct staff to administer a standardized writing skills exam to a sample of academy cadets and report results at a future meeting.

L. Recommendation to Schedule a Public Hearing for January 17, 1991 to Receive Testimony on the Proposal to Adopt New Basic Course Test Success Criteria with Mandated Scoring Minimums

The current graduation requirements for the POST Basic Course are defined in terms of performance objectives (POs) which the student must master. Under the current system the POs are organized in 12 broad subject categories called functional areas, and each PO is assigned a success criterion of 70%, 80%, 90% or 100%. In order to successfully complete the course, a student must "pass" 70% of the 70% POs, 80% of the 80% POs, etc., in each of the 12 functional areas. Each academy is responsible for developing and administering its own testing procedures and for determining whether a student qualifies for graduation.

In addition to being cumbersome to administer, the "success criterion" approach is characterized by a number of other shortcomings. In recognition of these shortcomings, in October 1985 the Commission authorized a pilot study to evaluate an alternate approach. Under the new approach, POs requiring demonstration of knowledge are distinguished from POs requiring demonstration of a skill. The knowledge POs are organized into 38 well defined subject areas called knowledge domains, and the student must pass a test of each knowledge domain. Skill POs are not grouped. Rather, the student must demonstrate mastery of each individual skill PO.

At the same October 1985 meeting, the Commission granted approval for the development of computer software to automate a test item bank for use by the 34 Basic Course presenters. Among other things, the automated system, POSTRAC, allows for automated storage, retrieval and scoring of knowledge domain tests.

As described in the agenda item report, 26 of the 34 basic academies are now using the knowledge domain system and the POSTRAC program, and several others are in the process of evaluating the system. There is widespread support for the new system among academy administrators, and results of the POST Proficiency Exam (an exam given by POST to all basic academy graduates) show significant improvements in test scores associated with adoption of the knowledge domain system. These results indicated that the current system for defining student success in the Basic Course (i.e., the success criterion system) should be replaced with the knowledge domain system.

A number of alternatives exist with regard to implementing the knowledge domain system. These alternatives center around whether POST or the local academies should: (1) specify the POSTRAC generated tests to be used to evaluate student mastery of the knowledge domains, and (2) establish the minimum passing criteria (cutoff scores) on the tests.

The majority of basic academy administrators support the proposal that all academies should be required to use the POSTRAC tests to assess student mastery of the knowledge domains. The Long Range Planning Committee concurs. The Committee also agrees that the Commission should establish test cutoff scores. Between now and the November Commission meeting, the Long Range Planning Committee will review staff analysis on whether to establish a minimum score or a minimum score range.

If the Commission concurs, the appropriate action would be a MOTION to set for public hearing in January 1991, the proposal to adopt the new Basic Course success criteria with mandated scoring minimums. (The specific nature of the minimums will be before the Commission in November, in time for inclusion in the public hearing notices.)

M. <u>Recommendation for a POST Special Consultant (Management Fellow) to Provide Services Related to Law Enforcement Recruitment</u>

Following the POST Symposium on Recruitment held in June of last year, the Commission authorized the expenditure of up to $100,000 for a one-year POST Fellowship Position to be devoted to law enforcement recruitment. The position was

filled in January of this year. Two months later the individual filling the position qualified for and accepted permanent employment as a POST Law Enforcement Consultant. Efforts are now underway to refill the position (the position is currently being advertised statewide). New action is required on the part of the Commission in order to expend the remaining $85,000 to fill the position during the 1990/91 fiscal year.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to contract with a governmental agency for a POST Fellowship Position to assist POST staff in several recruitment-related projects, with the length of the fellowship not to exceed 12 months and the cost not to exceed $85,000. (ROLL CALL VOTE)

EXECUTIVE OFFICE

N. Recommendation to Approve Telecourse Allocation for Sudden Infant Death Syndrome (SIDS) and Proposition 115 Training and to Authorize Contracting Authority

Evaluation of previously funded and completed programs has shown that the presentation of training by means of telecourses is practical, feasible, and cost-effective. It is therefore proposed that the Executive Director be authorized to enter into interagency agreements with the State University System to present two additional telecourses on legislatively mandated subject matter during this fiscal year; (1) Sudden Infant Death Syndrome, required by Section 13519.3 of the Penal Code; and (2) Presentation of Hearsay Testimony, associated with the passage of Proposition 115.

Presentation of these telecourses will be accomplished by live broadcast, including question and answer sessions. The presentations will be video recorded to make the training conveniently available to local agency personnel on a follow-on basis.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into interagency agreements with the State University system for actual costs, cumulatively not to exceed $100,000, for the development and presentation of two satellite distributed telecourse programs; one on Sudden Infant Death Syndrome (SIDS) and one on the training required by Proposition 115. (ROLL CALL VOTE)

O. Recommendation to Approve a Contract with Cooperative Personnel Service (CPS) to Administer the POST Public Safety Dispatcher Basic Course Equivalency Examination

Pursuant to Commission action at a public hearing held January 18, 1990, certain experienced public safety dispatchers may qualify for the new public safety dispatcher certificate by passing a POST-developed test in lieu of completing the POST 80-hour Complaint/Dispatcher Course. The certificate program goes into effect July 1, 1990.

It is estimated that up to 2,000 dispatchers will qualify to take the exam. Contract services are needed to administer the exam statewide. It is proposed that POST contract with Cooperative Personnel Services (CPS) for an amount not to exceed $30,000 for administration of the exam during fiscal year 1990/91. POST currently contracts with CPS for the administration of several other exams, and the services provided by CPS have been satisfactory. Testing volume is expected to drop considerably after the first year of the certificate program, with a corresponding decrease in test administration costs.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to enter into a contract with CPS for administration of the POST Public Safety Dispatcher Basic Course Equivalency Examination during fiscal year 1990/91 at a cost not to exceed $30,000. (ROLL CAll VOTE)

P. Recommendation to Authorize Contracts Relating to Driver Training Video Production Associated with the IVD Course

At its April 1990 meeting, the Commission approved award of a contract to General Physics Corporation to develop, by 1992, an interactive videodisc (IVD) course of instruction on Law Enforcement Driver Training. POST's responsibility under the agreement is to provide production of video scenarios for the IVD course. It is proposed that POST contract with one or more law enforcement agencies for production of the video footage.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to negotiate and sign a contract or contracts in a total cumulative amount not to exceed $50,000 for this purpose. (ROLL CALL VOTE)

COMMITTEE REPORTS

Q. Finance Committee

Commissioner Wasserman, Chairman of the Finance Committee, will report on the Committee meeting held July 18, 1990 in San Diego.

1. 1989/90 Year End Financial Report

2. Recommended Reimbursement Rates for FY 1990/91

3. Budget Change Proposals for FY 1991/92

R. Long Range Planning Committee

Commissioner Tidwell, Chairman of the Long Range Planning Committee, will report on the Committee meeting held June 7, 1990 in San Bernardino.

S. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee will report on the Committee meeting held July 19, 1990 in San Diego.

T. ACR 58 Study Committee

Commissioner Block, who also chairs the ACR 58 Study Committee, will report on the activities of the Committee to date.

U. Advisory Committee

Don Brown, Chairman of the POST Advisory Committee, will report on the Committee meeting held July 18, 1990 in San Diego.

OLD/NEW BUSINESS

Appointment of Advisory Committee Public Members - Chairman Tidwell

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

November 1, 1990 - Raddison Hotel - Sacramento
January 17, 1991 - San Diego
April 18, 1991 - Sacramento
July 18, 1991 - San Diego

ADJOURNMENT

COMMISSION MEETING MINUTES
April 19, 1990
Marriott Mission Valley
San Diego, CA

The meeting was called to order at 10:10 a.m. by Vice Chairman Tidwell.

POST Advisory Committee Chairman Don Brown led the flag salute.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

Gerald Clemons, representing the Attorney General
Carm J. Grande
Edward Maghakian
Raquel Montenegro
Floyd Tidwell
Robert L. Vernon
Robert Wasserman

Commissioners Absent:

Sherman Block
Ronald Lowenberg
Alex Pantaleoni

POST Advisory Committee Members Present:

Don Brown
Marcel Le Duc
Joe McKeown
Dolores Kan

Staff Present:

Norman C. Boehm, Executive Director
Glen Fine, Deputy Executive Director
Hal Snow, Assistant Executive Director
John Berner, Bureau Chief, Standards and Evaluation
Holly Mitchum, Bureau Chief, Information Services
Otto Saltenberger, Bureau Chief, Administrative Services
Ken Whitman, Consultant, Special Projects
Vera Roff, Executive Secretary

Visitors' Roster:

Ron Adamik, State Police Association
Mickey Bennett, Long Beach Police Department
Ken Culver, San Diego Sheriff's Department

R. E. Curry, Lt., San Diego County Marshal
Steve De Cesari, Ventura Sheriff's Department
Bill Howell, Lt., San Diego Police Academy
Archie Johnson, Pomona Police Department
Dennis Kollar, San Diego Sheriff's Department
James Dunn, San Diego Sheriff's Department
Dean Rewerts, California Union Safety Employees

SPECIAL ACKNOWLEDGEMENT TO FORMER COMMISSIONER CECIL HICKS

Acting Chairman Floyd Tidwell displayed a plaque prepared for former Commissioner Cecil Hicks commemorating his service as a Commissioner from November 1984 to January 1990. The former Commissioner has been appointed to a judgeship of the Superior Court of California. The Acting Chairman asked the Executive Director to present the plaque to Judge Hicks in his chambers on behalf of the Commission in the near future.

A. Approval of Minutes of the January 18, 1990 Commission Meeting

MOTION - Wasserman, second - Montenegro, carried unanimously to approve the minutes of the January 18, 1990 Commission meeting at the Marriott Harbor Hotel in San Diego.

B. CONSENT CALENDAR

MOTION - Maghakian, second - Montenegro, carried unanimously to approve the following Consent Calendar:

B.1 Receiving Course Certification Report

Since the January meeting, there have been 56 new certifications, one decertification, and 55 modifications.

B.2 Receiving the Third Quarter FY 1989/90

The third quarter financial report provided information relative to the local assistance budget through March 31, 1990. The report was presented and accepted and is on file at POST headquarters.

B.3 Receiving Information on New Entries Into the Public Safety Dispatcher Program

Since the January meeting, 19 agencies listed in the enclosed report have met the requirements and have been accepted into the POST Reimbursable Public Safety Dispatcher Program.

B.4 Adopting a Resolution Commending Special Consultant Mickey Bennett

The Commission adopted a Resolution commending Mickey Bennett for his outstanding service to POST in developing training standards for carcinogenic materials.

B.6 Adopting a Resolution Commending Retired Bureau Chief Ted Morton

The Commission adopted a Resolution commending Ted Morton for his service to POST.

PRESENTATIONS

Acting Chairman Tidwell presented a resolution commending Mickey Bennett for his outstanding service to POST in developing training standards for carcinogenic materials. Sergeant Bennett, of the Long Beach Police Department, served as a Special Consultant under the POST Fellowship Program from October 1, 1989 through March 30, 1990.

The Acting Chairman also presented a resolution commending Ted Morton for his service to POST. Ted began service to the Commission in 1975, having previously served 27 years with the Los Angeles Police Department. During his tenure at POST, Ted provided many important services and was instrumental in the creation of the Commission's Command College for law enforcement executives. Ted concluded his service with POST as Bureau Chief of the Center for Leadership Development.

PUBLIC HEARINGS

The purpose of the public hearing was to receive testimony in regard to proposed amendments of Commission Regulations and Procedures. The hearing was divided into two parts. Part one pertained to the adoption of student safety requirements and incorporating existing course certificate requirements into regulation. Part two pertained to the adoption of Basic Course training requirements concerning carcinogenic materials.

The public hearing was held in compliance with requirements set forth in the Administrative Procedures Act to provide public input on the proposed regulatory actions.

PART I

C. Proposal to Adopt Policy on Student Safety and Incorporate Commission Procedure D-10 Into Regulation

The purpose of this portion of the public hearing was to consider adoption of student safety policies, supervision, equipment, procedures, and other safety related factors. To reduce potential for student injuries, the Commission has expressed interest in adopting a student safety policy requirement for POST-certified courses. The policy establishes student safety measures consistent with the nature of training being presented.

Staff reported that the policy will require presenters of certified courses containing manipulative skills to establish POST-approved written policies and procedures to ensure student safety which shall minimally address: (a) Rules of Safety and Conduct; (b) Reporting Injuries; (c) Instructional Staff-to-Student Ratios; and (d) Adherence to Approved Expanded Course Outlines.

To assist presenters in establishing their safety measures, a document, "POST Guidelines for Student Safety in Certified Courses" has been prepared. Modifications to the document will be made as experience may indicate in the future. Approval of the guidelines document was not part of the public hearing.

Following completion of the staff report, Acting Chairman Tidwell invited attendees in favor to address the Commission. Oral testimony in support of the proposal was received from James Dunn, San Bernardino County Sheriff's Department, Academy Director. He expressed concern about the lack of funding which would enable departments to implement all the measures included in the safety document guidelines for the benefit of presenters. It was pointed out that the safety guidelines document and was not part of the public hearing. Departments/presenters will have a flexibility in how to assure appropriate safety levels during training.

Archie Johnson, Pomona Police Department, Personnel and Development Training Director, testified in support of the proposal and concurred there is considerable need to consider student safety in certain training, specifically in the boxing scenarios to prevent student injuries as have occurred in the past.

The Acting Chairman invited oral testimony from those in opposition to the recommendation. No one present indicated the desire to be heard.

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

MOTION - Maghakian, second - Montenegro, carried unanimously to adopt the proposed regulations (Attachment A) on student safety and to incorporate Commission Procedure D-10 into regulation.

PART II

D. Proposal to Adopt Training Standards on the Subject of Carcinogenic Materials

The purpose of this portion of the public hearing was to consider training standards for the Regular Basic Course on the subject of carcinogenic materials as they affect law enforcement officers pursuant to Assembly Bill 2376.

Staff reported that Assembly Bill 2376 of 1988 enacted Health and Safety Code Section 1797.187 which requires the Commission to include instruction in the identification and handling of possible carcinogenic materials in the Regular Basic Course for law enforcement officers. The Commission can meet this legal requirement by combining the existing performance objective on Hazardous Materials First Responders with a new performance objective on recognizing and handling known carcinogens. This training can be accommodated within the existing POST minimum hourly requirement because of the flexibility accorded academies to adjust hours.

Following the staff report, the Acting Chairman invited oral testimony. No one present indicated the desire to testify either for or against the proposed action, and Part II of the public hearing was closed.

It is proposed that Regulation 1081 (statutory training Requirements) be modified by adding Section 17 - Carcinogenic Materials.

After discussion, the following action was taken:

MOTION - Wasserman, second - Vernon, carried unanimously to adopt proposed training standards (Attachment B) on carcinogenic materials for the Regular Basic Course pursuant to Health and Safety Code Section 1797.187.

E. Approval of Regular Basic Course Curriculum Modifications - Postpartum Psychosis, Law, Traffic, and Criminal Investigation

Staff reported that Senate Concurrent Resolution 39 of 1989 requests the Commission to adopt basic course training standards on the recognition of women who appear to be

suffering from postpartum psychosis and on handling these situations appropriately.

The document Performance Objectives for the POST Basic Course will be amended to include ten new performance objectives and delete three performance objectives which are redundant with other existing curriculum. The new curriculum will provide the basic training in postpartum psychosis requested in SCR 39 and will keep the training in the areas of Law, Traffic, and Criminal Investigation relevant and up-to-date.

MOTION - Vernon, second - Wasserman, carried unanimously to adopt curriculum changes (Attachment C) for the Regular Basic Course on Postpartum Psychosis, Law, Traffic and Criminal Investigation to be effective July 1, 1990.

F. Scheduling a Public Hearing on July 19, 1990 on the Proposal to Adopt Training Standards on Sudden Death of Infants

Senate Bill 1067 of 1989 enacted Section 13519.3 of the Penal Code. The law requires peace officers assigned to patrol or investigations to complete a course of training covering Sudden Infant Death Syndrome (SIDS) and the investigation of sudden death of infants. Officers employed after January 1, 1990 must complete the training prior to July 1, 1992 and prior to award of a POST Basic Certificate.

To effect the changes, it is proposed that Regulation 1081 (Minimum Standards for Statutory Training Requirements) be amended to add Section 18 concerning investigation of cases involving sudden deaths of infants. This section would specify minimum topics for a two-hour course covering SIDS awareness and investigation of infant deaths.

It is also proposed that this same course be adopted as Performance Objectives (POs) in the Regular Basic Course by amending Regulation 1005, Procedure D-1. Performance Objectives on this subject are included in the enclosed report. An additional hour will be required to present this subject in the Basic Course because death investigation is already included. Modification of the death investigation performance objective and adoption of two new performance objectives concerning SIDS awareness are proposed.

MOTION - Vernon, second - Wasserman, carried unanimously to schedule a public hearing at the July 19, 1990 meeting for the purpose of adopting proposed training standards for the Investigation of Sudden Deaths of Infants pursuant to Penal Code Section 13519.3.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Request for Public Hearing - Policy on Student Safety and Incorporating Commission Procedure D-10 Into Regulation		Meeting Date: January 18, 1990
Bureau: Training Program Services	Reviewed By: Glen Fine	Researched By: Hal Snow
Executive Director Approval: Norman C. Boehm	Date of Approval: 12-28-89	Date of Report: November 21, 1989

Purpose:

- [x] Decision Requested
- [ ] Information Only
- [ ] Status Report

Financial Impact:

- [ ] Yes (See Analysis for details)
- [x] No

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

ISSUE

Should the Commission approve the setting of a public hearing for the April 1990 meeting to consider adopting a policy on student safety in POST-certified courses and incorporate Commission Procedure D-10 into regulation?

BACKGROUND

Many POST-certified courses require students to demonstrate and practice manipulative physical skills, e.g., shooting, driving, defensive tactics, etc. It is in these courses that student injuries occur from time to time. Such courses require a much higher degree of control and supervision than others. Liability for the training institution can result if proper supervision, safety equipment, and procedures are not present for the safe conduct of the course. Although most training institutions have these in place, they do so in varying degrees and forms.

This report suggests the need for the Commission to establish a policy on student safety and provide specific guidelines for course presenters to voluntarily follow.

ANALYSIS

The need for the establishment of a POST policy and specific student safety guidelines appears justified for the following reasons:

1. Considerable variation exists on student safety policies, supervision, equipment, and procedures among training institutions.

2. Safety policies and procedures are not universally in place and no specific Commission policy now guides staff certification actions in this regard.

3. Many POST organizations in other states are setting

safety guidelines for training presenters. Case law holding training institutions and standards setting organizations to the "highest standard of care" would suggest POST should similarly establish requirements or guidelines. Standardizing the most obvious and critical student safety protections would reduce potential for injuries and potential liability for training institutions.

It is proposed that the Commission adopt a policy that would require course presenters of manipulative skills to establish policies/practices that ensure student safety and encourage the use of POST suggested guidelines. The following is a proposed Commission policy:

> "Presenters of certified courses containing manipulative skills shall establish POST-approved, written policies and procedures to ensure student safety. Policies and procedures shall minimally address: (a) Rules of Safety and Conduct, (b) Reporting Injuries, (c) Instructional Staff-to-Student Ratios, and (d) Adherence to Approved Expanded Course Outline. (Reference-POST Guidelines for Student Safety in Certified Courses.)

This policy addressed those aspects which are considered essential although other important factors are enumerated in the document "POST Guidelines for Student Safety in Certified Courses."

Should the Commission wish to adopt a safety policy, it would be appropriately located in Commission Procedure D-10 (Certification and Presentation of Training Courses) which is shown in Attachment A. The Office of Administrative Law has recommended that POST convert such procedures having regulatory effect to regulation in order to comply with state law. To accomplish this, a public hearing would be necessary to incorporate the above policy and existing provisions into regulation. Attachment B contains a proposed Notice of Public Hearing, Statement of Reasons, Bulletin and draft regulations. The draft regulations retains existing Commission policy and direction from existing Commission Procedure D-10 and adds the above safety policy as regulation. Should the Commission wish to set this matter for public hearing, the April 1990 meeting is recommended.

The draft guidelines set forth in the document "POST Guidelines for Student Safety in Certified Courses" (Attachment C) contains specific measures which can be taken to reduce the risk of student injuries arising from participation in certain psychomotor skills training. Draft guidelines contained in this document currently focus on five areas of law enforcement training: Firearms, Defensive Tactics/Arrest Control Techniques, Driver Training, Chemical Agents and explosive devices. In

addition, the section on General Safety Guidelines includes such guidelines on written policies, student fitness for training, instructor attitude and demeanor, instructor training, and response to student injuries.

This document would be considered a "living document" in that changes would be expected to be made from time to time. It is not part of the public hearing as such. Developed with the input of subject matter experts and instructors, these guidelines reflect contemporary, conventional wisdom in the safe operation of such training. Training presenters could deviate from the guidelines. But certification requirements would entail POST approval of the presenters' safety procedures and policies.

RECOMMENDATION

Approve the setting of a public hearing for the April 1990 meeting to consider adopting a policy on student safety and incorporating Commission Procedure D-10 into regulation.

G. Revised Curriculum for Investigation/Trial Preparation Course for DA Investigators

District Attorney Investigators employed by agencies participating in the POST Program are required to complete the District Attorney Investigators Basic Course. Because district attorney offices generally prefer to employ investigators who have completed the Regular Basic Course, the DA Investigators Basic Course is not presented. Instead, the Commission has established an alternative basic training requirement of the 80-hour Investigation and Trial Preparation Course for those DA investigators who previously completed the Regular Basic Course.

MOTION - Grande, second - Montenegro, carried unanimously to approve curriculum changes (Attachment D) to the Investigation and Trial Preparation Course effective July 1, 1990.

H. Approval of Contract to Develop an Interactive Videodisc Law Enforcement Driver Training Course

At its January 1990 meeting the Commission authorized the dissemination of a Request for Proposal (RFP) to develop an interactive videodisc course of instruction on Law Enforcement Driver Training. The RFP called for the design and development of instructional materials and software to be used with the same or compatible equipment being used by law enforcement agencies and training institutions to deliver the interactive version of P.C. 832-mandated training.

Staff reported that proposals were evaluated for key factors such as instructional design, technical approach, available expertise and experience, and ability to deliver the products on schedule. The successful bidder was General Physics Corporation.

The Finance Committee reviewed this matter at its April 18 meeting and recommended the Commission authorize the Executive Director to enter into final negotiations with the successful bidder for an amount not to exceed $400,000.

MOTION - Maghakian, second - Clemons, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to enter into final negotiations with General Physics Corporation, release Notice of Intent to Award contract to General Physics, and to sign a contract with General Physics for the development of an interactive videodisc law enforcement driver training course, and upon completion of an acceptable product the purchase of 50 copies, for an amount not to exceed $400,000.

STANDARDS AND EVALUATIONS

I. Report on the Basic Course Test Success Criteria

The current graduation requirements for the POST Basic Course are defined in terms of performance objectives (POs) which the student must master. Under the current system the POs are organized in 12 broad subject categories called functional areas, and each PO is assigned a "success criterion" of 70%, 80%, 90% or 100%. In order to successfully complete the course, a student must "pass" 70% of the 70% POs, 80% of the 80% POs, etc., in each of the twelve functional areas. Each academy is responsible for developing and administering its own testing procedures and for determining whether a student qualifies for graduation.

In addition to being cumbersome to administer, the "success criterion" approach is characterized by a number of other shortcomings. In recognition of these shortcomings, in October 1985 the Commission authorized a pilot study to evaluate an alternate approach. Under the new approach, POs requiring demonstration of a knowledge are distinguished from POs requiring demonstration of a skill.

The Commission also granted approval for the development of computer software to automate a test item bank for use by the 34 Basic Course presenters. The automated system, called POSTRAC, allows for automated storage, retrieval and scoring of knowledge domain tests.

In November 1988 staff reported to the Commission on the results of the pilot test. The report included a demonstration of POSTRAC. The pilot test results were very favorable, both in terms of administering the knowledge domain system and in terms of student achievement (test results). Because only three academies participated in the pilot test, however, permission was requested and granted to further pilot test the system and report back to the Commission at a later date.

Twenty-six basic academies are currently using the knowledge domain system and the POSTRAC program, and several others are in the process of evaluating the system. There is widespread support for the new system among academy administrators, and results of the POST Proficiency Exam (an exam given by POST to all basic academy graduates) show significant improvements in test scores associated with adoption of the knowledge domain system. Based on these results, staff believes that the knowledge domain system should be adopted as the new graduation standard for the basic course.

A number of alternatives exist with regard to implementing the knowledge domain system. These alternatives, which are discussed in detail in the full agenda report, center around whether POST or the local academies should: (1) specify the particular tests to be used to evaluate student mastery of the knowledge domains, and (2) establish the minimum passing criteria (cutoff scores) on the tests. The majority of basic academy administrators support, and staff concurs, that all academies should be required to use the POSTRAC tests to assess student mastery of the knowledge domains.

Results of a follow-up evaluation suggest that POST adopt the knowledge domain system for defining and evaluating student mastery of the Basic Course. Staff recommends that POST mandate a minimum passing score range on the POSTRAC tests, wherein all academies would be required to establish minimum cutoff scores that fall within the range. This would assure that all academy graduates would be required to at least achieve the minimum score which defines the low end of the cutoff score range, and yet provide local academies some latitude to raise the minimum score requirement based on local needs.

It was reported that implementation of these changes would be a significant step in bringing greater consistency and order to Basic Course testing in California. A public hearing will be required if the Commission chooses to proceed. For these reasons, it was recommended the staff proposal be referred to the Long Range Planning Committee for review and recommendation.

MOTION - Vernon, second - Grande, carried unanimously to refer the proposals concerning the Basic Course Test success criteria to the Long Range Planning Committee for review and discussion, with a follow-up report presented to the Commission at its July meeting.

INFORMATION SERVICES

J. Report of Recommendation on Consulting Services for Replacement of Database Management Software

In June 1987, POST entered into a purchase contract with Systemhouse, Inc., in an amount not to exceed $436,416, for purchase of hardware and software for a new minicomputer system. The hardware and software were installed in April 1988. Since that time, staff has experienced extensive problems with the database management software, "INFO DB+". Systemhouse has agreed to replace INFO DB+ with a new product, tentatively identified as "INGRES", at no cost to POST.

Staff has identified several tasks that will need to be completed in transitioning from INFO DB+ to a replacement database management system. To ensure a smooth transition to the replacement software and minimize the time associated with the conversion process, it is proposed the Commission contract with Systemhouse for consulting services to assist staff in completing the following work:

- o Designing and conducting a software performance test to verify that replacement software meets the specifications described in POST's Request for Proposal;
- o Developing a detailed conversion plan; and
- o Conducting those tasks associated with the actual conversion, including revising the database design; designing and developing user aids; designing a systems acceptance test; reprogramming of current applications, conducting the systems acceptance test, and training users on the new system.

To complete these tasks, Systemhouse has proposed to provide POST up to 782 hours of professional services at a cost not to exceed $62,100. It is anticipated that the conversion from INFO DB+ to a replacement product can be completed in six to eight months, with costs distributed over FY 89/90 and 90/91.

MOTION - Grande, second - Vernon, carried unanimously by ROLL CALL VOTE to authorize the Executive Director to contract with Systemhouse, Inc., for up to 782 hours of professional services associated with replacement of POST's database management software, at a cost not to exceed $62,100.

EXECUTIVE OFFICE

K. Scheduling a Public Hearing for July 18, 1990 on the Proposal to Adopt Regulations Concerning Distribution of Asset Forfeiture Funds

Health and Safety Code Section 11489 was modified in 1988 to revise provisions for distribution of money accruing from the seizure/disposal of property involved in drug offenses. The law provides that after specified distributions are made, 85% of any remaining funds would be deposited in the Peace Officer Training Fund (POTF). The Office of Criminal Justice Planning (OCJP) reports perhaps $400,000 will have accrued for transfer to the POTF by the end of the Fiscal Year.

The law provides that state agencies shall be entitled to allocations out of funds transferred to the POTF from this source for drug related training completed by their full time peace officer employees. State agency allocations are to be made on the same proportionate basis as provided for POST program agencies under P.C. 13523.

Summary interpretation of the law is that monies accruing shall be disbursed as reimbursement for drug related training only, and that state agencies shall be eligible for these asset forfeiture fund reimbursements on an equal basis with agencies participating in the POST program.

It was proposed that a special account for asset forfeiture funds be established, and that reimbursements be distributed on an annual basis at the close of each fiscal year. Reimbursements would be calculated by determining how many total hours of eligible drug training were completed statewide for the fiscal year, and dividing that number into the amount of money available. The resulting hourly dollar amount would then be used to determine the yearly reimburse-reimbursement to each agency based upon the number of hours of narcotics related training completed by agency personnel.

New regulations are required to establish the special account and implement a reimbursement program as described.

MOTION - Wasserman, second - Maghakian, carried unanimously to schedule a public hearing on this matter at the July 1990 Commission meeting.

L. Review of Salary Reimbursement Rate

Commission policy calls for a quarterly review of the salary reimbursement rate. Expenditures for training reimbursement are projected based upon current experience and compared with available budget funds. When projections warrant, the Commission considers increases in the rate retroactive to beginning of the fiscal year.

The Finance Committee met on April 18, 1990 and recommended that the Commission approve a 5% salary reimbursement increase retroactive to July 1, 1989.

MOTION - Vernon, second - Montenegro, carried unanimously by ROLL CALL VOTE that the Commission concur in the recommendation of the Finance Committee and approve a 5% salary reimbursement increase in salary reimbursement rates for FY 1990/91.

COMMITTEE REPORTS

M. Finance Committee

Commissioner Tidwell, Chairman of the Finance Committee, reported that the Committee met on April 18, 1990 in San Diego and recommended approval of the following contracts and contract amendments:

MOTION - Wasserman, second - Montenegro, carried unanimously by ROLL CALL VOTE to adopt the recommendations of the Finance Committee, approve the contracts for Fiscal Year 1990/91, and authorize the Executive Director to sign them on behalf of the Commission. (Clemons abstained on Contract #11.)

1.	Management Course California State University - Humboldt California State University - Long Beach California State University - Northridge California State University - San Jose San Diego Regional Training Center	$323,771
2.	A contract with San Diego Regional training Center for support of executive training including the Command College. The contractor provides a variety of training activities of the Commission conducted by the Center for Leadership Development.	$395,046
3.	An Interagency Agreement with CSU Long Beach for administrative services for the Supervisory Leadership Institute.	$195,934
4.	A contract with Cooperative Personnel Services to administer the Basic Course Proficiency Examination.	$ 31,266
5.	A contract with Cooperative Personnel Services to administer the POST Entry-Level Reading and Writing Test Battery.	$ 92,006
6.	A contract with Cooperative Personnel Services to administer the P.C. 832 Written Examination.	$ 70,134
7.	An Interagency Agreement with the State Controller's Office for auditing services.	$ 85,000

8. A contract with the State's Teale Data Center for computer services. The contract provides a link between POST's computer and the Data Center's mainframe computer. $ 89,000

9. POST's CALSTARS Contract provides computer linkage necessary services with the Health and Welfare Data Center. $ 25,000

10. An Interagency Agreement with San Diego State University for satellite video broadcasts. $ 24,000

11. Department of Justice - Training Center $870,933

    An Interagency Agreement with the Department of Justice Training Center to provide training for 3671 students in 21 separate courses. An additional $104,000 is included in the contract to reduce the backlog of training in narcotics investigation courses.

N. Legislative Review Committee

Commissioner Tidwell reported the Committee met on April 19, 1990 just prior to the Commission meeting. The Committee recommended the following positions on current legislation:

MOTION - Maghakian, second - Clemons, carried unanimously to reaffirm the Legislative Review Committee's position recommendations on the following bills:

- o SB 655 The original 1989 language of this bill was deleted. The bill was amended to make cleanup changes to last year's SB 353 on reclassification of peace officers and requiring feasibility studies for persons desiring peace officer status - NEUTRAL

- o AB 2673 Requires POST to cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a misdemeanor involving moral turpitude, as determined by the Commission. Final language will be worked out among the interested parties and a follow up report will be brought back to the Legislative Review Committee for review - SUPPORT

- o AB 3816 Deletes existing requirement that a permanent resident alien applying for employment as a peace officer shall have applied for citizenship at least one year prior to his or her application to be a peace officer - NEUTRAL

- o AB 3902 Requires POST to prepare a course of instruction and guidelines for law enforcement officers in instructional methods for crime watch and neighborhood watch groups and programs, and include earthquake preparedness instruction - NEUTRAL

- o SB 2457 Authorizes POST to establish minimum standards for joint powers agencies which provide law enforcement and dispatch services - SUPPORT

- o SB 2680 Requires POST to develop and disseminate instruction to all peace officers on understanding the racial and cultural differences of people in the State - SUPPORT

- o AB 4253 Establishes peace officers for the California Museum of Science and Industry - OPPOSE - because previous legislation requires a feasibility study by POST.

O. <u>ACR 58 Study Committee</u>

Staff reported that results from the field questionnaire distributed by the ACR 58 Study Committee indicate an overwhelming support for the direction of the study. A Symposium on the Future of Law Enforcement Training will be held July 10-13, 1990 at the Marriott Mission Valley in San Diego. Commissioners and Advisory Committee members are encouraged to participate in the Symposium.

P. <u>Advisory Committee</u>

Don Brown, Chairman of the POST Advisory Committee, reported that the Committee met on April 18, 1990 in San Diego. Marcel LeDuc, representing Peace Officers' Research Association of California, Charles Brobeck, representing California Police Chiefs' Association, and Douglas Burris, representing California Community Colleges Chancellor's Office, were welcomed as new members.

At its January meeting, the Advisory Committee recommended that a personal invitation be sent to all sergeants in addition to the notice to all department heads of upcoming presentations of the Supervisory Leadership Institute. The

Committee also recommended that the Commission encourage staff to look outside the arena of currently employed peace officers for people who have the necessary facilitation skills to satisfy the teaching requirements, thereby allowing more offerings to be available.

The Advisory Committee expressed support for the ACR 58 Study Committee, and also expressed support for any additional assignments from the Commission. There was Commission consensus that staff could informally consider Advisory Committee members to serve on ad hoc committees when their availability and expertise indicates.

OLD/NEW BUSINESS

Q. Appointment of Advisory Committee Members

MOTION - Wasserman, second - Maghakian, carried unanimously to appoint the following nominees to the POST Advisory Committee, to serve terms of office beginning September 1990 and continued to September 1993:

Chief John Clements, representing California Highway Patrol;
Deputy Chancellor Douglas W. Burris, representing California Community Colleges Chancellor's Office;
Sheriff Cois Byrd, representing the California State Sheriffs' Association;
Lieutenant Jay Clark, representing the California Association of Police Training Officers.

The two public member appointments will be scheduled for the July Commission meeting.

R. Report of the Nominating Committee for Election of Officers

Commissioner Wasserman, Chairman of the Nominating Committee, reported that the Committee recommended Floyd Tidwell as Chairman and Carm Grande as Vice Chairman for the Commission.

MOTION - Wasserman, second - Vernon, carried unanimously that the nominees be elected.

Glen Mason, San Bernardino Training Center, requested the Commission's assistance in working with the Community College system concerning some difficulties with teacher credentialing as a result of passage of AB 1725. Staff was directed to contact Mr. Mason directly and report back at the July Commission meeting.

RECESS TO EXECUTIVE SESSION - 12:00 p.m.

Santa Clara County Department of Corrections

The Commission adjourned to executive session which, in accordance with Section 11126(q) of the Government Code, was closed to the public. The purpose of the executive session is to discuss a legal action which has been filed by the Santa Clara County Department of Corrections.

RETURN FROM RECESS - 12:35 p.m.

The Commission was briefed in Executive Session by legal counsel concerning the Santa Clara County Department of Corrections' litigation and gave Counsel instructions.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

July 19, 1990 - Marriott Mission Valley - San Diego
November 1, 1990 - Raddison Hotel - Sacramento
January 17, 1991 - San Diego
April 18, 1991 - Sacramento

ADJOURNMENT - 12:40 p.m.

PROPOSED CHANGES TO REGULATIONS - CERTIFICATION AND PRESENTATION OF COURSES

Changes/Additions/Deletions

~~1012. Certification of Courses~~

~~(a) The Commission may certify courses. Criteria for certification include, but are not limited to, a demonstrated need and compliance with minimum standards for curriculum, facilities, instructors and instructional quality. Because of the variety of courses provided by the Commission (e.g., firearms, chemical agents, defensive driving), specific standards for course certification and presentation will reflect the specific needs for the type of course certified.~~

~~(b) Certification of courses may be revoked by action of the Commission when:~~

~~(1) There is no longer a demonstrated need for the course; or~~

~~(2) There is failure to comply with standards set forth in (a) above; or~~

~~(3) There are other causes warranting revocation as determined by the Commission.~~

1051. Course Certification Program

(a) The Commission administers the Course Certification Program to provide needed and quality training to law enforcement personnel. The Commission may certify courses. Certification means that the Commission has approved presentation of the course and eligible jurisdictions may be reimbursed by POST in accordance with Regulation 1015.

1052. Requirements for Course Certification

(a) Each request for course certification shall be evaluated in accordance with the following factors:

(1) Course content
(2) Qualifications of instructors and coordinators
(3) Physical facilities appropriate for the training
(4) Cost of course
(5) Potential clientele and volume of trainees
(6) Need and justification of course
(7) Methods of course presentation
(8) Availability of staff to administer the course
(9) Course evaluation processes
(10) Instructor/trainee ratios
(11) Provisions for student safety

(b) Only those courses for which there is a identifiable and unmet need shall be certified.

(c) Courses for which POST has established curriculum requirements must comply with those requirements. (Reference Regulation 1081)

(d) Courses presented in conjunction with association meetings or conferences shall not be certified nor shall courses be certified to associations if attendance is restricted to association members.

(e) The Commission shall only endorse or co-sponsor courses, seminars or conferences when POST has assisted in planning the event, developing the subject matter or program, and selecting instructors or speakers.

(f) No course shall be certified which restricts attendance to a single agency unless the purpose of the course is to improve that agency, and attendance by non-members would jeopardize the success of the course.

1053. Course Certification Request and Review Process.

(a) Course Certification Request. Any person or organization desiring to have a course certified shall prepare and submit a complete course certification request file to POST. Submission of the following forms and related materials shall constitute a complete file:

(1) Course Certification Request Form (POST 2-103)

(2) Instructor Resume(s)

(3) Course Budget (POST 2-106 rev. 7/88), if the proposed course will require a tuition

(4) Expanded Course Outline which minimally includes subject topics to the third level of detail

(5) Hourly distribution schedule indicating, by day of the week, the instructors and topics scheduled during each certified course hour (Example formats are available from POST)

(6) For courses that include manipulative skills training, a copy of the presenter's policies and procedures concerning student safety. The policies and procedures must minimally address: (a) Rules of Safety and Conduct, (b) Reporting and Handling Injuries, (c) Ratios of Instructional Staff to Students, and (d) Presenter's Commitment to Adhere to POST Approved Expanded Outline. (For Reference see "POST Guidelines for Student Safety in Certified Courses.")

(b) Course Certification Review.

(1) Within 14 calendar days of receipt of a course certification request file, the Commission shall review the documents included in the file and notify the requestor, in writing, that the file is either complete or incomplete. In event the file is incomplete, the Commission shall inform the requestor of the document(s) which must be submitted before further action will be taken to consider certification of the course.

(2) The Commission shall review each complete course certification request file and base its decision on evaluation of those factors enumerated in Regulation 1052. Within 60 calendar days of receipt of a complete file, the requestor shall be notified, in writing, of the Commission's decision to approve or disapprove certification of the course.

(3) Any requestor not satisfied with a certification action may submit an appeal to the Commission in accordance with Regulation 1058.

1054. Requirements for Course Tuition. The following requirements are to be used by course coordinators presenting or planning to present tuition based training courses certified by POST. These guidelines and requirements identify the expenses that may be approved in establishing tuition and are to be used in completing the Course Certification Request (POST 2-103) and Course Budget (POST 2-106 rev.7/88) when requesting initial certification or recertification. Allowable costs for establishing tuition per presentation are as follows:

(a) Instructional Costs. Up to $35 per hour except as noted below for each certified hour of instruction per instructor may be claimed. Fringe benefits and instructor preparation shall be included in this amount. Up to $62 per instructional hour may be approved in instances of special need for particular expertise based upon written justification from the presenter. On those limited occasions where it may be necessary to obtain special expertise to provide executive level training, the maximum of $62 per instructional hour may be exceeded upon prior approval of the Executive Director.

(b) Development Costs. When POST has specifically requested development of a new course or revision of a new course, development costs may be negotiated with the presenter. When approved by the Executive Director, such costs shall be prorated as a portion of tuition for an agreed upon number of presentations.

(c) Coordination. POST will allow costs for coordination based on the type of services performed. Coordination is categorized as: (1) General Coordination, and (2) Presentation Coordination.

General Coordination: General Coordination is the performance of tasks associated with the development, pre-planning, and maintenance of any certified course. Maintenance includes: scheduling, selecting instructors, eliminating duplicative subject matter, providing alternate instructors/instruction as necessary, allocating subject time periods, evaluating instructors, selecting training sites, supervising support staff, and administrative reporting. General Coordination costs may be charged at the rate of $50 per instructional hour and not to exceed $400 per presentation.

Presentation Coordination. Presentation Coordination is the performance of tasks related to course quality control, i.e., on-site evaluation of instructors, identifying the need and arranging for the appearance of alternate instructors through the general coordinator when assigned instructors are not available, and being responsible for the development of a positive learning environment. It is required that the Presentation Coordinator be in the classroom, or its immediate vicinity, to resolve

problems that may arise relating to the presentation of a course. Approved rates, per certified hour, for presentation coordination may range from $12 to $20. Rates that exceed $12 per certified hour must be supported by written justification that substantiates coordination expertise.

(d) Clerical Support. Hourly rates for clerical support may be allowed up to $10 per certified hour in accordance with the following formula:

Certified Course Length	Maximum Hours of Clerical Support Permitted
24 hours or less	40 hours
25 to 40	50 hours
Over 40 hours	100 hours

(e) Printing/Reproduction. Actual expenses for printing or reproduction of brochures and handouts may be allowed. Reproduction expenses shall not exceed 6 cents per sheet.

(f) Books/Films/Instructional Materials. Actual expenses may be allowed, provided each expense is identified. Expendables, such as programmed texts, may be allowed in the same manner. A one-time expenditure for purchase of textbooks may be allowed provided the textbooks will be used in future course presentations. If the course is decertified, or if the texts are no longer necessary for use in the course, they shall be delivered to POST. Films and other instructional aids should be rented or obtained without charge. If a film/video purchase is necessary and authorized by POST in advance, such materials shall be used in future course presentations and shall remain the property of POST.

(g) Paper/Office Supplies/Mailing. Actual expenses may be allowed provided each expense is identified.

(h) Coordinator/Instructor(s) Travel. An estimate is to be made of necessary travel expenses for advanced budget approval. Expenses for local area travel are allowable only when travel exceeds 25 miles one way, or if travel is necessary to an additional course site. If a course presentation is authorized outside of a 25 mile radius of the presenter's principle place of business, travel expenses may be allowed in accordance with existing State regulations covering travel and per diem.

(i) Miscellaneous. Any other cost of materials and other direct items of expense may be approved by POST based upon documented costs.

(j) Indirect Costs. Indirect costs are allowable for expenses not assignable as direct costs. Indirect costs may not exceed 15% of the total direct costs.

(k) Calculation of Tuition. All budgeted costs (direct and indirect) are added to determine the total cost. The tuition cost per student shall be determined by dividing total cost by the maximum number of students approved per presentation (Reference Regulation 1055 (f)). For each presentation, course presenters may exceed the maximum enrollment up to 20% to compensate for unavoidable under enrollments due to late cancellations. However, it is the presenter's responsibility to monitor over enrollment so that by the end of the fiscal year, the total number

of students does not exceed the approved maximum number established by the terms of certification. In the event over enrollment is not properly managed and adjusted during the fiscal year, the Commission may: (a) Reduce the course tuition, (b) Require the presenter to conduct presentation(s) without tuition, (c) Require the presenter to provide prorated refunds to trainees, or (d) Decertify the course.

1055. Requirements for Course Presentation

(a) Term of Certification: Course certification shall be made on a fiscal year basis, subject to annual review. A course shall be certified for a specified number of presentations during a fiscal year. It shall be subject to the restrictions or stipulations specified by POST.

(b) Certification Non-Transferable: A course that has been certified is valid for presentation only by the presenter receiving the certification and is not transferable to another presenter.

(c) Publicity: A certified course, if publicized, must use the exact title as certified by POST. Presenters shall clearly indicate on any course announcements, brochures, bulletin, or publications that POST has certified the individual course offering.

(d) Request for Changes: A course once certified under the conditions specified in the Course certification request, shall not be changed or modified without prior POST approval.

(e) Course announcements: A Course Announcement (POST 2-110) shall be submitted to POST for each proposed course presentation. The Course Announcement must be submitted to POST at least 30 calendar days prior to the presentation of the course. An hourly distribution schedule must be attached to each Course Announcement. A course control number, issued by POST upon approval of the presentation, must be used when making references pertaining to a particular course offering.

(f) Limitations on course enrollments. The Commission shall designate the maximum number of students that may attend each course during a fiscal year.

(g) Concurrent sessions: In those instances where two presentations of the same certified course are scheduled to run concurrently, two Course Announcement forms must be submitted. In the comments section of each Course Announcement, a remark shall be made to the effect that the presentation is one of two presentations of the same course being conducted concurrently.

(h) Modification Procedures: If subsequent to the Commission having approved a Course Announcement, the course coordinator becomes aware of the need to make any changes related to presentation of the course, such as dates of presentation, scheduled times, location, or hours of presentation, the Commission must be contacted to approve such changes prior to the presentation.

(i) Required Documents to be Submitted Upon Completion of Presentation: A completed course roster (POST 2-111 Rev. 7/83) shall be prepared and submitted to the Commission after completion of each certified course

presentation. The following documents shall accompany each Course Roster: (1) A Course Evaluation Instrument (POST) 2-245) completed by each trainee, (2) POST Course Evaluation Control Sheet (POST F-375), and (3) any Training Reimbursement Requests (POST 2-273) that are provided to the presenter by trainees. All documents must be submitted to the Commission no later than 10 calendar days following the ending date of the presentation. Subsequent to submission of these documents, the coordinator shall contact the Commission about needed corrections.

(i) Lesson plans for each topic must be kept on file at the presenter's facility for inspection by POST.

1056. Annual Recertification.

Each certified course is reviewed prior to the beginning of a new fiscal year. The review shall include evaluation of the continuing need for the course, currency of curriculum, and adherence to requirements for course certification (Reference Regulation 1052) and course presentation (Reference Regulation 1055).

1057. Decertification.

Courses may be decertified by action of the Commission when: (1) There is no longer a demonstrated need for the course; or (2) there is failure to comply with requirements set forth in Regulations 1052-1055; or (3) there are other causes warranting decertification as determined by the Commission.

1058. Appeals Process

(a) Any person may appeal in writing any course certification/decertification decision to the POST Executive Director.

(b) Any person not satisfied with the decision of the Executive Director may appeal the decision to the Commission. Persons wishing to appeal to the Commission must notify the POST Executive Director in writing at least 45 calendar days before a scheduled Commission Meeting.

PROPOSED CURRICULUM CHANGES FOR CARCINOGENIC MATERIALS

(Existing) 8.39.6 — The student will identify the following responsibilities and considerations of a first responder to a hazardous materials incident including:

70%
2

A. Recognition
B. Safety/Isolation/Area containment
C. Notification to proper agencies
D. Basic first responder limitation

(New) 8.39.7 — Given a word picture of a law enforcement situation which might involve carcinogenic materials contamination for the officer, the student will:

80%
2

A. Determine if a hazardous materials situation exists.
B. Identify the associated risks of immediate and long-term exposure.
C. Determine the course of action necessary to minimize the risk of contamination, handling, and exposure.

PROPOSED LANGUAGE FOR REGULATION CHANGE

NOTE: THIS LANGUAGE IS PREDICATED UPON APPROVAL BY THE OFFICE OF ADMINISTRATIVE LAW OF PROPOSED REGULATION 1081 ADOPTED AT THE PUBLIC HEARING HELD APRIL 20, 1989, AND SUBSEQUENTLY REVISED AT THE PUBLIC HEARING HELD JANUARY 18, 1990, AND REVISED AGAIN WITH NO PUBLIC HEARING SCHEDULED, BUT PUBLISHED IN THE NOTICE REGISTER FEBRUARY 23, 1990.

Regulation 1081. Minimum Standards for Approved Courses

(1) - (16) ...

(17) Carcinogenic Materials (Health and Safety Code Section 1797.187) - 4 Hours

A. Hazardous Materials, Responsibilities and Considerations for First Responders.

B. Hazardous Carcinogenic Materials Identification, Associated Risks, and Minimizing Exposure to Responding Officers.

POSTPARTUM PSYCHOSIS

(New) 8.36.11 80% 2

Given a description of a situation involving a woman who has given birth within the last 12 months and who displays one or more of the following risk factors, the student will identify that the woman may be suffering from postpartum psychosis.

Risk Factors:

A. Insomnia
B. Agitation
C. Hyperactivity
D. Stupor
E. Confusion
F. Hallucinations
G. Delusions
H. Violent or bizarre behavior
I. Fearful thoughts (Child's safety)

(New) 8.36.12 80% 2

Given a description of a situation involving a woman who might be suffering from postpartum psychosis, the student will select an appropriate course of action from the following options:

A. Involuntary detention under Section 5150 of the Welfare & Institutions Code
B. Referral for mental health services, and notify family member or other concerned parties
C. Report to child protective services
D. Arrest
E. Emergency medical care
F. No police action required

LAW

(New) 3.16.3 80% 2

Given word-pictures or audio-visual presentations depicting possible attempts to set fire to or aid, counsel or procure the burning of any structure, forest land or property, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 455

(Deleted) ~~3.4.2~~

~~The student will identify "accomplice" as defined by California law. (Penal Code Section 1111)~~

(New)	10.5.4 70% 2	The student will identify the health hazards associated with substances used in the processing of latent prints. These include: A. Respiratory and/or digestive disorders B. Eye and skin irritation
(New)	10.5.5 70% 2	The student will identify protective measures to be used when processing latent prints. These include: A. Particle mask B. Eye protection C. Skin protection
(New)	10.24.0	CRIMES AGAINST THE ELDERLY Learning Goal: The student will understand and have a working knowledge of the responding officer's tasks in an alleged crime against an elderly person.
(New)	10.24.1 80% 2	Given various word pictures or audio-visual presentations depicting an alleged crime against an elderly person, the student will identify those tasks delegated to a responding field officer.
(Delete)	~~10.6.6~~	~~Given a description of a crime scene containing several pieces of evidence, the student will identify the "fragile" evidence and select the proper method for preserving it.~~

(New) 9.14.3 70% 2

The student will identify the basic elements necessary to complete a factual diagram and/or sketch when investigating the scene of a traffic collision. The elements are:

A. Indication of compass direction
B. Measurements of the scene in proportion, but not necessarily to scale.
C. Use of appropriate illustrations
D. Determine the point of impact (P. O. I.) and the point of rest (P. O. R.)

(New) 9.14.4 70% 2

The student will identify the following types of physical evidence which are used to determine the cause of a collision:

A. Locked wheel skid, critical speed scuff, impending skid, side skids, and acceleration scuff
B. Debris, glass, vehicle parts, fluids, and other related property damage
C. Photographs of the scene

(New) 9.14.5 70% 2

The student will identify the information to be obtained during a collision investigation interview.

A. Identify the involved parties and vehicles
B. Establish the time and location of collision events
C. Establish the chronology of collision events
D. Elements unique to hit and run collisions, if applicable

(New) 9.14.6 70% 3

Given a Vehicle Code and a description of a traffic collision, the student will determine the Vehicle Code violation, where applicable, and identify the primary and associated collision factors.

(Delete) ~~9.4.8~~

~~Given a Vehicle Code and word pictures or audio-visual presentations depicting a reckless driving violation, the student will identify it by either common name or section number. (Vehicle Code Section 23103)~~

Commission on Peace Officer Standards and Training

PUBLIC HEARING: BASIC TRAINING STANDARDS

Proposed Language

1005. Minimum Standards for Training

(a) Basic Training (Required)

More specific information regarding basic training requirements is located in Commission Procedure D-1.

(1) Every regular officer, except those participating in a POST-approved field training program, shall satisfactorily meet the training requirements of the Regular Basic Course before being assigned duties which include the exercise of peace officer power.

Requirements for the Regular Basic Course are set forth in PAM, Section D-1-3.

****

(b) ****

(c) ****

(d) ****

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(g) ****

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PAM Section D-1-1 adopted * , is herein incorporated by reference.

PAM Section D-1-2 adopted * , is herein incorporated by reference.

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The POST Basic Academy Physical Conditioning Manual (February 1990), is herein incorporated by reference effective * .

The document, Performance Objectives for the POST Basic Course - 1989, is herein incorporated by reference effective * .

*This date to be filled in by OAL

Authority: PC 13510, 13503, 13506
Reference: PC 832.3, 832.6, 13510

Procedure D-1, subparagraphs 1-1, 1-2, 1-3, 1-4, 1-5, and 1-6 are incorporated by reference into Regulation 1005, and a public hearing is required prior to their revision. See the Historical Note at the conclusion of this Procedure.

BASIC TRAINING

Purpose

**1-1. Specifications of Basic 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. Basic Training includes the Regular Basic Course, District Attorneys Investigators Basic Course, Marshals Basic Course, and Specialized Basic Investigators Course.

Training Content and Methodology

**1-2. Requirements for Basic Training Content and Methodology: The minimum content standards for basic training are broadly stated in paragraphs 1-3 to 1-6. Within each functional area, listed below, flexibility is provided to adjust hours and instructional topics with prior POST approval. More detailed specifications are contained in the documents "Performance Objectives for the POST Basic Course"~~ and "POST Prescribed Training Courses." Supporting documents, although not~~

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Successful course completion requires attendance of an entire course at a single academy except where POST has approved a contractual agreement between academies. The Law Enforcement Code of Ethics shall be administered to peace officer trainees. Instructional methodology is at the discretion of individual course presenters. Requirements and exceptions for specific basic courses are as follows:

a. For the Regular Basic Course specified in paragraph 1-3, performance objectives must be taught and tested as specified in the document "Performance Objectives for the POST Basic Course". Successful course completion is based upon objectives meeting the established success criteria specified in this document. Tracking performance objectives ~~by~~ to document student achievement is mandatory; however, the tracking system to be used is optional.

For the Regular Basic Course, t~~T~~he POST-developed physical conditioning program must be followed within Functional Area 12.0 and students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition for

PROPOSED CURRICULUM CHANGES FOR CARCINOGENIC MATERIALS

(Existing)

70%
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Given a description of a situation involving a woman who might be suffering from postpartum psychosis, the student will select an appropriate course of action from the following options:

A. Involuntary detention under Section 51[illegible] of the Welfare & Institutions Code
B. Referral for mental health services, and notify family member or other concerned parties
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LAW

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Commission on Peace Officer Standards and Training

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For the Regular Basic Course, t~~T~~he POST-developed physical conditioning program must be followed within Functional Area 12.0 and students must pass a POST-developed physical abilities test as described in the POST Basic Academy Physical Conditioning Manual at the conclusion of the conditioning program as a condition fo

POST Prescribed
Training Courses

January 1, 1984

INVESTIGATION AND TRIAL PREPARATION
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Regulations Section 1005(a)(2)
Commission Procedure D-1-4

LEGAL REFERENCE

The Commission Regulations Section 1005(a)(2) require every regularly employed and paid as such inspector or investigator of a district attorney's office as defined in Section 830.1 P.C. shall be required to satisfactorily meet the training requirements of the District Attorney Investigator's Basic Course. The standard may be satisfactorily met by successful completion of the training requirements of the Basic Course. The satisfactory completion of a certified. Investigation and Trial Preparation Course is also required within 12 months from the date of appointment.

BACKGROUND

The Investigation and Trial Preparation Course was developed in 1983.

CERTIFICATION INFORMATION

The 80-hour course is certified to community colleges.

PREREQUISITE

Successful completion of the regular Basic 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 Investigator.

2.1.3 The student will identify the relationship of the District Attorney Investigator with the following:

A. District Attorney
B. District Attorney Legal Staff
C. Law Enforcement Community
D. Legal Community
E. News Media

2.1.4 The student will identify the ethical requirements of:

A. Peace Officer
B. District Attorney's Office
C. Legal Profession

3.0 The student will understand and have a working knowledge of court process and procedures and will understand the role and authority of the grand jury.

3.1.1 The student will identify how court procedures apply to:

A. Case Analysis, etc.
B. Defendant(s) Appearance
C. Preliminary Exam
D. Superior Court Arraignment
E. Pre Trail Motions
F. Disposition Without Trial
G. Trial
H. Post Trial
I. Post Sentence
J. Post Sentence Procedure
K. Lifer Hearings

3.1.2 The student will identify the role and authority of the grand jury. This will include:

A. Tactical Consideration of Its Use
B. Selection and Composition

4.0 The student will have a working knowledge of sources of information.

4.1.1 The student will identify how to obtain records information from:

A. Public Agencies
B. Private Agencies

5.1.4 The student will identify the legal and practical considerations in protecting witnesses. This will include:

A. Witness Protection Program

1. State
2. Federal

B. Intimidation

5.1.5 The student will identify methods for obtaining eXpert witnesses.

5.1.6 The student will identify the elements of a conditional examination of a witness (1335 - 1346 P.C.).

5.1.7 The student will identify how testimony by affidavit is used in court.

6.0 The student will have a basic understanding of investigative techniques.

6.1.1 The student will demonstrate how to use the following surveillance equipment:

A. Optical
B. Photo
C. Electronic Equipment

6.1.2 The student will identify various investigative undercover techniques.

6.1.3 The student will identify various investigative analytical techniques including:

A. Visual Investigation Analysis
B. Link Analysis
C. Computer Assistance

6.1.4 The student will identify the legality and use of hypnosis, polygraph, and voice print.

6.1.5 The student will identify recent and innovative physical evidence collection techniques.

7.0 The student will understand the legal and practical principles in identification of suspects and objects.

7.1.1 The student will identify how to conduct a line-up. This will include:

A. Live and Video Line Up
B. Photo Line Up
C. Field Show Up

9.1.4 The student will identify the various aspects of physical evidence including:

A. Handling
B. Lab Capabilities
C. Body Evidence
D. Handwriting Exemplar
E. Storage and Release Procedure

10.0 The student will understand the various aspects of warrants, their service and construction.

10.1.1 The student will identify the information that is needed for a search warrant affidavit.

10.1.2 The student will write a search warrant and support affidavit.

10.1.3 The student will identify how to serve and return a search warrant.

10.1.4 The student will identify various warrants which will minimally include:

A. Ramey/Steagald
B. Rendition
C. Extradition
D. Unlawful Flight to Avoid Prosecution

10.1. The student will identify how to properly dispose of evidence.

11.0 The student will understand the civil process and remedies available to District Attorney's Office.

11.1.1 The student will identify the civil process available to the District Attorney. This will include:

A. Code of Civil Procedure
B. Service of Summons
C. Service of Subpoena Duces Tecum

11.1.2 The student will identify types of civil prosecutions including:

A. Red Light Abatement
B. Public Nuisance
C. Health Violations

1. Adult
2. Child
3. Custodial
4. Institutional

13.1.6 The student will identify the role of the investigator with the post mortem exam.

13.1.7 The student will identify the legal aspects and methods of investigation of crimes against the Administration of Justice including:

A. Perjury
B. Subordination of Perjury
C. Falsification of Evidence
D. Conspiracy to Obstruct Justice
E. Jury Tampering
F. Contempt

13.1.8 The student will identify the legal aspects and methods of investigation of misconduct of public employees, candidates, and campaign workers including:

A. Election Code violations
B. Theft of Public Funds
C. Bribery
D. Conflict of Interest
E. Brown Act Violations

13.1.9 The student will identify the legal aspects and investigative methods used in the investigation of officer involved incidents including:

A. Officer Involved Fatal Incidents
B. Allegations of Excessive Force
C. Other Allegations Concerning Injury or Death

POST Prescribed
Training Courses

July 1, 1990

INVESTIGATION AND TRIAL PREPARATION
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Regulation Section 1005(a)(2)
Commission Procedure D-1-4

LEGAL REFERENCE

The Commission Regulations Section 1004(a) (2) require every regularly employed and paid as such inspector or investigator of a district attorney's office as defined in Section 830.1 P.C. shall be required to satisfactorily meet the training requirements of the District Attorney Investigator's Basic Course. The standard may be satisfactorily met by successful completion of the training requirements of the Basic Course. The satisfactory completion of a certified Investigation and Trial Preparation Course is also required within 12 months from the date of appointment.

BACKGROUND

The Investigation and Trial Preparation Course was developed in 1983. The course was updated July 1, 1990.

CERTIFICATION INFORMATION

The 80-hour course is certified to community colleges.

PREREQUISITE

Successful completion of the Regular Basic 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.

This is a transitional course for persons with an investigative background and is not intended to teach basic investigative skills or develop expertise in specialized investigative areas.

The course must be completed within one year of the student's employment as a District Attorney Investigator.

1.1.5 The student will identify the distinctions between the role of the District Attorney Investigator and other law enforcement officers.

1.1.6 The student will identify the common ethical considerations encountered by District Attorney Investigators including:

A. Discovery
B. Conflicts of Interest
C. Jailhouse Informants
D. Contact With Defendants Represented by Counsel
E. Confidentiality
F. Political Activities
G. Jury Relationships

Court Processes, Motions, Grand Jury

2.0 The student will understand and have a working knowledge of the court process and procedures and will understand the role and authority of the grand jury.

2.1.1 The student will identify how the following court procedures impact the investigator's responsibilities:

A. Defendant(s) Court Attendance
B. Preliminary Hearing
C. Superior Court Arraignment
D. Pre-Trial Motions
E. Disposition Without Trial
F. Trial
G. Post Trial
H. Post Sentence
I. Certificates of Rehabilitation
J. Lifer Hearings

2.1.2 The student will identify the role and authority of the grand jury. This will include:

A. Tactical Consideration of Its Use
B. Selection (Including Background Investigations) and Composition
C. Confidentiality

Investigative Techniques

3.0 The student will receive an overview of investigative techniques including: A) Sources of Information; B) Witness Management; C) Investigative Tools; D) Interviewing; and E) Warrants.

E. Witness Expenses and Fees
F. In Custody
G. F.A.A. and Airline Rules

3.1.10 The student will identify the considerations of dealing with reluctant and uncooperative witnesses including use of bond and warrant (878 et seq and 1332 P.C.).

3.1.11 The student will identify the legal and practical considerations in protecting witnesses. This will include:

A. Witness Protection Program

1. Local
2. State
3. Federal

B. Intimidation Issues

3.1.12 The student will identify methods for obtaining expert witnesses.

3.1.13 The student will identify the elements of a conditional examination of a witness (1335-1362 P.C.).

3.1.14 The student will identify the use and purpose of the following surveillance equipment:

A. Optical
B. Photo
C. Electronic Equipment
D. Chemical Sampler

3.1.15 The student will identify various investigative undercover techniques.

3.1.16 The student will identify various investigative analytical techniques including:

A. Visual Investigation Analysis
B. Link Analysis
C. Computer Assistance

3.1.17 The student will identify the legality and use of hypnosis, polygraph, electronic surveillance and voice print.

G. Best Evidence
H. Prior I.D. Witness
I. 352 Evidence Code

4.1.2 The student will identify recent changes in search and seizure law in the following:

A. Consent
B. Car
C. Persons
D. Buildings
E. Containers

4.1.3 The student will identify the legal aspects of physical evidence including:

A. Chain of Custody
B. Body Evidence
C. Handwriting Exemplar

4.1.4 The student will identify the requirements of "Discovery" and methods of compliance.

Civil Process

5.0 The student will understand the civil process and remedies available to District Attorney's Office.

5.1.1 The student will identify the civil process available to the District Attorney. This will include:

A. Code of Civil Procedure
B. Service of Summons
C. Service of Subpoena Duces Tecum
D. Penalties and Remedies

5.1.2 The student will identify types of civil prosecutions.

Case Preparation

6.0 The student will understand and have a working knowledge of the techniques of case preparation.

6.1.1 The student will identify distinguishing features of an exemplary report and common deficiencies of report writing.

C. Sexual Assault
   1. Adult
   2. Child
   3. Custodial
   4. Institutional

7.1.6 The student will identify the role of the investigator at autopsies.

7.1.7 The student will identify the legal and practical aspects of crimes against the Administration of Justice including:

A. Perjury
B. Subornation of Perjury
C. Falsification of Evidence
D. Conspiracy to Obstruct Justice
E. Jury Tampering
F. Contempt

7.1.8 The student will identify the legal and practical aspects of misconduct of elected officials, public employees, candidates, and campaign workers including:

A. Election Code Violations
B. Theft of Public Funds
C. Bribery
D. Conflict of Interest
E. Brown Act Violations

7.1.9 The student will identify the legal aspects and investigative methods used in the investigation of officer involved incidents such as fatalities, use of excessive force and custodial deaths.

7.1.10 The student will identify the legal aspects and techniques of investigating gang related incidents including:

A. Drugs/Narcotics
B. Conspiracy
C. Money Laundering
D. Working With Local/Regional Task Forces

7.1.11 The student will identify the legal requirements and techniques involved in asset seizures and forfeitures.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Course Certification/Decertification Report		July 19, 1990
Bureau	**Reviewed By**	**Researched By**
Training Delivery Services	Ronald T. Allen, Chief	Rachel S. Fuentes
Executive Director Approval	**Date of Approval**	**Date of Report**
Maureen C. Beehan	7-2-90	June 29, 1990

Purpose:

☐ Decision Requested ☒ Information Only ☐ Status Report

Financial Impact: ☐ Yes (See Analysis for 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 April 19, 1990 Commission meeting:

CERTIFIED

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
1.	Firearms Training-Semi-Auto Pistol	Golden West College CJTC	Technical	IV	$ 6,912
2.	Haz. Materials On-Scene Mgmt.	Los Angeles Co. Sheriff's Dept.	Technical	IV	4,320
3.	Adv. Driver Trng. (EVOC)	Los Angeles Co. Sheriff's Dept.	Technical	IV	2,400
4.	First Aid/CPR Instructor	Chabot College	Technical	IV	9,800
5.	Sexual Assault Inv.	Los Angeles PD Training Center	Technical	IV	-0-
6.	Microcomputers, Seizure & Exam	Search Group, Inc.	Technical	III	17,280
7.	R.R. Grade Cross. Acc. Inv. Instr.	Golden West College CJTC	Technical	IV	5,328
8.	Missing Persons/ Runaways	Santa Rosa Center	Technical	IV	-0-
9.	S&K Modular Trng.	Dept. of Forestry	Technical	IV	1,600
10.	Reserve Training Module B	Los Angeles Co. Sheriff's Dept.	Reserve Training	N/A	-0-
11.	Reserve Training Module C	Los Angeles Co. Sheriff's Dept.	Reserve Training	N/A	-0-
12.	Missing Persons/ Runaways	Riverside Co. Sheriff's Dept.	Technical	IV	4,500

CERTIFIED - Continued

	Course Title	Presenter	Course Category	Reimbursement Plan	Annual Fiscal Impact
13.	Welfare Fraud Inv. Adm. Hearing	Ventura College	Technical	IV	-0-
14.	Missing Persons/ Runaways	Shasta College	Technical	IV	-0-
15.	Missing Persons/ Runaways	College of the Siskiyous	Technical	IV	-0-
16.	Basic Course - Extended Format	Fullerton College	Basic	N/A	-0-
17.	Missing Persons Runaways	Santa Ana Police Dept.	Technical	IV	-0-
18.	Civilian Mgmt. Seminar	PMW Associates	Mgmt. Sem.	III	19,042
19.	Inst. of Criminal Inv. - Core Course	San Diego RTC	Technical	III	27,258
20.	Missing Persons/ Community	Imperial Valley College	Technical	IV	-0-
21.	Crowd Control Instructor	Napa Valley College	Technical	IV	43,200
22.	Cults, Sects & Deviant Movements	San Bernardino Co. Sheriff's Dept.	Technical	IV	7,200
23.	Missing Persons/ Runaways	Los Medanos Col.	Technical	IV	-0-
24.	Traffic Acc. Inv.	Rio Hondo RTC	Technical	IV	6,000
25.	Police Services Technician	Oakland Police Department	Technical	IV	3,200
26.	Reserve Coord.	Los Medanos Col.	Technical	IV	19,456
27.	Radar Operator	Rio Hondo RTC	Technical	IV	3,600
28.	Armorer School Double Action Auto Pistol	Lassen College	Technical	IV	14,400
29.	Armorer School Single Action Auto Pistol	Lassen College	Technical	IV	14,400
30.	Clandestine Store-front Sting Oper.	Golden West College CJTC	Technical	IV	3,600

DECERTIFIED

	Course Title	Presenter	Course Category	Reimbursement Plan
1.	Report Writing for Instructors	Orange County Sheriff's Dept.	Technical	IV
2.	Driver Awareness Update	San Diego P.D.	Technical	IV
3.	Advanced Officer	Imperial Valley College	Technical	II
4.	S&K Modular Trng.	Rancho Santiago College	Technical	IV
5.	Driver Awareness Update	Imperial Valley College	Technical	IV
6.	Homicide Inv.	Kern County RCJTC	Technical	IV
7.	Report Writing	Allan Hancock Col.	Technical	IV
8.	Reserve Training A, B	Los Angeles Co. Sheriff's Dept.	Reserve Training	N/A
9.	Reserve Training A, B, C	Los Angeles Co. Sheriff's Dept.	Reserve Training	N/A
10.	Hostage Negotiation	Sacramento Police Department	Technical	IV
11.	Computer-Micro Application	Los Angeles Co. Sheriff's Dept.	Technical	III
12.	Baton Instr.-Straight	Butte Center	Technical	IV
13.	Driver Awareness Instructor	Butte Center	Technical	III
14.	Records Management	DOJ Advanced Training Center	Technical	IV
15.	Protection, Executive	DOJ Advanced Training Center	Technical	IV
16.	Blood Alcohol Seminar	DOJ Advanced Training Center	Technical	IV
17.	Asset Forfeiture Marijuana Update	DOJ Advanced Training Center	Technical	IV
18.	Camp Safety Update	DOJ Advanced Training Center	Technical	IV

DECERTIFIED - Continued

	Course	Presenter	Course Category	Reimbursement Plan
19.	Domestic Violence/ Telecomm Mgr.	CPOA	Mgmt. Trng.	III
20.	Child Abuse Update	Univ of So Calif/ Delinq. Ctrl Inst.	Technical	III
21.	Report Writing	Golden West College CJTC	Technical	IV
22.	Report Writing for Instructors	Orange County Sheriff's Dept.	Techical	IV
23.	Armorer School-Semi Auto Pistols	Lassen College	Technical	IV

TOTAL CERTIFIED 29
TOTAL DECERTIFIED 23
TOTAL MODIFICATIONS 81

1039 Courses certified as of 6-29-90
168 Presenters certified as of 6-29-90

455 S&K Modules certified as of 6-29-90
50 S&K Presenters certified as of 6-29-9

TOTAL CERTIFIED COURSES: 1,494

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Imperial County District Attorney Investigations		July 19, 1990
Bureau	**Reviewed By**	**Researched By**
Compliance and Certificate Services	Frederick Williams	George Fox
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	5-1-90	April 24, 1990

Purpose:

- [ ] Decision Requested
- [x] Information Only
- [ ] Status Report

Financial Impact:
- [x] Yes (See Analysis for details)
- [ ] No

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

ISSUE

The Imperial County District Attorney desires that the agency's investigators be included in the POST program.

BACKGROUND

The department's investigators are appointed pursuant to Section 830.1 Penal Code. Suitable background and other provisions of the Government Code regarding selection standards have been met.

ANALYSIS

The agency currently employs four investigators and the fiscal impact could be approximately $2000 annually.

RECOMMENDATION

The Commission be advised that the Imperial County District Attorney's Investigatiion Unit be included in the POST Reimbursement Program consistent with Commission Policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: San Francisco District Attorney's Office		Meeting Date: July 19, 1990
Bureau: Compliance and Certificates Services	Reviewed By: Frederick Williams	Researched By: Bud Perry
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-23-90	Date of Report: April 18, 1990

Purpose:

- [ ] Decision Requested
- [x] Information Only
- [ ] Status Report

Financial Impact:

- [x] Yes (See Analysis for details)
- [ ] No

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

ISSUE

The San Francisco District Attorney's Office has requested that its Bureau of Criminal Investigation be included in the POST Reimbursable Program.

BACKGROUND

Criminal Investigators for the San Francisco District Attorney's Office derive their peace officer status from P.C. 830.1 of the California Penal Code. They are included in a class of agencies approved by the Commission for entry into the POST Reimbursement Program. They have met the necessary requirements of Government Code 1031. The City of San Francisco has furnished Ordinance No. 84-90 dated March 9, 1990 assuring adherence to POST standards.

ANALYSIS

The District Attorney's Office presently employs forty-one sworn Criminal Investigators. An approximate fiscal impact of this agency's entry is determined to be $22,000 per year.

RECOMMENDATION

The Commission be advised that San Francisco District Attorney's Office Bureau of Criminal Investigation has been admitted into the POST Reimbursement Program consistent with Commission policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Blue Lake Police Department		Meeting Date: July 19, 1990
Bureau: Compliance and Certificate Services	Reviewed By: Frederick Williams	Researched By: Thomas G. Farnsworth
Executive Director Approval: Norman C. Boehm	Date of Approval: 4-23-90	Date of Report: April 1, 1990

Purpose:

- [ ] Decision Requested
- [X] Information Only
- [ ] Status Report

Financial Impact:

- [X] Yes (See Analysis for details)
- [ ] No

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

ISSUE

The Blue Lake Police Department has requested that their department be included in the POST Reimbursement Program.

The Blue Lake City Council passed Ordinance 393 on March 14, 1989, requesting such membership. Subsequently, they were preparing their records for inspection.

ANALYSIS

The police department has only the Chief of Police. An on-site inspection revealed that the department meets the requirements of Government Code 1031. The projected financial impact is approximately $700.

RECOMMENDATION

That the Commission be advised that the Blue Lake Police Department has been admitted into the POST Reimbursement Program consistant with Commission policy.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Merging of Riverside County Marshals' Offices into Riverside County Sheriff's Department		Meeting Date July 19, 1990
Bureau Compliance and Certificate Services	Reviewed By Richard Walker	Researched By George Fox
Executive Director Approval Norman C. Boehm	Date of Approval 6-18-90	Date of Report June 12, 1990

Purpose:

☐ Decision Requested ☒ Information Only ☐ Status Report

Financial Impact: ☐ Yes (See Analysis for details) ☒ No

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

ISSUE

The offices of the Riverside Judicial District Marshal and the Desert Judicial District Marshal have been participants in the POST Specialized Program. Both the agencies have now been consolidated into the Riverside County Sheriff's Department.

BACKGROUND

A Riverside countywide election of superior and municipal court judges provided for the Board of Supervisors to consolidate the two Marshals' Offices into the Sheriff's Department. SB 148 (Presly) added Sections 26668 and 72110 to the Government Code allowing for the consolidation. The law also provides that permanent employees of the Marshals' Offices are deemed to be qualified for employment by the Sheriff's Department.

ANALYSIS

With the two Marshals' Offices non-existent, their participation in the POST Program is now moot and not required.

RECOMMENDATION

That the Commission be advised that the Riverside and Desert Judicial District Marshals' Offices have been removed from the POST Specialized Program.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
Public Safety Dispatcher Program		July 19, 1990
Bureau	**Reviewed By**	**Researched By**
Compliance & Cert. Services		Frederick Williams
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	6-18-90	June 14, 1990

Purpose:

- [ ] Decision Requested
- [x] Information Only
- [ ] Status Report

Financial Impact:
- [x] Yes (See Analysis for details)
- [ ] No

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

ISSUE

Acceptance of agencies into the Public Safety Dispatcher Program.

BACKGROUND

The agencies shown on the attached list have requested participation in the POST Reimbursable Public Safety Dispatcher Program pursuant to Penal Code Sections 13510(c) and 13525. The agencies have expressed their willingness to abide by POST Regulations and have passed ordinances or resolutions as required by Penal Code Section 13522.

ANALYSIS

All of the agencies presently employ full-time dispatchers, and some employ part-time dispatchers. The agencies have all established minimum selection and training standards which equal or exceed the standards adopted for the program.

RECOMMENDATION

That the Commission be advised that the subject agencies have been accepted into the POST Reimbursable Public Safety Dispatcher Program consistent with Commission policy.

NEW AGENCIES IN THE PUBLIC SAFETY DISPATCHER PROGRAM

APRIL - JUNE 1990

AGENCY	ORD\RES\LETTER	ENTRY DATE
Beaumont P.D.	Ord. 670	6-14-90
Burbank P.D.	Ord. 3192	6-7-90
Oroville P.D.	Ord. 1517	6-11-90
Santa Rosa P.D.	Ord. 2824	5-2-90
Sierra Madre P.D.	Ord. 1068	6-7-90
South Lake Tahoe P.D.	Ord. 755	4-11-90
South Pasadena P.D.	Ord. 1959	6-7-90
Marin Co. S.O.	Ord. 3018	4-17-90
Riverside County D.A.	Ord. 688	6-7-90
U/C Santa Barbara	Resolution	6-7-90

Resolution OF THE

Commission on Peace Officer Standards and Training

STATE OF CALIFORNIA

WHEREAS, James E. Newman is a Sergeant with the Chino Police Department with impressive service in law enforcement; and

WHEREAS, He served the Commission on Peace Officer Standards and Training in the capacity of a POST Special Consultant, full time from July 1, 1989 to June 30, 1990; and

WHEREAS, He provided leadership in developing and updating curriculum for the Regular Basic Course; and

WHEREAS, He coordinated the development of legislatively-mandated training requirements including Sudden Infant Death Syndrome, Postpartum Psychosis and dealing with the Visually Impaired; and

WHEREAS, His work on this difficult project was exemplary in every respect; and

WHEREAS, The results of his work will be of benefit to California law enforcement for many years to come; now therefore be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training commend James E. Newman for a job well done; and be it

FURTHER RESOLVED, That the Commission extends its best wishes for continued service to California law enforcement.

Chairman

Executive Director

July 19, 1990

Date

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Public Hearing - Training Standards on Investigation of Sudden Death of Infants and Sudden Infant Death Syndrome		Meeting Date: July 19, 1990
Bureau: Training Program Services	Reviewed By: RK Russ Kindermann	Researched By: James E. Newman
Executive Director Approval: Norman C. Boehm	Date of Approval: 6-21-90	Date of Report: April 26, 1990
Purpose: ☒ Decision Requested ☐ Information Only ☐ Status Report		Financial Impact: ☐ Yes (See Analysis for details) ☒ No

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

ISSUE

This is a public hearing to consider training standards on Sudden Infant Death Syndrome pursuant to Senate Bill 1067, (1989) and the handling of cases involving the sudden death of infants.

BACKGROUND

Senate Bill 1067 of 1989 (Attachment A) enacted Section 13519.3 of the Penal Code which directs the Commission to establish, for those peace officers specified in subdivision (a) of Section 13510 who are assigned to patrol or investigations, a course on the handling of cases involving the sudden death of infants and the nature of Sudden Infant Death Syndrome (SIDS). The legislation requires that officers who are employed after January 1, 1990 complete a course on SIDS prior to issuance of the POST Basic Certificate, and that this training be completed on or before July 1, 1992. The legislation further directs the Commission to review and modify the Regular Basic Course curriculum to include SIDS awareness as part of death investigation training.

The course shall include instruction on the standard procedures developed as guidelines which may be followed by law enforcement agencies in the investigation of cases involving sudden deaths of infants, information on the nature of SIDS, and information on community resources available to assist families and child care providers who have lost a child to SIDS. The Commission is required to prepare guidelines establishing standard procedures which may be followed by law enforcement agencies in the investigation of cases involving sudden death of infants.

The incidents of sudden death of an infant occur in California at a rate of 9.5 incidents per 1,000 live births. There are approximately 500,000 live births in California yearly. This extrapolates to nearly 5,000 infant deaths annually. The causes of infant deaths range from acts of criminal violence, accidents,

illness, and other causes. Death investigation, whether involving criminal behavior or not, is a critical function of law enforcement.

Patrol and investigative peace officers need to be knowledgeable in the appropriate tasks related to investigating and documenting the sudden death of any person, especially where there is an unexplained death, or one involving possible criminal actions. Sudden Infant Death Syndrome (SIDS) is the leading cause of death among infants. Yearly in California there are approximately 1.7 SIDS deaths per 1,000 live births or approximately 800 deaths. Familiarity with Sudden Infant Death Syndrome will enable peace officers to handle these situations in an acceptable and standardized manner consistent with legal requirements.

ANALYSIS

An advisory committee of subject matter instructors, investigators, and individuals having expertise in Sudden Infant Death Syndrome (SIDS) and in death investigation tasks was formed to review current death investigation training standards and to provide consultation on the courses of instruction and investigative guidelines relating to SB 1067 (Attachment B). A SIDS death is defined as the sudden, unexplained death of an infant under one year of age which remains unexplained after a complete post-mortem examination, including an investigation of the death scene and review of the case history.

Research and advisory committee's input has suggested the need for a two-hour course on investigation of sudden death of infants for those peace officers listed in 13510 (a) P.C. assigned to patrol or investigation that would include the following topics:

A. Standard Procedure on Investigating Sudden Death of Infants

1. Determination of the need for emergency medical treatment.
2. Implementation of death scene procedures.
3. Identification and interviewing of family, care providers, and witnesses.
4. Notification to other investigative, medical and coroner staff.
5. Documentation and reporting of incident.

B. Sudden Infant Death Syndrome (SIDS) Awareness

1. Identification and nature of SIDS.
2. Information to provide family and/or child care providers.
3. Community resources available

It is proposed that the topics identified in the Investigation of Sudden Death of Infants training course be included more

specifically in the Regular Basic Course. The proposed performance objectives, providing for SIDS awareness training as part of death investigation in the Regular Basic Course, are included in Attachment D. As the law enforcement scene investigation practices are addressed in several existing performance objectives, modification to performance objective 8.33.1 (Attachment C) to include specific death scene investigative practices will provide clearer instruction in this critical area.

Attachment D sets forth the proposed new learning goal and performance objectives for the Regular Basic Course on SIDS awareness. The proposed performance objectives provide the student with information concerning the indicators of SIDS and community referral resources which are available to the parent/child care provider. Supporting Regular Basic Course unit guide material for these existing and new objectives provides detailed information on these subjects. It is anticipated that the new performance objectives on SIDS awareness will require one hour for instruction and testing. The performance objective on scene investigation practices is currently being addressed within existing course hours.

PC 13519.3 also requires the Commission to develop and distribute guidelines for the use of law enforcement agencies in the investigation of sudden infant death. The guidelines will be for voluntary use and therefore need not be formally adopted pursuant to the Administrative Procedures Act. The guidelines are presented to the Commission, as Attachment F, for approval.

Because this is a legislative training mandate that is required to be incorporated into Commission Regulation 1081 (Minimum Standards for Approved Courses) and because modifications are proposed for the POST document Performance Objectives for the POST Basic Course a public hearing is necessary for the Commission to adopt this standard. Attachment E provides a copy of the Notice of Public Hearing, Statement of Reasons, and the proposed language.

Recommendation

1. Subject to the results of the public hearing, approve the addition of two performance objectives to the Regular Basic Course on SIDS awareness training in compliance with Senate Bill 1067 and approve the Investigation of Sudden Death of Infants course for those officers listed in 13510 (a) P.C. who are assigned to patrol or investigation.

2. Approve the proposed Sudden Infant Death Investigation Guidelines for distribution.

Senate Bill No. 1067

CHAPTER 1111

An act to amend Sections 1797.170, 1797.171, 1797.172, and 1797.213 of, and to add Section 1797.192 to, the Health and Safety Code, and to add Section 13519.3 to the Penal Code, relating to sudden infant death syndrome.

[Approved by Governor September 29, 1989. Filed with Secretary of State September 30, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1067, Boatwright. Sudden infant death syndrome: training: peace officers and emergency response personnel.

(1) Under existing law, there is in the Department of Justice, the Commission on Peace Officer Standards and Training which is responsible for administering numerous law enforcement training and certification programs.

This bill would require the commission, effective July 1, 1990, to establish a course for certain specified peace officers on sudden infant death syndrome and require the completion of the course as a condition of certification of completion of the basic training course. This bill also would require officers who are employed after January 1, 1990, to complete a course in sudden infant death syndrome and complete training on this topic, on or before July 1, 1992. This bill further would require the commission to prepare guidelines establishing standard procedures which may be followed by law enforcement agencies on the investigation of cases involving sudden deaths of infants. It would require the commission to review the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training.

(2) Existing law requires the Emergency Medical Services Authority to establish minimum standards and promulgate regulations for the training and scope of practice of EMT-I's, EMT-II's, and EMT-P's, and provides for the certification of EMT-I's by the authority and local EMS agencies and for the certification of EMT-II's, EMT-P's, and authorized registered nurses by local EMS agencies. Existing law also requires firefighters, except those whose duties are primarily clerical or administrative, to receive training in first aid and cardiopulmonary resuscitation, and requires the authority to prescribe standards regarding the training of firefighters in first aid and cardiopulmonary resuscitation.

This bill would require EMT-I's, EMT-II's, and EMT-P's to complete a course on the nature of sudden infant death syndrome, and, effective July 1, 1990, would require any person certified as an EMT-I by the authority or certified as an EMT-I, EMT-II, EMT-P, or authorized registered nurse by a local EMS agency to complete the

a course of training on the nature of sudden infant death syndrome which is developed by the California SIDS program in the State Department of Health Services in consultation with experts in the field of sudden infant death syndrome.

SEC. 3. Section 1797.171 of the Health and Safety Code is amended to read:

1797.171. (a) The authority shall develop, and after approval of the commission pursuant to Section 1799.50 shall adopt, minimum standards for the training and scope of practice for EMT-II.

(b) An EMT-II shall complete a course of training on the nature of sudden infant death syndrome in accordance with subdivision (b) of Section 1797.170.

SEC. 4. Section 1797.172 of the Health and Safety Code is amended to read:

1797.172. (a) The authority shall develop, and after the approval of the commission pursuant to Section 1799.50, shall adopt, minimum standards for the training and scope of practice for EMT-P.

(b) An EMT-P shall complete a course of training on the nature of sudden infant death syndrome in accordance with subdivision (b) of Section 1797.170.

SEC. 5. Section 1797.192 is added to the Health and Safety Code, to read:

1797.192. (a) By July 1, 1992, existing firefighters in this state shall complete a course on the nature of sudden infant death syndrome taught by experts in the field of sudden infant death syndrome. All persons who become firefighters after January 1, 1990, shall complete a course on this topic as part of their basic training as firefighters. The course shall include information on the community resources available to assist families who have lost children to sudden infant death syndrome.

(b) For purposes of this section, the term "firefighter" has the same meaning as that specified in Section 1797.182.

(c) When the instruction and training are provided by a local agency, a fee shall be charged sufficient to defray the entire cost of the instruction and training.

SEC. 6. Section 1797.213 of the Health and Safety Code is amended to read:

1797.213. (a) Any local EMS agency conducting a program pursuant to this article may provide courses of instruction and training leading to certification as an EMT-I, EMT-II, EMT-P, or authorized registered nurse. When such instruction and training are provided, a fee may be charged sufficient to defray the cost of such instruction and training.

(b) Effective July 1, 1990, any courses of instruction and training leading to certification as an EMT-I, EMT-II, EMT-P, or authorized registered nurse shall include a course of training on the nature of sudden infant death syndrome which is developed by the California SIDS program in the State Department of Health Services in

infants.

(c) The course relating to sudden infant death syndrome and the handling of cases of sudden infant deaths shall be developed by the commission in consultation with experts in the field of sudden infant death syndrome. The course shall include instruction in the standard procedures developed pursuant to subdivision (b). In addition, the course shall include information on the nature of sudden infant death syndrome which shall be taught by experts in the field of sudden infant death syndrome.

(d) The commission shall review and modify the basic course curriculum to include sudden infant death syndrome awareness as part of death investigation training.

(e) When the instruction and training are provided by a local agency, a fee shall be charged sufficient to defray the entire cost of instruction and training.

SEC. 8. Section 6.5 of this bill incorporates amendments to Section 1797.213 of the Health and Safety Code proposed by both this bill and AB 2159. It shall only become operative if (1) both bills are enacted and become effective on January 1, 1990, (2) each bill amends Section 1797.213 of the Health and Safety Code, and (3) this bill is enacted after AB 2159, in which case Section 6 of this bill shall not become operative.

SEC. 9. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

O

POST SIDS CURRICULUM ADVISORY COMMITTEE

Debbi Dresser
Family Support Member

James Tarver
Criminalist
Fresno County Sheriff's Department

Kim Norman
Twins Parent Support Member

Gerald McCarthy, Lieutenant
San Francisco Police Department

Therasa Redcloud
Native American Support Member

Alan Caddell, Detective
Santa Ana Police Department

Penny Stastny
Senior Public Health Nurse
Orange County Health Care Agency

Barry Brokaw
Chief of Staff
Senator Boatwright

Larry Cogan, Deputy Coroner
Los Angeles County Medical Examiner's Office

Jackie Slade
Day Care Support Member

Henry Krous
Child Pathologist

Sally Jacober
SIDS Program Specialist
CAPHND/CALIFORNIA SIDS PROGRAM

Don Justice
Senior Criminalist
Fresno County Sheriff's Department

Linda Jones
Foster Parent Support Member

Robert Kristic, Director
Basic Police Academy
College of the Redwoods

Holly Stone, President
Northern Cal. SIDS

Jeff Jouanicot, Detective
San Leandro Police Department

Eva Houser, Deputy Coroner
Los Angeles County Medical Examiner's Office

Frank Rackley, Consultant
CAPHND/CALIFORNIA SIDS PROGRAM

Gayla Reiter-Scott
Family Support Member

Chris Elliott
Family Support Member

Cindy Halstead
Family Support Member

Sharon Dunn
Family Support Member

Mike Feher, Detective
Garden Grove Police Department

ATTACHMENT C

Death Scene Investigation

PERFORMANCE OBJECTIVE:

(Modify) 8.33.1
80%
2

The student will identify the most common ~~law enforcement~~ tasks and practices delegated to the responding officer for the handling of ~~dead body~~ calls involving the death of a person, including the death of an infant. These minimally include:

A. Determination of need for emergency medical treatment.
B. Implementation of death scene procedure.
C. Identification and interviewing of family, care providers, and witnesses.
D. Notification to other investigative, medical and coroner staff.
E. Documentation and reporting of incident.

ATTACHMENT D

SUDDEN INFANT DEATH SYNDROME

10.23.0 SUDDEN INFANT DEATH SYNDROME AWARENESS

Learning Goal: The student will be aware of the nature of Sudden Infant Death Syndrome (SIDS) and will understand what community resources are available to assist families and child care providers who have lost a child to SIDS.

PERFORMANCE OBJECTIVES:

(New) 70% 2 — 10.23.01 Given word-pictures or audio-visual presentations depicting a child's death, the student will identify whether Sudden Infant Death Syndrome is the most likely cause of death based on the following SIDS indicators:

A. A SIDS death generally occurs within one year of birth
B. A SIDS death generally occurs during a sleep period
C. SIDS infants appear to be healthy
D. Generally there are no visible signs of trauma/injuries
E. Frothy or blood-tinged mucous or vomit may be present in or around nose and/or mouth

(New) 70% 2 — 10.23.2 The student will identify types of information and community resources that may assist parents and/or child care providers involved in a possible SIDS death. These include:

A. Explanation of SIDS facts to involved parties, as appropriate.
B. Explanation of required investigative tasks and need for complete investigation.
C. Availability of local and regional SIDS peer parent/care provider support groups.
D. Referral to county public health nurse.
E. State agencies responsible for SIDS education, parent/care provider counseling and support.
F. County coroner's office.

ATTACHMENT E

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

TRAINING STANDARDS ON SUDDEN DEATH OF INFANTS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code to interpret, implement, and make specific Sections 13519.3, 13510, and 13510.5 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: July 19, 1990
Time: 10:00 a.m.
Place: Mission Valley Marriott Hotel
San Diego, CA.

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

From time to time, POST approves training standards pursuant to legislative mandate and they are incorporated into Regulation 1081 (Minimum Standards for Approved Courses). Pursuant to Assembly Bill 1067 (1989), Section 13519.3 was added to the Penal Code. This section requires the Commission, on or before July 1, 1990, to establish a training course on the nature of Sudden Infant Death Syndrome (SIDS) and the handling of cases involving the sudden death of infants for officers specified in subdivision (a) of Section 13510 who are assigned to investigation or patrol. The course shall include instruction on the standard procedures developed as guidelines which may be followed by law enforcement agencies in the investigation of cases involving the sudden death of infants, information on the nature of SIDS, and information on community resources available to assist families and child care providers who have lost a child to SIDS.

It is proposed that Commission Regulation 1081 be amended to include Section 18, Investigation of Sudden Death of Infants (Penal Code 13519.3), which would specify minimum training topics including:

A. Standard Procedures on Investigating Sudden Death of Infants

1. Determination of the need for emergency medical treatment.
2. Implementation of death scene procedures.
3. Identification and interviewing of family, care providers, and witnesses.
4. Notification to other investigative, medical, and coroner staff.
5. Documentation and reporting of incident.

B. Sudden Infant Death Syndrome (SIDS) Awareness

1. Identification and nature of SIDS
2. Information to provide family and/or child care providers
3 Community resources available

The proposed Investigation of Sudden Death of Infants training standard is proposed to have two hours minimum to complete. The anticipated audience will be those in-service officers who are assigned to patrol and investigation.

Commission Regulation 1005(a) specifies the basic training requirements for all peace officer members of law enforcement agencies participating in the POST Program. Requirements for the Regular Basic Course are set forth in the POST Administrative Manual, Section D-1, paragraphs 1-3.

It is also proposed that the document Performance Objectives for the POST Basic Course (1989) be modified to add one new learning goal and two new performance objectives, and modify one existing performance objective. This document is incorporated by reference. The proposed performance objectives provide the student with information concerning the indicators of SIDS, appropriate procedures to be followed, and community referral resources which are available to the parent/care provider. It is anticipated this proposed change will have a negligible impact in instruction hours because basic academy presenters have sufficient flexibility to conduct this instruction within the existing minimum 560 hours.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on July 2, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA, 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

The Commission has determined that the proposed changes: (1) will have no effect on housing costs; (2) do not impose any new mandate upon local agencies or school districts; (3) involve no increased nondiscretionary costs of savings to any local agency, school district, state agency, or federal funding to the State; (4) will have no adverse economic impact on small businesses; and (5) involve no significant cost to private persons or entities.

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA, or by telephone at (916) 739-5400.

This revision is predicated upon approval by the Office of Administrative Law of proposed revisions of Regulation 1081 subsequent to public hearings held January 18, 1990 and April 19, 1990.

1081. Minimum Standards for Approved Courses

(1) - (17) ****

(18) Investigation of Sudden Death of Infants -2 hours

A. Standard Procedures on Investigating Sudden Death of Infants.

B. Sudden Infant Death Syndrome (SIDS) Awareness

(This language is predicated upon approval by the Office of Administrative Law of the Public Hearing held April 20, 1989 and subsequently revised with no Public Hearing scheduled, but published in the Notice Register May 18, 1990.)

Commission on Peace Officer Standards and Training

Proposed Language

1005. Minimum Standards for Training

****

* (Effective incorporated by reference statements remain unchanged, with the exception of the following:)

The document, Performance Objectives for the POST Basic Course (1989) is herein incorporated by reference effective *, and July supplement incorporated effective * and September supplement incorporated effective * .

* This date to be filled in by OAL.

Authority: PC 13510, 13503, 13506
Reference: PC 832.3, 832.6, 13510

PERFORMANCE OBJECTIVES FOR THE POST BASIC COURSE

(Regular Basic Course)

September 1990 Supplement

1989

THE COMMISSION
ON PEACE OFFICER STANDARDS AND TRAINING

STATE OF CALIFORNIA

8.32.1 (Deleted 7-1-88)

8.33.0 HANDLING DEAD BODIES

Learning Goal: The student will learn the proper procedures for handling dead body calls. (1-1-89)

PERFORMANCE OBJECTIVE(S):

80% 2 8.33.1 The student will identify the most common ~~law enforcement~~ tasks and practices delegated to the responding officer for the handling of ~~dead-body~~ calls involving a the death of a person, including the death of an infant. These minimally include:

A. Determination of need for emergency medical treatment.
B. Implementation of death scene procedure.
C. Identification and interviewing of family, care providers, and witnesses.
D. Notification to other investigative, medical, and coroner staff.
E. Documentation and reporting of incident.

70% 2 8.33.2 The student will identify the legalities involved in transporting an obviously dead person in an ambulance. (13 California Administrative Code, Section 1101)

80% 2 8.33.3 The student will identify the limits to which an officer may search a dead person. (Government Code Section 27491.3 and 27491, subsection c)

8.34.0 HANDLING ANIMALS

Learning Goal: The student will know the requirements and the agencies available for handling cases involving animals.

PERFORMANCE OBJECTIVE(S):

70% 1 8.34.1 The student will identify the most common provisions of law enforcement practices concerning the disposition of vicious, injured, or sick animals. (7-1-84)

70% 1 8.34.2 The student will identify an agency which will provide assistance in treating or disposing of injured or dead animals.

70% 1 8.34.3 The student will identify the most common procedures used in law enforcement agencies for handling animal bite cases. (7-1-84)

PERFORMANCE OBJECTIVE(S):

80% 2 — 10.21.1 Given various word-pictures or audio-visual presentations depicting an alleged robbery, the student will identify those tasks delegated to a responding field officer.

10.22.0 CHILD NEGLECT, SEXUAL ABUSE AND EXPLOITATION INVESTIGATION

Learning Goal: The student will understand and have a working knowledge of the responding officer's tasks in a child neglect, sexual abuse, physical abuse, and exploitation investigation.

PERFORMANCE OBJECTIVE(S):

80% 4 — 10.22.1 Given a practical exercise, the student will satisfactorily accomplish all tasks delegated to a field officer responding to an alleged child neglect, sexual abuse, physical abuse, or exploitation.

10.23.0 SUDDEN INFANT DEATH SYNDROME AWARENESS

Learning Goal: The student will be aware of the nature of Sudden Infant Death Syndrome (SIDS) and will understand what community resources are available to assist families and child care providers who have lost a child to SIDS.

PERFORMANCE OBJECTIVES(S):

10.23.1 70% 2 — Given work-pictures or audio-visual presentations depicting a child's death, the student will identify whether Sudden Infant Death Syndrome is the most likely cause of death based on the following SIDS indicators:

A. A SIDS death generally occurs within one year of birth
B. A SIDS death generally occurs during a sleep period
C. SIDS infants appear to be healthy
D. Generally there are no visible signs of trauma/injuries
E. Frothy or blood-tinged mucous or vomit may be present in or around nose and/or mouth

10.23.2 70% 2 — The student will identify types of information and community resources that may assist parents and/or child care providers involved in a possible SIDS death. These include:

A. Explanation of SIDS facts to involved parties, as appropriate.
B. Explanation of required investigative tasks and need for complete investigation.
C. Availability of local and regional SIDS peer parent/care provider support groups.
D. Referral to county public health nurse.
E. State agencies responsible for SIDS education, parent/care provider counseling and support.
F. County coroner's office.

Commission on Peace Officer Standards and Training

REGULATORY ACTION: BASIC TRAINING STANDARDS ON SUDDEN INFANT DEATH SYNDROME

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) proposes to take regulatory action on April 19, 1990 to amend Commission Regulation 1081 pursuant to Penal Code Section 13519.3. These changes to the Regular Basic Course pertain to law enforcement response to cases involving the sudden deaths of infants.

Sudden Infant Death Syndrome (SIDS) is the leading cause of death among infants. Yearly in California there is one SIDS death per five hundred live births or approximately eight hundred deaths. Familiarity with Sudden Infant Death Syndrome will enable the law enforcement officer to handle these situations in an acceptable and standardized manner consistent with legal requirements. As an agent of emergency response to situations involving infant deaths, the law enforcement officer needs to know how to identify Sudden Infant Death Syndrome, preliminary tasks to perform, and community resources available to parent/care providers involved.

Individual performance objectives were developed pursuant to identified job tasks performed by peace officers assigned to the patrol function. Objectives are directed at particular skills, knowledge, or attitudes in which officers must be proficient for their job tasks. Some objectives reflect knowledge about expected behavior and conduct of officers. Other objectives are the result of legislative training mandates that have required instruction on particular subject areas.

In every case, performance objectives are developed with the input of representative groups, subject matter experts, and law enforcement groups. Each objective is thoroughly reviewed by staff from various perspectives, including style, consistency, instructional scope, and testability.

In response to the provisions of Penal Code Section 13519.3, an advisory committee composed of subject matter experts, law enforcement experts, and individuals having expertise in Sudden Infant Syndrome death was formed to recommend relevant training topics. The following proposed topics were selected for inclusion in the curriculum because they address specific training needs of law enforcement and comply with the provisions of PC 13519.3.

Proposed Topics	Justification
A. Standard Procedures on Investigating Sudden Death of infants.	In any possible death incident, peace officers must obtain or render emergency medical treatment to the victim, implement proper scene control procedures, identify and interview all involved parties, make proper notifications, and document the incident.
B. Sudden Infant Death Syndrome (SIDS) Awareness	Officers must have the knowledge to distinguish the primary characteristics of a SIDS death in order to conduct a thorough investigation, and be able to advise parents and child care providers of community resources available to assist such parties; the course must contain instruction on these resources

The attached Notice of Public Hearing required by the Administrative Procedures Act provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle at (916) 739-5400.

GUIDELINES FOR THE INVESTIGATION OF SUDDEN DEATH OF AN INFANT

GUIDELINE #1: **DETERMINATION OF THE NEED FOR EMERGENCY MEDICAL TREATMENT.** PATROL AND INVESTIGATIVE OFFICERS HAVE HISTORICALLY BEEN AMONG THE FIRST TO ARRIVE AT THE SCENE OF AN INFANT'S DEATH. THESE OFFICERS SHOULD KNOW THE IMMEDIATE TASKS OF A FIRST RESPONDER IN DETERMINING THE NEED FOR MEDICAL ASSISTANCE. THESE TASKS INCLUDE, BUT ARE NOT LIMITED TO:

A. Immediately checking for signs of life and obtaining/rendering medical assistance.

B. Coordinating the efforts of those at the scene rendering medical assistance.

C. If appropriate, assisting the parents/care providers in preparing to accompany the infant to the hospital. This assistance may include arranging for the immediate care of any children remaining at the location, securing of the location, etc..

GUIDELINE #2: **IMPLEMENTATION OF DEATH SCENE PROCEDURES.** PATROL AND INVESTIGATIVE OFFICERS SHOULD KNOW THE PRELIMINARY DUTIES AND RESPONSIBILITIES AT THE SCENE OF THE SUDDEN DEATH OF AN INFANT. THESE DUTIES INCLUDE, BUT ARE NOT LIMITED TO:

A. Promptly taking the necessary steps to control the immediate death scene, (the location where the infant was first discovered unresponsive); preserving and gathering all items of evidence which may assist in the determination of the cause of death.

B. Identifying and recording the names of all person(s) who may be involved in the incident.

C. Making appropriate field notes which will serve as a basis for the preparation of the required reports documenting the circumstances of the incident from the time the infant was last seen alive through discovery and revival efforts.

D. Recording all observations of the surrounding area along with detailed observations of the immediate area where the infant was located.

GUIDELINE #3: **IDENTIFICATION AND INTERVIEWING OF FAMILY, CARE PROVIDERS, AND WITNESSES.** PATROL AND INVESTIGATIVE OFFICERS SHOULD BE SENSITIVE TO THE EMOTIONAL TRAUMA WHICH RESULTS FROM THE SUDDEN DEATH OF AN INFANT. INTERVIEWS SHOULD BE CONDUCTED IN A MANNER THAT OBTAINS THE REQUIRED INFORMATION WHILE UNDERSTANDING THE EMOTIONAL IMPACT TO THE INVOLVED PARTIES.

A. Parents/care providers, first responders, and others present may suffer from severe emotional responses to the sudden death of an infant.

B. Emotional responses vary between individuals and cannot be predicted.

1) Some individuals may become violent and/or express outpourings of anger/frustration, grief, guilt, and shock.

2) Some individuals may give a guilt ridden statement such as, "I killed my baby" - "It's all my fault" - "Why did you kill my baby," etc.

C. Inform the person to be interviewed why the interview is necessary.

1) In the case of an apparent SIDS incident, the parents/care providers should be informed as to how the interview and investigation will proceed.

D. Avoid accusatory phrases such as, "suspect", "homicide scene" or other law enforcement jargon.

E. Document the results of each interview.

GUIDELINE #4: **NOTIFICATION TO OTHER INVESTIGATIVE, MEDICAL, AND CORONER STAFF.** PATROL AND INVESTIGATIVE OFFICERS SHOULD KNOW WHEN, TO WHOM, AND HOW TO MAKE THE REQUIRED NOTIFICATION(S) CONCERNING THE SUDDEN DEATH OF AN INFANT.

A. Make required notification(s) to appropriate law enforcement and coroner staff.

B. Explain to the parents/care providers they may receive follow-up contact from others who will provide support and information concerning the death of an infant.

1) Law enforcement investigators

2) Coroner's office staff

3) Public health nurse

GUIDELINE #5: **DOCUMENTATION AND REPORTING OF INCIDENT:** THE LAW ENFORCEMENT AGENCY SHOULD ENSURE A COMPREHENSIVE INVESTIGATION IS CONDUCTED INTO THE CAUSE OF THE SUDDEN DEATH OF AN INFANT. THE INVESTIGATIVE STEPS TAKEN BY PATROL AND/OR INVESTIGATIVE PERSONNEL SHOULD INCLUDE, BUT NOT BE LIMITED TO:

A. Defining and securing the area where the infant was discovered, as well as any other area which may contain evidence which assists in determining the cause of death.

B. Obtaining information concerning the infant including:

1) Name, age, sex, race

2) Physical appearance/condition of the infant.

3) Name, address, phone number of parent(s)/care giver(s)

4) The nature and extent of known medical problems and the name and address of the physician treating the infant.

5) Documentation of all illnesses or injuries the infant experienced prior to this incident.

6) Description of the resuscitation attempts including the name(s) of the person(s) who attempted the resuscitation.

C. Obtaining the name(s), address(es) and telephone number of possible witness(es) or other person(s) who may be able to furnish information concerning this incident.

D. Conducting a walk-through of the immediate and surrounding areas where the infant was discovered.

1) Visualize what the area may have looked like before the incident took place.

2) Identify potential evidence which may assist in determining the cause of death.

E. Diagramming and photographing the immediate and surrounding areas where the infant was first discovered.

F. Collecting and documenting evidence.

G. Preparing a thorough report concerning all known facts.

1) Who discovered the infant, and what actions were immediately taken by that person(s).

2) Describe the circumstances which led to the discovery of the infant.

3) The location where the infant was found by the responding officer/other emergency personnel, and if this is the same location where the infant was first discovered.

4) Describe the physical and general appearance of the infant, including clothing and bedding.

5) Note the behavior of the individual(s) who are present.

GUIDELINE #6: **IDENTIFICATION AND NATURE OF SUDDEN INFANT DEATH SYNDROME.** PATROL AND INVESTIGATION OFFICERS SHOULD BE ABLE TO RECOGNIZE THE PRIMARY INDICATORS OF A SIDS INCIDENT. PRIMARY INDICATORS INCLUDE:

A. A SIDS infant is generally under the age of one year. Most SIDS deaths take place between the ages of one month and six months.

B. SIDS deaths most always occur during a period of sleep.

C. Generally, the SIDS infant appears to have been healthy prior to death. The parents/care providers may describe symptoms of a minor cold, vomiting, diarrhea, etc.

D. Generally, there are no visible signs of trauma or injury.

E. Frothy or blood-tinged mucus or vomit may be present in or around the nose and/or mouth.

GUIDELINE #7: **PROVIDE INFORMATION TO FAMILY AND/OR CHILD CARE PROVIDER.** PATROL AND INVESTIGATIVE OFFICERS SHOULD KNOW THE PRIMARY CAUSES OF THE SUDDEN DEATH OF AN INFANT.

A. The medical profession cannot explain why infants are victims of SIDS. It is not known what causes SIDS, and there are no known preventative measures.

B. SIDS is not child abuse and should not be confused with infant death which results from some criminal action, or as the result of an accident.

GUIDELINE #8: **COMMUNITY RESOURCES AVAILABLE.** LAW ENFORCEMENT AGENCIES SHOULD PROVIDE PATROL AND INVESTIGATIVE OFFICERS WITH A LIST OF COMMUNITY AND OTHER RESOURCES WHICH ARE AVAILABLE TO ASSIST PARENTS/CARE PROVIDERS AND OTHER PERSONS INVOLVED WITH THE SUDDEN DEATH OF AN INFANT.

A. Provide the parents/care providers with the name, location, and telephone number of the local infant death support group.

B. The officer should provide the parents/care providers with the SIDS statewide telephone number. (800-369-SIDS)

GUIDELINE #9: **FOLLOW-UP INVESTIGATIVE STEPS.** The investigator should review the investigative actions taken in the initial response to determine the scope and direction of any follow-up investigation. Based upon this review follow-up steps may include:

A. Determining if a crime has been committed.

B. Completing review and evaluating all physical evidence, including medical findings.

C. Determining need for additional interviews of involved parties.

D. Coordinating efforts with appropriate law enforcement and public health agencies.

E. Preparing a case summary which details the conclusive findings concerning the infant's death.

F. Notifying concerned parties of case results.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing - Adoption of Regulation on Disbursement of Asset Forfeiture Funds		Meeting Date July 19, 1990
Bureau Executive Office	Reviewed By	Researched By Otto Saltenberger
Executive Director Approval Norman C. Boehm	Date of Approval 6-18-90	Date of Report June 15, 1990
Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report		Financial Impact: ☐ Yes (See Analysis for details) ☐ No

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

ISSUE

Public Hearing to consider adopting regulations for the disbursement of drug asset forfeiture funds.

BACKGROUND

In 1988 the Legislature passed Assembly Bill 4162 which modified sections of the Health and Safety Code regarding the forfeiture of certain property involved in controlled substance offenses.

Included were several new subsections to Health & Safety Code Section 11489. The Law now requires that money balances in excess of expenditures incurred in the sale of seized property may be divided between the local and state enforcement agencies which seized the property, as follows: Ninety percent of the monies can go to the enforcement and prosecution agencies, while the remaining ten percent must be deposited in the Asset Forfeiture Distribution Fund administered by the Office of Criminal Justice Planning. The accumulated monies in the fund must then be distributed as required in the statute, which currently is a commitment between 2 1/2 and 3 million dollars for specific projects. Then if there is any balance, the Peace Officer Training Fund (POTF) gets eighty-five percent, and local prosecutors receive fifteen percent.

In addition to the current language of H & S Code Section 11489, the code provides for an amended Section 11489 which becomes effective on January 1, 1994. The new language after that date totally changes the asset forfeiture money distribution pattern. The new language deletes the provisions for transferring funds to POST.

ANALYSIS

Health & Safety Code Section 11489 provides that monies from drug asset forfeiture can be placed in the Peace Officer Training Fund (POTF). The monies so placed must be used toward drug related training. State agencies are entitled to distribution of

the asset forfeiture monies in the same manner as local law enforcement agencies, as provided by Penal Code Section 13523. Since State agencies have previously not been permitted to receive funds from the POTF, regulations need to be promulgated to specify procedures for State agency participation.

Funding from the Asset Forfeiture Distribution Fund could vary considerably each year. Therefore a process based on a distribution of funds only after close of the fiscal year and an actual transfer of funds into the POTF is suggested. Monies received, moreover, should be placed in a separate Asset Forfeiture Account within the POTF. It is proposed that any funds received will be disbursed using a formula to reimburse participating local reimbursable departments and any state agencies employing full-time peace officers that apply. The distribution formula proposed is reimbursement to the jurisdiction based on the number of hours of drug related training completed by their personnel. Actual funds available would be divided by total hours of qualifying drug training completed statewide. The resulting dollars per hour figure would be used to calculate reimbursement for each eligible agency.

POST has been advised that there is approximately $800,000 that will be forwarded to the POTF on or after July 1, 1990, and POST must develop regulations and procedures to process these asset forfeiture funds and any other funds that may be placed in the POTF in the future.

During the Fiscal Year 1988/89, 382 local agencies sent officers to 71,815 hours, and ten State agencies sent officers to 3270 hours of qualifying drug related training. Included in this calculation are all certified drug/narcotic courses. Not included are drug related subjects when part of other courses or modular programs, because this information cannot be easily separated in the current computer files.

The total hours of qualifying training during FY 88/89 equals 75,085 hours. Using the proposed distribution formula and assuming $800,000 was available, funds would be allocated to each qualifying department and agency at $10.65 per hour of training. An agency with only 24 hours (the least in 88/89) of qualifying training would receive a total of $256.00, and an agency with 3,344 hours (the most in 88/89) of training would receive $35,614.00.

It is proposed that the Commission adopt a new regulation to establish procedures whereby drug asset forfeiture monies can be disbursed in compliance with existing law.

Regulation 1015 (j)

A Drug Asset Forfeiture Account is established for all money accruing to the Peace Officer Training Fund from drug asset forfeitures. Funds within the Drug Asset Forfeiture Account will be distributed to cities, counties, and districts participating in the POST program under Penal Code Section 13522, and to State agencies, as partial reimbursement of costs incurred by full-time peace officers who complete drug training courses. Reimbursement from this account will be made for completion of any POST-certified narcotics and dangerous drug course. Excluded are courses not specifically certified as drug courses and for which POST is unable to track attendance by course content.

RECOMMENDATION

Subject to the results of the public hearing, approve proposed Regulation 1015 (j) regarding reimbursement of local and State law enforcement agencies for drug related training courses using asset forfeiture funds.

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

May 18, 1990

BULLETIN: 90-13

SUBJECT: Adoption of Regulation Concerning Asset Forfeiture Funds/Reimbursement for Narcotics Training

The Commission has scheduled a public hearing to consider adoption of regulations on this subject. The hearing is set for:

Date: July 19, 1990
Time: 10:00 a.m.
Place: Marriott Hotel, Mission Valley
San Diego, California

The proposed regulation would implement recent amendments to Health and Safety Code Section 11489. The law provides for the distribution of asset forfeiture monies accruing to the State. After fixed sum obligations are met, 85% of any remaining funds will be deposited into the Peace Officer Training Fund. Any funds so deposited are to be used to reimburse State and local agencies for costs incurred in narcotics training for peace officer employees. The regulation will establish a special budget account for these funds and provide for distribution as required by law.

Ultimately, reimbursement procedures are expected to entail an annual accounting of all POST-certified narcotics training completed statewide. Any asset forfeiture reimbursement funds accrued for that year would be distributed proportionately to agencies based upon the number of qualifying training hours for agency personnel.

The Commission may adopt other changes related to this rulemaking action based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

DISTRIBUTION OF ASSET FORFEITURE FUNDS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code and in order to interpret, implement, and make specific Section 11489 of the Health and Safety Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: July 19, 1990
Time: 10:00 a.m.
Place: Marriott Hotel, Mission Valley
San Diego, California

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Health and Safety Code Section 11489 was amended effective January 1, 1989 to modify distribution of asset forfeiture funds accruing to the State. Fixed sum obligations were established for certain programs. Provision was made that if money remained after fixed sum obligations were met, that 85% of remaining funds would be distributed to the Peace Officer Training Fund.

Under the law, State agencies are entitled, on an equal basis with agencies in the POST program, to reimbursements for training of their peace officers in narcotics-related courses.

It is proposed that Regulation 1015 be amended because the reimbursement program called for by Health and Safety Code Section 11489 is restricted to a single area of training (drugs), and because, under current POST regulations, State agencies are ineligible for reimbursement. Proposed Regulation 1015(j) will:

- create a special budget account for asset forfeiture monies, and

- provide that the account be used to reimburse both State and local law enforcement agencies for drug-related training of full-time peace officer employees.

After adoption of the regulation, it is expected that reimbursement procedures will entail an annual accounting of all qualifying drug training completed statewide. Monies accrued from this source would be expended as retroactive reimbursement to agencies for costs incurred during the preceding year.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on July 2, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing is concluded and public comments considered, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

PROPOSED TEXT, STATEMENT OF REASONS, AND OTHER INFORMATION

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon written request to the contact person at the address below. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m., Monday through Friday).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Cost Impact on Private Persons or Entities: None.

Housing Costs: None.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

PROPOSED LANGUAGE FOR REGULATION CHANGE

Regulation 1015. Reimbursements

(a) - (i) ****

(j) A Drug Asset Forfeiture Account is established for all money accruing to the Peace Officer Training Fund from drug asset forfeitures. Funds within the Drug Asset Forfeiture Account will be distributed to cities, counties, and districts participating in the POST program under Penal Code Section 13522, and to State agencies, as partial reimbursement of costs incurred by full-time peace officers who complete drug training courses. Reimbursement from this account will be made for completion of any POST-certified narcotics and dangerous drug course. Excluded are courses not specifically certified as drug courses and for which POST is unable to track attendance by course content.

Authority: Penal Code Sections 13503 and 13506

Reference: Health and Safety Code Section 11489

Commission on Peace Officer Standards and Training

PUBLIC HEARING: DISTRIBUTION OF ASSET FORFEITURE FUNDS

STATEMENT OF REASONS

Regulation 1015(j) is proposed because the reimbursement program called for by Health and Safety Code Section 11489 is restricted to a single area of training (drugs), and because, under current POST regulations, State agencies are ineligible for reimbursement.

The elements of proposed Regulation 1015(j) and corresponding justifications as follows:

- A Drug Asset Forfeiture Account is established.

  Asset forfeiture revenue has special distribution requirements, and therefore must be accounted for separately from other POST revenue.

- Funds will be distributed to agencies in the POST program and to State agencies for reimbursement of drug training expenses for full-time personnel.

  Each of these provisions is required by Health and Safety Code Section 11489. This redundancy is necessary for clarity.

- Reimbursement is based on completion of POST-certified narcotics and dangerous drug courses.

  This is consistent with the overall POST reimbursement program. POST has always reimbursed only for certified courses because only then can POST provide assurance of course quality.

- Exclusion of certain drug training from reimbursement.

  Some certified courses allow for flexible content and topics may change from one presenter to another. In other courses, small blocks of instruction on specific topics (such as drugs) may be included as part of a larger, more general course. POST does not have the capability of tracking attendance based upon course content. If POST is unable to track attendance, POST is then unable to identify which agencies are eligible for reimbursement.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Public Hearing in Setting Training Standard for School Peace Officers		Meeting Date July 19, 1990
Bureau Training Program	Reviewed By Glen Fine	Researched By Hal Snow
Executive Director Approval Norman C. Boehm	Date of Approval 6-18-90	Date of Report May 26, 1990

Purpose:
- [x] Decision Requested
- [ ] Information Only
- [ ] Status Report

Financial Impact:
- [ ] Yes (See Analysis for details)
- [x] No

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

ISSUE

Should the Commission schedule a public hearing to establish the training standard for school peace officers pursuant to recently enacted Penal Code Section 832.2?

BACKGROUND

Senate Bill 446 (Attachment A), passed in 1989 and effective January 1, 1990, enacted Section 832.2 of the Penal Code that requires K-12 school and community college peace officers to complete a course of training approved by POST relating directly to the role of school peace officers. Any person who is not employed as a school peace officer until on or after the date that POST approves the course of training shall complete the course of instruction within one year from the date his or her employment commences. Every person employed as a school peace officer prior to the date that POST approves the course shall complete the course within three years from the date that POST approves the course.

The school peace officer training course is required to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other school related matters, as determined by POST. POST shall develop and approve the course of training no later than January 1, 1991, and shall consult with school peace officers regarding the content and hourly requirement for this course.

This training requirement does not apply to non-peace officer school security officers. The legislation exempts from this training requirement school peace officers whose employer requires its school peace officers to possess the POST Basic Certificate or any school peace officer who possess the POST Basic Certificate. This legislation was motivated in part by a rising concern about crime and violence in the schools. In the 1988 Little Hoover Commission's Report on Crime and Violence in California's Public School System, attention was drawn to this problem and the lack of school preparedness (see Attachment B). The Commission, citing a provision in California's Constitution that guarantees the right to safe schools, found evidence that life on school campuses includes violent crimes, substance abuse and property crimes. In 1986 the California Supreme Court rendered a landmark

decision in the case of Hosemann v. Oakland Unified School District holding the school district liable under the safe schools provision of the California Constitution. Similar case decisions have since followed holding other school districts liable for not providing a safe environment. Among the Commission's findings concerning the lack of direction and leadership by the State, there were recommendations to strengthen school law enforcement through training of officers and security personnel.

School and community college campuses encounter in varying degrees many of the same types of crime and calls for police services as local police and sheriffs departments. For example, during the 1986-87 fiscal year, California's K-12 schools reported over 71,000 property crimes and 70,000 violent crimes ("A Report to the California State Legislature Regarding Standard School Crime Reporting Program," Department of Education, June 1987 and April 1988).

There are currently 21 community college and 5 school district police departments with 623 peace officers participating in the POST Program and not impacted by this legislation. It is estimated there are approximately 300 school peace officers statewide impacted by this training requirement. The currently required training for these school peace officers is the PC 832 Introduction to Law Enforcement Course which includes a 24-hour Arrest Course and a 16-hour Firearms Course if firearms are carried. Input from school peace officers and their administrators strongly suggests this required training is insufficient to meet their needs.

A proposed training standard has been developed with the input of an advisory committee representing school peace officers, administrators, and the California School Employees Association--the sponsors of SB 446. (See Attachment C).

ANALYSIS

Based upon input from the school peace officers advisory committee, a 32-hour School Peace Officer Course was developed. School peace officer training needs specific to their role are included in this course. Included are the specific subjects identified in Senate Bill 446 such as role of school police officers, reporting crime to other law enforcement agencies and dealing with drugs/violence on campus. Other major topics included in the course are: Laws Impacting School Campuses, Maintaining Campus Community Relations, Campus Parking and Traffic Control, Facility Protection, and Handling Disasters and Emergencies. Care was taken in the course design to ensure the content was equally applicable to K-12 school and community college police departments.

As required by Section 832.2 (b) of the Penal Code, guidelines and procedures for reporting offenses to other law enforcement agencies was included under the topic Reporting Offenses to Other Law Enforcement Agencies. In the detailed course outline (Attachment D), the guidelines/procedures encompass taking crime reports, transmitting crime reports and communicating crime information to the criminal justice system.

To implement this training standard, it is proposed that Commission Regulation 1081 be amended to include Section 19, School Peace Officer (Penal Code Section 832.2), which would specify the minimum topics and hours as previously indicated.

It is believed that this course, although not required of peace officers possessing the POST Basic Certificate, would benefit all school/community college peace officers. If presented as a POST Technical Course, it could serve as an exceptionally relevant and viable means for satisfying POST's continuing professional training requirement for those school peace officers participating in the POST Program as well as satisfy the training requirement of Penal Code Section 832.2.

Unless the individual officer or department voluntarily elects to complete the Regular Basic Course, the only additional law enforcement training that is required for school police officers is the PC 832--Arrest and Firearms Course. Staff believes that the PC 832 Course is insufficient training to perform general peace officer duties. Therefore, it is recommended that the Commission adopt as part of this training standard a "recommendation" that all school peace officers who perform general law enforcement duties should complete the Regular Basic Course prior to appointment or assignment to peace officer duties.

The ad hoc school peace officers advisory committee has also recommended that school peace officers should receive training on officer safety. It is recommended that POST's standards for the PC 832 Course be modified to add officer safety-related curriculum such as arrest methods. This issue is addressed as a separate agenda item at this meeting.

This legislative training requirement appears to have some fiscal impact upon K-12 and community college districts, especially as it relates to the training of existing school peace officers. Cost estimates to train each officer in the 32-hour School Peace Officer Course will vary but should average $800/officer including salary, travel and per diem. To avoid this cost, employing school districts may alternately elect to enter the POST Program or reclassify their school peace officers to security officers. It is expected this training requirement will have nominal impact upon POST even with the course of training becoming POST-certified and existing school peace officers attending the Technical Course to satisfy the continuing professional training requirement.

This recommended training standard is supported by the legislation's proponents and author, Senator Robert Presley.

If the Commission concurs with this proposed training standard (32-hour required School Peace Officer Course and recommended Regular Basic Course), a public hearing would be required for adoption and amendment of Commission Regulation 1081. See Attachment E for proposed Bulletin, Notice of Public Hearing, Statement of Reasons and regulation language.

RECOMMENDATION:

Approve the scheduling of a public hearing in conjunction with the November 1990 meeting to consider adopting a training standard for school peace officers pursuant to Penal Code Section 832.2.

Senate Bill No. 446

CHAPTER 1078

An act to add Section 832.2 to the Penal Code, relating to peace officer training.

[Approved by Governor September 29, 1989. Filed with Secretary of State September 30, 1989.]

LEGISLATIVE COUNSEL'S DIGEST

SB 446, Presley. School peace officers: training.

Under existing law, the Commission on Peace Officer Standards and Training is charged, among other things, with the duty of developing and implementing programs, including training programs, to increase the effectiveness of law enforcement.

This bill would, except as specified, require every school peace officer, as defined, to complete a course of training approved by the commission which relates directly to the role of school peace officers.

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

SECTION 1. Section 832.2 is added to the Penal Code, to read:

832.2. (a) It is the intent of the Legislature to ensure the safety of students, staff, and the public on or about California's public schools, by providing school peace officers with training that will enable them to deal with the increasingly diverse and dangerous situations they encounter.

(b) Every school peace officer, as described in Sections 39670 and 72331 of the Education Code, shall complete a course of training approved by the Commission on Peace Officer Standards and Training relating directly to the role of school peace officers. Any person employed as a school peace officer prior to the date that the Commission on Peace Officer Standards and Training approves the course of training shall complete the course of instruction within three years from the date that the Commission on Peace Officer Standards and Training approves the course of training. Any person who is not employed as a school peace officer until on or after the date that the Commission on Peace Officer Standards and Training approves the course of training shall complete the course of instruction within one year from the date his or her employment commences.

The school peace officer training course shall address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other school related matters, as determined by the Commission on Peace Officer Standards and Training. The Commission on Peace Officer Standards and Training shall develop and approve the course of

training no later than January 1, 1991, and shall consult with school peace officers regarding the content and hourly requirement for this course.

(c) This section does not apply to any school peace officer whose employer requires its school peace officers to possess the basic certificate that is awarded by the Commission on Peace Officer Standards and Training or any school peace officer who possess the basic certificate that is awarded by the Commission on Peace Officers Standards and Training.

O

ATTACHMENT B

Article 1, Section 28, (c), California Constitution

Right to Safe Schools. All students and staff of public primary, elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful.

ATTACHMENT C

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
School Police Roster

Dave Low, Assistant Director
Government Relations
CA School Employees Assoc.

James Stuart, Lieutenant
Ventura Community College
District/Ventura College
Police

Michael W. Nunez, Chief
Public Safety Department
Compton Unified School
District

Robert Salony, Chief
Police Department of College
of San Mateo

Al Chin, Chief
College Safety Department
Long Beach City College

Bill Rieken, Chief
School Police - San
Bernardino City Unified
School District

Doug Giddings, District
Investigator
Kern Union High School

Robert L. Brookins, Sergeant
Grant Police Services

Kevin Whitfield
Grant Police Services

Dan Switzer, Chief
Yuba College Police Department
Yuba College

Dennis Rotzall, Director
Campus Safety and Security
Saddleback Community College

Mike Gobec, Chief
Cerritos College District
Police Department

Rudy Martinez, Chief
District School Police Dept.
Baldwin Park Unified School
District

Bob Shetron, Captain
School District Police Dept.
Walnut Valley Unified School
District

Raymond T. Allison, Chief
School Police Services
Santa Ana Unified School
District

John Sherman, Assistant Sup.
El Rancho Unified School Dist.

Theodore J. (Ted) Romas
Coordinator
Safety/Security & Parking
Operations
Golden West College

Ross White, Director
College Security
Monterey Peninsula College

Kenneth P. Shrum, Chief
State Center Community
College District
Fresno City College

POST Prescribed
Training Courses

July 19, 1990

SCHOOL PEACE OFFICER
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Regulation Section 1081

LEGAL REFERENCE

Penal Code Section 832.2, effective January 1, 1990, requires every school peace officer, as described in Sections 39670 and 72331 of the Education Code, to complete a course of training approved by the Commission on Peace Officer Standards and Training (POST) relating directly to the role of school peace officers. Any person who is not employed as a school peace officer until on or after the date that POST approves the course of training shall complete the course of instruction within one year from the date his or her employment commences. The school peace officer training course shall address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other school related matters, as determined by POST. POST shall develop and approve the course of training no later than January 1, 1991, and shall consult with school peace officers regarding the content and hourly requirement for this course.

BACKGROUND

The training standard developed pursuant to Penal Code Section 832.2 consists of this 32-hour School Peace Officer Course. The School Peace Officer Course, developed with the input of school peace officers and others, was approved following a public hearing by the Commission at its July 1990 meeting and became effective October 1, 1990.

COURSE DESCRIPTION

This course is directed at the training needs of school peace officers employed by public K-12 schools and community colleges. Even though school peace officers possessing a POST Basic Certificate are not required to complete this training, it is likely that all school peace officers could benefit from attendance.

CERTIFICATION INFORMATION

This course is certified under POST Reimbursement Plan IV (travel and per diem) as a Technical Course and accordingly can be used to satisfy POST's continuing professional training requirement.

TOPICAL OUTLINE

1.0 Role of School Peace Officers
2.0 Laws Impacting School Campuses
3.0 Maintaining Campus Community Relations
4.0 Reporting Offenses to Other Law Enforcement Agencies
5.0 Violence/Gangs on Campus
6.0 Campus Parking, Traffic and Crowd Control
7.0 Facility Protection
8.0 Disasters and Emergencies

Examination

Total Hours - 32

LEARNING GOALS AND EXPANDED OUTLINE

1.0 Role of School Peace Officers

Learning Goal: The student will understand the role of school peace officers including responsibilities, limitations and legal authority.

A. History and Development of Campus Law Enforcement

B. Legal Authority and Limitations - PC 830.32 (a) & (b)

1. Jurisdictional Limits
2. Peace Officer Authority (On and Off Duty)
3. School District Policies (Ed Code 39670-39673, 60246)

C. Responsibilities

1. Safe Learning and Working Environment (P.C. 602.10, Ed Code 32210-32211, 44810)
2. Crime Prevention
3. Crime Suppression
4. Facility Security (P.C. 469)
5. Parking and Traffic
6. Reporting of Unsafe Conditions

D. Duties During and After School Hours

1. During - People Protection Emphasis
2. After - Property Protection Emphasis

E. Transition to School Peace Officer Status

2.0 Laws Impacting School Campuses

Learning Goal: The student will understand the criminal and procedural laws including case decisions impacting school campuses and campus peace officers.

A. Safe Schools (P.C. 627, 627.1)

B. Drugs/Alcohol

1. Sale of Controlled Substance on School Grounds (11353.5 H&S)

2. Sale of Controlled Substance on or Within 1000 Yards of School Property K-12 (11353.6 H&S)

3. Possession of Marijuana or Concentrated Cannibus on School Grounds K-12 (11357(d) and (e) H&S)

4. Required Notification of the Arrest of A School employee for Crimes in 11590 and 11364 H&S (11591 H&S)

5. Required Notification of the Arrest of A Community College Employee for Crimes in 11590 and 11364 H&S (11591.5 H&S)

6. Alcohol on School Grounds (25608 B&P)

7. Required k-12 District Policies on coordinated Drug and Alcohol Intervention/Prevention (Ed. Code 60246)

C. Student Conduct

1. Grounds For Student Suspension or Expulsion (48900 EdC)

2. Habitual Truancy or Insubordination (48263 EdC)

3. Hazing Causing Injury K-12 and CC (32050 EdC)

4. Vandalism to Library Material (19910 EdC)

5. Suspended or Dismissed Student or Employee Willfully Entering Campus K-12 and CC (626.2 PC)

D. Assaults on School District Employees

1. Threat of Injury to School Employee to Prevent Performance of Duties (71 PC)

2. Assault on School Police Officer K-12 only (241.4 PC)

3. Assault on School Employee (241.6 PC)

4. Battery on School Employee (243.6 PC)

5. Assault with Deadly Weapon on School Employee (245.5 PC)

6. Required Report to Police of Assault On A Community College Employee (87014 EdC)

E. Crimes On/Or About School Grounds

1. Distribution of Harmful Material on or Near School Grounds (313.1 PC)

2. Unlawful Acts Committed in Buildings or on Grounds of Schools k-12 and CC (415.5 PC)

3. Interference With Peaceful Conduct of Campus K-12 (626.8 PC)

4. Evidence Seized in Dormitory in Violation of 4th Amendment is Inadmissable (626.11 PC)

5. Assault on Any Person on School Grounds K-12 and CC (241.2 PC)

6. Battery on Any Person on School Grounds K-12 and CC (243.2 PC)

7. Arrest Without Warrant for Battery on School Grounds K-12 and CC (243.5 PC)

F. Child Abuse

G. Sexual Offenses/Offenders

1. Notification Required of Arrest of a School Employee for Crimes Listed Under 290PC or 261PC (291 PC)

H. Stay Away Orders

I. Trespass (P.C. 602, 602)

1. Authority to Revoke Authority of Person to Remain on Campus K-12 and CC (626.3 PC)

2. Person Not a Student, Employee or Officer Interfering with Peaceful Conduct on Campus K-12 and CC (626.6 PC)

3. Registration of Outsiders Required (627.2 PC)

4. Registration of Outsiders Refused or Revoked, Presence Disruptive (627.4 PC)

5. Outsider Refusal or Failure to Leave When Requested (627.7 PC)

6. Loitering Around School or Where Children Congregate (653g PC)

J. Mandatory Crime Reporting K-12 only (628 PC)

K. Safe Schools Act (Victims Bill of Rights - Article 1, Section 28, (c)

L. School Responsibility for Students (To and From School)

M. Confidentiality of Student Records

N. School and Officer Liability

1. Safety of School Children (Hoseman v. Oakland Unified School District)

2. Safety of Adult Student (Clery v. Lehigh University)

3. Teacher Assaulted by Students (Zemsky v. City of New York, The Board of Education)

O. Weapons/Explosives

1. Possession of A Firearm on School Grounds K-12 and CC (626.9 PC)

2. Prohibited Weapons on School Grounds K-12 and CC (626.10 PC)

3. Possession of a Destructive Device on School or College Grounds (12303.2 PC)

3.0 Maintaining Campus Community Relationships

Learning Goal: The student will understand the importance and techniques for school peace officers maintaining positive relationships with administrators, faculty and staff, students, general public and local law enforcement.

A. Results of Good/Poor Relationships

B. Opportunities for Positive Contacts

C. Techniques for Interacting With

1. Administrators
2. Faculty and Staff
3. Students and Parents
4. General Public
5. Local Law Enforcement

D. Personal Conduct

E. Resources and Programs

F. Cultural and Ethnic Relationships

G. News Media Contacts

4.0 Reporting Offenses to Other Law Enforcement Agencies

Learning Goal: The student will understand POST's guidelines and procedures for reporting criminal offenses to other law enforcement agencies.

Guideline #1 - Taking A Crime Report. School peace officers should take a report when a crime is reported or otherwise comes to their attention unless departmental-district policy requires referral to another law enforcement agency. Crimes need to be and are required by law to be documented. Crime reports provide statistical, deployment and prosecution information. Taking crime reports also provide a service and security (safety) image to the public.

Guideline #2 - Transmitting Crime Reports. School peace officers should transmit crime reports as soon as practical to reviewing authorities determined by the department/district. Supervisory personnel need to review crime reports to ensure accuracy and completeness.

Guideline #3 - Communicating Crime Information. School peace officers should communicate information from crime reports to other agencies in the criminal justice system as soon as practical and consistent with department/district policies. It is imperative that information on crimes, criminal suspects and stolen property be communicated to other agencies in the criminal justice system. Communicating such information can be done through dispatch centers, CLETS and other non-CLETS means.

5.0 Violence/Gangs on Campus

Learning Goal: The student will understand the school peace officer's responsibility and techniques for preventing, mitigating and dealing with violence/gangs on campus.

A. Extent and Nature of Problem

B. Identification (Graffiti, Wearing Apparel, Field Contacts, etc.)

C. Prevention (DARE Program)

D. Mitigation

E. Removal of Students From Classrooms

F. Administrative Involvement

G. Coordination With Other Law Enforcement Agencies

6.0 Campus Parking, Traffic and Crowd Control

Learning Goal: The student will understand the school peace officer's responsibilities and techniques for handling campus parking, traffic and crowd control during special events.

A. Traffic Direction

B. Vehicle Code Sections

1. Impounding and towing vehicles (VC 22651)
2. Parking for the Disabled (VC 22507.8a)
3. Restricted Parking (VC 21113a)

C. Alternate Modes of Transportation

D. Violator Contacts

E. Responding to Informational Requests

F. Driving Under The Influence

G. Crowd Control

1. Dances
2. Sporting Events

7.0 Facility Protection

Learning Goal: The student will understand the school peace officer's responsibilities and techniques for protecting school facilities and equipment.

A. Responsibilities and Techniques Vary From Site to Site

B. Alarm Systems and Response

C. Patrol Techniques

1. Identification of High Risk Areas
2. Building Containment and Search

D. Safety/Security Observations and Reporting

1. Locks/Windows/etc
2. Fire Extinguishers
3. Utility Shut Offs
4. Unsafe Conditions and Liability

E. Equipment Identification

F. Closed Circuit TV

G. Crime Prevention Programs

8.0 Disasters and Emergencies

Learning Goal: The student will understand the school peace officer's responsibilities and techniques for handling disasters and emergencies.

A. Types of Disasters/Emergencies

B. Preparation

1. School Disaster Plans
2. Evacuation Plans for Emergencies
3. School Safety Plans

C. Handling Disasters

1. Situational Evaluation
2. Communications
3. Resources
4. Rendering First Aid
5. Rescue Operations

D. Mutual Aid

E. Student Assignment to Bring District Disaster Plan for Review and Discussion

Examination

Revised 5-21-90
school.hal

ATTACHMENT E

BULLETIN:

SUBJECT: Public Hearing - Adoption of Training Standards for School Peace Officers.

A public hearing has been scheduled in conjunction with the November 1990 Commission meeting:

Date : November 1, 1990
Time : 10:00 a.m.
Place: Radisson Hotel
Sacramento, California

The hearing is for the purpose of considering adoption of regulations requiring training for certain school peace officers. Penal Code Section 832.2 requires K-12 school and community college peace officers to complete a course of training approved by POST relating directly to the role of school peace officers. This training requirement does not apply to non-peace officer school security officers or to school peace officers who possess the POST Basic Certificate. POST is required to develop and approve the course of training no later than January 1, 1991.

Input on this proposed training standard was received from an advisory committee of school peace officers, school administrators, and others. Regulation 1081 is proposed to be modified by adding Section 19--School Peace Officer--that identifies a 32-hour course directed at the unique role of school peace officer. As part of this training standard, the Commission recommends that school peace officers who perform general law enforcement duties should complete the Regular Basic Course prior to appointment or assignment to peace officer duties.

The Commission may adopt other changes related to this rule-making action based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

TRAINING STANDARDS FOR SCHOOL PEACE OFFICERS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 and 13506 of the Penal Code to interpret, implement, and make specific Sections 832.2, 13510, and 13510.5 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: November 1, 1990
Time: 10:00 a.m.
Place: Radisson Hotel
Sacramento, California

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

From time to time, POST approves training standards pursuant to legislative mandate and they are incorporated into Regulation 1081 (Minimum Standards for Approved Courses). Pursuant to Senate Bill 446 (1989), Section 832.2 was added to the Penal Code. This section requires the Commission, on or before January 1, 1991, to establish a required training course for K-12 and community college school peace officers who do not possess the POST Basic Certificate. The course relating directly to the role of school peace officers is required to address guidelines and procedures for reporting offenses to other law enforcement agencies that deal with violence on campus and other school-related matters, as determined by POST.

It is proposed that Commission Regulation 1081 be amended to include Section 19, School Peace Officer (Penal Code Section 832.2) which would specify minimum training topics and hours including:

A. Role of School Peace officers
B. Laws Impacting School Campuses
C. Maintaining Campus Community Relations
D. Reporting Offenses to Other Law Enforcement Agencies
E. Violence/Gangs on Campus
F. Campus Parking, Traffic, and Crowd Control
G. Facility Protection
H. Disasters and Emergencies

Examination

Total Hours - 32

PUBLIC COMMENT

The Commission hereby request written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on October 15, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Small Business Impact: None.

Costs Impact on Private Persons or Entities: None.

Housing Costs: None.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

REGULATORY ACTION: TRAINING STANDARD FOR SCHOOL PEACE OFFICERS

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) proposes to take regulatory action on November 1, 1990 to amend Commission Regulation 1081 pursuant to Penal Code Section 832.2. These changes pertain to setting a training standard for K-12 and community college school peace officers who do not possess a POST Basic Certificate.

In response to the provisions of Penal Code Section 832.2, an advisory committee composed of K-12 school and community college police officers, school administrators, and the legislation's proponents was formed to recommend relevant curriculum. the following proposed topics were selected for inclusion in the School Peace Officer Course which complies with the provisions of PC 832.2.

Proposed Topics	Justification
A. Role of School Peace Officers	Penal Code Section 832.2 requires the course of training to relate directly to the role of school peace officers. School peace officers perform their responsibilities in a unique setting and under limitations imposed by several laws identified in the course outline.
B. Laws Impacting School Campuses	Numerous criminal and procedural laws, including case decisions, impact school campuses and school peace officers. Since school peace officers are required to enforce these laws, it is important that they receive training on them.
C. Maintaining Campus Community Relations	School peace officers need to know the importance and techniques for maintaining positive relationships with school administrators, faculty and staff, students, general public, and local law enforcement.
D. Reporting Offenses to Other Law Enforcement Agencies	Penal Code Section 832.2 requires that the training standards address guidelines and procedures for reporting offenses to other law enforcement agencies.

E.	Violence/Gangs on Campus	Penal Code Section 832.2 requires that the training standard address issues relating to violence on campus. Since there is currently a close connection between violence and gangs, these two topics are addressed together.
F.	Campus Parking, Traffic, and Crowd Control	School peace officers need to understand their responsibilities and techniques for handling parking, traffic and crowd control during special events.
G.	Facility Protection	School peace officers need to understand their responsibilities and techniques for protecting facilities and equipment.
H.	Disasters and Emergencies	School peace officers need to understand their responsibilities and techniques for handling disasters and emergencies occurring on campus.
Examination		To verify student learning and ensure accountability of instructors, an examination is required.

The minimum course hours have been identified as 32 based upon an evaluation of the proposed detailed course outline.

As part of the training standard, it is proposed that the Commission recommend that school peace officers who perform general law enforcement duties complete the Regular Basic Course prior to appointment or assignment as a peace officer. The reason for this is that some school peace officers employed by high-crime districts or campuses need to receive more comprehensive training that is analogous to duties performed by city police or county deputy sheriffs.

The attached Notice of Public Hearing required by the Administrative Procedures Act provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

PROPOSED LANGUAGE FOR AMENDMENTS TO
COMMISSION REGULATION 1081

1081. Minimum Standards for ~~Approved~~ Legislatively Mandated Courses

(1) - (18) ****

(19) School Peace Officer 32 Hours

A. Role of School Peace Officers
B. Laws Impacting School Campuses
C. Maintaining Campus Community Relations
D. Reporting Offenses to Other Law Enforcement Agencies
E. Violence/Gangs on Campus
F. Campus Parking, Traffic, and Crowd Control
G. Facility Protection
H. Disasters and Emergencies

Examination

*Note: The Commission recommends that school peace officers who perform general law enforcement duties complete the Regular Basic Course prior to appointment or assignment as a peace officer.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Report on Cultural Awareness/ Communications Training		Meeting Date: July 19, 1990
Bureau: Training Program Services	Reviewed By: Glen Fine	Researched By: Hal Snow
Executive Director Approval: Norman C. Boehm	Date of Approval: 6/25/90	Date of Report: May 29, 1990

Purpose:
[X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [ ] Yes (See Analysis for details) [X] No

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

ISSUE

Should the Commission authorize the Executive Director to contract for up to one year's services of a POST Special Consultant (Management Fellow) for actual costs not to exceed $100,000 to conduct research and development associated with cultural awareness/language training and the requirements of Senate Bill 2680?

BACKGROUND

The Commission at its November 2, 1989 meeting, directed staff to study and develop a recommended approach for making training available on the subject of cultural awareness and communicating with individual cultural groups and report back to the Commission at the July 1990 meeting. As envisioned, the purpose of this exploratory study was directed at identifying (1) the nature of needed training and (2) recommended methods for effectively delivering the training.

Subsequent to the Commission directing this study be undertaken, Senate Bill 2680 (Attachment A) was introduced requiring POST to develop guidelines and training for all law enforcement officers on the racial and cultural differences among residents of this state. The Commission supports this proposed legislation which requires POST to develop training and leaves attendance decision to the needs of the field without mandating it. Follow-up development subsequent to this study should take into consideration the requirements of Senate Bill 2680 because of the likelihood of its passage.

Other indicators of needed training on cultural awareness and communicating with individual cultures include: (1) the existing cultural/racial population mix in the State; (2) the growing numbers of immigrants to California with diverse cultures and languages; (3) an increasing number of publicized incidents involving conflicts between officers and members of cultural

groups; and (4) growing interest among law enforcement executives and others for providing this training.

Projections for California's future population indicate that no one cultural group will constitute a majority and instead it will be one of the most diverse of any state. Studies have shown there are over 40 different foreign languages spoken in California. The great diversity of population served by law enforcement presents major challenges for POST and law enforcement in designing and making available cultural awareness and communication training.

Existing cultural awareness training is limited in scope and availability. POST's minimum standards for the Basic Course address "generic" cultural/racial awareness because of the need to have the training broadly applicable to all trainees. Some academies have included locally determined training that is directed at specific cultural groups. Occasionally Advanced Officer Courses will include a topic concerning cultural awareness or racial sensitivity. POST certifies to El Camino College in cooperation with the National Conference of Christians and Jews eight-hour Technical Courses - one on Asian Cultures and one on Hispanic Cultures. Another 40-hour Technical Course on Cultural Relations-Gang Update is certified to Rio Hondo College. In addition to this POST-certified training, a small number of law enforcement agencies have developed departmental training programs that are considered highly effective.

To obtain input on this study, an ad hoc advisory committee of knowledgeable and interested persons was formed (See Attachment B for a list of members). The advisory committee enthusiastically endorsed the need for a more coordinated, focused and standardized approach for law enforcement training on awareness and more effective communication with particular cultures. Specific committee concerns and ideas concerning cultural awareness training are summarized as Attachment C.

Besides subject matter expert input, additional research conducted for this study included identifying articles, video training tapes and Command College papers related to the subject of cultural awareness, racial sensitivity and communicating through foreign languages. These, and other identified resources, represent a strong beginning point for the next steps in studying this training.

ANALYSIS

The first major conclusion of this study is that in addition to the existing generic training on cultural awareness/racial sensitivity, there is need for training focusing on individual cultures that identifies attitudes, stereotyped misconceptions, sensitivities, interpersonal skills, language skills, changing demographics, cultural differences (SB 2680), acceptance of change, and bridges for common understanding. For each

different culture, these factors vary significantly. As previously indicated, types of cultures vary dramatically from community to community.

Building on the first, the second major conclusion is that the key to effective cultural awareness training resides within the departments. Because each department has its own set of community realities, training efforts should ideally mobilize the will and experience of a department to meet those needs effectively. This can in large measure be done by individual law enforcement agencies developing their own multi-cultural awareness training program to meet local cultural conditions.

With proper support and training, each agency can research their training needs by seeking involvement and participation from employees, community members, and community groups. One would expect that agencies which assess training needs and develop tailor-made training programs, will experience correspondingly high interest and commitment in the results. In fact, several departments are experiencing this type of success.

To accomplish statewide cultural awareness training, it is recommended POST prepare a Program Development Guide for use by agencies in assessing their needs, organizing their training, and conducting cultural\racial awareness training programs. This guide would include step by step procedures, sample survey questionnaires, curriculum development, lists of typical community based resources helpful in developing such training programs, procedures for instructor selection and training, references, sample agency value statements, check sheets for chief executives to implement the program, and program evaluation strategies.

In developing the guide, the common elements of the most successful existing training programs would be identified and presented as models for others to follow. The guide would help focus research efforts and reduce agency development time. Further, it would reduce duplicative research and development efforts in designing such training programs. Because this would be internal agency-presented training, it is expected that this training would not be POST-certified, although it could qualify for training points toward POST certificates.

Senate Bill 2680 places no limitations on the requirement for POST to develop the training and guidelines other than they "shall stress understanding and respect for racial and cultural differences and development of effective, noncombative methods of carrying out law enforcement duties in racially and culturally diverse environment." The guide can address this as well as other important elements to be identified as part of the follow-up recommended developmental research effort. A separate training course(s) should be developed for statewide presentation to department program coordinators. The course can use the Program Development Guide as a primary focus to prepare

individuals to develop and present in-house programs.

Experts agree that when training is directed at sensitive attitudes and personal behavior, it is essential to first address organizational climate and commitment issues including community involvement prior to effecting training solutions. The recommended resource manual including the training development process will help ensure these issues are addressed in a systematic fashion.

The ability of officers to communicate with members of individual cultural groups is an important factor in developing and maintaining good cultural relations. There is considerable uncertainty about the effectiveness and extent to which agencies can train officers to be conversant in multiple languages. There is interest today in the feasibility of officers possessing language skills necessary to communicate with persons who speak only a foreign language. There appears to be 20 to 30 words or phrases for each major foreign language in California that are critical to necessary law enforcement communications. Such training could occur as part of the cultural awareness training. One possible future consideration is for POST to develop an interactive videodisc (IVD) training program that can address this training need. This IVD training program could also address certain cultural awareness issues for specific cultures.

THE NEXT STEPS:

The past few months of research in this area underscore need for next-step work activities. If the Commission concurs, work should proceed in five areas:

1. Develop and publish a Program Development Guide of Cultural Awareness Training that includes curriculum and guidelines required by SB 2680.

2. Develop POST-certified training for departmental trainers/ facilitators.

3. Develop orientation\training for law enforcement executives as to the program elements, goals, and benefits.

4. Assess the feasibility for developing a fundamental language training program possibly using interactive videodisc technology.

5. Evaluate needed improvements in Basic Academy content and instructor training. Make recommendations for changes in Basic Course curriculum as indicated.

The recommended work activities will require approximately one year of research and development. The most feasible approach for accomplishing these is to contract for one year's service of a

Management Fellow. Estimated costs for salary and fringe benefits are $100,000 excluding long term per diem and travel. Because Senate Bill 2680 has an implementation date of July 1,1991, it is recommended research and development begin as soon as possible.

RECOMMENDATION:

Authorize the Executive Director to enter into a contract for up to one year's services of a POST Special Consultant (Management Fellow) for actual costs not to exceed $100,000 to conduct research and development associated with cultural awareness/ language training and the requirements of Senate Bill 2680.

AMENDED IN SENATE APRIL 5, 1990

SENATE BILL No. 2680

Introduced by Senators Boatwright, Ayala, and Torres

March 2, 1990

An act to add Section 13519.4 to the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

SB 2680, as amended, Boatwright. Peace Officers: racial and cultural diversity training.

Existing law establishes the Commission on Peace Officer Standards and Training, which develops and implements programs to increase the effectiveness of law enforcement through training, education, and investigation.

This bill would ~~provide that~~ *require* the Peace Officer Standards and Training Commission ~~shall~~, *by January 1, 1991, to* develop and disseminate ~~instruction to all~~ *guidelines and training for* peace officers in California on ~~understanding~~ the racial and cultural differences of people in the state, so that peace officers can be better prepared to deal with the racial and cultural diversity of the state citizenry.

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 13519.4 is added to the Penal
2 Code, to read:
3 13519.4. Effective July 1, ~~1990~~ *1991*, the commission
4 shall develop and disseminate guidelines and training for
5 all law enforcement officers in California as described in
6 subdivision (a) of Section 13510 and who adhere to the
7 standards approved by the commission, on the racial and

1 cultural differences among the residents of this state. The
2 course or courses of instruction and the guidelines shall
3 stress understanding and respect for racial and cultural
4 differences, and development of effective, noncombative
5 methods of carrying out law enforcement duties in a
6 racially and culturally diverse environment.

O

Attachment B

CULTURAL AWARENESS STUDY COMMITTEE

Capt. David Barnes
Hawthorne P. D.

Chief Charles Brobeck
Novato P. D.

Sergeant Frank Bucheit
San Diego P. D.

Sergeant Sue Payne
San Diego P. D.

Ms. Ruth Cashmere
Human Rights Resources Center

Mr. Luther Wallace
Human Rights Resources Center

Raymond Dorsey
Assistant Sheriff
San Bernardino S. D.

Off. J. A. "Alex" Gonzalez
California Highway Patrol
Recruitment Unit

Sergeant Rodney Grahek
Los Angeles P. D.
Field Training Services Unit
Training Division

Sergeant Frank Hauptman
Garden Grove P. D.

Lieutenant Ray Howard
Richmond P. D.

Sergeant Gary Kusunoki
San Clemente P. D.

Sergeant Neil Murray
San Clemente P. D.

Captain Daniel McCoy
Santa Ana P. D.

Lieutenant Ron Passmore
Fresno P. D.

Mr. Fred Persily
Attorney General's Commission
on Racial Ethics Religious
Minority Violence
Costa Human Rights Commission

Ms. Vicki Plevin
Police Community Relations
Specialist
Orange County Human Relations
Commission

Chief Joseph Santoro
Monrovia P. D.

Sergeant Michael Sellers
La Palma P. D.

Lieutenant Robert Shusta
Concord P. D.

Sergeant Art Tapia
San Francisco P. D.

Sergeant Jon Westmoreland
Alameda P. D.

IDENTIFICATION OF KEY CONCERNS:

Committee members identified their top concerns/issues with regard to cultural awareness. The first priority concerns were grouped into four categories: Attitudes, Management, Training Delivery Methods, and Communications. Members working as sub-committees expanded the key issues and their sub-committee work was accepted by the group in total. The results of the committee combined efforts are summarized below.

Attitudes -Some of the issues and ideas identified under this category include:

- Concern about use of unacceptable vocabulary terms, i.e., verbal judo, nick names
- Law enforcement organizations have own culture and this culture should be changed to respect other's culture
- Training should emphasize that enforcement action should be taken against the criminal act, not directed to any particular group or person
- Law enforcement agencies need to openly set behavior and organization expectations
- Officer's on-duty "conduct" should be addressed rather than his personal attitude
- Officers need to understand their own potential or actual bias to different cultures
- Law enforcement agencies have a responsibility to train/educate members of individual cultures
- General cultural awareness vs. individual cultural awareness, which is it, or is it both?
- Supervisory/management level are the key to making a program work
- One obstacle to improving relationships is police are viewed by some cultures as protectors of government rather than individuals' rights
- There is a need to have proactive training before a conflict occurs rather than reacting to an incident

Training Delivery Methods -Some issues and ideas identified under this category include:

- Focus of training should be on in-service officers rather than Basic Course since considerable attention is already devoted to cultural awareness in the Basic

- Development of a "how to or cookbook" manual to aid law enforcement agencies to create their own program is needed

- Cultural awareness training, to be most effective, should be agency specific with some general guidelines or learning objectives developed as guidelines

- This training, to be most effective, requires trainers to receive special facilitator training

- Several acceptable methods for cultural awareness/survival language skills training were identified, including:

  - Advanced Officer Courses
  - Supervisory/Management/Executive Courses
  - Agency Training With Support By POST Manual, Video Tape, Interactive Videodisc Training Program, etc.

- Minority officers also need cultural awareness training

- Executive workshops, New Police Chiefs Orientation, New Sheriffs Orientation, are recommended courses to provide information to police executives

- POST should certify one or more technical courses to train the trainers to facilitate and present this training

- Generic Advanced Officer Course inherently may have a problem when multiple agencies have differing training needs and not all agencies sending trainee have an agency commitment for cultural awareness training

- Cultural awareness training can mix and match sub topics, i.e., cultural awareness with language skills or gang awareness or hate crimes

- Basic academy should reinforce cultural awareness throughout curriculum, should be generalized rather than focus on particular cultures, and all instructors should receive orientation on cultural awareness and importance

- Manual should:
  - Be distributed at Trainer/Facilitators Course
  - Include various models, references, sample value statements, check sheets for executives to implement program, survey instruments, generalized curriculum with instructions on how to individualize for each agency
- Video Training Tapes- There is a need to assess the existing videos to determine what is available and for POST to distribute those judged to be useful.
- Interactive Videodisc Program- There is need for developing such a program to address cultural awareness and survival language skills and is particularly appropriate for refresher training.
- Need to sell the program:
  - Get community groups aboard early
  - Get city and county administrative support
  - Get police officer associations support
  - Avoid negative trigger terms like "sensitivity training" which may cause a negative impact on training
- Universal cultural awareness training should include:
  - Interpersonal skills
  - Attitude concepts
  - Survival language skills
  - Changing demographics
  - Acceptance of change
  - Others
- Use of commercially available games such as STAR POWER can be useful training tool
- Student participative learning activities such as role playing and small group discussions are considered critical.
- Field training checklists should be developed to include attention to cultural awareness issues and experiences.

Management Issues -Several issues were identified including:

- For cultural awareness training to be effective, there must be direction and commitment from the top on down
- The Police Chiefs and Sheriff's Associations should be made aware of this training need and the need for agency commitment
- Need for agency values statement
- Trainers should identify the benefits to be derived
- Cultural Awareness training is not a one-time-only shot, but rather an ongoing training need
- Cultural training should be part of the agency mission statement
- Need to obtain community support for the program
- Survey the department and community to determine current needs and conditions
- Identify community spokespersons who would be willing to assist with agency training
- Need to carefully select and recognize trainers
- Managers need a clear understanding of police service vs. social service
- Cultural training should include local resources in community who can assist in the development and training of agency personnel
- Problem-oriented policing is compatible with cultural awareness training
- Possible solution is for POST to identify in the Manual trained presenters/facilitators for agencies to call upon regardless of funding source, customizing program for agency

Communications -Some of the issues and ideas identified under this category include:

- Need to be concerned about vertical and horizontal communications within a department when dealing with cultural awareness, regular meetings can help
- Newsletters within department and community can facilitate communications

- Statewide newsletter is needed on cultural awareness for law enforcement

- Need for positive reinforcement for good work with multicultural groups

- Need special incentives for effective bilingual officers

- Need ready reference such as pocket computer or MDI's for most frequent words or phrases in non-English

- Opening communications with cultures

    - need conflict resolution skills
    - attend community events
    - be a part of planning of community events
    - recruit members of various cultures
    - read cultural/community newspapers regularly

MKB-Cult-Keypoints

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Proposed Revisions to Specialized Basic Investigators Course		Meeting Date: July 19, 1990
Bureau: Training Program Services	Reviewed By: Ken O'Brien	Researched By: Ray Bray
Executive Director Approval: Norman C. Boehm	Date of Approval:	Date of Report: June 11, 1990

Purpose:
- [x] Decision Requested
- [ ] Information Only
- [ ] Status Report

Financial Impact:
- [ ] Yes (See Analysis for details)
- [x] No

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

ISSUE

Should the Commission schedule a public hearing to consider content and hourly changes to Commission Procedure D-1, which is incorporated into POST regulation 1005, specifying requirements for the Specialized Basic Investigators Course?

BACKGROUND

The Specialized Basic Investigators Course was implemented January 1, 1972 to meet the basic training requirement for specialized investigators primarily employed by state agencies. The course (Attachment A) was last updated in 1984. The course is now 220 hours. The existing course curriculum contains 305 recommended performance objectives from the Regular Basic Course and eighteen performance objectives based on the unique tasks performed by specialized investigators.

A review of the course was initiated early this year at the request of user agencies. An advisory committee composed of administrators and managers of specialized law enforcement agencies (Attachment B) provided input for the general subject areas of need and revision for the curriculum. Another advisory committee composed of training managers, presenters, instructors, and other subject matter experts (Attachment C) then met to provide input on detailed curriculum.

ANALYSIS

The proposed curriculum (Attachment D) reflects the current training needs of specialized investigators. Employers believe the proposed changes are necessary to better prepare new investigators. Employers are especially concerned with physical performance of job related tasks, i.e., weapons retention, writing search warrants, report writing, surveillance exercises, and performance testing of these tasks.

Because they are no longer considered relevant or are no longer required by law, 28 performance objectives are recommended for deletion including those related to line-ups, discovery, vehicle operations, polygraph, informant management, and that portion of chemical agents pertaining to gas masks which are not required for specialized investigators.

Fifty-eight performance objectives are recommended for addition. These additions are proposed due to changes in law, additional duties performed by specialized investigators and the desire of agency administrators for a course more designed specifically for specialized investigators rather than general patrol information. The changes recommended for addition are the areas of extortion; embezzlement; burglary and robbery law; sex crimes; controlled substances; search warrants; gang recognition; interviewing; and case management. Of those performance objectives recommended for addition, 50 are directly taken from the Regular Basic Course and eight are new POs related to the unique tasks performed by specialized investigators. It is proposed that the total performance objectives in the Specialized Basic Course be increased from 323 to 361 for a net increase of 38.

It is proposed that required testing be increased by 19 hours for a total of 30 hours. The expansion of the testing area, will include fourteen hours of cognitive testing and sixteen hours of scenario testing that reflects the need for actual performance testing in a realistic scenario, rather than just completing a cognitive written test.

It is proposed that the minimum hours for the Specialized Basic Investigators Course be increased from 220 to 340 (Attachment E). The proposed hours were arrived at after review of the instructional time required for existing PO's in the Regular Basic and examination by instructors and subject matter experts. Presenters indicate the proposed 340 hours will accurately reflect the time required to present adequate instruction and performance evaluation of the student. The proposal to increase the instructional hours is supported by agency administrators and presenters.

To implement these proposals, staff is recommending amending Commission Procedure D-1-6, which is incorporated into POST regulation 1005, to reflect these curriculum and hourly changes, and to mandate performance objectives for the Specialized Basic Investigators Course (Attachment F). Mandating the changes will ensure quality of instruction and uniformity between the two current presenters. Mandating POs includes mandatory testing based upon success criteria as established in the Regular Basic Course. Success criteria for those POs unique to the Specialized Basic will be developed as will test items.

Virtually all attendees of the course are employed by agencies in the non-reimbursable Specialized Program. Therefore, there is no projected fiscal impact for the POTF. There will be some impact on staff workload associated with implementation of the proposed testing requirement. An estimated six weeks of work will be required to develop new test items.

Attachment G provides a draft Notice of Public Hearing, Statement of Reasons, and suggested language changes to Commission Regulation 1005.

RECOMMENDATION

Schedule a public hearing for the November 1990 meeting to consider proposed curriculum and hourly changes to POST's requirement for the Specialized Basic Investigators Course.

POST Prescribed
Training Courses

January 1, 1984

SPECIALIZED BASIC INVESTIGATORS COURSE
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Commission Regulations 1005(a)(4)
Commission Procedure D-1-6

LEGAL REFERENCE

The Commission Regulations, Section 1005(a)(4) provide that the Specialized Basic Investigators Course may be completed in lieu of the regular POST-certified Basic Course by POST Specialized Program law enforcement officers whose primary duties are investigative.

BACKGROUND

The 200-hour Specialized Basic Investigators Course was adopted January 1970, and updated in January 1979. In January 1980, the course was revised to 180 hours of special investigative subjects, plus the 40-hour P.C. 832 Course. In January 1984, the course hours were increased to 220 and curriculum updated to include the P.C. 832 Arrest and Firearms Training Requirements and converted to Learning Goals and Performance Objectives. Wherever possible, the Performance Objectives of the Regular Basic Course have been included in the Specialized Basic Investigators Course.

This Course Outline must be used in conjunction with the document "Performance Objectives for the Basic Course."

TOPICAL OUTLINE		HOURS
1.0	Professional Orientation	10
2.0	Police Community Relations	15
3.0	Law	20
4.0	Laws of Evidence	15
5.0	Communications	15
6.0	Vehicle Operations	8
7.0	Force and Weaponry	33
8.0	Field Procedures	39
9.0	Traffic (deleted)	0

10.0	Criminal Investigation	24
11.0	Custody (deleted)	0
12.0	Physical Fitness and Defense Techniques	12
13.0	Specialized Investigative Techniques	18
	Examinations	11
	Total	220 Hours

LEARNING GOALS AND PERFORMANCE OBJECTIVES

The student will understand the following:

1.0 PROFESSIONAL ORIENTATION

1.1.0 History and Principles of Law Enforcement
1.2.0 Law Enforcement Profession
1.3.0 Ethics

1.4.0 UNETHICAL BEHAVIOR

Learning Goal: The student will understand those actions which constitute unethical behavior of a law enforcement officer and their consequences.

PERFORMANCE OBJECTIVES:

80% 1.4.1 The student will identify and evaluate methods for handling unethical and/or criminal conduct on the part of a fellow officer.

80% 1.4.2 The student will identify problems associated with an officer's nonenforcement of specific laws by personal choice.

80% 1.4.3 The student will identify problems associated with an officer's acceptance of gratuities.

80% 1.4.4 The student will identify why it is necessary for an officer to take positive action when becoming aware of criminal unethical and/or conduct on the part of a fellow officer.

80% 1.4.5 The student will identify the activities of an internal affairs unit.

80% 1.4.6 The student will identify the rights of the peace officer as established by the Public Safety Officers Procedural Bill of Rights Act (Govt. Code Sections 3300-3311).

80% 1.4.7 The student will identify situations where reports concerning employee complaints must be taken and when investigations are required.

1.6.0 CAREER INFLUENCES

Learning Goal: The student will understand and have a working knowledge of the influences of a law enforcement career upon an officer's personal life.

PERFORMANCE OBJECTIVES:

70% 1.6.1 The student will identify the common satisfactions and dissatisfactions inherent in a law enforcement career.

70% 1.6.2 The student will identify the importance of maintaining a balanced, long-term approach to his/her lifestyle in the following areas:

A. Personal relationships
B. Career developments
C. Recreational pursuits

70% 1.6.3 The student will identify the potential effects which his/her career choice may have upon the following:

A. Spouse
B. Boyfriend/Girlfriend
C. Other friends
D. Parents
E. Children

70% 1.6.4 The student will identify employee assistance programs.

1.7.0 ADMINISTRATION OF JUSTICE COMPONENTS

Learning Goal: The student will have general knowledge of the components of the administration of justice system.

PERFORMANCE OBJECTIVES:

70% 1.7.1 Given the three criminal justice system components (law enforcement, judicial, and corrections), the student will identify to which component of the criminal justice system the following operational positions belong:

A. Judge
B. Prosecuting Attorney
C. Defense Attorney
D. Probation Officer

E. Parole Officer
F. Correctional Officer
G. Local Police
H. Sheriff
I. Specialized Investigators

70% 1.7.2 The student will identify the following major goals of the criminal justice system:

A. Guaranteeing due process
B. Crime prevention
C. Protection of life and property
D. Apprehension of offender
E. Enforcement of law
F. Equal justice

70% 1.7.5 The student will identify at least one way in which a component of the criminal justice system impacts the other components.

1.8.0 RELATED LAW ENFORCEMENT AGENCIES

1.9.0 CALIFORNIA COURT SYSTEM

Learning Goal: The student will understand and have a working knowledge of the organization and operation of the California court system.

PERFORMANCE OBJECTIVES:

70% 1.9.1 The student will identify the organizational structure and a primary responsibility of the following California courts:

A. Justice Court
B. Municipal Court
C. Superior Court
D. District Court of Appeal
E. State Supreme Court
F. Administrative Hearings

70% 1.9.2 The student will identify the purposes of the following judicial processes in criminal cases:

A. Bail
B. Arraignment
C. Preliminary hearing
D. Indictment
E. Trial

1.10.0 CALIFORNIA CORRECTIONS SYSTEM

1.11.0 DISCRETIONARY DECISION MAKING

Learning Goal: The student will have a general understanding of a law enforcement officer's discretionary authority, constraints, consequences, and process in making decisions.

PERFORMANCE OBJECTIVES

70% 1.11.1 The student will identify the steps involved in problem solving including:

A. Identifying the problem
B. Analyzing the problem
C. Developing alternatives
D. Selecting solution
E. Implementing decisions
F. Evaluating action

70% 1.11.2 The student will identify the most common limitations of officer discretion including:

A. Law
B. Departmental policy and procedure
C. Departmental goals and objectives

70% 1.11.3 The student will identify the potential consequences of an officer's application of discretionary decision making including:

A. Death or injury
B. Additional crime
C. Civil and vicarious liability
D. Officer discipline
E. Embarrassment to department

70% 1.11.4 Given various word pictures, audio-visual presentations, or simulated incidents, the student will identify which of the following are acceptable decisions:

A. Arrest
B. Citation and release
C. Referral
D. Verbal warning
E. No action

1.12.0 ROLE OF THE INVESTIGATOR

Learning Goal: The student will understand how the role of the investigator differs from that of the uniformed officer.

PERFORMANCE OBJECTIVES

1.12.1 The student will identify the key differences between the investigator's role and the role of the uniformed officer:

A. Most of the work of the uniformed officer results from the officer reacting to calls for service.
B. The majority of the investigator's work is self generated.
C. Most cases are assigned after the fact.

1.12.2 The student will identify the peace officer authority of investigators as described in:

A. Penal Code Section 830.1
B. Penal Code Section 830.3
C. Penal Code Section 830.31

2.0 POLICE COMMUNITY RELATIONS

2.1.0 Community Service Concept
2.2.0 Community Attitudes and Influences
2.3.0 Citizen Evaluation
2.4.0 Crime Prevention (2.4.1 only)
2.5.0 Stress Factors

3.0 LAW

3.1.0 Introduction to Law
3.2.0 Crime Elements
3.3.0 Intent
3.4.0 Parties to a Crime
3.5.0 Defenses
3.6.0 Probable Cause
3.7.0 Attempt/Conspiracy/Solicitation
3.8.0 Obstruction of Justice
3.9.0 Theft Law
3.12.0 Forgery, Fraud Law
3.14.0 Receiving Stolen Property
3.17.0 Assault/Battery Law
3.18.0 Assault With Deadly Weapon Law
3.24.0 Deadly Weapons Law
3.37.0 Constitutional Rights Law
3.38.0 Laws of Arrest
3.41.0 Juvenile Law and Procedure

3.43.0 CRIMINAL/ADMINISTRATIVE CODE

Learning Goal: The student will understand the relationship between the major California criminal codes and California administrative law.

PERFORMANCE OBJECTIVES

3.43.1 The student will identify at least one California criminal code which contains the laws that his agency is responsible for enforcing.

3.43.2 The student will identify the Administrative Code by title, which pertains to his agency.

4.0 LAWS OF EVIDENCE

4.1.0 Concepts of Evidence
4.2.0 Privileged Communication
4.4.0 Subpoena
4.5.0 Burden of Proof
4.6.0 Rules of Evidence
4.7.0 Search Concepts
4.8.0 Seizure Concepts
4.9.0 Legal Show-up

4.10.0 SEARCH WARRANTS

Learning Goal: The student will understand the search warrant process.

PERFORMANCE OBJECTIVE

4.10.1 The student will identify the procedural steps and the legal requirements for (1) developing affidavits and (2) obtaining and executing search warrants.

4.11.0 DISCOVERY

Learning Goal: The student will understand the concept of discovery.

PERFORMANCE OBJECTIVE

4.11.1 The student will identify and discuss the following two topics as they relate to discovery:

A. En Camera Hearings
B. Public Information Act

4.12.0 WITNESS QUALIFICATIONS

Learning Goal: The student will understand that becoming qualified as an expert witness, and remaining so qualified, is a continuing process.

PERFORMANCE OBJECTIVE

4.12.1 The student will identify two areas in which careful and continuous records must be kept to facilitate qualification as an expert witness:

A. Education
B. Experience

5.0 COMMUNICATIONS

5.1.0 Interpersonal Communications
5.2.0 Note Taking
5.3.0 Introduction to Report Writing
5.4.0 Report Writing Mechanics
5.5.0 Report Writing Application
5.6.0 Use of the Telephone

6.0 VEHICLE OPERATIONS

6.1.0 Introduction to Vehicle Operations
6.2.0 Vehicle Operations Factors
6.4.0 Vehicle Operations Liability
6.5.0 Vehicle Inspection

7.0 FORCE AND WEAPONRY

7.1.0 Effects of Force
7.2.0 Reasonable Force
7.3.0 Deadly Force
7.4.0 Simulated Use of Force
7.5.0 Firearms Safety
7.6.0 Handgun
7.7.0 Care and Cleaning of Service Handgun
7.8.0 and 7.9.0 deleted
7.10.0 Handgun Shooting Principles
7.12.0 Identification of Agency Weapons and Ammunition
7.13.0 Handgun/Day/Range (Target)
7.14.0 Handgun/Night/Range (Target)
7.15.0 Handgun/Combat/Day/Range
7.16.0 Handgun/Combat/Night/Range
7.19.0 Use of Chemical Agents
7.20.0 Chemical Agent Simulation

8.0 FIELD PROCEDURES

8.2.0 Perception Techniques
8.3.0 Observation Techniques
8.8.0 Interrogation
8.13.0 Wants and Warrants
8.14.0 Person Search Techniques
8.15.0 Vehicle Search Techniques
8.16.0 Building Area Search
8.18.0 Search/Handcuffing/Control Simulation
8.19.0 Restraint Devices
8.20.0 Prisoner Transportation
8.37.0 Officer Survival
8.45.0 First Aid and CPR

10.0 CRIMINAL INVESTIGATION

Learning Goals: The student will understand:

10.1.0 Preliminary Investigation
10.2.0 Crime Scene Search
10.3.0 Crime Scene Notes
10.4.0 Crime Scene Sketches
10.5.0 Fingerprints
10.6.0 Identification, Collection, and Preservation of Evidence
10.7.0 Chain of Custody
10.8.0 Interviewing
10.10.0 Information Gathering
10.11.0 Courtroom Demeanor

10.23.0 POLYGRAPH

Learning Goal: The student will understand the legitimate use of the polygraph and its limitations.

PERFORMANCE OBJECTIVE

10.23.1 The student will identify the three physiological functions which are normally measured by the polygraph:

A. Respiration - breathing rate
B. Galvanic Skin Response - sweating
C. Heart - pulse rate and blood pressure

10.24.0 ADMINISTRATIVE HEARINGS

Learning Goal: The student will understand the Administrative Hearing Process.

PERFORMANCE OBJECTIVE

10.24.1 The student will identify the following elements of the process:

A. Administrative subpoena as part of the investigation
B. Accusation by Attorney General
C. Agency filing
D. Administrative subpoena as part of the hearing
E. Hearing
F. Decision
   1. Proposed
   2. Final
G. Administrative appeal process
H. Judicial appeal process
I. Administrative sanctions

10.25.0 VICE AND ORGANIZED CRIME

Learning Goal: The student will understand the relationship between organized crime and vice.

PERFORMANCE OBJECTIVES

10.25.1 The student will identify the key activities of organized crime:

A. Provide illegal goods and services
B. Corrupt public officials
C. Launder money
D. Infiltrate legitimate business

10.25.2 The student will identify at least four different unlawful activities that are associated with organized crime.

A. Gambling
B. Loansharking
C. Prostitution
D. Illicit drugs
E. Corporate bust out
F. Auto theft (chop shops)
G. Liquor
H. Highjacking

10.26.0 CONTROLLED SUBSTANCES IDENTIFICATION

Learning Goal: The student will understand how the major groups of illicit drugs differ in appearance.

PERFORMANCE OBJECTIVE

10.26.1 Given a display of a variety of illicit as well as illicit drugs, or a visual representation of same, the student will identify:

A. Hallucinogens
B. Opiates
C. Stimulants
D. Depressants

12.0 PHYSICAL FITNESS AND DEFENSE TECHNIQUES

12.1.0 Physical Disablers
12.2.0 Prevention of Disablers
12.3.0 Weight Control
12.4.0 Self-Evaluation
12.5.0 Lifetime Fitness
12.6.0 Principles of Weaponless Defense
12.7.0 Armed Suspect/Weaponless Defense

13.0 SPECIALIZED INVESTIGATIVE TECHNIQUES

13.1.0 SOURCES OF INFORMATION

Learning Goal: The student will understand the difference between open and restricted sources and how to get information from both.

PERFORMANCE OBJECTIVES

13.1.1 The student will identify at least four of the following open sources of information.

A. Library, including newspaper morgues
B. City and county licenses
C. Utilities
D. Directories
E. Grantee/Grantor Indexes at county court house
F. Secretary of State, Articles of Incorporation

13.1.2 The student will identify at least the following restricted sources of information.

A. Law enforcement records such as NCIC, CJS, etc.
B. Other law enforcement agencies
C. Officers within own department
D. Informants

13.1.3 The student will identify at least the following elements of the development and management of informants.

A. Selection
B. Investigation
C. Approach and persuasion
D. Test

13.2.0 USE AND CONTROL OF INFORMATION

Learning Goal: The student will understand the legal aspects of the use and dissemination of information.

PERFORMANCE OBJECTIVES

13.2.1 The student will contrast "Right-to-Privacy" with "Freedom-of-Information."

13.2.2 The student will identify the difference between "Right-to-know" and "Need-to-know."

13.2.3 The student will identify the elements of a model policy on purging, dissemination, and security of information.

13.3.0 CRIMINAL INTELLIGENCE

Learning Goal: The student will understand the intelligence process.

PERFORMANCE OBJECTIVES

13.3.1 The student will identify each element of the intelligence process in the correct order.

A. Collection of information
B. Collation
C. Evaluation
D. Analysis
E. Dissemination of intelligence

13.3.2 The student will identify at least two of the following intelligence organizations:

A. Law Enforcement Intelligence Unit, LEIU
B. Western States Information Network, WSIN
C. El Paso Information Center, EPIC

13.4.0 IDENTIFICATION AND LOCATION OF SUSPECTS AND WITNESSES

Learning Goal: The student will understand the process of identifying and locating suspects and witnesses.

PERFORMANCE OBJECTIVE

13.4.1 The student will identify and locate a witness and a suspect.

13.5.0 ANALYTICAL TECHNIQUES

Learning Goal: The student will understand the analytical process.

PERFORMANCE OBJECTIVE:

13.5.1 The student will identify and describe the following analytical techniques:

A. Visual Investigative Analysis, VIA
B. Telephone Tolls
C. Link Analysis
D. Case Analysis and Management System, CAM

13.6.0 SURVEILLANCE TECHNIQUES

Learning Goal: The student will understand how to effectively and safely conduct a surveillance.

PERFORMANCE OBJECTIVES

13.6.1. The student will identify what must be done before a surveillance is instituted:

A. Know the objective of the surveillance. For example, arrest or intelligence.

B. Identify the offense suspected and its elements.

C. Do a complete background on suspect including, physical appearance, suspect's address and local haunts, occupation and business address, criminal background, associates and their locations, cars available to suspect and whether any of them are particularly fast, how suspect can be anticipated to drive, e.g., fast or slow, does suspect own guns, has suspect used guns in the past, etc.

13.6.2 The student will identify the four general classifications of specialized surveillance equipment:

A. Photographic, e.g., 35mm Camera
B. Optical, e.g., telescope or binoculars
C. Intelligence Kit, e.g., SK-9, AID, TRF
D. Nightscope

13.6.3. The student will identify the three most important factors to consider when using specialized surveillance equipment:

A. Legal aspects
B. Proper care of the equipment
C. Equipment capabilities and limitations

13.6.4 The student will identify two considerations which must be resolved whenever a suspect is under surveillance:

A. Does the officer have a right to be where he is?
B. Does the suspect have a right to privacy?

13.6.5 The student will identify the five classifications of California Law Enforcement agency authorized by PC 633 to overhear or record confidential communications:

A. California Department of Justice (Attorney General)
B. District Attorneys
C. CHP
D. Police Departments
E. Sheriff Departments

13.6.6 The student will participate in a moving surveillance exercise using vehicles.

13.6.7 The student will participate in a walking surveillance exercise.

13.6.8 The student will identify liability implications when an officer violates traffic laws while conducting a surveillance.

A. The officer is criminally liable for violating traffic laws unless the surveillance vehicle is displaying a lighted red light to the front and sounding a siren as necessary (21055 CVC).

B. The officer is not civilly liable for damages while operating an authorized emergency vehicle responding to an emergency call or when in the immediate pursuit of an actual or suspected violator (17004 CVC).*

C. The agency is civilly liable for the negligence or wrongful acts or omissions of its employees (17001 CVC).

13.7.0 FRAUDULENT DOCUMENTS

Learning Goal: The student will understand which documents are most liable to be fraudulent.

PERFORMANCE OBJECTIVE

13.7.1 The student will identify the most frequently encountered fraudulent documents:

A. Driver's license
B. Medi-Cal cards
C. Birth certificates
D. Licenses issued by consumer affairs

*Note: Is the surveillance vehicle an Authorized Emergency Vehicle as refined in 165 CVC? Is a surveillance an emergency call or pursuit of an actual or suspected violator?

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PERFORMANCE OBJECTIVES FOR THE SPECIALIZED BASIC INVESTIGATORS COURSE

DRAFT

1.0 FUNCTIONAL AREA: The student will recognize the fundamental duties, obligations, influences, and philosophies inherent with the acceptance of a "peace officer" commission. Students will possess the basic knowledge and procedural abilities which will enable them to function within the criminal justice system.

1.1.0 HISTORY AND PRINCIPLES OF LAW ENFORCEMENT

Learning Goal: The student will understand the basic principles involved in the historical development of law enforcement.

PERFORMANCE OBJECTIVE(S):

1.1.1 The student will identify the key points in the development of the United States and California law enforcement systems. (7-1-84)

1.2.0 LAW ENFORCEMENT PROFESSION

Learning Goal: The student will understand the professional aspects of law enforcement. (1-1-84)

PERFORMANCE OBJECTIVE(S):

1.2.1 The student will identify the basic principles of a "profession." (7-1-84)

1.2.2 The student will compare the present status of law enforcement with the basic principles of a profession as identified in Performance Objective 1.2.1. (7-1-84)

1.2.3 The student will identify the professional standards and requirements for California peace officers.

1.3.0 ETHICS

Learning Goal: The student will understand the concept of ethics in law enforcement.

PERFORMANCE OBJECTIVES(S):

1.3.1 The student will identify why law enforcement officers, both on and off duty, should exemplify the highest ethical and moral standards. (1-18-90)

"S" - indicates PO in Specialized Basic only.

DRAFT

A. To promote professionalism in law enforcement
B. To gain public support for law enforcement
C. To earn the respect and confidence of peers
D. To maintain a sense of self worth and pride in being a law enforcement officer

70% 1.3.2 The student will identify the following fundamental duties as described in the "Law Enforcement Code of Ethics" and the "Code of Professional Conduct and Responsibilities for Peace Officers:"

A. To serve mankind
B. To safeguard lives and property
C. To protect the innocent against deception
D. To protect the weak against oppression or intimidation
E. To protect the peaceful against violence or disorder
F. To respect the Constitutional rights of all

1.3.3 The student will identify the following canons of the "Code of Professional Conduct and Responsibilities for Peace Officers":

A. Uphold the Constitution of the United States, state statutes and local laws
B. Perform duties ethically
C. Regard discharge of duties as a public trust
D. Exemplify high standards in public and private life
E. Recognize the freedom of others shall not be infringed upon without just and legal cause
F. Maintain integrity and competence
G. Cooperate with lawful officials and organizations
H. Refuse to accept gratuities
I. Maintain the confidentiality of information

1.4.0 UNETHICAL BEHAVIOR

Learning Goal: The student will understand those actions which constitute unethical behavior of a peace officer and its consequences. (1-1-89)

PERFORMANCE OBJECTIVE(S):

80% 1.4.1 Given word pictures or audio-visual presentations depicting unethical and/or criminal conduct on the part of a fellow officer, the student will select the best method for handling the situation based on the following principles: (1-1-84)

A. Express verbal disapproval of minor infractions by a fellow officer
B. Discuss continued infractions with a supervisor
C. Report misconduct to a supervisor immediately
D. Prevent criminal behavior, if possible, and report it to a supervisor immediately

80% 2 — 1.4.2 — The student will identify problems associated with an officer's nonenforcement of specific laws by personal choice. (1-1-84)

A. Public disrespect for the law and law enforcement.
B. Public confusion as to the meaning or intent of the law.

80% 2 — 1.4.3 — The student will identify problems associated with an officer's acceptance of gratuities: (1-1-84)

A. Creates a negative public image of law enforcement officers and their agencies
B. Obligates the officer to the gift giver
C. May lead to the acceptance of larger gifts, serious misconduct, or the commission of a crime

80% 2 — 1.4.4 — The student will identify why it is necessary for an officer to take positive action when becoming aware of unethical and/or criminal conduct on the part of a fellow officer: (1-1-84)

A. To maintain the public trust
B. To prevent further misconduct
C. To permit corrective action to take

(S) — 1.4.5 — The student will identify the activities of an internal affairs unit.

(S) — 1.4.6 — The student will identify the rights of the peace officer as established by the Public Safety Officers Procedural Bill of Rights Act (Govt. Code Sections 3300-3311).

(S) — 1.4.7 — The student will identify situations where reports concerning employee complaints must be taken and when investigations are required.

1.6.0 CAREER INFLUENCES

Learning Goal: The student will understand and have a working knowledge of the influences of a law enforcement career upon an officer's personal life.

PERFORMANCE OBJECTIVE(S):

1.6.1 The student will identify the following as common satisfactions and dissatisfactions inherent in a law enforcement career: (7-1-84)

A. Common Satisfactions

1. Training
2. Security
3. Service to the public
4. Varied duties
5. Salary and benefits
6. Excitement
7. Advancement opportunities

B. Common Dissatisfactions

1. Work assignments
2. Shift work
3. Physical and emotional hazards
4. Organization and communication
5. Report writing

1.6.2 The student will identify the importance of maintaining a balanced, long-term approach to his/her lifestyle in the following areas: (1-1-84)

A. Personal relationships
B. Career developments
C. Recreational pursuits

1.6.3 The student will identify the potential effects which his/her career choice may have upon the following: (1-1-84)

A. Spouse
B. Boyfriend/Girlfriend
C. Other Friends
D. Parents
E. Children

(S) 70% 1.6.4 The student will identify employee assistance programs available to investigators including:.

A. Alcohol Abuse
B. Drug Abuse
C. Stress
D. Financial Assistance

1.7.0 ADMINISTRATION OF JUSTICE COMPONENTS

Learning Goal: The student will have general knowledge of the components of the administration of justice system.

PERFORMANCE OBJECTIVE(S):

(S) 70% 2 1.7.1 Given the three criminal justice system components (law enforcement, judicial, corrections), the student will identify to which component of the criminal justice system the following operational positions belong: (8-1-87)

A. Judge
B. Prosecuting Attorney
C. Defense Attorney
D. Probation Officer
E. Parole Officer
F. Correctional Officer
G. Local Police
H. Sheriff
I. Victim/Witness Services
J. Specialized Investigators

70% 2 1.7.2 The student will identify the following major goals of the criminal justice system: (8-1-87)

A. Guaranteeing due process
B. Crime prevention
C. Protection of life and property
D. Apprehension of offender
E. Enforcement of law
F. Equal justice
G. Assure Victim's Rights

70% 2 1.7.5 The student will identify at least one way in which a component of the criminal justice system impacts the other components. (7-1-84)

1.8.0 RELATED LAW ENFORCEMENT AGENCIES

Learning Goal: The student will understand the functions, juris-dictions, and areas of potential mutual assistance of other law enforcement agencies.

PERFORMANCE OBJECTIVE(S):

70% 2 1.8.1 The student will identify a primary function, jurisdiction, and area of potential mutual assistance for the following federal, state, and local agencies: (1-1-84)

A. California Highway Patrol (CHP)
B. Department of Motor Vehicles (DMV)
C. California Department of Justice, Division of Law Enforcement
D. Federal Bureau of Investigation (FBI)
E. Postal Service
F. Drug Enforcement Administration (DEA)
G. Secret Service
H. Immigration Service
I. Alcohol, Tobacco, and Firearms Division of Treasury Department
J. Military Police
K. U.S. Marshal
L. Appropriate federal, state, and local agencies

1.9.0 CALIFORNIA COURT SYSTEM

Learning Goal: The student will understand and have a working knowledge of the organization and operation of the California court system.

PERFORMANCE OBJECTIVE(S):

(S) 70% 2 1.9.1 **The student will identify the organizational structure and a primary responsibility of the following California courts:**

A. Justice Court
B. Municipal Court
C. Superior Court
D. District Court of Appeal
E. State Supreme Court
F. Administrative Hearings

70% 2 1.9.2 **The student will identify the purposes of the following judicial processes in criminal cases:**

A. Bail
B. Arraignment
C. Preliminary hearing
D. Indictment
E. Trial

1.10.0 PAROLE AND PROBATION IN CALIFORNIA

Learning Goal: The student will understand concepts of parole and probation in California. (1-1-84)

PERFORMANCE OBJECTIVE(S):

70% 2	1.10.2	The student will identify the California state parole process and general conditions of parole. (1-1-84)
70% 2	1.10.5	The student will identify California's county probation process and the general conditions of probation. (1-1-84)

1.11.0 DISCRETIONARY DECISION MAKING

Learning Goal: The student will have a general understanding of a law enforcement officer's discretionary authority, constraints, consequences, and process in making decisions. (1-1-84)

PERFORMANCE OBJECTIVE(S):

70% 2	1.11.1	The student will identify the steps involved in problem solving including: (1-1-84) A. Identifying the problem B. Analyzing the problem C. Developing alternatives D. Selecting solution E. Implementing decision F. Evaluating action
70% 2	1.11.2	The student will identify the most common limitations of officer discretion including: (1-1-84) A. Law B. Departmental policy and procedure C. Departmental goals and objectives
70% 1	1.11.3	The student will identify the potential consequences of an officer's application of discretionary decision making including: (1-1-84) A. Death or injury B. Additional crime C. Civil and vicarious liability D. Officer discipline E. Embarrassment to department
(S) 70% 2	1.11.4	Given various word-pictures, audio-visual presentations, or simulated incidents, the student will identify which of the following are acceptable decisions: (1-1-84)

A. Arrest
B. Citation and Release
(Modify) C. Referral
D. Verbal Warning/Written Warning
E. No action

(S) 1.12.0 ROLE OF THE INVESTIGATOR

Learning Goal: The student will understand how the role of the investigator ~~differs from that of the uniformed officer~~.

PERFORMANCE OBJECTIVES

(S) 1.12.1 The student will identify the key differences between the investigator's role and the role of the uniformed officer:

A. Most of the work of the uniformed officer results from the officer reacting to calls for service.
(Modify) B. The majority of the investigator's work is ~~self~~ complaint generated.
~~G. Most cases are assigned after the fact.~~

(S) 1.12.2 The student will identify the peace officer authority of investigators as described in:

A. Penal Code Section 830.1
(Modify) B. Penal Code 830.2
C. ~~B.~~ Penal Code Section 830.3
D. ~~G.~~ Penal Code Section 830.31

2.0 FUNCTIONAL AREA: The student will possess the ability to foster positive community relations. The student will identify and utilize principles and techniques that promote community service, crime prevention, and appropriate behavior by the individual law enforcement officer.

2.1.0 COMMUNITY SERVICE CONCEPT

Learning Goal: The student will understand and have a working knowledge of the officer's role relative to community service.

PERFORMANCE OBJECTIVE(S):

80%
1

2.1.1 The student will identify the following roles as those included within the ~~police~~ law enforcement responsibility to provide community service:

(Modify)

A. Order maintenance
B. Crime prevention
C. Public education
D. Delivery of service
E. Enforcement of law

2.2.0 COMMUNITY ATTITUDES AND INFLUENCES

Learning Goal: The student will understand community reactions to an officer's conduct. (1-1-84)

PERFORMANCE OBJECTIVE(S):

70%
1

2.2.1 The student will identify ways to personally influence and affect the community's attitude toward law enforcement with the following: (8-1-87)

A. Schools
B. Media-newspapers, TV, radio
C. Family
D. Friends/Acquaintances
E. Victims/witnesses

~~70%~~
~~1~~
(Delete)

~~2.2.2~~ ~~Given word pictures or audio-visual presentations depicting an officer's interaction with the public, the student will identify the expected behavior of an officer from the perspective of the following: (1-1-84)~~

~~A. The community~~
~~B. The persons directly involved~~
~~C. The student's department~~
~~D. The student officer~~

70% 1 — 2.2.3 The student will identify the following techniques for coping with cultural and socio-economic differences. (1-1-84)

A. Identify and communicate with the representatives of different cultural and socio-economic groups
B. Avoid pre-judging individuals based on their cultural origins or socio-economic status
C. Avoid the "we-they" syndrome

70% 1 — 2.2.4 The student will identify the folkways, mores, values, and particular needs for law enforcement services of each of the following community groups: (1-1-84)

A. Racial Minority
B. Ethnic Minority
C. Women
D. Sexual Orientation
E. Economic Group
F. Elderly/youth
G. Physically Handicapped
H. Developmentally disabled

70% 1 — 2.2.5 The student will identify those factors in his/her self development which affect the way he/she deals with people. (1-1-84)

~~2.3.0~~ ~~CITIZEN EVALUATION~~

(Delete) ~~Learning Goal: --The student will understand the factors to be considered in a community's evaluation of its law enforcement agency.~~

~~PERFORMANCE OBJECTIVE(S):~~

(Delete) ~~2.3.1~~ ~~The student will identify the criteria by which citizens evaluate law enforcement agencies and their personnel. (1-1-84)~~

(Delete) ~~2.3.3~~ ~~The student will identify commonly held negative law enforcement stereotypes. (1-1-84)~~

~~2.4.0~~ ~~CRIME PREVENTION~~

(Delete) ~~Learning Goal: --The student will understand and have a working knowledge of the role of crime prevention within law enforcement. (1-1-84)~~

~~PERFORMANCE OBJECTIVE(S):~~

~~70%~~
~~2~~
(Delete)

~~2.4.1~~ ~~The student will identify the role of crime prevention within law enforcement:~~ ~~(1-1-84)~~

~~A. The definition of crime prevention~~
~~B. The crime prevention role within law enforcement agency perspective~~
~~C. The cooperative roles of law enforcement and citizens in the prevention of crime~~

2.5.0 STRESS FACTORS

Learning Goal: The student will have an understanding of psychological stress.

PERFORMANCE OBJECTIVE(S):

80%
2

2.5.1 The student will identify the following reasons for officer stress: (1-1-88)

A. Rotating shifts
B. Anger/Frustration
C. Role conflict
D. Disagreements with other components of the criminal justice system
E. Fear
F. Officer Evaluation Criteria
G. Time Constraints

80%
2

2.5.2 The student will identify the following manifestations of stress:

A. High blood pressure, shortness of breath
B. Marked increase in use of coffee, alcohol, tobacco
C. Loss of appetite, nausea
D. Trembling hands, sweating, dizziness

80%
2

2.5.3 The student will identify the following techniques of combating the cumulative effects of stress: (1-1-84)

A. Exercise
B. Diet
C. Change activity
D. Recreation
E. Flight (escape)
F. Prioritize work hours
G. Religious activity
H. Professional counseling

80% 2	2.5.4	The student will identify the situations which are likely to cause severe stress or crisis for citizens. (1-1-88)
80% 2	2.5.5	The student will identify the following basic psychological responses to victimization: (1/1/88) A. Feelings of helplessness and lack of control B. Self-blame and/or blaming others, including law enforcement C. Fear from attack or fear of retribution D. Anger E. Denial
80% 2	2.5.6	The student will identify the emotional and psychological symptoms of persons in crisis. (1-1-88)
80% 2	2.5.7	The student will identify the following verbal and non-verbal techniques for defusing crisis symptoms: A. Acknowledge victim's ordeal and reassure their safety B. Provide active listening C. Ask diversionary reality questions D. Pose simple choices to help victim regain some sense of control E. Explain all options and procedures that will follow F. Maintain good eye contact and body posture G. Keep facial expressions appropriate

2.6.0 VICTIMOLOGY

Learning Goal: The student will understand and have a working knowledge of crime victimology. (1-1-88)

70% 2	2.6.1	The student will identify the benefits of focusing attention on crime victims including: (1-1-88) A. Community support B. Criminal investigation/prosecution C. Personal/professional satisfaction
70% 2	2.6.2	The student will identify the most commonly accepted information which should be conveyed to crime victims including: (1-1-88) A. Victim compensation B. Local victim/witness services C. Access to police reports D. Case follow-up procedures and responsibilities

2.7.0 HATE CRIMES

Learning Goal: The student will understand hate crimes motivated by racial, ethnic, religious, or sexual orientation.

70% 2 — 2.7.1 The student will recognize indicators of hate-related crimes including: (7-1-88)

A. Anti-religious symbols/slurs
B. Racial/Sexual/Ethnic slurs
C. Racist symbols
D. Hate group symbols
E. Anti-gay/lesbian slurs

70% 2 — 2.7.2 The student will identify the consequences of hate crimes including: (7-1-88)

A. Psychological effect on victim
B. Denial of basic constitutional rights
C. Divisiveness in the community
D. Potential escalation of violence

3.0 FUNCTIONAL AREA: The student will know and understand the California laws that pertain to the enforcement and procedural aspects of law enforcement. The student will possess the ability to recognize violations that an officer is likely to encounter and will know the legal obligations in enforcing those laws.

3.1.0 INTRODUCTION TO LAW

Learning Goal: The student will understand and have a working knowledge of the legal principles upon which criminal law in California operates.

PERFORMANCE OBJECTIVE(S):

80% 2	3.1.1	The student will identify the difference between "spirit of the law" and "letter of the law".
80% 2	3.1.2	The student will identify the difference between "common law" and "statutory law" in relation to California law.
80% 2	3.1.3	The student will identify how case decisions affect and clarify statutory law. (Stare Decisis) (1-1-84)

3.2.0 CRIME ELEMENTS

Learning Goal: The student will understand and have a working knowledge of the basic elements of crimes as defined in California law.

PERFORMANCE OBJECTIVE(S):

80% 2	3.2.1	The student will identify each of the following as being necessary elements of "a crime" as defined by California Penal Code Section 15: (1-1-84) A. An act or omission B. In violation of statutory law C. For which there is a punishment
80% 2	3.2.2	Given the punishment for a crime, the student will classify the crime as a felony, misdemeanor, or infraction. (Penal Code Sections 16 and 17) (7-1-88)
80% 2	3.2.3	The student will identify "corpus delicti" as defined in California criminal law. (Evidence Code)

3.3.0 INTENT

Learning Goal: The student will understand and have a working knowledge of the concept of "intent" in California criminal law.

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.3.1 The student will identify the following types of "intent" recognized in California criminal law:

A. Specific
B. Transferred
C. General
D. Criminal negligence

3.4.0 PARTIES TO A CRIME

Learning Goal: The student will understand and have a working knowledge of the concept of "parties to a crime."

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.4.1 The student will identify "principal" and "accessory" as defined by California law. (Penal Code Section 30-32)

80% 2 — 3.4.2 The student will identify "accomplice" as defined by California law. (Penal Code Section 1111)

3.5.0 DEFENSES

Learning Goal: The student will understand and have a working knowledge of the concept of entrapment, and who is legally incapable of committing a crime in California.

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.5.1 The student will correctly identify entrapment as recognized by California case decisions. (1-1-84)

80% 2 — 3.5.2 The student will identify those persons who are legally incapable of committing a crime in the State of California. (Penal Code Sections 26, 27, 28, and 29) (1-1-84)

3.6.0 PROBABLE CAUSE

Learning Goal: The student will understand and have a working knowledge of the concept of "probable cause."

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.6.1 The student will identify the following elements of "reasonable suspicion" as those required to lawfully stop, detain or investigate a person: (1-1-89)

A. Specific and articulable facts
B. Crime-related activity that is occurring or is about to occur
C. Involvement by the person to be detained in the crime-related activity (9-1-84)

80% 2 — 3.6.2 Given word-pictures or audio-visual presentations depicting instances where "probable cause" for police action may or may not exist, the student will identify its presence or absence and reasons behind his/her decision. (1-1-84)

3.7.0 ATTEMPT/CONSPIRACY/SOLICITATION

Learning Goal: The student will understand and have a working knowledge of attempt, conspiracy, and solicitation as the terms relate to crime.

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.7.1 The student will identify the elements which define ATTEMPT as that term relates to crimes. (Penal Code Section 664) (-7-88)

80% 2 — 3.7.2 The student will identify CONSPIRACY as that term relates to crimes. (1-1-84)

80% 2 — 3.7.3 The student will identify SOLICITATION as that term relates to crimes. (1-1-84)

3.8.0 OBSTRUCTION OF JUSTICE

Learning Goal: The student will understand and have a working knowledge of the laws relative to obstruction of justice and how to identify the elements.

PERFORMANCE OBJECTIVE(S):

80% 2	3.8.1	Given word-pictures or audio-visual presentations depicting the possible offering or accepting of a bribe, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 67 and 68)
70% 2	3.8.2	Given word-pictures or audio-visual presentations depicting possible perjuries, the student will determine if the crime is complete and will, in any situation where the crime is complete, identify the crime by its common name and crime classification. (Penal Code Sections 118 and 126)
80% 2	3.8.3	Given word-pictures or audio-visual presentations depicting possible refusal by an officer to accept an arrested person, the student will determine if the crime is complete, and in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 142)
80% 2	3.8.4	Given word-pictures or audio-visual presentations depicting the possible impersonation of an officer, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 146a and 538d)
80% 2	3.8.5	Given word-pictures or audio-visual presentations depicting the possible threat or obstructing of an officer in the fulfillment of his/her duties, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 69, 71, 136.1, and 148)
80% 2	3.8.6	Given word-pictures or audio-visual presentations depicting the possible filing of a false police report, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 148.3 and 148.5)
70% 2	3.8.7	Given word-pictures or audio-visual presentations depicting the possible refusal to join "posse comitatus", the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 150)

3.9.0 THEFT LAW

Learning Goal: The student will understand and have a working knowledge of the crime of theft as defined in the various California Code Sections.

PERFORMANCE OBJECTIVE(S):

80% 2	3.9.1	Given word-pictures or audio-visual presentations depicting a possible theft, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 484, 487, 488, 499b and Vehicle Code 10851)
80% 2	3.9.2	Given word-pictures or audio-visual presentations depicting the possible defrauding of an innkeeper, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 537)
70% 2	3.9.3	Given word-pictures or audio-visual presentations depicting a possible appropriation of lost property, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 485)

3.10.0 EXTORTION LAW

(add) Learning Goal: The student will understand and have a working knowledge of the crime of extortion.

PERFORMANCE OBJECTIVE(S):

70% 2 (add)	3.10.1	Given word-pictures or audio-visual presentations depicting a possible extortion, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 518 and 520)

3.11.0 EMBEZZLEMENT LAW

(add) Learning Goal: The student will understand and have a working knowledge of the crime of embezzlement as described in California law.

PERFORMANCE OBJECTIVE(S):

70% 2 (add) 3.11.1 Given word-pictures or audio-visual presentations depicting a possible embezzlement, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 503, 504, 507, 508, and 514)

3.12.0 FORGERY/FRAUD LAW

Learning Goal: The student will understand and have a working knowledge of the crimes of forgery and fraud.

PERFORMANCE OBJECTIVE(S):

80% 2 3.12.1 Given word-pictures or audio-visual presentations depicting a possible forgery, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 470)

80% 2 3.12.2 Given word-pictures or audio-visual presentations depicting possible fraud, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 476a)

(New) S 3.12.3 The student will identify the most frequently encountered fraudulent documents.

A. Drivers license/ID card
B. Medi-Cal cards
C. Birth Certificates
D. Licenses issued by regulatory agencies
E. Immigration documents

3.13.0 BURGLARY LAW

(add) Learning Goal: The student will understand and have a working knowledge of the crime of burglary as defined in California law.

PERFORMANCE OBJECTIVE(S):

80% 2 (add)	3.13.1	Given word-pictures or audio-visual presentations depicting the possible unauthorized entry of property, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 602.5)
80% 2 (add)	3.13.2	Given word-pictures or audio-visual presentations depicting a possible burglary, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 459)

3.14.0 RECEIVING STOLEN PROPERTY LAW

Learning Goal: The student will understand and have a working knowledge of the crime of receiving stolen property as defined in California criminal law.

PERFORMANCE OBJECTIVE(S):

80% 2	3.14.1	Given word-pictures or audio-visual presentations depicting the possible receiving of stolen property, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 496)

3.17.0 ASSAULT/BATTERY LAW

Learning Goal: The student will understand and have a working knowledge of the crimes of assault and battery as defined in California law.

PERFORMANCE OBJECTIVE(S):

80% 2	3.17.1	Given word-pictures or audio-visual presentations depicting possible assaults, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 240)

80% 2 — 3.17.2 Given word-pictures or audio-visual presentations depicting possible batteries, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 242)

3.18.0 ASSAULT WITH DEADLY WEAPON LAW

Learning Goal: The student will understand and have a working knowledge of the crime of assault with a deadly weapon as defined in California law.

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.18.1 Given word-pictures or audio-visual presentations depicting a possible assault with a deadly weapon, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 245)

3.24.0 DEADLY WEAPONS LAW

Learning Goal: The student will understand and have a working knowledge of the laws relative to deadly weapons as defined in California law.

PERFORMANCE OBJECTIVE(S):

80% 2 — 3.24.1 Given word-pictures or audio-visual presentations depicting possible acts of drawing and/or exhibiting a firearm, or a replica, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 417, 417.1, 417.2, 417.3, 417.6, 417.8) (7-1-88)

80% 2 — 3.24.2 Given word-pictures or audio-visual presentations depicting the possible shooting at an inhabited dwelling, occupied building, inhabited house car, inhabited camper, vehicle, or aircraft the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 246, 246.3 and 247)

80% 2	3.24.3	Given word-pictures or audio-visual presentations depicting possible violations of law regarding possession of a switch blade knife, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 653k) (1-1-84)
80% 2	3.24.4	Given word-pictures or audio-visual presentations depicting possible possession of any weapons enumerated in P. C. Section 12020, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 12020)
80% 2	3.24.5	Given word-pictures or audio-visual presentations depicting possible possession of a concealable firearm by a felon, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 12021 and 12021.5) (1-1-84)
80% 2	3.24.6	Given word-pictures or audio-visual presentations depicting possible carrying of a concealed weapon, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 12025, 12026, 12026.1, 12026.2, 12027 and 467) (1-1-84)
80% 2	3.24.7	Given word-pictures or audio-visual presentations depicting possible carrying of a loaded firearm, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 12031)
80% 2	3.24.8	Given word-pictures or audio-visual presentations depicting the possible altering of the serial numbers on a firearm, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 12090) (1-1-84)

3.25.0 ROBBERY LAW

(add) Learning Goal: The student will understand and have a working knowledge of the crime of robbery as defined in California criminal law.

PERFORMANCE OBJECTIVE(S):

80% 2 3.25.1 Given word-pictures or audio-visual presentations depicting possible robberies, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 211)

3.28.0 SEX CRIMES LAW

(add) Learning Goal: The student will understand and have a working knowledge of the crimes constituting sex offenses as defined in California law.

PERFORMANCE OBJECTIVE(S):

80% 2 (add) 3.28.1 Given word-pictures or audio-visual presentations depicting possible acts of indecent exposure, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 314)

3.28.2 Renumbered to 3.21.5 (1-1-86)

80% 2 (add) 3.28.3 Given word-pictures or audio-visual presentations depicting possible acts of oral copulation, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 288a)

80% 2 (add) 3.28.4 Given word-pictures or audio-visual presentations depicting a possible sodomy, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 286)

80% 2 (add) 3.28.6 Given word-pictures depicting unlawful sexual intercourse, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 261.5)

(new) S

3.28.12 Given word-pictures depicting a possible psychotherapist sexual exploitation, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (B & P Code 729)

3.29.0 RAPE LAW

(add) Learning Goal: The student will understand and have a working knowledge of California law relative to the crime of rape.

PERFORMANCE OBJECTIVE(S):

(add) 80% 2 3.29.1 Given word-pictures depicting a possible rape the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Sections 261 (1), (2), (3), (4), (5), (6) or (7))

(add) 80% 2 3.29.3 Given word-pictures depicting a possible penetration of genital or anal openings by foreign object, the student will determine if the crime is complete, and will identify the crime by its common name and classification. (Penal Code Section 289)

(add) 80% 2 3.29.4 Given word-pictures depicting a possible sexual battery, the student will determine if the crime is complete, and will identify the crime by its common name and classification. (Penal Code Section 243.4) (7-1-85)

3.31.0 CONTROLLED SUBSTANCES LAW

(add) Learning Goal: The student will understand and have a working knowledge of the specific characteristics of controlled substances and the laws regulating their use.

PERFORMANCE OBJECTIVE(S):

(add) 80% 2 3.31.1 The student will identify the elements necessary to establish the offense of possession of a controlled substance: (1-1-85)

A. Knowledge
B. Control or constructive control
C. Usable quantity

80% 2 (add) 3.31.2 The student will identify the elements necessary to establish the offense of possession of a controlled substance for sale: (1-1-85)

A. Knowledge
B. Control
C. Intent--for sales
D. Usable quantity

80% 2 (add) 3.31.3 The student will identify the elements necessary to establish the offense of transporting, selling, and furnishing a controlled substance or substance in lieu of: (3-1-88)

A. Knowledge
B. Control
C. Intent
D. Usable quantity

80% 2 (add) 3.31.4 The student will identify the elements necessary to establish the offense of possession of paraphernalia for the unlawful use of a controlled substance: (1-1-85)

A. Knowledge
B. Control
C. Intent

80% 2 (add) 3.31.5 The student will identify the elements necessary to establish the offense of being present where controlled substances are unlawfully being used: (1-1-85)

A. Knowledge
B. Presence itself
C. Usable quantity

3.31.6 Renumbered to 3.32.5 (3-1-88)

3.31.7 Renumbered to 3.32.6 (3-1-88)

3.32.0 NON-NARCOTIC DRUG LAW

(add) Learning Goal: The student will understand and have a working knowledge of the laws and specific characteristics of hallucinogens, Peyote, LSD, and PCP non-narcotics. (3-1-88)

PERFORMANCE OBJECTIVE(S):

80% 2 (add) 3.32.1 When shown or given a description of LSD, the student will identify it as a restricted substance and the following information: (Health and Safety Code Section 11377(a))

A. Its common (non-technical) name and slang name(s)
B. How it is introduced into the system
C. The ways in which it is typically packaged
D. Its effect on the user, both short and long term

80% 2 (add) 3.32.2 When shown or given a description of peyote in its common form, the student will identify it as a restricted substance and the following information:

A. Its common (non-technical) name(s) or slang name(s)
B. How it is introduced into the system
C. The ways it is typically packaged
D. Its effect on the user, both short and long term

80% 2 (add) 3.32.3 When shown or given a description of PCP, the student will identify it as a controlled substance and the following information: (3-1-88)

A. Its common name(s) or slang name(s)
B. The ways in which it is introduced into the system
C. The ways in which it is commonly packaged
D. Its effects on the user, both short and long term
E. Hazards associated with handling.

80% 2 (add) 3.32.4 When shown or given a description of Psilocybin, the student will identify it as a controlled substance and the following information: (3-1-88)

A. Its common (non-technical) name(s) or slang name(s)
B. The ways in which it is introduced into the system
C. The ways in which it is commonly packaged
D. Its effects on the user, both short and long term

80% 2 (add) 3.32.5 The student will identify the physical effects of non-narcotic depressants and the way in which they are typically packaged. (3-1-88)

80% 2 (add) 3.32.6 When shown or given a description of amphetamines and methamphetamines in their common forms, the student will identify each as a restricted substance and the following information: (Health and Safety Code Section 11377) (3-1-88)

A. Their common (non-technical) names or slang names
B. How they are introduced into the system
C. The ways in which they are commonly packaged
D. Its effects on the user, both short and long term
E. Hazards associated with handling

3.33.0 NARCOTICS LAW

(add) Learning Goal: The student will understand and have a working knowledge of the laws and specific characteristics of the various forms of narcotics. (3-1-88)

PERFORMANCE OBJECTIVE(S):

80% 2 (add) 3.33.1 Given word-pictures or audio-visual presentations depicting the possible possession of an instrument used for unlawfully injecting or smoking a controlled substance (other than marijuana), the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Health and Safety Code Section 11364 and Business and Professions Code Section 4140) (1-1-85)

80% 2 (add) 3.33.2 When shown or given a description of heroin, the student will identify it as a restricted substance, its crime classification and the following information: (Health and Safety Code Sections 11350, 11351, and 11550) (3-1-88)

A. Its common name(s) or slang name(s)
B. The ways in which it is introduced into the body
C. The ways in which it is commonly packaged
D. Its effects on the user, both short and long term

80% 2 (add) 3.33.3 When shown or given a description of cocaine, the student will identify it as a restricted substance, its crime classification, and the following information: (Health and Safety Code Sections 11350, 11550(a), and 11351.5)

A. Its common (non-technical) name(s) or slang name(s)
B. The ways in which it is introduced into the system
C. The ways in which it is commonly packaged
D. Its short and long term effects on the user

3.34.0 MARIJUANA LAW

(add) Learning Goal: The student will understand and have a working knowledge of the laws and specific characteristics of the drug Marijuana.

PERFORMANCE OBJECTIVE(S):

80% 2 (add) 3.34.1 When shown or given a description of Marijuana, and/or being subjected to burning Marijuana, the student will recognize and identify it as a controlled substance, its crime classification and the following information: (Health and Safety Code Sections 11357a, b, c, d, e, and 11359) (1-1-85)

A. Its slang name(s)
B. The ways in which it is typically packaged
C. Its effects on the user, both short and long term
D. Those elements necessary to establish possession and possession for sale specific to Marijuana

80% 2 (add) 3.34.2 Given word-pictures or audio-visual presentations depicting the possible cultivating or harvesting of Marijuana, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Health and Safety Code Section 11358)

(1-1-85)

3.37.0 CONSTITUTIONAL RIGHTS LAW

Learning Goal: The student will understand and have a working knowledge of the basic constitutional rights of person(s) suspected or accused of a crime.

PERFORMANCE OBJECTIVE(S):

80% 2 3.37.1 The student will identify the provisions of the following amendments to the U. S. Constitution and the impact each has upon a peace officer's duties:

A. 1st Amendment
B. 4th Amendment
C. 5th Amendment
D. 6th Amendment
E. 8th Amendment
F. 14th Amendment

70% 2	3.37.3	Given a description of a possible violation of Title 18, Section 241 of the U. S. Code, the student will identify the crime by title and section. (7-1-88)
70% 2	3.37.4	Given a description of a possible violation of Title 18, Section 242 of the U. S. Code, the student will identify the crime by title and section. (7-1-88)

3.38.0 LAWS OF ARREST

Learning Goal: The student will understand and have a working knowledge of the laws of arrest.

PERFORMANCE OBJECTIVE(S):

90% 2	3.38.1	The student will describe the peace officer's authority to arrest. (Penal Code Section 836, Vehicle Code Section 40300.5) (1-1-84)
80% 2	3.38.2	The student will identify the elements of an arrest. (Penal Code Sections 834 and 835)
90% 2	3.38.3	Given word-pictures or audio-visual presentations depicting differing arrest situations, the student will identify the amount of force that may be used when effecting an arrest. (Penal Code Sections 835(a) and 843)
80% 2	3.38.4	Given word-pictures or audio-visual presentations depicting arrest situations, the student will explain what information the person arrested must be provided and at what time it must be provided. (Penal Code Section 841)
80% 2	3.38.5	Given word-pictures or audio-visual presentations depicting an arrest to be made, the student will identify the time of day or night that an arrest may be made. (Penal Code Section 840)
80% 2	3.38.6	Given word-pictures or audio-visual presentations depicting arrest situations, the student will identify what the peace officer is required to do with the person arrested. (Penal Code Sections 825, 848, 849, 851.5, 853.5, and 853.6)
80% 2	3.38.7	Given word-pictures or audio-visual presentations depicting an officer(s) entering the premises to make an arrest, the student will identify those situations where the legal requirements of such entry were fulfilled by the officer(s). (Penal Code Section 844)

80% 2	3.38.8	The student will identify the requirements placed upon a person making an arrest of another. (Penal Code Section 847)
80% 2	3.38.9	Given word-pictures or audio-visual presentations depicting "private person" arrests, the student will determine if the arrest is legal. (Penal Code Section 837)
80% 2	3.38.12	The student will identify the instances where a peace officer is not civilly liable for false arrest or false imprisonment arising out of an arrest. (Penal Code Sections 836.5 and 847) (1-1-84)
80% 2	3.38.13	The student will identify the following legal exceptions to arrest: (1-1-84) A. Diplomatic immunity (22 U.S. Const. 252) B. "Stale misdemeanor" rule (Hill v. Levy, 117 C.A. 2nd, 667) (Roynin v. Battin, 55 CA 2nd 861)) C. "Congressional exceptions" (Art. 1, Section 6, U.S. Const. and (Art. 4, Section 2, Cal. Const.)

3.41.0 JUVENILE LAW AND PROCEDURE

Learning Goal: The student will understand and have a working knowledge of the laws and procedures relative to juveniles.

PERFORMANCE OBJECTIVE(S):

70% 2	3.41.1	The student will identify the purpose of the "Juvenile Court Law." (Welfare and Institutions Code Sections 202 and 203)
70% 2	3.41.2	The student will identify the scope of the authority of the Juvenile Court. This identification will include the age requirement (Welfare and Institutions Code Sections 603 and 607) and the circumstances under which a juvenile comes within the jurisdiction of the Juvenile Court (Welfare and Institutions Code Sections 300, 601, and 602)
80% 2	3.41.3	The student will identify the circumstances under which an officer may take a juvenile into temporary custody. (Welfare and Institutions Code Section 305 and 625)

80% 2	3.41.4	The student will identify the requirements relating to the advisement of the constitutional rights of a juvenile taken into custody. (Welfare and Institutions Code Section 625 and 627.5)
80% 2	3.41.5	The student will identify the requirements pertaining to the segregation of juveniles from other prisoners. (Welfare and Institutions Code Sections 206 through 208)
80% 2	3.41.6	The student will identify various stages of a typical juvenile case proceeding from temporary detention through the juvenile court hearing. (Welfare and Institutions Code Sections 626-634, 636, and 657)
70% 2	3.41.7	Given word-pictures or audio-visual presentations depicting an officer taking an injured or sick juvenile into temporary custody, the student will identify the legal requirements for securing medical aid for the juvenile. (Welfare and Institutions Code Section 625c)
80% 2	3.41.8	Given word-pictures or audio-visual presentations depicting the possible contributing to the delinquency of a minor, the student will determine if the crime is complete and, in any situation where the crime is complete, will identify the crime by its common name and crime classification. (Penal Code Section 272)

3.43.0 CRIMINAL/ADMINISTRATIVE CODE

Learning Goal: The student will understand the ~~relationship~~ fundamental differences between ~~the major~~ California ~~criminal codes~~ civil law and California ~~administrative~~ criminal law.

PERFORMANCE OBJECTIVES

(modify) S 3.43.1 The student will identify ~~at least one~~ the following aspects of California civil ~~criminal code which contains the~~ laws; ~~that his agency is responsible for enforcing.~~

A. Administrative hearings
B. Inspection warrants
C. Subpoena powers
D. Burden of proof

(modify) S

3.43.2 The student will identify the ~~Administrative Code by title, which pertains to his agency.~~ following elements of the administrative process:

A. Administrative subpoena as part of the investigation
B. Accusation by Attorney General
C. Agency filing
D. Administrative subpoena as part of the hearing
E. Hearing
F. Decision
   1. Proposed
   2. Final
G. Administrative appeal process
H. Judicial appeal process
I. Administrative sanctions

(new) S

3.43.3 The student will identify the difference between the admonition in criminal cases vs. administrative cases.

4.0 FUNCTIONAL AREA: The student will possess sufficient knowledge to enable the student to proficiently apply the rules of evidence to law enforcement activities.

4.1.0 CONCEPTS OF EVIDENCE

Learning Goal: The student will understand and have a working knowledge of the concepts of evidence as defined and used in California law.

PERFORMANCE OBJECTIVE(S):

80% 2 — 4.1.1 The student will identify the following:

A. Evidence
B. Direct evidence
C. Circumstantial evidence

80% 2 — 4.1.2 The student will identify the following types of evidence or material related to the introduction of evidence in court and will recognize an example of each:

A. Fruits of a crime
B. Instrumentalities of a crime
C. Contraband

70% 2 — 4.1.3 The student will identify the following purposes for offering evidence in court:

A. As an item of proof
B. To impeach a witness
C. To rehabilitate a witness
D. To assist in determining sentence

80% 2 — 4.1.4 The student will identify the following minimal tests which an item of evidence must successfully pass before it may be admitted into any criminal court. (Evidence Code Section 210)

A. The evidence must be relevant to the matter in issue
B. The evidence must be competently presented in court
C. The evidence must have been legally obtained

80% 2 — 4.1.5 The student will identify the main purpose of the "Rules of Evidence" as protecting the jury from seeing or hearing evidence that is: (1-1-89)

A. Likely to confuse the issues (e.g., irrelevant or unreliable evidence)
B. Unfairly prejudicial (e.g., other "bad" acts of the defendant unrelated to the charges.
C. Unduly time consuming to present in court

4.2.0 PRIVILEGED COMMUNICATION

Learning Goal: The student will understand and have a working knowledge of privileged communications.

PERFORMANCE OBJECTIVE(S):

70% 2 — 4.2.1 Given word-pictures depicting possible privileged relationships, the student will identify when the privileged communication rule applies.

Depictions to include:

A. Husband and wife (Evidence Code Section 970 and 980)
B. Attorney and client (Evidence Code Section 950)
C. Clergyman and confessor (Evidence Code Section 1030)
D. Physician and patient (Evidence Code Section 990)

4.4.0 SUBPOENA

Learning Goal: The student will understand and have a working knowledge of the use and purpose of the subpoena.

PERFORMANCE OBJECTIVE(S):

70% 2 — 4.4.1 The student will identify the legal definition of the term "subpoena."

70% 2 — 4.4.2 The student will identify the following points about a subpoena:

A. Who may exercise the power of subpoena
B. Who is subject to the power of subpoena
C. How a California subpoena is enforced

4.5.0 BURDEN OF PROOF

Learning Goal: The student will understand and have a working knowledge of the term "burden of proof."

PERFORMANCE OBJECTIVE(S):

70% 2 — 4.5.1 The student will identify, in the following situations, whether the "burden of proof" falls upon the prosecution or defense during a criminal trial:

A. Criminal guilt (Evidence Code Section 520)
B. Corpus delicti (Evidence Code Section 550)
C. Jurisdiction (Evidence Code Section 666)
D. Double jeopardy as a defense (Evidence Code Section 500)
E. Self-defense as a defense (Evidence Code Section 500)

4.6.0 RULES OF EVIDENCE

Learning Goal: The student will understand and have a working knowledge of the basic rules of evidence.

PERFORMANCE OBJECTIVE(S):

80% 2 — 4.6.1 The student will identify the effects of the "exclusionary rule" upon police actions and procedures in the following areas: (Evidence Code and Case Law)

A. Civil rights
B. Inadmissible evidence
C. Possibility of false arrest

70% 2 — 4.6.2 The student will identify the definition of the Hearsay Rule. (Evidence Code Section 1200)

80% 2 — 4.6.3 The student will identify the following exceptions to the Hearsay Rule: (Evidence Code Section 1220)

A. Spontaneous statements
B. Admissions
C. Confessions
D. Dying declarations

4.7.0 SEARCH CONCEPTS

Learning Goal: The student will understand and have a working knowledge of the legal concepts relative to searches.

PERFORMANCE OBJECTIVE(S):

80% 2 — 4.7.1 The student will identify the conditions under which the following types of legally authorized searches may be made: (Case Law Decisions)

A. Consent searches
B. Contemporaneous to arrest
C. Probable cause searches
D. A search warrant
E. Plain sight
F. Exigent circumstances
G. Frisk

80% 2 — 4.7.2 — The student will identify the following items as those for which an officer may legally search (Case Law Decisions): (9-1-84)

A. Dangerous weapons
B. Fruits of the crime
C. Instruments of the crime
D. Contraband
E. Suspects
F. Additional Victims

80% 2 — 4.7.4 — The student will identify the definition of the following terms relative to search (Case Law Decisions): (9-1-84)

A. Consent
B. Scope of searches
C. Contemporaneous
D. Probable cause
E. Instrumentalities of a crime
F. Contraband
G. Knock and notice
H. Container search doctrine

(new) S — 4.7.5 — The student will identify the definition of inspection warrants.

4.8.0 SEIZURE CONCEPTS

Learning Goal: The student will understand and have a working knowledge of the concept of lawful evidence seizure.

PERFORMANCE OBJECTIVE(S):

80% 2 — 4.8.1 — Given word-pictures or audio-visual presentations depicting where force is used to prevent a suspect from swallowing evidence, the student will identify those situations where the force is justified.

80% 2 — 4.8.2 — The student will identify an example wherein inducing a suspect to vomit would be legally justified. (Case Law)

80% 2	4.8.3	The student will identify an example wherein the use of force to extract blood evidence from a suspect would be legally justified. (Case Law)
80% 2	4.8.4	The student will identify an example wherein the use of force to extract fingerprint evidence from a suspect would be legally justified. (Case Law)
70% 2	4.8.5	The student will identify an example wherein the suspect would have no legal right to refuse to give handwriting exemplars. (Case Law)

4.9.0 LINE-UPS AND SHOW-UPS

Learning Goal: The student will understand and have a working knowledge of the requirements of suspect identification. (7-1-88)

PERFORMANCE OBJECTIVE(S):

80% 24 (Delete)	~~4.9.1~~	~~Given word-pictures or audio-visual presentations depicting an "in-the-field show-up," the student will identify the steps necessary to conduct the show-up in a manner that would make the results admissible in court.~~
70% 2	4.9.3	Given word-pictures or audio-visual presentations depicting a photographic identification, the student will identify the steps necessary to conduct the "photographic identification" in a manner that would make the results admissable. (7-1-88)
80% 2 (Delete)	~~4.9.4~~	~~Given word-pictures or audio-visual presentations depicting a "line-up," the student will identify the steps necessary to conduct the line-up in a manner that would make the results admissible. (7-1-88)~~

4.10.0 SEARCH WARRANTS

S Learning Goal: The student will understand the search warrant process.

PERFORMANCE OBJECTIVE

S	4.10.1	The student will identify the procedural steps and the legal requirements for (1) developing affidavits and (2) obtaining and executing search warrants.
S (new)	4.10.2	Given a description of a situation where a search warrant is needed, the student will prepare an affidavit supporting the warrant and complete the required forms.

4.11.0 DISCOVERY

(Delete) Learning Goal:--The student will understand the concept of discovery.

PERFORMANCE OBJECTIVE

4.11.1 The student will identify and discuss the following two topics as they relate to discovery:

(Delete)

A. In Camera Hearings
B. Public Information Act

4.12.0 WITNESS QUALIFICATIONS

(Delete) Learning Goal:--The student will understand that becoming qualified as an expert witness, and remaining so qualified, is a continuing process.

PERFORMANCE OBJECTIVE

4.12.1 The student will identify two areas in which careful and continuous records must be kept to facilitate qualification as an expert witness:

A. Education
B. Experience

5.0 FUNCTIONAL AREA: The student will possess the proficiency to communicate effectively and professionally through written, oral, and mechanical media.

5.1.0 INTERPERSONAL COMMUNICATIONS

Learning Goal: The student will understand and have a working knowledge of interpersonal communication.

PERFORMANCE OBJECTIVE(S):

80% 2 — 5.1.1 The student will identify the following as non-language factors which contribute to a negative response from the public:

A. Officious and oppressive manner
B. Disrespectful attitude
C. Officious tone of voice
D. Use of body language

80% 2 — 5.1.2 The student will identify the following as being language factors which contribute to a negative response from the public: (1-1-89)

A. Profanity
B. Derogatory language
C. Offensive terminology directed toward members of community groups
D. Inappropriate use of police jargon

80% 4 — 5.1.3 Given practical exercises depicting stressful situations of interaction with the public, the student will deal properly and effectively with persons exhibiting difficulty communicating due to: (1-1-88)

A. Irrational behavior
B. Age

80% 2 — 5.1.4 The student will identify the verbal/non-verbal behavior which is indicative of potentially hostile actions of people including: (7-1-88)

A. Red flushed face
B. Loud voice
C. Hyperventilation
D. Anger
E. Shaking, twitching hands

5.2.0 NOTE TAKING

Learning Goal: The student will understand the note taking process.

PERFORMANCE OBJECTIVE(S):

80% 2 — 5.2.1 The student will identify the following uses of field notes:

A. Basis for writing reports
B. Reduces the need to recontact parties involved
C. Provides a greater degree of accuracy relative to times, statements, and events than memory alone

80% 2 — 5.2.2 The student will identify the following types of information that should be entered into field notes:

A. Suspects
B. Victims
C. Witnesses
D. Date(s) and time(s) of occurrence
E. Exact location of occurrence and persons involved
F. Any other important information, i.e., case number, location and chain of evidence, assisting officer's activity, type of incident

80% 3 — 5.2.3 Given simulated police situations, the student will demonstrate the ability to take neat and accurate notes.

70% 2 — 5.2.4 Given a practical exercise, the student will take notes during an interview in such a manner as to not discourage the interviewee from talking.

5.3.0 INTRODUCTION TO REPORT WRITING

Learning Goal: The student will have a basic understanding of report writing.

PERFORMANCE OBJECTIVE(S)

80% 2 — 5.3.1 The student will identify the following uses of police reports:

A. Record facts into a permanent record
B. Provide coordination of follow-up activities and investigative leads
C. Provide basis for prosecution and use by defense
D. Provide a source for officer evaluation
E. Provide statistical data
F. Provide reference material

80% 1	5.3.2	The student will identify the following characteristics as essential to a good report: A. Accuracy B. Conciseness C. Completeness D. Clarity E. Legibility F. Objectivity G. Grammatically Correct H. Correct Spelling
80% 1	5.3.3	The student will identify the following questions as those that should be answered by a complete report: A. Who B. What C. When D. Where E. Why F. How

5.4.0 <u>REPORT WRITING MECHANICS</u>

<u>Learning Goal</u>: **The student will know the basic mechanics of report writing.**

<u>PERFORMANCE OBJECTIVE(S):</u>

80% 2	5.4.1	**The student will demonstrate the ability to spell job-related words.**
80% 2	5.4.2	**The student will demonstrate the ability to distinguish between active and passive voice sentence construction.**
80% 2	5.4.3	**Given examples of faulty sentence structure, the student will revise them into clear and complete sentences. This will minimally include correcting:** **A. Sentence fragments** **B. Run-on sentences** **C. Comma splices**
80% 1	5.4.4	**The student will identify inappropriate words for police reports. This will minimally include:** **A. Slang (except when quoted)** **B. Jargon (except when quoted)** **C. Non-standard abbreviations**

80% 2	5.4.5	The student will revise third person sentence construction to first person.
80% 1	5.4.6	Given a series of events, the student will, to the satisfaction of the instructor, place them in chronological order.

5.5.0 REPORT WRITING APPLICATION

Learning Goal: The student will gain the ability to write clear and concise reports.

PERFORMANCE OBJECTIVE(S):

80% 3 — 5.5.1 Given simulated law enforcement situations, the student will organize or write the facts in an appropriate report format.

This will be accomplished by:

A. Gathering relevant information by conducting a preliminary investigation (Ref. 10.1.0).
B. Organizing the necessary facts in either a chronological or categorical order.
C. Relating the facts in appropriate sentence form using grammatically and structurally correct sentences.
D. Utilizing the principles of Report Writing Mechanics (Ref. 5.4.0).

5.6.0 USE OF THE TELEPHONE

Learning Goal: The student will understand how to properly use the telephone.

PERFORMANCE OBJECTIVE(S):

80% 2 — 5.6.1 The student will identify what must be accomplished by an officer in a telephonic situation reflecting a police problem which results in a positive law enforcement image and effective communication.

This response will minimally include the following:

A. Prompt answering
B. Appropriate greeting and identification
C. Courteous listening
D. Accurate recording of information
E. Demonstrated interest and sincerity
F. Quick and accurate routing of calls
G. Provision of service or information requested
H. Courteous termination of call

5.7.0 DEAF AND HEARING IMPAIRED

(add) Learning Goal: The student will gain the ability to communicate effectively with the deaf and hearing impaired. (1-1-88)

PERFORMANCE OBJECTIVE(S):

80% 2 (add) 5.7.1 The student will identify the necessary considerations in communicating effectively with the deaf and hearing impaired including: (1-1-88)

A. Recognition
B. Approach
C. Communicating
D. Safety
E. Legal

5.8.0 LAW ENFORCEMENT RADIO COMMUNICATIONS

(add) Learning Goal: The student will understand the concepts and effective methods of law enforcement radio communications.

80% 3 5.8.1 The student will demonstrate the mechanical operation of law enforcement radio equipment including:

A. On/Off Switch
B. Proper hand/mouth microphone positions
C. Antenna position
D. Squelch/Volume control
E. Frequency selection

(add) 80% 3 5.8.2 The student will demonstrate the proper procedures and techniques of radio communications, which will minimally include:

A. ABC's of radio demeanor (accuracy, brevity, clarity/courtesy)
B. Waiting until the air is clear before pressing the transmit button
C. Pressing the transmit button firmly and speaking calmly and clearly into the microphone to ensure even modulation
D. Understanding emergency traffic and saving routine and non-emergency transmissions until the termination of the emergency
E. Knowing the purpose of call signs their assignments, and beat locations
F. Ensuring message acknowledgement
G. Applicable FCC rules and regulations governing radio operations
H. Commonly used radio codes

(add) 80% 3	5.8.3	Given a classroom/field exercise or scenario in which there is one or more suspects, the student shall demonstrate the proper use of a law enforcement radio to complete a crime broadcast. This demonstration will minimally include: A. Type of incident and location B. Number of suspects with complete known description C. Description of loss, if any D. Weapon(s) used E. Time, direction of flight, and vehicle description

6.0 FUNCTIONAL AREA: The student will possess the proper attitudes, knowledge, and skills to enable the student to safely and legally operate a law enforcement vehicle under all operating conditions.

(Delete)

6.1.0 INTRODUCTION TO VEHICLE OPERATION

Learning Goal: The student will understand the importance of the defensive driving components necessary to safely operate a law enforcement vehicle. (1-1-85)

PERFORMANCE OBJECTIVE(S):

80% 2 — 6.1.1 The student will identify the following components of "defensive driving":

A. Driver attitude
B. Driver skill
C. Vehicle capability
D. Driving conditions

80% 2 — 6.1.2 The student will identify the following factors as those which may contribute to traffic collisions:

A. Over-confidence
B. Self-righteousness
C. Impatience
D. Preoccupation
E. Peer pressure

80% 2 — 6.1.3 The student will identify the following driving movements or activities as most frequently contributing to law enforcement collisions: (1-1-85)

A. Unsafe speed for conditions
B. Right-of-way violations
C. Left-hand turns
D. Backing
E. Parking

80% 2 — 6.1.4 The student will identify the following reasons why "fatigue" is a physiological condition which poses a threat to safe driving:

A. Fatigue lowers visual efficiency
B. Fatigue causes longer perception time
C. Fatigue causes longer decision/reaction time

80% 2 — 6.1.5 The student will identify the following advantages of using seat (safety) belts when driving a vehicle:

A. Reduced chance of injury or death if involved in collision
B. Better vehicle control
C. Compliance with applicable law/policy (1-1-85)

6.2.0 VEHICLE OPERATION FACTORS

Learning Goal: The student will understand the basic safety factors of vehicle operation.

(Delete)

80% 2 6.2.1 The student will identify the following traffic conditions that affect safe vehicle operation:

A. Traffic density
B. Speed of vehicles
C. Type of vehicles
D. Pedestrians
E. Animals (1-1-85)

80% 2 6.2.2 The student will identify the following conditions which influence the overall "stopping distance" of a vehicle:

A. Driver
B. Vehicle
C. Road
D. Weather
E. Speed

80% 2 6.2.3 The student will identify the effects of speed upon a turning vehicle:

A. Turning radius increases as speed increases and decreases as speed is reduced
B. Traction decreases as speed increases
C. Weight transfer occurs in opposite direction of turn

80% 2 6.2.4 The student will identify, in the proper sequence, the components that make up total stopping distance:

A. Perception of danger
B. Decision/Reaction
C. Braking (1-1-84)

80% 2 6.2.5 Given a vehicles speed in miles per hours, the student will identify the distance it travels in:

A. 3/4 of a second
B. One second (3-1-90)

6.4.0 VEHICLE OPERATION LIABILITY
(Delete)

Learning Goal: The student will understand an officer's legal obligations and liabilities when operating an emergency vehicle.

PERFORMANCE OBJECTIVE(S):

80% 2 — 6.4.1 — The student will identify the following situations in which the driver of an authorized emergency vehicle is exempt from the Vehicle Code provisions listed in Section 21055:

A. Responding to an emergency call
B. Engaged in a rescue operation
C. In pursuit of a violator
D. Responding to a fire alarm

80% 2 — 6.4.2 — The student will identify the exemption requirements of the Vehicle Code regarding the use of red light and siren, under Sections 21055b and 21807.

80% 2 — 6.4.3 — The student will identify that an officer operating a law enforcement vehicle under nonemergency conditions is subject to the same "rules of the road" as any other driver. (Vehicle Code Section 21052)

80% 2 — 6.4.4 — The student will identify the following conditions under which an officer or law enforcement agency may be held liable for deaths, injury, or property damage which occur while an emergency vehicle is being operated with red lights and siren (Code 3):

A. Failure to drive with due regard for the safety of all persons described in Vehicle Code Section 21056
B. An agency when it has not adopted a written policy on police pursuits in compliance with Vehicle Code Section 17004.7
C. A negligent or wrongful act or omission by an employee of the entity as described in Vehicle Code Section 17001
D. When not in immediate pursuit of actual or suspected violator or responding to a bona fide emergency as described in Vehicle Code Section 17004

6.5.0 VEHICLE INSPECTION
(Delete)

Learning Goal: The student will know how to conduct a vehicle inspection. (1-1-89)

PERFORMANCE OBJECTIVE(S):

80% 2 — 6.5.1 The student will identify the following objectives of a pre-shift vehicle safety inspection:

A. Prevent traffic collisions
B. Maintain operational efficiency
C. Provide sense of confidence in the vehicle

80% 2 — 6.5.2 The student will identify the components of a pre-shift vehicle inspection: (3-1-90)

A. Mechanical check
B. Interior check
C. Exterior check
D. Required inventory

7.0 FUNCTIONAL AREA: The student will possess the basic knowledge and psychomotor abilities to enable the student to exercise good judgment and competency in the use of deadly force and weaponless defense.

7.1.0 EFFECTS OF FORCE

Learning Goal: The student will understand the psychological and physiological effects and liabilities of the use of force.

PERFORMANCE OBJECTIVE(S):

80% 2 — 7.1.1 The student will identify the following effects that training has on the psychological and physiological forces which affect a person threatened with danger:

A. Confidence in one's abilities
B. Development of instinctive reaction
C. Mental alertness and concentration
D. Self-control over emotions and body

80% 2 — 7.1.2 The student will identify the possible criminal and civil liabilities that are attached through the use of force in a law enforcement situation. These include: (7-1-84)

A. Personal compensatory and punitive civil tort actions
B. Personal criminal actions for improper use of authority or force
C. Personal civil rights violations, both federal and state
D. Agency liability under the "master/servant" rule
E. Agency liability under federal civil rights laws
F. Agency liability under "failure to train" or failure to supervise" tort theories

7.2.0 REASONABLE FORCE

Learning Goal: The student will understand the use of reasonable force in police activity.

PERFORMANCE OBJECTIVE(S):

90% 2 — 7.2.1 The student will identify "reasonable force" as indicated in PC 835 and 835a. (9-1-84)

100% 2 — 7.2.2 Given word-pictures or audio-visual presentations depicting arrest situations where deadly force is not necessary, the student will identify the amount of force that may be used in each arrest. (Penal Code Sections 835a and 843) (1-1-85)

80% 2 — 7.2.3 The student will identify the term "reasonable force" and the limitations most commonly imposed on its use by law enforcement agency policies. (7-1-84)

7.3.0 DEADLY FORCE

Learning Goal: The student will understand the factors involved in the use of deadly force.

PERFORMANCE OBJECTIVE(S):

100% 2 — 7.3.1 Given word-pictures or audio-visual presentations involving homicide by a public officer, the student will correctly identify when the homicide is justifiable. (Penal Code Section 196) (1-1-85)

100% 2 — 7.3.2 Given a direct question or an example, the student will identify the factors required to establish the "sufficiency of fear" requirement for the use of deadly force in a justifiable homicide. (Penal Code Section 198) (1-1-85)

A. Circumstances must be sufficient to excite the fears of a reasonable person
B. Person acting must have acted under the influence of such fears alone
C. To save self or another from death or great bodily harm

100% 2 — 7.3.3 Given a direct question or an example, the student will identify the appropriate factors which an officer must consider when faced with a use of deadly-force law enforcement situation. These factors include: (1-1-85)

A. The type of crime and suspect(s) involved
B. The threat to the lives of other persons, both in the present situation and in future situations
C. The surrounding environment, background, buildings, or vehicles
D. The legal basis, and agency policy, if applicable
E. The officer's present capabilities
F. The suspect's capabilities, including potential use of weapons
G. The immediacy of the threat

90% 2 — 7.3.4. The student will identify the most common conditions found in law enforcement agency policies regarding the use of deadly force in a law enforcement situation. This will minimally include: (7-1-84)

A. Defense of self or others when immediate threat to life or threat to life or threat of great bodily injury exists
B. Shooting at non-violent fleeing felons
C. Warning shots
D. Shooting at juveniles
E. Shooting at or from moving vehicles

100% 2 — 7.3.5 Given word-pictures or audio-visual presentations depicting situations where deadly force may be necessary, the student will state with each situation whether to shoot or not to shoot. (Penal Code Sections 835a and 843 and departmental policy) (1-1-85)

7.4.0 SIMULATED USE OF FORCE

Learning Goal: The student will understand and have a working knowledge of the proper use of force.

PERFORMANCE OBJECTIVE(S):

100% 4 — 7.4.1 Given simulated situations where force is needed, the student will use the degree of force allowed by the law, court decisions, and/or agency policies. The situation will include: (1-1-85)

A. Detention
B. Arrest
C. Self Defense
D. Deadly Force

7.5.0 FIREARMS SAFETY

Learning Goal: The student will understand the safe handling of firearms.

PERFORMANCE OBJECTIVE(S):

100% 3 — 7.5.1 The student will demonstrate safe handling of handguns. This will minimally be done under the following conditions/situations: (1-1-85)

A. Loading and unloading revolvers and semi-automatic weapons
B. Holstering and drawing handgun using agency-authorized equipment
C. Clearing malfunctions

100% 3 — 7.5.2 The student will demonstrate the safe handling of shotguns. This will minimally be done under the following conditions/situations: (1-1-85)

A. Loading and unloading manual and/or auto-loading shotguns
B. Weapons inspection
C. While operating storage mechanisms for weapons in vehicles
D. Clearing malfunctions

7.6.0 HANDGUN FAMILIARIZATION

Learning Goal: The student will understand specific characteristics of standard law enforcement handguns. (7-1-84)

PERFORMANCE OBJECTIVE(S):

80% 2 — 7.6.1 The student will identify the major parts of the automatic and revolver service handguns with explanations of its basic mechanical functions. (7-1-84)

7.7.0 CARE AND CLEANING OF SERVICE HANDGUN

Learning Goal: The student will know how to clean the service handgun.

PERFORMANCE OBJECTIVE(S):

80% 3 — 7.7.1 The student will demonstrate the proper care and cleaning of the service handgun.

7.8.0 SHOTGUN

Learning Goal: The student will understand the function and lethal capabilities of shotguns. (7-1-84)

PERFORMANCE OBJECTIVE(S):

80% 2 — 7.8.1 The student will correctly identify the major parts of law enforcement shotgun(s) with explanations of basic mechanical functions. (7-1-84)

80% 2 — 7.8.2 The student will identify the effective range, lethal capabilities, and the shot spread the following types of ammunition used in a law enforcement shotgun(s) using: (7-1-84)

A. Double 00 buck shot
B. Birdshot
C. Rifle slug

7.10.0 HANDGUN SHOOTING PRINCIPLES

Learning Goal: The student will understand the basic principles of shooting with a handgun.

PERFORMANCE OBJECTIVE(S):

90% 3 — 7.10.1 The student will demonstrate the principles of good marksmanship using the service handgun. (9-1-84)

The demonstration will minimally include:

A. Stance
B. Grip
C. Breath control
D. Sight alignment
E. Trigger control
F. Follow-through

90% 3 — 7.10.2 The student will demonstrate the following shooting positions.

A. Crouch
B. Point shoulder
C. Barricade (strong and weak hand)
D. Prone
E. Kneeling
F. Hip

7.11.0 SHOTGUN SHOOTING PRINCIPLES

(add) Learning Goal: The student will understand the principles of good shotgun marksmanship and safety. (9-1-84)

PERFORMANCE OBJECTIVE(S):

90% 3 (add) — 7.11.1 The student will demonstrate the principles of good marksmanship using a standard law enforcement shotgun. The demonstration will minimally include: (7-1-84)

A. Stance
B. Breath control
C. Point/aiming
D. Trigger control
E. Follow-through

90% 3 (add) 7.11.2 The student will demonstrate commonly recognized shooting positions using a standard law enforcement shotgun. These positions will minimally include: (7-1-84)

A. Standing
B. Kneeling
C. Barricade, strong side and weak side

7.13.0 HANDGUN/DAY/RANGE

Learning Goal: The student will understand how to, effectively and safely, use a handgun on a day course range.

PERFORMANCE OBJECTIVE(S):

100% 3 7.13.1 Given a daylight range exercise with a time limitation and an acceptable score established by the school, agency, or advisory committee, the student will fire a minimum of sixty (60) rounds on a handgun course consisting of single and multiple silhouette targets. Thirty rounds shall be fired at ranges of one to seven yards using the service handgun and no sight shooting. Thirty rounds shall be fired from five to fifteen yards using the service handgun and sight shooting. (7-1-88)

100% 3 7.13.2 Given a daylight range exercise established by the school, agency, or advisory committee, the student will load, empty, and reload the service handgun utilizing the authorized agency ammunition and loading device worn by the officer during regular duty assignment. (1-1-85)

100% 3 7.13.3 Given a daylight range exercise established by the school, agency, or advisory committee, the student will fire on a previously fired course, using factory service ammunition in place of target ammunition, with a minimal loss of proficiency. (1-1-85)

7.14.0 HANDGUN/NIGHT/RANGE

Learning Goal: The student will understand how to effectively and safely use a handgun on a night course range.

PERFORMANCE OBJECTIVE(S):

100% 3 — 7.14.1 Given a nighttime range exercise under low lighting or darkened conditions, with a time limitation and an acceptable score established by the school, agency, or advisory committee, the student will fire a minimum of sixty (60) rounds on a handgun course consisting of single and/or multiple silhouette targets. Thirty rounds shall be fired at ranges of one to seven yards using the service handgun and no sight shooting. Thirty rounds shall be fired from five to fifteen yards using the service handgun and sight shooting. (7-1-88)

100% 3 — 7.14.2 Given a nighttime range exercise established by the school, agency, or advisory committee, the student will load, empty, and reload the service handgun using the authorized agency ammunition and loading device worn by the officer during regular duty assignment. (1-1-85)

7.15.0 HANDGUN/COMBAT/DAY/RANGE (TARGET)

Learning Goal: The student will understand the proper use of the handgun on a combat range.

PERFORMANCE OBJECTIVE(S):

100% 3 — 7.15.1 Given a daylight combat range exercise with a time limitation and an acceptable score established by the school, agency, or advisory committee, the student will using the service handgun fire a minimum of 30 rounds on a handgun course consisting of: (7-1-88)

A. Multiple and/or single silhouette targets
B. "Strong" and "weak" hand barricade positions
C. Point shoulder shooting

100% 3 — 7.15.2 Given a daylight combat range exercise established by the school, agency, or advisory committee, the student will load, fire, and reload the service handgun utilizing the authorized agency ammunition and loading device worn by the officer during regular duty assignment. The student will experience physical activity often associated with an officer-involved shooting prior to and/or during the course of fire. (7-1-88)

100% 3 — 7.15.3 Given a daylight combat range exercise, the student will fire service ammunition with a minimal loss of proficiency. (1-1-85)

7.16.0 HANDGUN/COMBAT/NIGHT/RANGE (TARGET)

Learning Goal: The student will develop a skills in firing and reloading the service handgun under low light or darkened combat conditions. (7-1-88)

PERFORMANCE OBJECTIVE(S):

100% 3 — 7.16.1 Given a nighttime combat range exercise with a time limitation and acceptable score established by the school, agency, or advisory committee, the student will using the service handgun fire a minimum of 30 rounds on a handgun course consisting of: (7-1-88)

A. Multiple and/or single silhouette targets
B. "Strong" and "weak" hand barricade positions
C. Point shoulder shooting

100% 3 — 7.16.2 Given a nighttime combat range exercise established by the school, agency, or advisory committee, the student will load, empty, and reload the service handgun utilizing the authorized agency ammunition and loading device worn by the officer during regular duty assignment. (1-1-85)

100% 3 — 7.16.3 Given a nighttime combat range exercise, the student will fire service ammunition with a minimal loss of proficiency. (1-1-85)

7.19.0 USE OF CHEMICAL AGENTS

Learning Goal: The student will understand the considerations involved in using chemical agents.

PERFORMANCE OBJECTIVE(S):

80% 2 — 7.19.1 The student will identify the chemical agents most commonly used by law enforcement agencies. (1-1-87)

80% 2 — 7.19.2 The student will identify the most common law enforcement chemical agent devices and delivery systems. This will include: (1-1-87)

A. Types of dissemination (burn, blast, liquid)
B. Types of devices

80% 2 — 7.19.3 Given a word picture of a situation that calls for the use of chemical agents, the student will select the most appropriate agent and device for the circumstances considering the following factors:

A. Situation--e.g., individual, crowd
B. Environment
C. Amount of hazard
D. Preparedness and capabilities
E. Avenues of escape
F. Legal aspects

80% 2 — 7.19.4 — Given a description of a situation involving the manufacture, possession, and use of a chemical agent device, the student will recognize whether the manufacture, possession, or use of the device is lawful. (1-1-87)

80% 2 — 7.19.5 — The student will identify appropriate first aid treatment for chemical agents exposure.

A. Eyes
B. Skin
C. Clothing

80% 2 — 7.19.6 — The student will identify the best means for self-protection to be utilized when handling and/or deploying chemical agents.

7.20.0 CHEMICAL AGENT SIMULATION

Learning Goal: The student will understand how to handle chemical agents and when to use them.

PERFORMANCE OBJECTIVE(S):

~~80% 3 — 7.20.2 — The student will put on, clear, and remove a gas mask.~~

80% 3 — 7.20.3 — The student will experience the effects of a chemical agent, i.e., C.S. gas.

8.0 FUNCTIONAL AREA: The student will possess the knowledge and skills required of a peace officer to safely and effectively function as a field investigator.

8.2.0 PERCEPTION TECHNIQUES

Learning Goal: The student will understand the factors involved in one's perception. (1-1-86)

PERFORMANCE OBJECTIVE(S):

80% 8.2.1 The student will identify the following as factors which affect perception by an individual: (7-1-88)

A. Past experiences
B. Maturity
C. Mental condition
D. Emotional involvement
E. Physical condition
F. Environmental conditions present
G. Training
H. Cultural and ethnic background
I. Personal prejudices and bias

80% 8.2.2 The student will identify at least two means by which an officer's skills of perception can be improved.

8.3.0 OBSERVATION TECHNIQUES

Learning Goal: The student will understand and improve basic observation skills.

PERFORMANCE OBJECTIVE(S):

80% 8.3.1 The student will identify at least two means by which an officer's skills of observation can be improved.

80% 8.3.2 Given a simulated situation wherein the student observes a scene and/or activity for a period of time specified by the academy, the student will describe the scene and activity.

8.8.0 INTERROGATION

Learning Goal: The student will understand the basic rights to be protected during interrogation.

PERFORMANCE OBJECTIVE(S):

80% 8.8.1 The student will identify the requirements for administration of "Miranda rights" by field

officers.

80% 8.8.2 Given an exercise depicting person(s) acting suspiciously, the student will safely approach, contact, interview, and commence interrogation methods after admonishing the suspect of the Miranda rights when appropriate and making the proper disposition of the person.

8.13.0 TELECOMMUNICATIONS

Learning Goal: The student will understand law enforcement telecommunication systems/network.

PERFORMANCE OBJECTIVE(S):

80% 8.13.1 The student will identify the procedures for making inquiry into law enforcement information systems and the capability of cross referencing the information obtained within these systems for:

A. Wants and warrants
B. Stolen property - includes vehicles and firearms
C. Criminal histories
D. DMV information
E. Miscellaneous

80% 8.13.2 The student will identify the statewide information systems directly accessible to California law enforcement agencies.

80% 8.13.3 The student will identify state laws and policies for obtaining, verifying, and disseminating telecommunication information including:

A. Restricted information
B. Unrestricted information

8.14.0 PERSON SEARCH TECHNIQUES

Learning Goal: The student will understand the principles and methods of searching a person.

PERFORMANCE OBJECTIVE(S):

90% 8.14.1 The student will identify the methods of searching individuals of the opposite sex.

90% 8.14.2 The student will identify the following principles of the search of an individual which maximize the effective-ness of the search and the safety of the officer(s):

A. Constant alertness
B. Maintaining a position of control and "advantage"
C. Thoroughness of search
D. Safeguarding of weapons (officer's/suspect's)
E. Search from the rear
F. Search with one hand, control with the other
G. Keep gun out of reach of suspect(s)
H. Search systematically by use of proper hand technique
I. If weapon found, notify back-up officer immediately and maintain control of suspect and weapon

90% 8.14.3 The student will identify those places on males and females where dangerous weapons or contraband may be concealed.

90% 8.14.4 The student will identify the following responsibilities as being those of a "covering officer" when backing up another officer conducting a search of an individual(s):

A. Protect searching officer from outside interference
B. Psychological intimidation of the person(s) being searched
C. Physical assistance of searching officer, if necessary
D. Continuous observation of suspect(s)

8.15.0 VEHICLE SEARCH TECHNIQUES

Learning Goal: The student will know how to conduct a safe and effective search of a vehicle.

PERFORMANCE OBJECTIVE(S):

8.15.1 The student will identify the following principles of a safe and effective search of a vehicle.

A. A systematic method of search
B. Proper removal and control of occupants

8.15.2 The student will conduct a safe and effective search of a vehicle.

8.16.0 BUILDING AREA SEARCH

Learning Goal: The student will know how to effectively search a building and an open space area.

PERFORMANCE OBJECTIVE(S):

90% 8.16.1 The student will identify the elements of a safe and effective search for a suspect inside a building.

90% 8.16.2 The student will identify the elements of a safe and effective search of an open area for a suspect.

8.18.0 SEARCH/CONTROL SIMULATION

Learning Goal: The student will be able to search single and multiple suspects in an arrest situation.

PERFORMANCE OBJECTIVE(S):

90% 8.18.1 Given an exercise, the student will safely and effectively serve as "cover officer" while another officer conducts searches of single and multiple suspects.

90% 8.18.2 Given an exercise, the student will safely and effectively conduct the following searches of a suspect(s):

A. Visual search
B. Cursory search
C. High risk or arrest searches
   1. standing
   2. kneeling
   3. prone

All items of contraband or weapons which can reasonably be located within legal constraints will be located, and the student will maintain maximum personal safety and suspect's security.

8.19.0 RESTRAINT DEVICES

Learning Goal: The student will learn how to use restraint devices with single and multiple suspects.

PERFORMANCE OBJECTIVE(S):

80% 8.19.1 The student will identify the most common limitations imposed by law enforcement agencies regarding the use of restraint devices on the following types of prisoners:

A. Adult males
B. Adult females
C. Juveniles
D. Mentally ill

80% 8.19.2 The student will identify the purposes and limitations of restraint devices used on prisoners.

This will minimally include temporary restraint to prevent:

A. Attack on officer
B. Escape
C. The destruction or concealment of evidence or contraband
D. Self-inflicted injury

90% 8.19.3 In a simulated situation, the student will safely and effectively handcuff single and multiple suspects.

This will minimally include the:

A. Handcuffing of a single suspect
B. Handcuffing of two suspects with a single pair of cuffs
C. Handcuffing of three or more suspects together with two or more pairs of cuffs
D. Maintaining constant control of the suspect
E. Maintaining constant control of the restraining device(s)
F. Demonstrating double lock option
G. Maintaining reasonable degree of tightness of restraint devices
H. Control positioning of suspect's hands
I. Maintaining continuous observation of the suspect
J. Additional restraint devices

8.20.0 PRISONER TRANSPORTATION

Learning Goal: The student will learn the proper method of transporting prisoners.

PERFORMANCE OBJECTIVE(S):

90% 8.20.1 The student will identify elements of safe transportation of prisoners.

This will minimally include:

A. The search of the area in which the prisoner is/was seated before and after transportation
B. Positioning of officer(s) and prisoner(s) within the vehicle
C. Close observation of the prisoner(s)
D. Use of seat belts

80% 8.20.2 The student will identify the most common limitations imposed by law enforcement agencies regarding transportation of prisoners:

This identification will minimally include:

A. Transportation of adult males/females
B. Positioning within vehicle
C. Injured or sick prisoners
D. Transportation of juveniles
E. Violent/combative/hostile prisoners

80% 8.20.3 The student will safely and securely position simulated prisoners for transportation. This will minimally include single and multiple prisoners while working alone and with a partner.

8.37.0 OFFICER SAFETY

Learning Goal: The student will understand the mental, physical, and tactical considerations for officer safety.

PERFORMANCE OBJECTIVE(S):

90% 8.37.1 The student will identify patrol techniques that minimize the possibility of an officer entering into an ambush "set-up".

90% 8.37.2 The student will identify the following tactical steps to be immediately undertaken in sniper fire situations while on foot:

A. Take cover and/or concealment
B. Locate the suspect
C. Assess situation
D. Warn bystanders
E. Call for assistance

90% 8.37.3 The student will identify the following tactics which can be used by the driver of a vehicle that comes under sniper attack:

A. Acceleration through "kill zone"
B. Turning vehicle right or left into the nearest available cover
C. Abandonment of target vehicle
D. Reversal of vehicle

90% 8.37.4 The student will identify the following tactics which can be utilized by an officer whose police vehicle has been hit with a firebomb:

A. Acceleration from the area
B. Roll-up windows
C. If vehicle is incapable of acceleration, abandonment after initial flame burst

90% 8.37.5 Given an example or exercise simulating an ambush or sniper situation, the student will demonstrate or identify procedures which maximize officer safety.

90% 8.37.6 The student will identify the mental, emotional, and physical preparation needed for the possibility of a life-threatening situation.

90% 8.37.7 The student will identify the appropriate action to be taken after receiving a non-fatal wound including:

A. Self-administered first aid
B. Cover and concealment
C. Escape routes
D. Weapons retention
E. Suspect apprehension

90% 8.37.8 The student will identify the following psychological phenomena which affect an officer's ability to successfully counter a life-threatening attack including:

A. Will to live
B. Shock
C. Flight-fight reaction

90% 8.37.9 The student will identify safety and tactical considerations when dealing with suspects under the influence of alcohol and/or drugs including:

A. Limitations of traditional weaponless defense methods
B. Use of specialized weapon to subdue suspects, i.e., tasers, capture net, and chemical agents
C. Need for additional officer assistance

8.45.0 FIRST AID AND CPR

Learning Goal: The student will gain a working knowledge of Standard First Aid and Cardiopulmonary Resuscitation.

PERFORMANCE OBJECTIVE(S):

8.45.1 The student will complete a course in First Aid and cardiopulmonary resuscitation as prescribed by the Emergency Medical Services Authority (PC 13518) and the Commission on Peace Officer Standards and Training. (Refer to Unit Guide #44 for required content.) (7-1-88)

8.48.0 BODY ARMOR

Learning Goal: The student will understand benefits and limitations of wearing protective body armor. (7-1-88)

80% (add) 8.48.1 The student will identify the following characteristics of body armor: (7-1-88)

A. Benefits for wearing
B. Types of body armor
C. Level of protection against firearms
D. Level of protection against knives and other penetrating weapons

80% 3 (add) 8.48.2 The student will wear body armor at least once during each of the following activities: (7-1-88)

A. Weaponless defense and baton
B. Firearms range exercise (both handgun and shotgun)
C. POST physical agilities (work samples test) or its approved equivalent
D. Scenario exercise(s)

8.49.0 ROLE OF PRIMARY/COVER OFFICER

Learning Goal: The student will understand and have a working knowledge of the duties, responsibilities, and hazards of functioning as both a primary (contact) and cover officer. (7-1-88)

90% (add) 8.49.1 The student will identify the following responsibilities of a primary (contact) officer: (7-1-88)

A. Designating primary/cover officers
B. Maintaining communications with cover officer
C. Maintaining position relative to cover officer
D. Delegating responsibilities to cover officer

90% 8.49.2 The student will identify the following
(add) responsibilities of a cover officer: (7-1-88)

A. Maintaining communications with primary officer
B. Maintaining position relative to primary officer
C. Perform assignments directed by primary officer
D. Maintaining awareness of surroundings

90% 8.49.3 Given a practical exercise requiring multiple
(add) officers and at least one unsecured suspect, the student will demonstrate safe and effective tactics while acting in the capacity of the cover officer. (7-1-88)

8.50.0 GANG AWARENESS

(add) Learning Goal: The student will understand the characteristics and importance of recognizing gangs as they apply to officer safety and investigation of criminal activity.

PERFORMANCE OBJECTIVE(S):

(add) 8.50.1 The student will identify the following types of
80% gangs which represent law enforcement concerns:

A. Street gangs
B. Motorcycle gangs
C. Prison gangs
D. Cult/ritualistic gangs

(add) 8.50.2 The student will identify the following primary
70% reasons for gang membership:

A. Peer pressure
B. Common interest
C. Protection/Safety

(add) 8.50.3 The student will identify the following
70% characteristics which are common to most gangs:

A. Cohesiveness
B. Code of silence
C. Rivalries
E. Revenge

(add) 8.50.4 The student will identify the following methods
80% which gangs use to distinguish their members from members of other gangs.

A. Tatoos
B. Attire and accessories
C. Use of monikers
D. Use of hand signs

(add) 80% 8.50.5 The student will identify the following gang graffiti factors as significant to law enforcement operations:

A. Identifying individuals and/or a specific gang
B. Identifying gang boundaries
C. Indications of pending and/or past gang conflicts

(add) 80% 8.50.6 The student will identify the following types of criminal activities as those commonly engaged in by gangs:

A. Sale and use of narcotics
B. Physical violence
C. Auto theft/burglary from vehicles

(add) 70% 8.50.7 The student will identify law enforcement methods used to reduce gang activity. These include:

A. Identification of gang activity
B. Coordination with allied agencies
C. Reduction of the opportunity for criminal activities

10.0 FUNCTIONAL AREA: The student will possess the knowledge and skills necessary to satisfactorily perform investigative duties and responsibilities.

10.1.0 PRELIMINARY INVESTIGATION

Learning Goal: The student will gain the ability to conduct a preliminary investigation under simulated field conditions.

PERFORMANCE OBJECTIVE(S):

80% 10.1.1 Given an exercise depicting a crime scene, the student will effectively conduct a preliminary investigation that would minimally include:

A. Location and identification of suspects, witnesses, and victims
B. Conduct initial interviews
C. Complete field notes, noting conditions and events

80% 10.1.2 Given an exercise wherein a crime has just occurred and the suspect has fled the scene, the student will determine if the initiation of a "crime broadcast" is appropriate and, if so, will broadcast the appropriate information.

80% 10.1.3 Given an exercise depicting a crime scene, information about the environmental conditions, and the available manpower and equipment, the student will identify and contain the perimeter of the crime scene.

80% 10.1.4 The student will identify the reasons to deny access to a crime scene by unauthorized persons including: (1-1-89)

A. Contamination/destruction of evidence
B. Interference with preliminary investigation

10.2.0 CRIME SCENE SEARCH

Learning Goal: The student will learn how to conduct a crime scene search.

PERFORMANCE OBJECTIVE(S):

80% 10.2.1 Given an exercise simulating a crime scene (premises or landscape) where a legally authorized search is permissible, the student will locate the predesignated physical evidence through the use of an organized search method such as the strip, spiral, or quadrant methods.

Physical evidence to minimally include:

A. Instruments of the crime
B. Contraband

10.3.0 CRIME SCENE NOTES

Learning Goal: The student will learn how to take and use crime scene notes.

PERFORMANCE OBJECTIVE(S):

80% 10.3.1 Given an exercise simulating a crime scene, the student will satisfactorily prepare crime scene notes.

The notes will minimally include:

A. Observations of significant conditions present at the time of arrival
B. Identification of victim(s), witness(es), and suspect(s)
C. A chronological account of actions taken until relieved
D. Recording of any identification and handling of items of evidence

10.4.0 CRIME SCENE SKETCHES

Learning Goal: The student will gain the ability to develop and utilize crime scene sketches.

PERFORMANCE OBJECTIVE(S):

80% 10.4.1 The student will identify the value of crime scene sketches and their relationship to crime scene photographs.

Answer to minimally include:

A. Location of items involved in a crime
   1. evidence
   2. missing items that a photograph will not show

B. Pictorial notes
   1. immediate notation of scale and distance as one measures the scene
   2. notation or scene from a top angle (note: not photographed)

C. Photographs verify relationship of items, whereas drawings provide the specific dimensions, distances, etc., of this relationship

70% 10.4.2 Given an exercise simulating a crime scene, the student will prepare a crime scene sketch which includes the following:

A. All appropriate measurements
B. Identification of items of evidence
C. Identification of reference points
D. Scale to which sketch is drawn
E. A legend
F. Direction of north

10.5.0 FINGERPRINTS

Learning Goal: The student will learn how to develop and utilize fingerprints.

PERFORMANCE OBJECTIVE(S):

70% 10.5.1 The student will identify the difference between "latent Fingerprints" and "plastic fingerprints" through the means by which they are located and/or developed.

70% 10.5.2 Given an exercise wherein a variety of latent and plastic prints have been placed on a number of items which vary in texture and color, the student will locate the prints.

70% 10.5.3 The student will roll a full set of legible fingerprints on a standard FBI fingerprint card.

10.6.0 IDENTIFICATION, COLLECTION, AND PRESERVATION OF EVIDENCE

Learning Goal: The student will acquire knowledge of the proper means of identification, collection, and preservation of evidence.

PERFORMANCE OBJECTIVE(S):

80% 10.6.1 Given a description of a crime scene, the student will identify those items which should be treated as evidence.

80% 10.6.2 Given a description of each of the following types of evidence, the student will identify the correct methods for collecting, marking (or tagging), and/or packaging evidence:

A. Fingerprints
B. Tools and toolmarks
C. Firearms
D. Bullets and projectiles
E. Shoe prints and tire tracks
F. Bite marks
G. Questioned documents
H. Paint
I. Glass
J. Fibers
K. Hairs
L. Blood
M. Soil

80% 10.6.3 Given a description of an outdoor crime scene and rainy weather conditions, the student will identify those items of evidence requiring protection and the methods used to protect them.

80% 10.6.6 Given a description of a crime scene containing several pieces of evidence, the student will identify the "fragile" evidence and select the proper method for preserving it.

80% 10.6.7 The student will identify the following items of evidence as those which corroborate child abuse charges:

A. Photographs of injuries and surroundings
B. Physician's report
C. Instruments or implements used in the crime
D. Diagrams and measurements
E. Materials applicable to the crime
F. Past medical history indicating previous abuse
G. Witness' statements

10.7.0 CHAIN OF CUSTODY

Learning Goal: The student will understand the concept of chain of custody.

PERFORMANCE OBJECTIVE(S):

80% 10.7.1 The student will identify what is meant by the term "chain of custody" and why it must be maintained. (California Evidence Code and Case Law)

80% 10.7.2 Given a word picture of a situation where evidence was collected and a list made of the evidence, the student will complete the necessary forms generally utilized by law enforcement to insure the chain of custody.

10.8.0 INTERVIEWING

Learning Goal: The student will know crime scene interviewing techniques.

PERFORMANCE OBJECTIVE(S):

70% 10.8.1 The student will identify those systematic steps that an officer should take in preparing for an interview.

80% 10.8.2 The student will identify the following as proper interviewing and investigative procedures for investigating child abuse cases:

A. Consider the attitudes of parent/guardian toward child
B. Interview and examine minor alone
C. Record all statements made by victim and suspects
D. Compare explanation by parents/guardian with actual injury of minor
E. Interview all parties involved

10.8.3 The student will identify the cognitive interview technique including:

(new) S A. Reconstructing the circumstances
B. Recount unedited version of story
C. Recalling events in a difficult order

S 10.8.4 The student will demonstrate the cognitive interviewing technique
(new)

S 10.8.5 The student will identify the difference between an admission and a confession.
(new)

10.10.0 INFORMATION GATHERING

Learning Goal: The student will learn the types and means of gathering information.

PERFORMANCE OBJECTIVE(S):

70% 10.10.1 The student will identify methods for locating and developing sources of information and informants.

10.11.0 COURTROOM DEMEANOR

Learning Goal: The student will learn how to properly testify in court.

PERFORMANCE OBJECTIVE(S):

80% 10.11.1 The student will identify benefits of impressive and professional courtroom demeanor and appearance.

80% 10.11.2 The student will identify those steps in the following areas to be taken by an officer preparing to give courtroom testimony:

A. Refreshing the memory
B. Personal appearance

80% 10.11.3 The student will identify the following as being principles of effective presentation of testimony:

A. Honesty
B. Brevity
C. Clarity
D. Objectivity
E. Emotional control

80% 10.11.4 Given an exercise, the student will furnish or critique testimony in such a manner as to promote the development of professionalism and the administration of justice when faced with a variety of "attorney personalities".

These personalities will include:

A. Badgering/belligerent
B. Offensive
C. Friendly
D. Condescending

~~10.23.0~~ ~~POLYGRAPH~~
(Delete)

~~Learning Goal: --The student will understand the legitimate use of the polygraph and its limitations.~~

~~PERFORMANCE OBJECTIVE~~

~~10.23.1~~ ~~The student will identify the three physiological functions which are normally measured by the polygraph:~~

~~A. Respiration---breathing rate~~
~~B. Galvanic Skin Response---sweating~~
~~C. Heart---pulse rate and blood pressure~~

~~10.24.0~~ ~~ADMINISTRATIVE HEARINGS~~
(Delete)

~~Learning Goal: The student will understand the Administrative Hearing Process.~~

~~PERFORMANCE OBJECTIVE~~

~~10.24.1~~ ~~The student will identify the following elements of the process:~~

(moved to 3.43.0)

~~A. Administrative subpoena as part of the investigation~~
~~B. Accusation by Attorney General~~
~~C. Agency filing~~
~~D. Administrative subpoena as part of the hearing~~
~~E. Hearing~~
~~F. Decision~~
~~1. Proposed~~
~~2. Final~~
~~G. Administrative appeal process~~
~~H. Judicial appeal process~~
~~I. Administrative sanctions~~

(S) 10.25.0 VICE AND ORGANIZED CRIME

Learning Goal: The student will understand the relationship between organized crime and vice.

PERFORMANCE OBJECTIVES

(S) 10.25.1 The student will identify the key activities of organized crime:

A. Provide illegal goods and services
B. Corrupt public officials
C. Launder money
D. Infiltrate legitimate business

(S) 10.25.2 The student will identify at least four different unlawful activities that are associated with organized crime.

A. Gambling
B. Loansharking
C. Prostitution
D. Illicit drugs
E. Corporate bust out
F. Auto theft (chop shops)
G. Liquor
H. Highjacking

10.26.0 CONTROLLED SUBSTANCES IDENTIFICATION

(Delete)

Learning Goal: The student will understand how the major groups of illicit drugs differ in appearance.

PERFORMANCE OBJECTIVE

10.26.1 Given a display of a variety of illicit as well as licit drugs, or a visual representation of same, the student will identify:

(moved to 3.33.0)

A. Hallucinogens
B. Opiates
C. Stimulants
D. Depressants

11.0 FUNCTIONAL AREA: The student will possess knowledge and ability which will enable him/her to process, confine, and care for adult and juvenile prisoners in such a manner as to provide the necessary confinement and protect the prisoner's rights and welfare.

11.3.0 ILLEGAL FORCE AGAINST PRISONERS

Learning Goal: The student will understand that illegal force cannot be used against a prisoner. (1-1-85)

80% 2	11.3.1	The student will explain the provisions of Penal Code Section 147 pertaining to willful inhumanity or oppression toward prisoners in the custody of a peace officer.
80% 2	11.3.2	The student will identify the provisions of Penal Code Section 149 pertaining to assaulting a prisoner "under color of authority."

12.0 FUNCTIONAL AREA: The student will understand those physical ailments that typically affect law enforcement officers. The student will be able to assess his/her own physical condition and develop a physical fitness program designed for life-time fitness.

12.1.0 PHYSICAL DISABLERS

Learning Goal: The student will learn the basic physical disablers that may affect an officer's career.

PERFORMANCE OBJECTIVE(S):

80% 12.1.1 The student will identify the following primary physical disablers of law enforcement officers:

A. Cardiovascular problems
B. Low back injury
C. Peptic ulcers

70% 12.1.2 The student will identify the following short-term effects of alcohol:

A. Intoxication
B. Impairment of physical exertion

70% 12.1.4 The student will identify the following long-term effects of alcohol:

A. Addiction
B. Chronic degenerative diseases, including cirrhosis of the liver, damage to the nervous system, and atherosclerosis.

70% 12.1.5 The student will identify the following short-term physiological effects of tobacco use:

A. Constriction of arteries
B. Changes in blood chemistry

70% 12.1.6 The student will identify the following long-term physiological effects of tobacco use:

A. Addiction
B. Cardiovascular disease
C. Respiratory disease
D. Cancer

70% 12.1.7 The student will identify the following substances in addition to alcohol and tobacco which have the potential for abuse:

A. Caffeine
B. Prescription drugs
C. Non-prescription drugs
D. Illegal drugs

12.2.0 PREVENTION OF DISABLERS

Learning Goal: The student will learn the common causes of law enforcement officer disablers and what to do to correct them.

PERFORMANCE OBJECTIVE(S):

70% 12.2.1 The student will identify the following elements of a program for preventing cardiovascular disease:

A. Aerobic exercise
B. Weight control
C. Nutrition
D. Smoking cessation
E. Stress management

70% 12.2.2 The student will identify appropriate flexibility and strength exercises for preventing low back injury.

70% 12.2.3 The student will identify the following elements of a program directed to the prevention of stomach ulcers.

A. Stress management
B. Nutrition
C. Aerobic exercise

12.3.0 WEIGHT CONTROL

Learning Goal: The student will learn the principles of weight control.

PERFORMANCE OBJECTIVE(S):

12.3.1 The student will identify the general effect the following basic food constituents have on body composition:

A. Proteins
B. Carbohydrates
C. Fats

70% 12.3.2 The student will identify commonly eaten foods that are either high or low in:

A. Proteins
B. Carbohydrates
C. Fats

70% 12.3.3 The student will identify the following principles of proper body composition management:

A. Percent body fat
B. Nutrition
C. Physical activity

12.4.0 SELF-EVALUATION AND LIFETIME FITNESS

Learning Goal: The student will learn how to evaluate personal cardiovascular health and how to develop a lifelong program for physical fitness:

PERFORMANCE OBJECTIVE(S):

70% 12.4.2 The student will identify methods for self-evaluating personal fitness levels in the following areas:

A. Cardiovascular fitness
B. Flexibility
C. Muscular strength
D. Muscular endurance
E. Body composition

12.5.0 MEDICAL/PHYSICAL PROFICIENCY EVALUATION

Learning Goal: The student will perform at an acceptable aerobic and physical fitness level.

PERFORMANCE OBJECTIVE(S):

70% 12.5.1 The student will identify activities for each of the following elements of a personal physical fitness program that can be performed by an officer while off duty.

A. Cardiovascular
B. Muscular strength
C. Flexibility
D. Muscular endurance

70% 12.5.2 The student will identify the following basic principles of conditioning:

A. Progression
B. Specificity
C. Frequency
D. Overload
E. Duration

70% 12.5.3 The student will identify the following components of an exercise session:

A. Warm-up
B. Conditioning period
C. Cool-down

12.6.0 PRINCIPLES OF WEAPONLESS DEFENSE

Learning Goal: The student will understand basic control techniques of weaponless defense.

PERFORMANCE OBJECTIVE(S):

80% 12.6.1 The student will identify the basic principles of weaponless defense.

A. Balance
B. Awareness
C. Self-control

100% 12.6.2 The student will identify the danger areas of the body which are:

A. Most vulnerable to physical attack
B. Potentially fatal

80% 12.6.3 The student will identify those parts of the body which can be used to overcome resistance.

80% 12.6.4 The student will demonstrate a control hold.

80% 12.6.5 The student will demonstrate a recognized "take-down" tactic.

100% 12.6.6 The student will demonstrate a carotid restraint, explain the hazards of its use, and the first aid techniques that are necessary if the technique is applied.

12.7.0 ARMED SUSPECT/WEAPONLESS DEFENSE/WEAPONS RETENTION

Learning Goal: The student will learn defenses against an armed assailant and principles of weapon retention.

PERFORMANCE OBJECTIVE(S):

90%	12.7.2	Given an exercise simulating an armed suspect, the student will demonstrate foot movements which will allow him/her to enter/avoid suspect's position.
90%	12.7.3	The student will identify the different techniques and mental preparation which can be used in disarming a suspect with various types of weapons and the dangers involved.
90%	12.7.5	Given a no alternative situation simulating a suspect within close proximity with a handgun, the student will demonstrate front and rear gun take-aways.
90%	12.7.6	Given a no alternative situation simulating a suspect within close proximity with a shotgun and/or rifle, the student will demonstrate methods of disarming the suspect.
90%	12.7.7	Given an exercise, the student will demonstrate a recognized method of weapon retention from both holstered and in-hand situations.

13.0 FUNCTIONAL AREA: The student will possess the skills and knowledge required of an investigator to properly function in a specialized law enforcement agency.

(S) 13.1.0 SOURCES OF INFORMATION

Learning Goal: The student will understand the difference between open and restricted sources and how to get information from both.

PERFORMANCE OBJECTIVES

(S) 13.1.1 The student will identify at least four of the following open sources of information.

A. Library, including newspaper morgues
B. City and county licenses
C. Utilities
D. Directories
E. Grantee/Grantor Indexes at county court house
F. Secretary of State, Articles of Incorporation

(S) 13.1.2 The student will identify at least the following restricted sources of information.

A. Law enforcement records such as NCIC, CJS, etc.
(modify) B. Other law enforcement agencies
C. ~~Officers~~ Sources within own department
D. Informants
E. Government agencies:
1. federal
2. state
3. local

(Delete) ~~13.1.3 The student will identify at least the following elements of the development and management of informants.~~

~~A. Selection~~
~~B. Investigation~~
~~C. Approach and persuasion~~
~~D. Test~~

(Delete) ~~13.2.0 USE AND CONTROL OF INFORMATION~~

~~Learning Goal: The student will understand the legal aspects of the use and dissemination of information.~~

~~PERFORMANCE OBJECTIVES~~

~~13.2.1 The student will contrast "Right to Privacy" with "Freedom of Information."~~

~~13.2.2 The student will identify the difference between "Right to know" and "Need to know."~~

~~13.2.3 The student will identify the elements of a model policy on purging, dissemination, and security of information.~~

(S) 13.3.0 CRIMINAL INTELLIGENCE

Learning Goal: The student will understand the intelligence process.

PERFORMANCE OBJECTIVES

(S) 13.3.1 The student will identify each element of the intelligence process in the correct order.

A. Collection of information
B. Collation
C. Evaluation
D. Analysis
E. Dissemination of intelligence

(S) 13.3.2 The student will identify ~~at least two of~~ the function of the following intelligence organizations:

A. Law Enforcement Intelligence Unit, LEIU
B. Western States Information Network, WSIN
C. El Paso Information Center, EPIC
D. Local agency intelligence units
E. Crime analysis units
F. Military intelligence units

13.4.0 IDENTIFICATION AND LOCATION OF SUSPECTS AND WITNESSES

(S) Learning Goal: The student will understand the process of identifying and locating suspects and witnesses.

PERFORMANCE OBJECTIVE

(S) (modify) 13.4.1 The student will identify and methods to locate a witnesses and suspects.

13.5.0 ANALYTICAL TECHNIQUES

(S) Learning Goal: The student will understand the analytical process.

PERFORMANCE OBJECTIVE:

(S) 13.5.1 The student will identify the following analytical techniques:

A. Visual Investigative Analysis, VIA
B. Telephone Tolls
C. Link Analysis
D. Case Analysis and Management System, CAM

13.6.0 SURVEILLANCE TECHNIQUES

Learning Goal: The student will understand how to effectively and safely conduct a surveillance.

PERFORMANCE OBJECTIVES

(S) 13.6.1. The student will identify what must be done before a surveillance is instituted:

(modify) A. Know the objective of the surveillance: ~~For example, arrest or intelligence.~~

1. arrest
2. intelligence

B. Identify the offense suspected and its elements.
C. Do a complete background record check on suspect. ~~Including, physical appearance, suspect's address and local haunts, occupation and business address, criminal background, associates and their locations, cars available to suspect and whether any of them are particularly fast, how suspect can be anticipated to drive, e.g., fast or slow, does suspect own guns, has suspect used guns in the past, etc.~~

(S) 13.6.2 The student will identify the four general classifications of specialized surveillance equipment:

A. Photographic, e.g., 35mm Camera
B. Optical, e.g., telescope or binoculars
C. Intelligence Kit, e.g., SK-9, AID, TRF
D. Nightscope

(S) 13.6.3. The student will identify the three most important factors to consider when using specialized surveillance equipment:

A. Legal aspects
B. Proper care of the equipment
C. Equipment capabilities and limitations

(S) 13.6.4 The student will identify two considerations which must be resolved whenever a suspect is under surveillance:

A. Does the officer have a right to be where he is?
B. Does the suspect have a right to privacy?

(S) 13.6.5 The student will identify the five classifications of California Law Enforcement agency authorized by PC 633 to overhear or record confidential communications:

A. California Department of Justice (Attorney General)
B. District Attorneys
C. CHP
D. Police Departments
E. Sheriff Departments

(S) 13.6.6 The student will participate in a moving surveillance exercise using vehicles.

(S) 13.6.7 The student will participate in a walking surveillance exercise.

(S) 13.6.8 The student will identify liability implications when an officer violates traffic laws while conducting a surveillance.

A. The officer is criminally liable for violating traffic laws unless the surveillance vehicle is displaying a lighted red light to the front and sounding a siren as necessary (21055 CVC).

B. The officer is not civilly liable for damages while operating an authorized emergency vehicle responding to an emergency call or when in the immediate pursuit of an actual or suspected violator (17004 CVC).*

C. The agency is civilly liable for the negligence or wrongful acts or omissions of its employees (17001 CVC).

(add) 13.6.9 The student will identify the provisions of the California wire tapping law. (Penal Code 631)

(add) 13.6.10 The student will identify the term "confidential communication." (Penal Code 632)

~~13.7.0~~ ~~FRAUDULENT DOCUMENTS~~

~~Learning Goal: --The student will understand which documents are most liable to be fraudulent.~~

~~PERFORMANCE OBJECTIVE~~

~~13.7.1~~ ~~The student will identify the most frequently encountered fraudulent documents:~~

(moved to 3.12.0)

~~A. Driver's license~~
~~B. Medi-Cal cards~~
~~C. Birth certificates~~
D. Licenses issued by consumer affairs

13.8.0 CASE MANAGEMENT

(new) Learning Goal: The student will understand case management techniques.

(S) 13.8.1 The student will identify time management techniques including:

A. To do list
B. Priority list
C. Setting due dates
D. Time-line charting

(new) 13.8.2 The student will identify the following factors which should be considered in allocating investigative resources.

A. Solvability
B. Political considerations
(S) C. Likelihood and cost of obtaining required physical and documentary evidence
D. Likelihood and cost of obtaining required testimony

ATTACHMENT E

SPECIALIZED BASIC INVESTIGATORS COURSE

	PRESENT COURSE			PROPOSED COURSE	
Functional Area		# PO's	# Hours	Proposed Hours	Proposed # PO's
1.0	Prof. Orientation	33	10	12	33
2.0	Pol. Comm. Relations	20	15	16	16
3.0	Law	64	20	42	101
4.0	Laws of Evidence	25	15	18	25
5.0	Communications	19	15	15	23
6.0	Vehicle Operations	16	8	0	0
7.0	Force and Weaponry	36	33	48	39
8.0	Field Procedures	35	39	40	47
10.0	Criminal Invest.	30	24	42	30
11.0	Custody	0	0	1	2
12.0	Physical Fitness & Defense Techniques	27	12	40	27
13.0	Specialized Inves.	18	18	36	18
	TOTAL	323	209	310	361
	EXAMINATIONS				
	Written		11	16	
	Scenario		0	14	
	TOTAL		220	340	

Note * Although the existing course is 220 hours, presenters average 284 hours to present the course, with no scenario testing.

COMMISSION PROCEDURE D-1

BASIC TRAINING

1-6. Specialized Basic Investigators Course Content and Minimum hours*: The Performance Objectives listed in the POST document Performance Objectives for the POST Specialized Basic Investigators 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. This course includes the curriculum of the 40-hour P.C. 832 Laws of Arrest and Firearms Course.

Specialized investigators basic training may be met by satisfactory completion of the training requirements of the Regular Basic Course.

a. Performance objectives must be taught and tested.
b. A minimum of 340 hours of instruction in the Specialized Basic Course is required.

Functional Areas:

1.0	Professional Orientation	12	~~10~~ hours
2.0	Police Community Relations	16	~~15~~ hours
3.0	Law	42	~~20~~ hours
4.0	Laws of Evidence	18	~~15~~ hours
5.0	Communications	15	~~15~~ hours
6.0	Vehicle Operations Deleted	0	~~8~~ hours
7.0	Force and Weaponry	48	~~33~~ hours
8.0	Field Procedures	40	~~39~~ hours
9.0	(Deleted)		~~0~~ hours
10.0	Criminal Investigation	42	~~24~~ hours
11.0	(Deleted) Custody	1	~~0~~ hours
12.0	Physical Fitness and Defense Techniques	40	~~12~~ hours
13.0	Specialized Investigative Techniques	36	~~18~~ hours
Examinations		30	~~11~~ hours
Total Minimum Required Hours		340	~~220~~ hours

* Since the majority of the Specialized Basic Course is taken directly from the Regular Basic, it is important that the numbering system correspond. For that reason Functional Areas 9.0 and 11.0 (Traffic and Custody, respectively) are shown deleted. Conversely, a new Functional Area, 13.0 Specialized Investigative Techniques, has been developed for the Specialized Basic Investigators Course.

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

BASIC TRAINING STANDARDS
SPECIALIZED BASIC INVESTIGATORS COURSE

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503,13506 and 13510 of the Penal Code and in order to interpret, implement, and make specific Sections 832.3, 832.6 and 13510 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: November 1, 1990
Time: 10:00 a.m.
Place: Raddison Hotel
Sacramento, California

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing:

INFORMATIVE DIGEST

Commission Procedure D-1, Basic Training, currently specifies a minimum length of 220 hours for the Specialized Basic Investigators Course. Procedure D-1, which also specifies the functional areas and respective hours of instruction, is incorporated by reference into Commission Regulation 1005(a), Basic Training. The proposed net increase of 101 hours for instruction in selected functional areas and the addition of nineteen hours for practical exercise/scenario testing would increase the total minimum hours to 340.

These proposed changes are designed to adjust the minimum length of specialized basic training to be consistent with the minimum number of hours currently required to be consistent with the minimum number of hours currently required to conduct the training. POST studies show what the training presenters now exceed the current 220-hour minimum in order to present the minimum required curriculum. Since January 1984, when the specialized Basic Course was last updated, curriculum has been added that requires approximately 60 additional hours of instruction. This increase is necessary because many of the functional areas for the Specialized Basic Course are identical in content and hours with the Regular Basic Course. No substantial impact is expected for this proposed increase. Agencies which attend the Specialized Basic Investigators Course are members of the POST Specialized Program which is voluntary and not reimbursable from the POST fund.

The proposed increase in testing hours for exercise/scenarios is necessary to insure performance abilities in the physical defense and weaponless defense areas for officer safety.

It is proposed that Commission Regulation 1005 be amended to incorporate by reference the document, Performance Objectives for the POST Specialized Basic Investigators Course, 1990. In addition POST Procedure D-1-6 which is currently incorporated by reference into POST Regulation 1005 be amended to make these performance objectives mandatory. this will insure uniform performance among students and standardization of instruction between presenters.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on October 15, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA, 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Costs Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

Regulatory Action: Basic Training Standards
Specialize Basic Investigators Course

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on November 1, 1990, for the purpose of receiving comments on proposed changes to Commission Procedure D-1-6 to; 1) increase the Specialized Basic Investigators Course from 220 hours to 340 hours, and 2) make performance objectives in the Specialized Basic Course mandatory.

Minimum Length of Basic Courses

Commission Regulation 1005 (a) specifies the basic training requirements for all peace officer members of law enforcement agencies participating in the POST program. Requirements for the Specialized Basic Investigators Course are set forth in the POST Administrative Manual, Section D-1, Paragraph 1-6. The minimum length of the course is currently 220 hours. It is proposed to increase the length to 340 hours, a 120-hour increase, effective January 1, 1990. This proposed change is designed to have the minimum length more accurately reflect actual hours currently required to conduct the training. Both academy presenters presently require approximately 284 hours to present the minimum curriculum. Since January 1984, when the Specialized Basic Investigators Course was last updated, curriculum has been added that requires additional instructional and testing time to the Regular Basic Course. The Specialized Basic Course uses identical Performance Objectives in the majority of the course and must be realigned with the Regular Basic. It is important to have POST's minimum course hours accurately reflect the necessary hours to help ensure quality and to assist academies in presenting quality, uniform instruction.

The Document Performance Objectives for the POST Specialized Basic Investigators Course was developed to identify more specifically the content required of academy presenters. Individual performance objectives were developed pursuant to identified job tasks performed by peace officers assigned to the specialized investigative function. Objectives are directed at particular skills, knowledge or attitudes that investigators must be proficient in for their job tasks. Some objectives reflect new knowledge, some new skills or updated skills and others are legislative training mandates that require instruction in particular subject areas. In every case, performance objectives are developed with the input of representatives of academy instructors, special interest groups, subject matter experts and law enforcement experts. Each performance objective is thoroughly reviewed by staff from various perspectives, including

legality,, discrimination, consistency, instructional scope and testability.

Instructional and testing hours for each functional area are arrived at by comparisons between the Regular Basic Course time requirements and estimates by subject matter experts who teach similar subjects.

Subject matter experts and instructors estimate the additional curriculum will require a 120 hour increase to instruct and test.

Additionally, POST proposed to amend POST Commission Procedure D-1-6 which is incorporated by reference in to POST regulation 1005, to make performance objectives mandatory in the Specialized Basic Investigators Course. This will insure uniformity of instruction between presenters and standardization between students.

NOTE: THIS LANGUAGE IS PREDICATED UPON APPROVAL BY THE OFFICE OF ADMINISTRATIVE LAW OF REGULATION 1005 AS REVISED PURSUANT TO THE PUBLIC HEARING HELD APRIL 20, 1989.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: BASIC TRAINING STANDARDS
SPECIALIZED BASIC INVESTIGATORS COURSE

1005. Minimum Standards for Training

(a) - (i) ****

PAM Section D-1-1 adopted effective * is herein incorporated by reference.

PAM Section D-1-2 adopted effective * is herein incorporated by reference.

PAM Section D-1-3 adopted effective April 15, 1982, and amended January 24, 1985 and * is herein incorporated by reference.

PAM Section D-1-4 adopted effective April 27, 1983, and amended January 24, 1985 and * is herein incorporated by reference.

PAM Section D-1-5 adopted effective April 27, 1983, and amended January 24, 1985 and * is herein incorporated by reference.

PAM Section D-1-6 adopted effective October 20, 1983, and amended * and * is herein incorporated by reference.

PAM Section D-3 adopted effective April 15, 1982, and amended October 20, 1983 and January 29, 1988 is herein incorporated by reference.

PAM Section D-4 adopted effective April 15, 1982 is herein incorporated by reference.

The POST Basic Academy Physical Conditioning Manual (February 1990) adopted effective * is herein incorporated by reference.

The document, Performance Objectives for the POST Basic Course - 1989 adopted effective * is herein incorporated by reference.

The document, Performance Objectives for the POST Specialized Basic Investigators Course - 1990 adopted effective * is herein incorporated by reference.

*This date to be filled in by OAL

Authority: Sections 13503, 13506, 13510, Penal Code
Reference: Sections 832, 832.3, 13506, 13510, 13510.5, 13511, 13513, 13514, 13516, 13517, 13520 and 13523, Penal Code

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract Requests - Legislative Update Telecourse		Meeting Date July 19, 1990
Bureau Training Program Services Bureau	Reviewed By Ken O'Brien	Researched By John Davidson
Executive Director Approval Norman C. Boehm	Date of Approval 6/27/90	Date of Report June 26, 1990
Purpose: ☒ Decision Requested ☐ Information Only ☐ Status Report		Financial Impact: ☒ Yes (See Analysis for details) ☐ No

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

ISSUE:

Should the Commission authorize the Executive Director to enter into contracts for actual costs, but in an amount not to exceed $50,000, to develop and present a televised training course in conjunction with the California Peace Officers Association (CPOA) on the subject of Legislative Update.

BACKGROUND:

For many years now, the CPOA has presented an annual Legislative Update course in November and December. Usually, the course entails 19 or 20 presentations at locations all over the state. For the past four years, course presentations have also been made to rural northern California areas by means of microwave transmission. The microwave broadcast is limited to the northern California sites and is basically a broadcast of the live six hour program in its entirety.

Under this proposal, this microwave broadcast would be replaced by a more compact program, broadcast via satellite to agencies throughout the state. The program would be viewed live at multiple sites and would also be recorded on tape for future showing at an agency's convenience.

Evaluation of POST'S first two televised training programs has shown that the presentation of training by means of satellite technology is practical, feasible and cost effective. POST proposes to develop this program in conjunction with the CPOA.

ANALYSIS:

The current CPOA course is intended for supervisors and trainers, who are expected to return to their agencies and provide additional training to the rest of their personnel. The extent to which this is actually done is not known. There is no question, however, that secondary training could be accomplished much more expediently with the aid of a recorded videotape of the proposed live, condensed training program.

It is anticipated that the proposed program would encompass two to three hours and be divided into 15-minute segments, each of which would be suitable for a "roll call" presentation. Questions would be answered following each segment.

Since the live broadcast would follow the statewide classroom presentations by CPOA, there is no way to accurately estimate the number of persons who would attend. It is reasonable to speculate, however, that the videotape recordings of the live broadcast may be shown to as many as several thousand officers.

In addition to an interagency agreement with one of the units of the state university system, POST would contract with CPOA to provide the raw data for the program. As part of the contract, CPOA would also be expected to provide consultation services during the program's development phase. CPOA's portion of the contract costs are included in the $50,000 amount requested. (The Long Range Planning Committee originally had considered $40,000. While this figure may still represent a reasonable estimate of the cost of the program, the fact that the contracts will be limited to actual costs and the difficulty of renegotiating an increase, should that become necessary, suggests including a prudent reserve in the allocation to cover any unforseen circumstances).

While the two previous programs were produced by means of an interagency agreement with San Diego State University, there are other units of the state university system which are involved in satellite training. Authority is requested to negotiate an interagency agreement with any of these units of the university system, depending on availability, convenience and the ability to produce effective programs.

This proposal has been reviewed and approved by the CPOA Executive Committee and comes to the Commission with a recommendation for approval by the Commission's Long Range Planning Committee. This is a pilot presentation. Evaluation will be built in as part of the design. An advisory committee will be formed to review development and evaluation activities.

RECOMMENDATION:

Authorize the Executive Director to enter into contracts for actual costs, but in a total cumulative amount not to exceed $50,000, for the development and presentation of a satellite distributed telecourse training program on the subject of Legislative Update.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Recommendation to Update POST Curriculum Standards for the PC 832 Course		Meeting Date: July 19,1990
Bureau: Training Program Services	Reviewed By: Glen Fine	Researched By: Hal Snow
Executive Director Approval: Norman C. Boehm	Date of Approval: 6/27/90	Date of Report: June 16, 1990

Purpose:
- [x] Decision Requested
- [ ] Information Only
- [ ] Status Report

Financial Impact:
- [ ] Yes (See Analysis for details)
- [x] No

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

ISSUE:

Should the Commission schedule a public hearing in conjunction with the January 1991 meeting to consider updating POST's curriculum and hourly requirements for the PC 832 Course?

BACKGROUND:

Pursuant to Penal Code Section 832 mandating an introductory training course for peace officers, POST requires a minimum 24-hour Arrest Course and for those peace officers who carry firearms an additional 16-hour Firearms Course for a total 40-hour requirement. See Attachment A for the existing POST course outline for the PC 832 Course. As part of POST's curriculum standards for the course, it is recommended (but not required) that peace officers who make arrests complete an additional 16-hour Communications and Arrest Methods Course. Effective July 1, 1989, the course curriculum was converted from a topical outline to 91 required performance objectives from the Regular Basic Course to implement mandatory POST testing of course graduates under Penal Code Section 832 (a).

Course hours have remained the same since inception of the requirement in 1973 because of the possibility of this course being considered a state mandated local program and the State (possibly POST) having to reimburse for training costs for those who would otherwise not be eligible for POST reimbursement. Since 1973, at least two POST curriculum reviews have suggested the course content and hours need to be expanded but staff has declined to recommend curriculum or hourly additions. The only exception has been for Level III Limited Function Reserve Peace Officers wherein POST requires completion of the full 56 hours including the 16-hour Communications and Arrest Techniques Course.

ANALYSIS:

For many peace officers (except those subject to the Basic Course), this course is the only required law enforcement

training. Missing from the Arrest Course is curriculum considered critical to the task of making an arrest and use of firearms which are the primary focus of the course. POST's minimum curriculum and hourly standards for the Arrest and Firearms Courses are considered insufficient for adequate treatment of these tasks. For example, no instruction is provided on overcoming resistance from a person under arrest short of using a firearm.

Four factors have emerged that suggest it may be timely to upgrade POST requirements for the course including:

1. Recent informal legal advice to POST has suggested that this training requirement should be interpreted as a requirement upon the individual and not upon the employing agency thus reducing the possibility of this being considered a state mandated/reimbursable program.

2. In developing a proposed training standard for school peace officers under Senate Bill 446 of 1989 (separate agenda item for this meeting), the need to include some officer safety curriculum, i.e., defensive tactics/arrest methods/search/and handcuffing was identified as necessary to obtain field support. The proposed curriculum changes would satisfy this need.

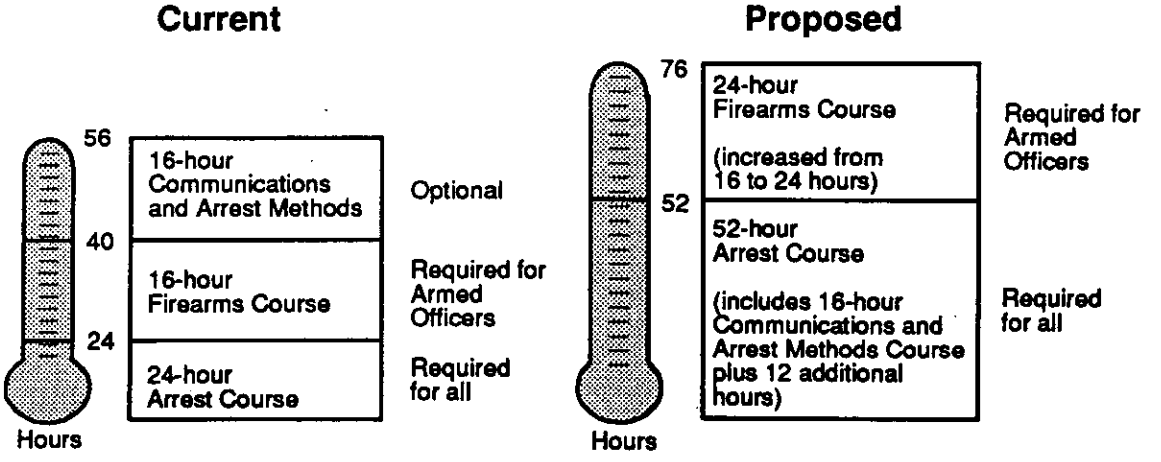
3. With the completion of POST's PC 832 Interactive Training Program, a convenient means to expedite the training has become available to training institutions to effectively present the training in considerably less time (25-60% less) compared to traditionally presented instruction. In developing the interactive (IVD) version of the PC 832 Course, existing performance objectives and those proposed for addition were included. Thus, the impact of increasing the curriculum and hourly requirements for this course are significantly minimized with the availability of the PC 832 Interactive Training Program. Indications from field testing of the program suggest that most students can complete the training (including the proposed additions) within the existing minimum hours. Approximately 20 or 33% of the existing presenters are using the program and therefore can seek a waiver of minimum hours consistent with Commission policy.

4. Sixty or 97% of the 62 PC 832 Course presenters exceed the minimum POST hourly requirements indicating that most presenters have already included the curriculum from the 16-hour Communications and Arrest Methods Course indicating there is agreement this training is needed.

The proposal before the Commission is to: 1) add the curriculum (31 performance objectives) of the 16-hour Communications and

Arrest Methods Course (see Attachment B) to the Arrest Course; 2) add three other performance objectives to the Arrest Course concerning Related Law Enforcement Agencies, Person Searches, and Handcuffing Suspects; and 3) add one performance objective to the Firearms Course concerning Firearms Shooting Positions. See Attachment C for these performance objectives. These objectives are considered essential for all peace officers and are directly related to the tasks of making an arrest and using a firearm.

To implement these curriculum additions and to meet the need for more training time to adequately address existing POST curriculum requirements, it is proposed the Arrest Course hours be increased from 24 to 52 and the Firearms Course from 16 to 24. Attachment D provides a revised Course Outline indicating these changes. The following chart provides a comparison of the existing and proposed course hours.



Attachment E provides a more detailed analysis of existing and proposed course hours. For the Firearms Course, the primary purpose for increasing course hours is to afford more opportunity for trainee firearms practice which would improve the present pass rate (of 90%) on the POST PC 832 Firearms Test. The proposed requirement for the 24-hour Firearms Course is seven classroom and 15 hours range with two additional hours for presenter and POST testing. The increased hours for the Arrest Course is primarily to accommodate the recommended added curriculum.

To provide adequate time for implementation by training presenters and for POST test development, a one-year delayed implementation date following Commission regulation adoption is recommended. It is planned that the proposed additional performance objectives requiring student demonstration of proficiency will be evaluated by the certified training institutions using guidelines, checksheets and evaluator training supplied by POST.

Of the 6,000 plus annual trainees for the PC 832 Course, an

unknown percentage are non-peace officers such as students, private security guards, building inspectors, sanitation inspectors, persons seeking to fulfill local gun permit requirements, etc. Some course presenters have expressed the need to have the Arrest Course modularized to accommodate these persons because they do not need the proposed additional training. POST requirements for the course are based upon the training needs of peace officers and not these persons. Therefore, it is planned that latitude would be granted to course presenters for modularizing the Arrest Course at local option but that persons not completing the course would be ineligible to take the POST exam.

The existing and proposed performance objectives are derived from those of the regular Basic Course so as to facilitate the curriculum updating process and to ensure comparability as implied in Penal Code Section 832 which indicates that persons completing the Basic Course are exempt from the PC 832 Course.

Even though the existing and proposed PO's of the PC 832 Course are carefully selected from the Basic Course for their universal applicability to all peace officers, some terminology and conditions under which peace officers perform vary from group to group. For example, state correctional peace officers do not generally interact with members of the community at large but rather with prison offenders. It is contemplated that review of all PC 832 performance objectives will be made in the near future with a view towards correcting any non-universal terminology and providing assurance that appropriate latitude exists in the demonstration of skills in peace officer work settings. Any needed technical changes will be made. Should any need for non-technical change be identified, a report would be prepared for Commission consideration. At this time it is not expected that substantive changes will be necessary.

To implement the proposed curriculum and hourly changes, Regulation 1081 (1) would have to be modified through a public hearing. Attachment F provides a copy of the proposed Notice of Public Hearing, Statement of Reasons, and proposed language changes to Regulation 1081 (1).

RECOMMENDATION:

Schedule a public hearing in conjunction with the January 1991 meeting to consider changes to Regulation 1081 (1) that would update POST's curriculum and hourly requirements for the PC 832 Course.

POST Prescribed
Training Courses

July 1, 1989

ARREST AND FIREARMS TRAINING REQUIREMENT - P.C. 832
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Law
Commission Procedure D-7

LEGAL REFERENCE

Penal Code Section 832(a) (added by Statutes 1971) requires every person described in Chapter 4.5, Title 3 of Pt. 2, of the Penal Code as a peace officer to complete a course of training prescribed by the Commission on Peace Officer Standards and Training. P.C. Section 832(b)(1) requires such training to be completed within 90 days following date of employment and prior to the exercise of peace officer powers.

Civil Code Section 607(f) requires humane officers who carry firearms to complete a course of training approved by the Commission. The firearms portion of the P.C. 832 Arrest and Firearms Course was approved by the Commission to satisfy the requirements of the law.

BACKGROUND

The course curriculum was approved by the Commission in 1972 and revised in 1985. The course is certified for 40 hours, presented in two parts--24 hours in laws of arrest and 16 hours in firearms. Peace officers who do not carry firearms are not required to complete the firearms portion. The Commission also recommends, but does not mandate, that peace officers who are subject to making arrests complete an additional 16-hour course in Communication and Arrest Methods. The course curriculum was updated July 1, 1989 to require specific performance objectives from the Regular Basic Course.

CERTIFICATION INFORMATION

The P.C. 832 Course is certified to community colleges and law enforcement agencies in blocks of 40 or more hours only. The course curriculum consists of a topical outline and selected required performance objectives included in the POST-certified Basic Course. Refer to POST publication Performance Objectives for the Basic Course.

TOPICAL OUTLINE*

Arrest Course (24 Hours) (Required for all peace officers)

A. Professional Orientation (4 Hours)

1. Professionalism (1.2.1)
2. Ethics/Unethical Behavior (1.3.1-2) (1.4.1-4)
3. Administration of Justice Components (1.7.1-2)
4. California Court System (1.9.1-2)
5. Discretionary Decision Making (1.11.1-4)

B. Law (12 Hours)

1. Introduction to Law (3.1.1-3)
2. Crime Elements (3.2.1-3)
3. Intent (3.3.1)
4. Parties to a Crime (3.4.1-2)
5. Defenses (3.5.1-2)
6. Probable Cause (3.6.1-2)
7. Obstruction of Justice (3.8.1-7)
8. Constitutional Rights Law (3.37.1,3,4)
9. Laws of Arrest (3.38.1-9,12-13)
10. Effects of Force (7.1.1-2)
11. Reasonable Force (7.2.1-3)
12. Deadly Force (7.3.1-5)
13. Illegal Force Against Prisoners (11.3.1-2)

C. Laws of Evidence (4 Hours)

1. Concepts of Evidence (4.1.1-5)
2. Rules of Evidence (4.6.1-3)
3. Search Concept (4.7.1-2,4)
4. Seizure Concept (4.8.1-5)

D. Investigation (3 Hours)

1. Preliminary Investigation (10.1.4)
2. Interrogation (8.8.1)
3. Identification, Collection, and Preservation of Evidence (10.6.1-3,6-7)
4. Chain of Custody (10.7.1-2)

Examination (1 Hour)

*Note that required performance objectives are included in parenthesis.

Firearms Course (16 Hours) (Required for peace officers who carry firearms)

A. Firearms Safety (7.5.1)

B. Handgun Familiarization (7.6.1)

C. Firearms Care and Cleaning (7.7.1)

D. Firearms Shooting Principles (7.10.1)

E. Firearms Range (Combat) (7.15.1) *
*Modified for P.C. 832 Course

Communications and Arrest Methods Course (16 Hours) (Recommended for peace officers who make arrests)

A. Community Relations (2 Hours)

1. Community Service Concept (2.1.1)
2. Community Attitudes and Influences (2.2.1-4)

B. Communications (5 Hours)

1. Interpersonal Communication (5.~~5~~.1-3)
2. Note Taking (5.2.1-3)
3. Introduction to Report Writing (5.3.1-3)
4. Interviewing Techniques (10.8.1)

C. Arrest and Control (8 Hours)

1. Weaponless Defense/Control Techniques (12.6.1-5) (12.7.2-3,7)
2. Person Search Techniques (8.14.1-4)
3. Restraint Devices (8.19.1-2)
4. Prisoner Transportation (8.20.1-3)

Examination (1 Hour)

Total (56 Hours)

PROPOSED PO'S FROM THE COMMUNICATIONS AND ARREST METHODS COURSE

A. COMMUNITY RELATIONS (2 HOURS)

COMMUNITY SERVICE CONCEPT

2.1.1 The student will identify the following roles as those included within the police responsibility to provide community service:

A. Order maintenance
B. Crime prevention
C. Public education
D. Deliver of service
E. Enforcement of law

COMMUNITY ATTITUDES AND INFLUENCES

2.2.1 The student will identify ways to personally influence and affect the community's attitude toward law enforcement with the following:

A. Schools
B. Media-newspapers, TV, radio
C. Family
D. Friends/Acquaintances
E. Victims/Witnesses

2.2.2 Given word-pictures or audio-visual presentations depicting an officer's interaction with he public, the student will identify the expected behavior of an officer from the perspective of the following:

A. The community
B. The persons directly involved
C. The student's department
D. The student officer

2.2.3 The student will identify the following techniques for coping with cultural and socio-economic differences:

A. Identify and communicate with the representatives of different cultural and socio-economic groups
B. Avoid pre-judging individuals based on their cultural origins or socio-economic status
C. Avoid the "we-they" syndrome

2.2.4 The student will identify the folkways, mores, values, and particular needs for law enforcement services of each of the following community groups:

A. Racial Minority
B. Ethnic Minority
C. Women
D. Sexual Orientation
E. Economic Group
F. Elderly/youth
G. Physically Handicapped

INTERPERSONAL COMMUNICATIONS

5.1.1 The student will identify the following as non-language factors which contribute to a negative response from the public:

A. Officious and oppressive manner
B. Disrespectful attitude
C. Officious tone of voice
D. Use of body language

5.1.2 The student will identify the following as being language factors which contribute to a negative response from the public:

A. Profanity
B. Derogatory language
C. Offensive terminology directed toward members of community groups
D. Inappropriate use of police jargon

5.1.3 Given practical exercises depicting stressful situations of interaction with the public, the student will deal properly and effectively with persons exhibiting difficulty communicating due to:

A. Irrational behavior
B. Age

NOTE TAKING

5.2.1 The student will identify the following uses of field notes:

A. Basis for writing reports
B. Reduces the need to recontact parties involved
C. Provides a greater degree of accuracy relative to times, statements, and events than memory alone

5.2.2 The student will identify the following types of information that should be entered into field notes:

A. Suspects
B. Victims
C. Witnesses
D. Date(s) and time(s) of occurrence
E. Exact location of occurrence and persons involved
F. Any other important information, i.e., case number, location and chain of evidence, assisting officer's activity, type of incident

5.2.3 Given simulated police situations, the student will demonstrate the ability to take neat and accurate notes.

INTRODUCTION TO REPORT WRITING

5.3.1 The student will identify the following uses of police reports:

A. Record facts into a permanent record
B. Provide coordination of follow-up activities and investigative leads
C. Provide basis for prosecution and use by defense
D. Provide a source for officer evaluation
E. Provide statistical data
F. Provide reference material

5.3.2. The student will identify the following characteristics as essential to a good report:

A. Accuracy
B. Conciseness
C. Completeness
D. Clarity
E. Legibility
F. Objectivity
G. Grammatically Correct
H. Correct Spelling

5.3.3 The student will identify the following questions as those that should be answered by a complete report:

A. Who
B. What

C. When
D. Where
E. Why
F. How

INTERVIEWING

10.8.1 The student will identify those systematic steps that an officer should take in preparing for an interview.

PRINCIPLES OF WEAPONLESS DEFENSE

12.6.1 The student will identify the basic principles of weaponless defense.

A. Balance
B. Awareness
C. Self-control

12.6.2 The student will identify the danger areas of the body which are:

A. Most vulnerable to physical attack
B. Potentially fatal

12.6.3 The student will identify those parts of the body which can be used to overcome resistance.

12.6.4 The student will demonstrate a control hold.

12.6.5 The student will demonstrate a recognized "take-down" tactic.

ARMED SUSPECT/WEAPONLESS DEFENSE/WEAPONS RETENTION

12.7.2 Given an exercise simulating an armed suspect, the student will demonstrate foot movements which will allow him/her to enter/avoid suspect's position.

12.7.3 The student will identify the different techniques and mental preparation which can be used in disarming a suspect with various types of weapons and the dangers involved.

12.7.7 Given an exercise, the student will demonstrate a recognized method of weapon retention from both holstered and in-hand situations.

PERSON SEARCH TECHNIQUES

8.14.1 The student will identify the methods of searching individuals of the opposite sex.

8.14.2 The student will identify the following principles of the search of an individual which maximize the effectiveness of the search and the safety of the officer(s):

A. Constant alertness
B. Maintaining a position of control and "advantage"
C. Thoroughness of search
D. Safeguarding of weapons (officer's/suspect's)
E. Search from the rear
F. Search with one hand, control with the other
G. Keep gun out of reach of suspect(s)
H. Search systematically by use of proper hand technique
I. If weapon found, notify back-up officer immediately and maintain control of suspect and weapon

8.14.3 The student will identify those places on males and females where dangerous weapons or contraband may be concealed.

8.14.4 The student will identify the following responsibilities as being those of a "covering officer" when backing up another officer conducting a search of an individual(s):

A. Protect searching officer from outside interference
B. Psychological intimidation of the person(s) being searched
C. Physical assistance of search officer, if necessary
D. Continuous observation of suspect(s)

RESTRAINT DEVICES

8.19.1 The student will identify the most common limitations imposed by law enforcement agencies regarding the use of restraint devices on the following types of prisoners:

A. Adult males
B. Adult females
C. Juveniles
D. Mentally ill

8.19.2 The student will identify the purposes and limitations of restraint devices used on prisoners.

This will minimally include temporary restraint to prevent:

A. Attack on officer
B. Escape
C. The destruction of concealment of evidence of contraband
D. Self-inflicted injury

PRISONER TRANSPORTATION

8.20.1 The student will learn the proper method of transporting prisoners.

This will minimally include

A. The search of the area in which the prisoners is/was seated before and after transportation
B. Positioning of officer(s) and prisoner(s) within the vehicle
C. Close observation of the prisoner(s)
D. Use of seat belts

820.2 The student will identify the most common limitations imposed by law enforcement agencies regarding transportation of prisoners:

This identification will minimally include:

A. Transportation of adult males/females
B. Positioning within vehicle
C. Injured or sick prisoners
D. Transportation of juveniles
E. Violent/combative/hostile prisoners

820.3 The student will safely and securely position simulated prisoners for transportation. This will minimally include single and multiple prisoners while working alone and with a partner.

ATTACHMENT C

PROPOSED PERFORMANCE OBJECTIVE ADDITIONS

RELATED LAW ENFORCEMENT AGENCIES

1.8.1 The student will identify a primary function, jurisdiction, and area of potential mutual assistance for the following federal, state, and local agencies:

A. California Highway Patrol (CHP)
B. Department of Motor Vehicles (DMV)
C. California Department of Justice, Division of Law Enforcement
D. Federal Bureau of Investigation (FBI)
E. Postal Service
F. Drug Enforcement Administration (DEA)
G. Secret Service
H. Immigration Service
I. Alcohol, Tobacco, and Firearms Division of Treasury Department
J. Military Police
K. U.S. Marshal
L. Appropriate federal, state and local agencies

SEARCH/CONTROL SIMULATION

8.18.2 Given an exercise, the student will safely and effectively conduct the following searches of a suspect(s):

A. Visual search
B. Cursory search
C. High risk or arrest searches

1. standing
2. kneeling
3. prone

All items of contraband or weapons which can reasonable be located within legal constraints will be located, and the student will maintain personal safety and suspect's security.

RESTRAINT DEVICES

8.19.3 In a simulated situtation, the student will safely and effectively handcuff single and multiple suspects. This will minimally include the:

A. Handcuffing of a single suspect
B. Handcuffing of two suspects with a single pair of cuffs
C. Handcuffing three or more suspects together with two

or more pairs of cuffs

D. Maintaining constant control of the suspect
E. Maintain constant control of the restraining device(s)
F. Demonstrating double lock option
G. Maintaining reasonable degree of tightness of restraint devices
H. Control positioning of suspect's hands
I. Maintaining continuous observation of the suspect
J. Additional restraint devices

HANDGUN SHOOTING PRINCIPLES

7.10.2 The student will demonstrate the following shooting positions:

A. Crouch
B. Point Shoulder
C. Barricade (strong and weak hand)
D. Prone
E. Kneeling
F. Hip

Note: These performance objectives are addressed in POST's PC 832 Interactive Training Program

POST Prescribed
Training Courses

~~July 1, 1989~~
January 1, 1992

P.C. 832 - ARREST AND FIREARMS ~~TRAINING REQUIREMENT --- P.C. 832~~
Course Outline

POST ADMINISTRATIVE MANUAL REFERENCE

Law
Commission Procedure D-7

LEGAL REFERENCE

Penal Code Section 832(a) (added by Statutes 1971) requires every person described in Chapter 4.5, Title 3 of Pt. 2, of the Penal Code as a peace officer to complete a course of training prescribed by the Commission on Peace Officer Standards and Training. P.C. Section 832(b)(1) requires such training to be completed within 90 days following date of employment and prior to the exercise of peace officer powers.

Civil Code Section 607(f) requires humane officers who carry firearms to complete a course of training approved by the Commission. The firearms portion of the P.C. 832 Arrest and Firearms Course was approved by the Commission to satisfy the requirements of the law.

BACKGROUND

The course curriculum was approved by the Commission in 1972 and revised in 1985, 1989 and 1990. The course is certified for 74 ~~40~~ hours, presented in two parts--~~24~~ 50 hours in laws of arrest and ~~16~~ 24 hours in firearms. Peace officers who do not carry firearms are not required to complete the firearms portion. ~~The Commission also recommends, but does not mandate, that peace officers who are subject to making arrests complete an additional 16 hour course in Communication and Arrest Methods.~~ The course curriculum was updated July 1, 1989 to require specific performance objectives from the Regular Basic Course.

CERTIFICATION INFORMATION

The P.C. 832 Course is certified to community colleges and law enforcement agencies. ~~in blocks of 40 or more hours only.~~ The course curriculum consists of a topical outline and selected required performance objectives included in the POST-certified Basic Course. Refer to POST publication Performance Objectives for the Basic Course.

TOPICAL OUTLINE*

Arrest Course (24 50 Hours) ~~(Required for all peace officers)~~

A. Professional Orientation (4 5 Hours)

1. Professionalism (1.2.1)
2. Ethics/Unethical Behavior (1.3.1-2) (1.4.1-4)
3. Administration of Justice Components (1.7.1-2)
4. Related Law Enforcement Agencies (1.8.1)
5. ~~4.~~ California Court System (1.9.1-2)
6. ~~5.~~ Discretionary Decision Making (1.11.1-4)

B. Law (12 Hours)

1. Introduction to Law (3.1.1-3)
2. Crime Elements (3.2.1-3)
3. Intent (3.3.1)
4. Parties to a Crime (3.4.1-2)
5. Defenses (3.5.1-2)
6. Probable Cause (3.6.1-2)
7. Obstruction of Justice (3.8.1-7)
8. Constitutional Rights Law (3.37.1,3,4)
9. Laws of Arrest (3.38.1-9,12-13)
10. Effects of Force (7.1.1-2)
11. Reasonable Force (7.2.1-3)
12. Deadly Force (7.3.1-5)
13. Illegal Force Against Prisoners (11.3.1-2)

C. Laws of Evidence (4 6 Hours)

1. Concepts of Evidence (4.1.1-5)
2. Rules of Evidence (4.6.1-3)
3. Search Concept (4.7.1-2,4)
4. Seizure Concept (4.8.1-5)

D. Investigation (3 4 Hours)

1. Preliminary Investigation (10.1.4)
2. Interrogation (8.8.1)
3. Identification, Collection, and Preservation of Evidence (10.6.1-3,6-7)
4. Chain of Custody (10.7.1-2)

~~A.~~E. Community Relations (2 4 Hours)

1. Community Service Concept (2.1.1)
2. Community Attitudes and Influences (2.2.1-4)

B~~.~~F. Communications (5 Hours)

1. Interpersonal Communication (5.1.1-3)
2. Note Taking (5.2.1-3)
3. Introduction to Report Writing (5.3.1-3)
4. Interviewing Techniques (10.8.1)

G~~.~~G. Arrest and Control (8 12 Hours)

1. Weaponless Defense/Control Techniques (12.6.1-5) (12.7.2-3,7)
2. Person Search Techniques (8.14.1-4)
3. Restraint Devices (8.19.1-2) (8.19.3) (8.18.2)
4. Prisoner Transportation (8.20.1-3)

Examination (~~1~~ 2 Hours)

POST Examination (2 Hours)

Total (52 Hours)

*Note that required performance objectives are included in parenthesis.

Firearms Course (~~16~~ 24 Hours) (Required for peace officers who carry firearms)

Classroom (7 hours)

A. Firearms Safety (7.5.1)

B. Handgun Familiarization (7.6.1)

C. Firearms Care and Cleaning (7.7.1)

D. Firearms Shooting Principles (7.10.1) (7.10.2)

Range (15 hours)

E. Firearms Range (Combat) (7.15.1) *
*Modified for P.C. 832 Course

Examination (1 Hour)

POST Examination (1 Hour)

Total (56 76 Hours)

Attachment E

Proposed Hourly Changes

	Current Minimum Hours	Proposed Minimum Hours
Arrest Course		
A. Professional Orientation	4	5
B. Law	12	12
C. Laws of Evidence	4	6
D. Investigation	3	4
E. Community Relations	2*	4
F. Communications	5*	5
G. Arrest and Control	8*	12
Examination	1	2
POST Examination	-	2
Total	24 (40)*	52
Firearms Course	16	
Classroom		7
A. Firearms Safety		
B. Handgun Familiarization		
C. Firearms Care and Cleaning		
D. Firearms Shooting Principles		
Range		15
E. Firearms Range (Combat)		
Examination	-	1
POST Examination	-	1
Total	16	24

Note: Underline indicates new topics

* Existing hours for the 16-hour currently optional Communications and Arrest Methods Course.

ATTACHMENT F

BULLETIN: 90-

SUBJECT: Public Hearing - POST Curriculum and Hourly Requirements for the PC 832 Course

A public hearing has been scheduled in conjunction with the January 1991 meeting:

Date: January 17, 1991
Time: 10:00 a.m.
Place: Raddison Hotel
Sacramento, California

The hearing is for the purpose of considering regulation changes concerning POST's curriculum and hourly requirements for the PC 832 Course. Under Penal Code Section 832, all peace officers are required to complete an introductory course of training prescribed by POST. Those who complete the Basic Course are exempt from the requirement.

It is proposed that Regulation 1081 (1) (Minimum Standards for Approved Courses) be amended to reflect the following changes: 1) add the curriculum of the now optional 16-hour Communications and Arrest Methods Course to the Arrest Course; 2) add performance objectives to the Arrest Course concerning Related Law Enforcement Agencies, Person Searches, and Handcuffing Suspects; 3) add one performance objective to the Firearms Course concerning Firearms Shooting Positions; and 4) increase the Arrest Course hours from 24 to 52 hours and the Firearms Course from 16 to 24 hours. A one-year delayed implementation date following Commission approval is recommended to allow for course presenter planning time and POST test development.

The Commission may adopt other changes related to this rulemaking action based upon the public hearing proceedings and written comments received. The Commission invites input on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation changes and provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento CA. 95816-7083, or by telephone at (916) 739-5400.

NORMAN C. BOEHM
Executive Director

Attachment

Commission on Peace Officer Standards and Training

NOTICE OF PUBLIC HEARING

CURRICULUM AND HOURLY REQUIREMENTS FOR THE PC 832 COURSE

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Section 13503 and 13506 of the Penal Code to interpret, implement, and make specific Section 832 of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations. A public hearing to adopt the proposed amendments will be held before the full Commission on:

Date: January 17, 1991
Time: 10:00 a.m.
Place: Raddison Hotel
Sacramento, California

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Under Penal Code Section 832, all peace officers are required to complete an introductory course of training prescribed by POST except for those who complete the Basic Course. POST currently requires a minimum 24-hour Arrest Course and for those peace officers who carry firearms an additional 16-hour Firearms Course for a total 40-hour requirement with specified curriculum. It is recommended (but not required) that peace officers who make arrests complete an additional 16-hour Communications and Arrest Methods Course. Level III Limited Function Reserve Peace Officers are required to also complete the Communications and Arrest Methods Course.

It is proposed that Regulation 1081 (1) (Minimum Standards for Approved Courses) be amended to reflect the following changes: 1) add the curriculum (31 performance objectives) of the 16-hour Communications and Arrest Methods Course to the Arrest Course; 2) add three other performance objectives to the Arrest Course concerning Related Law Enforcement Agencies, Person Searches, and Handcuffing Suspects; 3) add one performance objective to the Firearms Course concerning Firearms Shooting Positions; 4) increase the Arrest Course hours from 24 to 52 and the Firearms Course from 16 to 24; and 5) adopt a provision that would authorize POST to approve alternative but equal (covering the same skills, knowledge and attitudes) performance objectives to accommodate unique terminology or working conditions of particular groups of peace officers.

The recommended increased hours is to accommodate the additional curriculum and reflect the time actually needed to conduct the instruction. Sixty of the 62 PC 832 Course presenters presently exceed the minimum POST hourly requirements with the overwhelming majority already including the proposed curriculum additions. The POST PC 832 Interactive Training Program, which already includes all of the existing and proposed curriculum, can be used by training presenters in a self-paced mode to expedite the instruction and waive minimum course hours.

A one-year delayed implementation date following Commission approval is recommended to allow for planning by training presenters and for POST test development.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on October 15, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposals substantially as set forth without further notice. If the proposed text is modified prior to adoption and the change is related but not solely grammatical or nonsubstantial in nature, the full text of the resulting regulation will be made available at least 15 days before the date of adoption to all persons who testified or submitted written comments at the public hearing, all persons whose comments were received by POST during the public comment period, and all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date on which the revised text is available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: Yes

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Costs Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

POST CURRICULUN AND HOURLY STANDARDS FOR THE PC 832 COURSE

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on January 17, 1991 to amend Commission Regulation 1081 (1) pursuant to Penal Code Section 832. These amendments would increase the curriculum and hourly training requirements for the PC 832 Course.

POST's requirements for the PC 832 Course were last modified July 1, 1989 when the course curriculum was converted from a topical outline to 91 required performance objectives to implement mandatory POST testing of course graduates under Penal Code Section 832 (a). However, POST's requirements for the course have not increased since inception of the requirement in 1973. Law enforcement has become increasingly more complex especially as it relates to the tasks of making an arrest and carrying a firearm which are the primary focus of this course. Input received from peace officer groups and training presenters has consistently indicated the curriculum and hours are insufficient for adequate treatment of these tasks. Furthermore, most (97%) of the 60 course presenters exceed the minimum POST hourly requirements and most of these have already included of the curriculum proposed for addition. Increasing liability associated with the negligent training of peace officers has in part motivated this proposed updating of requirements.

It is proposed that the Arrest Course hours be increased from 24 to 52 and the Firearms Course from 16 to 24. These increases are necessary to accommodate the proposed increases in curriculum and to meet time needs of existing curriculum. Training presenters have indicated that converting to performance objective based curriculum in 1989 has resulted in a need for additional time to conduct existing instruction. For the Firearms Course, the additional eight hours is needed primarily to provide students opportunity for firearms range practice to gain sufficient proficiency to pass the POST Firearms Examination. For both the Arrest and Firearms Courses, a total of three hours is identified for the POST Examination to accommodate the need for POST to administer its test to students.

Proposed Performance Objectives To Be Added	Justification
1. Related Law Enforcement Agencies (1.8.1)	Peace officers need to be aware of the functions and jurisdiction of other law enforcement agencies as potential resources for mutual assistance during emergencies, informational resources, etc.
2. Community Service Concept (2.1.1)	Peace Officers need to know the scope of their responsibilities to provide community service and that gaining good will with the public is important.
3. Ways to Personally Influence Community Attitudes (2.2.1)	Officers need to understand they can personally influence community attitudes because community support is essential to law enforcement.
4. Expected Behavior of Officers (2.2.2)	Officers need to understand their expected behavior from various perspectives of the community so as to gain compliance and cooperation.
5. Techniques for Coping With Cultural and Socio-Economic Differences (2.2.3)	Peace officers encounter a variety of cultural and socio-economic groups and they need to follow sound techniques to gain cooperation and minimize conflict.

6. Folkways, Mores, Values and Needs for Law Enforcement Services (2.2.4)	Understanding and valuing the differences in people is necessary for peace officers to effectively communicate, provide counseling, and otherwise provide services.
7. Non-Language Factors Contributing to Negative Response (5.1.1)	Peace officers must understand this so as not to aggravate volitile law enforcement situations and to avoid behavior contrary to good community relations.
8. Language Factors Contributing to Negative Response (5.1.2)	Improper language on the part of officers can cause a reduced community respect/support for law enforcement and aggravate sensitive situations that sometimes escalates problems.
9. Dealing With Persons Exhibiting Difficulty Communicating (5.1.3)	Showing patience and understanding to persons in temporary or chronic conditions builds public respect and confidence in law enforcement.
10. Use of Field Notes (5.2.1)	Officers will gather information for police reports in a more thorough, accurate and systematic manner if they understand uses of field notes.

11. Types of Information for Field Notes (5.2.2)	The types of information needed in field notes is necessary for officers to understand so that no important items are omitted and a complete report can be subsequently written.
12. Taking Field Notes (5.2.3)	Officers need to demonstrate their ability to take notes in a simulated police situation so that an evaluation can be done to assure their neatness and accuracy.
13. Uses of Police Reports (5.3.1)	Officers will develop more acceptable police reports if they understand the uses which can impact persons involved as well as others in the criminal justice process.
14. Characteristics Essential to a Good Report (5.3.2)	The characteristics of a good report need to be understood by officers so they will meet these criteria.
15. Questions To Be Answered By Complete Report (5.3.3)	These questions have been proven to assure completeness of a report and therefore need to be understood and applied by officers.
16. Steps In Preparing for Interview (10.8.1)	Officers need to understand and follow systematic steps in preparing for an interview so that a successful interview can be conducted.

17. Basic Principles of Weaponless Defense (12.6.1)	Officers need to understand that balance, awareness and self-control are the keys to defending oneself in a physical altercation.
18. Danger Areas (12.6.2)	To protect him/herself and to prevent serious injury to a combatant, officers need to know the danger and potentially fatal areas of the body.
19. Overcoming Resistance (12.6.3)	To subdue and take into custody a resisting person in a way that minimizes risk of permanent injury, officers must know the parts of the body that can be used in overcoming resistance.
20. Control Hold (12.6.4)	Control holds are used by officers to subdue a person resisting arrest and are generally less likely to cause permanent injury than other uses of force.
21. Takedown Tactic (12.6.5)	Takedown tactics are used by officers to bring a resisting person to the ground so that a control hold can be administered and handcuffs can be applied.

22. Foot Movements (12.7.2)	Officers need to use proper foot movements to enter and avoid a suspect's position either to disarm an armed suspect or apply a control hold.
23. Disarming A Suspect (12.7.3)	For self defense, officers need to be able to know the techniques and mental preparation for disarming a suspect.
24. Weapons Retention (12.7.7)	Being able to retain weapons is an important aspect of officer safety.
25. Searching Persons of Opposite Sex (8.14.1)	Officers are called upon to arrest persons of the opposite sex and therefore need to be able to search in order to transport and maintain their safety. This needs to be done in a safe, effective and dignified manner.
26. Principles of Person Searches (8.14.2)	Officers need to understand the principles of searching an individual to maximize the effectiveness of the search and the safety of the officer(s).
27. Identification of Places on Persons for Concealment (8.14.3)	Officers must know the places on males and females where dangerous weapons or contraband may be concealed in order to preserve safety and evidence.

28. Responsibilities of Cover Officer (8.14.4)	All officers need to know common responsibilities of covering officer when backing up another officer in conducting a search of an individual to preserve safety of all parties involved.
29. Conduct Searches (8.18.2)	Officers need to be able to safely and effectively conduct searches of suspects to ensure officer safety.
30. Agency Limitations for Use of Restraint Devices (8.19.1)	Law enforcement agencies frequently establish limitations regarding the use of restraint devices on adult males, adult females, juveniles, and mentally ill. Officers need comply with their particular agency's policy.
31. Purposes and Limitations of Restraint Devices (8.19.2)	For the safety of all parties concerned, officers need to know the purposes and limitations of restraint devices.
32. Handcuffing Suspect(s) (8.19.3)	Officers need to safely and effectively handcuff single and multiple suspects in order to take into custody persons arrested and to ensure safety of all parties concerned.
33. Transporting Prisoners (8.20.1)	To ensure safety of officers and prisoners, officers need to know the proper methods for transporting prisoners.

34. Agency Limitations for Transporting Prisoners (8.20.2)	Law enforcement agencies frequently impose limitations on transporting prisoners and officers need to know the common ones in order to comply with department policy and ensure their safety.
35. Positioning Prisoners for Transportation (8.20.3)	Officers need to be able to safely and securely positon prisoners for transportation while working alone or with a partner.
36. Handgun Shooting Positions (7.10.2)	Depending on the distance and shooting circumstance, officers need to be able to use the five most common shooting positions. This will help ensure officer safety.

Reference to the 16-hour Communications and Arrest Methods Course is deleted in Regulation 1081 (1) since this curriculum is added to the Arrest Course.

PROPOSED LANGUAGE CHANGES TO REGULATION 1081 (1)

1081. Minimum Standards for Approved Courses

(a) Approved courses, as specified in Commission Regulation 1005(g), pertain to training mandated by the Legislature for various kinds of peace officers and other groups for which the Commission has responsibility to establish minimum standards. Approved courses shall meet the following minimum content and hours:

(1) Arrest and Firearms (Penal Code Section 832) 40~~7~~6 Hrs. (Certified course; requirement satisfied by Basic Course.)

Arrest Course (~~24~~ 52 Hours)
(Required for all peace officers)

(A) Professional Orientation (~~4~~ 5 Hours)

1. Law Enforcement Profession (no change)
2. Ethics (no change)
3. Unethical Behavior (no change)
4. Administration of Justice Components (no change)
5. Related Law Enforcement Agencies

Performance Objective

The student will identify a primary function, jurisdiction, and area of potential mutual assistance for the following federal, state, and local agencies: (1.8.1)

A. California Highway Patrol (CHP)
B. Department of Motor Vehicles (DMV)
C. California Department of Justice, Division of Law Enforcement
D. Federal Bureau of Investigation (FBI)
E. Postal Service
F. Drug Enforcement Administration (DEA)
G. Secret Service
H. Immigration Service
I. Alcohol, Tobacco, and Firearms Division of Treasury Department
J. Military Police
K. U.S. Marshal
L. Appropriate federal, state and local agencies

~~5~~6. California Court System (no change)
~~6~~7. Discretionary Decision Making (no change)

(B) Law (12 Hours) (no change)

(C) Laws of Evidence (~~4~~ 6 Hours) (no curriculum change)

(D) Investigation (~~3~~ 4 Hours) (no curriculum change)

(E) Community Relations (4 Hours)

1. Community Service Concept

Performance Objective

The Student will identify the following roles as those included within the police responsibility to provide community service: (2.1.1)

A. Order Maintenance
B. Crime Prevention
C. Public education
D. Delivery of Service
E. Enforcement of law

2. Community Attitudes and Influences

Performance Objectives

The student will identify ways to personally influence and affect the community's attitude toward law enforcement with the following: (2.2.1)

A. Schools
B. Media-newspapers, TV, radio
C. Family
D. Friends/Acquaintances
E. Victims/Witnesses

Given word-pictures or audio-visual presentations depicting an officer's interaction with the public, the student will identify the expected behavior of an officer from the perspective of the following: (2.2.2)

A. The community
B. The persons directly involved
C. The student's department
D. The student officer

The student will identify the following techniques for coping with cultural and socio-economic differences: (2.2.3)

A. Identify and communicate with the representative of difference cultural and socio-economic groups
B. Avoid pre-judging individuals based on their cultural origins or socio-economic status
C. Avoid the "we-they" syndrome

The student will identify the folkways, mores, values, and particular needs for law enforcement services of each of the following community groups: (2.2.4)

A. Racial Minority
B. Ethnic Minority
C. Women
D. Sexual Orientation
E. Economic Group
F. Elderly/youth
G. Physically Handicapped

(F) Communications (4 Hours)

1. Interpersonal Communications

Performance Objectives

The student will identify the following as non-language factors which contribute to a negative response from the public: (5.1.1)

A. Officious and oppressive manner
B. Disrespectful attitude
C. Officious tone of voice
D. Use of body language

The student will identify the following as being language factors which contribute to a negative response from the public: (5.1.2)

A. Profanity
B. Derogatory language
C. Offensive terminology directed toward members of community groups
D. Inappropriate use of police jargon

Given practical exercises depicting stressful situations of interaction with the public, the student will deal properly and effectively with persons exhibiting difficulty communicating due to: (5.1.3)

A. Irrational behavior

B. Age

2. Notetaking

Performance Objectives

The student will identify the following uses of field notes: (5.2.1)

A. Basis for writing reports
B. Reduces the need to recontact parties involved
C. Provides a greater degree of accuracy relative to times, statements, and events than memory alone

The student will identify the following types of information that should be entered into field notes: (5.2.2)

A. Suspects
B. Victims
C. Witnesses
D. Date(s) and time(s) of occurrence
E. Exact location of occurrence and persons involved
F. Any other important information, i.e., case number, location and chain of evidence, assisting officer's activity, type of incident

Given simulated police situations, the student will demonstrate the ability to take neat and accurate notes. (5.2.3)

3. Introduction to Report Writing

Performance Objectives

The student will identify the following uses of police reports: (5.3.1)

A. Record facts into a permanent record
B. Provide coordination of follow-up activities and investigative leads
C. Provide basis for prosecution and use by defense
D. Provide a source for officer evaluation
E. Provide statistical data
E. Provide reference material

The student will identify the following characteristics as essential to a good report: (5.3.2)

A. Accuracy
B. Conciseness
C. Completeness
D. Clarity
E. Legibility
F. Objectivity
G. Grammatically Correct
H. Correct Spelling

The student will identify the following questions as those that should be answered by a complete report: (5.3.3)

A. Who
B. What
C. When
D. Where
E. Why
F. How

4. Interviewing

Performance Objective

The student will identify those systematic steps that an officer should take in preparing for an interview. (10.8.1)

G. Arrest and Control (12 Hours)

1. Principles of Weaponless Defense

Performance Objectives

The student will identify the basic principles of weaponless defense. (12.6.1)

A. Balance
B. Awareness
C. Self-control

The student will identify the danger areas of the body which are: (12.6.2)

A. Most vulnerable to physical attack
B. Potentially fatal

The student will identify those parts of the body which can be used to overcome resistance. (12.6.3)

The student will demonstrate a control hold. (12.6.4)

The student will demonstrate a recognized "takedown" tactic. (12.6.5)

2. Armed Suspect/Weaponless Defense/Weapons Retention

Performance Objectives

Given an exercise simulating an armed suspect, the student will demonstrate foot movements which will allow him/her to enter/avoid suspect's position. (12.7.2)

The student will identify the different techniques and mental preparation which can be used in disarming a suspect with various types of weapons and the dangers involved. (12.7.3)

Given an exercise, the student will demonstrate a recognized method of weapon retention from both holstered and in-hand situations. (12.7.7)

3. Person Search Techniques

Performance Objectives

The student will identify the methods of searching individuals of the opposite sex.(8.14.1)

The student will identify the following principles of the search of an individual which maximize the effectiveness of the search and the safety of the officer(s): (8.14.2)

A. Constant alertness
B. Maintaining a position of control and "advantage"
C. Thoroughness of search
D. Safeguarding of weapons (officer's/suspect's)
E. Search from the rear
F. Search with one hand, control with the other
G. Keep gun out of reach of suspect(s)
H. Search systematically by use of proper hand technique

I. If weapon found, notify back-up officer immediately and maintain control of suspect

and weapon

The student will identify those places on males and females where dangerous weapons or contraband may be concealed. (8.14.3)

The student will identify the following responsibilities as being those of a "covering officer" when backing up another officer conducting a search of an individual(s): (8.14.4)

A. Protect searching officer from outside interference
B. Psychological intimidation of the person(s) being searched
C. Physical assistance of search officer, if necessary
D. Continuous observation of suspect(s)

Given an exercise, the student will safely and effectively conduct the following searches of a suspect(s): (8.18.2)

A. Visual search
B. Cursory search
C. High risk or arrest searches

1. standing
2. kneeling
3. prone

4. Restraint Devices

Performance Objectives

The student will identify the most common limitations imposed by law enforcement agencies regarding the use of restraint devices on the following types of prisoners: (8.19.1)

A. Adult males
B. Adult females
C. Juveniles
D. Mentally ill

The student will identify the purposes and limitations of restraint devices used on prisoners. (8.19.2)

This will minimally include temporary restraint to prevent:

A. Attack on officer
B. Escape
C. The destruction of or concealment of evidence of contraband
D. Self-inflicted injury

In a simulated situation, the student will safely and effectively handcuff single and multiple suspects. This will minimally include the: (8.19.3)

A. Handcuffing of a single suspect
B. Handcuffing of two suspects with a single pair of cuffs
C. Handcuffing three or more suspects together with two or more pairs of cuffs
D. Maintaining constant control of the suspect
E. Maintain constant control of the restraining device(s)
F. Demonstrating double lock option
G. Maintaining reasonable degree of tightness of restraint devices
H. Control positioning of suspect's hands
I. Maintaining continuous observation of the suspect
J. Additional restraint devices

5. Prisoner Transportation

Performance Objectives

The student will learn the proper method of transporting prisoners. (8.20.1)

This will minimally include:

A. The search of the area in which the prisoners is/was seated before and after transportation
B. Positioning of officer(s) and prisoner(s) within the vehicle
C. Close observation of the prisoner(s)
D. Use of seat belts

The student will identify the most common limitations imposed by law enforcement agencies regarding transportation of prisoners: (8.20.2)

This identification will minimally include:

A. Transportation of adult males/females
B. Positioning within vehicle

C. Inured or sick prisoners
D. Transportation of juveniles
E. Violent/combative/hostile prisoners

The student will safely and securely position simulated prisoners for transportation. This will minimally include single and multiple prisoners while working alone and with a partner. (8.20.3)

Examination (~~1~~ 2 Hours)

POST Examination (2 Hours)

(2) Firearms Course (~~16~~ 24 Hours)
(Required for peace officers carrying firearms)

Classroom (7 Hours)

(A) Firearms Safety (no change)

(B) Handgun Familiarization (no change)

(C) Firearms Care and Cleaning (no change)

(D) Firearms Shooting Principles (no change)

Range (15 Hours)

(E) Firearms Range (Combat)

1. Handgun/Combat/Range (no change)

2. Handgun Shooting Principles

Performance Objective

The student will demonstrate the following shooting positions: (7.10.2)

A. Crouch
B. Point Shoulder
C. Barricade (strong and weak hand)
D. Prone
E. Kneeling
F. Hip

Examination (1 Hour)

POST Examination (1 Hour)

~~Communications and Arrest (16 hours)~~
~~Recommended for peace officers who make arrests)~~

~~(A) Community Relations~~
~~(B) Communications~~
~~(C) Arrest and Control~~
~~Examination~~

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Proposition 115 Training Proposal		Meeting Date July 19, 1990
Bureau Training Program Services Bureau	Reviewed By Ken O'Brien	Researched By Ray Bray
Executive Director Approval Norman C. Boehm	Date of Approval 7/2/90	Date of Report July 15, 1990

Purpose:

☐ Decision Requested ☐ Information Only ☐ Status Report

Financial Impact: ☐ Yes (See Analysis for details) ☐ No

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

ISSUE

Should the Commission approve emergency regulations to adopt a course of training on hearsay testimony to comply with the requirements of Proposition 115 which amended Section 872(b) of the Penal Code.

BACKGROUND

Proposition 115, (Attachment A) passed by the voters on June 5, 1990, made major reforms in expediting criminal prosecutions including authorizing law enforcement officers to testify at preliminary hearings as to hearsay information. Section 872(b) of the Penal Code was amended to indicate that any law enforcement officer testifying as to hearsay statements shall have five years of law enforcement experience or have completed a training course certified by POST in the investigation and reporting of cases and testifying at preliminary hearings. The provisions of Proposition 115 took effect immediately after passage.

ANALYSIS

Input from an ad hoc advisory committee of district attorneys, subject matter experts, instructors, and other interested persons (Attachment B) was obtained on the design of a hearsay testimony course of instruction to comply with the requirements of Proposition 115. The proposed curriculum for that course is Attachment C. Major topics include Investigation, Reporting, and Testifying. This proposed Hearsay Testimony Course is estimated to require one hour of instruction.

There are potentially several thousand officers with less than five year's experience for whom training may be requested. Based on input from agencies, it is also possible that some departments will want to train all of their officers to improve understanding and courtroom testimony skills.

It is proposed that a teleconference course be developed as a primary means of delivering the training. But, because the law is already in effect and inquiries about availability of the training are already being received, demand for presentation of the one-hour course by traditional means is also expected.

Consistent with Commission policy authorizing the certification of Technical Courses of less than six hours to meet legislative training mandates, it is planned to certify the one-hour course as a technical course as need dictates. Because of the extremely short training time and the potentially high volume of trainees, it is proposed that the course be certified without reimbursement and with a waiver of the normal requirement to submit course rosters to POST. Agencies would be advised to maintain course completion records. This would carry out legislative intent for this training to be POST-certified and still be manageable in terms of workload for POST.

It is also anticipated that, in some areas, this training will be included in advanced officer training courses.

Although not required, it appears appropriate to also include this course in the Regular Basic Course. Most of the concepts and proposed topics are included within existing performance objectives. A review of existing performance objectives and unit guides will be made and reported on at the November meeting.

To implement the training, it is proposed that Regulation 1081 be amended to add Subsection 19 establishing the Hearsay Testimony Course and identifying the major curriculum topics. The approval of this as an emergency regulation enables the training to be promptly delivered. Emergency regulations must be followed with a formal rule making process (i.e., public hearing or notice of intent to adopt regulations) and thus it is recommended the Commission also approve the release of a Notice of Proposed Regulatory Action. Following a public input period, the regulation would be formally adopted assuming there is no demand for a hearing. Should a member of the public so demand, a formal public hearing could be scheduled for the November 1990 Commission Meeting. Attachment D includes the Notice of Proposed Regulatory Action, Statement of Reasons, and regulation language.

RECOMMENDATION

Approve emergency Regulation 1081(19) concerning curriculum for the one-hour Hearsay Testimony Course pursuant to Penal Code Section 872(b) and approve the release of a Notice of Proposed Regulatory Action.

Approve certification of the course without reimbursement and with a waiver of course roster submittal.

PROPOSITION 115 PRELIMINARY HEARING CHANGES

PENAL CODE section 872, subd.(b):

> "Notwithstanding Section 1200 of the Evidence Code, the finding of probable cause may be based in whole or in part upon the sworn testimony of a law enforcement officer relating the statements of declarants made out of court offered for the truth of the matter asserted. Any law enforcement officer testifying as to hearsay statements shall either have five years of law enforcement experience or have completed a training course certified by the Commission on Peace Officer Standards and Training which includes training in the investigation and reporting of cases and testifying a preliminary hearings."

ATTACHMENT B

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Roster
115 Curriculum Committee

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COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
PROPOSITION 115 COURSE
OUTLINE

BACKGROUND

This course is directed to the training needs of trainers to teach law enforcement officers who have less than five years service to testify to hearsay evidence in preliminary hearings as required by Proposition 115 which amended Section 1200 of the Evidence Code.

CERTIFICATION INFORMATION

This course is certified as a Technical Course under POST Reimbursement Plan 1V (Travel and per diem).

TOPICAL OUTLINE

Introduction and Registration

1.0 Investigation
2.0 Reporting
3.0 Testifying

LEARNING GOALS AND EXPANDED OUTLINE

1.0 Investigation

Learning Goal: The student will understand how the role of the investigating officer has been changed as a result of Proposition 115.

A. Significant change in rules of evidence
   1. Exception to hearsay rule
   2. Does not extend to trials
   3. Single officer may testify to work of others

B. Accuracy and thoroughness
   1. Must have complete knowledge of the case
   2. Must have thorough knowledge of elements of the crime
   3. Interview and interrogation must be more detailed
   4. Do not tell witness that he or she will not have to testify
   5. Statements by witnesses and victims must be accurate, and preferably signed
   6. Investigator must show, in detail, how defendant was identified
   7. Chain of custody must be accurate and well documented

2.0 Reporting

Learning Goal: The student will understand how to report and document crimes to facilitate hearsay testimony in preliminary hearings.

A. Officer must write report from which others can testify
   1. Must be accurate and very detailed
   2. Must identify suspect in report if possible
   3. Use active voice, not passive voice
   4. Quotations- must be exact
   5. Avoid use of Pronouns in report if possible
   6. When in doubt, put it in the report

B. Report should differentiate between personal knowledge and hearsay
   1. Report must be factual, not conclusionary
   2. Report must be complete with statements,photos,evidence. etc.
   3. Report must specify, quotes, miranda, consent etc.
   4. Photos, use whenever possible
   5. Report must contain all necessary elements to satisfy court as to existence of probable cause

3.0 Testifying

Learning Goal: The student will understand how to testify to hearsay in a preliminary hearing.

A. Officer has new role at preliminary hearing
   1. Officer is evidence reader
   2. Must prove corpus of crime by single testimony
   3. Must be specific as to who said what to who
   4. Must identify perpetrator
   5. Must know qualifications of experts about whose results you'll be testifying

B. Officer must recognize limitations
   1. Not required to have personal knowledge of info about which you are testifying
   2. Must admit in court you have no personal knowledge about what you are testifying to
   3. Answer questions only to what is covered in the report
   4. Refresh recollection from report frequently

C. Conferences with DA more important now
   1. Discuss order of presentation with DA
   2. Will DA expect narrative or Q&A
   3. Determine how the perpetrator is to be identified
   4. Who will bring exhibits

PROPOSED LANGUAGE FOR REGULATION CHANGE

Regulation 1081. Minimum Standards for Approved Courses

(1) - (18) ***

(19) Hearsay Testimony Course 1 Hour

A. Investigation

B. Reporting

C. Testifying

This course must be completed by all law enforcement officers who have less than five years of service and who wish to testify to hearsay evidence in preliminary hearings as required by 872(b) PC.

Commission on Peace Officer Standards and Training

NOTICE OF PROPOSED REGULATORY ACTION TO AMEND COMMISSION REGULATION 1081 (STANDARDS FOR APPROVED COURSES) TO ADOPT A HEARSAY TESTIMONY COURSE

HEARSAY TESTIMONY COURSE

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested by Sections 13503 and 13506 of the Penal Code and in order to interpret, implement, and make specific Section 872(b) of the Penal Code, proposes to adopt, amend, or repeal regulations in Chapter 2 of Title 11 of the California Code of Regulations.

INFORMATIVE DIGEST

Proposition 115, passed by the voters on June 5, 1990, made major reforms in expediting criminal prosecutions, including authorizing law enforcement officers to testify at preliminary hearings as to hearsay information. Section 872(b) of the Penal Code was amended to provide that any law enforcement officer testifying as to hearsay shall have five years of law enforcement experience or have completed a training course certified by POST in investigation, reporting, and testifying at preliminary hearings. The provisions of Proposition 115 took effect immediately after passage. In order to comply with the requirements of Proposition 115, it is proposed that Commission Regulation 1081 be amended to include Section 19, Hearsay Testimony Course.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions. All written comments must be received at POST no later than 4:30 p.m. on October 15, 1990. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Blvd., Sacramento, CA 95816-7083.

A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or his or her duly authorized representative, may request in writing, no later than October 1, 1990, that a public hearing be held.

ADOPTION OF PROPOSED REGULATIONS

Following the close of the public comment period, the Commission may adopt the proposals substantially as described in this notice or may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before adoption, the text of any modified language, clearly indicated,

will be made available to the public at least 15 days before adoption. A request for the modified test should be addressed to the contact person identified in this notice. The Commission will accept written comments on the modified text for fifteen days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing, or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Small Business Impact: None

Costs Impact on Private Persons or Entities: None

Housing Costs: None

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Kathy Delle, Staff Services Analyst, 1601 Alhambra Blvd., Sacramento, CA, or by telephone at (916) 739-5400.

CONSIDERATION OF ALTERNATIVES

In order to take this action, the Commission must determine that no alternative considered by the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Regulatory Action: Hearsay Testimony Course

STATEMENT OF REASONS

The Commission on Peace Officer Standards and Training (POST) will hold a public hearing on November 1, 1990 for the purpose of receiving comment on proposed changes to Commission Regulation 1081 pursuant to Penal Code Section 872(b). This addition pertains to a course on Hearsay Testimony for law enforcement officers with less than five years of service as required by the passage of Proposition 115.

In response to the provisions of Proposition 115 which amended Section 872(b) of the Penal Code, an advisory committee composed of district attorneys, academy directors, instructors, and subject matter experts was formed to recommend relevant training topics. The following proposed topics were selected for inclusion in the curriculum because they address specific training needs of law enforcement and comply with the provisions of PC 872(b). The advisory committee estimates that this training will require one hour to present instruction.

Proposed Topics	Justification
A. Investigation Learning Goal: The student will understand how the role of the investigating officers has been changed as a result of Proposition 115.	Officers must be more complete in their interviewing techniques and investigation procedures so that another officer may testify to the investigation.
B. Reporting Learning Goal: The student will understand how to report and document crimes to facilitate hearsay testimony in preliminary hearings.	Reports must contain each crime element and contain methods to identify defendant, thereby permitting testimony by one officer.
C. Testifying Learning Goal: The student will understand how to testify to hearsay in a preliminary hearing.	Officers testifying at preliminary hearings must be prepared to testify to hearsay evidence.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
READING AND WRITING TESTING		July 19, 1990
Bureau	**Reviewed By**	**Researched By**
Standards & Evaluation		John Berner
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	7-3-90	June 29, 1990

Purpose:

- [ ] Decision Requested
- [ ] Information Only
- [x] Status Report

Financial Impact:

- [ ] Yes (See Analysis for details)
- [ ] No

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

ISSUE

Status report on POST entry-level reading and writing testing requirement.

BACKGROUND

The current POST entry-level reading and writing testing requirement, which went into effect in 1984, reads as follows:

> "Every peace officer employed by a department shall:
>
> > Be able to read and write at levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability."

Since 1984 staff has reported on several occasions as to the impact of the current requirement on the reading and writing abilities of new officers. The most recent report was presented in April 1988, and addressed the issues of whether POST should mandate the use of the POST entry-level reading and writing test (POST Entry-Level Law Enforcement Test Battery) by all agencies, and if so, whether POST should mandate a minimum cutoff score on the test. Upon receiving the report, the Commission took no action to change the current requirement.

At its November 1989 meeting, the Commission directed that staff provide an updated evaluation of the overall impact of the current requirement. The last such evaluation was conducted in 1987, and

the results reported below are presented in a format that permits comparisons with the 1987 findings.[1]

ANALYSIS

Table 1 shows average scores achieved on the POST reading and writing test battery in 1986/87 and 1989/90. Statistical analysis of these results indicates the following:

1. The average test score achieved by job applicants in 1989/90 (47.0) is significantly lower than the average score that was achieved by job applicants in 1986/87 (48.2) [$p<.0001$].

2. The average test score achieved by academy cadets in 1989/90 (51.3) is not significantly different from the average score that was achieved by academy cadets in 1986/87 (51.4).

3. The average test score achieved by affiliated academy cadets (cadets employed by law enforcement agencies at the time of academy training) in 1989/90 (51.0) is significantly lower than the average score that was achieved by affiliated academy cadets in 1986/87 (52.3) [$p<.05$].

4. The average test score achieved by nonaffiliated academy cadets in 1989/90 (53.2) is significantly higher than the average score that was achieved by nonaffiliated cadets in 1986/87 (49.0) [$p<.001$].

Table 2 shows the average test scores achieved by different cadet groups in 1989/90. As shown in this table, cadets who were initially screened with the POST test battery achieved a significantly higher average score (55.6) than cadets who were initially screened with other reading and writing tests (48.9) [$p<.0001$]. Furthermore, this difference is statistically significant for both affiliated cadets (average test score of 56.3 versus 49.0, $p<.0001$) and nonaffiliated cadets (average score of 54.9 versus 48.0, $p<.01$).

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[1]Prior evaluations of the overall impact of the current reading and writing requirement have been based, in part, on the administration of the POST test battery to all incoming academy cadets for a 6 month period. This was made possible by a special authorization from the Commission to contract for such testing. Because no such contract monies were available for the current evaluation, scores on the POST test battery were obtained for cadets from only 10 of the 35 POST-certified academies. Thus all comparisons of test scores for current academy cadets with those obtained by cadets in 1986/87 must be viewed with caution.

Table 1: Average Scores Achieved by Job Applicants and Academy Cadets on the POST Reading and Writing Test Battery[2]

	FY 86/87	FY 89/90
Job Applicants	48.2 (6,128)	47.0 (18,891)
Academy Cadets		
All	51.4 (1,389)	51.3 (489)
Affiliated	52.3 (1,021)	51.0 (379)
Nonaffiliated	49.0 (368)	53.2 (106)

Table 2: Average Scores Achieved by Different Cadet Groups in 1989/90 on the POST Reading and Writing Test Battery

	Screened With Other Test	Screened With POST Test
All	48.9 (305)	55.6 (181)
Affiliated	49.0 (278)	56.3 (101)
Nonaffiliated	48.0 (26)	54.9 (80)

Other findings of the current evaluation are as follows:

Use of POST Test Battery: Compared to 1986/87, use of the POST test battery has increased substantially, both in terms of the number of times the test was administered (387 versus 253), and the number of individuals taking the test (approximately 21,000 versus approximately 12,000). The number of test administrations by academies nearly doubled (from 44 to 82), while the number of test administrations by employing agencies increased from 209 to 305. A major factor in the increased testing volume was the first time use of the exam by the CHP. More specifically, the CHP accounted for 87 of the 305 test administrations by employers, and close to 30% of the approximately

[2]Sample sizes appear in parentheses.

21,000 test takers. Because the POST test is furnished free of charge only to employing agencies in the POST Reimbursable Program, the dramatic increase in testing volume was not matched by a comparable increase in costs to POST.

Minimum Cutoff Scores Used on POST Test Battery: The Commission recommends that agencies using the POST test establish minimum passing scores within a specific test score range. In 1986/87 the recommended range was 37-42. In 1988 the Commission raised the recommended range to 40-45. The average cutoff score used by employing agencies in 1989/90 was 43.8, which is slightly higher than the average score of 43.2 that was used in 1986/87. Among academies, the change has been more dramatic, increasing from 40.3 in 1986/87 to 42.0 in 1989/90.

During the past year, employing agencies used a minimum passing score below the low end of the recommended cutoff score range (i.e., 40) in 6 out of 305 test administrations. In all but one case a lower cutoff score was used either to comply with a consent decree or to meet affirmative action goals. None of the 82 test administrations by basic academies resulted in the use of a minimum cutoff score below 40.

Test Scoring Turnaround Time on POST Test Battery: The average time for scoring and mailing test results back to the user agencies has been further reduced from 2 working days in 1986/87 to less than 1 day in 1989/90. More specifically, during the past year tests were scored and results mailed the same day as test materials were received 65% of the time. By contrast, the average elapsed time between the date of a test administration and receipt of the test materials by POST was 5.5 days.

Pilot Program Involving POST Test Battery: Subject to final approval by the Contra Costa County Chiefs' Association, the POST test battery will be administered at several regional testing centers located throughout the county on a regular basis. Under the pilot program, each person who tests at one of the regional centers will receive a notification of examination results from POST, which he/she can then take to any prospective employer in the county. The hope is that this procedure will greatly reduce the redundancy in testing associated with each agency conducting its own testing. Different techniques will be used to promote the program, and an evaluation will be conducted to determine if the program is economical and is successful in terms of expanding the pool of qualified job applicants within the county. If the results prove positive, the program could be expanded to other counties, and even statewide. While the impetus for the program is that of addressing recruitment needs, a potential additional benefit will be an increase in the number of candidates who are hired on the basis of the POST test battery. For example, fewer than half of the agencies in Contra Costa County currently use the POST test battery.

Validity of POST Test Battery: Substantial prior research has been conducted which shows that scores on the POST test battery are significantly correlated with both academic performance in the academy and field evaluations of report writing. Results of the current evaluation reconfirm that scores on the test are predictive of academic performance in basic training as measured by the POST Proficiency Examination. In addition, as shown in Table 3, scores on the test were also found to be related to successful completion of basic training. Specifically, trainees with scores below the recommended minimum of 40 on the POST test battery were found to be more likely to fail to complete basic training due to poor writing ability and/or general analytical ability than were trainees with scores of 40 or above. It is worthy to note however, that the relationship is far from perfect, and that of those who scored below 40 only 25% (6 out of 24) were found to have unacceptable report writing or analytical skills. By comparison, 5.24% of those with scores of 40 or above (15 out of 262) were found to be deficient with respect to report writing/analytical skills.

Table 3: 2 X 2 Contingency Table of Relationship Between Scores on the POST Test Battery and Success/Failure in Basic Training[3]

		Training Outcome		
		Failure Due to Poor Writing/Analytical Skills	Other[4]	Total
Scores on POST Test Battery	40 or Above	15	247	262
	<40	6	18	24
	Total	21	265	286

Preliminary Research Findings for Experimental Writing Test: Writing skills are evaluated via multiple-choice questions in the current POST test battery. The questions measure vocabulary, spelling and clarity of written expression. At the time the test was developed, attempts to include a writing sample (essay) test that could be reliably and economically scored were unsuccessful, and consequently no such test was included in the test battery.

[3]Chi-Square=12.006, DF=1, $p<.001$.

[4]Successful completion of training, or failure for reasons other than poor writing/analytical skills.

In recent years, a method of evaluating written passages known as holistic scoring has emerged in the educational literature. Unlike traditional methods of evaluation which involve scoring a passage on several distinct dimensions (grammar, punctuation, etc.), under the holistic approach each passage receives one score based on the reader's overall impression of the material. To aid the reader, benchmark passages are identified which represent the full range of writing ability. Usually six such benchmarks are established. The reader then assigns each new paper a score of from one to six, depending on which benchmark the paper best approximates. Two readers evaluate each passage independently, and a third reader acts as final arbiter if the scores assigned by the first two raters differ by more than 1 point. Using this method, others have found that time savings can be realized over traditional scoring procedures, and that the resultant evaluations are more reliable (there is greater agreement among evaluators).

Staff requested and received authorization from the Commission to evaluate the feasibility of using a holistically scored writing sample test for purposes of entry-level selection. Initial results of that evaluation are as follows:

Test Reliability: Results of a pilot study showed high interrater agreement among inexperienced readers who received several hours of training in the holistic scoring technique and then independently evaluated each of 177 test papers. In fact, the level of interrater agreement approximated that which has been found by others for experienced readers.

Test Validity: Scores on the test were found to correlate significantly with two measures of academic performance for a sample of 236 basic trainees. Furthermore, as shown in Table 4, scores on the essay test and the current POST test battery combined were found to correlate as high or higher with three different measures of academic performance than scores on the current POST test battery alone (with the higher correlation found for the one measure of academic performance that is specific to writing skills). Data is not yet available that will allow for an evaluation of the relationship between scores on the essay test and report writing performance as a field officer.

Scoring Time: On average, readers in the pilot study were able to score 16 papers per hour. Based on the experiences of the CHP, experienced readers may achieve an average of 20 papers per hour. Thus, the time demands for scoring the test are substantial and would preclude the possibility of POST's providing test scoring services, as we do for all users of the current POST test battery, for all agencies wishing to use the essay test format. On the other hand, while the time demands are great, they do not preclude even a large agency from using the technique, as evidenced by the fact that the CHP is currently

using holistically scored essays as part of the entry-level selection process.

Affirmative Action Considerations: Those few agencies that are currently using holistically scored essays for pre-employment screening are doing so as part of a multiple hurdle selection system in which the candidate must pass both the current POST test battery and the essay exam. This precludes the need to score the essays of all candidates (only the essays for those who pass the current POST test battery are scored), making use of the essay test feasible. Under this approach, 20 to 30% of those candidates who pass the POST test battery may fail the essay test, resulting in a much more stringent selection process. An unfortunate consequence of the process is that the overall passing rates for different protected groups are likely to be reduced significantly. In the absence of administrative procedures for addressing the significant disparities in overall passing rates (e.g., selective certification), agencies may conclude that use of the essay test in this manner is unacceptable.

Table 4: Comparison of Validity Coefficients for POST Test Battery and POST Test Battery Combined With Experimental Test Battery[5]

Measure of Academy Performance	POST Test	POST Test Plus Essay Exam
Scores on POST Proficiency Exam	.292	.294
Pass/Fail Academy Associated With Writing/Analytical Skills Deficiencies	.239	.294
Report Writing Instructor Evaluations Of Trainee Writing Skills	.296*	.414*

*Difference significant at .0006 level (N=236, z=3.235, one-tailed test).

[5]Validity coefficients can range from 0 to 1.0. The larger the coefficient, the greater the validity.

Summary And Conclusions

Results of the current evaluation indicate the following:

Job Applicants: Compared to the last evaluation period (1986/87), the average reading and writing test score for job applicants has declined.

Academy Cadets: Compared to the last evaluation period, the average reading and writing test score for all academy cadets has remained unchanged; however, the average test score for affiliated (employed) cadets has decreased, while the average test score for nonaffiliated (open-enrollment) cadets has increased. Among the 1989/90 cadet group, test scores for cadets screened with other than the POST test battery were found to be significantly lower than those for cadets screened with the POST test battery. These findings are based on results for cadets from only 10 of the 35 POST-certified basic academies, and therefore should be viewed with caution.

Validity of POST Test Battery: Consistent with past findings, scores on the POST test were found to correlate significantly with trainee academic performance in the basic academy. Further, persons scoring below the recommended minimum of 40 on the test were found to be more likely to fail to complete basic training due to deficiencies in writing or analytical skills.

Use of POST Test Battery: The number of candidates taking the POST test battery has increased significantly, owing in large part to the first time use of the test by the CHP. With few exceptions, agencies are using cutoff scores on the test that fall within the minimum cutoff score range established by the Commission. In those few instances where lower cutoff scores are being used, agencies typically report the need to do so in order to comply with a consent degree or to meet affirmative action goals. The time taken to score the exam and mail out test results has been further reduced to an average of less than one day.

Regional Testing: A pilot project to evaluate the effectiveness of administering the POST test on a regional basis is tentatively scheduled for Contra Costa County. Under the proposed plan, each examinee will receive a notification of examination results from POST which can be taken to any prospective employer in the county. It is hoped that the approach will enhance recruitment while at the same time reducing redundant candidate testing. A likely secondary outcome is that a greater percentage of new hires in the county will have been screened with the POST

test. If successful, the approach could be extended to other counties and even statewide.

Experimental Essay Exam: Preliminary results indicate that inexperienced "readers" can be trained to reliably score a writing sample (essay) test using the holistic scoring technique, and that the resultant scores, when combined with scores on the POST test battery, result in some improvement over use of the POST test alone for predicting academic performance in basic training. The extent of improvement is modest and the time requirements to score the essay are considerable. The CHP and at least one other smaller agency have concluded that the benefits of using such an exam outweigh the additional time demands, and are using the essay format for entry-level selection. A realistic option for POST would be to train agencies to use the scoring system. It would not be reasonable for POST to score essay exams for interested agencies. There is reason to believe that use of such an exam in a multiple hurdle selection process wherein the candidate must also pass the regular POST test battery will result in significant disqualification rates for members of certain protected groups. Data germane to evaluating the correlation between scores on the essay exam and field evaluations of report writing are not yet available.

On balance, the results are both encouraging and discouraging. For example, it is somewhat encouraging that while applicant skill levels have declined, the skill levels of new cadets have at least remained unchanged. It is likewise encouraging that use of the POST test has increased, that agencies are generally using the test in a responsible manner, that initial results for the essay test are favorable, and that we will soon have information concerning the viability of regional testing with the POST exam.

On the other hand, the limited test data available strongly suggests that the reading and writing skill levels of cadets screened with the POST test are, on average, superior to those screened with other tests. This suggests that the Commission may wish to reconsider mandating the POST test, and yet, as discussed in great detail in the April 1988 report to the Commission (attached), to do so would be very costly, presumes that POST has the only job-related test of reading and writing skills (which we know not to be the case), could subject POST to costly litigation, would be met by considerable opposition from certain local agencies, and could pose significant problems for agencies operating under consent decrees.

More importantly, it is not possible to accurately estimate what the <u>benefits</u> of such a mandate would be, because we lack definitive information as to the actual report writing skills of recent academy graduates. Currently each academy has the responsibility for determining whether a given cadet's writing skills are sufficient to

warrant graduation. The procedures, and therefore the standards by which this determination is made vary. In the absence of a standardized evaluation of report writing skills, it is difficult to estimate with certainty the skill levels of graduating cadets, and therefore whether some action on the part of the Commission is warranted.

An alternative the Commission may wish to consider is that of having staff develop and administer a standardized report writing skills examination to all academy graduates for a set period of time. Such a study could be conducted within 6 to 9 months and the results would serve to identify the baseline of report writing skills among recent academy graduates. Should the results indicate that some action is needed, a variety of alternatives could then be considered, including, for example, the institution of a standardized exam of report writing skills which all cadets would be required to pass. However, in the absence of more definitive information as to the actual skill levels of academy graduates, it would appear to be premature to discuss alternatives.

RECOMMENDATION

Authorize staff to develop a standardized measure of report writing skills that would be administered to a representative sample of basic academy graduates, with results of the evaluation presented at a future Commission meeting.

ATTACHMENT

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Review of Commission Regulation Re: Entry-Level Selection Reading/Writing Requirements		Meeting Date: April 21, 1988
Bureau: Standards & Evaluation	Reviewed By:	Researched By: John Berner
Executive Director Approval: Norman C. Boehm	Date of Approval: 3-25-88	Date of Report: March 24, 1988

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.

ISSUES

1. Should POST mandate that everyone use the POST entry-level reading and writing test?

2. Should POST mandate a minimum cutoff score on the test?

BACKGROUND

In the course of acting to raise the recommended minimum cutoff score range on the POST entry-level reading and writing test at the January 1988 Commission meeting, the Commission further directed staff to report back at the April meeting on the merits of: 1) mandating the use of the POST test, and 2) mandating a minimum cutoff score on the test.

Presently, POST Regulation 1002(a)(9) requires that:

> "Every peace officer employed by a department shall:
>
> Be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability."

The above regulation, and the policies regarding its implementation, have evolved over the preceding 13 years. During this period attention has shifted from issues regarding the actual implementation of the regulation to issues regarding the specific nature that the regulation should assume. Between 1975 and 1982 primary attention was focused on actually getting the regulation into force. An absence of validated tests caused repeated moratoriums to be placed on the regulation during this time. Once the regulation went into effect, debate shifted to the nature of the regulation: Should POST mandate a particular test with a particular cutoff score or should the POST regulation be essentially procedural, requiring that testing take place but leaving the choice of the test and the cut score selection to

local agencies? Now, with the benefit of six years of experience with the testing program, the same issue is once again before the Commission.

Implementation of the Reading Regulation

A regulation addressing minimum standards for language ability was first adopted by the Commission in July of 1975. Between that date and the present there have been numerous decisions and events affecting this regulation. The most significant of these are summarized below:

- July 1975 the Commission, in response to the alarming rate of academy failures due to basic language skills deficiencies, adopts the first entry-level reading requirement. The regulation, which is to become effective on January 1, 1977, reads: "Be able to read at the level necessary to perform the job of a peace officer as determined by passing a 'professionally developed' examination designed to test this skill..."

- October 1976 the Commission decides that LEAA supported research should result in tests whose use by local agencies would be voluntary and on which there would be no mandatory cut score.

- January 1977 the Commission declares an open-ended moratorium on enforcement of the reading testing requirement pending the development and availability of a job-related examination designed to test reading ability.

- February 1981 POST publishes on a pilot basis, its new reading and writing ability test.

- October 1981 the Commission lifts the moratorium on the reading regulation, with January 1, 1982 scheduled to become the enforcement date of the regulation, which now reads: "Be able to read at the level necessary to perform the job of a peace officer as determined by the use of the POST reading ability examination or its equivalent."

  At this meeting the Commission also decides that stricter standards for both reading and writing should be established by October 1983. This action precipitates research concerning the impact of mandating the POST test with a specific cutoff score.

- January 1, 1982 the POST reading regulation goes into effect.

- July 1983 staff reports on the research conducted to establish statewide standards for both reading and writing and presents several alternatives for implementing such standards, including mandated use of the POST test with a POST mandated minimum cutoff score. The Commission concurs with the staff recommendation that: 1) the current regulation be modified to include writing ability testing, and 2) that the POST test be made available, free-of-charge, to local agencies and academies, and that no mandatory cutoff score be established.

- October 20, 1983 a public hearing is held and POST Regulation 1002(a)(7) is amended to include a writing ability requirement. The amended regulation, which is to become effective January 1, 1984, reads as follows: "Be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability." Considerable opposition to a POST mandated test and/or cutoff score is voiced at the public hearing.

- January 1, 1984 the writing regulation goes into effect.

- March 1987 POST begins development of a writing sample test.

- January 1988 the Commission raises the recommended cutoff score range on the POST Test Battery from a T score of 37-42 to a T score of 40-45.

  Also at the January meeting, the Commission directs staff to again address the issue of whether the POST Test Battery should be mandated and whether a mandatory minimum cutoff score should be set.

ANALYSIS

As can be seen from the preceding summary of significant dates and events, the issue of whether the POST test should be mandated and whether there should be a mandated cutoff score goes back to 1976. The initial Commission position was strongly in favor of a voluntary program with no mandated cut score. From the time the tests were first made available in 1981 to the present, this policy has remained in effect. During this period, however, the issue of mandated tests and cut scores has been addressed on various occasions. The most notable of these was in October 1981 when the Commission formally instructed staff to explore the implications of mandating its new test with a set cut score.

In July 1983 staff reported back to the Commission. The cost of a mandated program was estimated to be $400,000 yearly (in retrospect this was a significant underestimate). It was also reported that local agency reaction to the prospect was mixed. Opinions, however, tended to be polarized, with agencies either strongly in favor of, or strongly opposed to, a mandated program. Most of the opposition came from the larger agencies. In addition to the "home rule" issue, opposition to a mandated program tended to focus on the following concerns:

- Will the test have a level of adverse effect that would jeopardize local affirmative action programs?
- Is the test better than those the agencies are presently using?
- Can the POST test be administered in a manner that will meet local needs (i.e., be administered on an almost daily basis and scored immediately)?
- Would the local agency be legally liable for a successful fair employment challenge to the POST test?

It is anticipated that those agencies that expressed these concerns in 1983 would likewise express the same or similar concerns today.

Impact of Current Voluntary Program

The current policy of permitting use of the POST test on a voluntary basis and recommending (as opposed to mandating) a minimum cutoff score on the test, has had a significant impact on local agency hiring practices. Use of the POST test has increased dramatically over the years, to the point that an estimated half of all peace officer applicants in FY 88/89 will take the POST test (approximately 50,000 applicants).

Noticeable increases in the reading and writing skills of new officers statewide have also occurred. In 1983, when the current POST test of both reading and writing ability was first made available, there was no appreciable difference in the average test scores of job applicants and entering basic academy cadets. At that time, the recommended minimum passing score range established for the test (T score of 37-42) was set at a level that would disqualify the bottom 20% to 30% of 1983 academy cadets. Estimates of academy failure rates due to reading and writing skills deficiencies during this time period ranged from 10% to 30%. During the ensuing years, the average test scores of cadets increased while those of job applicants declined, and in FY 86/87, the last year POST collected such data, the percentage of prescreened academy cadets (whether screened on the POST tests

or other tests) who obtained scores below 37 when evaluated with the POST tests, was only 2% for nonaffiliated cadets and 5.8% for affiliated cadets. Also during this time, efforts to encourage academies to prescreen nonaffiliated students, a group which has traditionally demonstrated the poorest reading and writing skills, were very successful. As of July 1987, all academies were testing nonaffiliated cadets, and the majority were using the POST test.

Despite these improvements, concerns over reading and writing skills continue to persist. In response to these concerns, the Commission acted to raise the recommended cutoff score on the test to a T score range of 40-45 at the last Commission meeting. Continued concerns related specifically to writing skills deficiencies are also being addressed in the form of an experimental essay test which POST is currently evaluating for both reliability and validity (job-relatedness). The advantage of such a test, should it prove to be both job-related and administratively feasible, is that it more directly assesses the ability to express oneself in writing, as opposed to identifying proper and improper grammar, spelling, etc. (which is what is currently measured by POST's writing skills test). Initial results of the research are encouraging, and longitudinal research bearing on the validity of the test as a predictor of academy success will be completed by early 1989. If the essay test format proves to be job-related and workable, POST will be in an excellent position to encourage and train local agency personnel to use the format. Because of the time that would be required, however, it is doubtful that centralized scoring of the test by POST would be feasible.

Staffing and Budget Requirements to Mandate Use of the POST Test

Under the current voluntary testing program, user agencies: (a) request and receive all testing materials, (b) administer the test, and (c) return the test materials and answer sheets to Sacramento. All test scoring is performed in Sacramento, with the test results for each user agency mailed back to the agency. Centralized scoring (as opposed to local agency scoring) was deliberately incorporated into the system in order to maximize test security. Such centralization precludes on-site, immediate test scoring. (Test results are mailed back to the user agency, typically within 3 working days of receipt of the test answer sheets in Sacramento.)

POST currently contracts for all services related to printing, distribution and retrieval of test materials; automated scanning of test answer sheets; and processing and distribution of test results. Beginning in FY 88/89, POST staff will scan all answer sheets on a newly acquired optical mark reader. Currently, POST staff develops and field tests all new test forms (two new forms

are developed annually), develops and maintains all test-related materials (answer sheets, proctor's instructions, validity reports, etc.), monitors the statistical properties of all test items, conducts periodic reevaluations of the validity of the tests, and oversees contract services to the local agencies. Excluding expenditures for POST staff, the cost to POST to administer the testing program is approximately $6.00 per test taker. Because POST's per candidate costs are greatly influenced by the number of test administrations (each new test administration requires a separate mailout and return of test materials), user agencies are encouraged to test large candidate groups a few times a year, as opposed to more frequent administrations to smaller candidate groups.

During FY 88/89 it is estimated that user agencies will administer the test to approximately 50,000 candidates. Approximately 40% (20,000) of the candidates will be from local agencies. The remaining 60% (30,000) will be candidates from nonreimbursable agencies (with almost all of the 30,000 being California Highway Patrol applicants). Because POST does not currently underwrite testing costs for agencies in the nonreimbursable program, POST's total costs for the year will approximate $120,000 (20,000 candidates @ $6.00 per candidate).

Two alternative approaches for administering a mandated statewide testing program are described below. The first approach represents an expansion of the current program, wherein each agency would administer the POST test as needed throughout the year, test materials would be mailed to the user agency for each administration, and all materials would be returned to Sacramento for centralized scoring. The second approach would involve the establishment of multiple testing locations throughout the state. Regular scheduled testing sessions would be conducted at each location. Persons would be prohibited from taking the test more than twice a year. Each individual taking the test would receive written notification from POST as to their test results in the form of a tamper-proof "Certificate of Results." The individual would then present this certificate to any prospective employer as proof of minimally required reading/writing skills.

<u>Alternative 1: Expansion of Current Program</u>

Features/Limitations

- Test administered by local agencies (test materials mailed to local agencies upon request); answer sheets mailed to Sacramento for centralized scoring; test results mailed to local agencies within 3 working days of receipt of answer sheets in Sacramento; no limitation on number of times

individual takes test; limitations placed on the number of test administrations per agency (continuous testing not permitted).

If implemented, this approach would result in an estimated testing volume of 100,000 candidates per year, representing a 50% increase over projected FY 88/89 testing volume. Furthermore, the greatest increase in testing volume would occur among reimbursable agencies. Specifically, testing volume among reimbursable agencies would increase from approximately 20,000 to 65,000 candidates a year. Thus, at current costs of approximately $6.00 per candidate, total costs for contract services would increase from $120,000 annually (20,000 candidates @ $6.00 per candidate) to $390,000 annually (65,000 candidates @ $6.00 per candidate).

Estimated annual testing volume among nonreimbursable agencies would increase a modest amount (from 30,000 to 35,000 candidates). If the POST tests were to be mandated for all agencies in the POST program, it would seem appropriate for POST to underwrite testing costs for nonreimbursable agencies as well (although POST may lack legal authority to do so). Thus, contract costs for the nonreimbursable agencies would total an estimated $210,000. When combined with the estimated contract costs for agencies in the reimbursable program, total contract costs for this approach to mandated statewide testing would total $600,000 -- a fivefold increase over contract cost estimates for FY 88/89 of $120,000.

In addition to increased contract costs, implementation of this approach would necessitate an increase in POST staff to accommodate both the increased testing volume, and the number of additional test forms that would have to be developed each year to prevent overexposure to the test. Specifically, it is estimated that an additional 2 1/2 full time positions would be needed (1 Test Validation and Development Specialist, 1 Data Processing Technician, 1/2 Office Technician). Salaries and benefits for those positions would total approximately $86,000 annually.

Finally, until such time as POST's new computer system is fully operational, additional computer costs would be incurred to process the test results. Such costs would total approximately $100,000 annually over current expenditures.

In total, estimated annual costs to POST would increase between $356,000 and $456,000 (depending on the status of POST's new computer system) if POST were to continue to underwrite testing for reimbursable agencies only, and would increase between $566,000 and $666,000 if POST were to underwrite costs for both reimbursable and nonreimbursable agencies. The estimated time

that would be needed to fully implement this alternative is 9 months from the time the new positions were filled.

Alternative 2: Regional Testing Centers

Features/Limitations

- o From 20-25 testing centers established throughout the state; regularly scheduled testing sessions held at each location; staffing, equipment and space requirements to operate each center paid for by POST; test taker allowed to take tests no more than twice a year; test answer sheets scanned and uploaded to Sacramento for scoring (each test center has its own microcomputer, scanner, and modem); computer generated "Certificate of Results" mailed to each test taker (hopefully, within 24 hours of taking test); individual presents "Certificate of Results" to prospective employing agency as proof of meeting POST's reading/writing requirement.

This approach would more closely address the concerns of those local agencies that have objected to mandated use of the POST test, in part, because the current POST testing program cannot accommodate continuous testing and immediate on-site test scoring. It would also be more costly to administer due to the need for POST to underwrite the costs for test proctoring, testing facilities, phone hook-ups between the testing centers and Sacramento, and the mailing of individual test results. In addition, start-up costs would be higher due to the need to write computer software, and to purchase 20-25 scanners and microcomputers as well as an additional central processor (minicomputer) for POST.

Estimated annual testing volume under this alternative would be 90,000 (a reduction of 10,000 from Alternative 1 due to the restrictions placed on taking the exam more than twice in a given year). The configuration of additional staff needed to implement this alternative would differ slightly from Alternative 1. A total of 4 positions, consisting of the following, would be needed: 1 Test Validation and Development Specialist, 1 Associate Programmer Analyst, 1 Data Processing Technician, 1 Office Technician. Total annual costs for these 4 positions would approximate $148,000.

The estimated one time cost for the purchase of the required computer and associated peripheral equipment is $325,000. Because POST would be underwriting additional costs associated with test administration (test proctoring, storage of test material, testing facilities), the per candidate cost for contract services would approximate $9.00 (as opposed to the current $6,00 per candidate cost). Adding together all cost estimates, the

projected total outlay if POST were to implement this approach is as follows:

	Annual Costs	
	POST Underwrites Costs for All Agencies	POST Underwrites Costs for Reimbursable Agencies Only
Contract Services ($9 per candidate)	$810,000	$544,000
POST Staff	148,000	103,000*
Phone Charges	25,000	15,000
Postage/Handling (Mailout of Certificates)	31,000	20,000
	$1,014,000	$682,000
	Start Up Costs	
Equipment	$ 325,000	$325,000

*Reduction of 1 Full Time Position

Implementation of this alternative would take approximately one year from the date of approval to purchase the required central processor (minicomputer). Such approval would require a feasibility study.

An optimistic date for approval based on a feasibility study is early 1989, meaning that actual purchase of the equipment could occur July 1, 1989, and full implementation of this alternative could be achieved by July, 1990.

Recommended Versus Mandatory Cutoff Scores

POST-recommended cutoff scores have consistently been expressed as test score ranges rather than a single minimum score. This approach has been followed deliberately, in the belief that such an approach is both responsive to the needs of local agencies to adjust minimum cutoffs as circumstances dictate, and serves to encourage local agencies to set higher cutoffs without fear of contradicting an absolute POST-recommended minimum. Results experienced over the past 6 years are consistent with this belief. In every year the average cutoff score utilized by

agencies has exceeded the bottom of the POST-recommended cutoff score range. During the last fiscal year, the average cutoff score used by agencies was 43.2, and the average for academies was 40.3 (the POST-recommended minimum cutoff score range during this time was 37-42). Further, agencies seem desirous of setting their cut scores as high as they believe possible. Thus, agencies that set a conservative cut score on one occasion have demonstrated a willingness to raise the cut score when circumstances permit.

With respect to the issue of whether agencies set cutoff scores below the lower end of the POST-recommended range, results over the years have consistently shown this to occur extremely rarely. In fact, no agency has done so in the last 18 months.

In summary, based on six years experience, the POST-recommended cutoff range has had the desired effect of resulting in agency set cutoffs that exceed, on average, the lower end of the POST recommended cutoff score range, with agencies rarely (no instances in the last year and a half) setting cutoffs below this level. Whether such would be the case among all agencies if the POST test were to be mandated is, of course, impossible to predict, although there is no apparent reason to believe that this would not be the case. A POST-mandated minimum cutoff would obviously preclude this from occurring, and would guarantee that everyone meets a uniform minimum requirement. Weighed against this is the likelihood that the average reading and writing skill requirement across all agencies would be lowered, because agencies would be less likely to set cutoffs above the POST mandated minimum for fear of vulnerability to legal challenge (the POST mandated statewide minimum would become a de facto statewide maximum).

An Alternative to Mandating the Use of the POST Test

One alternative to mandating the use of the POST test would be to amend POST regulation 1002(a)(9) to require that local agencies either: (1) use the POST test and set a cutoff at or above a POST mandated minimum, or (2) use an alternative job-related test with a minimum cutoff score equivalent to the mandated minimum cutoff on the POST test. Under this alternative, agencies choosing to use their own tests would have to submit documented evidence of job-relatedness and test score equivalency for POST approval. The assessment of test score equivalency would require, in all instances, administration of both the local agency test and the POST test to a minimum of approximately 300 job applicants. In addition, guidelines and criteria for POST evaluation of alternative tests would have to be developed.

An obvious advantage of this approach is that it would result in the establishment of a statewide standard represented by a

minimum cutoff score on the POST test, while still allowing for the use of alternate tests. It is also likely that adoption of this approach would be less costly than either of the alternatives described for mandating the use of the POST test.

The most notable disadvantages of this alternative are the following:

- Because this alternative, in effect, mandates a POST-established minimum cutoff score for all agencies, local agency opposition to this alternative is likely to be significant, even though agencies would have the option of seeking approval to use their own tests.

- With respect to evaluations of test score equivalency:

  - No consensus exists with regard to a one best method for equating test scores.

  - Some agencies would be incapable, from a technical standpoint, of conducting the equating (even though they have job-related tests).

  - Because of the time needed to take the POST test (2 1/2 hours), local agencies would probably have to schedule testing over two days in order for the required number of persons to take both our test and their test.

  - Large groups are needed to obtain adequate data for test score equating. Medium size agencies that have their own test could take 1 to 2 years just to collect the necessary data.

  - It might be necessary for local agencies to repeat the test score equating process every time a new form of the local test is developed (continuous process, rather than a one-time effort).

  - It is possible that the equating of tests would not be feasible in all instances because locally developed tests measure different dimensions of writing skill, for example, than the POST test (and yet, job relatedness evidence would exist for the locally developed tests).

- Adoption of this alternative would put POST in the position of approving/disapproving others' tests. POST has sought to avoid this situation in the past, because decisions regarding sufficiency of job relatedness evidence are open to debate, and because POST would place itself in a position of increased liability,

especially in those instances where tests were not "approved." For this reason, it might be necessary to establish an independent body to review POST staff recommendations for approval/disapproval.

In addition to the technical and other difficulties inherent in this approach, considerable additional POST resources would be necessary to implement this approach. While it is highly unlikely that all agencies would elect to simply use the POST test (which, as indicated previously, would increase POST expenditures anywhere from $270,000 to $480,000 annually if the current testing program was simply expanded), implementation of this approach would undoubtedly result in a significant increase in the use of the test. Depending on the extent of increased testing volume, and whether POST were to underwrite the costs for use of the POST test by nonreimbursable agencies, estimated additional POST expenditures necessary to accommodate this increase would range anywhere from $120,000 to $420,000 annually. In addition, staffing increases needed to implement this alternative most probably would approximate $86,000 annually, even if use of the POST test did not increase dramatically, because of the additional technical staff that would be needed to administer the test score equivalency process. Thus, in total, increased annual expenditures to POST to implement this alternative would be an estimated $206,000 to $506,000.

As with the two alternatives described for mandating the use of the POST test, implementation of this alternative would have to await the additional staff required, and would commence no earlier than FY 89/90. Also, agencies would have to be permitted a reasonable period of time to evaluate test score equivalency (such time period would likely vary from 6 months to 2 years, depending on the size of the agency).

SUMMARY AND CONCLUSIONS

A POST regulation addressing language ability was first adopted in 1975. In the years between 1975 and present, the issue of whether POST should mandate use of the POST entry-level reading and writing test and/or set a mandatory cutoff score on the test has been addressed on numerous occasions. Local agencies have expressed significant opposition to any such mandate in the past, citing the need to exercise local autonomy, questioning whether a state-mandated program could meet their needs for frequent testing and immediate feedback, challenging POST's authority to mandate the use of the POST test in lieu of locally developed and validated tests, and expressing concern over their liability should the POST test be challenged. These concerns are likely to continue to exist.

The current program of voluntary use of the POST test has met

with considerable success. Use of the tests has increased steadily over the past six years, and improvements have been realized with respect to the overall reading and writing skills of new entrants into the profession during a time of declining reading and writing skills among job applicants. In addition, recent actions on the part of the Commission to raise the recommended minimum cutoff score range on the test, and to develop a job-related essay test of writing ability, should serve to further improve basic language skills among newly employed officers in the future.

The Commission's action to set a voluntary minimum cutoff score range, as opposed to a single mandated cutoff score, has had the desired effect of resulting in locally set cutoff scores that typically exceed the lower end of the POST-recommended cutoff score range. Furthermore, in the last 18 months, no agency has set a cutoff score below the lower end of the recommended cutoff score range. Whether those agencies not currently using the POST test would follow suit if the POST test were mandated is an open question, although there is no apparent reason to believe they would do otherwise. A POST-mandated minimum cutoff would ensure that all persons meet a uniform minimum requirement, but would likely also have the undesirable effect of lowering the <u>average</u> reading and writing skill requirement across all agencies (because agencies would be reluctant to set local requirements above the POST-mandated minimum).

Any action to mandate the use of the POST test would have a considerable impact on POST operations. Estimated costs to continue to administer the existing test program during FY 88/89 total $120,000. Expansion of POST's current testing services to all agencies would result in a doubling of the number of tests administered, and would result in a net estimated increase in POST expenditures of from $356,000 to $666,000 annually, depending on the status of POST's new computer system and on whether POST continued to underwrite the costs of testing for agencies in the reimbursable program only, or began underwriting the costs for all agencies in the POST program. Adoption of a system that would better address the need expressed by some local agencies for continuous testing and immediate feedback (regional testing centers with automated uploading of test results to POST and automated mail out of "Certificates of Results" to each individual test taker) would result in increased annual expenditures ranging from $562,000 (underwriting costs for reimbursable agencies only) to $894,000 (underwriting costs for all agencies in the POST program). In addition, one-time purchase of the computer and associated peripheral hardware needed to implement this approach would cost an additional $325,000.

An alternative to mandating the use of the POST test is described wherein agencies would have the option of using the POST test

with a minimum cutoff score established by POST, or using an alternative job-related test with a minimum cutoff score equivalent to the minimum cutoff score on the POST test. Such an alternative would have the effect of establishing a statewide minimum standard, while at the same time, permitting use of alternate tests (upon POST approval). Opposition to this alternative would likely be voiced by agencies who have expressed concerns with a POST-mandated requirement in the past. In addition, while less costly than either of the two alternative approaches to mandating the use of the POST test, increased POST expenditures to implement this alternative are estimated to range from $206,000 to $506,000 annually (depending on how many agencies would elect to simply use the POST test). Finally, significant technical and administrative difficulties would be associated with the evaluation of alternative tests for job relatedness and test score equivalency.

Considerable time was devoted to a discussion of POST's existing reading and writing testing requirement, and to the three alternatives to the current requirement described in this report, at the meeting of the Commission's Long Range Planning Committee on March 23, 1988. The committee noted that POST can take pride in the improvements that have been realized as the result of Commission actions over the years to address language skills requirements. It further noted that recent Commission actions to raise the recommended cutoff score range on the POST test, and to approve the development of a job-related essay test of writing ability, represent prudent next steps which should result in continued improvements in the future. Staff reported that POST has never actively marketed the POST test and intended to do so in the near future. The committee concurred that such action would be appropriate.

The committee also concurred that a POST-mandated graduation standard for the basic course would entail fewer drawbacks and could be as effective as a POST-mandated reading and writing test/minimum cutoff score. Such a standard would consist of a Commission-mandated minimum passing score on a POST-developed test of student achievement. Accordingly, the committee moved to recommend to the Commission that POST announce its intention to pursue such a graduation standard for the basic course and seek field input on the proposed action.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
BASIC COURSE GRADUATION REQUIREMENTS		July 19, 1990
Bureau	**Reviewed By**	**Researched By**
Standards & Evaluation		John Berner
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Boehm	6-15-90	June 12, 1990

Purpose:

[X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [ ] Yes (See Analysis for details) [X] No

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

ISSUE

Should POST adopt an alternate system for defining and evaluating student mastery of the Basic Course?

BACKGROUND

At the April 19, 1990 Commission meeting, staff reported on an alternative to the current POST-mandated "success criterion" approach to determining student mastery of the Basic Course performance objectives (POs). The alternative, which is being used successfully by the majority of academies on a pilot basis, differs from the "success criterion" approach in that:

(1) POs requiring demonstration of knowledge are distinguished from POs requiring demonstration of a skill.

(2) The knowledge POs are grouped on the basis of similarity of content into 38 categories called knowledge domains, and the student is required to pass a test of each knowledge domain; whereas under the "success criterion" system the POs (skill or knowledge) are grouped into 12 broad categories called Functional Areas, each PO is assigned a "success criterion" of either 70%, 80%, 90% or 100%, and the student is required to demonstrate mastery of 70% of the 70% POs, 80% or the 80% POs, etc., within each of the 12 Functional Areas.

(3) All academies are using the same tests to determine mastery of the 38 knowledge domains (namely the tests that are provided by POST through the automated system known as POSTRAC), whereas under the current system each academy is responsible for developing its own testing procedures for all POs.

(4) The skill POs are all "must pass" POs, meaning that the student must demonstrate mastery of each individual skill PO; whereas under the current system some skill POs are

assigned a "success criterion" of less than 100%, and thus are grouped with other POs (skill and knowledge), as described in #2 above, for purposes of determining overall student success. (Under both systems each academy is responsible for developing its own evaluation procedures for the skill POs.)

A copy of the April staff report is attached for reference purposes. The report both describes the two systems in greater detail, and provides comparative information regarding student achievement levels under the two systems as measured by the POST Proficiency Examination. In addition to addressing the fundamental issue of whether the "success criterion" system should be replaced with the new knowledge domain system, the April report addresses the additional related issues of whether the academies should be required to use the POST knowledge domain tests, and if so, whether POST should mandate minimum passing scores or minimum passing score ranges on the tests.

Given the complexity and far reaching implications of the issues involved, upon receiving the April report, the Commission directed that the matter be referred to the Long Range Planning Committee, with a report of the Committee's conclusions and recommendations presented at the July Commission meeting.

ANALYSIS

As directed, the Long Range Planning Committee discussed the matter at its June 7, 1990 meeting. With respect to the fundamental issues involved, the committee members concurred with the staff recommendations that the current "success criterion" system be replaced with the knowledge domain system, and that all academies be required to use the POST knowledge domain tests. Much discussion centered around the relative advantages and disadvantages of POST-mandated minimum passing scores versus minimum passing score ranges on the tests, after which the committee concluded that it needed further information from staff before making a recommendation to the Commission on this lone remaining issue.

The committee moved to recommend to the full Commission that: (1) a public hearing be scheduled in conjunction with the January 1991 Commission meeting for the purpose of formally adopting the knowledge domain system for defining and evaluating student mastery of the Basic Course (including mandated use of the POST knowledge domain tests), and (2) staff be directed to further research and report back to the committee as to the relative merits of POST-mandated cutoff scores versus cutoff score ranges, so that the committee, in turn, can provide a recommendation to the Commission on this issue in advance of the January public hearing.

If the Commission concurs with the committee's recommendations, staff further recommends that October 1, 1992 be established as the

effective date for all academies to "convert" to the knowledge domain system. This will provide two budget cycles to those academies that have yet to purchase the hardware necessary to use the automated knowledge domain testing system (POSTRAC).

RECOMMENDATION

Schedule a public hearing for next January to require use of the knowledge domain system and the POST knowledge domain tests in the Regular Basic Course effective October 1, 1992; with the understanding that the Long Range Planning Committee will report at the next Commission meeting as to recommended Commission action with regard to cutoff scores on the knowledge domain tests.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING ATTACHMENT

COMMISSION AGENDA ITEM REPORT

Agenda Item Title		Meeting Date
BASIC COURSE GRADUATION REQUIREMENTS		April 19, 1990
Bureau	**Reviewed By**	**Researched By**
Standards & Evaluation		John Berner JB
Executive Director Approval	**Date of Approval**	**Date of Report**
Norman C. Bahm	4-2-90	March 30, 1990

Purpose:

[X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [ ] Yes (See Analysis for details) [X] No

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

ISSUE

Should POST adopt an alternate system for defining and evaluating student mastery of the Basic Course?

BACKGROUND

The POST Basic Course is defined in terms of instructional outcomes, i.e., things that the trainee is expected to be able to do following instruction. These instructional outcomes are referred to as performance objectives (POs).

There are nearly 600 POs in the Basic Course. Approximately 80% of the POs require the student to demonstrate a knowledge. Mastery of these POs is typically evaluated with paper-and-pencil tests. The remaining POs require the student to demonstrate a skill. Mastery of these POs is evaluated by direct demonstration of the skill, often in the context of simulations or scenarios. Each PO is assigned to one of twelve general categories called functional areas (Patrol Procedures, Law, etc.).

Under the current system, each PO is assigned a "success criterion" of 70%, 80%, 90%, or 100% (must pass), which reflects the criticality of the PO as determined by subject matter experts. The minimum acceptable level of student performance is defined as student mastery of 70% of the 70% POs, 80% of the 80% POs, and 90% of the 90% POs in each functional area. All POs classified as 100% POs must be mastered. Skill and knowledge POs are combined for purposes of determining acceptable performance levels. Each academy is responsible for developing its own testing procedures and for determining what constitutes mastery of a given PO.

The current system is characterized by a number of shortcomings, including the fact that it is very complex and difficult to administer. In addition, because the POs are combined into very broad categories (functional areas) for purposes of determining student success, a student can compensate for deficiencies in certain

important areas (e.g., domestic violence) by being particularly knowledgeable in other equally important but unrelated areas (e.g., Miranda rights). Also, because the skill POs are grouped along with the knowledge POs into the twelve functional areas, it is possible to fail important skill POs and still successfully complete the course.

In recognition of these shortcomings, staff requested and received approval from the Commission in October 1985 to pilot test an alternate system for defining and evaluating student mastery of the POST Basic Course. Under the new system, called the "Knowledge Domain System", skill and knowledge POs are treated separately. The trainee is required to demonstrate mastery of each of the approximately 100 skill POs. The knowledge POs are grouped into categories referred to as "knowledge domains". Each knowledge domain represents a relatively specific subject matter area. The trainee is required to pass a separate test for each knowledge domain. There are currently 38 knowledge domains. Shown in Attachment A are the titles of the 38 knowledge domains and the number of POs which define each.

At the same October 1985 meeting, staff also received Commission approval to contract for the development of computer software to automate a test item bank for use by the 34 Basic Course presenters. The automated system, called POSTRAC, was designed to allow for automated storage, retrieval and scoring of knowledge domain tests (the system also performs numerous other functions). The test items which go into the item bank are the product of an ongoing collaborative effort between POST staff and Basic Course instructors.

In November 1988 staff reported to the Commission on the results of the pilot test. The report included a demonstration of the POSTRAC software. Results for the three academies that participated in the pilot test were favorable in terms of ease and practicality of administering the knowledge domain system. Moreover, scores on the POST Proficiency Test (a paper-and-pencil test of student knowledge that is administered to all academy graduates) increased at each of the three academies. However, because only three academies participated in the pilot study, staff requested and was granted authority to permit other interested academies to participate in a further evaluation of the knowledge domain system. The purpose of this agenda item is to report on the results of this follow-up evaluation.

ANALYSIS

Currently 26 of the 34 basic academies are using the knowledge domain system and the POSTRAC program, and several others are in the process of evaluating the system. The status of each individual academy with reference to the system is shown in Attachment B.

Based on considerable first-hand experience gained from working with the academies that have implemented the system, staff is confident in

reporting that there is widespread enthusiastic support for both the knowledge domain system and the POSTRAC software that makes automation of the knowledge domain system possible. Further, a major potential hardship expressed by a number of academies prior to implementing the system--that of rescheduling instruction and instructors to "match" the content of the knowledge domains--has proven to be far less of a hardship than anticipated.

With respect to changes in student performance associated with conversion to the knowledge domain system, results have also been favorable. Figure 1 (Attachment C) shows the average Proficiency Test scores for classes at academies which switched to the knowledge domain system between June 1, 1985 and February 1, 1990. Test scores are standardized within academy to a mean of 50 and a standard deviation of 10. Test scores are plotted on the vertical axis and test dates are plotted on the horizontal axis. Test scores for classes which graduated <u>before</u> the knowledge domain system was adopted are plotted with a "B", and test scores for classes which graduated <u>after</u> adoption of the knowledge domain system are plotted with an "A". The average Proficiency Test score of academy classes before switching to knowledge domains was 48.2 while the average score of academy classes after switching to knowledge domains was 54.7. This is a large difference (0.7 standard deviations) and is statistically significant ($t=4.67$, $p<0.0001$).

Figure 2 (Attachment D) shows average Proficiency Test scores for academy classes which graduated between April 1, 1987 and February 1, 1990. Test scores are plotted on the vertical axis, and test dates are plotted on the horizontal axis. Test scores for classes using the currently mandated success criterion system are plotted with an "O", and test scores for classes using the knowledge domain system are plotted with an "N". The average Proficiency Test score for academy classes using the success criterion system was 50.6 compared with 55.6 for academies using the knowledge domain system. This difference is also large (0.9 standard deviations) and is statistically significant ($t=9.44$, $p<0.0001$).

In total, these results strongly suggest that the Commission should replace the current system for defining student success in the Basic Course with the knowledge domain system. With respect to the manner in which the knowledge domain system is mandated, however, a number of options exist. These options are described and discussed below.

<u>Whose Tests</u>? This issue centers around the specific requirements that would be instituted with regard to the tests used to evaluate student mastery of the knowledge domains. Two main alternatives exist. One would be to require that all academies use the same tests (namely, the tests generated by POSTRAC). The other would be to require the use of the POSTRAC tests or equivalent tests. Presumably, if equivalent tests were permitted they would have to measure each of the knowledge domains as defined under the knowledge domain system (different combinations of the POs for testing purposes would not be

permitted). In addition, those academies choosing to use equivalent tests could be required to submit documentation concerning the statistical properties of the tests (item statistics, test reliabilities, etc.) to ensure that the alternate tests are acceptable from a psychometric standpoint.

An obvious advantage of the first alternative is that it would assure standardization in testing throughout the state. Another advantage is that it would make possible the generation of program evaluation information (academies could learn how their students are doing relative to students in other academies). The principal advantage of the second alternative is that it would provide each academy with some latitude concerning the use of locally developed tests.[1]

Based on discussions held at the last Basic Course Consortium meeting, the majority of academy directors and coordinators would prefer that all academies be required to use the POSTRAC tests.

Who Sets The Minimum Passing Scores on the Tests? The major options with regard to this issue are:

(1) Let each academy set its own minimum cutoff scores.

(2) Establish a POST recommended cutoff score (e.g., 70) for all tests.

(3) Establish a POST recommended cutoff score range (e.g., 70 - 85) for all tests.

(4) Establish a POST mandated cutoff score for all tests.

(5) Establish a POST mandated cutoff score range for all tests.

Currently, all users of the knowledge domain system are using cutoff scores that fall within a range considered appropriate by POST (e.g., no academy is using a cutoff score below 70). Thus, based on current experience, whether POST were to mandate or make recommendations concerning minimum cutoff scores would likely have little impact on local academy practices.

An advantage of setting a minimum cutoff score range is that a minimum standard is established and yet some allowance is made to accommodate local academy needs (the minimum cutoff does not become the maximum cutoff score). Further, providing local academies with this type of latitude would seem to have merit. It would seem

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[1]The POSTRAC program makes it possible for academies to construct, administer, and score locally developed tests. This feature is currently being used by many academies to supplement the knowledge domain tests generated from the statewide test item bank, or to construct tests of agency-specific curriculum.

reasonable, for example, for sheriffs' departments to be permitted to set a higher standard on knowledge domains related to custody, or for the California Highway Patrol to be able to set a higher standard on knowledge domains related to traffic.

Again, based on discussions held at the last Basic Course Consortium meeting, the majority of the academy directors and academy coordinators favor a POST mandate with respect to minimum passing scores. No clear cut preference was expressed with respect to POST mandated minimum passing scores versus POST mandated minimum passing score ranges.

In conclusion, results of the follow-up evaluation strongly suggest that POST should adopt the knowledge domain system for defining and evaluating student mastery of the Basic Course. Further, staff believes, and the majority of basic academy administrators concur, that all academies should be required to use the POSTRAC tests to determine student mastery of the knowledge domains. Such a mandate will have the much desired effect of creating a uniform, statewide procedure for determining student mastery of the knowledge domains. Finally, with regard to establishing minimum passing scores on the POSTRAC tests, staff believes that the most prudent action would be for POST to mandate minimum cutoff score ranges within which local academies would be required to establish their own minimum passing scores. As mentioned previously, this approach will have the desired effect of assuring that all academy graduates have met the same absolute minimum standards, while at the same time providing academies with some latitude to require higher than the absolute minimums as local conditions warrant.

Commission action to implement these changes will have a major impact on the current basic academy training delivery system. A public hearing will also be required. For these reasons, the Commission may wish to refer the staff proposal to the Long Range Planning Committee for review and discussion, with a follow-up report presented to the Commission at its July meeting.

Attachment A

Knowledge Domains and Number of POs

Domain	Description	Number of POs
KD#01:	History & Professionalism	13
KD#02:	Criminal Justice System	8
KD#03:	Community Service	10
KD#04:	Handling Emotional Situations	9
KD#05:	Introduction to Criminal Law	20
KD#06:	Crimes Against Property	16
KD#07:	Crimes Against Persons	14
KD#08:	General Criminal Statutes	19
KD#09:	Child Abuse	8
KD#10:	Sexual Assault	10
KD#11:	Juvenile Law and Procedure	8
KD#12:	Controlled Substances	17
KD#13:	ABC Law	11
KD#14:	Constitutional Law	4
KD#15:	Laws of Arrest	17
KD#16:	Search and Seizure	11
KD#17:	Laws of Evidence	12
KD#18:	Report Writing	7
KD#19:	Vehicle Operations	18
KD#20:	Legal Aspects of Deadly Force	10
KD#21:	Patrol Techniques	17
KD#22:	Vehicle Pullovers	24
KD#23:	Crimes-In-Progress	21
KD#24:	Handling Disputes/Crowd Control	12
KD#25:	Domestic Violence	10
KD#26:	Hazardous Occurrences	9
KD#27:	Missing Persons	8
KD#28:	Introduction to Traffic	24
KD#29:	Traffic/Auto Theft Investigation	5
KD#30:	Investigation	22
KD#31:	Custody	16
KD#32:	Physical Fitness	19
KD#33:	Person Searches,Baton, Etc.	16
KD#34:	First Aid/CPR	1
KD#35:	Firearms/Chemical Agents	9
KD#36:	Information Systems	3
KD#37:	Mentally & Physically Disabled	11
KD#38:	Gangs	7

N = 38

ATTACHMENT B
(March 30, 1990)

Knowledge Domain/POSTRAC Users (26)

Alameda County Sheriff's Department
Allan Hancock College
Butte Center, NCCJTES
College of the Redwoods/NCCJTES
Department of Forestry
Fresno City College
Golden West College/RJCTC
Long Beach Police Department
Los Medanos College/CCCJTC
Modesto Criminal Justice Training Center
Napa Valley College
Oakland Police Department
Orange County Sheriff's Department
Rio Hondo Regional Training Center
Sacramento County Sheriff's Department
Sacramento Criminal Justice Training Center
Sacramento Police Department
San Bernardino County Sheriff's Department
San Diego Sheriff's Department
San Diego Police Department
San Francisco Police Department
San Jose/Evergreen Community College District
San Joaquin Delta College/PSTC
Santa Rosa Center/NCCJTES
Southwestern Police Academy
Ventura County Police & Sheriff's Academy

NOT USING POSTRAC (8)

Bakersfield College
*California Highway Patrol
*Department of Parks and Recreation
Gavilan College/Central Coast Counties
*Los Angeles Police Department
*Los Angeles Sheriff Department
Riverside College
Tulare-Kings County

*Currently evaluating the system

ATTACHMENT C

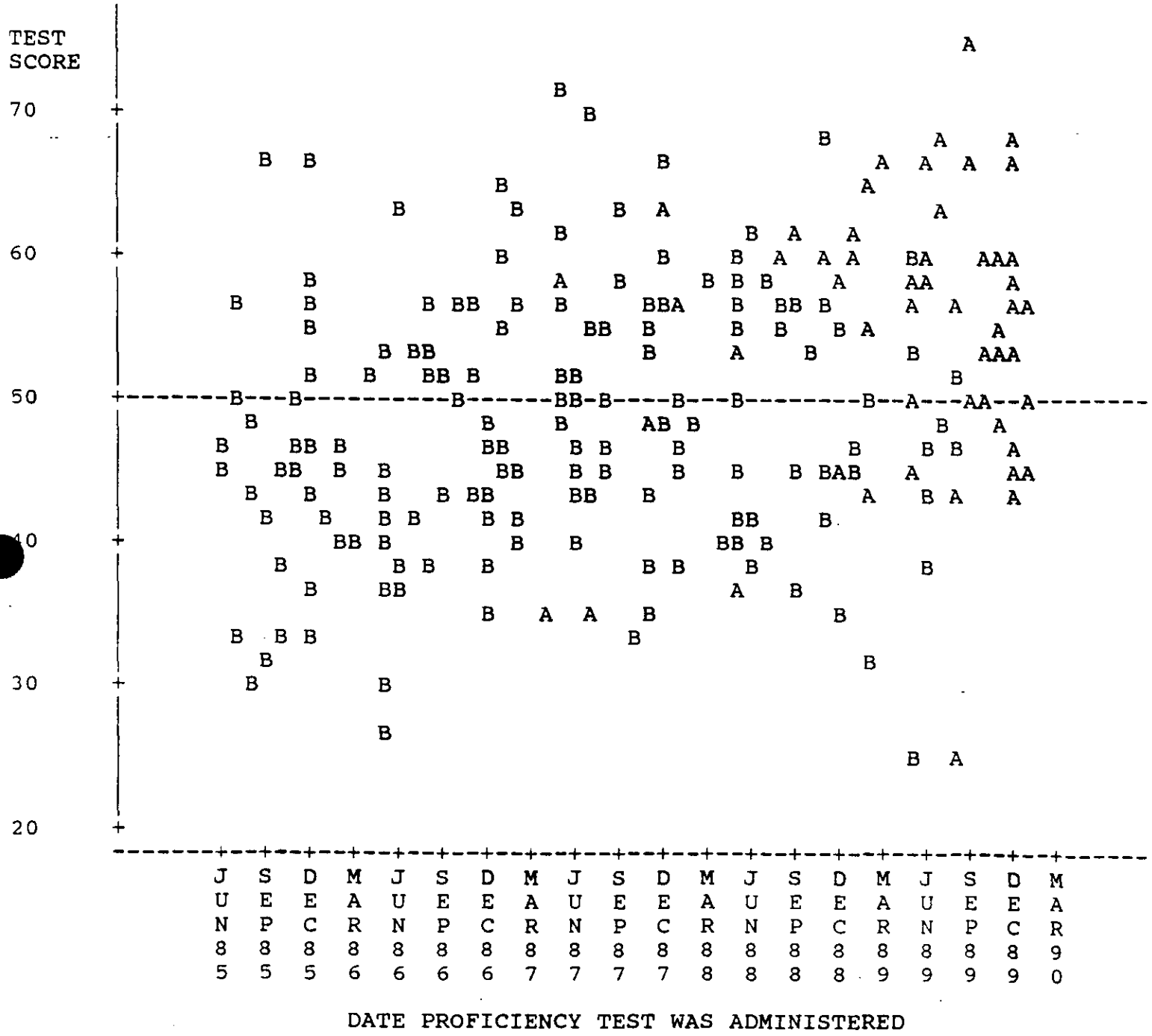


Figure 1. A comparison of academy scores on the proficiency test before (B) switching to knowledge domains and after (A) switching to knowledge domains. Only 41% of the "BEFORE" scores are above 50 compared with 71% of the "AFTER" scores. Note: Twenty-five observations are hidden.

ATTACHMENT D

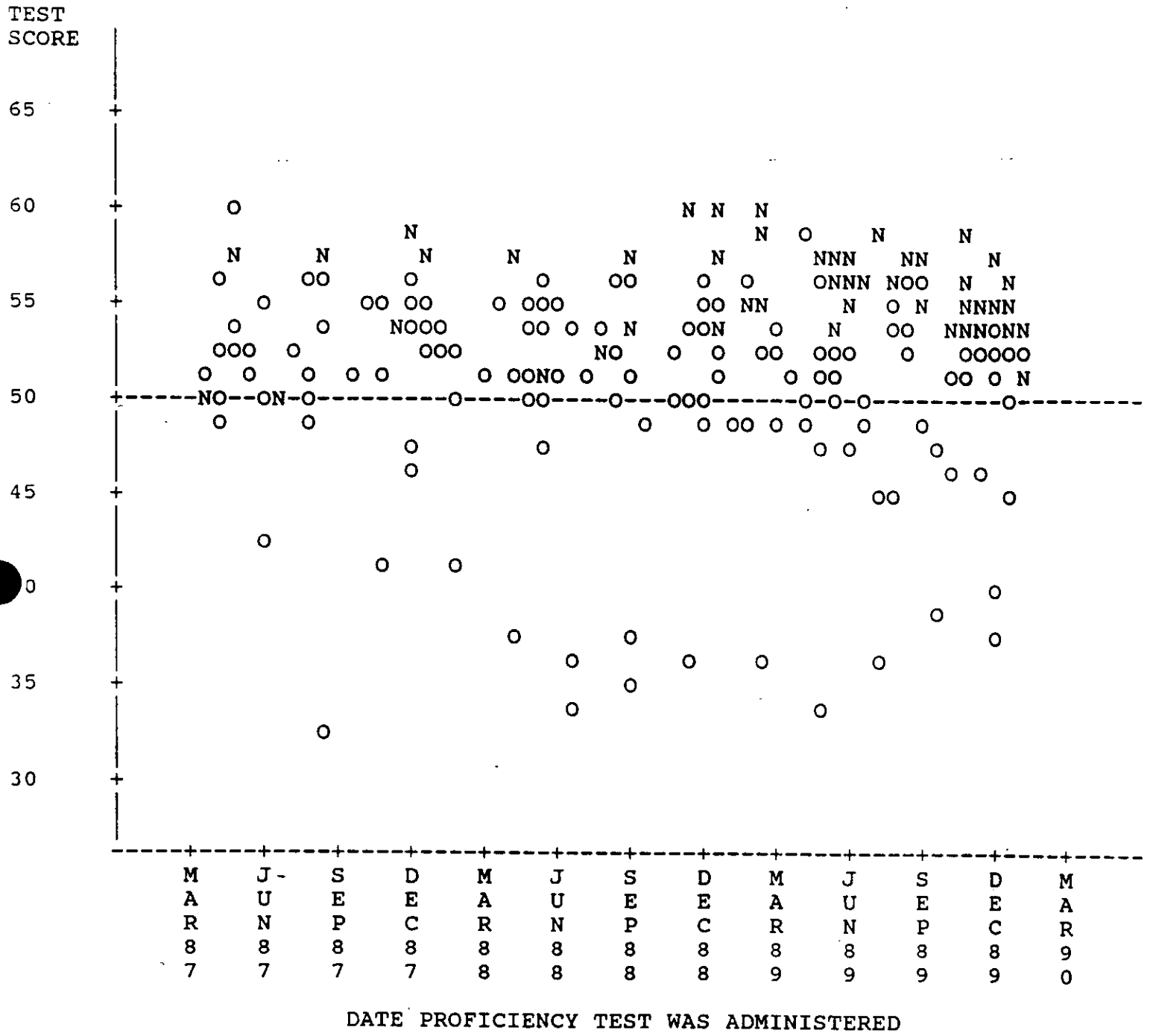


Figure 2. A comparison of academy scores on the proficiency test between academies using the old (O), success criterion, system and the new (N), knowledge domain, system. Only 70% of the "OLD" scores are above 50 compared with 100% of the "NEW" scores. Note: Thirty-five observations are hidden.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST FELLOWSHIP POSITION DEDICATED TO LAW ENFORCEMENT RECRUITMENT		Meeting Date July 19, 1990
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner
Executive Director Approval Norman C. Boehm	Date of Approval 6-19-90	Date of Report June 13, 1990

Purpose:

[X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [ ] Yes (See Analysis for details) [X] No

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

ISSUE

Request for POST Fellowship Position to be dedicated to law enforcement recruitment.

BACKGROUND

POST hosted a symposium on law enforcement recruitment in June 1989. The chief executives who attended expressed widespread support for assistance from POST in addressing current and future recruitment needs, and at its July 1989 meeting, the Commission authorized a one-year POST Fellowship Position to work on several of the high priority projects that were identified at the symposium.

The position was filled in January 1990. Two months later the individual filling the position was offered and accepted permanent employment as a POST Law Enforcement Consultant. Attempts to appoint another individual from among the group of candidates who originally interviewed for the position have proven unsuccessful, and a POST Bulletin encouraging interested persons to apply for the position was recently issued to the field.

The Commission originally granted authority for the expenditure of up to $100,000 to fund the one-year fellowship position during fiscal year 1989/90. Because it will not be possible to fill the vacancy until the 1990/91 fiscal year, new action is required on the part of the Commission in order to comply with state control agency rules and permit expenditure of the remaining funds (approximately $85,000) during the 1990/91 fiscal year.

ANALYSIS

The needs identified when the Commission initially approved the one-year fellowship position remain. The attached original request for the position details the types of products and services that would be provided under the fellowship.

In approving the position at a cost not to exceed $85,000 for fiscal year 1990/91, the Commission would be merely reaffirming its original commitment to assist in law enforcement recruitment statewide. No new monies would be involved.

RECOMMENDATION

Authorize the Executive Director to contract with a governmental agency for a POST Fellowship Position to assist POST staff in several recruitment-related projects, with the length of the fellowship not to exceed 12 months and the cost not to exceed $85,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Report on Recruitment Symposium and Request for POST Management Fellow		Meeting Date July 20, 1989
Bureau Standards & Evaluation	Reviewed By	Researched By John G. Berner
Executive Director Approval Norman C. Boehm	Date of Approval 7-5-89	Date of Report June 28, 1989

Purpose:

[X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [X] Yes (See Analysis for details) [ ] No

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

ISSUE

Report on results of POST Recruitment Symposium and request for one year POST Management Fellowship to address law enforcement recruitment needs.

BACKGROUND

Pursuant to Commission direction, POST recently hosted a three-day symposium for chiefs and sheriffs on the topic of law enforcement recruitment. A number of Commissioners and Advisory Committee members also participated. Attendees heard presentations on topics ranging from changing demographics and the changing workforce, to current recruitment practices by the military and other non-law enforcement professions. Group discussions were interspersed with the presentations to allow the chief executives in attendance to identify statewide recruitment needs and propose actions for addressing those needs.

Without exception, those who attended indicated that the symposium was extremely worthwhile (many expressed the desire that additional such workshops be held, that they be longer, and that persons other than chiefs and sheriffs also be permitted to attend), and considerable enthusiasm was expressed for pursuing the many "calls for action" that were identified at the symposium. A draft of the written summary of the symposium proceedings is attached.

ANALYSIS

Several recurrent themes emerged from the symposium: Competition for qualified personnel will increase in the future; law enforcement on the whole is not currently doing an adequate job of attracting qualified applicants and there is much that could be done; other professions are devoting considerable resources in order to gain a competitive edge in meeting future human resource needs; and POST involvement in law enforcement recruitment is both appropriate and warranted.

Specific suggestions for POST involvement included:

1. Addressing recruitment in all appropriate POST courses;

2. Establishing a POST development committee to explore statewide image advertising;

3. Exploring statewide standardized employment testing;

4. Organizing a follow-up symposium to develop the most important plans for action; and

5. Preparing a follow-up report after one year on the progress of the suggestions made at the symposium.

In addition to constituting a substantial undertaking, the above listing is made up of activities that vary with respect to specificity, breadth, ease of implementation, and timeframe for implementation. For example, some of the training-related activities are quite specific, could be implemented relatively quickly, and are consistent with "traditional" POST functions and capabilities. Developing recruitment programs and conducting market research/developing marketing strategies are longer term activities which represent new endeavors for POST and for which resource needs and likely outcomes are less certain.

As expressed at the symposium and in the July 1988 report to the Commission, California law enforcement is confronted with long term recruitment needs and has expressed the desire that POST provide assistance. This assistance cannot be provided without additional staff. In order to undertake some of the shorter term activities, as well as to begin to explore and establish the framework for longer term activities, it is proposed that POST obtain the services of a Management Fellow for the 1989/90 fiscal year. Specifically, the Management Fellow would be responsible for conducting additional workshops on recruitment, incorporating recruitment into existing training courses, and for exploring and evaluating the potential costs and benefits of statewide recruitment programs and marketing strategies.

The recommended fellowship would be for one year at an estimated cost of $100,000. At the end of the year, much more information would be available regarding the feasibility and advisability of POST making a longer term, more substantial commitment to law enforcement recruitment. If at that time the Commission wishes to make such a commitment, a Budget Change Proposal (BCP) could be submitted for fiscal year 1991/1992, and extension of the fellowship could be considered for fiscal year 1990/1991. At the June 27, 1989 meeting of the Long Range Planning Committee, the committee reviewed and endorsed the recommended fellowship.

COMMENDATION

Approve a contract with a governmental agency for the services of a POST Management Fellow for 12 months to provide various services related to law enforcement recruitment at a cost not to exceed $100,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title: Interagency Agreement Requests - SIDS and Proposition 115 Telecourses		Meeting Date: July 19, 1990
Bureau: Training Program Services Bureau	Reviewed By: Ken O'Brien	Researched By: John Davidson
Executive Director Approval: Norman C. Boehm	Date of Approval: 6/27/90	Date of Report: June 26, 1990
Purpose: ☒ Decision Requested ☐ Information Only ☐ Status Report		Financial Impact: ☒ Yes (See Analysis for details) ☐ No

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

ISSUE:

Should the Commission authorize the Executive Director to enter into interagency agreements with units of the state university system in an amount not to exceed $100,000 to develop and present televised training courses for locally mandated Sudden Infant Death Syndrome (SIDS) training and for training associated with the passage of Proposition 115, regarding hearsay testimony.

BACKGROUND:

In November, 1989, POST presented its first televised training course, Missing Persons Training for Dispatchers. This was followed last month with training for law enforcement officers on the subject of Managing Contacts with the Developmentally Disabled and Mentally Ill. These programs brought expert instructors presenting the same material to students located throughout the state.

The June program was particularly noteworthy in that copies of the tape were provided to law enforcement agencies to train personnel at their own convenience; documenting the training in their own records for future reference in compliance with state law. Since this training is required for all law enforcement officers, it is expected that the cost of the program per officer will be much lower than the traditional classroom training provided by POST by the time the training is completed in July 1992.

Evaluation of these first two programs has shown that the presentation of training by means of telecourses is practical, feasible and cost effective. It is now proposed to increase the production of telecourse training by presenting two additional courses (SIDS and Proposition 115) within this fiscal year.

ANALYSIS:

The first program for which approval is sought is the training required by Senate Bill 1067 with regard to SIDS. The legislative mandate requiring this training for all California law enforcement officers makes video an attractive delivery medium. A live satellite broadcast also provides the opportunity for students at remote sites to ask questions of the subject matter experts, further

enriching the program. Additionally, training will be accomplished by using video recordings of the live broadcast. Once completed, these video recorded programs could also be used productively in basic courses to teach the SIDS training block.

The second program concerns the training required by Proposition 115 for officers who wish to testify in preliminary hearings to information which they obtained from interviews with other persons. An advisory committee is currently developing guidelines and lesson plans for the training required by this initiative. Here again, the broad audience and follow-up use of video recordings makes this an attractive subject.

Approval of the funding requested in this item will permit production of the programs to begin before the next commission meeting. (State universities will not expend funds on any program until an interagency agreement has been signed by the concerned parties and approved by the Department of General Services).

RECOMMENDATION:

Authorize the Executive Director to enter into an interagency agreement for actual costs, cumulatively not to exceed $100,000, with units of the state university system, for the development and presentation of two satellite distributed telecourse training programs; one on Sudden Infant Death Syndrome (SIDS) and one on the training required by Proposition 115.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title CONTRACT FOR ADMINISTRATION OF PUBLIC SAFETY DISPATCHER BASIC COURSE EQUIVALENCY EXAM		Meeting Date July 19, 1990
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner
Executive Director Approval Norman C. Boehm	Date of Approval 6-15-90	Date of Report June 11, 1990

Purpose:

[X] Decision Requested [ ] Information Only [ ] Status Report

Financial Impact: [X] Yes (See Analysis for details) [ ] No

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

ISSUE

Request to contract with Cooperative Personnel Services (CPS) for administration of the Public Safety Dispatcher Basic Course Equivalency Examination during fiscal year 1990/91.

BACKGROUND

At a public hearing held January 18, 1990, the Commission instituted a certificate program for public safety dispatchers who are employed by agencies in the POST Dispatcher Program. The implementation date for the certificate program is July 1, 1990.

A general condition for receipt of the certificate will be successful completion of the POST 80-hour Complaint/Dispatcher Course. However, certain experienced dispatchers will be permitted to qualify for the certificate by passing a POST exam (the POST Public Safety Dispatcher Basic Course Equivalency Examination) in lieu of completing the 80-hour course. It is estimated that up to 2,000 dispatchers will qualify to take the exam. The purpose of this agenda item is to request a contract with CPS for administration of the exam during the 1990/91 fiscal year.

ANALYSIS

POST currently contracts with CPS for the administration of several other tests (i.e., POST Basic Course Proficiency Exam, POST Entry-Level Reading and Writing Test Battery, POST PC 832 Written Examination, POST Basic Course Waiver Examination). Over the years, CPS has done an acceptable job of administering these exams at a reasonable cost to POST.

Although it is not known at this time exactly how many dispatchers will request and qualify to take the equivalency exam during the 1990/91 fiscal year, contract costs are not expected to exceed $30,000. Under the proposed contract with CPS, final costs will

depend on actual testing volume, with POST billed at rates comparable to those contained in our other CPS contracts.

RECOMMENDATION

Authorize the Executive Director to enter into a contract with CPS for administration of the POST Public Safety Dispatcher Basic Course Equivalency Examination during fiscal year 1990/91 at a cost not to exceed $30,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract to Produce Video for Driver Training Interactive Videodisc Program		Meeting Date July 19, 1990
Bureau Training Program Services	Reviewed By Ken O'Brien	Researched By George Niesl
Executive Director Approval Norman C. Boehm	Date of Approval 6-20-90	Date of Report June 19, 1990
Purpose: ☐ Decision Requested ☐ Information Only ☐ Status Report	Financial Impact:	☐ Yes (See Analysis for details) ☐ No

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

ISSUE

Authorization to contract for production and rough editing of video footage to be used in the interactive videodisc training course on law enforcement driver training.

BACKGROUND

At its April 1990 meeting, the Commission approved award of a contract to General Physics Corporation for development of an interactive videodisc law enforcement driver training course. The development was to be completed by January 1992. As part of the contract with General Physics, POST agreed to contract separately for production of the video footage to be used in the development of the course.

ANALYSIS

The finished courseware for the IVD law enforcement driver training program will have four videodisc sides. A course of this size requires production of a considerable amount of audio and video for the scenarios. Additionally, the creation of realistic scenarios will require the use of law enforcement equipment and personnel enacting scripts on California freeways, urban streets, and rural highways.

For these reasons - to achieve lower costs for video production and editing, and to have access to equipment, personnel and locations critical to achieving greater realism - it is proposed that POST contract under interagency agreement with a law enforcement agency that has equipment and personnel resources for video production and off-line editing. Such video work is projected to cost up to $50,000. Video production and rough editing are expected to be conducted over a two-month period, probably beginning in late Winter or Spring 1991.

RECOMMENDATION

Authorize the Executive Director to negotiate and sign a contract not to exceed $50,000 with a California law enforcement agency to produce and rough edit the audio and video footage to be used in the IVD law enforcement driver training course.

FINANCE COMMITTEE

July 18, 1990 - 2:00 p.m.
Marriott Hotel Mission Valley

AGENDA

A. Call to Order

B. Year End Financial Report

1. Review of Estimated Revenue and Local Assistance Expenditures Fiscal Year Ending June 30, 1990.

2. Fund Condition Report

C. Report on Reimbursement Rates for FY 1990-91

1. Volume of Reimbursable Trainees in FY 89-90 and FY 90-91

2. Report on Potential Salary Reimbursement Rates for FY 90-91

D. Budget Change Proposals for FY 1991-92

E. Proposed Contracts on July 1990 Commission Agenda

1. CPS - Dispatcher Equivalency Test Administration

2. Video Tape Production Contract(s)

3. Management Fellow - Cultural Awareness

4. Pilot Legal Update Course

5. Management Fellow - Recruitment

6. Driver Training Video Development

F. Training Contracts Augmentation

G. Asset Forfeiture Procedure

H. Report on FY 89-90 Contracts

I. Audit Report

J. F.Y. 1990-91 GOVERNOR'S BUDGET

K. Adjournment

Long Range Planning Committee Meeting Minutes
June 7, 1990
San Bernardino, CA

PRESENT:

Floyd Tidwell, Chairman
Carm Grande
Robert Wasserman

GUESTS:

Don Forkus, representing CPOA
Rodney Pierini, CPOA Executive Director

STAFF:

Norman Boehm, Executive Director
Glen Fine
John Berner

The meeting was called to order by Chairman Tidwell at 10:00 a.m. at the Sheriff's Conference Room, San Bernardino County Sheriff's Department.

A. Basic Course: Transition to Knowledge Domain Testing and Establishing Success Criteria

The Committee discussed Basic Course testing issues referred by the Commission at its April 19 meeting. The Committee supports the proposal to require testing based on knowledge domains. Currently, 26 of the 34 academies are using the knowledge domain testing and several others are in the process of adopting the system.

The Committee recommends that the Commission set a public hearing for the January 1991 meeting to consider requiring knowledge domain testing, use of the POST test item bank, and a minimum cut score.

By the Commission's November meeting, the Long Range Planning Committee will have reviewed an additional staff report on whether the cutoff score should be a minimum flat score or a minimum range. The Commission will make the final decision on this in time for it to be included in the public hearing notification.

B. Future Satellite Pilot Telecourse Supplementing Legal Update Training

The Committee considered a proposal that a POST-funded legal update television broadcast in Northern California be converted this year, on a pilot basis, to satellite broadcast that would reach a larger audience. The course is now presented under contract by CPOA. It would be expected that a contract for services would continue with CPOA to support the satellite course.

The Committee recommends approval of a contract or contracts for this purpose in an amount not to exceed $40,000, which would include services for course development, instructional design work, production and studio time, as well as broadcast and satellite time.

C. Pre-Employment Drug Testing

Committee members discussed the feasibility and desirability of POST establishing requirements for pre-hire screening of peace officer applicants for illegal drug use. No firm conclusions were drawn, but there was interest in further discussion by the Committee after staff conducts some preliminary research.

If the Commission concurs, the Committee's recommendation is that staff do some preliminary survey work on current practices and the field's sense of need in this area.

D. Ethics Training

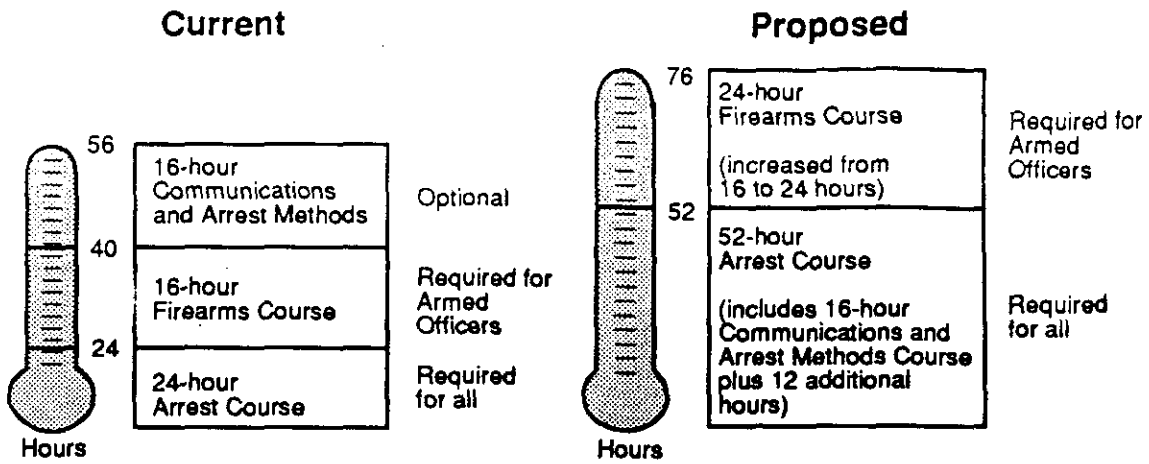
POST has made a strong commitment in the past few years to assuring appropriate instruction occurs on principles, values, and ethics. The Committee considered whether there are additional ways to address ethics awareness. Staff will report back to the Committee regarding the inclusion of ethics training in instructor courses, the production of ethics "commercials" to be included in all POST video broadcasts, and the evaluation of available tests of individual ethical mind set.

E. Training Standard for School Police

A 32-hour training course to address unique needs of K-12 and community college police is proposed by staff to comply with a statutory requirement. Committee consensus is to proceed with a public hearing on the proposed course as described in the July meeting agenda.

F. Strengthening POST Curriculum Standards for the P.C. 832 Course

The Committee reviewed a staff proposal to expand the P.C. 832 course to 76 hours minimum. The changes make previously optional arrest and control techniques mandatory and increase the time allotted for traditional training methods. (The interactive videodisc course remains a valid and perhaps even more attractive presentation alternative with the proposed changes in hours.)



Consensus of the Committee is to recommend scheduling of a public hearing for the November 1, 1990 meeting.

G. Report on Team Building Workshops

One year ago, the Commission approved a one-time allocation of funds to enable the clearing of a backlog of department requests for team building workshops. At the same time, the Commission acted to restrict the frequency of POST-funded workshops for the individual departments to no more than every other year. Staff reported that the backlog has now been cleared and that no problems are being encountered.

H. ACR 58 Symposium

Staff reported on the activities of the ACR 58 Committee and particularly discussed the upcoming Symposium on Training in the 1990's to be held in San Diego on July 10/11/12. The Committee expressed its approval of the directions being taken.

I. Review of Executive Director's Performance and Compensation

Commission regulation requires annual review of this issue. The Committee remains concerned that the Executive

established by the State Department of Personnel Administration. The Commission, of course, has no direct control over salary but will work with staff to communicate the Commission's concerns to State government.

The compensation area that the Commission can set directly is vacation. No increase in vacation allowance was requested, and the Committee recommends the Commission continue the current allocation (of 33 days/year) for FY 1990-91.

In addition, although no increase is requested, it is recommended that the Commission authorize increasing from $5,000 to $6,000 the allocation for the Executive Director's professional training and education activities.

Commission on Peace Officer Standards and Training
Legislative Review Committee Meeting
July 19, 1990, 9:00 a.m.
Marriott Hotel Mission Valley
San Diego, California

AGENDA

		Attachment
1.	Approval of May 24 Conference Call Meeting Minutes	A
1.	Review of Active Legislation	
	• Status Report	B
	• AB 2673 Review of Amendments	C
2.	New Legislation	
	• SB 2244 Increases fee for permit to dispose of human remains with a portion allocated to POST for the training of coroners, authorizes POST to establish training and selection standards for coroners.	
.	Open Discussion	
2.	Adjournment	

LEGISLATIVE REVIEW COMMITTEE MEETING MINUTES
May 24, 1990
Conference Call

MEMBERS PRESENT

Sherm Block, Chairman
Ron Lowenberg
Edward Maghakian

STAFF PRESENT

Norman Boehm
Glen Fine
Hal Snow

The meeting was called to order by Chairman Block to review proposed language of Assembly Bill 2673 concerning POST certificate cancellation for misdemeanor convictions involving moral turpitude. After review of the proposed language that further defines moral turpitude, the Committee unanimously approved the language, thus affirming the Commission's support position.

Committee members noted some of the bill's benefits in its current form in that it:

- Provides flexibility to the Commission to identify specific misdemeanor convictions constituting moral turpitude and to consider individual circumstances surrounding convictions.
- Does not extend to administrative discipline, but only to criminal convictions.
- Protects an agency from liability from having to retain or reappoint an offending former officer.
- Permits police administrators to testify for or against individual certificate cancellations.
- Improves the profession, and the perceptions of the profession by the public.

There being no further business, the meeting was adjourned at 3:20 p.m.

Status of Key Legislation of Interest to POST

AB 1720 (Hayden) — Police Corps Program

Establishes a Police Corps Program administered by POST and authorizes the Student Aid Commission to provide scholarship aid to applicants. Position: Oppose. Status: In Senate Inactive File.

AB 1821 (Hansen) — POST Training: Transmission and Prevention of Communicable Diseases

Requires POST to prepare curricula regarding the transmission and prevention of communicable disease. Position: Neutral. Status: Appropriations Suspense File.

AB 2306 (Calderon) — POST Training: Gang and Drug Enforcement

Requires POST to provide training on gang and drug law enforcement and cleans up language of P.C. 13510 and 13525. Position: Support. Status: In Senate- -Third Reading File **(Moved from Senate Appropriations)**

AB 2673 (Eaves) — POST Certificates: Cancellation for Moral Turpitude Misdemeanor Convictions

Requires POST to cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a misdemeanor involving moral turpitude, as defined. Position: Support. Status: Senate Committee on Judiciary **(Moved from Assembly Consent Calendar)**

AB 3816 (Roos) — Peace Officers: Citizenship Requirement

Deletes existing requirement that a permanent resident alien applying for employment as a peace officer shall have applied for citizenship at least one year prior to his or her application to be a peace officer. Position: Neutral. Status: Senate Judiciary.

AB 3902 (Bates) — POST Training: Neighborhood Watch & Earthquake Preparedness

Requires POST to prepare a course of instruction and guidelines for law enforcement officers in instructional methods for crime watch and neighborhood watch groups and programs. Position: Neutral. Status: Senate Judiciary.

AB 4253 (Hughes) — Peace Officers: California Museum of Science and Industry

Establishes peace officer status for the personnel of the California Museum of Science and Industry. Position: Oppose. Status: Senate Committee on Judiciary. **(Moved from Assembly Ways and Means)**

SB 655 POST Peace Officer Feasibility Studies
(Presley)

Original language deleted. Amended to make clean-up changes to last year's SB 353 on reclassification of peace officers and required feasibility studies for persons desiring peace officer status. Position: Neutral. Status: Chaptered

SB 2244 POST Training and Standards: Coroners
(Davis)

Increases fee for permit to dispose of human remains with a portion allocated to POST for the continuing training of coroners. Position: Not considered. Status: Assembly Desk. **(Moved from Special Consent Calendar)**

SB 2457 POST Standards: Joint Powers Agencies
(Boatwright)

Authorizes POST to establish minimum standards for joint powers agencies. Position: Support. Status: Assembly Public Safety

SB 2680 POST Training: Understanding Racial and Cultural Differences
(Boatwright)

Requires POST to develop and disseminate guidelines and training to all peace officers on understanding the racial and cultural differences of people in the State. Position: Support. Status: Assembly Committee on Ways and Means.

Attachment C

State of California | Department of Justice

M E M O R A N D U M

To : Legislative Review Committee | Date: June 21, 1990

NORMAN C. BOEHM, Executive Director
From : Commission on Peace Officer Standards and Training

Subject : STATUS REPORT ON LEGISLATION

Attached is the monthly status report on current legislative items of interest to the Commission.

Assembly Bill 2673 concerning the cancellation of POST certificates was amended in the Assembly Public Safety Committee, at the Committee staff's request, on 5-22-90 to delete reference to moral turpitude and its definition previously agreed to by the POST Legislative Review Committee. A memo on this was sent to the Committee members.

We are working with the bill's sponsor (PORAC) and the Legislature to return the bill to its previous language. We will also seek to add a provision requiring POST to invite recommendations of agency chief executives for those officers who continue to be employed by a law enforcement agency. If not addressed in the bill, it can be specifically included in the Commission regulations implementing the bill.

Should you have specific questions about any of these bills, please call me or our Legislative Coordinator, Hal Snow, at (916) 739-3864.

Attachment

AMENDED IN ASSEMBLY MAY 30, 1990

AMENDED IN ASSEMBLY MAY 15, 1990

CALIFORNIA LEGISLATURE—1989-90 REGULAR SESSION

ASSEMBLY BILL No. 2673

Introduced by Assembly Member Eaves

January 24, 1990

An act to amend Section 13510.1 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2673, as amended, Eaves. Peace officers.

Under existing law, the Commission on Peace Officer Standards and Training is required to maintain a certification program for specified peace officers, and award certificates based on a combination of prerequisites developed by the commission. Eligible peace officers may apply for the certificates if they are employed by an agency which participates in the Peace Officer Standards and Training (POST) program.

Existing law also requires the commission to cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a felony.

This bill would also require the commission to cancel certificates issued to persons who have been convicted of a felony, as specified, adjudged not guilty of a felony by reason of insanity, as specified, determined to be a mentally disordered sex offender, as defined, or adjudged addicted or in danger of becoming addicted to narcotics, convicted, and confined, as specified. This bill would also permit the commission to cancel certificates issued to persons who have been convicted of, or entered a plea of guilty or nolo contendere to, a misdemeanor ~~involving moral turpitude, as~~

~~defined,~~ *which is substantially related to the qualifications, functions, or duties of a peace officer* after January 1, 1991. This bill would require the commission to develop regulations that would require the commission to examine the circumstances surrounding the cancellation or threatened cancellation of a certificate because of a misdemeanor ~~involving moral turpitude~~ *which is substantially related to the qualifications, functions, or duties of a peace officer*, and which would provide procedures for an individual to appeal the cancellation of a certificate based on a misdemeanor ~~involving moral turpitude~~ *which is substantially related to the qualifications, functions, or duties of a peace officer.*

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 13510.1 of the Penal Code is
2 amended to read:
3 13510.1. (a) The commission shall establish a
4 certification program for peace officers specified in
5 Sections 13510 and 13522 and for the California Highway
6 Patrol.
7 (b) Basic, intermediate, advanced, supervisory,
8 management, and executive certificates shall be
9 established for the purpose of fostering
10 professionalization, education, and experience necessary
11 to adequately accomplish the general police service
12 duties performed by peace officer members of city police
13 departments, county sheriffs' departments, districts,
14 university and state university and college departments,
15 or by the California Highway Patrol.
16 (c) Certificates shall be awarded on the basis of a
17 combination of training, education, experience, and
18 other prerequisites, as determined by the commission.
19 (d) Persons who are determined by the commission to
20 be eligible peace officers may make application for these
21 certificates, provided they are employed by an agency
22 which participates in the Peace Officer Standards and
23 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, or who fall under any of the disqualifications in subdivision (a) of Section 1029 of the Government Code.

(g) The commission may cancel certificates issued to any person who, after January 1, 1991, has been convicted of, or entered a plea of guilty or nolo contendere to, a crime classified as a misdemeanor ~~involving moral turpitude~~ *which is substantially related to the qualifications, functions, or duties of a peace officer.*

(h) The commission shall develop regulations to implement this section that shall (1) require the commission to examine the circumstances surrounding each conviction of, or plea of guilty or nolo contendere to, a misdemeanor ~~involving moral turpitude~~ *which is substantially related to the qualifications, functions, or duties of a peace officer* which has resulted, or may result, in the cancellation of an individual's certificate, and (2) provide procedures for individuals to appeal the cancellation of a certificate based on a conviction of, or plea of guilty or nolo contendere to, a misdemeanor ~~involving moral turpitude~~ *which is substantially related to the qualifications, functions, or duties of a peace officer.*

~~(i) As used in this section, "moral turpitude" means an act involving unlawful sexual behavior, abuse of authority, dishonesty associated with official duties, theft, or any illegal activity involving narcotics.~~

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - ACTIVE LEG

AB 1720 POLICE CORPS PROGRAM 09/08/89
HAYDEN

SUMMARY: ESTABLISHES A POLICE CORPS PROGRAM ADMINISTERED BY POST AND AUTHORIZES THE STUDENT AID COMMISSION TO PROVIDE SCHOLARSHIP AID TO APPLICANTS.

FISCAL

CALENDAR: 06/26/90 IN SENATE--INACTIVE FILE
29 SENATE CONVENES AT 9 A.M.

STATUS: IN SENATE--INACTIVE FILE

TYPE	POSITION	TOPIC
ACTIVE LEG	OPPOSE	POST RELAT

AB 1821 POST TRNG: TRANSMISSION AND PRE- 05/25/89
HANSEN VENTION OF COMMUNICABLE DISEASES

SUMMARY: REQUIRES POST TO PREPARE CURRICULA REGARDING THE TRANSMISSION AND PREVENTION OF COMMUNICABLE DISEASE.

FISCAL STATE-MANDATED

STATUS: APPROPRIATIONS SUSPENSE FILE

TYPE	POSITION	TOPIC
ACTIVE LEG	NEUTRAL	TRAINING

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - ACTIVE LEG

AB 2306 POST TRAINING: GANGS AND DRUGS 06/14/90
CALDERON

SUMMARY: REQUIRES POST TO PROVIDE TRAINING ON GANG AND DRUG LAW ENFORCEMENT AND CLEANS UP LANGUAGE OF P.C. 13510 AND 13525.

FISCAL

CALENDAR: 06/26/90 IN SENATE--THIRD READING FILE--ASSEMBLY BILLS
101 SENATE CONVENES AT 9 A.M.

STATUS: IN SENATE--THIRD READING FILE--ASSEMBLY BILLS

TYPE	POSITION	TOPIC
ACTIVE LEG	SUPPORT	TRAINING
		POST RELAT

AB 2673 POST CERTS.: CANCEL FOR MORAL 05/30/90
EAVES TURPITUDE MISDEMEANOR CONVICTIONS

SUMMARY: REQUIRES POST TO CANCEL CERTIFICATES ISSUED TO PERSONS WHO HAVE BEEN CONVICTTED OF, OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO, A MISDEMEANOR INVOLVING MORAL TURPITUDE, AS DEFINED.

FISCAL

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
ACTIVE LEG	SUPPORT	STANDARDS

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - ACTIVE LEG

AB 3816 PEACE OFFICERS: CITIZENSHIP
ROOS REQUIREMENT

SUMMARY: DELETES EXISTING REQUIREMENT THAT A PERMANENT RESIDENT ALIEN APPLYING FOR EMPLOYMENT AS A PEACE OFFICER SHALL HAVE APPLIED FOR CITIZENSHIP AT LEAST ONE YEAR PRIOR TO HIS OR HER APPLICATION TO BE A PEACE OFFICER.

CALENDAR: 08/07/90 SENATE COMMITTEE ON JUDICIARY
30 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
ACTIVE LEG	NEUTRAL	STANDARDS

AB 3902 POST TRAINING: NEIGHBORHOOD WATCH
BATES EARTHQUAKE PREPAREDNESS

SUMMARY: REQUIRES POST TO PREPARE A COURSE OF INSTRUCTION AND GUIDELINES FOR LAW ENFORCEMENT OFFICERS IN INSTRUCTIONAL METHODS FOR CRIME WATCH AND NEIGHBORHOOD WATCH GROUPS AND PROGRAMS.

FISCAL

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
ACTIVE LEG	NEUTRAL	TRAINING

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* COMMISSION ON POST                    06/26/90              SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE      - ACTIVE LEG
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AB 4253        PEACE OFFICERS: CALIF. MUSEUM OF    04/24/90
HUGHES         SCIENCE AND INDUSTRY

SUMMARY:       ESTABLISHES PEACE OFFICER STATUS FOR THE PERSONNEL
               OF THE CALIFORNIA MUSEUM OF SCIENCE AND INDUSTRY.

                              FISCAL

STATUS:        SENATE COMMITTEE ON JUDICIARY

TYPE        POSITION    TOPIC
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ACTIVE LEG  OPPOSE      GENERAL LE

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SB 655         POST PEACE OFFICER FEASIBILITY      03/22/90
PRESLEY        STUDIES

SUMMARY:       ORIGINAL LANGUAGE DELETED.  AMENDED TO MAKE CLEAN-
               UP CHANGES TO LAST YEAR'S SB 353 ON RECLASSIFI-
               CATION OF PEACE OFFICERS AND REQUIRED FEASIBILITY
               STUDIES FOR PERSONS DESIRING PEACE OFFICER STATUS.

               URGENCY        FISCAL         STATE-MANDATED

STATUS:        CHAPTERED                                        90-82

TYPE        POSITION    TOPIC
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ACTIVE LEG  NEUTRAL     POST RELAT

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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - ACTIVE LEG

SB 2244 POST TRAINING AND STANDARDS: 05/30/90
DAVIS CORONERS

SUMMARY: INCREASES FEE FOR PERMIT TO DISPOSE OF HUMAN REMAINS WITH A PORTION ALLOCATED TO POST FOR THE TRAINING OF CORONERS.

FISCAL

CALENDAR: 07/03/90 ASSEMBLY COMMITTEE ON HEALTH
12 2 p.m. Room 4202

STATUS: ASSEMBLY COMMITTEE ON HEALTH

TYPE	POSITION	TOPIC
ACTIVE LEG	NOT CONSID RED	FUNDING

SB 2457 POST STANDARDS: JOINT POWERS
BOATWRIGHT AGENCIES

SUMMARY: AUTHORIZES POST TO ESTABLISH MINIMUM STANDARDS FOR JOINT POWERS AGENCIES.

FISCAL

CALENDAR: 06/26/90 ASSEMBLY COMMITTEE ON PUBLIC SAFETY
22 9 a.m. Room 126

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
ACTIVE LEG	SUPPORT	STANDARDS

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - ACTIVE LEG

SB 2680 POST TRNG.: UNDERSTANDING RACIAL 04/05/90
BOATWRIGHT AND CULTURAL DIFFERENCES

SUMMARY: REQUIRES POST TO DEVELOP AND DISSEMINATE INSTRUCTION TO ALL PEACE OFFICERS ON UNDERSTANDING THE RACIAL AND CULTURAL DIFFERENCES OF PEOPLE IN THE STATE.

FISCAL

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
ACTIVE LEG	SUPPORT	TRAINING

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 240 SHERIFFS: QUALIFICATIONS 06/12/90
FLOYD

SUMMARY: EXISTING PROVISIONS OF LAW MAKE INELIGIBLE AS A CANDIDATE FOR THE OFFICE OF SHERIFF ANY PERSON WHO DOES NOT MEET ONE OF VARIOUS SPECIFIED COMBINATIONS OF EDUCATION AND EXPERIENCE AS A PEACE OFFICER AT THE TIME OF THE FILING DATE FOR ELECTION. THIS BILL WOULD REPEAL THOSE PROVISIONS.

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	

AB 481 YOUTH 04/26/90
CAMPBELL

SUMMARY: THIS BILL WOULD CREATE A 2-YEAR PILOT PROGRAM FOR THE CITY OF RICHMOND POLICE ACTIVITIES LEAGUE WITH SPECIFIED RESPONSIBILITIES DIRECTED TOWARD YOUTH CRIME PREVENTION. THIS BILL WOULD PROVIDE THAT THE PILOT PROGRAM SHALL BE DEEMED SUCCESSFUL IF SPECIFIED OBJECTIVES ARE MET AND THAT FUNDING FOR THE SECOND FISCAL YEAR OF THE PROGRAM IS CONTINGENT UPON A REVIEW OF THE PROGRAM BY THE DEPARTMENT OF THE YOUTH AUTHORITY TO DETERMINE WHETHER THE PROGRAM IS SUCCESSFUL. THIS BILL WOULD REQUIRE THE DEPARTMENT OF THE YOUTH AUTHORITY TO SUBMIT ITS FINDINGS TO THE LEGISLATURE, AS WELL AS THE RICHMOND POLICE ACTIVITIES LEAGUE. THE BILL WOULD ALSO APPROPRIATE $135,000 TO THE CONTROLLER FOR ALLOCATION, AS SPECIFIED, TO THE CITY OF RICHMOND POLICE ACTIVITIES LEAGUE FOR THE PURPOSES OF THE ACT.

FISCAL

STATUS: GOVERNOR'S OFFICE

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 1644 PRIVATE PATROL OPERATORS 01/10/90
PEACE

SUMMARY: THIS BILL WOULD AUTHORIZE THE BUREAU OF COLLECTION AND INVESTIGATIVE SERVICES TO ASCERTAIN FROM GOVERNMENTAL OR OTHER OFFICIAL DOCUMENTS WHETHER AN APPLICANT FOR A POSITION AS A SECURITY GUARD HAS BEEN CONVICTED OF A CRIMINAL OFFENSE OUTSIDE OF THIS STATE, AS SPECIFIED.

FISCAL

STATUS: SENATE COMMITTEE ON APPROPRIATIONS

TYPE	POSITION	TOPIC
INFO LEG	NONE	TRAINING

AB 2029 DRIVING OFFENSES: HIGHWAY PATROL 08/30/89
CONDIT PENALTY

SUMMARY: UNDER EXISTING LAW, A PERSON CONVICTED OF A VIOLATION OF DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE, ANY DRUG, OR BOTH, DRIVING WITH AN EXCESSIVE BLOOD-ALCOHOL CONCENTRATION, OR DRIVING WITH AN EXCESSIVE BLOOD-ALCOHOL CONCENTRATION, OR DRIVING WITH AN EXCESSIVE BLOOD-ALCOHOL CONCENTRATION, OR DRIVING WHEN ADDICTED TO ANY DRUG IS PUNISHED BY A SPECIFIED FINE OR IMPRISONMENT OR BOTH. IF THE PERSON IS GRANTED PROBATION, MINIMUM TERMS AND CONDITIONS OF PROBATION INCLUDE SPECIFIC FINES. EXISTING LAW ALSO PRESCRIBES VARIOUS PENALTY ASSESSMENTS TO BE ADDED TO THE PRESCRIBED FINES. THIS BILL WOULD REQUIRE AN ADDITIONAL HIGHWAY PATROL EDUCATION AND SERVICES PENALTY OF $50 TO BE ASSESSED ON EACH PERSON SO CONVICTED, EXCEPT AS SPECEFIED, IN CONNECTION WITH THE ADMINISTRATION AND COLLECTION OF THE PENALTY. THE REVENUES FROM THE PENALTY WOULD BE REQUIRED TO BE DISTRIBUTED TO THE LOCAL LAW ENFORCEMENT AGENCY MAKING THE ARREST OR THE HIGHWAY PATROL PENALTY ACCOUNT, CREATED BY THE BILL IN THE MOTOR VEHICLE ACCOUNT IN THE STATE TRANSPORTATION FUND.

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

FISCAL STATE-MANDATED

STATUS: SENATE COMMITTEE ON APPROPRIATIONS

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

AB 2659 PEACE OFFICERS: RECORDS 05/15/90
FLOYD

SUMMARY: EXISTING LAW GENERALLY PROHIBITS THE DISCLOSURE OF PEACE OFFICER PERSONNEL RECORDS, CITIZEN COMPLAINT RECORDS, AND ANY OTHER INFORMATION, THE DISCLOSURE OF WHICH WOULD CONSTITUTE AN UNWARRANTED INVASION OF PERSONAL PRIVACY. THIS BILL WOULD DELETE THE PROVISION REGARDING THE DISCLOSURE OF INFORMATION THAT WOULD CONSTITUTE AN UNWARRANTED INVASION OF PRIVACY, AND WOULD IMPOSE A CIVIL PENALTY NOT TO EXCEED $5,000 FOR EACH VIOLATION OF THE DESCRIBED PROHIBITION WHERE THE PERSON KNOWINGLY, INTENTIONALLY, AND WITH THE INTENT TO INJURE, VIOLATES THE PROVISION.

FISCAL

CALENDAR: 07/03/90 SENATE COMMITTEE ON JUDICIARY
17 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 2677 STATE BOARDS AND COMMISSIONS: 04/02/90
WATERS, M COMPOSITION

SUMMARY: THIS BILL WOULD ESTABLISH NEW GUIDELINES REGARDING THE GENDER COMPOSITION OF A STATE BOARD OR COMMISSION.

FISCAL

STATUS: SENATE COMMITTEE ON RULES

TYPE	POSITION	TOPIC
INFO LEG	NONE	POST RELAT

AB 2678 STATE BOARDS AND COMMISSIONS: 03/28/90
WATERS, M COMPOSITION

SUMMARY: THIS BILL WOULD PROVIDE THAT IT IS THE POLICY OF THIS STATE THAT THE PERCENTAGE OF WOMEN ON EACH STATE BOARD OR COMMISSION BE REFLECTIVE OF THE PERCENTAGE OF WOMEN IN THE STATE'S POPULATION.

STATUS: SENATE COMMITTEE ON RULES

TYPE	POSITION	TOPIC
INFO LEG	NONE	POST RELAT

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 2692 PEACE OFFICERS 03/30/90
O'CONNELL

SUMMARY: UNDER EXISTING LAW, EVERY ABLE-BODIED PERSON ABOVE 18 YEARS OF AGE WHO NEGLECTS OR REFUSES TO AID IN TAKING, RETAKING, ARRESTING, OR CONFINING ANY PERSON WHEN LAWFULLY REQUIRED BY A UNIFORMED PEACE OFFICER OR A JUDGE UNDER SPECIFIED CONDITIONS IS PUNISHABLE BY A DESIGNATED FINE. THIS BILL WOULD EXPAND THESE PROVISIONS TO INCLUDE PEACE OFFICERS WHO ARE EMPLOYED BY SPECIFIED CITY, COUNTY, OR STATE LAW ENFORCEMENT AGENCIES, OR BY OTHER SPECIFIED AGENCIES, WHO IDENTIFY THEMSELVES WITH A BADGE OR IDENTIFICATION CARD ISSUED BY THEIR EMPLOYING AGENCY.

FISCAL STATE-MANDATED

CALENDAR: 07/02/90 SENATE COMMITTEE ON APPROPRIATIONS
* 38 9:30 a.m. Room 112

STATUS: SENATE COMMITTEE ON APPROPRIATIONS

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 3077 PEACE OFFICERS: FEDERAL CRIMINAL 05/30/90
MCCLINTOCK INVESTIGATORS

SUMMARY: THIS BILL WOULD PROVIDE THAT FEDERAL CRIMINAL INVESTIGATORS ARE NOT CALIFORNIA PEACE OFFICERS, BUT MAY EXERCISE THE POWERS OF ARREST OF A PEACE OFFICER WHEN A FELONY OFFENSE OCCURS IN THE INVESTIGATOR'S PRESENCE. THE BILL WOULD PROVIDE THAT THIS PROVISION SHALL SERVE ONLY TO DEFINE THESE INVESTIGATORS AS PEACE OFFICERS, THE EXTENT OF THEIR JURISDICTION, AND THE NATURE AND SCOPE OF THEIR AUTHORITY, POWERS, AND DUTIES, AND SHALL IN NO WAY ENTITLE THEM TO STATE RETIREMENT, WORKERS' COMPENSATION AND SIMILAR INJURY OR DEATH BENEFITS OR OTHER STATE EMPLOYEE BENEFITS.

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

AB 3145 VOTER RECORDS: PEACE OFFICERS 06/20/90
EAVES

SUMMARY: UNDER THE CALIFORNIA PUBLIC RECORDS ACT, THE HOME ADDRESS, TELEPHONE NUMBER, OCCUPATION, AND PRECINCT NUMBER OF SPECIFIED PERSONS IN THE FIELD OF CRIMINAL JUSTICE, INCLUDING PEACE OFFICERS, AS DEFINED, WHO ARE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS OR THE CALIFORNIA YOUTH AUTHORITY, APPEARING IN ANY RECORD OF A VOTER REGISTRATION AFFIDAVIT ARE CONFIDENTIAL UPON REQUEST OF THE REGISTRANT. THIS BILL WOULD DELETE THE REFERENCE TO THE DEPARTMENT OF CORRECTIONS OR THE CALIFORNIA YOUTH AUTHORITY AND EXPAND THE TYPES OF PEACE OFFICERS ELIGIBLE TO FILE A CONFIDENTIAL VOTER AFFIDAVIT. THE BILL WOULD ALSO REVISE THE CONDITIONS UNDER WHICH THE CONFIDENTIAL INFORMATION MAY BE RELEASED. THIS BILL WOULD PRESCRIBE AN APPLICATION PROCEDURE TO OBTAIN A COPY OF VOTER REGISTRATION INFORMATION FROM THE COUNTY ELECTIONS OFFICIAL OR THE SECRETARY OF STATE.

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

FISCAL STATE-MANDATED

CALENDAR: 06/26/90 SENATE COMMITTEE ON JUDICIARY
20 1:30 p.m. Room 3191

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

AB 3401 CORRECTIONS 06/11/90
WATERS, N

SUMMARY: THIS BILL WOULD PROVIDE THAT PEACE OFFICERS WHO PROVIDE SECURITY AT SPECIAL FACILITIES MUST MEET SPECIFIED QUALIFICATIONS. THIS BILL WOULD ALSO PROVIDE THAT NO PAROLE VIOLATOR WHO IS CONVICTED OF SPECIFIED CRIMES OR WHO RECEIVES A REVOCATION OF SENTENCE GREATER THAN 12 MONTHS, RATHER THAN 8 MONTHS, MAY BE CONFINED IN ONE OF THE SPECIAL FACILITIES ESTABLISHED PURSUANT TO THESE PROVISIONS.

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NEUTRAL	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 3434 CORRECTIONAL FACILITIES 05/24/90
ISENBERG

SUMMARY: ESTABLISHES CORRECTIONAL PEACE OFFICER STANDARDS & TRAINING COMMISSION AND FUND

FISCAL

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
INFO LEG	NONE	

AB 3474 PEACE OFFICERS 05/17/90
PEACE

SUMMARY: THIS BILL WOULD PROVIDE THAT NATIONAL PARK RANGERS MAY EXERCISE DESIGNATED POWERS OF ARREST OF A PEACE OFFICER WHEN ACTING UPON THE REQUEST OF STATE PARK RANGERS TO ASSIST IN SPECIFIED LAW ENFORCEMENT ACTIVITIES.

CALENDAR: 08/07/90 SENATE COMMITTEE ON JUDICIARY
24 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 3595 CONTROLLED SUBSTANCES:
KATZ FORFEITURE

SUMMARY: EXISTING LAW, WHICH IS TO REMAIN IN OPERATION ONLY UNTIL JANUARY 1, 1994, PROVIDES FOR THE FORFEITURE OF CERTAIN PROPERTY INVOLVED IN SPECIFIED CONTROLLED SUBSTANCE OFFENSES. WHERE THE PROPERTY IS SEIZED AND FORFEITED TO THE STATE OR LOCAL GOVERNMENT, ALL MONEY SO FORFEITED OR THE PROCEEDS OF PROPERTY SO FORFEITED ARE REQUIRED TO BE DISTRIBUTED BY THE STATE OR LOCAL GOVERNMENTAL ENTITY IN ACCORDANCE WITH A SPECIFIED SCHEDULE, INCLUDING, BUT NOT LIMITED TO, REQUIRING $1,000,000 OF THE BALANCE OF CERTAIN MONEYS IN 1989 AND 1990 ONLY TO BE DISTRIBUTED TO THE LOS ANGELES COUNTY OFFICE OF EDUCATION FOR SPECIFIED PURPOSES. THIS BILL WOULD REVISE THOSE PROVISIONS TO PROVIDE THAT WHERE PROPERTY IS SEIZED AND FORFEITED TO THE STATE, RATHER THAN STATE OR LOCAL GOVERNMENTAL ENTITIES, ALL MONEY SO FORFEITED OR THE PROCEEDS OF PROPERTY SO FORFEITED ARE REQUIRED TO BE DISTRIBUTED BY THE STATE OR LOCAL GOVERNMENTAL PROSECUTORIAL AGENCY, RATHER THAN BY A STATE OR LOCAL GOVERNMENTAL ENTITY, IN ACCORDANCE WITH A SPECIFIED SCHEDULE. THIS BILL WOULD DELETE THE 1989 AND 1990 DISTRIBUTION LIMITATION RELATING TO THE LOS ANGELES COUNTY OFFICE OF EDUCATION, REQUIRING DISTRIBUTION TO BE MADE UNTIL JANUARY 1, 1994.

FISCAL

CALENDAR: 07/03/90 SENATE COMMITTEE ON JUDICIARY
34 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 3821 CALIFORNIA DIGITAL IMAGING SYSTEM 06/14/90
ROOS

SUMMARY: UNDER EXISTING LAW, THERE SHALL BE LEVIED AN ASSESSMENT EQUAL TO $7 FOR EVERY $10 OR FRACTION THEREOF COLLECTED FOR SPECIFIED OFFENSES. THESE MONEYS, AFTER CERTAIN ADJUSTMENTS ARE MADE, ARE TRANSFERRED TO THE STATE FOR DEPOSIT IN THE ASSESSMENT FUND. MONEYS IN THAT FUND ARE DISTRIBUTED IN ACCORDANCE WITH A SPECIFIED FORMULA TO SPECIFIED FUNDS. THIS BILL WOULD INCREASE THE AMOUNT ASSESSED AGAINST EVERY $10 OF PENALTIES COLLECTED BY $1, FROM $7 TO $8, AND WOULD REQUIRE THAT THE REVENUE ATTRIBUTABLE TO THIS INCREASE BE DEPOSITED INTO THE CRIMINAL IDENTIFICATION AND INFORMATION FUND UNTIL JULY 1, 1994, AND THEREAFTER INTO THE GENERAL FUND.

FISCAL

CALENDAR: 07/03/90 SENATE COMMITTEE ON JUDICIARY
39 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 3905 PEACE OFFICERS: 06/14/90
QUACKENBUSH CARRYING FIREARMS

SUMMARY: EXISTING LAW PROVIDES THAT SPECIFIED PERSONS EMPLOYED BY STATE CORRECTIONS DEPARTMENTS MAY CARRY FIREARMS UNDER CERTAIN CONDITIONS. EXISTING LAW FURTHER PROVIDES THAT IT IS THE RESPONSIBILITY OF THE INDIVIDUAL OFFICER TO MAINTAIN HIS OR HER ELIGIBILITY TO CARRY FIREARMS OFF DUTY. THIS BILL WOULD PROVIDE, IN ADDITION, THAT THE DEPARTMENT OF CORRECTIONS SHALL ALLOW REASONABLE ACCESS TO ITS RANGES FOR OFFICERS FROM EITHER DEPARTMENT TO QUALIFY TO CARRY CONCEALABLE FIREARMS OFF DUTY. THE BILL WOULD PROVIDE THAT THE COMMISSION ON CORRECTIONAL PEACE OFFICERS' STANDARDS AND TRAINING SHALL MAKE AVAILABLE TO EVERY DEPARTMENTAL AND PRIVATE RANGE, ON REQUEST, AN APPROVED QUALIFICATION COURSE.

FISCAL

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 3999 PUBLIC SAFETY OFFICERS 04/04/90
BADER PROCEDURAL BILL OF RIGHTS ACT

SUMMARY: THIS BILL WOULD PROHIBIT DISCIPLINING A PUBLIC SAFETY OFFICER, EXCEPT FOR AN OFFICER EMPLOYED ON A PROBATIONARY STATUS, WITHOUT PRIOR NOTICE AND CAUSE.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

AB 4001 PRIVATE PATROL OPERATORS 05/17/90
KATZ

SUMMARY: EXISTING LAW SPECIFIES THE DUTIES AND RESPONSIBILITIES OF A PRIVATE PATROL OPERATOR. THIS BILL WOULD MAKE NUMEROUS CHANGES TO THESE PROVISIONS, INCLUDING ESTABLISHING NEW REQUIREMENTS RELATING TO COURSES ON TRAINING IN THE EXERCISE OF THE POWER OF ARREST.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AB 4057 PENALTY ASSESSMENTS: REGIONAL
WYMAN CRIMINALISTICS LABORATORIES

SUMMARY: EXISTING LAW AUTHORIZES THE IMPOSITION OF SPECIFIED PENALTY ASSESSMENTS IN THE VARIOUS COUNTIES FOR COURTHOUSE CONSTRUCTION, COUNTY CRIMINAL JUSTICE FACILITY CONSTRUCTION, TRANSITION PLANNING, AND AUTOMATED FINGERPRINT IDENTIFICATION SYSTEMS. THIS BILL AUTHORIZES THE IMPOSITION OF A PENALTY ASSESSMENT IN KERN COUNTY, AS SPECIFIED, FOR FUNDING A COUNTY CRIMINALISTICS LABORATORY.

CALENDAR: 08/07/90 SENATE COMMITTEE ON JUDICIARY
34 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

AB 4186 FINES AND FORFEITURES: 06/07/90
POLANCO DISTRIBUTION

SUMMARY: EXISTING LAW REQUIRES A COURT TO TRANSFER TO THE COUNTY TREASURER ALL FINES AND FORFEITURES TO ANY MUNICIPAL COURT OR JUSTICE COURT. EXISTING LAW PROVIDES THAT, OF THE MONEYS DEPOSITED WITH THE COUNTY TREASURER, A SPECIFIED PERCENTAGE OF FINES AND FORFEITURES COLLECTED DURING THE PRECEDING MONTH UPON THE CONVICTION OF ANY PERSON OR UPON THE FORFEITURE OF BAIL FROM ANY PERSON ARRESTED OR NOTIFIED BY A PEACE OFFICER OF SPECIFIED AGENCIES FOR VIOLATIONS OF SPECIFIED OFFENSES, IS TO BE TRANSFERRED MONTHLY TO THAT PEACE OFFICER'S EMPLOYING AGENCY OR DESIGNATED AGENCY FUND. THIS BILL WOULD EXPAND THE ABOVE LAW TO INCLUDE THE TRANSFER TO THE HOUSING AUTHORITY OF A CITY OR COUNTY OF AN AMOUNT EQUAL TO 50% OF ALL FINES AND FORFEITURES COLLECTED UPON THE CONVICTION OF, OR THE FORFEITURE OF BAIL FROM ANY PERSON ARRESTED OR NOTIFIED BY A PEACE OFFICER WITH THE HOUSING AUTHORITY OF A CITY OR COUNTY AND CHARGED WITH A VIOLATION OF SPECIFIED PARKING REGULATIONS APPLICABLE TO PARKING UPON PROPERTY UNDER THE POSSESSION OR CONTROL OF THE HOUSING AUTHORITY. AN

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

AMOUNT EQUAL TO THE REMAINING 50% WOULD BE
TRANSFERRED TO THE GENERAL FUND OF THE COUNTY.

FISCAL STATE-MANDATED

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

AB 4237 DOMESTIC VIOLENCE GUIDELINES AND 06/07/90
NOLAN REQUIREMENTS

SUMMARY: THIS BILL WOULD PROVIDE THAT AN INMATE WHO IS RELEASED ON PAROLE SHALL NOT BE RETURNED TO WITHIN 35 MILES OF THE VICTIM'S OR WITNESS'S PLACE OF RESIDENCE IF THE VICTIM OR WITNESS HAS REQUESTED ADDITIONAL DISTANCE IN THE PLACEMENT OF THE INMATE ON PAROLE AND THERE IS A NEED TO PROTECT THE LIFE, SAFETY, OR WELL-BEING OF A VICTIM OR WITNESS. THE BILL WOULD REQUIRE THAT NOTICE OF PLACEMENT OF AN INMATE IN ANY REENTRY OR WORK FURLOUGH PROGRAM BE SENT TO SPECIFIED INDIVIDUALS AS SOON AS THE PLACEMENT IS PLANNED, BUT IN NO CASE LESS THAN 60 DAYS PRIOR TO THE PLACEMENT OF AN INMATE. THIS BILL WOULD REQUIRE EVERY LAW ENFORCEMENT AGENCY IN THIS STATE TO DEVELOP, ADOPT, AND IMPLEMENT WRITTEN POLICIES AND STANDARDS FOR DISPATCHERS' RESPONSE TO DOMESTIC VIOLENCE CALLS BY JULY 1, 1991. THE BILL WOULD REQUIRE LAW ENFORCEMENT AGENCIES TO MAINTAIN A COMPLETE AND SYSTEMATIC RECORD OF ALL PROTECTION ORDERS WITH RESPECT TO DOMESTIC VIOLENCE INCIDENTS WHICH HAVE NOT YET BEEN SERVED.

FISCAL STATE-MANDATED

CALENDAR: 07/03/90 SENATE COMMITTEE ON JUDICIARY
51 1:30 p.m. Room 4203

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

INFO LEG

AB 4268 CHILD ABUSE. 04/30/90
WATERS, N

SUMMARY: THIS BILL WOULD ESTABLISH THE CHILD ABUSE REGIONAL INVESTIGATIVE SUPPORT CENTER PROJECT, AND WOULD REQUIRE THE STATE DEPARTMENT OF SOCIAL SERVICES TO SELECT AND AWARD A GRANT OR GRANTS TO PUBLIC OR PRIVATE ENTITIES FOR THE PURPOSE OF DEVELOPING THESE REGIONAL INVESTIGATIVE SUPPORT CENTERS. THE BILL WOULD SPECIFY THE FACTORS TO BE CONSIDERED BY THE DEPARTMENT IN SELECTING THE ENTITY TO BE AWARDED A GRANT, AND WOULD SPECIFY THE DUTIES OF A REGIONAL INVESTIGATIVE SUPPORT CENTER. THIS BILL WOULD ALSO DEFINE CERTAIN TERMS RELEVANT TO CHILD ABUSE, AND WOULD STATE THE FINDINGS AND DECLARATIONS OF THE LEGISLATURE.

FISCAL

STATUS: WAYS AND MEANS SUSPENSE FILE

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

ACA 1 STATE-MANDATED LOCAL PROGRAMS 01/23/90
MCCLINTOCK

SUMMARY: THIS MEASURE WOULD PROVIDE THAT WHENEVER THE LEGISLATURE OR ANY STATE AGENCY MANDATES ANY NEW PROGRAM OR HIGHER LEVEL OF SERVICE ON ANY LOCAL GOVERNMENT, THE STATE WOULD BE REQUIRED TO PROVIDE A SUBVENTION OF FUNDS TO PAY THE LOCAL GOVERNMENT FOR THE INCREASED COST. IT WOULD MODIFY AND ADD TO THE EXISTING CONSTITUTIONAL EXEMPTIONS. THIS MEASURE WOULD FURTHER PROVIDE THAT NO STATUTE, OTHER THAN CERTAIN SPECIFIED STATUTES, AND NO EXECUTIVE ORDER OR REGULATION, WHICH MANDATES A NEW PROGRAM OR HIGHER LEVEL OF SERVICE ON LOCAL GOVERNMENT WOULD BECOME OPERATIVE SOONER THAN 90 DAYS AFTER THE COMMISSION ON STATE MANDATES DETERMINES EITHER THAT THE STATE IS NOT REQUIRED PURSUANT TO THE MEASURE TO PROVIDE A SUBVENTION OF FUNDS FOR THE INCREASED COST OR THAT SUFFICIENT FUNDS HAVE BEEN APPROPRIATED TO PAY LOCAL GOVERNMENT FOR THE INCREASED COST.

FISCAL

STATUS: ASSEMBLY COMMITTEE ON ELECTIONS & REAPPORTIONMENT

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 533 COUNTY POLICE SERVICE 06/21/89
TORRES AUTHORITES: TRANSACTIONS

SUMMARY: THIS BILL WOULD AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO CREATE, AS SPECIFIED, A COUNTY POLICE SERVICES AUTHORITY AND WOULD AUTHORIZE AN AUTHORITY SO CREATED TO IMPOSE AN ADDITIONAL TRANSACTIONS AND USE TAX OF 1% FOR POLICE SERVICES IMPROVEMENT AND ENLARGEMENT PURPOSES, IF THE ORDINANCE OR RESOLUTION PROPOSING THAT TAX IS APPROVED BY A VOTE OF ALL MEMBERS OF THE AUTHORITY AND THE TAX IS APPROVED BY A MAJORITY VOTE OF THE QUALIFIED VOTERS OF THE COUNTY. THIS BILL WOULD PROHIBIT THE COMBINED RATE OF TAX IMPOSED IN ANY COUNTY BY ANY ENTITY PURSUANT TO THE BRADLEY-BURNS UNIFORM LOCAL SALES AND USE TAX LAW, THE TRANSACTION AND USE TAX LAW, THE LAW AUTHORIZING RURAL COUNTIES TO IMPOSE TRANSACTIONS AND USE TAXES, THIS BILL, AND ANY OTHER PROVISION OF LAW AUTHORIZING THE IMPOSITION OF LOCAL SALES OR TRANSACTIONS AND USE TAXES FROM EXCEEDING 2.25%.

STATUS: ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 626 PEACE OFFICERS: ARREST POWERS
ROYCE

SUMMARY: THIS BILL WOULD AUTHORIZE A PEACE OFFICER TO ARREST A PERSON WITHOUT A WARRENT WHEN HE OR SHE HAS REASONABLE CAUSE TO BELIEVE THAT THE PERSON HAS COMMITTED A PUBLIC OFFENSE CONSTITUTING AN ACT OF DOMESTIC VIOLENCE, AS DEFINED.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 1097 CRIMES: ARRESTS 07/19/89
MARKS

SUMMARY: THIS BILL WOULD PROVIDE THAT WHENEVER A PEACE OFFICER MAKES ANY ARREST, THE ARRESTING OR BOOKING OFFICER SHALL CHECK TO DETERMINE WHETHER THE ARRESTED PERSON IS WEARING A MEDICAL ALERT IDENTIFICATION NECKLACE OR BRACELET WITH AN INDIVIDUAL IDENTIFICATION NUMBER AND A 24-HOUR TOLL FREE TELEPHONE NUMBER THE OFFICER WOULD BE REQUIRED TO IMMEDIATELY CONTACT THE MEDICAL ALERT AGENCY FOR MEDICAL EMERGENCY INSTRUCTIONS.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 1147 FINES AND FORFEITURES: 01/04/90
LOCKYER

SUMMARY: THIS BILL WOULD RENAME THE ASSESSMENT FUND THE STATE PENALTY FUND, AND RENAME THE ASSESSMENTS DEPOSITED THEREIN AS STATE PENALTIES.

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

SB 1620 FINES AND FORFEITURES: 01/04/90
LOCKYER DISTRIBUTIONS

SUMMARY: THIS BILL WOULD AUTHORIZE A COURT TO USE A PERCENTAGE FORMULA FOR ALLOCATION OF MONEYS COLLECTED IN CRIMINAL CASES TO VARIOUS FUNDS, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, SO LONG AS THE FORMULA ACCOMPLISHES SUBSTANTIALLY THE SAME DISTRIBUTION OF MONEYS AS OTHERWISE REQUIRED BY STATUTE, AS SPECIFIED. THE BILL WOULD ALSO PROVIDE THAT NO ALLOCATION OF MONEYS NEED BE MADE TO FUNDS WHICH WOULD ACCUMULATE LESS THAN $1,000 FROM THE COURT DURING ANY 12-MONTH PERIOD.

FISCAL

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 1644 DIVERSION: JOB APPLICANTS 05/26/89
RUSSELL

SUMMARY: EXISTING LAW PROVIDES FOR THE DIVERSION OF A DEFENDANT IN CERTAIN CONTROLLED SUBSTANCES CASES FOR EDUCATION, TREATMENT, OR REHABILITATION, AS SPECIFIED. UPON SUCCESSFUL COMPLETION OF A DIVERSION PROGRAM, THE ARREST UPON WHICH THE DIVERSION WAS BASED SHALL BE DEEMED TO HAVE NEVER OCCURRED AND THE DIVERTEE MAY INDICATE IN RESPONSE TO ANY QUESTION CONCERNING HIS OR HER PRIOR CRIMINAL RECORD THAT HE OR SHE WAS NOT ARRESTED OR DIVERTED FOR THE OFFENSE AND A RECORD PERTAINING TO AN ARREST RESULTING IN SUCCESSFUL COMPLETION OF A DIVERSION PROGRAM SHALL NOT, WITHOUT THE DIVERTEE'S CONSENT, BE USED IN ANY WAY WHICH COULD RESULT IN THE DENIAL OF ANY EMPLOYMENT, BENEFIT, LICENSE, OR CERTIFICATE. THIS BILL WOULD PROVIDE THAT THESE LATTER PROVISIONS CONCERNING THE DIVERTEE'S ARREST WOULD NOT APPLY TO ANY APPLICANT, DIVERTED FOR A CONTROLLED SUBSTANCE OFFENSE WHICH IS A FELONY, WHO SEEKS EMPLOYMENT AS A PEACE OFFICER WITHIN 2 YEARS AFTER THE SUCCESSFUL COMPLETION OF DIVERSION.

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	STANDARDS

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 1736 DRIVER TRAINING 04/16/90
DILLS

SUMMARY: THIS BILL WOULD REQUIRE, COMMENCING WITH THE 1991-92 FISCAL YEAR, THAT THE AMOUNT PER PUPIL INSTRUCTED IN THE LABORATORY PHASE OF DRIVER EDUCATION AND THE AMOUNT FOR THE ACTUAL COST OF REPLACING VEHICLES AND SIMULATORS USED EXCLUSIVELY IN THE LABORATORY PHASE OF DRIVER EDUCATION PROGRAMS BE ADJUSTED ANNUALLY, AS SPECIFIED.

FISCAL

CALENDAR: 07/03/90 ASSEMBLY COMMITTEE ON EDUCATION
8 2 p.m. Room 437

STATUS: ASSEMBLY COMMITTEE ON EDUCATION

TYPE	POSITION	TOPIC
INFO LEG	NONE	FUNDING

SB 1810 CLANDESTINE DRUG LABORATORIES:
NIELSEN RURAL AREAS

SUMMARY: THIS BILL WOULD INCLUDE LEGISLATIVE FINDINGS AND DECLARATION CONCERNING CLANDESTINE LABORATORIES WHICH ILLEGALLY PRODUCE CONTROLLED SUBSTANCES IN RURAL COUNTIES IN CALIFORNIA AND WOULD, INSTEAD, PROVIDE THAT THE BUREAU OF NARCOTIC ENFORCEMENT IN THE DEPARTMENT OF JUSTICE SHALL BE RESPONSIBLE FOR THE REMOVAL, DISPOSAL, AND STORAGE OF TOXIC WASTES FROM THE SITES OF LABORATORIES USED FOR THE UNLAWFUL MANUFACTURE OF CONTROLLED SUBSTANCES IN COUNTIES WITH A POPULATION UNDER 1,250,000.

FISCAL

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 1811 CONTROLLED SUBSTANCES: UNLAWFUL 06/21/90
NIELSEN MANUFACTURING

SUMMARY: EXISTING LAW PROVIDES THAT THE PENALTY FOR MANUFACTURING, COMPOUNDING, CONVERTING, PRODUCING, DERIVING, PROCESSING, OR PREPARING BY CERTAIN CHEMICAL MEANS ANY SPECIFIED CONTROLLED SUBSTANCE IS IMPRISONMENT IN THE STATE PRISON FOR 3, 5, OR 7 YEARS AND BY A FINE NOT EXCEEDING $50,000. THIS BILL WOULD REVISE THE PENALTIES FOR THIS OFFENSE TO IMPRISONMENT IN THE STATE PRISON FOR 3, 6, OR 9 YEARS AND BY A FINE NOT EXCEEDING $50,000. EXISTING LAW PROVIDES THAT ANY PERSON CONVICTED OF SPECIFIED OFFENSES RELATING TO CONTROLLED SUBSTANCES, NOT INCLUDING METHAMPHETAMINE, SHALL NOT, IN ANY CASE BE GRANTED PROBATION BY THE TRIAL COURT OR HAVE THE EXECUTION OF THE SENTENCE IMPOSED UPON HIM OR HER SUSPENDED BY THE COURT, IF HE OR SHE HAS BEEN PREVIOUSLY CONVICTED OF SPECIFIED OFFENSES RELATING TO CONTROLLED SUBSTANCES, NOT INCLUDING METHAMPHETAIME. THIS BILL WOULD INCLUDE SPECIFIED OFFENSES RELATING TO METHAMPHETAIME WITHIN THE SCOPE OF THIS PROVISION.

FISCAL

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 1896 COUNTY FISH AND GAME WARDENS: 03/27/90
DAVIS RESERVE WARDENS

SUMMARY: THIS BILL WOULD AUTHORIZE THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY TO APPOINT NOT MORE THAN 3 OCEAN LIFEGUARDS EMPLOYED BY THE COUNTY AS RESERVE COUNTY FISH AND GAME WARDENS FOR NOT MORE THAN 4 MONTHS. THE BILL WOULD GRANT THE RESERVE WARDENS THE POWERS AND AUTHORITY OF PEACE OFFICERS, AS SPECIFIED, IF CERTAIN CONDITIONS ARE MET.

CALENDAR: 06/26/90 ASSEMBLY COMMITTEE ON PUBLIC SAFETY
9 9 a.m. Room 126

STATUS: IN ASSEMBLY--SECOND READING FILE--SENATE BILLS

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 1956 PEACE OFFICERS: RECORDS 05/03/90
AYALA

SUMMARY: EXISTING LAW GENERALLY PROHIBITS, EXCEPT AS SPECIFIED, THE DISCLOSURE OF PEACE OFFICER PERSONNEL RECORDS AND CITIZEN COMPLAINT RECORDS, AND ANY OTHER INFORMATION, THE DISCLOSURE OF WHICH WOULD CONSTITUTE AN UNWARRANTED INVASION OF PERSONAL PRIVACY. THIS BILL WOULD DELETE THE PROVISION REGARDING THE DISCLOSURE OF INFORMATION THAT WOULD CONSTITUTE AN UNWARRANTED INVASION OF PRIVACY, AND WOULD IMPOSE A CIVIL PENALTY NOT TO EXCEED $10,000 FOR EACH VIOLATION OF THE DESCRIBED PROHIBITION.

FISCAL

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 1980 EMERGENCY SERVICES: IMMUNITY: 05/30/90
ROBBINS DISPATCHER SERVICES

SUMMARY: EXISTING LAW PROVIDES A QUALIFIED IMMUNITY FOR EMERGENCY RESCUE PERSONNEL, AS DEFINED, WHO ARE OFFICERS OR EMPLOYEES OF CERTAIN FIREFIGHTING OR FIRE PROTECTION AGENCIES ENGAGED IN PROVIDING EMERGENCY SERVICES. THIS BILL WOULD INCLUDE, THE RECEIVING AND PROCESSING CALLS FOR EMERGENCY ASSISTANCE AND THE DISPATCHING OF PERSONNEL TO RESPOND TO THE CALLS, WITHIN THE DEFINITION OF EMERGENCY SERVICES FOR THE PURPOSES OF THIS IMMUNITY AND WOULD BROADEN THE SCOPE OF THE IMMUNITY TO INCLUDE OFFICERS, EMPLOYEES, OR MEMBERS OF OTHER SPECIFIED ENTITIES PROVIDING THESE SERVICES.

STATUS: ASSEMBLY COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 1985 PEACE OFFICERS 05/16/90
GREEN, C

SUMMARY: EXISTING LAW PROVIDES THAT PEACE OFFICER PERSONNEL RECORDS, OR INFORMATION OBTAINED FROM THOSE RECORDS, ARE CONFIDENTIAL. HOWEVER, THE DEFINITION OF PERSONNEL RECORDS DOES NOT SPECIFICALLY INCLUDE HOME ADDRESSES. THIS BILL WOULD CHANGE THE DEFINITION OF PERSONNEL RECORDS TO INCLUDE HOME ADDRESSES.

CALENDAR: 06/26/90 ASSEMBLY COMMITTEE ON PUBLIC SAFETY
* 10 9 a.m. Room 126

STATUS: IN ASSEMBLY--SECOND READING FILE--SENATE BILLS

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 2033 LAW ENFORCEMENT EMPLOYEES: AIDS 05/03/90
MELLO

SUMMARY: THIS BILL WOULD REQUIRE THE SPECIFIED AGENCY OR THE CHIEF MEDICAL OFFICER OF EACH CORRECTIONAL, CUSTODIAL, OR LAW ENFORCEMENT AGENCY, WHICH INCLUDES LOCAL LAW ENFORCEMENT AGENCIES, TO REPORT EACH REPORTABLE INCIDENT, WHERE A LAW ENFORCEMENT EMPLOYEE COMES IN CONTACT WITH THE BODILY FLUIDS OF CERTAIN PERSONS, TOGETHER WITH ITS DISPOSITION TO THE STATE DEPARTMENT OF HEALTH SERVICES.
THE BILL WOULD PROHIBIT TRANSMITTING THE NAME OF THE LAW ENFORCEMENT EMPLOYEE TO THE STATE DEPARTMENT.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2140 PUBLIC OFFICIALS 05/15/90
DAVIS

SUMMARY: THIS BILL RELATES TO EXISTING PROVISIONS THAT ASSIGN SPECIFIC DUTIES, PRIVILEGES, AND POWERS TO SPECIFIED PEACE OFFICERS. THIS BILL WOULD INCLUDE WITHIN THOSE PROVISIONS CERTAIN RESERVE OR AUXILIARY SHERIFF OR CITY POLICE OFFICERS, DEPUTY SHERIFFS, RESERVE POLICE OFFICERS OF CERTAIN DISTRICTS, DEPUTIES OF THE DEPARTMENT OF FISH AND GAME, AND SPECIAL AGENTS OF THE DEPARTMENT OF JUSTICE. THIS BILL WOULD FURTHER REVISE CERTAIN OF THOSE PROVISIONS TO INCLUDE REFERENCES TO ADDITIONAL EMERGENCY VEHICLES AND CATEGORIES OF PEACE OFFICERS IN INSURANCE-RELATED PROVISIONS.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

INFO LEG NONE GENERAL LE

SB 2242 AUTOMATIC DIALING DEVICES: LAW 06/13/90
DAVIS ENFORCEMENT AND FIRE PROTECTION

SUMMARY: EXISTING LAW, WITH SPECIFIED EXCEPTIONS, PROHIBITS THE OPERATION OF AN AUTOMATIC DIALING-ANNOUNCING DEVICE. THIS BILL WOULD EXEMPT FROM THAT PROHIBITION LAW ENFORCEMENT AGENCIES AND FIRE PROTECTION AGENCIES PLACING CALLS THROUGH AUTOMATIC DIALING-ANNOUNCING DEVICES, IF THOSE DEVICES ARE USED FOR SPECIFIED PURPOSES.

CALENDAR: 06/26/90 IN SENATE--UNFINISHED BUSINESS--CONCURRENCE
74 SENATE CONVENES AT 9 A.M.

STATUS: IN SENATE--UNFINISHED BUSINESS--CONCURRENCE

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2350 911 TELEPHONE SERVICES 04/16/90
ROSENTHAL

SUMMARY: THIS BILL WOULD REQUIRE THE DEPARTMENT OF GENERAL SERVICES TO REPORT TO THE LEGISLATURE, NOT LATER THAN JANUARY 30, 1992, ON THE NEED TO ESTABLISH A REDUNDANT OR SECONDARY 911 EMERGENCY SERVICE NETWORK IN ORDER TO RESPOND TO NATURAL DISASTERS AND SIMILAR CIRCUMSTANCES WHICH COULD HAMPER OR INTERRUPT EXISTING 911 EMERGENCY SERVICES, AS WELL AS TO EXPLORE VARIOUS ALTERNATIVES TO INCREASE 911 EMERGENCY SERVICE NETWORK ACCESSIBILITY.

FISCAL

CALENDAR: 06/26/90 IN ASSEMBLY--SECOND READING FILE--SENATE BILLS
5 ASSEMBLY CONVENES AT 7 A.M.

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
INFO LEG	NONE	

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 2416 PENALTY ASSESSMENTS: AUTOMATED 04/25/90
BERGESON IDENTIFICATION SYSTEMS

SUMMARY: THIS BILL WOULD INCREASE THE PENALTY ASSESSMENT IN LOS ANGELES, VENTURA, AND ORANGE COUNTIES FROM $.50 TO $1 FOR EVERY $10 OR FRACTION THEREOF OF FINES AND FORFEITURES COLLECTED, CHANGE THE NAME OF THE RESPECTIVE FUNDS FROM THE COUNTY AUTOMATED FINGERPRINT IDENTIFICATION FUNDS TO THE COUNTY AUTOMATED CRIMINAL IDENTIFICATION FUND, AND REQUIRE ONE HALF OF THE FUND TO BE USED FOR PURPOSES OF AUTOMATED PHOTOGRAPHIC OR DNA (GENETIC FINGERPRINT) IDENTIFICATION SYSTEMS, OR BOTH.

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2528 PEACE OFFICERS: EAVESDROPPING 06/01/90
ALA

SUMMARY: EXISTING LAW PROHIBITS SPECIFIED ACTS RELATED TO WIRETAPPING AND EAVESDROPPING, PROVIDES FOR SPECIFIED PUNISHMENT FOR VIOLATION OF THOSE PROVISIONS, AND DEFINES RELATED TERMS. EXISTING LAW PROVIDES THAT NOTHING IN THESE PROVISIONS PROHIBITS SPECIFIED LAW ENFORCEMENT OFFICERS FROM OVERHEARING OR RECORDING ANY COMMUNICATION THEY COULD LAWFULLY OVERHEAR OR RECORD PRIOR TO THE 1967 ENACTMENT OF THESE PROVISIONS. THIS BILL WOULD ADD MARSHALS AND DEPUTY MARSHALS OF A MUNICIPAL COURT, SPECIFIED STATE PEACE OFFICERS, THE DIRECTOR OF CORRECTIONS, ASSISTANT DIRECTOR, OR ANY SPECIAL AGENT OF THE LAW ENFORCEMENT LIAISON UNIT OF THE DEPARTMENT OF CORRECTIONS, AND ANY WARDEN OR INVESTIGATIVE CAPTAIN OR LIEUTENANT IN AN INSTITUTION OR FACILITY UNDER THE JURISDICTION OF THE DIRECTOR OF CORRECTIONS TO THE LIST OF SPECIFIED LAW ENFORCEMENT OFFICERS SUBJECT TO THESE PROVISIONS.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2651 WIRETAP: EXEMPTIONS
DAVIS

SUMMARY: THIS BILL WOULD EXTEND A SPECIFIED EXEMPTION WHICH ALLOWS WIRETAPPING AND EAVESDROPPING UPON, OR RECORDING OF, CONFIDENTIAL COMMUNICATIONS UNDER SPECIFIED CONDITIONS TO INCLUDE THE DIRECTOR OF CORRECTIONS, ASSISTANT DIRECTOR OR ANY SPECIAL AGENT OF THE LAW ENFORCEMENT LIAISON UNIT OF THE CALIFORNIA DEPARTMENT OF CORRECTIONS, OR ANY WARDEN OR INVESTIGATIVE CAPTAIN OR LIEUTENANT IN AN INSTITUTION OR FACILITY UNDER THE JURISDICTION OF THE DIRECTOR OF CORRECTIONS.

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2681 FALSE REPORTS: PEACE OFFICERS 05/02/90
BOATWRIGHT

SUMMARY: EXISTING LAW PROVIDES THAT A PEACE OFFICER WHO KNOWINGLY AND INTENTIONALLY MAKES ANY FALSE STATEMENTS IN SPECIFIED REPORTS FILED WITH HIS OR HER EMPLOYING AGENCY IS PUNISHABLE BY IMPRISONMENT IN A COUNTY JAIL FOR NOT MORE THAN ONE YEAR. THIS PROVISION DOES NOT APPLY TO THE CONTENTS OF ANY STATEMENT WHICH THE PEACE OFFICER ATTRIBUTES IN THE REPORT TO ANY OTHER PERSON. THIS BILL WOULD INSTEAD PROVIDE THAT A PEACE OFFICER WHO MAKES THESE FALSE STATEMENTS REGARDING ANY MATERIAL MATTER HAS COMMITTED PERJURY, PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL FOR UP TO ONE YEAR OR IN THE STATE PRISON FOR 1, 2, OR 3 YEARS.

FISCAL

CALENDAR: 06/26/90 IN ASSEMBLY--SECOND READING FILE--SENATE BILLS

BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

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22 ASSEMBLY CONVENES AT 7 A.M.

STATUS: ASSEMBLY COMMITTEE ON WAYS & MEANS

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2690 ARREST: REASONABLE FORCE 05/08/90
ROBERTI

SUMMARY: THIS BILL WOULD PROVIDE THAT A PEACE OFFICER SHALL NOT USE MORE FORCE THAN IS REASONABLE TO EFFECT AN ARREST, PREVENT ESCAPE, OR OVERCOME RESISTANCE, IF HE OR SHE HAS REASONABLE CAUSE TO BELIEVE THAT THE PERSON TO BE ARRESTED HAS COMMITTED A PUBLIC OFFENSE. THIS BILL WOULD REQUIRE EACH LAW ENFORCEMENT DEPARTMENT OR AGENCY TO ADOPT A PROTOCOL IDENTIFYING REASONABLE FORCE PROCEDURES, AS SPECIFIED.

FISCAL STATE-MANDATED

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

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* COMMISSION ON POST 06/26/90 SUMMARY REPORT *
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BILL-FILE - COMMISSION ON POST-MASTER
TYPE - INFO LEG

SB 2764 PEACE OFFICER RECORDS 05/17/90
KILLEA

SUMMARY: EXISTING LAW DEFINES PEACE OFFICER 'PERSONNEL' RECORDS TO MEAN ANY FILE MAINTAINED UNDER THE INDIVIDUAL'S NAME BY HIS OR HER EMPLOYING AGENCY AND CONTAINING SPECIFIED RECORDS. THIS BILL WOULD REVISE THAT DEFINITION TO PROVIDE THAT PERSONNEL RECORDS INCLUDE THOSE RECORDS WHEN THE RECORDS ARE IN THE POSSESSION OF THE EMPLOYING AGENCY OR DEPARTMENT.

STATUS: ASSEMBLY COMMITTEE ON PUBLIC SAFETY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

SB 2876 PEACE OFFICER
DILLS

SUMMARY: THIS BILL WOULD AUTHORIZE THE SHERIFF OF A COUNTY WHERE A PRIVATE POSTSECONDARY EDUCATIONAL INSTITUTION IS LOCATED TO APPOINT PERSONS IN ORDER TO CREATE A PRIVATE POSTSECONDARY EDUCATIONAL INSTITUTION POLICE DEPARTMENT, AND WOULD PROVIDE THAT PERSONS SO APPOINTED AND SWORN SHALL BE DEEMED PEACE OFFICERS, AS SPECIFIED.

STATUS: SENATE COMMITTEE ON JUDICIARY

TYPE	POSITION	TOPIC
INFO LEG	NONE	GENERAL LE

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
Marriott Hotel Mission Valley
July 18, 1990 - 10 a.m.
San Diego, California

AGENDA

A.	Call to Order and Roll Call	Chair
B.	Introduction of New Member	Chair
C.	Approval of Minutes of Previous Meeting	Chair
D.	Announcements	Chair
E	Executive Director's Remarks	Staff
F.	Carcinogenic Video Presentation	Staff
G.	Community College ADA Support of Inservice Public Safety Courses	Hunt
H.	Commission Liaison Committee Report	Commissioners
I.	Advisory Committee Member Reports	Members
J.	Open Discussion	Members
K.	Adjournment	Chair

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
GEORGE DEUKMEJIAN, *Governor*
JOHN K. VAN DE KAMP, *Attorney General*
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST Advisory Committee Meeting
April 18, 1990
Marriott Hotel Mission Valley Room
San Diego, CA.

MINUTES

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Chairman Don Brown.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Present: Don Brown, Calif. Organization of Police & Sheriffs
Charles Brobeck, Calif. Police Chiefs' Association
Douglas Burris, California Community Colleges
Cois Byrd, Calif. State Sheriffs' Assoc.
John Clements, Calif. Highway Patrol
Donald Forkus, Calif. Peace Officers' Assoc.
Derald Hunt, Calif. Assoc. of Administration of Justice Educators
Dolores Kan, Women Peace Officers' Assoc. of Calif.
Marcel Leduc, Peace Officers' Research Assoc. of Calif.
Joe McKeown, Calif. Academy Directors' Assoc.
Cecil Riley, Calif. Specialized Law Enforcement

Absent: Carolyn Owens, Public Member

Commission Advisory Liaison Committee Members present:

Commissioner Carm Grande
Commissioner Edward Maghakian

POST staff present:

Norman Boehm, Executive Director
Hal Snow, Assistant Executive Director
Ken Whitman, Senior Law Enforcement Consultant
Imogene Kauffman, Executive Secretary

Visitor present:

Bill Luna, Executive Assistant, Riverside County Sheriff's Dept.

INTRODUCTION OF NEW MEMBERS

The following new committee members were introduced:

Charles Brobeck, Chief of Police of Novato Police Department, representing California Police Chiefs' Association
Douglas Burris, Chief Deputy Chancellor, representing California Community Colleges
Marcel Leduc, Sergeant for San Joaquin County Sheriff's Department, representing Peace Officers' Research Association of California.

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION - Forkus, second - Hunt, carried unanimously to approve the minutes of the January 17, 1990 meeting at the Marriott Harbor Hotel in San Diego.

ANNOUNCEMENTS

It was announced that Hal Snow had been appointed to the position of Assistant Executive Director and is now the staff coordinator for the Advisory Committee, replacing Doug Thomas who has been re-assigned.

EXECUTIVE DIRECTOR'S REMARKS

The Executive Director reviewed the April 19, 1990 Commission Agenda and responded to questions on the issues.

In response to the Commission agenda item, "Receiving Testimony on the Proposal to Adopt Training Standards on the Subject of Carcinogenic Materials", the Advisory Committee Chairman stated that the Committee would be interested in seeing the video tape that had been prepared on training standards on the subject of carcinogenic materials.

There was a discussion on the problems and possible solutions of having more and more legislatively mandated training added to the Basic Course. It was suggested that POST develop a referral process from the Legislature and a process to prevent training mandates from the Legislature.

ACR 58 STUDY UPDATE

Staff made a presentation on the work of the ACR 58 Study Committee project. The presentation provided the Committee with a brief history on the ACR 58 study into advanced technology applications and training facilities. The presentation also provided the Committee with information on the progress that the ACR 58 Study Committee has made to identify, research and inventory advanced technology applications beneficial to law

enforcement training.

A slide show/video presentation provided the Committee members with a preview of the ideas and concepts the ACR 58 Study Committee is examining which can be used to greatly enhance training for California law enforcement into the 21st Century.

ADVISORY COMMITTEE MEMBER REPORTS

Calif. Peace Officers' Assoc. - Don Forkus announced that CPOA will be having its annual conference in May in Costa Mesa. It will be a politically oriented conference as the candidates for the upcoming election will be in attendance. There will also be interesting guest speakers and workshops. The training branch of CPOA, previously referred to as CPOERT, has been restructured and renamed the CPOA Foundation. It was also reported that several officers of CPOA recently had some constructive dialogue with the national leadership of the National Rifle Association. The issues were nationwide but primarily in California on how law enforcement and NRA seem to be going in two different directions. It was thought that some of the positions NRA has taken may have been misunderstood in California. It was hoped the result will be to work more closely with California law enforcement. The meeting was helpful and healthy.

Calif. Assoc. of Administration of Justice Educators - Derald Hunt announced the CAAJE annual conference will be held May 4-6 in Tahoe. There will be some outstanding speakers and topics presented.

Peace Officers' Research Assoc. of California - Marcel Leduc reported that the Board of Directors had just held its spring meeting two weeks ago. PORAC's attention is presently directed toward the preparation of the Peace Officers Memorial and the renovation of the PORAC building in Sacramento.

Women Peace Officers' Assoc. of California - Dolores Kan announced that the W.P.O.A.C. will be meeting in Costa Mesa May 6-9. At that time there will be installation of new officers for the coming year, and various awards will be presented.

Calif. Police Chiefs' Association - Charles Brobeck reported that CPCA has a new training Chair, Chief James Gardiner of San Luis Obispo. He will be working with Chief Fillmore at Anaheim for the 1991 Police Chiefs' Conference and the training workshops.

Calif. Academy Directors' Assoc. - Joe McKeown stated that CADA's main concern at this time is the proliferation of mandated topics which increase the length of the Basic Course and in finding more effective methods to work with the Legislature to prevent the increases.

Calif. Community Colleges - Douglas Burris reported that during the next two-and-one-half days the 16-member Board of Governors

will be meeting. The Board oversees the 107 community colleges of the State that now enroll about 1.4 million students. A major project is looking at the capital growth needs over the next 10-15 years. An increased enrollment of 540,000 students is anticipated. It will require an average of $200 million a year for the next 15 years to meet those capital gains. They are also very much interested in the technology being studied through ACR 58.

Calif. Organization of Chiefs and Sheriffs - Don Brown reported that COPS is working on a low-interest home loan legislative bill for law enforcement and fire fighters who would like to be able to afford to live in the city where they work. The bill is receiving a lot of support. The COPS annual legislative seminar will be conducted in Palm Springs September 14-16, 1990.

OPEN DISCUSSION

In answer to a question regarding action on the two motions taken at the January meeting for Commission consideration regarding the Supervisory Leadership Institute, it was reported that the motions will be taken under advisement for future consideration.

It was stated that the impact technology on existing training would be a part of the agenda at the POST "Symposium on the Future of Law Enforcement Training" to be held July 10-12 in San Diego.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:30 p.m.

Imogene Kauffman
Executive Secretary